

# RIVERSIDE LAWYER

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MAGAZINE



**RCBA Board 2014-2015**



**Barristers Board 2014-2015**



The official publication of the Riverside County Bar Association

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# RIVERSIDE LAWYER

MAGAZINE

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# MISSION STATEMENT

## Established in 1894

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

## RCBA Mission Statement

The mission of the Riverside County Bar Association is:  
To serve our members, our communities, and our legal system.

## Membership Benefits

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

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

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

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

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

MBNA Platinum Plus MasterCard, and optional insurance programs.

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

*The Riverside Lawyer is published 11 times per year by the Riverside County Bar Association (RCBA) and is distributed to RCBA members, Riverside County judges and administrative officers of the court, community leaders and others interested in the advancement of law and justice. Advertising and announcements are due by the 6<sup>th</sup> 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 the Riverside Lawyer.*

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

# CALENDAR

## December

- 4 New Admittee Swearing In Ceremony**  
Riverside Superior Court, Dept. 1, 10:00 a.m.
- 9 CLE Presentation**  
Topic: "What attorneys need to know to retain an ethical Deposition Officer, Process Server or Private Investigator"  
Speaker: Joseph Jones, Bosco Legal Services  
RCBA Gabbert Gallery – Noon  
MCLE – 1 hour Ethics  
Lunch sponsored by Bosco Legal Services, Inc.
- 10 Human Rights Section**  
Topic: "Human Trafficking: A Crisis of Law and Culture"  
Speaker: Prof. Christopher Kall, Trinity Law School Center for Human Rights  
Lunch will be provided. RSVPs are due by Friday, December 5  
MCLE
- 11 General Membership Meeting**  
Joint with the San Bernardino County Bar Association  
Speaker: State Bar President Craig Holden  
The Hotel, San Bernardino – Noon  
RSVP: SBCBA – 909-888-6791
- 16 RCBA Shopping Elves – at Big Kmart**  
375 E. Alessandro Blvd., Riverside  
6:00 p.m.  
(contact RCBA for more information)
- 17-18 RCBA Wrapping Elves**  
RCBA Boardroom – 4:00 p.m.  
(contact RCBA for more info)
- 25-26 Christmas Holiday – RCBA Closed**

## January

- 1-2 New Year Holiday – RCBA Closed**
- 5 Swearing In Ceremony for District Attorney-Elect Michael Hestrin**  
Historic Courthouse Steps – 4:00 p.m.



## ON THE COVER:

### RCBA Board

*Back row (l-r):* Jack Clarke, Jr., Kira Klatchko, Jean-Simon Serrano, Scott Talkov

*Front row (l-r):* Neil Okazaki, Brian Unitt, L. Alexandra Fong, Chad Firetag, Jacqueline Carey-Wilson, Sophia Choi

*(not pictured: Jeff Van Wagenen)*

### Barristers

*Back row (l-r):* Sara Morgan, Scott Talkov, Kelly Moran

*Front row (l-r):* Erica Alfaro, Christopher Marin, Benjamin Heston, Arlene Cordoba Dashkovitz

*(not pictured: Eli Underwood)*



by Chad W. Firetag

“The first thing we do, let’s kill all the lawyers.”

This is perhaps one of the most quoted, yet most misunderstood, lines in all of Shakespeare. We have seen it on T-shirts, on bumper stickers and all sorts of other similar advertisements. I would venture to guess that while many have heard this phrase before and know it comes from Shakespeare, most people really do not understand it.

The phrase is uttered by Dick the Butcher in *Henry VI*, Part II, act IV, Scene II, Line 73. The story of *Henry VI* actually involves three different plays. Dick the Butcher was a follower of the rebel Jack Cade. Henry VI, as portrayed by Shakespeare, was a rather weak king and by the time he came back from France in Part II of this trilogy the king was simply unable to quell the tide of revolt in England. The famous “War of the Roses” followed these events.

One of the rivals for the throne, the Duke of York, devised a scheme to stir up the politics of London. The Duke learned of an uprising in Ireland and enlisted a man named Jack Cade to start a revolt back in London. The Duke’s plan, he believed, would then provide him with the opportunity to return home and use the army to seize power. It is during this part of the play when Cade speaks to one of his conspirators about his intentions, which prompted the aptly named Dick the Butcher to utter this famous phrase.

So is this a compliment or an insult to lawyers? There are those who have argued that because the line is uttered by a villain that it must be praise to those in the legal profession. After all, Cade and his men were

rogues, and Cade believed by this revolt that he would usher in a false utopian society free of legal restraints. Therefore, under this theory Shakespeare meant it as a tribute to attorneys and judges who instill justice in society because it is the law that suppresses criminals from revolting against the government.

Others find this interpretation laughable and joke that only a lawyer could spin such a phrase to their benefit. This second theory posits that the line means exactly what it says: it is an indictment of lawyers because they themselves perpetrated injustice. There was indeed hostility from the people towards the nobility and the lawyers who helped them in court. In this way, what Dick the Butcher is really saying is simply a rallying cry for those seeking retribution against those lawyers who helped those in power against the powerless.

I am by no means a Shakespearian scholar, but I tend to think that the answer is more subtle than either interpretation presents. It seems to me that the Great Bard was very good at placing hidden meanings behind his words so that it made us think deeper than just the superficial surface. There are plenty of examples of unscrupulous lawyers in Shakespearian plays so it cannot be that Shakespeare really meant all lawyers are champions of liberty. But lawyers also played an important role in his time and by having an insurgent utter this line one could certainly think that Shakespeare valued the role lawyers had in preserving freedom.

I once read about a third explanation that I believe addresses this debate well: the text is not an insult towards all lawyers nor is it some tongue-in-cheek praise of our profession. Instead, the phrase was directed towards corrupt lawyers and how those lawyers perverted government, freedom and justice. And since this line is said by one of the play’s rogues, it is doubtful that Shakespeare wanted us to take Dick’s comment at face value.

The nobility and therefore the government, as portrayed in this play, are either devious and self-centered or weak and ineffective. In either case, the lawyers who helped them deserved to be rebuked by the great playwright. Therefore, the best interpretation is that Shakespeare is trying to point out that those lawyers who commit injustice should be exposed and scolded.

Now, I know that this is a legal magazine and not a course on British literature, but I have often thought that mankind is no different today than it was hundreds if not thousands of years ago. Just as it is today there were great lawyers in Shakespeare’s time and bad ones as well. Maybe that is why this phrase is still so indelible in our minds. As we approach the holiday season and reflect on the past year, I think that it presents us with an opportune time to reexamine who we are. The RCBA is only as good as the lawyers who make up the organization. As an organization, I think that we need to constantly evaluate whether we are on the side who advocates for justice, or for the side that Dick the Butcher had in mind. Let us always strive for the former as we come into the new year.

*Chad Firetag is an Assistant Public Defender for the Law Offices of the Public Defender, Riverside County.*



# BARRISTERS BOARD – MEMBER’S MESSAGE

by Erica Alfaro



## Volunteering: Giving Back to Our Community

As the holiday season quickly approaches, I am taking this time to reflect upon memorable life experiences. One of these experiences includes joining the Riverside legal community.

My first introduction to the Riverside legal community was when I signed up to serve as a volunteer attorney with the Inland Empire Latino Lawyers Association (IELLA). As a new attorney I wanted to learn about the law and gain hands on legal experience and I realized there would no be better way to achieve this than by volunteering my time—all around a win-win situation.

On the first day, I entered the doors of the Arlanza Community Center. I was immediately greeted by Staff Attorney and Clinic Manager, Mario Rico. If you’ve never met Mario, he has a calm energy and the ability to easily connect with others. As the hours of the volunteer session progressed and we talked with a steady stream of clients, I noticed that Mario emanated a deep sense of commitment to his clients, intently listening to their problems and offering well-thought out advice. I soon learned that this was characteristic of Mario because he treated all the clients with the utmost respect and would take the time to speak with each client until he addressed all their concerns.

This experience inspired me because it affirmed my desire to help others and continue volunteering with IELLA. Another notable experience recently occurred on November 15, 2014 at the Legal Careers Day at Arlington High School sponsored by RCBA and Barristers. The well-coordinated event organized by Past Barristers’ President Kelly

Moran provided high school students with the opportunity to learn about numerous careers in the law. The auditorium was filled with hundreds of young students, on a Saturday no less, actively engaged and listening to the distinguished panelists. This was a sight to be seen and an achievement in of itself.

It was also inspirational to see the panelists, ranging from law enforcement officers to attorneys, willing to give of their time and share advice with the students. The encouragement they offered made a significant impact as many students lingered after the panel to ask questions and learn more about potential career paths. I hope to continue my involvement in this program and support students in achieving their life goals. Overall, my experience in the Riverside legal community has enriched my life. It has given me the opportunity to see firsthand the dedication my colleagues have in helping our local community and inspired me to continue my volunteer efforts.

*Erica Alfaro is a Member-at-Large of the Barristers Board and an attorney at State Compensation Insurance Fund in Riverside where she practices Worker’s Compensation Law.*



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# 2014 CONFERENCE OF CALIFORNIA BAR

*by Kenneth W. Minesinger*

The 2014 Conference of California Bar Associations (CCBA) took place during the State Bar Annual Meeting, September 12-14 in San Diego. At this year's conference, I was privileged to join Riverside County delegates Michael Bazzo and Everett Green.

If you're unfamiliar with the CCBA and its purpose, you're not alone. From the CCBA web site: "The Conference of California Bar Associations serves justice in California by bringing together attorney volunteers from across the State representing diverse backgrounds, experience, and expertise to seek, debate, and promote creative, non-partisan solutions to law-related issues for the benefit of Californians."

In practice, what that means is that delegates from Bar Associations around the state propose resolutions to the CCBA which are debated at the annual conference. Assuming a resolution is adopted, CCBA works to ensure it becomes law. To that end, CCBA retains a lobbyist in Sacramento and has an active legislative program in the State Capital. Thirteen of 2013's resolutions have become law.

Along with debating and passing resolutions, the CCBA elects a new Chair and Executive Board. The new Chairman is Los Angeles attorney Duncan Crabtree-Ireland and the Chair-Elect is San Bernardino County attorney Jack Osborn. The Riverside County Delegation met and elected Michael Bazzo our Chairman.

Our goal for the 2015 Riverside County Delegation is to grow our numbers and increase our influence in the CCBA.

Next year's conference will take place alongside the State Bar Annual Meeting in Anaheim on October 9-11, 2015. For more information about the CCBA and next year's conference, go to [calconference.org](http://calconference.org).

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*Kenneth Minesinger is a Riverside Corporate and Tax lawyer and an Associate Professor at California Baptist University. He also serves as an Associate Editor for the State Bar's Business Law Section's Business Law News.*



# THE LEO A. DEEGAN INN OF COURT

*by Robyn A. Lewis*

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

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

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

This year, the Leo A. Deegan Inn of Court is headed by President John Michels, President-Elect Justice Carol Codrington, Secretary/Treasurer Jeremy Hanson, and Directors: Judge Jacqueline Jackson, Sophia Choi, Alexandra Fong, Ben Eilenberg, and Dorothy McLaughlin.

For more information on the Leo A. Deegan Inn of Court, please contact Sherri Gomez, Executive Director, at [sherrigomez4@gmail.com](mailto:sherrigomez4@gmail.com).

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*Robyn A. Lewis is the managing partner of J. Lewis & Associates, APLC, and is past president of the RCBA and the Leo A. Deegan Inn of Court.*



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# A PROFESSIONAL PRACTICE SUSPENDED FOR A RESUMÉ ERROR

*by Boyd Jensen*

It has been my privilege to donate my time and interact with California State Bar counsel on behalf of peers whose legal practice privileges stood threatened because of simple mistakes or occasionally irresponsible behavior. There are attorneys who specialize in this type of regulatory action to defend bar members whose practice privileges are being challenged. I am not one of them. I believe it was for moral support as much as for my legal ability which brought these attorneys to my office for assistance. This process may affect each one of us in the most pedestrian or unpredictable fashion.

I learned far more from these experiences than expected, and in each situation, I found the representatives of the California State Bar, informative and fully empathetic to their peers, whose actions had brought about the investigative regulatory interaction. As bookends to my experiences with the bar disciplinary process, one example points to the seriousness of even our most simple and routine activities as lawyers and another how unpredictable the process may become.<sup>1</sup>

On one occasion a lawyer mistakenly published a resumé with inaccurate information about bar membership in a distant jurisdiction. He was off by about eleven months, but the complaint by his employer – another lawyer who was unrelenting despite all of my efforts to make peace, produced a disciplinary finding because it was believed the resume was intentionally miscommunicated and published. That California bar member had his bar privilege temporarily suspended – even though the error, intentional or not, related to a different bar association far from California. This was compounded by his being suspended in the other jurisdiction as well – based upon the California bar finding alone.

On another occasion, the unrelenting complaint about a local lawyer resulted in an investigation of the complainant, a lawyer herself. To complain about her peer she apparently disclosed confidential client information to the bar investigators. The process thereafter pivoted away from my local lawyer client to the complainant who was later disbarred – not just because of the untoward disclosure, but because of how she responded when confronted with her error. The bar investigators explained to me that their interest was not just to protect the public, but to protect California bar members. Though this turn of events was completely unpredictable, the attitude and ethical methods, which are required in all interactions as lawyers, apply to not just the complaine, but also the complainant.

Many complaints typically take up to six months to complete an investigation. In complex cases, the investigation

could take as long as a year. Many complaints are diverted out of the process along the way with, for example, a referral to mandatory mediation, an agreement requiring the attorney to meet certain conditions, or the attorney's participation in other programs. Every targeted attorney has a statutory obligation to cooperate with the state bar. (Business and Professions Code § 6068).

When charges are brought to the State Bar Court following an investigation, the accused attorney must file an answer, or risk a default judgment and involuntary enrollment as an inactive Bar member pending the outcome of the case. The clerks in State Bar Court schedule a status conference (a meeting of all parties), to be held within 45 days. The next step depends on the individual case. There could be additional status conferences, settlement conferences, or simply the trial date. The accused attorney has a right to be represented by counsel. (Business and Professions Code § 6085).

Disciplinary action for violations of the Rules of Professional Conduct or the State Bar Act range from private reproof to disbarment. The Probation Unit of the Office of Chief Trial Counsel monitors attorneys' compliance with the conditions imposed on suspensions and reproofs.

If a state bar investigation indicates that an attorney's conduct only bordered on a violation or was a minor breach, Bar prosecutors may choose an alternative to discipline. They could decide to send a Directional or Warning Letter to the attorney - and close the case. Or they could issue an Admonition informing the attorney that no further action will take place as long as he or she stays out of trouble for two years. Or they could settle on an Agreement in Lieu of Discipline, which requires the attorney to fulfill specially tailored remedial conditions.

Attorneys are required to report incidents that may affect their license to practice to the State Bar, including judicial sanctions, criminal charges, fraud judgments, multiple insurance claims, a reversal of judgment based on their conduct and discipline imposed in another state or jurisdiction. Members must also report whether they have employed a suspended or former member of the State Bar. In addition, prosecutors must report when they are filing criminal charges against an attorney.

Of course much of this information is found at CalBar.CA.gov. I recommend without reservation the Ethics Hotline (800) 238-4427 or to seek help in a variety of other ways contacting Member Services (888) 800-3400.

*Boyd Jensen of Garrett & Jensen has lived and raised his family in Riverside throughout his 35 year legal career.*



<sup>1</sup> Certain details have purposely been disguised to protect those involved in these matters.

# LAUNCH OF THE RCBA-RIVERSIDE SUPERIOR COURT NEW ATTORNEY ACADEMY

*by Robyn A. Lewis*

The Riverside County Bar Association and the Riverside Superior Court have launched a new training program for new attorneys, the New Attorney Academy.

The purpose of the New Attorney Academy (“the Academy”) is to provide professional guidance and counsel to assist newly admitted attorneys in acquiring the practical skills, judgment, and professional values necessary to practice law in a highly competent manner and to encourage sensitivity to ethical and professional values that represent the traditions and standards of the Inland Empire legal community.

Specifically, the Academy will be made up of a series of classes, which will take place once a month. The curriculum will be taught by judges and noted attorneys in the community. Topics to be taught will include, but are not limited to, an introduction to the legal community, a practical and intensive primer on depositions and discovery, an introduction to practicing in court (court appearances, legal writing and research, pet peeves of the bench, etc.), transition into practice (dealing with clients, how to successfully participate in ADR, relations with other attorneys, case management, etc.) and an introduction to law practice management. The emphasis of these classes will be for a civil practitioner, although anyone who has an interest in participating in the program is invited to apply.

At every session, the class will attend the monthly RCBA General Membership meeting for that month so as to promote membership in that organization and to allow for class members to participate in their legal community.

The first class of the New Attorney Academy was held in October. At that session, students learned about the history of the Riverside County Bar Association, which was provided by Judge John Vineyard and were introduced to some of its most

prominent members, both past and present. A welcome to the legal community was extended by speakers, such as Jeb Brown of the Office of Riverside County Counsel, the Honorable David Bristow, and Judge Jackson Lucky. Terry Bridges gave a presentation on civility and professionalism.

The second class was held on November 14, 2014, and was an introduction to the courts. Students toured the law library and the Court of Appeals as well as the Civil Court, including the Clerk’s Office. Presentations were made by court research attorney staff and “Do’s and Don’t’s” were revealed by judges and court staff.

The remainder of the curriculum will focus on substantive topics, such as how to take a deposition, trial practice and techniques, written discovery, and dealing with motions for summary judgment. Students will learn the ins and outs of these topics by esteemed attorneys and judges from our Inland Empire legal community.

*Robyn A. Lewis is the managing partner at J. Lewis & Associates, APLC, and Past President of the RCBA and the Barristers.*



# MY MEMORIES OF THE HONORABLE JOHN GABBERT

by Arthur L. Littleworth

I came to Riverside in the fall of 1950, just after graduating from Yale Law School and taking the bar exam. I was offered a job at Gibson, Dunn & Crutcher, one of the largest Los Angeles firms with 40-plus attorneys. Before I signed up, I met Gerry Brown who was seated next to me at a Yale Law luncheon. Gerry told me that his firm was looking for a young lawyer, having had his partner, John Gabbert, appointed to the bench a year before. He was an enthusiastic salesman. By the time the luncheon was over, I had learned that the firm was Best Best & Krieger in Riverside, that Gene Best was a former member of the Board of Governors and vice-president of the State Bar of California; that John Babbage was currently Riverside's State Assemblyman (the Assembly then met only four months a year every other year); and that Jim Krieger and Gerry Brown were formerly with O'Melveny & Myers before their service in World War II and then settled in Riverside. Raymond Best, the father of Gene, was in his 80's and didn't practice much law. The most intriguing person was Gerry Brown himself, who was a Rhodes Scholar, had recently climbed the Matterhorn, and who drove a little green MG sports car! That weekend my wife, Evie, and I drove out to Riverside to meet with the members of the firm in their homes, and eventually I decided that it would be a good place to practice law and raise a family.

Justice John Gabbert was raised in Riverside, a son of the editor and publisher of the local newspaper, *The Enterprise*. *The Enterprise* was merged with *The Press* in 1931, eventually becoming *The Press-Enterprise*. He was a graduate of Occidental College and University of California Berkeley, Boalt Hall School of Law. Justice Gabbert joined the Riverside District Attorney's office in 1935. In 1938, Gene Best recruited him into private practice. Justice Gabbert remained with the firm until his appointment to the bench in 1949. Throughout his time with the firm, the firm name went through the metamorphosis from Best Best & Gabbert to Best Best Gabbert & Krieger.

I first knew about Justice Gabbert not as a judge, but an avid motorcycle rider. He and a group of his friends, including Gerry Brown, took long motorcycle trips around the country and even in Europe. Gerry used



Honorable John Gabbert

to tell me about their adventures. Justice Gabbert estimated that he had ridden at least 300,000 miles. He rode for 75 years.

Throughout his lifetime Justice Gabbert owned dozens of different motorcycles. His first motorcycle was a used 1910 Wagner, which was made in St. Paul, Minnesota, and his last was a BMW model, which was his favorite. Years later, there was an article about polar bears in Churchill, Canada. In a brief period in the summer, the bears would leave for the frozen ice of Hudson Bay to travel to land through the streets of

Churchill. Justice Gabbert was always open to an adventure, and he said to me, "Why don't we go see the polar bears? I could attach a sidecar to my motorcycle and you could ride in that" — across the whole United States and Canada. I eventually did see the Churchill polar bears, but on a Stanford adventure cruise, not in Justice Gabbert's sidecar.

When Evie and I bought our first house in 1952, Justice Gabbert and his wife, Kay, were neighbors. The Gabberts lived on Redwood and we lived on Fourth Street just down the street from Redwood. Next door to the Gabberts was Tim Hays, the editor and publisher of *The Press-Enterprise* and a Harvard law graduate. And uphill lived Raymond Best and downhill was Jim Krieger. We were a close-knit neighborhood and I soon learned that Justice Gabbert was a scholar, widely read, with a deep interest in United States history and politics.

When Supreme Court Chief Justice Fred M. Vinson died, Governor Earl Warren called Justice Gabbert to rally support to President Eisenhower for Warren's appointment to the U. S. Supreme Court. Justice Gabbert was an exceptionally entertaining speaker. He spoke about serious subjects, but interjected with humor and frequently a memorized poem. Raymond Best, who read Roman and Greek classics in their original tongues and who himself was a famed speaker, advised Justice Gabbert that for every minute of a successful speech you needed one hour of solid preparation.

As a young lawyer I had a memorable encounter with Justice Gabbert. I was up against "Tommy" Thompson, the senior partner of Thompson & Colegate, who was one of the best trial lawyers in the area. He was a big man with a courtroom voice to match his size, and not above

badgering his opponent in court. The case was a boundary dispute, and Thompson's client was a wealthy woman who lived in Los Angeles. I had noticed her deposition in our office in Riverside. She arrived in a chauffeured limousine, but what should have been a routine deposition turned into a battle of wills between the lawyers. Regardless of repeated questions, Thompson would not let his client (the plaintiff) answer a single question beyond her name! My motion for enforcement was heard before Justice Gabbert. After a brief explanation, he ordered Thompson's client to take the witness chair in the courtroom. Justice Gabbert said, "Now, Mr. Littleworth, take your deposition." And he sat on the bench throughout the whole deposition. Thompson did not say a single word.

At the conclusion of the deposition, I moved for sanctions against Thompson. At that time sanctions were not unheard of but were extremely rare, and my motion was against one of the most distinguished members of the bar. Justice Gabbert did not rule on the motion. Instead, he said, "Mr. Littleworth, don't you think you've won enough?" The hearing was over. The effect of Justice Gabbert's wise non-decision was to expose Thompson's behavior and that was enough, and shield me from the lasting consequences of a moment of youthful enthusiasm. Thompson and I faced each other in court several times thereafter, and Justice Gabbert would say we behaved in a manner of an "Honorable Profession."<sup>1</sup>

Justice Gabbert was an avid nature lover, and his favorite site was Sequoia National Park. In college in 1930, he got a summer job at Sequoia—as a kitchen helper. Luckily, he was promoted to a speaker on the Park's tour bus, where he spent several summers. In his spare time he explored the back country on foot and horseback. In 1932 when President Hoover was defeated for re-election by President Roosevelt, Hoover visited Sequoia with Supreme Court Justice Harlan Stone. He wanted to see the back country, and Justice Gabbert was selected as the tour driver. Justice Gabbert spent the day talking with those two men—alone and with no security guards! John met his wife, Kay, when she was working as a waitress for the Sequoia Lodge, and they were married for 60 years. She died in 1999. How many times did he visit Sequoia—by car and motorcycle? John said "My heart lies in those magnificent mountains."

Justice Gabbert shared his love of the outdoors when he and partners, Tom Nolan (John's court reporter) and Harry Kroh, opened the Highland Outfitters located at Eighth and Orange. Harry was the Scoutmaster of Troop 1,

the "camping troop," routinely exploring the wilderness in the Sierra Nevadas, as well as the local mountains. Harry managed Highland Outfitters, but you could see Justice Gabbert there occasionally at noon as a salesman, particularly after one buying trip to Scotland. I still have the Kelty backpack, the down sleeping bag, and my "Sierra cup," which I purchased from Justice Gabbert.

In the summer before he died at age 104 in December 2013, Justice Gabbert came to my house for tea with his daughter, Katie Smith. Our purpose was to meet with famed author Susan Straight and photographer Doug McCulloh. They were putting together an exhibit at the Riverside Art Museum, "More Dreamers of the Golden Dream," which focused on discrimination in Riverside and the integration of its schools. They wanted history, and in this meeting and in a separate interview on integration, Justice Gabbert explained that to understand integration you "had to go way back in American history."

As Justice Gabbert explained, Riversiders looked upon themselves as a special city, a city founded by the abolitionist John W. North, a "colony of intelligent, industrious and enterprising people."<sup>2</sup> But the city was not immune to generally-held discrimination against "colored folks"—Blacks, Indians, Mexicans, and the Chinese. Large numbers of Chinese came to Riverside after they had helped build the transcontinental railroads. In China, they were farmers, and they fitted right in with the burgeoning citrus industry. They planted the trees, irrigated them, picked the fruit, and worked in the packing houses. They built a "shanty town" on Ninth Street, but in 1909 White men burned it down. The Chinese moved to Tequesquite Arroyo near the Santa Ana River, but it too was burned down.

In the 1920's, the Ku Klux Klan came to Riverside. This was a nationwide movement to take over small towns. Their meetings were held outside like a religious revival. John's father, being a newsman, took him to meetings so he could see himself what was going on. The Klan was aiming to control Riverside, and they captured two members of the city council and the mayor. Nobody in Riverside was more opposed to the Klan than Justice Gabbert's father, and his ceaseless editions in *The Enterprise* resulted in a libel suit against him brought by the mayor. All of the local judges recused themselves and a Los Angeles judge was assigned to the case. But after a 20-minute argument by Gabbert's lawyer, the judge "threw the suit out." During the dinner discussion after the hearing, Justice Gabbert asked what the defense of the suit cost. His father said he had paid the lawyer \$1,000.

2 Tom Patterson, *A Colony for California* (1971), p. 19.

1 This is the title of a pamphlet which Justice Gabbert wrote at the request of Presiding Justice Manuel Ramirez of the Court of Appeal, Fourth District, Division Two about the early days of Justice Gabbert as a lawyer.

Justice Gabbert replied, “Boy, for 20 minutes of work, I would like to do that.”

Despite the defeat of the Klan, Riverside still waged governmental discrimination against all who were not White. The Fairmont swimming pool was opened to “colored people” only one day a week, and this day was when the water in the pool was changed.

Justice Gabbert told us about one personal account of discrimination against Blacks. When he was a lawyer he had a Black client named Danny Culpepper. When World War II broke out for the United States, Riverside became the headquarters for a large number of troops—March Air Force Base, Camp Hahn, Camp Anza, and the Mira Loma Quartermaster Depot. Danny was an enterprising fellow and he organized two nightclubs for the common soldiers, Black and White. Two other clubs for officers were owned by a White man. When the White man was called into service, Danny and he reached an agreement whereby Danny would manage all four clubs. But then the Department of Alcoholic Beverage Control revoked his liquor license. Justice Gabbert appealed to the full Board of Equalization in Sacramento and he won. After the hearing, Justice Gabbert suggested that they have a lunch at a drive-in. Justice Gabbert was driving a convertible Buick Roadmaster. Danny protested, “Once they see me, they won’t serve us.” Justice Gabbert said, “You are wrong,” but Danny was right. Once the waitress went away to get water, she never came back. Justice Gabbert and Danny ate bread and cheese for lunch purchased from a grocery store.

Justice Gabbert decided they would drive to Tulare to stay the night. Kay was from Tulare and her mother still lived there. Justice Gabbert and Kay had stayed at a hotel many times while visiting Kay’s mother. Danny said the hotel would be “full” once they saw him with Justice Gabbert. He was right. Justice Gabbert and Danny had to stay with Kay’s mother.

In 1965, Riverside ended de facto segregation in its public schools. It was the first city in the nation to voluntarily integrate; there was no court order. Justice Gabbert

was proud of Riverside’s accomplishment. He said it was a “great thing to do.”

Justice Gabbert himself in his century-old life did “great” things for Riverside: as a superior court and appellate court judge; as a community leader, particularly in regard to the University of California, Riverside; as a local historian with a remarkable memory; and as the true friend of those who knew him, rich or poor, regardless of the color of their skin. Some called him a real Renaissance Man — champion debater, acclaimed home brewer, master ham radio operator, professional camping equipment outfitter, long-distance motorcyclist (with sidecar), skier, Sequoia National Park tour guide, after-dinner speaker, essayist and published writer, fly fisherman, photographer (with own darkroom and printer), and University of California Adjunct Professor. He was the man of the century!

A line from Ralph Waldo Emerson perfectly fits John Gabbert: “The purpose of life . . . is to be useful, to be honorable, to be compassionate, to have it make some difference that you have lived and lived well.”

*Arthur L. Littleworth graduated from Stanford and Yale, and was for many years the senior partner at Best Best & Krieger. He served as Special Master to the United States Supreme Court in the water battle between the States of Kansas and Colorado. He has just completed a book called No Easy Way: Integrating Riverside Schools — A Victory for Community available on Amazon. He is a past president (1971) of the RCBA.*



#### Riverside County 2015 Homeless Count

**Are You Ready  
to Volunteer to be  
a Counter in Your  
Community?**

The Riverside County Department of Public Social Services (DPSS) is seeking volunteers from every community in the County to help conduct the 2015 Biennial Point-in-Time Homeless Count and Subpopulation Survey.

Teams of local volunteers are needed to help count and administer a brief subpopulation survey to homeless persons living on the streets within their communities. Volunteer counters will attend an orientation where they will receive instructions on conducting the count and important safety issues.

Information collected from the count and survey is required to continue receiving federal funding for homeless programs and will enable the County and local cities to assess the size and characteristics of our homeless population in order to develop strategies to help prevent and end homelessness.

**The Count and Survey will take place on Wednesday, January 28, 2015  
between the hours of 5:00 a.m. and 9:00 a.m.**

**Volunteers are needed from every community and all walks of life including:**  
business and neighborhood groups • city and county employees  
civic and nonprofit organizations • college students  
community service clubs • faith-based institutions  
formerly/currently homeless • social service providers  
anyone else who would like to be part of the solution

If you would like to help organize the count in your community, please see the Key Person Team Member flyer on [www.RiversideHomelessCounts.com](http://www.RiversideHomelessCounts.com).

# ADOPT-A-HIGH SCHOOL

by Kelly Moran

This year, the RCBA is proud to partner with Arlington High School for the launch of our new Adopt-a-High School program. Inspired by the good work of Justice Doug Miller and others in the Desert Bar Association, the Adopt-a-High School program is aimed at introducing 12th grade students to the legal profession. As was done in the Desert Bar Association, it is the RCBA's goal that the program will grow and be adopted by individual law firms or companies in the coming years so that ultimately a partnership will be established with each school in the Riverside County area.

Upon learning of the program, Judge Bernard Schwartz graciously volunteered his services to the planning committee, which is comprised of Judge Schwartz, Barristers Past President Kelly Moran, and Arlington High School AP Government teacher John Costa. With the support of the RCBA Board and the Barristers, the planning committee created a three-part program for our inaugural year that includes: (1) Legal Careers Day; (2) a mock preliminary hearing argued by a District Attorney and criminal defense attorney before Judge Schwartz; and (3) a "teach the class" series where guest attorney/judge lecturers will help prepare students for the AP Government exam by hosting discussions on various constitutional law issues.

On Saturday, November 15, 2014, the RCBA and Arlington High School presented the first of the three-part series: Legal Careers Day. Featuring fourteen amazing speakers, Legal Careers Day was opened to all of Arlington High School and offered the students a glimpse into what career paths are available within the legal profession. The event was well-received by the campus, attended by nearly three hundred students. Several of the students dressed up for the occasion, taking the opportunity to meet with our speakers one-on-one to discuss career paths, education, and internship opportunities after the event.

The RCBA and Barristers would like to thank all of the wonderful volunteers who selflessly gave of their time to participate in the panel discussion, moderated by Judge Schwartz. Our speakers included: Judge Sharon Waters; Judge Jacqueline Jackson; Assistant Public Defender and RCBA President, Chad Firetag; AJ Grauer of Grauer Court Reporting; Robin Jackson of the Police Review Commission; Private investigator, Scott Jones, of Bosco Legal Services, Inc.; Assistant District Attorney and Judge-Elect, Sean Lafferty; Paralegal, Barbara Langford, of Thompson & Colegate LLP; Riverside Correctional Deputy, Sherry Lusk; Barristers Treasurer and Associate at Heiting & Irwin, Sara Morgan; Parole Officer, Stephen Sanchez; Barristers

President and Associate at Reid & Hellyer, Scott Talkov; and retired Deputy Public Defender and Probation Officer, Donna Thierbach. This event could not possibly have been as successful without the generous assistance of our legal community and we thank you for your support.

Currently, the mock argument portion of the Adopt-a-High School program is set to be presented as a Friday afternoon assembly in January 2015. The lecture series will be held once per week during the month of April 2015. If you are interested in volunteering to be a part of either event, or would like more information about advancing this program by adopting a high school in the future, please contact Charlene Nelson at the Riverside County Bar Association.

*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.*



*Organizing Committee Member and Moderator, Judge Schwartz, discusses the Adopt-a-High School program with students at Arlington High School during Legal Careers Day.*



*Donna Thierbach answers questions about her work as a former probation officer and deputy public defender in Riverside County.*



*RCBA President and Arlington High School graduate, Chad Firetag, talks about his journey from mock trial student to Assistant Public Defender.*

# INSTALLATION OF OFFICERS DINNER

*photos by Michael J. Elderman*



## **RCBA Past Presidents**

**Back Row (l-r):** Geoff Hopper (1994), Jim Heiting (1996), David Moore (1984), Judge John Vineyard (1999), Brian Percy (2002), Judge David Bristow (2006), Judge Irma Asberry (1997)

**Middle Row (l-r):** Dan Hantman (2007), Judge Steve Cunnison (1981), Steve Harmon (1995), Justice Bart Gaut (1979); Terry Bridges (1987), Judge Chris Harmon (2012)

**Front Row (l-r):** Robyn Lewis (2011), Jacqueline Carey-Wilson (2013), Art Littleworth (1971), Diane Roth (1998), Chad Firetag (2014), Harlan Kistler (2010)



*Members of the State Bar for 50 years – Raymond Hruby, Judge William Bailey, Judge Charles Field*

The RCBA's Installation Dinner was held at the Mission Inn on Thursday, September 18. Nicholas Firetag served as the master of ceremonies. Judge Chris Harmon administered the oath of office to the RCBA board members. Chad W. Firetag was installed as the 2014-2015 President. The other officers who were installed were Kira Klatchko (President-Elect), Jean-Simon Serrano (Vice President), Alexandra Fong (Chief Financial Officer), Sophia Choi, Jack Clarke, Jr., Neil Okazaki, Brian Unitt (Directors-at-Large), and Jacqueline Carey-Wilson (Past President). Jeffrey Van Wagenen (Secretary) was unable to attend.

Michael Kerbs gave the oath of office to the 2014-2015 officers of Barristers. Scott Talkov was installed as President. The other officers who were installed were Arlene Cordoba Dashkovitz (Vice-President), Sara Morgan (Secretary), Christopher Marin (Treasurer), Erica Alfaro, Benjamin Heston and Eli Underwood (Members-at-Large), and Kelly Moran (Past President).

David Moore presented the fourth E. Aurora Hughes Award to Brian Percy. This award, which is given annually, was named in honor of E. Aurora Hughes, Past President of the RCBA, who passed away in 2011 from ALS (Lou Gehrig's Disease). The award is to honor a distinguished member of the RCBA for his or her service to the RCBA and to the legal community.

In addition, Judge William Bailey, Judge Charles Field and Raymond Hruby were honored for their 50 years of membership in the State Bar of California.

The RCBA would like to thank the following sponsors for their generous contributions:

**Platinum Sponsors** – PIP Printing; Rizio & Nelson; The Law Offices of Harlan Kistler; Elwood Rich & Stevan Rich  
**Silver Sponsor** – Geoffrey H. Hopper & Associates, APC  
**Bronze Sponsors** – DW Duke, Esq.; Hon. Judith Fouladi; Thompson & Colegate, LLP

*You can access all the photos of the event at [www.riversidecountybar.com](http://www.riversidecountybar.com).*



*Brian Percy accepting the E. Aurora Hughes Award for Meritorious Service.*



*Riverside Mayor Rusty Bailey with his father, Judge William Bailey*



*Vanessa and Dwight Kealy*



*Dorian Burton and Justice Carol Codrington*



*John and Sheri Marcus*



*John and Julianna Tillquist*



*Lori Myers, Steve Harmon, Chad Firetag, Judge Chris Harmon, Paul Grech, Jim Teixeira*



*Aaron Hicks, Darren Pirozzi, Greg Rizio and Harlan Kistler*



*The Firetag Family  
Back – Rachelle Van Pelt, Jane & Larry Houston, Jamie & Nick Firetag  
Front – Tori & Chad Firetag and son, Will*



*Q'Vinc Asberry and Judge Irma Asberry*



*Senator Richard Roth, Jacqueline Carey-Wilson, Chad Firetag*



*Judge Stephen Cunnison, Liz Cunnison, Justice Bart Gaut, Merla Gaut*



# SECTIONS & COMMITTEES OF THE RCBA

## **Appellate Law Section**

The Appellate Law Section is gearing up for monthly meetings in 2015. Most our meetings will be in the John Gabbert Gallery at the RCBA on the fourth Wednesday of the month. At regular monthly meetings we will discuss various matters of interest to the appellate bar, including proposed rule changes, trends in the Supreme Courts (both California's and the United States), appellate procedures, and other matters of interest to local practitioners. We will also be presenting several Brown Bag MCLE events through the coming year related to preparing for an appeal, as well as appellate practice and procedure.

Suggestions for meeting and MCLE topics in 2015 are most welcome. RCBA members are encouraged to contact the Section Chair, Carmela Simoncini, Fourth District Court of Appeal, Division Two, at (951) 782-2603, or [carmela.simoncini@jud.ca.gov](mailto:carmela.simoncini@jud.ca.gov) with input on possible topics and/or speakers.

## **Business Law Section**

The Business Law Section is back, but it can use your help. We envision the section as providing valuable information regarding the practice of both transactional business law and business law litigation. In the past, we presented programs on issues such as ediscovery, state government aid available for businesses, business valuation, business formation, and liability insurance. But we would like your input on topics about which you would like to hear. Upcoming programs we are considering include marketing (the business side of law), Obamacare, managing an on-line reputation, and employment law for the small to mid-size business. Because we seek to serve the interests of our members, we would welcome any input you have regarding topics for future presentations and presenters. Please contact Stefanie Field at [stefanie.field@greshamsavage.com](mailto:stefanie.field@greshamsavage.com) with any suggestions that you have. We look forward to hearing from you and providing you with informative presentations and forums for discussion.

## **Civil Litigation Section**

The Civil Litigation Section meets at noon on the first Tuesday of each month in the John Gabbert Gallery of the RCBA Building for a brown-bag lunch. Programs will feature a bench-and-bar format, aimed at providing our local practitioners with helpful tips and guidance regarding everyday litigation topics. We solicit your input and suggestions. It is our goal to make the Civil Litigation Section an invaluable resource for educational programs, networking opportunities, and the enjoyment of our won-

derful profession. Please contact the Section Chair, David Cantrell, at (951) 300-2690 or [dcantrell@lc-law-llp.com](mailto:dcantrell@lc-law-llp.com).

## **Criminal Law Section**

The Criminal Law Section of the Riverside County Bar Association is for lawyers interested in the practice of criminal law. The section meets quarterly to sponsor meetings with speakers relevant to criminal law practitioners. Topics relevant to both prosecutors and defense attorneys are discussed at each meeting. Each meeting features a noted speaker of distinction in an area touching upon criminal law. Past speakers include Superior Court Judges, Justices of the Court of Appeals, experts in various disciplines, elected District Attorneys and others with interesting information on exciting topic to RCBA members. The Section Chairs are Paul Grech and he can be reached at (951)682-9311 and Lori Myers and she can be reached at [loriamyers@me.com](mailto:loriamyers@me.com).

## **Environmental Law Section**

The Environmental Law Sections of the Riverside and San Bernardino County Bar Associations provide local-area attorneys with both MCLE and a forum for discussion of topical issues related to the environment. Whether these issues relate to CEQA, CERCLA or natural resources, clean air or water, the sections strive to provide a place where environmental issues that are of local as well as state and national interest can be discussed. Guest speakers are often used to present a talk on areas of interest to all environmental attorneys, and we are always open to suggestions on how the section can grow and be more responsive to the needs of practicing environmental attorneys in the local area. As chair, I am always looking for new speakers and topics and look forward to suggestions in that regard. We meet once a month, during the lunch hour, alternating between Riverside and San Bernardino County. The meetings for 2014-2015 are currently being scheduled. The section chair is Garry Brown who can be reached at (909)890-4499 or [garry.brown@greshamsavage.com](mailto:garry.brown@greshamsavage.com)

## **Estate Planning, Probate and Elder Law Section**

The Estate Planning, Probate and Elder Law Section is co-chaired by Cheri L. Brettmann, of the Law Office of Cheri L. Brettmann and Keith A. Davidson, of Albertson & Davidson, LLP. The section provides topical presentations, usually on the third Wednesday of each month (excepting summer months).

The December 17, 2014, meeting will be an update on estate planning laws hosted by William Dahling of Best Best & Krieger at their Riverside office. The topic will be highlights from the USC Gould School of Law Annual

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Trust and Estate Conference. Early in 2015 we are also looking forward to having the probate examiners and probate judges provide an update on new laws and local rules related to the probate process.

The May 20, 2015 meeting will be a program entitled "Identifying and Managing Dismissive and Bully Opposing Attorneys" based on a series of articles published by the *Daily Journal*. The program has been presented at the American Bar Association, Real Property, Trust and Estate Spring Symposia, in Chicago, the Los Angeles County Bar Association Trust & Estate Section and ProVisors, a networking organization. This program will be presented by Paul Fisher, of Fisher Mediation, and Juli Adelman, a clinical psychologist and jury consultant, and Jessica Uzcategui, Esq., of Sacks, Glazier, Franklin & Lodise, LLP.

In the upcoming year we are looking forward to providing speakers on estate planning issues, both transactional and litigation-related, as well as on elder law issues. Please contact Ms. Brettmann or Mr. Davidson if you have any questions or suggestions on what topics you would like to hear.

The goal is to have a sponsored lunch at each meeting, so please be sure to RSVP; however, those who do not RSVP can still attend on a brown-bag basis. For more information about the section, you may contact Cheri Brettmann ([cheri@aldavlaw.com](mailto:cheri@aldavlaw.com)) or Keith A. Davidson ([keith@aldavlaw.com](mailto:keith@aldavlaw.com)) at (909) 466-1711.

### **Family Law Section**

The Family Law Section will meet in the RCBA building on the third floor. The meetings are usually on the third Tuesday of the month. Attorneys who practice family law and the judicial officers from the Riverside Family Law Court are often guest speakers, discussing the latest developments in family law, evidence, civil procedure, and how family law interrelates with criminal law, bankruptcy, and probate issues. The programs are often offered on a brown-bag lunch basis. Suggestions for topics are always welcome. It is the goal of the Family Law Section to provide educational programs, encourage thoughtful discussion, and create civility and camaraderie among its members. Please contact the Family Law Section Chair, Sherry Lee Collins, at (951) 784-6150 or [sherry@slcollinslaw.com](mailto:sherry@slcollinslaw.com).

### **Human/Civil Rights Section**

The Human/Civil Rights Section focuses on issues pertaining to human rights in our modern society. The goal of the Human Rights Section is to educate lawyers and others about such matters as human trafficking, child slavery, civil rights, political incarceration, and related topics and to provide an opportunity for attorneys to become involved. DW Duke is the Section Chair, and he can be reached at [dwduke@spile-siegal.com](mailto:dwduke@spile-siegal.com).

### **Immigration Law Section**

The Immigration Law Section is chaired by Kelly O'Reilly, formerly an immigration officer and now a partner in the boutique immigration firm of Wilner & O'Reilly. As a result of Mr. O'Reilly's former employment with the INS, the section is able to book current administrative supervisors and front-line officers to address real-world problems and to give best-practice advice to immigration attorneys and attorneys who have come across immigration issues. The goal of the section is to supply practical information and to develop agency contacts so that the practitioner will not only know how to solve a client's problem, but have the contacts to make it happen quickly. For more information about the section, please contact Kelly O'Reilly at (714) 919-8880.

### **Landlord/Tenant Law Section**

The Landlord/Tenant Law Section of the RCBA meets eight times a year as a joint section with the San Bernardino County Bar Association. They meet on the second Tuesday of the month, January through May and September through November. About 25 members attend each meeting, with an equal amount from the tenant side and the landlord side. Meetings alternate between the Cask 'n' Cleaver in Riverside and Napoli's in Loma Linda. Speakers have included various federal judges, state court judges and commissioners. There are various topics that cross over into landlord-tenant issues, and new experts come to the meetings to speak. Contact Barry O'Connor (951-689-9644 or [UDlaw2@aol.com](mailto:UDlaw2@aol.com)) or Bill Garrett (909-889-0631 or [billgarrett@dslextrême.com](mailto:billgarrett@dslextrême.com)) for further information and to be added to their email list.

### **Solo Practitioner/Small Firm Section**

The Solo Practitioner/Small Firm Section is co-chaired by Chris Johnson and Dwight Kealy. The section focuses on topics and speakers that cater to the unique needs and interests of the solo practitioner and those in small firms. The section meets monthly on the third Thursday of the month. Chris and Dwight welcome all suggestions and ideas for section topics and speakers. Please contact Chris at (951) 676-3345 or [cjohnson@singleoaklaw.com](mailto:cjohnson@singleoaklaw.com) or Dwight at (877) 877-4056 or [DwightKealy@gmail.com](mailto:DwightKealy@gmail.com).

### **Continuing Legal Education Committee**

The CLE Committee is responsible for overseeing the RCBA's Minimum Continuing Legal Education Program. The RCBA is a State Bar-approved MCLE provider. The committee meets monthly to discuss ideas for upcoming programs that will be interesting for RCBA members and will help them comply with State Bar educational requirements. The current committee consists of ten members: David Cantrell, Melissa Cushman, DW Duke, Susan Exon, Abram Feuerstein (Co-Chair), L. Alexandra Fong (Co-Chair), Robyn Lewis, Christopher Marin, Dorothy McLaughlin, and Brandon Mercer.

The CLE Committee is also responsible for the yearly Bridging the Gap program, which occurs every January in the John Gabbert Gallery of the RCBA Building. This event is handled exclusively by Robyn Lewis. Bridging the Gap is a full-day MCLE event geared toward newly licensed attorneys.

In Spring 2014, the CLE Committee launched its second monthly series of MCLE programs. This series of programs is devoted to civil litigation skills, including the following topics:

1. Client Intake, including Drafting the Complaint;
2. Attacking the Pleadings;
3. Investigating the Claim (Sub-rosa);
4. Developing a Discovery Plan;
5. Law and Motion;
6. Legal Research;
7. Expert Designations and Depositions;
8. Case Management and Trial Setting;
9. Motions for Summary Judgment;
10. Alternative Dispute Resolution;
11. Basic Trial Preparation.

This series will conclude in March 2015. Distinguished speakers include the Honorable John Vineyard, the Honorable Sunshine Sykes, the Honorable Richard Fields, Mark Easter (Best Best & Krieger), Ben Eilenberg (Law Offices of Ben Eilenberg), and Stefanie Field (Gresham Savage Nolan & Tilden). To date, lunch has been sponsored by various offices which provide legal support services, including but not limited to, Esquire Deposition Solutions, Bosco Legal Services, Jilio-Ryan Court Reporters, and others.

The CLE Committee has also expanded to include certain topics which are of interest to criminal law practitioners, including “Criminal Law Update” and “Lucky on Evidence” featuring Professor Michael O’Connor of the University of La Verne Law School and the Honorable Jackson Lucky, respectively. Lunch has been sponsored by The Bail Depot Bail Bonds and Remedy Bail Bonds, respectively.

If you are interested in learning about other topics, please contact the CLE Committee. If you are interested in joining the CLE Committee, monthly meetings are held on the first Thursday of the month. The committee is always looking for new members and ideas for future MCLE programs that RCBA members will enjoy.

## Mentoring Program

In 2011, the RCBA began its Mentoring Program, in which attorneys who have practiced for five years or more can share their experience by mentoring a protégé.

These mentoring opportunities include, but are not limited to, in-person meetings to discuss a variety of topics (such as ethics and professionalism, practice and law office management, etc.). A mentor may also provide a protégé with an opportunity to shadow him or her. Since the program’s inception, we have had 32 mentor-protégé pairings.

We are always looking for new mentors and protégés. If you are interested in participating as a mentor, shaping a new attorney’s future in this legal community, or as a protégé, please complete the application on the RCBA’s website at [riversidecountybar.com/member-resources/mentoring-program](http://riversidecountybar.com/member-resources/mentoring-program).



# BENCH TO BAR

## Expedited Access to Riverside County Courthouses

**From Riverside Superior Court Executive Office:** Effective December 1, 2014, the court will begin offering private attorneys expedited access to the courthouses in Riverside County. Members of the California Bar will be given the opportunity to apply for and receive a court-issued photo identification card. Attorneys with this type of identification will be provided expedited screening at secured court entrances. Expedited screening is defined as walking through the magnetometers and not being required to have personal items go through x-ray screening. If a private attorney does not present a valid court-issued identification badge, he or she will be subject to the same screening as members of the general public.

Attorneys will be required to provide identifying documentation in order to receive a court-issued identification card. The required identifying documentation will include a current, valid State Bar card and photo identification. A minimal processing charge of \$15 will be required. This access is intended to expedite screening for counsel, which will reduce delays in court hearings due to congested lines outside the courthouse.

The program is being piloted from January through June of 2015. If, at the conclusion of the pilot the court elects to continue with the program, the identification cards will be valid for a set period of time. After December 1, 2014, more information will be available on the court’s website at [www.riverside.courts.ca.gov](http://www.riverside.courts.ca.gov).



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# JUDICIAL PROFILE: JUDGE CHRISTOPHER HARMON

by Sophia Choi

If you are an attorney practicing in Riverside County, there is a very high probability that you know Riverside County Public Defender Steve Harmon and Riverside County Superior Court Judge Chris Harmon, who are father and son. They are very well-respected in the legal community, and it is a great privilege for me to write this judicial profile on the Honorable Chris Harmon.

Judge Harmon grew up in the Bay area in Northern California, moving to Southern California at the age of 13 to attend Webb High School, a boarding school in Claremont, California. He then attended University of Southern California, graduating in 1997 with a Bachelor of Arts degree. He majored in American Studies with a minor in History. Judge Harmon went to college with an open mind as to his future career and did not declare a major for the first two years. However, a future as a lawyer was an obvious path for Judge Harmon. Judge Harmon enjoyed prelaw type courses, which sparked greater interest in pursuing law school. Growing up and watching his father, Judge Harmon was always interested in the law. At a young age, he went to court with his father and was very impressed at how an attorney can use his skills to help people. It looked like an exciting profession. Wanting to stay in Southern California, Judge Harmon attended University of San Diego School of Law, earning his Juris Doctor degree in 2000. During law school, he clerked at the office of Federal Defenders of San Diego, Inc., where he was able to brush up on his Spanish skills as many of his clients were from Mexico.

After graduating from law school, Judge Harmon immediately started working together with his father Steve, who was managing the defense conflict panel for Riverside County, Criminal Defense Lawyers Inc., with Paul Grech. Judge Harmon was always interested in criminal law as he grew up watching his father in court, and he knew he wanted to work with his father. Although his father never pressured him to go down the path of law, he was always supportive, and it was clear that he was excited when Judge Harmon pursued a legal career. The law office of Harmon & Harmon was a very well-respected father and son criminal defense practice. Judge Harmon was named Best Lawyers in 2009 and Super Lawyers in 2011. He had defended a wide variety of cases, from DUI to death penalty. In 2013, his father Steve Harmon was named Riverside



Judge Chris Harmon

County's Public Defender, and Judge Chris Harmon went solo. He missed working with his father, but the firm got busier and he continued the practice.

It was not until Judge Harmon became an attorney that he thought about becoming a judge. As a criminal defense attorney, he spent a great deal of time in court and became aware of how much a judge's decision affects the outcome of a case and, ultimately, people's lives. A judge's role in listening to both sides and making a fair and just decision was very appealing to him. Having been actively involved in the

Riverside County Bar Association and having served as its President from 2012 to 2013, Judge Harmon became very cognizant of all the different courts, including criminal, family law, juvenile, and probate, among others. He became highly interested in becoming a part of the court system dedicated to serving the people.

Judge Harmon was appointed by California Governor Edmund G. Brown Jr. as a judge of the Riverside County Superior Court in June of 2014. With such an ethical and professional reputation and having been well-liked and respected by both defense and prosecution and the bench and bar, it came as no surprise that Chris Harmon was appointed as a judge. Judge Harmon expressed that there are major differences in his role as a judge as opposed to a lawyer and that the differences were greater than he thought they would be. In private practice, Judge Harmon inevitably dealt with business pressures, such as clients calling constantly. In his role as a judge, the pressures are great but are of a different nature. The weight of the decision on his shoulders is momentous, but the challenge as a judge to always get it right is very rewarding. Judge Harmon is very receptive to the new challenges and enjoys the constant learning process.

Judge Harmon is currently hearing matters in Family Law. He expressed that it is a learning curve for him as he had not practiced in this area of law. However, he noted that his professional background as a trial attorney and his life experiences are serving to be extremely useful in this assignment. He noted that, as a child, his parents had divorced and he traveled back and forth between Northern and Southern California as his mother lived in Northern California. Judge Harmon understands the impact his decision can have on the lives of each person who enters

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into his courtroom, and therefore, he is very attentive to each and every case. Judge Harmon possesses the essential qualities of a great judge, including patience, understanding, professionalism, ethics, and a sincere desire to not just make a decision but the right decision.

Judge Harmon met his wife while waiting for his Bar Examination results. They met through a mutual friend in San Francisco when Judge Harmon went with his college friends to the Stanford versus USC game. As she lived in the Bay area and he was in Southern California, they continued a long distance relationship. They are now happily married with two beautiful children. His hobbies center around his kids and whatever they enjoy doing. As his children are involved in sports, he also enjoys watching them play. However, Judge Harmon still makes time twice a week to relieve stress through martial arts, such as kickboxing, karate, and muay thai. Judge Harmon's other hobbies include surfing and going to car shows as he is a car enthusiast.

When I first met Steve and Chris Harmon, I was told by so many that they are father and son lawyers who were known and respected by everyone in the legal community. As I got to know them, it was clear to me that they were the epitome of good lawyers. Now, both are leading the County in their respective roles. I look forward to seeing

Judge Harmon serve the interests of justice in his new role as a judge. Riverside County is truly fortunate to have him.

*Sophia Choi, a member of the Bar Publications Committee, is a deputy county counsel for the County of Riverside. She also serves as a Director-at-Large on the RCBA Board of Directors.*



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# DRS MEDIATOR PROFILE: JANICE S. CLEVELAND

by Krista Goodman

**Editor's Note:** We at DRS want to introduce you to the mediators on our panel who dedicate their time and legal expertise to the Riverside County public benefit alternative dispute resolution (ADR) programs. We hope you enjoy learning more about Ms. Janice S. Cleveland. We're extremely grateful and privileged to have her legal talent and expertise involved in these programs.

When she starts working on any case, attorney Janice S. Cleveland first learns from what perspective her client is coming from before she offers him or her any advice going forward with respect to their lawsuit.

After 25 years of experience in the legal field, Ms. Cleveland is utmost certain of one skill required in her profession, "You've got to know how to talk to people," she said. "More importantly, before you can learn how to talk to people, you have to understand where they are coming from."

A medical background equipped Ms. Cleveland with the innate ability to understand people and the emotions they experience — and the tools to communicate with them more effectively about their cases.

"If you've ever worked in psychiatry, you know automatically that you don't confront," said Ms. Cleveland. "It's important to understand that it's not going to be easy if someone has an ideation that's false — such as 'I'm going to win a million dollars' or 'My sister took all the money and now I'm going to get it back.'"

Ms. Cleveland earned her Bachelor's degree in nursing from the University of Texas Health Science Center. After completing her undergraduate degree, she continued her schooling, earning a Master's degree in nursing with a specialization in psychiatric nursing, also from the University of Texas. She worked in psychiatry, in such workplaces as the Fort Logan Mental Health Center in Colorado, and taught at the University of Colorado School of Nursing in Denver for several years after completing nursing school.

Eventually, Ms. Cleveland decided to make a career shift. "I liked teaching and I liked working in psychiatry, but I decided I needed a change. I was still young, and I started looking around at other fields," she said. While living in Texas, she'd once thought about going to law school.

Revisiting that earlier notion, she decided to take the LSAT and enroll in law school at the University of Denver Sturm College of Law. She graduated with honors and upheld membership with the Order of Saint Ives, an hon-



Janice S. Cleveland

orary scholastic legal society which recognizes the students ranking in the upper ten percent of their graduating class.

Ms. Cleveland passed the State Bar in Colorado in 1988 where she's still licensed to practice. After moving to California with her husband, who has worked in insurance claims for over 30 years, Ms. Cleveland passed the State Bar in California in 1990. She's also admitted before the U.S. District Court for the Central District of California and the U.S. Court of Appeals, Ninth Circuit.

For more than 15 years, Ms. Cleveland worked primarily in defense litigation on personal injury, wrongful death, elder abuse and medical malpractice cases. In 2006, she started her own private practice in Riverside, The Law Office of Janice S. Cleveland, where she started focusing her efforts on plaintiff work in employment, education and administrative law. She also started working on probate cases and court appointments.

Ms. Cleveland worked on several important cases when she started her private practice. One of her earliest and most significant special education cases was the matter *Susan Barker v. Riverside County Office of Education*. Her client was a teacher who'd been retaliated against for advocating on behalf of special education children. The complaint was initially filed in Riverside County Superior Court. Later, fearing that the case would be dismissed, Ms. Cleveland and an associate decided to voluntarily dismiss the state court action and re-file the complaint in U.S. District Court for the Central District of California pursuant to federal statutes.

The complaint was immediately dismissed in federal court. "It was determined that the case law meant only parents could sue for retaliation under those particular statutes, not a teacher," Ms. Cleveland remembers. With limited past experience in Federal Court and appeals, Ms. Cleveland was still driven to move forward. "I did the appeal by myself. I did the oral arguments, and I won." Today, any person who has been retaliated against for advocating for a special needs student has the right to file a complaint under particular federal statutes.

A longtime member of the Riverside County Bar Association, Cleveland joined the RCBA Dispute Resolution Service (DRS) panel when she started her own practice. She volunteers time as a mediator for both the Trial Assignment Mediation (TAM) program at the

Riverside Historic Courthouse on Fridays and the Probate Mediation Program. Both programs are funded, in part, by a grant from Riverside County provided under the Dispute Resolution Programs Act (DRPA). The Riverside County Superior Court and DRS work in conjunction to administer the programs.

Through the Probate Mediation Program, the parties received three hours of time with an experienced mediator at no cost. It takes mediators like Ms. Cleveland who love what they do and are willing to volunteer their time and effort to make the program possible. "I will work forever to get a case resolved," Ms. Cleveland said, "I'm a very firm believer in mediation."

"Mostly, I like to see people take control of their case and come up with a satisfactory solution. Usually, if they go on, the money that it costs to get there — even if they 'win,' it might not be worth it."

Ms. Cleveland also serves on the Riverside County Superior Court's Civil Mediation Panel, where the parties receive three hours of court-ordered mediation through the program. The Court may assign cases or the parties can stipulate to a panel member to mediate. Additionally, Ms. Cleveland serves on the Judicial Arbitration Panel.

"What's so good about the Riverside County Superior Court is that it gives the litigants many opportunities to settle their cases," Ms. Cleveland commented. "You see the cases listed on the Friday trial calendar, and a lot of them

are already settled. I attribute all of that to the way the court is managed."

More recently, Ms. Cleveland joined the Dependency & Neglect Panel for the San Bernardino Superior Court, for which she represents parents who have had children taken away because of neglect. "Usually, in these cases, you're trying to help the parent receive their due process rights and obtain services so that they have a chance at reunification with their children," Cleveland explained.

In her spare time, Ms. Cleveland attends a local athletic club. She also enjoys skiing in Mammoth. She has two Yorkies, Benny and Bailey. "You'd be surprised when I tell you how much time they take; they're really busy dogs," she said with a laugh.

She and her husband Robert have two sons—Geoffrey and Gregory. Geoffrey is studying law at Southwestern University, and Gregory is studying computers at Riverside City College.

For more information about RCBA Dispute Resolution Service, Inc., visit [rcbadrs.org](http://rcbadrs.org) or call (951) 682-2132.

*Krista Goodman is the ADR service clerk for RCBA Dispute Resolution Service, Inc. She completed her Master of Arts in Strategic Public Relations from the University of Southern California and her Bachelor of Arts in Journalism & Media from California Baptist University.*



## RIVERSIDE COUNTY BAR ASSOCIATION ~ PROPOSED 2015 BUDGET

*(BUDGET TO BE APPROVED AT THE JANUARY 23, 2015, GENERAL MEMBERSHIP MEETING)*

REVENUES	
Bar Magazine Advertising	\$ 36,000.00
Committee/Section Meetings	\$ 2,000.00
Conf. Room Rental Fees	\$2,500.00
DRS Reimbursements	\$90,000.00
Fee Arbitrations	\$ 20,000.00
General Membership Meetings	\$9,000.00
Installation Dinner	\$ 15,000.00
Interest & Dividends	\$ 100.00
Labels & Rosters	\$ 1,000.00
Lease Income	\$ 156,000.00
LRS Panel Dues	\$ 12,000.00
LRS Percentage Fees	\$ 206,500.00
LRS Referral Fees	\$ 90,000.00
Mock Trial T-Shirts	\$ 1,150.00
Parking Space Fees	\$ 1,500.00
RCBA Membership Dues	\$ 120,000.00
<b>TOTAL REVENUES</b>	<b>\$762,750.00</b>

EXPENSES	
ADP/Payroll Fees	\$ 4,000.00
Advertising - Yellow Pgs/Web	\$ 35,000.00
Bar Magazine Production	\$ 45,000.00
Bldg Maintenance & Repairs	\$ 13,000.00
Bridging the Gap Program	\$ 800.00
Continuing Legal Ed Comm	\$500.00
Committee/Section Meetings	\$1,200.00
Comp Software/Maintenance	\$ 6,500.00
Conference of Delegates	\$ 1,000.00
CPA Services	\$ 2,250.00
Donations	\$500.00
Employee Benefits/Medical	\$ 35,000.00
Employee IRA	\$ 7,200.00
Employee Salaries	\$ 305,000.00
Florist	\$200.00
General Membership Meetings	\$ 8,000.00
Good Citizenship Awards	\$2,500.00
Installation Dinner	\$ 15,000.00
Insurance - Workers Comp	\$ 2,500.00
Insurance - Bldg	\$ 16,000.00
Insurance - Bond	\$500.00
Insurance - E & O	\$ 1,800.00
Interest / Fees	\$ 5,000.00

EXPENSES	
Internet/Web Services	\$ 15,000.00
Janitorial Services	\$ 32,000.00
Janitorial Supplies	\$ 3,600.00
Leadership Summit	\$1,000.00
Licenses, Dues	\$200.00
LRS Recertification	\$2,000.00
Meeting Refreshments	\$ 500.00
Mock Trial - State	\$ 1,000.00
Mock Trial T-Shirts	\$ 1,000.00
Mortgage - Interest	\$ 12,000.00
Mortgage Principal	\$58,400.00
Office Equip - Maint/Lease	\$ 9,000.00
Office Supplies	\$ 3,300.00
Payroll Taxes	\$28,000.00
Phone Services	\$ 8,800.00
Postage - Meter Mail	\$ 8,000.00
President's Fund	\$ 300.00
Printing/Stationery Etc	\$2,500.00
Property Taxes	\$ 12,500.00
Public Bar/Law Day/ABA	\$ 200.00
Utilities	\$ 55,000.00
<b>TOTAL EXPENSES</b>	<b>\$ 762,750.00</b>



# OPPOSING COUNSEL: ROBYN A. LEWIS

by Yoginee Patel Braslaw

## The Epitome of a Servant-Leader

What is a servant-leader? A servant-leader has a philosophy and a set of practices that enriches the lives of individuals, builds better organizations and communities, and eventually creates a more just and caring world. A servant-leader shares leadership, devotes themselves to serving and putting the needs of others first, and helps people develop and perform as highly as possible to facilitate their personal growth to build a sense of community and joint ownership. These are the qualities of Robyn Lewis, whom I have the privilege of writing about and whom I admire.

Robyn is a very good friend of mine, and over the years, I have seen Robyn flourish from a newly minted, young single attorney into a great wife, mother, an admirable attorney, and a servant-leader in this legal community. She is dedicated to serving the needs of her clients while balancing motherhood, being a partner to her husband Jonathan Lewis, and growing this legal community. Through the tireless hours she has, and continues to, put into the Riverside County Bar Association (RCBA), Leo A. Deegan Inn of Court (Inn of Court), Leadership Riverside, and other organizations, this community has benefited immensely.

I met Robyn over 15 years ago when she was working for the Law Offices of Harlan B. Kistler. After meeting Robyn just one time, I knew she would be a successful attorney, loyal friend, a role model, and a community leader. Robyn not only talks the talk, but she also walks the walk when it comes to being a leader, role model, and a mentor.

Robyn is a managing partner in the law firm of J. Lewis and Associates, a husband and wife team with a focus on personal injury and elder abuse cases. Over the 15 years she has been working in Riverside, she has successfully handled hundreds of cases in the areas of personal injury, wrongful death, product liability, premises liability, and accident related cases.

Robyn served as President of the RCBA in 2011-2012, having previously served as its President-Elect, Vice President, Chief Financial Officer, Secretary and Director-at-Large. She was also a Past President of Barristers during 2005-2006.

Robyn continues to be a contributing member of the Publications Committee and the Continuing Legal



Jon & Robyn Lewis with sons Henry, Hayden & Noah and daughter Finley

Education Committee of the RCBA. She had previously served as a member of the RCBA Golf Tournament Committee and was on the Governing Committee for the Lawyer Referral Service. She also served as Chair of the Liaison Committee for the Attorney Volunteer Program with the Office of the Public Defender. Robyn is also the program director for "Bridging the Gap," a program designed to assist new bar admittees, and she recently organized and launched the New Attorney Academy, which is an educational program for young attorneys that is sponsored by the Riverside County Bar Association and the Riverside Superior Court. Robyn is the chair of the building renovation committee for the RCBA building and she also chairs the mentorship program of the RCBA.

Additionally, Robyn had served as President of the Leo A. Deegan Inn of Court in 2012-2013, and was the first recipient of the Louise Biddle Award in 2006, which is given to an Inn of Court member for his or her professionalism and dedication to the legal community. Robyn also was a former Mock Trial coach for Santiago High School in Corona. To say that Robyn is an asset to the community would be an understatement. As noted, at one time or another, she has actively participated in, and continues to, in every group that brings the legal community together.

Robyn was born and raised in Jersey City, New Jersey, though she spent several years as a young girl living in Germany and The Netherlands. She spent her college years on the East Coast, attending undergraduate at Fairfield University in Fairfield, Connecticut, graduating with a degree in Political Science. Robyn is a graduate of Seton Hall University School of Law.

Robyn, her two younger sisters Katie and Kristen, and her parents moved to California right after she graduated law school, planting roots in Newport Beach. She took the California bar and passed it her first attempt. With a bar certificate in hand, Robyn immediately began searching for legal employment all over Southern California. However, the struggle from attending an out of state law school made finding employment a challenge. Fortunately, she had several friends with ties to the Riverside legal community. Robyn found her first job with Harlan Kistler. She assisted Mr. Kistler with his personal injury practice, meeting with clients, making appearances, sending out demand letters, and negotiating favorable settlements for their clients. She

became an invaluable asset to Mr. Kistler's practice, allowing him the opportunity to pursue his outside wrestling interests. At this time, she was commuting on a daily basis from Newport Beach, often the first one in the office, and the last one to leave.

While working in Riverside, Robyn found her community amongst the judges and lawyers in Riverside. One of those who had a major impact on Robyn was Aurora Hughes, who encouraged Robyn to get involved in different groups and committees. Some of the women she had met at the RCBA, like Charlotte Butt, Louise Biddle, and Charlene Nelson, also played a big part on enamoring Robyn to get more involved in the legal community.

Riverside is also where Robyn met her partner, in life and in business, Jonathan Lewis. Robyn met Jon in 2002 in the library of the Court of Appeal. She was introduced to him by Justice Thomas Hollenhorst, who was giving her a tour of the building. Not yet a sworn member of the bar, Robyn brought Jon on board at Mr. Kistler's office as an intern, though he quickly passed the bar. They began dating in 2003, and in 2005, they got married. Their first child Ellie sadly passed away at birth in 2009. However, as Robyn remembers, she and Jon were not alone in their grief. She recalls fondly that she not only had close friends to lean on, but also members of this legal community, some of whom she only knew professionally. Ellie is survived by her three younger triplet brothers, Hayden, Henry and Noah born in 2010, and youngest sister Finley, born in 2014.

Robyn and Jon continue to operate their practice while balancing time with their beautiful and adorable children, one often staying home while the other coming into the office, so that all of their clients (and this legal community) get their superior attention. Robyn is not only well-suited to being a servant-leader, but also an exemplary mother. When speaking about her children, her face lights up like a bright star with a Cheshire-cat like smile. When asked about her hobbies, Robyn conveyed, her hobbies are her children, her work, and this community.

Some may ask why Robyn continues to travel in from Orange County several times

a week. Certainly with the experience she has earned here, she would be able to find work closer to home. However, Robyn does not see the time she has already spent in Riverside as a platform to reach something bigger and better. For Robyn, Riverside is the idyllic community, and in her own words she "can't imagine practicing anywhere else." She spoke fondly of the tight knit community of lawyers and friends who were with her through a very difficult event in her life; how no one seems a stranger to her here; with colleagues stepping up to lighten her load when life became challenging or overwhelming. Riverside, in her opinion is like a big city of "next door neighbors." Certainly, we as a community and as individuals have gotten the same amount, if not more of, support from her. When speaking to Robyn as an attorney, it feels as if you are speaking to a good friend, whether you have known her for years, or on a first consultation.

Robyn exemplifies the Riverside lawyer and a servant-leader. She is a caring, dedicated, confident, and compassionate individual with humility, and who has for years made Riverside "hers". She has put in more than her share of time in the community, not because she has to, or to further her career, but because to her, doing so is simply how she supports the community and grows as a person. I am certainly glad that she has shared of herself with me over these years and I look to her as a role model, friend, and the embodiment of a servant-leader.

*Yoginee Patel Braslaw is copy editor for the Riverside Lawyer and a Senior Research Attorney at the Court of Appeal.*



## 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](http://www.riversidecountybar.com) to submit your email address.

The website includes bar events calendar, legal research, office tools, and law links.

You can register for events, make payments and donations, and much more.





# RCBA TO HOST MINI-CLE MARATHON JANUARY 16, 2015

by Abram S. Feuerstein

I think my family spends more time at the Costco sampling tables than the average family. It's just something we do. In any event, if you passed by the drug section at Costco two or so weeks ago, you might have noticed the store promoting vitamins. The product had been molded by some clever manufacturer into various gummy candies. I don't recall if the vitamins were shaped like cars or dinosaurs – that may have been the chicken nuggets. But children enthusiastically ran to the sampling table to ask for samples. A woman dressed in a white lab coat whose job it was to hand out the One-a-Days asked would-be Flintstone kids if they were accompanied by consenting parents. The sampling woman then cautioned the children that they were allowed only one sample. Oh, and adults, too, had their hands out for samples. Including me.

Unlike the gummy vitamin idea, however, after a decade of serving on Bar continuing legal education committees in two different legal communities, I have realized that really there is no good way to heighten attendance for programs on legal ethics. With one exception, and that is to invite Robert A. Hawley, the Deputy Executive Director of the State Bar of California, to speak on the subject. The Riverside County Bar Association's Continuing Legal Education ("CLE") committee did just that. Again.

For the past couple of years, Robert A. Hawley has presented legal ethics training to RCBA members, and he returns to do so on January 16, 2015. Mr. Hawley makes legal ethics almost as easy to swallow and as nourishing as gummy vitamins. The program will be part of a half-day "mini" marathon designed to assist members in obtaining their mandatory CLE credits.

## Compliance Group 2 – Last Names H-M

The California State Bar requires members to complete 25 hours of approved CLE every three years, and makes members responsible for tracking CLE credit and reporting their compliance.<sup>1</sup> For reporting purposes, the Bar divides members into three groups based on last names. This year, Group 2 members with last names beginning H-M must certify their CLE compliance by February 2, 2015.<sup>2</sup> Included in the 25-hour requirement,

1 See The State Bar of California, <http://mcle.calbar.ca.gov/Attorneys.aspx>

2 See <http://mcle.calbar.ca.gov/Attorneys/ComplianceInformation/ComplianceGroups.aspx>

members must take 4 hours of Legal Ethics training, 1 hour in the area of Competence Issues (formerly known as Prevention, Detection and Treatment of Substance Abuse of Mental Illness) and 1 hour of Recognition and Elimination of Bias in the Legal Profession and Society.<sup>3</sup>

## Two Hours of Hawley on Legal Ethics

Attending Mr. Hawley's program will give RCBA members two of the four legal ethics compliance hours. Currently, Mr. Hawley serves as the Executive Director of the State Bar of California. In that capacity, Mr. Hawley is responsible for oversight of the State Bar's Professional Competence Unit, which administers the Ethics Hotline, the Committee on Professional Responsibility and Conduct, the State Bar's professional responsibility publications and other functions related to the development of California's Rules of Professional Conduct. He also is the State Bar's employee relations officer and oversees its labor and employment functions.

Beginning his legal career as a disciplinary prosecutor for the State Bar, Mr. Hawley entered private practice for ten years representing management in labor and employment matters. He served as a member of the State Bar's Standing Committee on Professional Responsibility and Conduct, as well as its Chair and Special Advisor. Prior to rejoining the State Bar's staff, he served as Risk Management Chair and Deputy Managing Partner for a major Bay Area law firm.

After attending approximately 10 legal ethics and PLI programs over the years conducted by Mr. Hawley, in addition to his helpful sense of humor, I am convinced that the effectiveness of Mr. Hawley's presentations results from simplicity – a clear and concise presentation of the rules of professional conduct, which in turn is rooted in his mastery of the subject.

## Other Bar Speaker: David Mann

Joining Mr. Hawley as a speaker for the CLE mini-marathon will be David Mann. After achieving success as a Deputy Public Defender in San Francisco before becoming a solo criminal defense practitioner, Mr. Mann's substance abuse-related issues caused him to resign from the bar with disciplinary charges pending. A nightmare followed, as Mr. Mann's addiction led to numerous hospitalizations and periods of homelessness. Finally able to live clean and

3 See <http://mcle.calbar.ca.gov/Attorneys/Requirements.aspx>

sober in 1998, he has worked in various positions – from driving cabs to working as a paralegal and a drug and alcohol rehabilitation counselor. He currently serves as a Consultant to The Other Bar, a state-wide organization of recovering attorneys, judges, and law students.

## Elimination of Bias

To help members satisfy the one hour requirement in the area of Recognition and Elimination of Bias in the Legal Profession and Society, the CLE has invited two speakers from the Los Angeles LGBT Center to address issues confronting members of the transgender community with an emphasis on employment issues. The first speaker, Drian Juarez, is the Project Manager of the Transgender Economic Empowerment Project (“TEEP”) of the L.A. Gay & Lesbian Center. TEEP provides support to clients as they seek job training and career opportunities, and as part of the Center’s Legal Services department, TEEP assists clients with legal name and gender marker changes.

In addition, Christopher Boone Argyros, the Manager of the Center’s Anti-Violence Project, will discuss his work in eliminating violence against LGBT individuals and providing assistance to survivors of hate violence.

The cost of the 4-hour CLE Marathon for RCBA members is \$20, and includes lunch. Other rates apply for non-members.

*Mr. Feuerstein is employed by the United States Department of Justice as an Assistant United States Trustee in the United States Trustee Program (USTP). The mission of the USTP is to protect the integrity of the nation’s bankruptcy system and laws. The views, if any, expressed in the article belong solely to the author, and do not represent in any way the views of the United States Trustee, the USTP, or the United States Department of Justice. Mr. Feuerstein currently serves as the Co-Chair of the RCBA CLE Committee.*



## MEMBERSHIP

The following persons have applied for membership in the Riverside County Bar Association. If there are no objections, they will become members effective December 30, 2014.

- Bruce Abramson** – Retired Attorney, Riverside
- Michelle R. Carpenter** – Law Office of Michelle R. Carpenter, Riverside
- Shannon Duane** – Reid & Hellyer, Riverside
- Alba Granados (S)** – Law Student, La Habra
- Craig Powell Hayes (S)** – Law Student, La Quinta
- Christopher P. Jackson (S)** – Law Student, Murrieta
- Sherry L. MacManes** – Sole Practitioner, Riverside
- James E. McGee, II** – Law Office of James E. McGee II, Riverside
- Jeff T. Olsen** – Gresham Savage Nolan & Tilden, Riverside
- Kelly White (S)** – Law Student, Wildomar

(S) = Designates Law Student Member



## CLASSIFIED ADS

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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

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

### Conference Rooms Available

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

### Free to Good Home

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