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MAGAZINE



RCBA Board
2013-2014



Barristers Board
2013-2014



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.

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

DECEMBER

5 New Admittee Swearing In Ceremony

Riverside Superior Court, Dept. 1
10:00 a.m.

General Membership

Joint Meeting with the SBCBA

Speaker: State Bar President Luis Rodriguez

Topic: "The State of the State Bar"

Mission Inn, Spanish Art Gallery – Noon

RSVP: (951)682-1015 or

rcba@riversidecountybar.com

9 RCBA Shopping Elves – at Kmart

6:00 p.m.

(Contact RCBA for more info)

11-12 RCBA Wrapping Elves

RCBA – 4:30 p.m.

(contact RCBA for more info)

11 CLE Trial Practice Skills Series

Speakers: Chad Firetag & Chris Harmon

Topic: "Cross Examination"

RCBA Gabbert Gallery – Noon

MCLE

12 Barristers

"Promoting and Recruiting Attorneys for Indigent Service Endeavors 'PRAISE' "

Terracina Brewery, 4025 Terracina Drive, Riverside

5:30 p.m.

18 Estate Planning, Probate & Elder Law Section Meeting

Annual Christmas Luncheon

Best, Best & Krieger - Noon

JANUARY

16 CLE Trial Practice Series

Speaker: Judge Richard T. Fields

Topic: "Evidentiary Issues from a Judicial Perspective"

RCBA John Gabbert Gallery

17 MCLE MARATHON



ON THE COVER:

2013-2014 RCBA Board of Directors

Back row from left to right - Jeff Van Wagenen, Diana Renteria, Kira Klatchko, Chris Harmon, Neil Okazaki

Front row from left to right - Jean-Simon Serrano, Kelly Moran, Jacqueline Carey-Wilson, Chad Firetag, Jack Clarke, Jr.

(not pictured - L. Alexandra Fong)

2013-2014 Barristers Board

From left to right - Scott Talkov, Sara Morgan, Amanda Schneider, Reina Canale, Kelly Moran, Arlene Cordoba, Christopher Marin

photos by Michael J. Elderman



by Jacqueline Carey-Wilson

In 1993, the RCBA Board of Directors voted to purchase the building located at 4129 Main Street in Riverside. Dan McKinney was the president of the RCBA at that time. The building is in an ideal location – across the street from the Hall of Justice and the Historic Courthouse. Dan had the foresight to understand that this structure would serve as the foundation for building an economically strong association to serve our members, our legal system, and our communities.

The RCBA has since flourished. The bar building is now home to the many programs under the umbrella of the RCBA, like the following:

Dispute Resolution Service (DRS) is a non-profit organization that offers low-cost mediation services to the court and to the public. Each attorney serving as a mediator has been in practice for ten years or more and has met other experience requirements set by the DRS Board of Directors. DRS has been an invaluable resource for resolving cases without trial, lightening the courts' load and serving the entire legal community.

Riverside Legal Aid (RLA) is a nonprofit organization that provides free legal services to qualified individuals in family law, eviction, guardianship and conservatorship, debtor and creditor collection, and bankruptcy cases, as well as cases in federal court. There are three clinics: one is located at the RCBA building, one is in the George E. Brown, Jr. Courthouse, and the other is in Indio. Approximately 3,044 individuals were assisted by RLA last year.

Fee Arbitration is a service of the RCBA that an individual can use if the client and lawyer or law firm disagree about fees owed and legal services rendered. No lawyer wants a client to dispute a fee. However, if there is a fee dispute, it is comforting to know that the dispute will be handled professionally and confidentially. The RCBA provides a neutral third party to listen to both sides and render an award.

The Lawyer Referral Service (LRS) is a program of the RCBA that an individual in the community can call to obtain a referral to an attorney who is a member of the RCBA, has experience in a certain area, and has errors and omissions insurance. The consultation fee is \$40. There is no consultation fee for personal injury cases, social security cases, and workers' compensation cases. Last year, 4,839 referrals were made to attorneys signed up with LRS. These referrals generated fees to LRS participating attorneys totaling over \$1.5 million.

The Mentoring Program teams up an attorney mentor who has been in practice five years or more with a protégé for one year. Throughout my 18 years of practice as an attorney, I have been fortunate enough to have attorneys mentor me in a variety of areas: Dan Hantman in social security disability law, George Theios in civil law and civil procedure, Grover Porter in criminal defense, Don Davio in appellate law, Regina Coleman in dependency advocacy, and Scott Runyan in probate and Lanterman-Petris-Short conservatorships. Not all attorneys have that kind of friendship and mentoring in their careers, especially if they are solo practitioners. The Mentoring Program of the RCBA is designed to connect attorneys in the same practice area. The attorneys meet and the mentor encourages and, if needed, gently guides the protégé throughout the year.

The Leo A. Deegan Inn of Court is a program in which lawyers and judges meet monthly from September to May and work in teams to tackle various legal and ethical issues. The Inn is by invitation only and all RCBA members are encouraged to apply for this exceptional program.

The State Bar Conference of Delegates meets at the annual meeting of the State Bar each year to pass resolutions to support the adoption

of new laws or to amend existing laws. The RCBA sends a delegation to the conference. However, in the last several years, the number of delegates attending the conference has decreased. We hope to reverse this trend and send a strong delegation of RCBA delegates to San Diego next fall.

The Publications Committee is responsible for the *Riverside Lawyer* magazine, which is published by the RCBA 11 times a year. The committee members develop each month's theme and either write the articles or recruit writers for the issue. This fun and interesting committee always welcomes new members.

Ownership of the building that houses these incredible programs is one reason why the RCBA is a strong organization. In addition to the RCBA's many programs, the 15 sections of the association offer many free continuing legal education programs to the members. Most of those section meetings are held in the Gabbert Gallery, on the third floor of the RCBA building.

Many law firms and other business rent office space in the RCBA building. The building was originally built in the early 1920s as a Montgomery Ward's department store. It was renovated into offices years ago, but now it needs a facelift. Last year, the RCBA Board voted to renovate the bar building, and we are looking to start renovations in the spring.

The first renovation will be to the outside of the building; then we will turn to the inside. We will move the Gabbert Gallery to the basement. In the Gabbert Galley, we will continue to hold the monthly general membership meetings and section meetings; we will also rent it to others in the community to use. Also included in the renovation will be an attorney lounge, where members will be welcome to go and relax between court appearances. One of the floors will be devoted to executive suites, where the officers would share a secretary, copier, fax machine, and meeting room. We are still in the planning stages.

The initial drawings were on display at the November RCBA general membership meeting and can be reviewed by members. Please contact Charlene Nelson at the RCBA if you would like to review the drawings or if you are interested in leasing space in the renovated building.

At this time of the year, especially with the death and devastation from Typhoon Haiyan in the Philippines last month, it is important to remember the blessings we have in our lives. One of the blessings I have in my life is to be practicing in this legal community with so many dear friends and colleagues. I wish everyone a wonderful holiday season and only peace and happiness in the New Year.

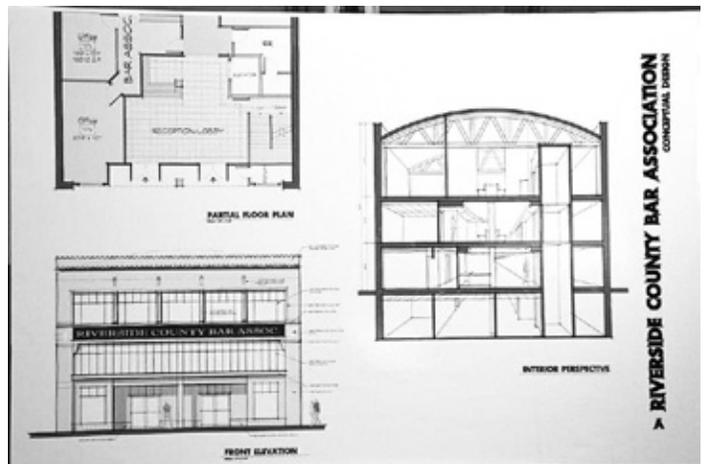
Jacqueline Carey-Wilson is a deputy county counsel with San Bernardino County, editor of the Riverside Lawyer, and past president of the Federal Bar Association, Inland Empire Chapter.



Thank you to Professor Charles Doskow, Professor Richard Gelm and Professor Ed Haley for an excellent program on the Voting Rights Act.



RCBA members Barbara Marmor, Montessa Holt and John Dickman review the drawings of the renovation of the bar building at the general membership meeting on November 15.



photos by Jacqueline Carey-Wilson

BARRISTERS PRESIDENT'S MESSAGE

by Kelly A. Moran



As a young attorney, it is easy to get caught up in the shuffle of everyday life. Between meeting your billable hours requirement and expanding your professional network, it often feels like there just is not enough time in the day to finish your own work, let alone give back to others. And, for many of us, the reality of student loan repayment makes financial contribution less possible than we would like. The holiday season is the perfect time to pause for a moment and to consider how we can

be involved in bettering the community around us at a level that works with our schedules, budgets, and daily life.

Three years ago, I became a “wish fairy” for the Orange County and Inland Empire chapter of the Make-a-Wish Foundation. My work with the organization is, hands down, the best part of my day, and I am so fortunate to have the opportunity to be involved, even for a moment, in the lives of such strong and inspiring children. In truth, I often think that I get more out of my experiences with Make-a-Wish than I could ever really be “giving back.”

Riverside County is full of opportunities to become involved in organizations that draw on your talents or highlight causes that are near and dear to your heart. This December, Barristers would like to offer you a chance to be introduced to two such opportunities to give back, the Inland Empire Latino Lawyers Association (“IELLA”) and the RCBA Elves Program. On December 12, 2013, our monthly Barristers meeting will feature speaker Jason Ackerman, an IELLA board member, who will discuss the goals of IELLA and how we, as young attorneys, can participate in the organization at a level that is well-suited to our busy lives. If you are interested in becoming involved with IELLA, a wonderful organization that truly allows you to structure your volunteering

commitment according to your own schedule, I would encourage you all not only to come to the event on December 12, 2013, but also to attend IELLA’s Seventh Annual Volunteer Recognition and Silent Auction Event, being held on December 5, 2013 at 6 p.m. at the Riverside County Law Library.

Brian C. Percy has also generously agreed to be a speaker on December 12, 2013 and will discuss with the group not only the history and founding of the RCBA Elves Program, but also the importance of becoming involved in the community in which you practice. In order to support the wonderful effort of the RCBA Elves Program, the Barristers Board would ask that everyone in attendance at the December 12, 2013 meeting kindly bring an unwrapped toy, which will then be distributed this holiday season to underprivileged children in our community.

“Giving back” does not have to, and should not, mean “giving up.” In fact, I would argue that “giving back” is truly an opportunity not only to help others, but also to grow and be fulfilled in your own life. I hope to see you all at our event on December 12, 2013, being held at the Terracina Brewery at 4025 Terracina Dr., Riverside, CA 92506, to learn more about how we can support this community in ways that draw on our talents and availability as young lawyers. As always, additional information concerning this event, and all future meetings, can be found at the Barristers’ website (riversidebarristers.org) and on our Facebook page (“Riverside County Barristers Association”).

I wish you all a safe and happy holiday season.

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.



LEO A. DEEGAN INN OF COURT

by the Hon. Jackson Lucky

For the past several Septembers, I have looked forward to the annual first meeting of the Leo A. Deegan Inn of Court. The keynote speaker for each year's initial meeting is Terry Bridges, who tells us about our Inn's namesake, Judge Leo Deegan. The Inn's purpose is to foster professionalism, ethics, civility, and legal skills. Each year, Terry's speech inspires our Inn to achieve that purpose.

Terry paints a magnificent portrait of Judge Deegan. He describes Deegan's flowing white mane and tough-but-fair demeanor. I picture Deegan as Abraham Lincoln trapped in Andrew Jackson's body. According to Terry, when a lawyer appeared in Judge Deegan's courtroom, shoes were shined, shirts were pressed, and files were read again and again. Every detail counted. In Deegan's courtroom, the lawyers and the judge were professional and prepared. It was the kind of courtroom young lawyers imagine.

Fortified with this ideal vision of court, our Inn spends the next several months exploring how to recreate it. We hold a monthly dinner meeting, usually on the fourth Wednesday. At each meeting, a team of about eight lawyers, along with a judge and law student, present a topic that has been assigned by the Inn's board. The topics usually encourage lively debate in that area where zealous advocacy and professional ethics meet. Sometimes the disagreements are profound, but all members observe our core values of professionalism and civility during discussions.

The monthly meetings are informative and entertaining variations on a theme. Last year's theme was "The Leo A. Deegan Inn of Court Goes to the Movies." The board chose movies about lawyers that presented

ethical questions. Teams presented on bias and mental health issues by examining Philadelphia, Kramer vs. Kramer, and Michael Clayton. Others explored professional responsibility and client-conflict issues through films like Reversal of Fortune and The Firm. There is no mandated format. Some teams present skits, some lead discussions, and others invite a guest speaker.

Each presentation is scored by attendees, and the high-scoring team is announced each year. The winning teams are memorialized on a perpetual trophy. Team Varner, the winning team last year, presented "A Civil Action." The team performed a parody exposé à la Nancy Grace and Geraldo, complete with costumes, multiple set pieces, and a multimedia projector. With wireless microphones, they polled their "studio audience" for opinions on the real ethical dilemmas the fictional lawyers faced, such as competent representation and the perils of self-financing plaintiff's litigation.

The Deegan Inn seeks to help younger people interested in the law. Each team has a law student, who presents as part of the group. Additionally, the Inn has adopted the Law and Protective Services Academy at John W. North High School. Inn members, along with other legal and public safety professionals, mentor high school students who are interested in the law and related fields.

The Inn accepts applications every summer. Membership is by invitation only, and decisions are made in August. If you have questions, contact an Inn member or an Inn officer. This year's officers are Jack Lucky, President, John Michels, President-Elect, the Hon. Tom Cahraman, Secretary/Treasurer,

Sophia Choi, Alexandra Fong, Jeremy Hanson, and Connie Younger, Directors-at-Large, and Immediate Past President Robyn Lewis. For more information, the Inn's Executive Director, Sherri Gomez, is available at sherrigomez4@gmail.com.

I hope you will consider joining the Inn. Everyone should hear Terry Bridges speak about Leo Deegan at least once. More importantly, we need to hear new voices and new ideas. That is the way the Inn will continue to inspire a more professional, more ethical, more civil, and more skilled bench and bar.

The Hon. Jackson Lucky is Supervising Judge of Family Law for the Riverside Superior Court, Judicial Mentor for the Asian Pacific American Lawyers of the Inland Empire, and President of the Leo A. Deegan Inn of Court.



MCLE REVISIONS KEEP HOURS AT 25 FOR NOW, CREATE NEW PROVIDER REVIEW SYSTEM

by Laura Ernste, Staff Writer, California Bar Journal

The State Bar Board of Trustees adopted new Minimum Continuing Legal Education rules last month aimed at expanding course options and improving their quality.

However, the board deferred action on a proposal to increase the requirement from 25 hours every three years to 36 hours.

After holding a series of public hearings this spring, the board's Member Oversight Committee recommended a series of changes, which were then sent out for public comment. The full board approved the new rules at its Oct. 12 meeting. They will take effect in July 2014.

The new rules will:

- Expand the substance abuse education specialty requirement to include a broader "competence issues" requirement. Competence education would teach lawyers how to recognize and deal with any mental or physical issue — including dementia, mental illness or substance abuse — that could affect their ability to practice.
- Establish a formal audit system for MCLE providers that would use volunteers to review courses and provide a process for attorneys to register complaints about providers.
- Require written materials for MCLE courses that are an hour or more in length. Currently, materials are not required for programs that are one hour or less.
- Broaden the elimination of bias specialty requirement to include courses on how to recognize bias in society, not just in the legal profession.

Most of the public comments concerned the proposed increase in hours from 25 to 36. The board directed the State Bar's staff

to further explore the idea and develop a proposal for consideration at a future meeting.

David Mann, a consultant for The Other Bar, a nonprofit that assists attorneys and judges with alcohol and substance abuse problems, told the board he was concerned that changing the substance abuse requirement would diminish its impact.

Trustees Loren Kieve and David Pasternak commended Mann for his work and said the change was intended to increase awareness of broader competence issues. The Senior Lawyers Working Group this year concluded that issues associated with aging may also impair a lawyer's ability to serve clients.

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FIVE REASONS TO MENTOR IN THE RCBA'S MENTORING PROGRAM

by Michael Gouveia

One of the hidden secrets of the Riverside County Bar Association is the Mentoring Program, chaired by L. Alexandra Fong. It pairs newer attorneys with more experienced practitioners. Last year, I took on two protégés in the Mentoring Program. The commitment is to meet once a month for 12 months, during which the mentor and the protégé get to know one another. The program benefits the young lawyer as he or she gains wisdom, insight, and “street smarts” from the experienced attorney, but what does the experienced person gain?

- 1. Opportunity to learn your craft.** The mentor learns more than the protégé. Yes, you read that right. As I sat with my protégés last year over lunch or engaged in our email conversations, I learned more than they did. We talked, and through their questions, I had to find the answers to many things that I did not know. To make sure that I had the right answers, I had to verify what I was talking about so as to not lead them astray. It was not appropriate for me to say, “That is just the way we do it.” I had to find out the reason and then present it to the newer attorney. That questioning and that responsibility forced me to rethink my positions and to learn the subject matter anew. So looking back over it, I learned more about my craft than the youngsters did.
- 2. Chance to repay your mentors.** Over my legal career, I have had many informal mentors, lawyers who have taken the time to explain something to me or have shown me the ropes. By becoming a formal mentor, I am paying back the many who invested time and energy in me when I was a few years out of law school. I may never get to thank those who helped me, as they are long gone, but I do have a chance to pass on their knowledge to the next generation. I mentor young attorneys to acknowledge those who have gone before me.
- 3. Street smarts.** There are “book smarts” and there are “street smarts.” Harvey Mackay, in *How to Swim with Sharks Without Getting Eaten Alive*, advised finding yourself an “Old Grizzly.” Harvey was a young salesman and was paired with a veteran salesman at his first job. The experienced salesman threw him in the car, and they followed their competitor’s delivery truck all morning. When they were done, Harvey asked why they

wasted the morning in the car instead of cold-calling new accounts. The “Old Grizzly” said that every time that delivery truck stopped, they found another potential client they could call on tomorrow, and they also made sure that none of their clients had switched. The old salesman taught Harvey how to be “street smart.” The same can be said about young attorneys fresh from law school – they have the “book smarts” but have to be taught the “street smarts.” By being a mentor, I imparted some “street smarts” about the law and about running a law office. I was their “Old Grizzly.”

- 4. Learn from another generation.** The young lawyers you meet in the program may come from another generation than you do. They have much to teach us “Old Grizzlies” about how to be relevant in today’s market place. Often I would ask my younger friends about social media and the Internet, things they grew up with but ideas that were new to me. I would share about the law and lawyering, and they would share about the ways they communicate and what it means to be a younger person and consumer in this society. Again, the knowledge flows two ways, and if both sides are open, the benefits abound.
- 5. Rekindle your fire.** The two young lawyers I met with had boundless energy and a certain fire – they were not afraid to try anything. They reminded me of me! Eighteen years ago, I was in their shoes; I was filled with energy but low on experience. Now I’m filled with experience but low on energy. In mentoring, I rekindled the fire and fed off their energy.

Bonus: The Right Thing to Do. The last point: Mentoring is the right thing to do. So many young attorneys do not have jobs at all or are not working in the legal field. This program gives them a chance to learn their craft, just like the chances we had when we first started.

For more information, call or email L. Alexandra Fong, Chair of the Mentoring Program Committee at (951)955-6300 or lafong@co.riverside.ca.us.

Michael Gouveia is a bankruptcy attorney volunteer in the RCBA's Mentoring Program. He writes a popular bankruptcy blog at riversidebankruptcyappearances.com.



MENTORING: LESSONS TAUGHT AND LESSONS LEARNED

by Marlene L. Allen-Hammarlund

Serving as a mentor not only provides an opportunity to pass on your knowledge, wisdom, and experience to someone else, but also provides an opportunity to meet smart, energetic, and eager new attorneys just entering the practice of law. When I became an attorney 27 years ago, I was fortunate to have mentors who shared their experiences and took an interest in my growth as an attorney. The Mentor Program of the Riverside County Bar Association is an excellent way for new attorneys to meet more experienced attorneys and develop skills that will help them navigate their careers.

Mentorship is important not only to the mentee, but also to our legal community. By meeting other attorneys in their geographical area, new attorneys can develop valuable relationships that will encourage civility in a profession that is otherwise geared to be adversarial. Mentors can help new attorneys feel more comfortable in their legal community by inviting them to join organizations that focus on ethics, civic involvement, or continuing education.

In order for a mentoring relationship to function properly, both the mentor and mentee must ensure that they are trustworthy and willing to be open with each other in a give-and-take exchange. On the mentors' side, they must be willing to be candid about their own background and challenges, be willing to listen to their mentees, and offer their best guidance on the issues important to the mentees. Mentors must not feel threatened by sharing their wisdom, but rather should strive to be inspiring, supportive, and encouraging. Mentors should be willing to push their mentees out of their comfort zone.

On the other side, mentees must be coachable and realize that they can learn a lot from their mentors. They should articulate their expectations about what they hope to gain from the relationship. Mentees should share their strengths and weaknesses so their mentors can adjust their suggestions accordingly. When a mentee needs a sounding board, it is helpful to have a mentor outside of the workplace. Some issues might be difficult to discuss with co-workers or bosses. Trust is extremely important in this situation, and the mentor must never breach a confidence.

There are multiple ways to find someone to serve as a mentor. In addition to the RCBA, there are other organi-

zations, such as the Barristers, that provide an excellent opportunity to meet others in the legal community. These organizations also provide a forum for furthering legal education. Finally, there is nothing wrong with asking an experienced attorney or a judge either to serve as a mentor or to recommend someone for that role.

Some firms have also instituted mentorship programs that assign new attorneys to more experienced attorneys. While this is a good idea in concept, there needs to be a certain amount of personal chemistry between a mentor and mentee in order for it to be effective and lasting. Otherwise, the parties will lose interest and not invest the time needed to make the relationship productive. My best mentors have been people who were there for me voluntarily, rather than as part of some structured firm requirement. However, any mentorship is better than no mentorship. And these programs at least designate someone that a new attorney can go to for advice.

Most of my mentees have been solo practitioners whose questions are more about life issues, such as finding a job, building up their practice, and balancing work with their personal lives. Some seek advice on how to deal with difficult opposing counsel or have questions about specific legal issues. Since solo practitioners do not have the support of colleagues in a firm, having a mentor who takes an interest in their personal growth is invaluable.

Mentoring provides a rewarding opportunity to "give back" in a personal and productive way. However, not only do mentees learn from their mentors, but mentors can also learn from these relationships. I have benefited from exchanging ideas, learning new perspectives, and considering different approaches to the practice of law. I encourage all lawyers to consider serving as a mentor. You will not be disappointed!

Marlene L. Allen-Hammarlund is Senior Counsel at Gresham Savage Nolan & Tilden. Her professional practice includes all aspects of litigation (including business, commercial, real estate, and general), environmental law, water law, employment law, corporate, banking, insurance coverage and defense, bankruptcy (creditor), appellate advocacy, estate planning, probate, and trust litigation.



THE RCBA BUILDING – ITS BEGINNING

by Christopher G. Jensen

1929 started as a good year. The economy was growing fast – too fast, as everyone would find out in the fall.

On the world scene, the Catholic Church announced on June 7 that Vatican City was becoming a temporal state, independent for the first time since the days of Charlemagne. In Paris, world leaders came to an agreement “finally and definitely” settling Germany’s world war obligations. And in England, American tennis star Helen Wills agreed with the Wimbledon tournament officials to wear stockings in the tournament and not to carry on the upstart American fad of bare-legged tennis.

Baseball was a hot topic on the west coast, with the Pacific Coast League, including teams such as the Los Angeles Angels, the Mission Reds of San Francisco, and the Hollywood Stars, being considered equal to the East Coast Leagues, the American and National.

Prohibition was in full swing. In fact, the United States Coast Guard was patrolling the waters off the coast of California searching for the “mother rum” vessel anchored somewhere off the Central Coast, the source of so much evil.

California’s Governor C.C. Young signed, on June 5, a measure creating the new appellate district governing the counties of Fresno, Tulare, Kings, Kern, Inyo, San Bernardino, Riverside, Orange, Imperial, and San Diego. The appellate justices for the new district would sit one-third of the time in Fresno, one-third in San Bernardino and one-third in San Diego.

The State of California’s bond indebtedness was reaching an all-time high just short of \$8,000,000. To blame were the state’s buildings, veterans’ farm and home buildings, and related municipal bond projects.

On a local level, 135 Riverside YMCA boys were heading off to Santa Catalina Island for a ten-day outing at the Y Camp, 95 Adventists were receiving diplomas at their graduation, and Riverside Poly High’s graduating



class of ‘29 included over 240 students, including Gwendolyn Babcock, John Neblett, John Tibbetts, Richard Tilden, and Antoinette Tavaglione.¹

To Montgomery Ward & Co., Riverside was a golden opportunity.

In 1926, Montgomery Ward broke with its mail order-only tradition, opening its first retail outlet store in Plymouth, Indiana. Within two years, it had opened 244 stores. By 1929, that number had reached 531, including the brand-new store in Riverside, which opened on June 7, 1929.

Montgomery Ward’s Riverside store was located at 4129 Main Street, the current location of the Riverside

County Bar Association office. A.E. Fallon became the manager of the new store. Mr. Fallon and his wife, natives of the Central Valley, were “highly pleased” with the prospect of making their home in Riverside. “[They] have been welcomed and made to feel at home in Riverside already.”

The new store building was described as “a substantial structure of brick, and from basement to top floor . . . modern in every detail from a merchandising standpoint. The storefront is of stucco, with ornamental tile work at the base, and a mission type tiling finish at the roof.” Cresmer Manufacturing Company of Riverside was the general contractor, in accordance with Montgomery Ward’s policy of using local labor in constructing new stores.

The new store required a staff of 30 local men and women, with local Riverside citizens given preference in every case.

During the grand opening, Montgomery Ward offered a brand-new Airline Electric radio for \$154.25 or a Windsor refrigerator for \$21.95. A pair of men’s pants

1 Antoinette’s descendants fondly referred to her as Aunt Jay. Aunt Jay was head of the operating room at the Riverside Community Hospital for over 35 years and lived to nearly 100 years of age.

could be had for \$19.50; stylish summer footwear ranged from \$3.98 to \$4.98. Silk gowns were offered at \$4.98 or pure silk hosiery at \$1.49. If you were the sporty type, golf clubs would set you back \$8.30. Perhaps you needed new tires for the car; prices ranged from \$4.83 to \$19.00, depending on the size of your wheels.

Over the years, the Montgomery Ward building saw two major renovations and countless minor renovations. The original design of the building was a storefront entryway with an open two-story mezzanine best described as a balcony in the front for the store offices and a slightly larger balcony in the back for the display of product. The basement and the third floor were inventory storage.

If one currently views the building from the west (rear), one can see the outline of the original service elevator entrance. The facade on the east (front) still shows hints of its original form; look to either the north or east edges of the façade, and one can view oval cracks in the stucco where the sizeable ornate original emblems still exist, though covered.

Of late, Dispute Resolution Service has undertaken an effort to spruce up some of the interior. The RCBA is now contemplating a major face-lift. It probably would

not make economic sense to restore the building to its original plan, what with the second-floor offices now located where once was the open mezzanine. Yet, based on old plans and what few photographs do exist, this relic could be a prime candidate for a “This Old House” episode of sorts, culminating in a significant portion of the building being restored to its grand state. Keep out a watch.

One final note: In some respects, things just never change. The night before the June 7, 1929, opening of the Montgomery Ward’s store, the Los Angeles Angels lost a home game 8 to 2.

Christopher G. Jensen is a partner at Reynolds, Jensen & Swan and President of RCBA Dispute Resolution Service, Inc. A special thank you to Nichole M. Jensen for her research for this article. An additional thank you to Bob Ybarra, designer, and Nicholas Tavaglione, contractor, for locating plans and for their enthusiasm for Riverside’s history.

Sources: Riverside Daily Press, June 5, 6, 7, & 14, 1929; Wikipedia.org, Montgomery Ward; 1929 blueprints.



THE 2013 E. AURORA HUGHES MERITORIOUS AWARD FOR SERVICE: A TRIBUTE TO ASSOCIATE JUSTICE THOMAS E. HOLLENHORST

(Remarks delivered by Presiding Justice Manuel A. Ramirez at the Annual Installation Dinner of the Riverside County Bar Association, September 19, 2013)

When Jackie Carey-Wilson asked me to introduce my colleague and our friend, Associate Justice Thomas E. Hollenhorst, as this year's recipient of the E. Aurora Hughes Meritorious Award for Service, my first thought was, how wonderful and appropriate that Justice Hollenhorst should be recognized in this way.

My second thought was, what exactly is the E. Aurora Hughes Meritorious Award for Service?

It's not that I hadn't heard of it; of course, I had. But with this being only the third year the award has been given, I wasn't as familiar with it as, perhaps, I should have been.

I did know, of course, that this was an award established in 2011 in honor of quite an amazing woman. Aurora Hughes lost her battle that year to ALS, or, as we know it, Lou Gehrig's Disease, and she was given this award that year, posthumously.

I knew Aurora professionally, having met her many times through bar activities, and like everyone else, I held her in the highest esteem and in the highest regard. If the other recipients of the award given in her name are expected to measure up to her standards and her commitment to this community and to our bar association, then you will have your work cut out for you in finding those deserving to receive the E. Aurora Hughes Meritorious Award for Service.

But you did a good job this year. In fact, you did a great job! Tom Hollenhorst graduated from San Jose State in 1968 and received his Juris Doctorate from Hastings School of Law in 1971. The following year, he started working for the Riverside County District Attorney as a Deputy District Attorney.

He became an Assistant District Attorney in 1977, and he was the Acting District Attorney in 1981. Shortly thereafter, Governor Jerry Brown appointed him to the Riverside Municipal Court, and, in 1986, Governor George Deukmejian elevated him to the Riverside Superior Court.



Presiding Justice Manuel Ramirez (left) and Justice Tom Hollenhorst

Then, in 1988, Governor Deukmejian appointed Judge Hollenhorst to the Fourth District Court of Appeal, Division Two, as an Associate Justice.

Now, 25 years later, in the modern era of our court of appeal, Justice Hollenhorst is the longest sitting Associate Justice to ever serve here in Division Two.

Like Aurora Hughes, Justice Hollenhorst's career has been so much more than just the work of being a lawyer, and in his case, being a judge, as well.

As we all know, Justice Hollenhorst has a passion for education at all levels of our profession. For example, Justice

Hollenhorst is the former chair of the Center for Judicial Education and Research's Governing Committee. Justice Hollenhorst has also been a member of the American Bar Association's Appellate Judges' Seminar Series Planning Committee. He has also been a Judicial Advisory Board member of the University of Kansas Law and Organizational Economics Center. And along the way, Justice Hollenhorst has been either a chair or a member of numerous CJER planning committees, as well as a faculty member for many CJER programs and institutes.

Justice Hollenhorst is also known throughout California and the nation for his work on judicial ethics, with judges statewide and nationally seeking his advice and his opinions on ethical matters. To put this into its perspective, I would estimate he's given opinions on ethical matters numbering in the thousands – remarkable would be an understatement, given his demanding schedule and heavy caseload over the many years of his career!

Perhaps more telling, however, is that over the past 25 years, Justice Hollenhorst has brought somewhere between 120 and 140 undergraduate and graduate students into his chambers as appellate externs, mentoring them during their time at the court and beyond. In fact, some of those externs, like Judge John Lewis and Kira Klatchko, to name a couple, are highly successful judges and attorneys, who,



Presiding Justice Manuel Ramirez (right) presenting the E. Aurora Hughes Award to Justice Tom Hollenhorst



Tim Hollenhorst and Justice Tom Hollenhorst

we can only hope, will carry on his tradition of encouraging students, so that each generation of young lawyers is better and richer in knowledge for having been nurtured by the previous generation.

And finally, let us not forget that Justice Hollenhorst has, for the past many years, judged the final championship round of Mock Trial competitions.

And so, just as Aurora Hughes had diverse and unusual interests – sport shooting, hunting, and writing, to name just a few – so, too, the same can be said of Justice Hollenhorst’s interests, which also range far and wide. You know that movie, *Planes, Trains, and Automobiles*? Well, for him it would be *Planes, Boats, and Motorcycles*.

For example, there have been many afternoons when a line of colleagues and staff would form behind Justice Hollenhorst’s car in the parking lot at our court of appeal, and he would dispense packages of freshly caught tuna or some other deep-sea delight on a first-come, first-served basis. He loves fishing – one of his many loves.

Also like Aurora, the thing that rounds Tom out and makes his life its most complete is his family.

His wife of some 42 years, Beth; and his sons and their wives, Tim and Norine, Peter and Christa; and most particularly, his beloved grandchildren, Madison, Jacob, Sean, and Sarah, are all just the joys and the delights of his life. And, I might add, Tom is also known as a passionate dog-lover!

On a personal note, when I mentioned to Tom that I had been given the honor of introducing him tonight and talking about his accomplishments, he shrugged. It was readily apparent to me that he was a little uncomfortable with the attention, and he said, “Manuel, I’m just a plow horse,” to which I replied, “Well, Tom, even a plow horse gets some rest and a fresh bucket of oats from time to time.” What do you suppose his response was? He shook his head and said, “No, not this plow horse.”

I couldn’t get that image out of my mind, so I did a little digging. Do you know that, back in the old days, when a farmer went to auction to get a plow horse, he knew just what he was looking for?

He walked right by all the pretty, sleek, and sassy horses, the ones that caught everyone’s attention and everyone’s eye because they were so flashy or so energetic, prancing around as if to say, “Hey there, farmer, look at me!”

The farmer, however, was looking for the horse with broad shoulders, so it could pull a heavy load. The farmer was also looking for the one with a steady eye, so it wouldn’t be distracted by every little thing that fluttered by. The farmer was looking for the one with a sure gait, so it wouldn’t

stumble when the path proved difficult. In the end, the farmer was looking for the horse he knew could get the job done – getting the job done, that’s what the farmer thought was important! That’s the perfect description of tonight’s recipient: Justice Hollenhorst is the one who can get the job done, and he continues to get the job done, and he does the job with passion and dedication.

Over the past 25 years on our court of appeal, despite serving on numerous committees, despite mentoring externs every year, despite serving his community, despite being fully involved with his family and his hobbies, Justice Hollenhorst has authored something in the range of 4,000 appellate court opinions. Both impressive and unique. In 1989-1990, Justice Hollenhorst served as Acting Presiding Justice at a time when there were two vacant seats on our court of appeal – only three justices were sitting on our court at that time. Justice Hollenhorst volunteered to oversee the work of the attorneys in the vacant chambers, in addition to his own staff.

He was supervising some eight to ten attorneys for that year, and he authored an incredible 315 opinions – in one year! That’s a record for our court, and I’m pretty sure it’s a record for any justice in any court of appeal in the State of California, or any other court of appeal, for that matter. Rest assured that each and every opinion was thoroughly read and reviewed by him.

At a time when our court was buried under what seemed to be an insurmountable backlog, Justice Hollenhorst, assisted by Justice Howard Dabney, devised what is now our tentative opinion program. It’s the only tentative opinion program in the State of California, and probably the entire country, and we get nothing but great feedback about the tentative opinion program from you, the people we serve. You have Justice Hollenhorst to thank for the creation of that remarkable and innovative program.

Winston Churchill reportedly said, “We make a living by what we get, but we make a life by what we give.”

Over Justice Hollenhorst’s 25 years on our bench, he has made a remarkable personal and professional life, and he has made a remarkable personal and professional life because he has given to our profession and to our community so uniquely of himself.

I want to give you another quote, one I think is perhaps even more eloquent, if that is possible, than Mr. Churchill’s, because it is a quote from Justice Hollenhorst himself from the occasion of our recent celebration of his 25th anniversary on our court of appeal. I think it perfectly reflects the heart and the mind of this hard-working, dedicated, great, decent, humble, and wonderful man. He said, and I quote, “The thing is to leave something behind in all our work. If it’s all about me, what’s left? Serve as an example. Do your work, but help others at the same time. Then, and only then, will there be something left.”

By recognizing Justice Hollenhorst with this award, you honor the memory, the legacy, and the spirit of E. Aurora Hughes – she would be so very proud, and so thrilled, to know that Justice Hollenhorst is being recognized for his many years of service to our bar association, our community, and our administration of justice system. Tonight, in spirit, she joins us in honoring Justice Hollenhorst.



2013 CONFERENCE OF DELEGATES

by Michael L. Bazzo

This year, the Conference of California Bar Associations met in San Jose on October 11-13, 2013 and argued many resolutions that would effect changes to our California laws. There is always something for everyone to sink their teeth into, from rehashing last year’s hot topic of mediation confidentiality, to extending time for the notice period for a motion for summary judgment, to lifting the cap on MICRA limits. A heated debate concerning restricting the rights of law-abiding gun owners to purchase “too much” ammunition as a solution to gun violence was the hot topic of Saturday’s afternoon session.

The paramount business for delegations is to bring forth and debate resolutions to improve on existing laws and/or propose new laws affecting the practice of law in our state. In order to be more effective, our Riverside County Bar Association needs your help. It is understandable that participating poses a perceived unattainable time commitment, but it doesn’t have to be that way. We would love to have bar members look over resolutions as they are proposed, give comments on those that should be amended, and, if willing, draft resolutions. All of this can be done without having to travel to the conference and volunteer time away from a busy practice. There are many ways to be a part of the decision process and participate in the conference by becoming a delegate to promote improvements in the California system of justice.

If you are interested in becoming a delegate, or simply in helping out in any way, please contact Charlene at the RCBA office. Next year’s conference will be held in San Diego.

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



JUDGE GEORGE R. FREEMAN AND THE GORDON NORTHCOTT TRIAL

by the Hon. Helios J. Hernandez

This is a follow-up article to the article written by Gerald Shoaf about Gordon Stewart Northcott that appeared in the October 2013 *Riverside Lawyer*. It was a very interesting article. It was about the “Wineville chicken coop murders” that took place in northeast Riverside County in the late 1920s. The crime scene was a chicken ranch in Wineville. As noted by Mr. Shoaf, because of these murders, Wineville changed its name to Mira Loma. Recently, parts of Mira Loma became Eastvale.

There is a connection between Mr. Shoaf and the prosecution of Gordon Northcott. The trial was held in 1929. The prosecutor was Earl Redwine, founder of Redwine & Sherrill, the firm in which Mr. Shoaf is a partner.

There are several other local connections to the incident that exist to this day. The judge who presided over the Gordon Northcott jury trial was George R. Freeman. Just last month, on September 13, 2013, in the Riverside County Historic Courthouse, Department 1, a large, handsome portrait of Judge Freeman was unveiled. It now sits permanently in Department 1. The portrait was donated to the court by the family of Judge Freeman. Many of them still live in the area, and many were in attendance at the unveiling. Among the family members present were Judge Freeman’s eldest granddaughter, Joan McGuire, his youngest granddaughter, Nancy Probizanski, and Judge Freeman’s great-great-grandson, Ben Difani. Nancy and Robert Probizanski paid for the restoration of the portrait. Judge Freeman was born on March 18, 1867 in Wisconsin. After graduating from the University of Chicago Law School, he opened a practice in Corona. He was appointed to the bench in 1921 and served through 1946.

Riverside Judge Charles Field (retired) was the master of ceremonies. In preparation for the day, he spoke with Justice John Gabbert. Justice Gabbert is 102 and could not attend, but his wits are still sharp. He told Judge Field about his very first trial as a young attorney. It was in front of Judge Freeman. Justice Gabbert said he was very nervous about running afoul of any of Judge Freeman’s rules, but the trial turned out fine and Judge Freeman was a “darn



Painting of Judge George R. Freeman

nice guy.” Later, they became very good friends.

Another local connection is Judge Ronald Taylor (retired but still sitting by assignment). Judge Taylor has been a longtime friend of George Freeman, Jr., one of Judge Freeman’s grandsons. Judge Taylor performed the wedding ceremony for George, Jr.’s daughter.

And I am yet another local connection. Riverside County Deputy Sheriff Ben Difani, Judge Freeman’s great-great-grandson, is my courtroom deputy in the Hall of Justice, and a fine deputy he is.

P.S.: Gordon Northcott was found guilty. He was executed by hanging in 1930.

The Hon. Helios J. Hernandez is a judge with the Riverside Superior Court.



Deputy Sheriff Ben Difani with the portrait of his great-great-grandfather

INSTALLATION DINNER



Judge Virginia Phillips swearing in the 2013 RCBA Board of Directors



Judge John Vineyard swearing in the 2013 Barristers Board



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



Vicki and Don Davio and Justice Carol Codrington



Justice Douglas Miller, Chris Jensen, Michael Bell and Judge Michelle Levine

The RCBA's Installation Dinner was held on Thursday, September 19 at the Mission Inn. Stephen G. Larson served as the master of ceremonies. Judge Virginia Phillips administered the oath of office to the RCBA board members. Jacqueline Carey-Wilson was installed as the 2013-2014 President. The other officers who were installed were Chad Firetag (President-Elect), Kira Klatchko (Vice President), Jean-Simon Serrano (Chief Financial Officer), Jack Clarke, Jr., Neil Okazaki, Diana Renteria, Jeffrey Van Wagenen (Directors-at-Large), and Chris Harmon (Past President).

Judge John Vineyard gave the oath of office to the 2013-2014 officers of Barristers. Kelly Moran was installed as President. The other officers who were installed were Reina Canale (Vice-President), Sara Morgan (Treasurer), Arlene Cordoba (Secretary), Christopher Marin, Scott Talkov (Members-at-Large), and Amanda Schneider (Past President).

Presiding Justice Manuel A. Ramirez presented the third E. Aurora Hughes Award to Justice Thomas E. Hollenhorst. This award, which is given annually, was named in honor of 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, Justice Barton Gaut was honored for his 50 years of membership in the State Bar of California.

photos by Michael J. Elderman

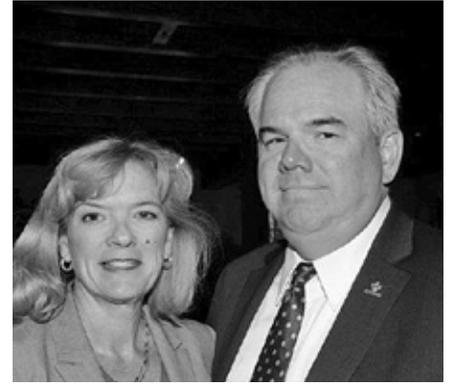




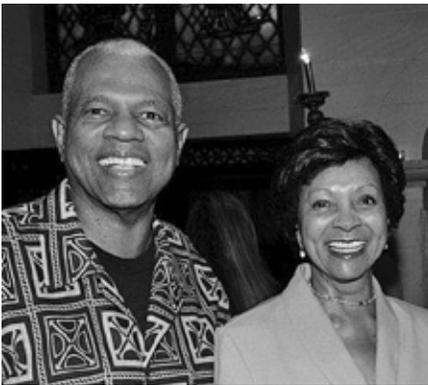
*Judge Virginia Phillips
and Jacqueline Carey-Wilson*



*Neil Okazaki, Ruchi Gupta,
and Jacqueline Carey-Wilson*



*Judge John Vineyard
and Carol Greene*



*Bill Ratibu Jacocks, and former
Assembly Member Wilmer Amina Carter*



*Judge Sharon Waters
and Michael Marlatt*



*Jacqueline Carey-Wilson
and Brian Percy*



*Judge Gary Tranbarger
and Janet Tranbarger*



*Jim Heiting
and Jacqueline Carey-Wilson*



Paul Zellerbach and Jack Clarke, Jr.



*Paul Zellerbach, Judge Gloria Trask,
and Gordon Trask*



*Jacqueline Carey-Wilson with Master
of Ceremonies, Stephen Larson*



*Milenda Denholtz,, Dan Hantman
and Charlotte Butt*

SECTIONS AND COMMITTEES OF THE RCBA

Appellate Law Section

The Appellate Law Section is gearing up for monthly meetings in 2014. Most of our meetings will be in the John Gabbert Gallery at the RCBA. At regular monthly meetings, we will discuss various matters of interest to the appellate bar, including proposed rule changes, trends in the Supreme Courts (of both California and the United States), appellate procedures, and other matters of interest to local practitioners, and we hope to have several brown-bag MCLE events through the coming year.

Suggestions for meeting and MCLE topics for 2014 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 at 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 have presented programs on issues such as e-discovery, state government aid 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 online 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 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 wonderful profession. Please contact the Section Chair, David Cantrell, at (951) 300-2690 or dcantrell@lc-law-llp.com.

Criminal Law Section

The Criminal Law Section 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. Past speakers include Superior Court judges, justices of the Court of Appeal, experts in various disciplines, elected district attorneys, and others with interesting

information on topics exciting to RCBA members. The Section Chair is Paul Grech, and he can be reached at (951) 682-9311.

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, natural resources, clean air, or clean 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 called on 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. Garry Brown, our Chair, is always looking for new speakers and topics, and he looks 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 2013-2014 are currently being scheduled. Garry Brown can be reached at (909) 890-4499 or garry.brown@greshamsavage.com.

Estate Planning, Probate, and Elder Law Section

The Estate Planning, Probate, and Elder Law Section is chaired by Cheri L. Brettmann (of the Law Office of Cheri L. Brettmann). The section provides topical presentations, usually on the third Wednesday of each month (excepting summer months). Recent topics and speakers have included a summary of Veteran's Aid and Attendance benefits by Dennis Sandoval, an overview of Adult Protective Services, and a presentation on current valuation issues by the Mentor Group, Inc. The December meeting has traditionally been an update on estate planning laws hosted by Best Best & Krieger at their Riverside office and will be held on December 18, 2013. The topic will be highlights from the USC Gould School of Law 39th Annual Trust and Estate Conference. This meeting is a great way to stay current with estate planning laws and to celebrate the holiday season with colleagues.

In 2014, we are looking forward to speakers on estate planning issues, both transactional and litigation-related, as well as on elder law issues. Coming up on February 19, 2014, Judge Thomas H. Cahraman will be giving the judicial perspective on the probate process. Please contact Ms. Brettmann if you have any questions or suggestions on what topics you would like Judge Cahraman to cover at this meeting.

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 at (951) 549-9550 or cheri@brettmannlaw.com.

Family Law Section

The Family Law Section will meet either at the Family Law Courthouse in Department 501 or 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 slcollinsesq@global.net.

Human Rights Section

The Human 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.

Immigration Section

The Immigration 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 the solution happen quickly. The section meets bimonthly at noon in the John Gabbert Gallery of the RCBA. For more information about the section, please contact Kelly O'Reilly at (714) 919-8880.

Landlord/Tenant Section

The Landlord/Tenant Section of the RCBA meets eight times a year jointly with the San Bernardino County Bar Association section. Meetings are on the second Tuesday of the month in 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 at (951) 689-9644 or UDlaw2@aol.com or Bill Garrett at (909) 889-0631 or billgarrett@dslextre.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 or Dwight at (877) 877-4056 or 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 eight members: Melissa Cushman, DW Duke, Susan Exon, Abram Feuerstein (Co-Chair), L. Alexandra Fong (Co-Chair), Robyn Lewis, Christopher Marin, 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. Bridging the Gap is a full-day MCLE event geared toward newly licensed attorneys.

In May 2013, the CLE Committee began a monthly series of MCLE programs devoted to trial practice skills, including the following topics:

1. Motions in Limine
2. Voir Dire
3. Opening Statements
4. How to Prepare Your Client for Testifying at Trial
5. Direct Examination
6. How to Present Expert Testimony
7. Cross-Examination
8. Evidentiary Issues from a Judicial Perspective
9. Closing Arguments
10. Appellate Tips for Trial Practitioners

This series is expected to conclude in Spring 2014 and features distinguished practitioners in civil litigation and criminal law. Speakers include Kirk A. Lauby (partner at Fernandez & Lauby), John Aki and Michael Hestrin (deputy district attorneys with the Riverside County District Attorney's office), Mark Lester (partner at Lester & Cantrell), Mark Easter (partner at Best Best & Krieger), Judge Richard Fields, Robert Rancourt (deputy public defender with the Riverside County Public Defender's office), and Kira Klatchko (partner at Best Best & Krieger).

In 2014, the CLE Committee will launch another monthly series of MCLE programs devoted to civil litigation skills, including the following topics:

1. Client Intake
2. Attacking the Pleadings
3. Developing a Discovery Plan
4. Law and Motion
5. Legal Research
6. Expert Discovery
7. Motions for Summary Judgment
8. Alternative Dispute Resolution

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 28 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 contact the Mentoring Program Committee and complete the application on the RCBA's website at riversidecountybar.com/member-resources/mentoring-program.



BENCH TO BAR

Superior Court of California County of Riverside



SUPERIOR COURT OF CALIFORNIA RIVERSIDE COUNTY

NOTICE OF TRANSFER OF INDIO TRAFFIC, SMALL CLAIMS AND PROBATE CASES TO NEW DEPARTMENTS Eff. 12/9/13

To: Attorneys, Litigants, and Court Users

Effective December 9, 2013, all cases assigned to the Indio Probate Courtroom (currently Dept. 2H) will be transferred to the new Department 1A of the Larson Justice Center, Honorable James Cox presiding. Additionally, all traffic and small claims cases assigned to the Indio Traffic/Small Claims Annex Courtroom (currently Dept. 1D) will be transferred to the new Department 1B of the Larson Justice Center. The new Departments 1A and 1B are located on the first floor of the Larson Justice Center, 46200 Oasis Street, Indio, CA.

Hearings Currently Scheduled: All probate, traffic and small claims matters scheduled for hearing on or after December 9, 2013, will be transferred to the departments designated below.

<i>Current Department</i>	<i>Court / Judicial Officer</i>	<i>New Department (Eff. 12/9/13)</i>
2H	<i>Probate</i> Hon. James Cox	1A
1D	<i>Traffic / Small Claims</i> Assigned Judge	1B

Effective December 9, 2013, the Indio Court Annex, departments 1A, 1B, 1C and 1D, will no longer be in session.

OUR LAWYER REFERRAL SERVICE: WHAT DO YOU REALLY KNOW ABOUT IT?

by Larry Maloney

“I don’t need any more clients, so there is no reason for me to participate in the Lawyer Referral Service.” True or false?

Initially, you might think that this is a trick question. After all, do you know of *any* lawyers in private practice who are *not* looking for new clients? But assuming that such an unlikely premise could be true, would the conclusion follow?

It might, if the sole purpose of the LRS were to provide attorneys with clients. But its *raison d’être* is not so limited. The rules of our LRS specify that its primary purpose “is to assist the general public by providing a means whereby any person who can afford a reasonable fee for legal services and does not have an attorney, or does not know one, may be referred to a qualified member of the State Bar of California.” More generally, the LRS assists the public by providing information about lawyers and about the availability of legal services that will aid the public in selecting a lawyer.

How does the LRS work?

A potential client calls or visits the LRS, which is located in the RCBA office. One of four intake facilitators – Mae Krems, Joan Dlouhy, LuLu Ayala or Christina Garcia -- receives that inquiry, determines the nature of the client’s complaint, and makes a 30-minute appointment for that client with an attorney on the relevant LRS subject-matter panel. In the fiscal year ending June 30, 2013, we made 4,839 referrals.

What are the subjects in which referrals are made?

You name the subject, we offer attorneys who can handle it. The attorneys are currently divided into the following panels: bankruptcy; business and corporate law; conservatorships and guardianships; criminal defense, both felony and misdemeanor; family law; juvenile law; labor and employment; landlord-tenant; personal injury; professional malpractice; other torts; probate and death transfers; real estate; social security; wills, trusts, and estate planning; and workers’ compensation. If your specialty is not among those listed, other panels are available. Please call the LRS for more information. In all, 118 attorneys are enrolled on the various panels.

How is it funded?

The clients pay a nominal referral fee of \$40 (except for referrals regarding personal injury, social security, or workers’ compensation, which are free). In the last fiscal year, these fees totaled nearly \$79,000.

In addition, attorneys wishing to receive referrals pay an annual registration fee of \$100, which entitles them to

receive referrals in up to three different subjects. Attorneys may enroll in up to three additional panels for \$30 for each panel. These fees generated over \$15,000 last year. Attorneys also agree that, if they are retained by the client, they will pay the LRS 15 percent of any fees collected from that client. This is the largest, but least predictable, source of income: over \$230,000 in 2012-2013.

Why should you join the LRS?

There are lots of good reasons. First, it is a source of clients. Think of your present marketing efforts. Because there is no way to identify those consumers who have a present need for your services, you cannot focus on that market. Instead, you advertise online, in the yellow pages, magazines, newspapers, legal directories, or other publications, or you hand out business cards to people, hoping that if the recipients of that publication or that card ever need legal services at some point in the future, they will call you. If that publication or your card is lost or discarded before that need arises, your advertising is wasted.

By contrast, your registration fee paid to the LRS gives you access to the nearly 5,000 people calling the LRS who are looking for legal representation today. You are not gambling that they might need your services in the future; they need them now. And by calling the LRS, they have demonstrated that they realize that they need it now. Isn’t that the market you are trying to reach?

Second, these are paying clients. Pro bono cases are handled by the Public Service Law Corporation, not by the LRS. The percentage fees forwarded to the LRS last year prove that our panel attorneys collected fees exceeding \$1.5 million. You cannot share in that recovery unless you are a panel member.

Finally, to come back to the question raised at the outset, participating in the LRS benefits the public. Those people who need legal services but do not know any lawyers can obtain unbiased, knowledgeable referrals from the RCBA’s LRS.

So if you really have all the clients you will ever need, should you belong nevertheless? Absolutely. Even if you elect not to take any referrals, your annual panel dues will help to ensure that the RCBA can continue to provide this service to both the public and its members.

Larry Maloney is the chair of the Lawyer Referral Service Committee. He is the Family Law Facilitator for the Riverside Superior Court.



CHOOSE YOUR OWN ADVENTURE: BAR ACTIVITIES

On December 4, 2013, Team Cahraman of the Leo A. Deegan Inn of Court gave its presentation on “Bar Activities” of the Riverside County Bar Association. Team Cahraman consists of Judicial Master Tom Cahraman, Attorney Masters Ed Fernandez, Paul Grech, Tera Harden, and John Porter, Barristers Nick Firetag and L. Alexandra Fong, Associates Christopher Marin and Gareit Newstrom, and Chapman University Fowler School of Law student Chad Elwell. Executive Director of the RCBA Charlene Nelson was a special guest.

As “Bar Activities” encompassed a wide range of potential subject matters, Team Cahraman presented its topic in the game show format of *Jeopardy! – America’s Favorite Quiz*

Show, with the classic Jeopardy!, Double Jeopardy!, and Final Jeopardy! rounds. Categories in the Jeopardy! Round were: Bridging the Gap, Legal Aid/Public Services Law Corporation, Law and Protective Services Academy (through North High School), Lawyer Referral, Dispute Resolution Service, Inc., and Mock Trial. Categories in the Double Jeopardy! Round were *Riverside Lawyer*, Sections and Committees, Fee Arbitration, the Elves Program, Inn of Court, and Good Citizenship/Law Day. The Final Jeopardy! category focused on Charlene Nelson.

The five teams that competed for prizes, donated by Esquire Deposition Solutions, were: Team Molloy, Team Codrington, Team Jackson, Team Lucky, and Team Bristow. Jamee

Rashi, Regional Litigation Consultant for Esquire Deposition Solutions, gave a brief presentation during a “commercial” break between the Jeopardy! and Double Jeopardy! rounds. The winner of Jeopardy! was not known at press time.



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LUIS J. RODRIGUEZ LEADS THE CALIFORNIA STATE BAR AS ITS NEW PRESIDENT

by *Sophia Choi*

The California State Bar is ready for Luis J. Rodriguez's innovative changes as he starts his presidency as the first Latino and the first public defender to lead the State Bar. In light of his goal of "giving back" to the community, the State Bar is in good hands. He was sworn in as the 89th president on October 12, 2013 at the State Bar's Annual Meeting in San Jose.

Rodriguez, Division Chief at the Los Angeles Public Defender's Office, was born in Los Angeles and moved with his family to Ciudad Juarez in the Mexican state of Chihuahua at a young age. After about ten years, he came back to Los Angeles with his parents and his two young brothers. Rodriguez moved to Alhambra in San Gabriel Valley.

As a deputy public defender, being the dedicated public attorney that he is, Rodriguez was constantly in the courtroom. One day, the court interpreter set him up on a blind date with her niece. They had their first date at a Thai restaurant in Whittier and connected instantly. They shared similar interests regarding family values and education. Their culture also connected them, as she was born in the United States but lived in Mexicali most of her life. In fact, Rodriguez met her soon after she returned to Los Angeles. They are now married with two young daughters. His oldest daughter, who is ten years old, has already decided that her goal to become an attorney.

Unlike his daughter, Rodriguez did not decide to become an attorney in childhood. He wanted to be a baseball player, but he believed that his baseball skills were just average. Then when did Rodriguez decide to become an attorney? When he was in high school, he felt the need to give back to the community. Rodriguez stated that he had no role models beyond high school, but because of his teachers and coaches, he was fortunate to become exposed to more opportunities. With a strong desire initially to help his family financially, he strived for higher education. However, as he was working toward his goals, he started to form an even larger goal to help the community. As he was considering whether to be involved in politics or to become an attorney, he started to visit the law office of his neighbor, who was an attorney. That is when Rodriguez set his mind on becoming an attorney.



Luis J. Rodriguez

Rodriguez graduated with honors from Santa Clara University and then attended Santa Clara University School of Law, where he received his law degree. When he entered law school, Rodriguez became highly interested in public interest work. During his first year of law school, he clerked at the Santa Clara Public Defender's Office, interviewing people at arraignment. It was then that Rodriguez knew that these people were people like him and that he needed to be a voice for them. However, upon graduation from law school, there were no immediate openings available in his area of interest of criminal defense. Rodriguez started his

legal career at a small civil law firm, practicing entertainment law for about a year. Shortly thereafter, he began his career as a prominent criminal defense attorney at the Los Angeles Public Defender's Office. November 1, 2013 marks his 19th anniversary.

As he has led several legal associations before, his selection as President of the State Bar is no surprise. Rodriguez was president of the Mexican American Bar Association of Los Angeles County, president of the California La Raza Lawyers Association, and president of the Latino Public Defenders Association. Rodriguez first became involved in the State Bar by serving on its Council on Access and Fairness, for which he served as chairman. He has served on the State Bar Board for three years and has been involved in the State Bar for about seven years. Although the majority of those actively involved with the State Bar have been civil attorneys, as the first attorney from the Public Defender's office and only the second public employee to hold office as President, Rodriguez can bring a different perspective and impact to the profession. Additionally, as the first Latino, his presidency will provide opportunities for others to hear other points of view, including dealing with unspoken stereotypes. Rodriguez emphasized that once someone helps you, it is an obligation to give back, and he intends on giving back in part through the State Bar by making policy changes for the benefit of the profession. He is ready for the responsibilities involved as President and to introduce his thoughts and perspectives.

One of his goals while in office is to protect the public against immigration fraud by attorneys. Rodriguez expressed concern that, with federal immigration reform likely, and given people's hope to achieve legalization, there will be people trying to victimize and take advantage of a very vulnerable and quiet community of immigrants. Although the legislation has not yet passed, Rodriguez believes the State Bar needs to prepare. With the high number of potential new clients in a specific area of law, there also comes a great potential for fraud. Other issues Rodriguez will prioritize are trial court funding and law student debt.

When asked what his thoughts were as to why the State Bar does not have enough involvement from public employee attorneys, Rodriguez was able to provide an insightful response. Public employees face a bureaucratic system in which the "clientele" is already there. As public employees, we have no practical need to network for the purpose of obtaining business. Rodriguez noted that we need a supportive infrastructure, and that it takes a special leader within the bureaucracy to provide that support. Luckily for Rodriguez, Ron Brown is a very supportive Public Defender who provides him with the flexibility to be able to commit to his presidency. Additionally, the Board of Supervisors and the CEO have given him the support he needs to be able to focus on the needs of the State Bar.

Rodriguez, despite his busy schedule, loves watching baseball and other sports. He enjoys art and music. Most of all, he loves spending time with his family and doing whatever brings laughter and joy to his daughters. Rodriguez enjoys all types of food. In particular, though, he likes soups. His favorite is albondigas soup, which is a Mexican meatball soup, with lots of vegetables.

My interview with Luis J. Rodriguez was very pleasant. Although he stands in a position of power, Rodriguez is humble, charismatic, and community-oriented. His focus on giving back to the community resonated throughout, and his efforts towards that goal will be to the benefit of all of us members of the State Bar. I am looking forward to the positive impacts he will bring to the State Bar.

Rodriguez provided encouragement for anyone interested in being more involved with the State Bar. He said to start by going on the website and looking into all the different committees and sections, as there is something for everyone. He noted encouragingly that we all should be in a position to bring about change and to learn about the impact we can have on the community as individuals.

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



MEMBERSHIP

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

Steven J. Brown – Brown & Lipinsky LLP, Chino Hills

Allen H. Caplan – Law Offices of Allen Caplan, Rancho Mirage

Benjamin R. Heston (S) – Law Student, Irvine

David J. Kaloyanides – David J.P. Kaloyanides APLC, Chino

Robert K. McKernan – McKernan Law Offices APLC, Riverside

Kari L. Morrison (A) – Affiliate Member, Riverside

Ashley M. Naporlee – Law Offices of Jenny L. Doling APLC, Palm Desert

John P. O'Connell – Sole Practitioner, Temecula

Digna Olmos – Sole Practitioner, Corona

Amy J. Osborne – Gresham Savage Nolan & Tilden, Riverside

David Starr Rabb – Law Office of David Starr Rabb, Perris

Paul Runes – Redwine & Sherrill, Riverside

Matthew M. Thompson – Thompson Steinberg, Riverside

Scott M. Tilley – Parker & Irwin APC, San Bernardino

Katrina Vazquez (S) – Law Student, Rancho Cucamonga

Joseph B. Widman – U.S. Attorney's Office, Riverside

(A) = Designates Affiliate Members



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Wanted

Paralegal with experience in Personal Injury and Civil Litigation, for Piece Work. Send Resume to BVAughanLaw@gmail.com

Conference Rooms Available

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

Office Space – Downtown Riverside

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.

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