

RIVERSIDE LAWYER

November 2004 • Volume 54 Number 10

MAGAZINE



IN THIS ISSUE:
Giving Back to the Community
RCBA Installation Dinner

The official publication of the Riverside County Bar Association

Publications Committee

Robyn Beilin
 Kelly Bennett
 Yoginee Braslaw
 John Brown
 Charlotte Butt
 Mike Cappelli
 Donna Hecht
 James Heiting
 Aurora Hughes

Gary Ilmanen
 Rick Lantz
 Mark Mellor
 Queenie Ng
 Richard Reed
 Michael Trenholm
 Allen Turner
 Glenn Williams
 Lisa Yang

Editors Michael Bazzo
 Jacqueline Carey-Wilson

Design and Production PIP Printing Riverside

Cover Design PIP Printing Riverside

Officers of the Bar Association

President

Michelle Ouellette
 tel: (951) 686-1450
 email: /

Theresa Han Savage

tel: (951) 248-0328
 email: theresa.savage@jud.ca.gov

Chief Financial Officer

Daniel Hantman
 tel: (951) 784-4400
 email: dh4mjg@earthlink.net

Vice President

David T. Bristow
 tel: (951) 682-1771
 email: dbristow@rhlaw.com

Past President

Mary Ellen Daniels
 tel: (951) 684-4444
 email: med-atty@pacbell.net

Secretary

E. Aurora Hughes
 ahugheslaw@aol.com
President Elect

Director-at-Large

John E. Brown
 tel: (951) 686-1450
 email: jebrown@bbkllaw.com

Harry J. Histen III
 tel: (951) 682-4121
 email: hhisten@harryhisten.com

Janet A. Nakada
 tel: (951) 779-1362
 email: jan@nakada-silva.com

Jay E. Orr
 tel: (951) 956-5516
 email: jayorr@aol.com

Executive Director

Charlotte Butt
 tel: (951) 682-1015
 charlotte@riversidecountybar.com

Officers of the Barristers Association

President

Jeremy K. Hanson

Treasurer

John D. Higginbotham

Vice President

Robyn A. Beilin

Secretary

Charles P. Boylston

Member-at-Large

Christopher L. Peterson

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

Telephone
 951-682-1015

Facsimile
 951-682-0106

Internet
 www.riversidecountybar.com

E-mail
 rcba@riversidecountybar.com

RIVERSIDE LAWYER

MAGAZINE

C O N T E N T S

Columns:

- 3** **President's Message**
by Michelle Ouellette
- 4** **Barristers**
Robyn A. Beilin

Features:

- 6** **Judicial Profile: Judge Robert Timlin**
by Jacqueline Carey-Wilson
- 8** **Volunteer Center of Riverside County**
by Jacqueline Carey-Wilson
- 10** **RCBA Installation Dinner**
- 12** **YWCA of Riverside County**
by Carol Greene
- 13** **Giving Thanks**
by Robyn A. Beilin
- 15** **Volunteers in Parole**
by John W. Vineyard
- 16** **Giving Back - The RCBA Elves Program**
by Brian C. Percy
- 19** **PSLC Honors Volunteers**

Departments:

- Bar Briefs 19 Classified Ads 20
 Calendar 2 Membership 20

MISSION STATEMENT

Established in 1894

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

RCBA Mission Statement

The mission of the Riverside County Bar Association is to:

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

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

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

Membership Benefits

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

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

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

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

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

MBNA Platinum Plus MasterCard, and optional insurance programs.

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

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

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

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

CALENDAR

November

- 19 General Membership Meeting**
RCBA 3rd Floor – Noon
MCLE
- 22 Judicial Liaison Committee**
RCBA – Noon
- 25-26 HOLIDAYS**
- 29 CLE Committee**
RCBA – Noon
- 30 CLE Brown Bag**
RCBA 3rd Floor – Noon
MCLE

December

- 1 CLE Brown Bag**
RCBA 3rd Floor – Noon
MCLE
- Bar Publications Committee**
RCBA – Noon
- 8 Mock Trial Steering Committee**
RCBA – Noon
- 13 DRS Board**
RCBA – Noon
- 14 PSLC Board**
RCBA – Noon
- 15 Law & Media Steering Committee**
RCBA – Noon
- EPPTL Section**
RCBA 3rd Floor – Noon
MCLE
- 17 Joint RCBA/SBCBA Annual Meeting**
SB Hilton on Hospitality Lane - Noon
Speaker: State Bar President
John Van de Kamp
MCLE





President's Message

by Michelle Ouellette

The theme of the Riverside Lawyer this month is "Giving Back to the Community." I trust that you have all donated your time to the community this month in the form of your vote. You may not have thought about it much when you were casting your ballot, but your vote is one of the most powerful ways that you can influence the direction in which your neighborhood and our community are headed.

I also know that many of you donated your time to our legal community by attending this year's RCBA swearing-in ceremony at the Mission Inn. I was honored by the attendance of so many old friends and also by the opportunity to meet so many future ones. I look forward to seeing what we can accomplish together, and I thank you all for your support.

Recently, I have been thinking about what giving back to the community truly means. Too often I hear people comment about their lack of time or, worse yet, their lack of desire. We are attorneys, and attorneys are by their very nature public servants. Our job as attorneys is to put our talents and skills to work helping others. Supreme Court Justice Harry Blackmun described the work of an attorney as labor done in "the spirit of public service," and I am proud to call myself a member of the profession. As a partner at Best Best & Krieger, I have seen at first hand the way that dedicated lawyers can impact the lives of their clients. We must take care not to allow ourselves to become so wrapped up in the technicalities of the law that we overlook the people whom the law protects. The look of appreciation on a client's face when a legal matter is finally completed is indescribable.

Keep in mind, too, that although we are attorneys, our gifts to our neighborhood can go beyond

the law. I am blessed to be surrounded by colleagues and friends who tirelessly donate their time and energy serving as coaches, blood donors, teachers, and mentors, and in countless other roles in our community. For many of us, donating our time to a good cause is one of the high points of our week.

We are also fortunate to be in Riverside, where we have all of the opportunities of a big city but still maintain a small town identity that invites us to become involved in virtually any organization that interests us. One of my most rewarding community service activities was serving on the City of Riverside Human Relations Commission for two terms. I had an opportunity to meet and get to know not only the movers and shakers of Riverside, but also the people who are in the background, quietly working for the betterment of our community. In other, larger counties, I doubt that a young lawyer would have the opportunity to serve on an important city commission.

So this month, I encourage all of you to find a way to use your special gifts as lawyers for the benefit of those around you. Find a service group or organization that sparks your interest.

There are many law-related opportunities to which attorneys may dedicate their time. Some of these include:

Inland Empire Latino Lawyers Association Legal Aid Project (IELLA) conducts free legal aid clinics focusing on unlawful detainer, family law, basic civil, and related matters during evening hours in Riverside, Colton and Ontario. These legal aid services are available to all of those in need.

Dispute Resolution Service, Inc. (DRS) is a mediation/arbitration service provided by the RCBA. DRS is always seeking qualified panel members.

Lawyer Referral Service (LRS) is a public service of the RCBA and provides clients with a referral to an attorney who has experience in the area of law appropriate to the client's need. It is looking for panel members.

Leo A. Deegan Inn of Court is an international organization dedicated to improving the legal skills of its members and to rediscovering and promoting professionalism, civility and high ethical conduct within the legal profession.

Public Service Law Corporation (PSLC) brings together indigent persons in civil cases and volunteer attorneys who have agreed to provide representation on a pro bono basis to those persons who would otherwise be unable to participate fully in the legal process.

Riverside County Mock Trial, a competition hosted by the RCBA, introduces hundreds of high school students to the legal profession each year. There is always a need for coaches and scoring attorneys for the competitions.

Please contact the RCBA for additional information on each of these programs if you are interested in volunteering your time and giving back to the community.

Michelle Ouellette, president of the Riverside County Bar Association, is a partner at Best Best & Krieger, LLP in Riverside.



Barristers

by Robyn A. Beilin

It is the start of another season, so to speak, of Barristers and I can say with confidence that it should prove to be a great one!

I am proud to join the following list of Executive Board members, who have worked hard to put together a great series of programs for the upcoming year:

- President Jeremy Hanson of Heiting & Irwin
- Vice-President Robyn Beilin of the Law Offices of Harlan B. Kistler
- Treasurer John Higginbotham of Best Best & Krieger
- Secretary Charles Boylston of Geoffrey Hopper & Associates
- Member at Large Christopher Peterson of Reid & Hellyer

For those of you who are new to the area or are not yet members of Barristers, I would urge you to take advantage of this fantastic opportunity. Barristers is designed to bring together younger or newly admitted members of our Riverside legal community while offering continuing legal education credits in areas that are specifically tailored to the less experienced attorney. Of course, we would welcome anyone to join our meetings who is a member of the Riverside County Bar Association, regardless of age or experience!

In October, we began with a group discussion on “How to Avoid Rookie Mistakes,” which was led by the members of the Executive Board. Thanks to all who participated, as I am sure that all of us learned invaluable tips that we can use in our own areas of practice.

In December, Barristers is planning on hosting a holiday cocktail party in conjunction with the Riverside County Bar Association. We are still working out the details, so keep your eyes open for the announcement of the date for this exciting event! And, of course, you are welcome to contact me, should you have any questions regarding Barristers, at beilinro@yahoo.com.

Robyn Beilin is with the Law Offices of Harlan B. Kistler and Secretary of Barristers.



JUDICIAL PROFILE: HONORABLE ROBERT J. TIMLIN



by Jacqueline Carey-Wilson

During a career that has spanned more than forty years, the Honorable Robert Timlin has accumulated an outstanding record of giving back to the community and the legal profession.

Judge Timlin has dedicated his life to public service. In 1954, he began the study of law at the University of Michigan School of Law. However, his studies were interrupted by two years of service in the United States Army. After leaving the Army in 1957, he resumed his studies at Georgetown Law School. Upon graduation, he was in-house counsel for the Pennsylvania Railroad in Chicago. After President Kennedy's inauguration, Judge Timlin joined the Criminal Division of the Department of Justice in Washington, D.C., where he was active in the Junior Bar Association.

Judge Timlin obtained an LL.M. degree from Georgetown and moved to Los Angeles to work in the Office of the U.S. Attorney. In 1966, he relocated to Riverside County, where he has lived and worked ever since. In the period 1966 through 1976, he was the City Attorney for Corona and Norco, and attorney for the Redevelopment Agency of Corona. During that time, he was a member of the boards of directors of the Corona and Norco YMCA and the Red Cross, serving as board president on each for one year. He was also a member of the St. Edward's Elementary School Board.

Judge Timlin was appointed to the U.S. District Court as a Magistrate Judge, a position he held from 1971 through 1975. From 1976 through 1980, he served in Corona as Municipal Court Judge. Judge Timlin was appointed to the Riverside Superior Court in 1980.

Judge Timlin was elevated to the Fourth District Court of Appeal in 1990. During his four years at the appellate court, Judge Timlin mentored law students and law school graduates during their externships at the Court of Appeal. "Judge Timlin was always prepared to listen to our ideas and concerns," said Ruchi Gupta, who externed for Judge Timlin in 1994. "His advice provided an invaluable part of my legal training." Ruchi is now a deputy public defender in Los Angeles.

Judge Timlin was appointed to the federal court in 1994. On the federal bench, Judge Timlin continues to mentor recent law school graduates and law students. Each year, Judge Timlin accepts two law clerks to assist him in researching and writing proposed orders in civil matters. In addition, he accepts law school externs, who work closely with his law clerks. Last year, Judge Timlin brought in two law clerks and three externs! When the law clerks and externs begin in his chambers, Judge Timlin goes over the basics with them and advises them on the rules of ethics in the federal courts. He encourages his law clerks and externs to take the time to observe trials in both the state and federal court. Judge Timlin enjoys working with the new and vibrant attorneys. "I thrive on working with these young people," said Judge Timlin. "I also recognize that I am helping future members of the bar in the litigation process. They deal with real people and real issues."

Attorneys whom Judge Timlin has mentored are now involved in all aspects of the legal profession. Tom Jirgal, law clerk from 1998 to 1999, is now with the litigation department of O'Melveny & Myers in Los Angeles. Tom had a very positive experience when he clerked for Judge Timlin. "Judge Timlin approaches each case in an unbiased manner," said Tom. "He instructed the law clerks not to be advocates, but to find out the law on a certain issue. I read the legal papers and evaluated argument, and assisted the judge in drafting the orders. You are exposed to so many areas of law not covered in law school. You also get up to speed on federal procedure. Initially, it is a significant pay sacrifice, but I look at the clerkship as my full employment act. Having the 'Law Clerk' on my résumé means that I will always be able to find a job."

Martin Estrada clerked for Judge Timlin from 2002 to 2003. Martin had a fantastic experience working for Judge Timlin. "Judge Timlin has the most amazing legal mind and was always available to discuss a case," said Martin. "He would come to me, in my small cubicle, to discuss the issues. He would often recall new cases so quickly that I questioned if he was right. Upon completing the research, he was always right. He was very knowledgeable on the law. I was also impressed by his humanity which was exemplified by his kindness to everyone he came in contact with regardless of status." Martin recalled several instances in which Judge Timlin assisted pro se litigants in navigating the court system. Martin clerked for Judge Arthur Alarcon of the Ninth Circuit

Court of Appeals from 2003 to 2004 and will soon begin as an associate at Munger, Tolles & Olson in Los Angeles.

Other former law clerks and externs of Judge Timlin are scattered throughout California. One is teaching with the American Bar Association in Uzbekistan: Phyllis Oscar resides in Uzbekistan and is working with the local government on criminal and civil justice reform. Melissa Goldberg is a clerk for Judge White of the United States District Court in San Jose. Elyssa Getreu is an Assistant United States Attorney in Los Angeles. David Silberman is a deputy county counsel in San Jose. Adam Wolf is a professor at UCLA. Erin Bernstein is a clerk for California Supreme Court Justice Carlos Moreno. Samra Roth is a deputy public defender in Riverside.

Since the very beginning of his professional life, Judge Timlin has given back to the community and legal profession. He began by defending the nation in the military, and for the past 33 years has upheld the rule of law as a judicial officer in federal and state court. During his long and distinguished career, Judge Timlin's impact has been felt in the thoughtful decisions he has written and in the many attorneys he has mentored.

Jacqueline Carey-Wilson is with the Office of the San Bernardino County Counsel.



VOLUNTEER CENTER OF RIVERSIDE COUNTY

by Jacqueline Carey-Wilson

Volunteerism touches everyone in the community.

Since 1966, the Volunteer Center of Riverside County has operated as a private nonprofit agency offering a variety of free services to Riverside County residents. The Volunteer Center is a crucial link between people in need and resources in the community that would assist them. The Volunteer Center addresses issues including homelessness, people in crisis, and senior needs by offering such programs as:

HELPLine Crisis/Suicide Hotline: Twenty-four hours a day people in crisis can call **951-686-HELP (4357)** and be connected with a trained counselor who will listen and provide support. Last year, HELPLine counselors assisted 13,746 people. In October 2004, the American Association of Suicidology certified the HELPLine.

INFORM Riverside County: When individuals need information about obtaining some resource from the community, such as food, housing, clothes, or rental, mortgage, or utility assistance, they can call **800-464-1123**. The staff will respond with appropriate referrals and will instruct callers on how to request help, what to expect, and what documents they should have ready before making the call. Last year, INFORM Riverside assisted 13,000 people with referrals.

INFORM Riverside County was recently approved as the **211** provider for Riverside County by the California Public Utilities Commission. Hopefully within a year, individuals will be able to access social services needs 24 hours a day, seven days a week by calling 211. As 911 is to emergency calls, soon 211 will be to social services calls.

Senior Ombudsman Program: Volunteers with the Center are trained and certified as ombudsmen to make regular facility visits to nursing homes and residen-

tial care facilities. The ombudsman investigates complaints of poor care and elder abuse. The ombudsman acts as an advocate to protect the senior's rights and ensure that the highest quality of care is received. Last year, ombudsmen served 40,037 seniors. In September of each year, in honor of Grandparents' Day, the Senior Ombudsman Program distributes bouquets of flowers to seniors in nursing homes for a donation of \$25 to the Volunteer Center. Last year, 165 seniors received flowers and a visit from an Ombudsman.

Transportation Access Program (TAP): Nonprofit and government agencies in western Riverside County can register with TAP to receive bus tickets for their clients. Service providers distribute the tickets to their qualifying clients for doctor appointments, job interviews, and other urgent or emergency needs. Last year, TAP distributed 7,080 tickets through this program.

Shared Housing: To provide an affordable housing alternative, individuals who cannot afford a home on their own are referred to individuals who need help staying at their present home. Last year, Shared Housing assisted 1,514 individuals with their housing needs.

Volunteer Connection: The Volunteer Connection matches the interests of volunteers with community agencies and consults with the agencies to provide training and advocacy for volunteerism. Last year, volunteers contributed 11,232 hours of service to the community through the Center. Agencies in the coun-

ty are invited to honor their most valuable volunteers at the Volunteer of the Year Reception sponsored by the Volunteer Center. Last year, 73 volunteers were recognized for their outstanding contributions to their organizations.

Thanksgiving/Christmas Basket Program:

The Volunteer Center keeps a list of all the nonprofit agencies in Riverside County that distribute baskets at Thanksgiving and Christmas. This list also includes the programs that offer Thanksgiving and Christmas dinners. If you know someone in need during the holidays or would like to donate to this program, please contact the Volunteer Center at **951-686-4402**.

ALTERNATIVE SENTENCING PROGRAM:

Community Service: Individuals are referred to the Center by the Riverside Superior Court to perform community service in lieu of fines. These individuals have an opportunity to make restitution to the court and learn new skills for prospective employment. Last year, individuals performed 40,000 hours of community service.

Monitoring: The Volunteer Center provides referrals to people whom the court orders to complete classes in domestic violence, anger management, parenting, and ignition interlock systems. The Center then monitors each individual's compliance with the program. Last year, 3,000 individuals were monitored through this program.

Teen Mentoring Program Option (TEMPO): TEMPO educates first-time juvenile offenders on the effects of alcohol and drugs. TEMPO's goal is to reduce recidivism through early intervention. Last year, 350 teens were educated through TEMPO.

I have been active with the Volunteer Center since November 1999. I began by serving hot lunches to the homeless when the Center operated REACH; I am currently President of the Board of Directors. I have seen the impact of the Volunteer Center first-hand and know the commitment of its dedicated staff. If you would like to volunteer your time or know someone who needs assistance from one of the programs offered by the Volunteer Center, please call **951-686-4402**. Volunteerism touches everyone in the community.

Jacqueline Carey Wilson is with the Office of the San Bernardino County Counsel.



RCBA INSTALLATION DI



Mary Ellen Daniels and Michelle Ouellette



Lewis Jacobsen received 50 Yrs. in Practice plaque w/ Michelle Ouellette & Jack B. Clarke, Jr.



Steven Lee, Richard Marca and Mike Kerbs



Mary Ellen Daniels and Michael Clepper



Judge Stephen and Liz Cunnison



Michelle Ouellette, Jack B. Clarke Jr., David Moore and Judge Roger Luebs

ANNER – SEPTEMBER 23, 2004



Geoffrey & Lauralea Hopper



Albert Johnson Jr. and Mary Ellen Daniels



Art Littleworth and Michelle Ouellette



PAST PRESIDENTS:

back: Brian Percy (2002); David Moore (1984); Michael Clepper (1983);
Judge Stephen Cunnison (1981); Judge Craig Riemer (2000)
front: Art Littleworth (1971); Geoffrey Hopper (1994);
Mary Ellen Daniels (2003); Diane Roth (1998)



Lorna Rich, Judge Elwood Rich (Ret.) and Donald Powell



Dana Samesla, husband of the late Kathleen Gonzales
and Judge Craig Riemer



Jill Willis, Ward Simmons, Greg Wilkinson and Megan Starr



Jim Manning and David Werner

YWCA OF RIVERSIDE COUNTY

by Carol Greene

The YWCA of Riverside County has been an active partner in the community since 1906. The mission of the YWCA is to empower women and girls and to eliminate racism. To fulfill this mission, the YWCA has several programs and events. Some of these include:

1. **Born Free** – This is a residential treatment home that helps chemically dependent pregnant women recover from their addictions to allow their babies to be “Born Free” of the effects of drugs or alcohol. Since the program was launched in 1990, we have had over 180 babies born free of drugs and alcohol. When you consider that studies estimate that each child who is born addicted to drugs or alcohol will cost society over \$3 million over his or her lifetime, the YWCA has saved over half a billion dollars for our community through this program.

2. **Avenues/My Life, My Choices** – These programs are free after-school teen pregnancy prevention and life skills/life choices programs for middle school and high school girls, offered in partnership with the Junior League of Riverside. The programs seek to expand a young woman’s abilities to make friends while she learns how to make life decisions responsibly.

3. **YWCA Preschool** – The YWCA operates a fully licensed preschool program that provides children of all economic backgrounds with a clean, safe, and nurturing environment in which to learn, grow and develop.

4. **Aquatics Programs** – The YWCA has a small heated swimming pool that is perfect for people with joint problems such as arthritis. We offer class-

es such as “Tai Chi in the Water,” “Twinges in the Hinges,” and various water aerobics classes. In addition, the YWCA offers swimming lessons for small children on an ongoing basis.

5. **Health and Fitness Programs** – The YWCA offers numerous health and fitness programs and services, such as dance, personal training, stretching, aerobics, Pilates, Yoga, and many others.

6. **Family Stability Programs** – These include Parenting Plus, Co-Parenting After Divorce, and Anger Management.

7. The YWCA also puts on several events each year such as the YWCA Week Without Violence, the YWCA Everyday Heroes, the YWCA Women of Achievement, and the YWCA Men Who Cook.

I am currently the President of the Board of Directors of the YWCA of Riverside County. I have to say that it has been my privilege to work with this group, as the YWCA has an extremely dedicated board and staff. They are an inspiration to go out there and help those in need. As a side note, there are two other Riverside lawyers on the Board: Barbara Purvis, who contributes a great deal more to the YWCA than I think anyone could ever imagine in time, talent and money, and Lisa Visingardi, who continues to be an active and supportive board member. If you would like more information regarding the YWCA of Riverside County, please call (951) 687-9922 or check out our website at ywcariverside.org.

Carol Greene is with the Office of the San Bernardino County Counsel.



GIVING THANKS

by Robyn A. Beilin

They say that it takes a village to raise a child. Well, perhaps the same can be said about a new trial attorney. The story that I am about to tell is meant to inspire all of us and I am confident that you will agree that it articulates the very reason that most of us continue to practice in Riverside.

There comes a time in every young attorney's career when he or she is faced with his or her first trial. For Jonathan Lewis of J. Lewis & Associates, that first trial came in August of 2004. Now, some of you reading this may remember that I am the author of many profiles of Barristers' members, in which I try to highlight young attorneys in town. This article is not meant to be such a profile. And perhaps some of you may be aware that Jonathan and I are engaged to be married – a piece of information I offer only for journalistic integrity. For this article is not meant to highlight Jonathan's success at trial or his personal legal prowess. Instead, I felt compelled to write this piece because Jonathan's first trial was more than just a personal victory or a fight well fought. It was proof that we are all so incredibly lucky to be part of this legal community, and for that, I give thanks at the beginning of this holiday season.

When Jonathan first embarked on this particular case, as it was going to be his very first trial, he immediately began seeking the advice of other attorneys. The client, who had represented himself in pro. per. for the better part of the case, had filed suit against a particular discount retail store for false imprisonment and malicious prosecution. Finally, after being rejected by many other attorneys in town, the client contacted Jonathan and retained his services. Jonathan was swept away by the prospect of trying this case and was elated that he was finally going to be in front of a jury in a courtroom. However, after buckling down and realizing the amount of work involved, he understood that there were nuances in trying a case that called for experience that he did not have as a second-year attorney.

Luckily, Jonathan is the son of former Public Defender Michael Lewis, who is now retired, so his dad was a good place to start. However, Mr. Lewis' expertise was criminal law, while Jonathan needed someone to guide him in the waters of civil litigation.

He was fortunate to rent office space on the 7th floor of the Riverside Centre here in Riverside, as many attorneys on the same floor took time out of their busy schedules to work with him on trial techniques and strategies. Jonathan was wise to realize that he could not learn in a few months what these attorneys had learned over the course of decades of practice, so he listened to the war stories of such attorneys as David Gurney, Luis Lopez, Jeff Morris, and Harlan Kistler and gleaned from them wisdom on how to formulate his strategies and techniques.

Like most attorneys gearing up for trial, Jonathan became consumed, spending every free moment on this case. He contacted the attorney who had represented the client during the criminal proceedings, Richard Swanson, who was incredibly helpful to him in formulating his theme for trial.

When it came time to actually start drafting arguments and preparing the order of witnesses, Jonathan was incredibly fortunate to have the resources of two well-known and respected trial attorneys – Doug Weathers and Paul Nestor. As Doug has primarily a plaintiff's practice, while Paul is a defense attorney, Jonathan spent hours picking the brains of these men, who were cornerstones of wisdom and invaluable advice to him. Doug in particular spent a significant amount of time tutoring Jonathan and graciously making himself available for questions whenever needed.

At the time of trial, Jonathan's case appeared to be going better than anyone had ever expected. As he gained confidence in himself, however, he realized how indispensable the advice of all of these attorneys had been in preparing for his case. Unexpectedly, at one part of the trial, there came a moment when Jonathan's world came crashing down on him. A legal technicality was suddenly raised that could have proven to be quite costly to his case.

I happened to be in the court room at that very moment and realized that Jonathan needed help. I quickly called up to my office and called upon my two law clerks, Kimberlie Hall and Mark Perryman, who worked tirelessly with the help of Harlan Kistler to find a loophole to assist Jonathan.

When I realized that Jonathan needed instant guidance, I thought to call upon the wisdom of Andy and Diane Roth, who were wonderful in giving advice that proved to be very helpful to Jonathan. In the meantime, J. Dana Mitchell-Weiler, a probate attorney from whom Jonathan sublets office space, met me down at the court to provide me with legal research that he had found on the particular issue. As stressed as Jonathan was at that moment, he gained comfort in realizing the army of local attorneys who were standing behind him and offering their support. And the list didn't stop there – Dave Moore of Reid & Hellyer and Don Inskip also took time from their busy schedules to offer tips and advice to get around the looming technicality. Even Moira Kamgar, a former Riverside District Attorney and Best Best & Krieger associate, lent a helping hand to Jonathan.

At the end of the day, Jonathan was able to avoid the potentially devastating problem and went on to win his trial with an almost unanimous verdict. The jury awarded his client over a half a million dollars in damages, which by Riverside standards is quite significant.

I have no doubt that Jonathan won that trial by his own skill and hard work. However, it would be an injustice not to point out

(continued on page 15)

VOLUNTEERS IN PAROLE

by John W. Vineyard

When I first became involved with VIP I had all of the reservations that I now hear from other prospective VIP mentors. How much time does it take? Do I really want to get involved with a parolee? What if it doesn't work out? Fortunately, I decided to give it a try despite those reservations. I'm now working with my third mentee, after one success that fills me with satisfaction, and one disappointing failure that proved, at least, that my reservations were unfounded.

Mentoring for VIP takes no more time than any other casual friendship. My mentee and I are just that, friends. I'm not his father, his parole agent, or his priest – just a friend he can talk to about things going on in his life. We have a lunch here, a dinner there, sometimes alone and sometimes with our spouses. We've had family dinners with my kids showing off, been to a few movies and a few baseball games. The point is simply to be there for someone who is trying to make important changes in his life, no more or less than I would do for any other friend.

Many parolees have the desire and ability to turn their lives around, but lack the support system necessary to help them along. Even with family and friends to lend that support, it's a very difficult challenge. Without that support network, or with friends who are part of the "old life," it's almost impossible. A VIP mentor serves as a "touchstone" for the parolee, someone who can be there just to listen and provide encouragement and friendship.

When someone shows the desire and the commitment to make such a significant change in his life, he deserves every little bit of support that we can provide. As I watched one of my friends work at his first real job in decades, meet and marry the love of his life, and buy their first home together, the value of my small contribution seems insignificant. All I did was share some time, eat a few meals, listen and be a friend. And as I reflect on my initial reservations about VIP, I am thankful that I ignored them. I hope more of my colleagues in the bar will do the same. VIP has a waiting list of people hoping for just a little bit of friendly support.

For more information about VIP, or to volunteer, please call (951) 782-4814 or email vip-riverside@mindspring.com.

John Vineyard, a past president (1999) of the Riverside County Bar Association, is with the law firm of Akin Gump Strauss Hauer & Feld in Riverside.



Giving Thanks . . . *(continued from page 13)*

that he owes much credit to all of the attorneys whom I have mentioned in this article. To all of them, Jonathan offers his sincere thanks and gratitude. And on behalf of the entire Riverside County Bar Association legal community, I extend further thanks for reminding all of us that it is a privilege to practice in this legal community.

Robyn Beilin is with the Law Offices of Harlan B. Kistler and Secretary of Barristers.



GIVING BACK — THE RCBA ELVES PROGRAM

by Brian C. Percy

Are you interested in helping your bar association overcome the public's perception that the legal profession is filled only with takers and not givers? Have you ever wanted to help out a local family in need by doing more than just writing a check, but you didn't know how? Would you like to experience the true joy of giving during the holiday season? Come join your fellow members of the RCBA and their families in a highly rewarding program and participate in the *Elves Program* for the holiday season.

What is the *Elves Program*? The *Elves Program* is your opportunity to become one of Santa's elves and directly adopt and support a local family that would otherwise be unable to provide gifts for their children during the holiday season.

For the past two years, we have assisted grandparents who have become the guardians of their grandchildren by necessity. This year we are working with the Child Abuse Prevention Center who have identified children and families with special needs. The families assisted by the *Elves Program* are those which, due to their financial circumstances, are having a difficult time providing anything more than the bare essentials to their grandchildren. The *Elves Program's* goal is to give several families a Christmas they could only dream about.

In our first year in 2002, we were able to assist six families living in some of the poorest areas of Riverside County, which included 17 children, from 1 year old to 13, and seven adults. Last Christmas, we more than doubled the number of families served, to 15, and nearly tripled the number of individuals served, to 34 kids and 16 adults. We touched a greater number of communities in the county (a total of eight: Corona, Hemet, Lake Elsinore, Mead Valley, Moreno Valley, Perris, Riverside, and San Jacinto) and the feedback from the Elves and the families served was overwhelmingly positive. This year our goal is to try to assist between 20 and 30 families.

Depending upon your time, talents, and interests, we have four elf categories for you to participate in:

Shopping Elves: On (designated day/time), you and a group of your fellow shopping elves will meet at a store (TBA), where you will be provided a Christmas "wish list" from the children of the families we adopt. Your job will be to stroll through the store and fill your basket with as many

gifts as possible within the dollar amount you have been assigned to spend.

While some of the requests of the past have been very specific, surprisingly, many of the kids indicated (in their own hand) that they wanted gifts from general categories such as clothes, educational toys, and music. It is the shoppers' job to satisfy those wishes for their adopted families, within the budget they were provided.

To be a good shopper, you should have a good working knowledge of kids and what kinds of gifts and clothing sizes and styles are age-appropriate. Last year, several of our Shopping Elves brought their family along. They not only learned the joy of giving to the less fortunate, they were of great assistance in helping determine what the "cool" gifts would be.

Wrapping Elves: The wrapping elves will meet at the RCBA's board room (designated evening) and wrap all the gifts after the Shopping Elves have finished their job. Wrapping and organizational skills are welcome, since Wrapping Elves must ensure that all the gifts are grouped and tagged according to family for easy pick-up and distribution by the Delivery Elves. Last year, several members made this event a family affair. The camaraderie was real. So our motto is, the more the merrier!

Delivery Elves: Depending on the total number of families we are able to support, teams of two to four Delivery Elves will personally deliver the wrapped gifts to our adopted families. The deliveries are made over the course of a few days during the week of Christmas. To accommodate the Elves' schedules, while efficiently distributing the gifts to the varied households we are supporting, you may be assigned to deliver to more than one family in your personal sleigh.

Although potentially time-consuming, delivering gifts to the families is by far one of the most rewarding elf tasks, since you get to meet the adopted families. (Looking for a warm holiday glow inside and out? This is it!) When signing up, please inform us if you will be willing to drive, and if so, what type of vehicle you have. This will allow us to match the number and size of gifts to the storage area available in your vehicle.

Money Elves: These Elves really make things happen! Because of the Money Elves we are able to shop,

wrap and deliver to the many families we are hoping to assist. So, won't you help us by being generous with your donation. The sooner you send in your donation, the better it is for all concerned. Sending in your check by December 3rd will help us determine how much we can budget per family. Obviously, the more money raised, the greater number of families we can help and the greater the number of items on our families' wish list that our Shopping Elves can supply. Checks should be made payable to the RCBA. Please put the words "The *Elves Program*" in the memo section of the check. We thank you for your generosity in advance.

Last year, we had 55 Elves participate. In several instances, some members were so excited about the program they wore two and three Elf hats! The Money Elves really came through, too. We nearly tripled the amount of money raised (\$6,240.00) from the previous year. In fact, due to the large amount of last-minute donations, we were able to have a second shopping and wrapping session!

I must also take a moment to recognize the gracious participation of so many members of our local bench last year. While there is a long list of activities that judicial officers are prohibited from participating in, this isn't one of them. So to those who have participated in the past, "Thank you." And, to steal an old slogan from a now defunct grocery chain, "Tell a friend!"

Needless to say, putting this program together is no small undertaking. The sooner we can identify the elves and what tasks they would like to accomplish and the amount of money we have to shop with, the easier it will be for us to make it happen smoothly. If you would like to be a Shopping, Wrapping, Delivery or Money Elf, please call or email your name and desired Elf designation(s) to one of the following: Rosetta at the Law Offices of Brian C. Percy – (951) 686-1584 or rrunnels@bpearcyllaw.com or Charlotte at the bar association – (951) 682-1015 or charlotte@riversidecountybar.com.

Thank you and Ho Ho Ho.

Brian C. Percy, a sole practitioner in Riverside, is Chair of the Elves Program and a past president of the RCBA.



BAR BRIEFS

James Heiting, former RCBA President (1996-1997) and current Vice President and Treasurer of the State Bar Board of Governors, grew up in Norco. He was recently able to use some of that experi-



JIM HEITING AND "DRAGONFIRE"

ence in a new endeavor: competitions of Tennessee Walking Horses.

Although horse ownership is relatively new for Jim and his wife Cindy (they bought their first horse as a pleasure horse for Cindy in October 2003), Jim got involved with Tennessee Walking Horses in short order. They took two of their (now six) horses back to Tennessee in August where Jim competed in two classes of the Tennessee Walking Horse National/World Championships. Over 2,500 horses competed, with over 5,000 entries total, in the ten day event.

Entering only his fourth competition ever, he and his horse "Gold Hard Cash" were awarded the Amateur Western Park Pleasure 3 Gait

Reserve World Championship, and he and his horse "Dragonfire" won the Amateur English Park Pleasure 3 Gait World Championship!



JIM HEITING AND "GOLD HARD CASH"

PSLC HONORS VOLUNTEERS

The Public Service Law Corporation (PSLC) of the Riverside County Bar Association recognizes the valuable contributions of the following lawyers who volunteered their time and expertise on behalf of low-income clients during the months of August and September:



(LEFT TO RIGHT) Katie Greene, Richard Kennedy and Kirby Combs

David Akintimoye
 Jeff Bertram
 Linda Claypool
 Kirby Combs
 Tom Derryberry
 George Dickerman
 Mirna El Hazin
 Raul Gimenez
 Katie Greene
 Ralph Hekman
 Guy Herreman
 Richard Kennedy
 Leah King
 Holly Maag
 Paul Maineri
 Hershel Martin
 Diana Renteria
 Paulette Sandler
 James P. Smith
 Michael Thompson
 Roger Walker
 Herb Williams

On Friday, October 22, 2004, at the Joint RCBA/PSLC General Membership Meeting, the following recipients were presented with the State Bar's Wiley Manuel Award:

(PICTURED LEFT TO RIGHT) Ralph Hekman, Katie Greene, Herb Williams, Chris Peterson, Diana Renteria, Janet Nakada, Tom Derryberry and Kirby Combs.
 Recipients not pictured were Sheri Cruz, Raul Gimenez and Richard Kennedy.



Also at this meeting, PSLC president Richard Kennedy presented Katie Green and Kirby Combs with the Ward W. Albert Public Service Award in recognition of exceptional dedication and commitment in providing pro bono legal services to those of limited means.



CLASSIFIED ADS

Appeals & Writs

Full-service appellate practice. Flat, hourly or contingency rates. Highly qualified. Jeffrey S. Mintz, Esq., phone or fax (951) 927-4227.

A+ Attorney Services

Process Service, Court Filings, Document Retrieval. Licensed to practice law in Mexico. Appraisals, Forensic Accounting, etc., in Mexico. Monthly retainer available. www.aplusattorneyservices.com, (951) 258-9191.

Mobile Notary Service

Kirsten M. Spreitzer, Mobile Notary Service Covering the Inland Empire. (951) 258-5282; P.O. Box 224, Rancho Cucamonga, CA 91729; kirsten_spreitzer@yahoo.com. NNA Member, Ontario Chamber of Commerce Member.

Office for Rent – Full Service

Inns of Court Law Building, 3877 Twelfth Street, Riverside, CA 92501. One block from Court House. Call Lorena at (951) 788-1747.

Office Space For Rent

Approximately 1460 sq. ft. of office space in a one story law office building near the Fairmount Park area in Riverside. Space consists of 4 contiguous offices 16 x 14 feet plus adjoining secretarial area. Building has ample parking. Lease price and terms are negotiable and would be full service. Contact Mr. Matheson or Kathy Hedges at (951) 684-2520.

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 Charlotte at the RCBA, (951) 682-1015.

Office Space Available

The RCBA building has office space available for rent. Contact Sue Burns, (951) 682-0106.



MEMBERSHIP

The following persons have applied for membership in the Riverside County Bar Association. If there are no objections, they will become members effective November 30, 2004.

Steven A. Aldaco –

Reid & Hellyer, Riverside

David E. Grande –

Sole Practitioner, Riverside

Reza Khanjan –

Sole Practitioner, Riverside

Heather E. Kirk –

Davis & Wojcik, Hemet

Paulette N. Sandler –

Sole Practitioner, Riverside

