

# RIVERSIDE LAWYER

December 2020 • Volume 70 Number 11

MAGAZINE



RCBA Board  
2020-2021

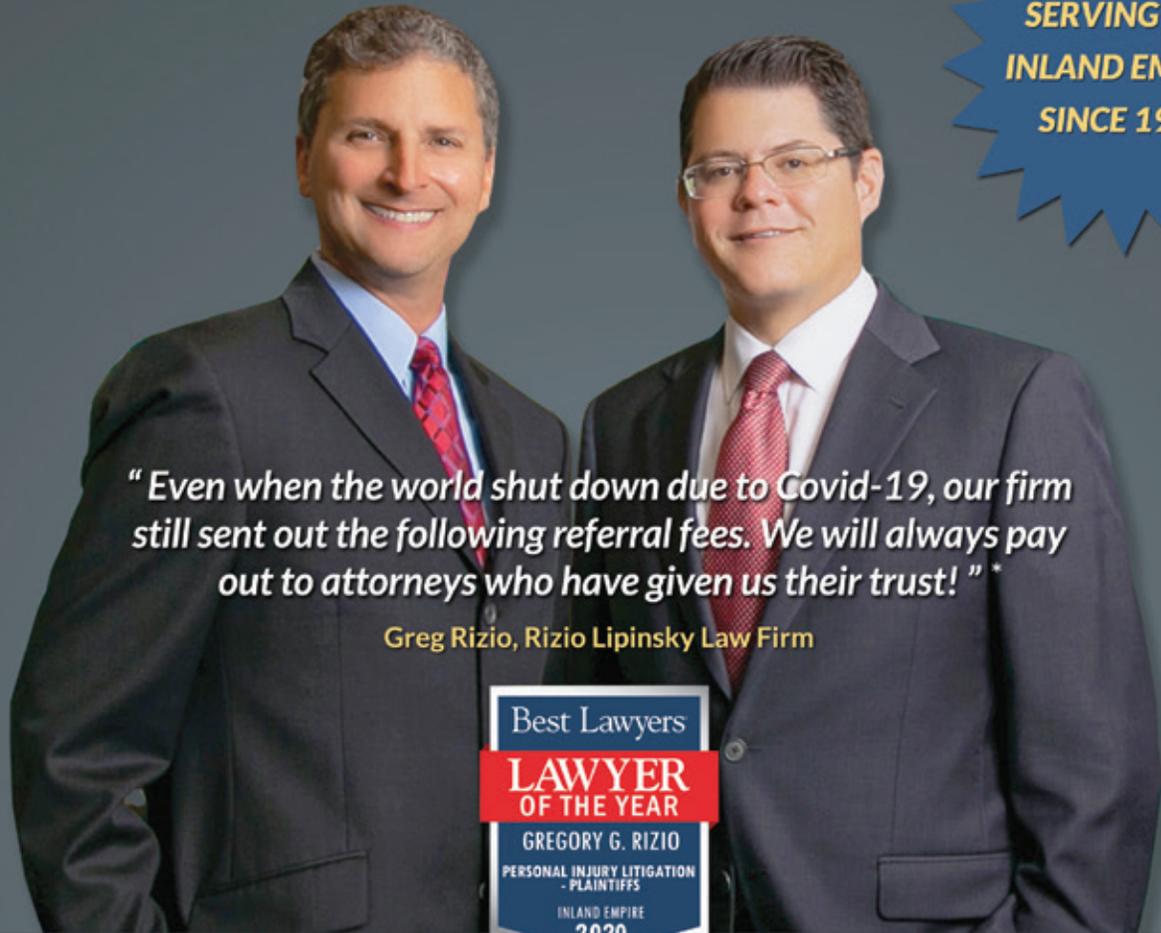
Barristers Board  
2020-2021





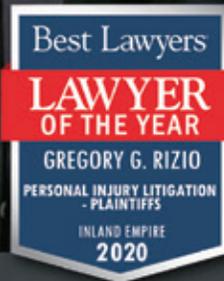
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Riverside County Bar Association  
4129 Main Street, Suite 100  
Riverside, California 92501

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

# RIVERSIDE LAWYER

MAGAZINE

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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), Riverside Legal Aid, Fee Arbitration, Client Relations, Dispute Resolution Service (DRS), Barristers, Leo A. Deegan Inn of Court, Mock Trial, State Bar Conference of Delegates, Bridging the Gap, and the RCBA - Riverside Superior Court New Attorney Academy.

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, 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.

*The Riverside Lawyer is published 11 times per year by the Riverside County Bar Association (RCBA) and is distributed to RCBA members, Riverside County judges and administrative officers of the court, community leaders and others interested in the advancement of law and justice. Advertising and announcements are due by the 6<sup>th</sup> day of the month preceding publications (e.g., October 6 for the November issue). Articles are due no later than 45 days preceding publication. All articles are subject to editing. RCBA members receive a subscription automatically. Annual subscriptions are \$30.00 and single copies are \$3.50.*

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

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

# CALENDAR

## December

- 14 RCBA Shopping Elves at Walmart**  
5:00 p.m.  
6250 Valley Springs - Riverside  
Contact RCBA for more information
- 15 Civil Litigation Section**  
Noon – 1:15 p.m.  
Zoom  
Speakers: Ricardo Echeverria and Kristin Hobbs  
Topic: “Jury Trials in the COVID Era: Tips & Lessons Learned”  
MCLE – 1 hour General
- 16 Estate Planning, Probate & Elder Law Section**  
Noon – 1:15 p.m.  
Zoom  
MCLE

## SAVE THE DATE

**January 15 – MCLE Marathon**

*Please see the calendar on the RCBA website ([riversidecountybar.com](http://riversidecountybar.com)) for information on how to access the Zoom meetings.*

### EVENTS SUBJECT TO CHANGE.

*For the latest calendar information please visit the RCBA's website at [riversidecountybar.com](http://riversidecountybar.com).*



### ON THE COVER:

#### RCBA Board

*Clockwise from top left:* Jack Clarke, Neil Okazaki, Lori Myers, Kelly Moran, Chris Johnson, Elisabeth Lord, Goushia Farook, Aaron Chandler, Megan Demshki, Mark Easter

*Center:* Sophia Choi

#### Barristers

*Clockwise from top left:* David Rivera, Goushia Farook, Lauren Vogt, Ankit Bhatka, Braden Holly, Paul Lin, Michael Ortiz, Brigitte Wilcox, Kevin Collins, Alejandro Barraza



# President Message

by *Sophia Choi*

Happy December and Happy Holidays! As we started year 2020, I remember my family and I were happily going to the mountains to see snow on January 26, 2020. As we were driving back down, we heard that Kobe Bryant passed away from a helicopter crash. We were all so shocked and sad. As we continued through 2020, we were all faced with more and more news and challenges. I sincerely hope that you got through each challenge, learned from every challenge you faced, and became stronger from it. I also hope that it was a time to reflect and to recognize all of the things in your life to be thankful for. I learned that, through each challenge and each stressor in my life this year, my family was always there for me to say the things I needed to hear and to be the support I needed. As we spend the last few days of year 2020, I hope you have a wonderful holiday season, enjoy time with your families, and be even more giving and kind to others this holiday season than years past.

As this month's *Riverside Lawyer* includes an update on the 2020 Installation of Officers event, I wanted to make sure that I express my utmost gratitude to each and every sponsor this year. The list of sponsors are included in this month's issue, as well as on our website and social media pages and in the RCBA building lobby. The sponsors' support was an amazing amount of almost \$27,000.00, which I believe is more than double the most in any other prior years. I cannot thank the sponsors enough. I hope that in 2021, we can gather in the Gabbert Gallery with the new tables and chairs purchased thanks to the sponsors. The sponsorship was so much more beyond what was needed to buy the tables and chairs (in fact, much more than double the amount needed), so the remainder sponsorship amount will be

used towards other meaningful RCBA's purposes. I also wanted to express my gratitude to all mentors, colleagues, community leaders, judges, and other persons who have really made this a successful event. As I am doing my best to fulfill my duties for the RCBA and within the legal community, this list of supporters continues to grow. Thank you again to all RCBA members for supporting us at the virtual installation, which was being conducted through Zoom and live streamed through Facebook. During the time of the event on September 26, 2020, about 200 people were participating through Zoom and about 600 through Facebook live stream. A short time thereafter, the views on Facebook of the recorded event went up to 1.1 thousand viewers! The installation can be viewed on our YouTube page for anyone that missed the live event. Thank you for all the support. In commemoration of the RCBA's inaugural virtual installation, 2020 RCBA lapel pins (\$5 each) and/or challenge coins (\$10 each) are available for purchase, which can be purchased through our website at [www.riversidecountybar.com](http://www.riversidecountybar.com) or by contacting the RCBA office. Please see Installation photos on page 16.

I am happy to announce that we have now partnered with several local businesses for the new RCBA Members' Discount Program. This program is intended to be mutually beneficial to the RCBA members and to local small businesses. By being an RCBA member, you will be offered discounts at our partner businesses. In turn, RCBA members can support these local businesses during these difficult times. So far, the local businesses we have partnered with are: (1) Doña Timos La Cascada Mexican Restaurant (10% off), (2) Downtown Apothecary (10% off in store purchase), (3) Gless Ranch (10% off), (4) Made Shop (10% off \$50 purchase), (5) Molinos Coffee (10% off), (6) ProAbition Restaurant (15% off), (7) Tula Yoga (\$10 off monthly membership fee for auto-renew unlimited membership), and (8) Helios Cigar Lounge (10% off). We will continue to reach out to other local businesses to continue to grow our list. Participating businesses will display an RCBA Members' Discount Program sticker on their window, so please be on the lookout. For proof of membership, please contact the RCBA office for your Certificate of Membership to be emailed to you. If you would like to get a physical membership card instead, we will be ordering a supply of new membership cards, so please be sure to contact the RCBA office to arrange to get your membership card.

Finally, please consider helping families in need this year through the RCBA Elves Program chaired by Brian Percy. The Elves Program was established in 2002 to help communities within Riverside County. There

### Riverside DA Office supporting the RCBA Inaugural Virtual Installation 2020.



*Managing DDA Alan Tate, Chief Assistant DA John Aki, DDA Sylvia Choi, DDA Sophia Choi, Assistant DA Elaina Bentley, DA Michael Hestrin*



*Sophia Choi and DA Michael Hestrin*

are various “elves” roles you can fulfill, including money elves, shopping elves, wrapping elves, and delivery elves. I believe that 2020 is a very important time to be an RCBA elf, and I hope that you will consider taking on this very important role this year.

#### **Money Elf**

If you would like to be a money elf, please visit [www.riversidecountybar.com](http://www.riversidecountybar.com), click on the “Members” tab, then “Payments” tab, and make your donation in any amount. Please ensure that you provide in the description that it is for the RCBA Elves Program so that it is properly allocated. You can also send a check to the RCBA, but please again make sure that the memo section of your check specifies that it is for the RCBA Elves Program.

#### **Shopping Elf**

As a shopping elf, your role would be to meet at the Walmart Supercenter at 6250 Valley Springs Parkway in Riverside on December 14, 2020 at 5:00 p.m. Each elf will be provided a “Wish List” from specific families. Within the pre-designated dollar amount, you can shop for the items listed. As a person that loves to shop and gift to others, I really enjoyed being a shopping elf in the past.

#### **Wrapping Elf**

In past years, wrapping elves met in the RCBA boardroom to wrap the gifts purchased by the shopping elves. It is unknown at the time of writing this column whether we can do so this year. Plan “A” is to have all wrapping elves meet

at the RCBA building on December 15 and 16, 2020 at 4:00 p.m. Plan “B” is to have wrapping elves pick up gifts from the RCBA building to wrap them at their homes or offices and to have them return the wrapped gifts to the RCBA building by December 17, 2020. If an email blast has not already been sent as to which plan will be implemented, please be sure to await an email blast from the RCBA to find out.

#### **Delivery Elves**

Deliveries of wrapped gifts will start December 18, 2020 and must be completed by December 22, 2020.

If you want to sign up to be an RCBA elf, please contact Charlene at (951) 682-1015 or Anna at (951) 686-1584. During this season of giving and kindness, please support the RCBA Elves Program in whichever elf capacity you can. Thank you.

The RCBA has its own YouTube, Facebook, Twitter, and Instagram (@rivcobar) pages, so please visit and subscribe, add, follow, and support us on social media. Happy Holidays to you and your family. May peace, love, and joy fill your hearts and lives, and may happiness fill your homes this holiday season.

*Sophia Choi is a Riverside County deputy district attorney, past president of the Leo A. Deegan Inn of Court, inaugural president of APALIE, and past vice president of the Korean Prosecutors Association.*



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# BARRISTERS PRESIDENT'S MESSAGE

by Goushia Farook



## Home Base

When I moved to Riverside from San Diego in 2015, I was frequently asked why I would leave San Diego. While San Diego is home to my family, childhood friends, and my favorite taco spots, I choose to call Riverside home in large part because of the impact of

the Riverside County Bar Association (RCBA). I found the RCBA to be incredibly inviting, open to helping new attorneys and overall, incredibly involved in addressing the needs of bar members.

I had the privilege of attending the New Attorney Academy and met newer attorneys with whom I now have strong friendships. As a new attorney in a brand-new city, I did not anticipate making long-term friendships with bar association members. It was a relief to meet other new attorneys and know I was not alone in feeling lost trying to navigate my profession. Lesson one, law school does not prepare you to be an attorney! I was pleasantly surprised at how responsive local attorneys were to my emails and phone calls whenever I had questions about practicing in the area, particularly with respect to navigating family law cases in Riverside. The fact that attorneys who had never met me were willing to give sample motions and pleadings, talk through case issues, and make themselves available to a newbie was inspiring and a relief.

I was also introduced to the Barristers organization and started attending Barristers events. It did not take long for me to learn that there is something different and special about Riverside. I knew I wanted to be part of the Riverside legal community and involved in the RCBA in any way that I could. It was the feeling of being welcomed and involved that truly sealed my decision to stay in Riverside. Several of the attorneys I met at the New Attorney Academy ended up being on a future Barristers board. I value these relationships immensely as my friends mean the world to me, but I also know I will watch my friends grow into integral parts of our legal community. I could not be happier to call Riverside my home and love sharing how wonderful MY legal community is!

I know I am not alone in my feeling about the RCBA. It is evident when our community supports events, fundraisers, and shows up when it counts.

## Inland Counties Legal Services (ICLS)

I have the privilege of being on the board of directors for Inland Counties Legal Services (ICLS). ICLS is an amazing organization in Riverside and serves both Riverside and San Bernardino County. ICLS serves low income clients and provides services in various areas, including but not limited to housing, family and domestic violence, immigration, public benefits, and health law.

ICLS works diligently to provide education, access, and resolution to those most desperately in need of services. As a new member on the board of directors, it is evident the services ICLS provides are essential. These services are even more necessary during times like the COVID-19 pandemic, when equal access to justice may be otherwise hindered.

Apart from being an incredible organization in our community, I do have a self-serving purpose in highlighting ICLS in this issue. ICLS is looking for committed members to serve on the ICLS board. Board meetings are held once per month. You can read more about this amazing organization at <https://www.inlandlegal.org>. If you are interested in obtaining more information about the services provided by ICLS or being a board member, please reach out to me directly.

## Let the Good Times Roll

The Barristers are finally hosting our first virtual happy hour since installation! We rescheduled our earlier happy hour due to presidential debate airing conflicts. I look forward to sharing photos from our first happy hour in my next article, as well as photos from our Furrister Hike (details below). I am also very happy to hear that the RCBA Elves Program will be going forward this year! The joy and happiness the Elves Program delivers to families and everyone involved in shopping, wrapping, and delivering is needed now more than ever. I look forward to participating in the Elves shopping and wrapping this year! Barristers will be helping with wrapping. Due to COVID-19 restrictions, wrapping parameters are still to be determined. However, if we are able to proceed with wrapping at the RCBA building, Barristers will be there on December 16, 2020 at 4:00 p.m.!

## The Child Has Spoken (I AM the child)

I absolutely love the holiday season and look forward to all the celebrations, even in a limited sense! I wish everyone a very happy holiday season! If you are looking for a great gift idea, I highly recommend my newest acquisition. Since I am a nerd, I pre-ordered mine in January, but I finally received my animatronic "The Child" from The Mandalorian! I highly recommend the show even if you are not a Star Wars fan as it is a great standalone show. Of course, "baby yoda" or properly, The Child is the star. The animatronic toy has far exceeded my expectations and is simply adorable! I will not be sharing mine (unless my niece just looks at me and I melt) but I will be getting some as gifts! Seriously, just Google this adorableness and see for yourself!

## Upcoming Events

**December 16, 2020: Elves wrapping with RCBA Elves Program at 4:00 p.m. at the RCBA building. Final wrapping location to be determined. Please visit the RCBA Elves Program website for updated information and shopping/delivery information if you are interested!**

Visit <http://riversidecountybar.com/foundation/the-elves-program> for more information on the Elves Program.

**MCLE (Virtual): Stay Tuned!**

## Follow Us!

For upcoming events and updates:

Website: [RiversideBarristers.org](http://RiversideBarristers.org)

Facebook: [Facebook.com/RCBABarristers/](https://www.facebook.com/RCBABarristers/)

Instagram: [@RCBABarristers](https://www.instagram.com/RCBABarristers)

If there are any events you would like to see the Barristers host, MCLE topics you would like to see covered, or community outreach options you would like to see us participate in, please contact us and we would love to explore those ideas with you. You can also reach me personally at [goushia@brlfamilylaw.com](mailto:goushia@brlfamilylaw.com).

*Goushia Farook is an attorney at Bratton, Razo & Lord located in downtown Riverside where she practices exclusively in the area of family law. She is a member of the board of directors of the Inland Counties Legal Services (ICLS) and a member of the Leo A. Deegan Inn of Court and Asian Pacific American Lawyers of the Inland Empire (APALIE). Goushia can be reached at [goushia@brlfamilylaw.com](mailto:goushia@brlfamilylaw.com).*



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# STRATEGIES FOR A JOYFUL HOLIDAY DURING A PANDEMIC

by Dr. Veronica Kelley

As we enter the holiday season, during a Pandemic, the over-all mental health and wellbeing of Americans is front and center in all of our minds. Americans are resilient, but there is no denying that COVID-19 has brought to the surface the lack of attention most of us pay to our mental health. We are seeing a steady rise in mental health issues such as suicide attempts/ideation, depression and anxiety. In fact, the U.S. Census Household Pulse Survey, a new survey designed to quickly deploy data every two weeks on how American lives have been impacted by the Coronavirus Pandemic, has demonstrated interesting activities related to mental health. In the nation, for the last two weeks of August 2020, of 250M Americans polled, 16M reported receiving mental health care of some sort and 17M reported needing mental health care, but NOT getting it, and 37M reported receiving a prescription for medication related to a mental health issue.<sup>1</sup> Compare that with the responses received in the first two weeks of October 2020, to the same questions, in which 1M more people, of the same 250M, noted receiving mental health care (17M), 1M more reported needing mental health care, but not getting it (18M), and 1M more reported receiving a prescription for medication related to a mental health issue (38M). The numbers are similar for California with approximately 7% of the 29M Californians surveyed noting receiving mental health care, 7% stating they needed mental health care, but were not receiving it, and 7.5% stating they were prescribed medications for a mental health issue.<sup>2</sup>

With much of our normal activities impacted to some degree by the Pandemic, the thought of the holiday season can intensify the normal stress levels we all feel, but it can also provide some sense of normalcy; that no matter what we are experiencing in our nation, a Pandemic, social injustice, fire, etc., some things do hold constant. Christmas, Hanukkah, Kwanzaa, Winter Solstice, all happen whether we are ready or not. And there are things we can all do to get ready... mentally.

First, remember that mental health affects all of us – because we all have it: mental health. The Pandemic is negatively impacting the mental health of so many of us, but there are things, especially during the holiday season, that we can all do to improve our mental health. Human beings need social contact and rituals. Rituals that occur around the

holidays, like baking cookies with your kids, putting up lights and setting up the menorah or kinara (Kwanzaa), help families connect and offer a routine that offers predictable structure.<sup>3</sup> This is very helpful during times of stress and crisis.

The holidays offer a time to reflect on the year and to reconnect with family and friends. This is also helpful during the Pandemic. Tighten your circle of support. Remind those in your life that they are important to you, whether they are family by blood, circumstance, or choice. This is especially impactful for those people who already feel alone in the world. There is a myth that suicides increase during the holidays. The American Foundation for Suicide Prevention notes that suicides are highest in the Spring and peak in April and are generally lowest in the winter months.<sup>4</sup> That being said, assisting those in your circle who may be experiencing a mental health crisis is paramount. You can start by stating the concern. Be direct and to the point, but respectful. For example, “I’m worried about you. You aren’t behaving the way you normally do and I’m concerned.” Finding the words can be difficult, but if you are concerned a friend or loved one might be contemplating suicide, ask and be direct. “Are you thinking of killing yourself?” This provides an opportunity for someone in crisis to open up and talk about their distress. Then just listen. Don’t judge by saying well meaning things like, “But you have so much to live for.” A person in distress just wants to be heard and acknowledged, and such statements are often interpreted as judgment. Then get help; offer to stay with them (never leave a suicidal person alone), call for back up from family and friends, offer to go with the person to see their healthcare provider, or stay with them and call a crisis line (800-273-TALK).<sup>5</sup>

The holidays can also be exhausting and most of us are already exhausted with the Pandemic. Having good sleep hygiene has never been more important. Getting a good night’s rest is essential. There are high expectations during the holidays, about gifts, about relationships, about family dynamics, and that can leave a person feeling tired. Add to that the impacts of the Pandemic. Stress of all types impacts our bodies’ circadian rhythm<sup>6</sup> or natural internal clock

3 Spagnola, M., & Fiese, B., Family routines and rituals: A context for development in the lives of children, *Infants & Young Children*, 20(4), pp.

4 American Foundation of Suicide Prevention (2015), Frequently Asked Questions, <https://www.afsp.org/understanding-suicide/frequently-asked-question>.

5 *Ibid.*

6 Van Reeth, O., Weibel, L., Spiegel, K., Leproult, R., Dugovi, C. & Maccari, S. (2000). “Interactions between stress and sleep: from

1 U.S. Census, Household Pulse Survey, (2020) Retrieved from <https://www.census.gov/programs-surveys/household-pulse-survey.html>.

2 *Ibid.*

throwing our sleep patterns off. The best solutions for a good night's sleep include increasing exposure to natural light and decreasing exposure to blue light. That means turn off the computer, put down your phone and go outside, even if for only a few minutes. Try to avoid caffeine and alcohol before bed. Alcohol in particular impacts sleep hormones, alters melatonin, and human growth hormone, both of which play a role in the circadian rhythm. Avoid mid-day naps, develop a routine for bedtime, and try to clear your mind.

Keeping holidays joyful is a great way to help alleviate the Pandemic stress and feel normal. With varying restrictions to address the reduction of community spread, each jurisdiction may have slightly different rules, so understand the rules where you and your loved ones live. Then make plans. Planning for how to celebrate this year gives us a heightened sense of control. Planning allows us to determine what will happen and when. This can be particularly comforting now. Celebrate or gather outdoors – one of the benefits of living in Southern California – set up an outdoor livingroom area to gather, socially distanced and with masks with family systems and open gifts this way. Use Facetime/Skype liberally to watch family and friends remotely open gifts or light candles, or share a meal with. Consider family caroling from the side walk to spread joy or find out about caroling outside

basic research to clinical situations.” *Sleep Medicine* reviews, 4(2),p 201-219.

of a care facility as a family to bring the holiday spirit to those who can't be with their loved ones.

These may be very difficult times, but utilizing the holiday season as a point of comfort and a place from which to share in the holiday spirit, can help us all turn the corner and improve our mental health and wellbeing. We are building our resiliency day by day, and by remotely gathering with friends and family during the holidays, we may be able to begin to garner some semblance of life before the Pandemic.

*Dr. Veronica A. Kelley, DSW, LCSW is the director for the San Bernardino County Department of Behavioral Health and oversees the daily operations for both mental health and substance use disorder services. Dr. Kelley is a member of the governing board for the County Behavioral Health Directors Association of California (CBHDA), serving as the president, she sits on the executive committee and serves as the co-chair for the Substance Abuse Prevention & Treatment (SAPT) Committee. She is also a council member to the California Behavioral Health Planning Council, board member to the California Mental Health Services Authority, and associate member to the American Society of Addiction Medicine. In August of 2019 she was appointed by the governor as a member of the No Place Like Home Program Advisory Committee. Dr. Kelley earned her Doctorate of Social Work (DSW) from Capella University, earned her Masters of Social Work (MSW) from the University of Southern California, and her Bachelor of Science in Psychology and Child Development from Mount Saint Mary's College in Los Angeles.*



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# ALEXANDER AIRA ADAIR – RCBA’S FIRST PRESIDENT

by Chris Jensen

The beginning of the Riverside County Bar Association (RCBA) was reported as having occurred on January 29, 1894, when a committee of attorneys met in the Riverside County Superior Court room for the purpose of organizing the Association. It was then agreed the president of the new organization would be A.A. Adair, vice president to be Robert Duncan, that Wilford M. Peck would be secretary, James Mills selected as treasurer, and Judge J. F. Crowe, A. L. Bartlett, and David A. Givens designated as the executive committee. Every practicing attorney in the county in good standing would be eligible to membership upon the payment of dues and the amount of \$0.50 per month.<sup>1</sup>

## Who was this A.A. Adair?

Mr. Adair has been mentioned in a variety of RCBA articles over the years.<sup>2</sup> We have been told Alexander Aira Adair was born August 25, 1857 in London, Ontario Canada. His parents, John, a blacksmith by trade, and Rose, were immigrants from Scotland.<sup>3</sup> Adair and his wife, Jennie Elizabeth (nee Knight), married in 1882, and had three children, Ada Darling, Jean M., and Alexina. Adair was admitted to practice law in Osgoode Hall, Toronto, in May of 1882.<sup>4</sup> By mid 1888, Adair was appointed by the Canadian Government as the Crown Attorney for Muskoka and Parry Sound in Ontario, a position which he held until October 1890 when he resigned and moved to Riverside, California.<sup>5</sup>

## But, again, who was Alexander Aira Adair?

Within just two months of arriving in Riverside, Adair purchased a home lot for the hefty sum of \$5,000.<sup>6</sup> One can only guess Adair immediately set up a law practice. It does appear it did not take long for the Adair family to become accustomed to the Southern California lifestyle. Adair and his family regularly spent time at the beach to beat the summer heat of the Inland communities. Redondo Beach was the popular place in the summer of 1892.<sup>7</sup>

1 *The Los Angeles Times*, 30 Jan 1894, p. 9

2 For example - *Riverside Lawyer*, Oct 2004, “Past Presidents Message,” by John W. Vineyard, p.4.; *Riverside Lawyer*, Nov 2007, “The RCBA: A Short History,” by Bruce E. Todd, p. 9.

3 RCBA Bio on A.A. Adair, taken from *History of the California Bench and Bar*, published 1912.

4 *Ibid.*

5 *Ibid.*

6 *San Bernardino Daily Courier*, Vol 9, Number 67, 27 Dec 1890 “Lot 23, sec 5, East, Riverside.”

7 *Los Angeles Herald*, Volume 38, Number 100, 20 Jul 1892; “Redondo”... “Campers on the beach are locating their temporary abodes in unusual numbers this season. ... A.A. Adair and family of Riverside...” This was not unusual, Adair and his family visited Avalon, Catalina (The *San Francisco Call*, 10 Sep 1895, p. 10) probably staying at the brand new Hotel Metropole (see advertisement in the *Los Angeles Times* 12 Dec 1895, p. 3) advertising one could be in Avalon by steamer in 3 and one-half hours from Los Angeles; provided the trains ran on time. *The Los Angeles Times*, 12 Feb 1895, p. 3, col. 5. Long Beach - *The Los*

By 1893, opportunity was “knocking” for Riverside. On May 9, 1893, Riverside County was officially formed, being carved out of San Bernardino and San Diego Counties.<sup>8</sup>

In just the few years of being a Riverside resident, Adair was one to rely on in community involvement. The new County Board of Supervisors established a Law Library naming Adair and E. B. Stanton Lyman as the new library trustees.<sup>9</sup> He was also part of a group of prominent businessmen incorporating and developing a new Y.M.C.A. facility.<sup>10</sup> His varied volunteer efforts included:

- Participating in the formation of a County Sunday-school Association;<sup>11</sup>
- Advocating local political positions, such as Saloon regulation;<sup>12</sup>
- The creation of Society of Associated Charities;<sup>13</sup>
- Participating in the Celebration of Queen Victoria’s Diamond Jubilee;<sup>14</sup>
- The creation of a new gas company;<sup>15</sup>
- A community leader for the relocating of the Sherman Institute;<sup>16</sup>
- A Calvary Presbyterian Church Trustee including being a part of the Church Election Committee (the Church still stands to this day);<sup>17</sup>
- A Continuing Law Library Trustee;<sup>18</sup>
- A Riverside National Bank Founder and board member;<sup>19</sup>

*Angeles Times*, 19 Aug 1900, p. 18.

8 County of Riverside Webpage, “Riverside County History”; <https://countyofriverside.us/Visitors/CountyofRiversideInformation/RiversideCountyHistory>.

9 *The Los Angeles Times*, 1 Dec 1893, p. 9.

10 *The Los Angeles Herald*, Vol. 40, No. 68, 18 Jun 1893.

11 *The Los Angeles Evening Express*, 9 Mar 1894, p. 5.

12 *Los Angeles Herald*, Vol 45, No. 133, 21 Feb 1896.

13 *Los Angeles Herald*, Vol 26. No. 60, 29 Nov 1896.

14 *The Los Angeles Times*, 24 Jun 1897, p. 11.

15 *The Los Angeles Times*, 25 Oct 1901, p. 14. – The Riverside Light and Fuel Company.

16 *Los Angeles Herald*, Vol XXIX, No. 31, 1 Nov 1901. - Reception Committee Member with Mission Inn Founder Frank Miller. The new facility was under construction (being relocated from Perris) and being inspected by Thomas Ryan, Assistant Secretary of the Interior. Following the inspection all returned to the Glenwood Tavern (Mission Inn) for a luncheon.

17 *The Los Angeles Times*, 5 Apr 1902, p. 18.; *The San Bernardino County Sun*, 14 Dec 1906, p. 13; Included lay representative for the Presbytery at the General Assembly in Columbus Ohio. See *The San Bernardino County Sun*, 14 Dec 1906, p. 13.

18 *Los Angeles Herald*, Vol XXX, No. 213, 8 May 1903.

19 *The Los Angeles Times*, 16 Jun 1906, p. 23.; *The Los Angeles Times*, 27 Nov 1906, p. 25.; *Riverside Daily Press*, Vol. XXX, No. 13, 15 Jan 1915. *Santa Ana Register*, 15 Jul 1915, p. 6.

- Organized the Riverside Investment Company;<sup>20</sup>
- A Riverside Chamber of Commerce Director;<sup>21</sup>
- An officer of Pan American University;<sup>22</sup>
- A member of the Present Day Club (community organization);<sup>23</sup> and
- The City Attorney Pro Tempore while his law partner, then City Attorney Purington, took a leave of Absence.<sup>24</sup>

Politics were also part of A.A. Adair's spare time. Adair was nominated by the Republican Party for Riverside County District Attorney.<sup>25</sup> He was a delegate at the State Republican Convention which supported President McKinley and his policy of the Spanish American War; fellow delegates included Frank A. Miller of the Mission Inn and John G. North, son of Riverside founder John W. North. Adair was thought to have had a desire to be a legislator<sup>26</sup> in Sacramento, but that did not happen.<sup>27</sup>

Adair also dabbled at real estate development being a part owner with C. L. Nye in 55 acres, valued at \$100,000, located in Beaumont; Adair and his partner eventually swapped the land for a lot, 100 feet by 108 feet, in the City of Los Angeles at the corner of First and Figueroa streets.<sup>28</sup>

If all of the foregoing was not enough to keep anyone busy, A.A. Adair was still primarily an attorney. And his law practice was varied.

For the most part, Adair domiciled his law practice in the Loring Building on Market Street.<sup>29</sup> Adair handled probate,<sup>30</sup> divorce,<sup>31</sup> civil as well as the criminal matters.<sup>32</sup> Of particular note, Adair participated in *People v. Marshall*. Adair represented Charles Marshall who infamously holds a footnote in county history for being the murderer of the first Riverside County

Sheriff Deputy to be killed in the line of duty.<sup>33</sup> The *Marshall* case required two appeals to the State Supreme Court and a few visits by Adair to Northern California.<sup>34</sup>

Another sensational criminal case requiring Adair representation was *People v. Cummings*. Cummings was accused of the murder of T. C. Naramore at his ranch in Box Springs Canyon.<sup>35</sup>

Adair was also the attorney for the Gage family after whom the Gage Canal is named. Adair successfully retained the canal rights for the Gage family in a litigation, which started long before Adair arrived in Riverside.<sup>36</sup> The case made its way to the State Supreme Court.<sup>37</sup> In a latter case for Mrs. Gage versus Bank of California, Mr. Adair's opponent was John G. North.<sup>38</sup>

Adair also practiced "water law" participating in an action between the City of San Bernardino and the City of Riverside over rights to water volume claimed by the City of San Bernardino.<sup>39</sup>

Adair was counsel for the Harada family in the historically important case known as *People vs. Harada*.<sup>40</sup> *People v. Harada* was the test case to determine the constitutionality of laws preventing Japanese immigrants from owning property in California. California's Webb-Haney Act (also known as the Alien Land Law of 1913) barred "aliens ineligible for [U.S.] citizenship" from owning property in the state.<sup>41</sup> It appears Adair's friend, Frank Miller of the Mission Inn, helped support the endeavor.<sup>42</sup>

Then there was the libel suit contemplated for Riverside's Judge Noyes against the *Los Angeles Times*.<sup>43</sup>

At one point in his legal career, Adair even contemplated a judgeship. In 1905, Riverside's then sole judge, Noyes, was thought to lose his judicial position in the upcoming election because of his views on temperance, among other reasons. Area attorneys considered running against Judge Noyes including, A. William Collier, attorney for the Santa Fe Railway, as did W. A. Purington, as well as Adair. Purington and Adair being law partners chose to draw lots to decide who would place his hat

20 *Santa Ana Register*, 2 May 1908, p. 2. – "The concern is especially organized for the development of water and for manufacturing power."

21 *Los Angeles Herald*, 8 Jan 1910, p. 9.; *Riverside Daily Press*, Vol., XXXIV, No., 296, 13 Dec 1919.

22 *The Los Angeles Times*, 16 Oct 1919, p. 23. – A to-be-created school to enhance and promote commerce within the "American hemisphere."

23 *Riverside Daily Press*, Vol. XXXV, No 293, 9 Dec 1920.

24 *The Los Angeles Times*, 13 Jul 1899, p. 19.

25 *Los Angeles Herald*, Vol. 25, No 253, 10 Jun 1898. *Los Angeles Herald*, Vol. 25, No. 342, 7 Sep 1898. Eventually he dropped out in favor of Lyman Evans. See *Los Angeles Herald*, Vol. 25, No. 359, 24 Sep 1898.

26 *Los Angeles Herald*, Vol. 25, No. 317, 13 Aug 1898.

27 *The Los Angeles Times*, 3 Jun 1905, p. 10.

28 *The Los Angeles Times*, 13 Sep 1914, p. 79.

29 United States Department of the Interior, National Register of Historic Places Multiple Property Document Form (supra) Section number 1, p. 68, "Statement of Historic Contexts". Said building still standing to this day with Reid & Hellyer in the top suites.

30 *San Bernardino Sun*, Vol. 3, No. 58, 10 Nov 1895; and numerous recurring published Notices to creditors and other probate notices.

31 *Duncan v. Duncan* – *Los Angeles Herald*, Vol. 26, No. 66, 4 Dec 1896.; *Sweat v Sweat* – *Los Angeles Herald*, vol. 26, No 216, 4 May 1897.

32 *People v. Peycke* – *Los Angeles Herald*, Vol. 26, No. 174, 23 Mar 1897; *People v. Mcleod* – *Los Angeles Herald*, Vol. 26, No. 314, 10 Aug 1897.

33 The deputy was Frank Hamilton. *Los Angeles Evening Express*, 16 Jun 1896, p. 5. ; *Los Angeles Evening Express*, 7 Jul 1896, p. 7. *Los Angeles Express*, 16 Jul 1896, p. 7.

34 *The San Francisco Examiner*, 16 Sep 1896, p. 13.; *The Sacramento Bee*, 22 Sep 1896, p. 5.; *The San Francisco Call*, Vol. 80, No. 115, 23 Sep 1896.

35 *The Los Angeles Times*, 23 Sep 1895, p. 9.; See also, *The Los Angeles Times*, 6 Aug 1895, p. 5., 14 Aug 1895, p. 9., 30 Aug 1895, p. 11., 20 Sep 1895, p. 10., ; *Los Angeles Herald*, 26 Sep 1895, p. 4., 28 Sep 1895, p. 10.; *The San Francisco Call*, 10 Oct 1896, p. 15.

36 *San Bernardino Sun*, Vol. 16, No. 38, 13 Apr 1902.

37 *Gage v. Gunther* (1902) 136 Ca. 338; see *San Bernardino Sun*, Vol. 16., No. 38, 13 Apr 1902.

38 *The Los Angeles Times*, 16 Feb 1906, p. 24.

39 *San Bernardino News*, 15 Jun 1915, p. 1.

40 *Santa Ana Register*, 11 Nov 1916, p. 1.

41 <https://nps.gov/places/harada-house.htm>: United States Department of the Interior, National Register of Historic Places Multiple Property Document Form (2012) Section number 1, pp. 64-79. "Statement of Historic Contexts"; Riverside Public Library, The Purington, Adair and Winder Records, Series II.

42 United States Department of the Interior, National Register of Historic Places Multiple Property Document Form (supra) Section number 1, pp. 64-79, "Statement of Historic Contexts."

43 *San Bernardino Sun*, Vol. 20, No. 32, 25 Mar 1904.

in the ring for the position. Purington won the draw.<sup>44</sup> Neither became the judge.

1914 must have been an important time for lawyers in Riverside, what with 22 individuals and firms agreeing to slow down the “hustle and bustle” of the busy practice of law, jointly agreeing to reducing their workload from 6 days per week to 5 and one-half.<sup>45</sup>

Adair’s partner, W. A. Purington, died in April 1918.<sup>46</sup> A new firm of Adair & Winder was commenced.<sup>47</sup>

By 1920, the RCBA’s annual meeting was attended by 43 attorneys.<sup>48</sup> Nevertheless, by 1921, Mr. Adair was just one of three attorneys listed for the City of Riverside in the American Bar publication of lawyers. Therein Adair was referenced as follows: “General Practice. Specialize in Probate and Corporation Law” with representative clients including, “First Nat’l Bank; Citizens Nat’l Bank; Nat’l Bank of Riverside; Security Investment Co.; Security Savings Bank; Glenwood Mission Inn; Riverside Water Co., Riverside Abstract Co.; Title Insurance Co.; Riverside Chamber of Commerce; Press Printing Co.; Riverside Mortgage Co.”<sup>49</sup>

44 *The Los Angeles Times*, 3 June 1905, p. 10.

45 *Riverside Daily Press*, Vol. XXIX, No. 148, 22 Jun 1914.

46 *The Recorder*, 23 April 1918, p. 1.

47 *The Recorder*, 16 May 1918, p. 1. A. Herber Winder’s biography is at Riverside County Biographies, Transcribed by Bill Simpkins (2012) from Vol. II, by John Steven McGroaty, Pages 115-117, Clarke Publ., Chicago, Los Angeles, Indianapolis, 1933.

48 *San Bernardino Sun*, Vol. 46, No. 139, 17 Jan 1920.

49 *The American Bar, a Biographical Directory of Contemporary Lawyers of the United States and Canada*; prepared and edited by

For 30 years, Adair had made quite the name for himself in his legal profession. By 1921, Riverside County had grown sufficient to justify a second judge. Although A.A. Adair was “regarded as the dean of the local bar, [he] would not be a candidate for the new judicial position.”<sup>50</sup> Governor William Dennison Stephens was a Republican, which leads one to conclude the choice not to be judge was Adair’s.

Adair’s wife, Jennie, died June 10, 1923.<sup>51</sup> Less than a month later, A.A. died on July 3, 1923.<sup>52</sup> Both Jennie and A.A. are buried at Evergreen Memorial Park in Riverside.<sup>53</sup> (Jennie’s mother was buried years earlier in Olivewood Cemetery).<sup>54</sup>

One final note (of levity perhaps), Adair was respected enough that his name was considered to be worthy of an endorsement; prominent attorney says, “Cobbs Celebrated Hair Tonic” “prevents baldness” and dandruff.<sup>55</sup>

*Chris Jensen, partner in the law firm of Reynolds, Jensen, Swan & Pershing, is president of the Dispute Resolution Service, Inc. Board of Directors.*



James Clark Fifield, 1921.

50 *The Los Angeles Times* 28 May 1921, p. 22.

51 Ancestry.com California. Death Index, 1905-1939 Surnames A-E, p. 31 (database online).

52 Ancestry.com California. Death Index, 1905-1939 Surnames A-E, p. 30 (database online).

53 <https://www.findagrave.com/memorial/7753726/alexander-aird-adair>

54 *The Los Angeles Times*, 26 Jan 1902, p. 10.

55 *The Los Angeles Times*, 30 May 1897, p. 17.

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# PROJECT GRADUATE — THE ROOM WHERE IT HAPPENED

*by Lilia Centeno-Wilkerson*

## A History of Project Graduate

In early 2011, Santa Clara County Juvenile Dependency Court launched the first education-focused collaborative juvenile court in the nation which brought together various child welfare advocates to serve dependent children who were of middle school-age. This new program in Santa Clara County immediately prompted the interest of the Riverside County Dependency Court.

A few months later, the court, consisting of then-Commissioner Matthew Perantoni and Commissioner Gary Vincent, gathered a small collaborative group to work on an education program for dependent children in Riverside County. The “room where it happened” was a tiny room known as “J-5” at the Riverside Juvenile Courthouse. The commissioners enlisted the assistance of a well-established and experienced minor’s counsel, Pauline Obata Hirose and Deputy County Counsel Lilia Wilkerson, to help form a program to assist dependent children of Riverside County achieve academic success. We came together with an idea of promoting the academic success of dependent children who perhaps did not have a parent or guardian that was actively advocating for their academic success. The initial goal of the program was to meet the comprehensive educational needs of foster children who were dependents of the Riverside Juvenile Court by recruiting and appointing them academic mentors.

Santa Clara County focused on dependent children who were of middle school age. It was critical that our collaborative group select an age group for the program that would garner the greatest benefit. The collaborators in this small committee were divided on what age group would be targeted for this program. Some believed that we should follow the program as established in Santa Clara County, focusing on middle school age children.

However, Commissioner Perantoni, with his vast experience working with youth, pointed out that the statistics demonstrated that many high school age dependent children were not completing or were struggling to complete high school or obtaining their General Education Degree (G.E.D.). The general consensus was that by assisting high school age dependent students to achieve a high school diploma or obtain a G.E.D., would ensure that the dependent youth secured future employment and perhaps inspire some to seek higher education.

Commissioner Perantoni advocated that the foster children in high school would receive the most benefit from mentoring because many of the dependent youth did not have anyone significant to encourage them in academic achievements and many struggled to complete high school. The vision to create our own program specifically for our dependent high school youth was proposed and established that afternoon in that small room. After much discussion between the collabora-

tors, it was agreed that our focus group would be dependent children who were of high school age. Thus, a spark was lit to ignite the program which would assist dependent youth to achieve their academic goals, Project Graduate.

We decided that an educational mentor would be matched with a dependent child to promote the educational endeavors of each specific dependent child. It was envisioned that the mentors would receive training and would be educational advocates for the participating youth. Mentors would encourage the youth to complete various academic goals, as simple as completing homework and getting to school on time. Although it was envisioned that some legal professionals would volunteer for this position, it was agreed that the position of mentors would not be limited to those in the legal profession. A group of dedicated mentors, from various walks of life and background, was the vision for this program. People from different backgrounds in life would enrich the program and benefit the dependent children of Riverside County.

The collaboration of the court and counsel resulted in the establishment of the Project Graduate program in Riverside County in 2011. However, this educational program was new and uniquely designed for the dependent youth of Riverside County. The goal was to help as many dependent children who volunteered to engage in the program, providing them with mentors and court support to obtain their high school or G.E.D.

To get the program off the ground, then Riverside County Superior Court Presiding Judge Sherrill Ellsworth asked the Riverside County Bar Association to take on the task of recruiting volunteer mentors, and to raise the funds necessary to keep the program going. Those who stepped forward to accept this challenge and formed the original steering committee were: Barrie Roberts (then the court ADR coordinator), Mona Nemat from Best, Best and Krieger, Brian Unitt, Robert Rancourt, and Luis Lopez.

## Project Graduate Program Now

Time flies when you are assisting youth and it has been over nine (9) years since Project Graduate was established in Riverside County. The program made great strides during this time for dependent students who volunteer to engage in the program. During their time in Project Graduate, students are matched with a court-appointed educational representative who mentors the student and reports to the court about the progress of the student’s educational goals. The student receives support from the court, the trained mentors who are members or affiliates of RCBA, the Juvenile Defense Panel, the Department of Public Social Services - CSD practitioners, and from the Riverside County Office of the County Counsel. This collaborative team acts as the Project Graduate Steering Committee, and meets monthly to oversee and evaluate the progress of the program, and to discuss the needs of each

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minor and discuss possible solutions to assist the minor with educational challenges.

## The Project Graduate Process

Each student is matched to a court appointed educational representative who has completed training developed by the steering committee and the Department of Public Social Services. During his busy dependency calendar, Judge Matthew Perantoni makes time to have a private hearing for each youth with their mentor once a month. The court first meets with educational mentors, a social services practitioner supervisor, and a deputy county counsel to discuss the educational progress and obstacles each child is encountering in school. A specific education report is provided, where a comprehensive educational review is given to the judge regarding each child. Discussions ensue regarding the specific educational goals being sought and how plans are to be implemented to assist the youth in achieving his or her educational goal. The resources available to each child are discussed during these meetings. These resources include having the educational mentors meet with teachers, academic advisors, and even the principal regarding their students. The educational mentor advocates for the student and often works hand in hand with educational professionals to develop a specific plan for the success of the student. All of these dedicated mentors volunteer countless hours of their time, talent, energies, and resources to provide children of Riverside County with a better future by encouraging and assisting each youth in the program to reach their educational goals.

If the education report advises that the youth requires tutoring in English or math, for example, the Social Service Practitioner is contacted regarding his or her ability to fulfill this need for the student, or the minor's counsel will place the matter on calendar for a hearing.

Recently, for example, one dependent youth did not have a laptop, which the school required to attend virtual classes, and was falling behind on his work. The mentor informed the court that the lack of a computer would cause the youth educational challenges. Laurie Burns was able to quickly obtain a laptop for the youth, donated by Juvenile Defense Panel. This valuable resource allowed the youth to catch up on his schoolwork and assisted with his academic goal of graduation. Another dependent youth did not have Wi-Fi available and the agency, Department of Public Social Services-Children Services Division (DPSS-CSD), was able to resolve this issue for the youth. At the end of each hearing, Judge Matthew Perantoni offers each child a selection of several top-rated chocolate bars. So, each child leaves their education hearing with a little something sweet to enjoy and the knowledge that someone cares about them. It is a simple act, but it resonates with many of the youth.

## Project Graduate Volunteers

So far, thirty-two dependent youth who participated in Project Graduate have successfully obtained their high school diploma and have gone on to junior colleges, four-year universities, and even culinary school! An annual lunch is held to honor their achievement and without fail, many of the youth will state that they did not think that they would be successful without the help of their mentor and the support of the col-

laborative group of people with Project Graduate. It is quite difficult to describe the joy and pride on their faces when they are holding their diploma. Due to public health restrictions, this year for the first time we had to hold that celebration via Zoom, but our graduates were still able to enjoy their time in the spotlight.

Currently, we are fortunate enough to have Judge Matthew Perantoni give much of his time, energy, and wisdom to the youth in Project Graduate. Judge Jacqueline C. Jackson also gave much of her time to this program when she was the presiding judge for the Juvenile Dependency Court, until she moved to another assignment. The court's influence and impact on these youth cannot be ignored or minimized. They finally have someone that really cares about what they accomplish in their education endeavors.

For the last nine years, we have had the privilege of Brian Unitt's outstanding leadership as the Steering Committee Chair for Project Graduate. He is the heart of Project Graduate and under his leadership, the program is strong. Riverside Superior Court Division Manager Deborah White assists in coordinating the court and counsel. The Office of the Riverside County Counsel's Office has provided a supervising deputy county counsel to participate in this program, and I have the pleasure of serving on this committee for the last eight years. In addition, several other deputy county counsels have participated in this program over the years, Jason Seward, Alexandra Fong, and Warren Chu. Sherry L. Jansen is the current DPSS-CSD supervisor that works endless hours in coordinating the youth, mentors, and various requests. Her predecessor was DPSS-CSD Supervisor Aaron Carpio. We have two minors' counsel with the Juvenile Defense Panel that attend the hearings, Laurie Burns and Teresa Devries. Our amazing Project Graduate mentors who volunteer their time and talent to encourage and advocate for these youth are attorneys from large and small firms, the offices of the Public Defender and District Attorney, as well as their paralegals and staff members, and include: Luis Lopez, Esq., Mark Singerton, Esq., Kiki Manti Engel, Esq., Matthew Forsse, Esq., Malvina Ovanezova, Esq., Kellie Husted, Lyssandra Erwin, Barbara Stroud, Mike Donaldson, Esq., Sarah Overton, Esq., Amelie Kamau, Esq., and Robyn Lowry.

The room where it happened may have been small, but the impact on the academic success of dependent youth in Riverside County has been amazing!

Project Graduate is currently seeking additional educational representatives to assist our foster youth in their path to success. If you are interested in volunteering with Project Graduate, please contact Riverside County Bar Association. Additional information about the program may be found here: <http://www.riversidecountybar.com/foundation/project-graduate>

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*Lilia Centeno-Wilkerson is a supervising deputy county counsel for the County of Riverside in its Child Welfare Division. She has worked at all three satellite offices of the Child Welfare Division (Indio, Riverside, and Murrieta) and currently supervises six attorneys at the Riverside office.*



# INSTALLATION OF OFFICERS 2020-2021

This year's RCBA Installation was unlike any other. Due to Covid-19 it was done virtually via Zoom on Saturday, September 26. Riverside County Chief Assistant District Attorney John Aki served as the master of ceremonies. Judge Jackson Lucky administered the oath of office to the RCBA board members. Sophia Choi was installed as the 2020-2021 president. The other officers who were installed were Neil Okazaki (president-elect), Lori Myers (vice president), Kelly Moran (chief financial officer), Mark Easter (secretary), Aaron Chandler, Megan Demshki, Chris Johnson and Elisabeth Lord (directors-at-large) and Jack Clarke, Jr. (past president) and Goushia Farook (as Barristers president she sits on the RCBA Board).

Commissioner Belinda Handy gave the oath of office to the 2020-2021 officers of Barristers. Goushia Farook was installed as president. Other officers installed were Michael Ortiz (president-elect), Lauren Vogt (secretary), David Rivera (treasurer), Alejandro Barraza, Ankit Bhatka, Kevin Collins, Braden Holly, Brigitte Wilcox (members-at-large), and Paul Lin (past president).



Sophia Choi and Installing Officer Judge Jackson Lucky

# APALIE – CHECKING IN

*by Dave K. Kim*

During these times of isolation and lack of in-person human interaction, having a strong network of people who you share a common purpose with is more important than ever. Since its founding in 2013, Asian Pacific American Lawyers of the Inland Empire (APALIE) has been dedicated to the professional growth and advancement of the Asian Pacific American legal community in the Inland Empire. We strive to ensure justice, equal access, and opportunities in the legal professional for all persons. During these uncertain and turbulent times, it is critical to continue to actively support these ideas of inclusivity and equality. Throughout its young history, APALIE has collaborated with other affinity bar associations to put on events that promote these values.

Like most organizations during COVID-19, we have had to alter the way we operate and stay connected. I was not sure initially how we would be able to effectively operate as an organization in this virtual environment. Fortunately, we have been able to continue to provide MCLEs, including a webinar we co-sponsored this summer with the Hispanic Bar Association of the Inland Empire (HBAIE). The Honorable Jackson Lucky shared his expertise with an excellent presentation on the always popular topic of character evidence. We also collaborated with HBAIE on a webinar panel discussion with several judges titled, "Is Appointment to the Bench your Calling" this past November.

Furthermore, we recently had our first annual mentor-mentee meet and greet via Zoom. This was part of the mentor-mentee program we launched this year with the students of the University of La Verne College of Law. We hope to instill a sense of community and belonging with these future attorneys who will hopefully remain and be actively involved with the local bar associations in the years to come.

Our yearly membership is only \$25 and membership is open to all. The membership fee covers entrance to our MCLE programs and other events.

Lastly, we were unable to have our annual installation dinner this spring, which has traditionally been our biggest social and fundraising event. Accordingly, I would like to take this opportunity to introduce our Board for the current 2020-2021 term:

President: Dave K. Kim  
President-Elect: Wade C. Pyun  
Treasurer: Alejandro Barraza  
Secretary: Tavie Nguyen  
Board Members at Large: Kristine M. Santos and Mike H. Lan  
Judicial Liaisons: Honorable Jackson Lucky and Honorable Winston S. Keh  
Immediate Past President: Judy Beck

Please check us out on APALIE.ORG and sign up for our mailing list. We hope to see you soon! Happy Holidays!

*Dave K. Kim, Esq. is the current president of APALIE.*



*Senator Richard Roth*



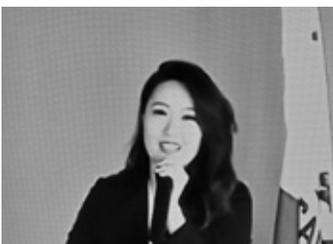
*John Aki*



*Judge Raquel Marquez*



*Public Defender  
Steven Harmon*



*Sophia Choi*



*Sheriff Chad Bianco*



*David Bristow*



*District Attorney  
Michael Hestrin*



*Presiding Judge  
John Vineyard*



*Presiding Justice  
Manuel Ramirez*



*Sophia Choi*



*Sophia Choi and outgoing  
president Jack Clarke, Jr.*

# GRATEFUL

by Jacqueline Carey-Wilson

In June of 1986, I was involved in a serious car accident. I was riding in the back seat of my sister's car when another vehicle ran a red light and hit us. I took the full impact of the crash. As a result, I had numerous internal injuries, which included 9 broken ribs, a punctured lung, a lacerated liver, a ruptured spleen that had to be removed, and a closed head injury, which resulted in a coma for two weeks. When I came out of the coma, I had to learn how to walk again, speak without a slur, and regain my short-term memory. I was in the hospital for two months and spent another eight months in rehab. At the time, I was a senior at Cal State Fullerton and the doctors did not believe I would ever return to school. I used to think about my accident all the time, not in a negative sense, but usually pinching myself simply because I had survived. However, that left me with the question of why I survived.

I stopped searching for that answer after hearing Martha Conant's story on National Public Radio (NPR). NPR aired a StoryCorps interview of Martha Conant's survival of the 1989 crash of a United Airlines flight just outside Sioux City, Iowa. Of the 296 people on board, 111 died. Only 13 were uninjured. Martha was one of those 13.

Martha described being in the air and feeling a lurch. The pilot announced they had lost an engine, but there was no need for concern because DC-10's can fly with two engines. About 40 minutes later, the pilot announced they were going to land, and it would be the roughest landing they had ever experienced. As they were going down, the pilot yelled, "Brace—Brace—Brace!!"

The next thing Martha remembered was an influx of air and debris; she was tossed about and lost consciousness. When she came to, she was amazed to be alive. As the survivors were being fed and cared for, she spoke with a young social worker who told her: "God must have had a reason for saving you. You haven't finished your life's work yet."

Martha was troubled by these words and felt she had been saddled with a heavy burden—to figure out what was to be her life's work. Martha considered whether the flip side was that God did not have any more work for the 111 people who had perished in the accident; she did not believe that was true.

Martha decided then to live with as few regrets as possible, such as not leaving home being upset with someone, and not passing up a chance to tell her husband or sons how much she loved them.

The event for her was as if God had picked her up by the scruff of the neck, shaken her and said: "This is your only life. Just be grateful that you have these days and these hours and these wonderful people in your life. Just be grateful for that."

Martha's story stayed with me. I told that story and retold it to anyone who would listen. It finally hit me why this story made such an impact on me.

I did not have survivor's guilt—everyone in my accident survived—but I was so close to death that I have been driven to ask why I had been saved. After hearing Martha's story, I stopped searching for that purpose. I know that I am where I should be and I just need to be grateful for each day, do what I can with that day, and be grateful for the wonderful people in my life. This is especially true during this pandemic where so many lives have been lost.

I am grateful for my husband, Douglas Wilson, who survived the accident with me and has been my soulmate for the last 32 years; my daughters Katie, Julia, and Grace, who I love and adore, and Julia is expecting our first grandchild whom I already love with all my heart; my mom, dad, six sisters, my brother, and many aunts, uncles, cousins, nieces, nephews, godchildren, dear friends; and my colleagues at County Counsel and in the legal community. I am incredibly grateful for all and for the footprints they have left on my heart.

*Jacqueline Carey-Wilson is a deputy county counsel for the County of San Bernardino, editor of the Riverside Lawyer, member of the San Bernardino County Superior Court's Committee on the Elimination of Bias, and past president of the RCBA and the Federal Bar Association, Inland Empire Chapter.*



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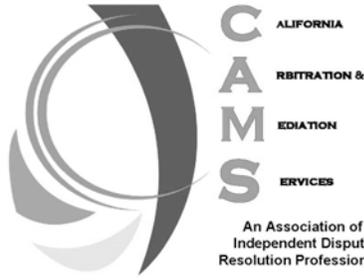
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# THE SOUTHWEST RIVERSIDE COUNTY BAR ASSOCIATION: WHAT YOU MAY NOT KNOW ABOUT THIS HIDDEN GEM

*by Kiki Manti Engel*

I was honored when asked to write an article about the Southwest Riverside County Bar Association (“SWRCBA”). As the current president and former vice president of the SWRCBA, I believe this association is a true hidden gem in the Southwest Riverside County area. One exemplar of how incredible this association is can be found in an excerpt from the SWRCBA’s Bylaws:

“The Association is established for the specific and primary purposes of advancing the science of jurisprudence, upholding and defending the Constitution of the United States and the State of California, maintaining representative government, promoting the administration of justice and the uniformity of legislation of judicial decisions, encouraging a thorough legal education for all candidates for admission to the Bar, applying the knowledge and experience of its members in the field of law to the promotion of the public good, maintaining the honor and dignity of the profession of the law, and assisting the public in obtaining proper legal services.”

“Applying the knowledge and experience of its members in the field of law to the promotion of the public good, maintaining the honor and dignity of the profession of the law, and assisting the public in obtaining proper legal services.” This phrase is exemplified by every single SWRCBA member from their decorum at the monthly MCLE luncheons, to the legal services they provide the local community. These attorneys are truly “maintaining the honor and dignity of the profession of the law.”

By way of history, the SWRCBA was formed in 1982 and is organized as a non-profit mutual benefit corporation under California law. Our association members practice in the Southwest Riverside County area within what was known as the Three Lakes Judicial District (Lake Elsinore, Lake Skinner, and Vail Lake). SWRCBA members practice a wide variety of legal services including, but not limited to, civil law, criminal law and appeals, consumer law, bankruptcy, CEQA, family law, immigration law, intellectual property law, personal injury, workers comp, just to name a few. All SWRCBA members are listed by practice area on SWRCBA’s website.

The current SWRCBA board members for the 2019 to 2020 term are: myself, Kiki Manti Engel, president, Michael Bender, vice president, Allison Tilton, secretary, Edward J. Nowakoski, treasurer. The directors are immediate past president, Neda Aguirre, Marie E. Wood, Reed Webb, Robin Johnson, and Barak Berlin. Many of these individuals have been involved with the SWRCBA for several decades!

Elections for board positions are held every November, and the persons elected serve a one-year term.

Before the COVID-19 pandemic, the SWRCBA met in person the third Thursday of every month at noon. Some of the past presentation topics included employment law updates and changes, tax law changes, juvenile dependency, and bankruptcy law. A delicious lunch was served and MCLE credits were provided.

As a result of the COVID-19 pandemic, the SWRCBA quickly adapted by offering members virtual MCLEs. The first virtual MCLE was held on August 20, 2020, when the Honorable Angel Bermudez helped demystify the new advent of “virtual trials” in a presentation entitled “How a Virtual Jury Trial is Possible Presented by Hon. Angel Bermudez.” This presentation helped the SWRCBA members understand how virtual trials are even possible. It was a very informative presentation detailing the ins and outs of conducting a trial in the midst of these unprecedented times.

In addition to monthly MCLEs, the SWRCBA hosts an annual wine tasting event, golf outing, and holiday party. The SWRCBA holiday party is typically held in the month of December. Prior to the holiday party, members have an opportunity to vote for a Judicial Officer of the Year and a Local Attorney of the Year. Last year’s Judicial Officer of the Year Award recipient was the Honorable Raquel A. Marquez, and the Local Attorney of the Year Award recipient was criminal law attorney, Suzanne M. Ferguson. The holiday party is always a grand soiree!

On a personal note, I attended monthly SWRCBA MCLE luncheons since I was a law clerk. I was always intrigued by the speakers and the topics presented on, and I learned something new at each meeting. The comradery of the SWRCBA membership is unsurpassed. Being a member of the SWRCBA for all these years has instilled in me the importance of honoring this noble profession and providing the public with the finest legal services. It has been a pleasure serving on the board of the SWRCBA and I look forward to being involved with the SWRCBA for many years to come.

If you are interested in becoming a member of the SWRCBA, you can apply online at [swrbar.org](http://swrbar.org). If you have any questions about the SWRCBA, please do not hesitate to contact me at [kengel@rhlaw.com](mailto:kengel@rhlaw.com). As a SWRCBA member, your RCBA dues will be discounted.

*Kiki Manti Engel is the president of the Southwest Riverside County Bar Association and is an attorney with the firm of Reid & Hellyer APC, where she practices business and real estate litigation, and transactional law.*





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# STATE OF THE STATE BAR

*by James O. Heiting*

A lot of things are changing in the State Bar!

I am sure that you are very aware that the State Bar split into two entities as of a couple of years ago, with the actual State Bar, assuming the exclusive role of a public protection agency, focusing on attorney admissions and discipline. The California Lawyers Association, formed at that time to undertake the balance of the State Bar's activities, is comprised of section members and is a completely voluntary body.

While the California Lawyers Association has a great many benefits available to attorneys and should be explored, I will restrict the comments here to some of the recent evolution of the State Bar itself.

The State Bar's mission is "to protect the public and includes the primary functions of licensing, regulation and discipline of attorneys." The State Bar describes itself as, "an agency focused on public protection, regulating the legal profession, and promoting access to justice."

There are now more than 250,000 licensed lawyers in California; however, the State Bar struggles to provide effective access to justice and effective legal assistance to our citizens. A lot of energy and time are spent focusing on "improvements" that will provide better and more effective access to justice.

On the positive side, the State Bar seems to be recognizing (finally) that better attorney "wellness" translates into better client protection. In other words, support for attorneys in areas of recovery from chemical dependency and/or emotional upheaval, rather than discipline, will promote increased client protection and better services. There are several things the State Bar is doing to implement that approach: self-assessment models, available counseling, preventative education, support for the LAP and The Other Bar, and a true diversion program are in the works.

One of the approaches to support increased access to legal services involves "provisional licensure." If you are not familiar with that, what it means, roughly, is that anyone who has graduated law school in 2020, or thereafter, may apply for provisional licensure to do everything a licensed attorney can do other than handle the IOLTA accounts (trust accounts). For those who graduated in 2020, whether or not they have taken the bar examination, they may apply for and receive provisional licensure. The program started in earnest on November 17, 2020 (and terminates June 1, 2022). When I asked a recent graduate what he can do under the provisional licensure, he said, "I can do anything a licensed attorney can do, including handling of a murder trial by myself, as long as I have a supervising attorney named." The supervising attorney does not have to be in the trial or in the same room, according to him. Not only that, but he can have his own

clients. He must simply have a supervising attorney and must notify the client of his provisional licensure.

This particular graduate took the bar exam this year, as well. He described it as the first bar exam completely online. It was two days, with the first day being five essays, and the second day comprised of 100 multiple choice questions and a 90 minute performance examination. He told me he heard there was a "big data breach" that the Bar is dealing with, but he did not suffer any consequences as a result. Rumor is that California modified the National Commission software, and a glitch caused delays and problems in the performance section. He will not know the results of the exam until January or February 2021.

The State Bar has also appointed a "Blue Ribbon Commission on the Future of the Bar Exam" to explore possible changes and whether to adopt alternative or additional testing or tools through collaboration with the National Conference of Bar Examiners in developing recommendations for a Uniform Bar Exam (UBE). This will include data examining pass rates of applicants of color and exploration of other issues "to insure that the exam is an effective tool for determining whether applicants are prepared to practice law ethically and competently." That group has its final report due in January of 2022.

As a result of several task force studies, the Bar is considering promoting loan forgiveness programs, removing "obstacles to diverse attorneys' entry into, retention and advancement in the legal profession," expanding the number of hours required in elimination of bias classes for MCLE, and identifying "ways that diversity and inclusion principles can be institutionalized in bar exam development and grading." Many of these ideas are to be evaluated through a report to the Board of Trustees due by December 31, 2020.

What would have been described as radical changes are also being considered in the area of fee sharing with non-lawyers. "To promote access through innovation of legal services," expect possible changes in lawyer rules and regulations, lawyer advertising and solicitation rules, lawyer referral service statutes and rules, attorney fee sharing with non-lawyers, and delivery of services by firms or groups that may be co-owned by lawyers and non-lawyers.

The State Bar Board of Trustees, in addition to all that is described above, has put together a California Paraprofessional Program Working Group, with the idea that, "An appropriately regulated paraprofessionals program is an important component of the solution to the access to legal services crisis in California by expanding the pool of available and affordable legal service providers." Even though the idea will be to provide increased access to legal services through people who are less educated and less qualified than lawyers, the State Bar

wants to develop some sort of licensure/certification program to ensure public protection while increasing access to legal services. They will consider different pathways for licensure, including academic or experiential qualifications. Areas that they are considering as appropriate for this type of licensure would include immigration, legal document assistance, unlawful detainer, and the like. Paraprofessionals would be permitted to perform these tasks, apparently without supervision of any lawyer. The parameters of the practice are not clear as yet; however, this will certainly require changes to

statutes involving the unauthorized practice of law and the Rules of Professional Conduct.

I hope you find this little article informative; and I hope you will go out and be of service to your community and to the legal profession. Let's go out and do some good.

*James O. Heiting of Heiting & Irwin, was president of the State Bar of California in 2005-2006 and past president of the RCBA in 1996.*



## GRATITUDE — REFLECTIONS FROM MEMBERS

There are so many things to be grateful for. I am thankful for a loving family, supportive friends, a wonderful career in a wonderful legal community that I am so happy to be a part of. I am thankful that most of my life has been in Riverside. It is a wonderful place to live. In the wintertime here, I can drive about only an hour and go to the beach and only an hour to see snow in the mountains. Where else can you do both of these so conveniently? There are so many things for me to smile and be happy about, and I thank God for blessing me with this life.

*-Sophia Choi*

In a year with so many disappointments such as cancelled vacations, cancelled sporting events and concerts there is still so much to be grateful for. I am grateful that I have been able to continue to work to help my clients and serve our community. I am grateful for the health of my family, friends and co-workers. I am grateful for the love and patience of my husband, Solomon, who is navigating virtual learning and keeping our children focused and occupied.

*-Elisabeth Lord*

I am thankful that I was blessed with my first child, Alexandra ("Lexi") Renee Engel, born September of this year. I am also thankful for my incredible husband, the health of my family, and my job at Reid and Hellyer.

*-Kiki Manti Engel*

I am thankful for a legal community that has rallied together in the face of adversity, met these challenges with perseverance and inclusivity, and innovatively collaborated to preserve access to justice for our community's most vulnerable.

*- Megan Demshki*

In a season of reflection, I am thankful for the many blessings in my life. I am thankful for my incredibly supportive family. This year I was blessed with new beginnings at Bratton, Razo and Lord and I am incredibly grateful for such a loving and wonderful work family. I became an Auntie once again and welcomed a new god daughter in my life. I am thankful for the blessing of a beautiful niece and the endless laughter shared with my nephews. I am thankful for my furball kitty who brings me endless joy. While there is so much more, I am always grateful for the blessing of true friends who are my tribe and there for me through everything in my life!

*-Goushia Farook*

I am grateful for my parents and the work ethic they taught me. I am grateful for my job as a deputy public defender handling incompetency proceedings where I get the opportunity to help the most voiceless and mentally ill people in our community. But most of all, I am so grateful that many in the world are opening their eyes to the inequities and systematic injustices within the criminal system.

*-Juanita E. Mantz*

I'm grateful for the lawyers I work with at my firm and for the lawyers I serve with on the RCBA Board. I'm also grateful for the Riverside legal community where legal professionals, despite having to advocate differing litigation positions, continue to find ways to support one another and serve the community at large in the midst of a pandemic and economic crisis. I want to encourage anyone who is feeling a bit overwhelmed by the stress of the times to consider plugging into the next RCBA event via Zoom and looking for other ways to "connect" with your colleagues. We are all in this together.

*-Chris Johnson*

My Grandma Hedy always said "health is wealth." I don't think I fully appreciated that until my special needs son began having serious health issues. Thankfully, despite this pandemic, my family has remained healthy and for that, I will be forever thankful.

*-Robyn Lewis*

During this pandemic, I am grateful that I have had more quality time to spend with my family. I am also appreciative that I have been able to reconnect with pastime pleasures such as board games, fishing, and working on home improvement projects.

*-Dave Kim*

As 2020 ends, I am thankful for my spouse. Due to COVID-19 and mandatory curfews, we have spent a lot of time together this year at home and that has been a wonderful blessing. I am also thankful for the human in others. With every reason to be distrustful and fearful, I have enjoyed those brief human connections with others around me. Eye contact above the mask has particularly been meaningful during these odd times. Finally, I am thankful for life. It's good to be alive.

*-Andrew Gilliland*

# PRACTICING RESPONSIBLY & ETHICALLY: WHAT THE BAR HAS ON (OVER) DRAFT

by David Cantrell and Brad Zurcher

The State Bar is watching your client trust accounts (CTAs). Under California Business and Professions Code § 6091.1, banks are required to report to the State Bar each time a check is presented against a CTA that has insufficient funds. If you receive notice that your CTA is overdrawn, you can reasonably expect that an inquiry from the State Bar is not far behind.

California Rule of Professional Conduct 1.15 provides the accounting requirements for the maintenance of a CTA. At a high level, these requirements are simple. Don't commingle funds. Keep accurate records. Yet attorneys often run into trouble in the less intuitive consequences of these rules. In this article, we discuss how attorneys can best address the surprisingly common problem of accidentally overdrawing a CTA while remaining in compliance with Rule 1.15's prohibition against commingling of funds.

Overdrawn CTAs are ubiquitous. In 2019, the State Bar received nearly 18,000 reports from financial institutions that a CTA had been overdrawn.<sup>1</sup> It seems likely that solo practitioners and small law firms, which lack the resources to employ dedicated accounting professionals, are disproportionately at risk of being the subject of such reports. Case in point, a 2001 study commissioned by the State Bar revealed that although law firms with 11 attorneys or less comprised 56% of the legal industry, they accounted for a whopping 94.6% of all investigations opened by the Office of the Chief Trial Counsel (OCTC).<sup>2</sup> Small offices in particular need a strategy to address the potential harm of overdrawn accounts.

One strategy is the obvious one: be meticulous with your books. But even perfect accounting does not completely mitigate the possibility of overdrafts caused by bank errors, lags in processing times, or unexpected account fees. Something more is needed. As a second line of defense, the responsible attorney should maintain a form of overdraft protection. Although doing so will not prevent an overdraft notice from being sent to the State Bar—banks are required to report an overdraft even when the offending instrument is honored—it will at least mitigate the potential for client harm resulting from attorney or bank error.

Rule 1.15 limits the permissible forms of such protection. While an attorney may add her own funds to a CTA in anticipation of *fixed* account fees, an attorney may not add funds to

a CTA as a “cushion” against variable, unexpected overdraft charges.<sup>3</sup> In *Jackson v. State Bar* (1979) 25 Cal. 3d 398, 404, the Supreme Court ruled that doing so “clearly offends” the commingling prohibition now contained in Rule 1.15(c). Similarly, Rule 1.15 prohibits enrollment in an overdraft protection program that automatically deposits a set amount to prevent an overdraft. Any excess deposit above the amount overdrawn would constitute improper commingling. While the best practice is to never allow a CTA to be overdrawn, it is important that any overdraft protection used for a CTA only cover the exact amount by which the account is overdrawn.

This might seem overly technical, but the State Bar is rigorous in its enforcement of Rule 1.15's accounting requirements. It is no defense to a charge of improper accounting that the lawyer was acting in good faith or that no client was harmed as a result of noncompliance.

In *re Martin*, Case No. 16-O-17714, a recent case by the Review Department of the State Bar Court, illustrates this point. In 2004, attorney Martin opened a CTA account. Notwithstanding the label, the account was never used to accept, hold, or disburse client funds. Instead, beginning in 2016 and continuing through 2017, Martin used this account for his own personal finances. In 2016, he mistakenly overdraw the account, prompting insufficient funds notices to be sent to the State Bar. These notices resulted in an inquiry and then charges by the OCTC. Even though no client funds were held in the CTA, Martin was disciplined for his non-compliance with Rule 1.15. The Review Department, citing the Supreme Court, affirmed the “bright-line rule that absolutely bars use of the trust account for personal purposes, even if client funds are not on deposit.”

An attorney wishing to avoid discipline would therefore be wise to take the technical aspects of the accounting requirements—and their implications for overdraft protection—seriously. For fuller guidance on CTA requirements, the reader should consult the Handbook on Client Trust Accounting for California Attorneys, which is published and kept current by the State Bar.

*David Cantrell and Brad Zurcher are members of the firm Lester, Cantrell & Kraus, LLP. Their practice focuses on legal malpractice and professional responsibility. David is certified by the California State Bar's Board of Legal Specialization as a specialist in legal malpractice law.*



1 See Annual Discipline Report of the State Bar of California for 2019.

2 See Investigation and Prosecution of Disciplinary Complaints Against Attorneys in Solo Practice, Small Size Law Firms and Large Size Law Firms,” available at [http://www.calbar.ca.gov/Portals/0/documents/reports/2001\\_SB143-Report.pdf?ver=2017-05-19-134106-347](http://www.calbar.ca.gov/Portals/0/documents/reports/2001_SB143-Report.pdf?ver=2017-05-19-134106-347).

3 See discussion regarding overdraft protection in State Bar Formal Opinion No. 2005-169

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by Steven L. Harmon

If you ask anyone about what they want most in life, they will likely say: "I just want to be happy." And, that is completely understandable. We all want to be happy. Who wouldn't? But, is that even possible?

It is often said that with age comes wisdom. I'm not so sure that is right. What I really think is that with age comes perspective. When you are in the middle of a life full of finding partners, raising families, building careers, struggling to balance work and life and a million other things, perspective is the last thing on your mind. All you can do to keep up with life is to take it one shaky step at a time, looking and hoping to find "happiness" along the way.

What age has taught me is that happiness is the most elusive and fickle of all of life's pursuits. It comes and goes in an instant. Just when you think you have found it, something bad happens and you are now sad. It is wonderful while it is in your hands, but heart-breaking when it falls through your fingers. Happiness can be so fleeting and if your goal in life is chasing happiness, you will soon find yourself exhausted, extremely disappointed, and even possibly discouraged for a lifetime.

This is where perspective comes in. Having been a participant for decades in the chase for happiness, having won, and lost that race a million times, I have come to believe that happiness is the wrong wish. I believe the better, the longer lasting, and the actual attainable goal is contentment. Happiness and sadness will come and go in a lifetime. Contentment will bring you steadiness, calmness, and faith in yourself to carry you through a lifetime. It is the old story of the hare and the tortoise. Happiness is the hare – contentment is the tortoise; and, we all know who won that race.

If any of this is true, the big question is: how do we get to contentment? I think the answer is: *Gratitude*. We get to contentment by being grateful and thankful for who we are and who and what we have all around us in our lives. Contentment comes when we are thankful for all the things and people that

make us happy and for all the lessons we have learned along the way, even though many of those lessons were born of great sadness. Contentment comes from not being envious of what others have, but from appreciating and enjoying what we have. Contentment comes from being grateful – not hateful. Grateful people are, by and large, happy people. Grateful people are nice people. There is something about grateful people that is energizing and great to be around.

To strive for contentment does not in any way mean we should just settle for average or even for just what we have now. Not at all. Contentment does not mean we should not be ambitious and even aggressive in striving to be more and better. We can, and, should be grateful for our ambitions and our ability to pursue even lofty goals, even if we do not achieve them. Contentment comes from knowing we have done our best.

Happiness feels great. Sadness feels terrible. It's important to realize they are both temporary feelings and both will come and go in our lives. Neither are permanent enough to build a life upon. Contentment is elusive, but, is a better island to head for in the turbulent sea of life. And, gratitude is the life raft to get you there.

*Steven L. Harmon is the Public Defender for Riverside County and a past president of the RCBA*



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Thank you.

# JOHN BROWN — RECIPIENT OF THE 2020 JAMES H. KRIEGER MERITORIOUS SERVICE AWARD

by Jack B. Clarke, Jr.

## A Man of Service and Conscience

The Krieger Award was established in 1974 to recognize attorneys or judges who have shown outstanding commitments to community service that extends beyond the legal profession and the Riverside County Bar Association.

This year's James H. Krieger Meritorious Service Award was presented to an attorney of true accomplishment and commitment to all communities. First, his accomplishments as an attorney are truly impressive. For the past 45 years, my Best Best & Krieger LLP partner, John Brown, has assisted numerous public agencies throughout our region. He has served as counsel to the March Joint Powers Authority, the Town of Apple Valley, and the cities of Ontario, Lafayette, San Jacinto, La Habra Heights, and nearly two dozen other municipalities over his career. He is so well respected in his field that last year, John was recognized as the 2019 Ronald M. George Public Lawyer of the Year by the California Lawyers Association's Public Law Section.

But as accomplished as he became in the legal profession, his attitude toward service to the community can be rivaled only by a few. Here is just a partial listing of John's positions of service to our community.

- Two-term president of the Mission Inn Foundation Board;
- Served on the Riverside Art Museum Board;
- Served on the Riverside Public Library Foundation Board;
- Assisted the Evergreen Memorial Historic Cemetery and the California Citrus Park; and
- In the early 2000's, John chaired the City of Riverside's Homeless Advisory Commission. As a result of his service on that Commission, Riverside is still implementing models of service that include full-time street outreach teams,



John Brown

women, children and men's homeless shelters, as well as other service components.

Moreover, John has served as a past treasurer and vice president of the California Historical Society Board of Trustees. Even now, he continues to be active by serving as the current president of the board of the directors of the Sam and Alfreda Maloof Foundation for Arts and Crafts and vice president of the board of directors of the Friends of the State Citrus Park. He also still serves on the City of Riverside's Cultural Heritage Board.

As I said, John's professional and public service credentials are sterling. But he also brings intangibles that are also admirable. He is a renaissance man of sorts in multiple areas. He is so well read, he can talk to you about almost any subject. Want to know an excellent restaurant in San Francisco, Fresno, or Thermal? Ask John. Want to talk an obscure fact about California? Ask John. Further, John is a person who deeply believes in making sure the legal profession reflects the communities it serves. BB&K Partner Sonia Carvalho noted some time ago:

"Long before law firms and companies began touting their commitments to hiring a diverse workforce, John was actively involved in recruiting and mentoring lawyers of diverse backgrounds at Best Best & Krieger."

I can second that sentiment from personal experience. Back in 1984, it was John, along with a then young associate attorney named Virginia Phillips, who made me an offer to come to BB&K if I could pass the Bar exam after law school.

Over the past 40 plus years, John has touched thousands of lives in a positive way. He is so deserving of the 2020 James H. Krieger Meritorious Service Award. Congratulations again, John.

*Jack Clarke, Jr. is a partner with the law firm of Best, Best & Krieger LLP.*





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# GREGORY RIZIO – E. AURORA HUGHES AWARD FOR MERITORIOUS SERVICE RECIPIENT

*by Robyn Lewis*

I had the honor of presenting the E. Aurora Hughes Award for Meritorious Service to my dear friend, Greg Rizio, during this year's virtual Installation event for the Riverside County Bar Association (RCBA).

Aurora Hughes was a cherished friend of mine. She was a mentor to me when I was a new attorney, as she was to so many people. She was an example of the type of attorney that I wanted to be – she excelled in her craft, she relished being a professional, she was tough as nails, but was as kind and courteous as they come. Aurora didn't want to be a great female attorney. She just wanted to be known as being a good attorney period. And she devoted herself to giving back to our legal community and to the RCBA. As a young attorney, I tried to emulate Aurora and follow her example.

Aurora became sick shortly before she began her term as president of the RCBA. She was diagnosed with ALS or Lou Gehrig's disease.

ALS or amyotrophic lateral sclerosis, is a progressive neurodegenerative disease that affects nerve cells in the brain and the spinal cord. A-myo-trophic comes from the Greek language. "A" means no, "myo" refers to the muscle, and "trophic" means nourishment – "no muscle nourishment." When a muscle has no nourishment, it "atrophies" or wastes away. "Lateral" identifies the areas in a person's spinal cord where portions of the nerve cells that signal and control the muscles are located. As this area degenerates, it leads to scarring or hardening ("sclerosis") in the region.

I watched Aurora's ALS progress to the point where she was in a wheelchair and needed constant assistance from her beloved husband, Joe. And through it all, she never felt sorry for herself. She completed her commitment to serve as president of the RCBA, despite her illness. She was always positive and so grateful for all that she had: her career, her friendships, and most of all, her family.

It was during the year that I served as president of the RCBA that Aurora lost her battle with ALS. The RCBA



*Gregory Rizio*

board could not think of a better way to honor her memory and all that she contributed to the RCBA and our legal community than to institute an award in her honor. And so the E. Aurora Hughes Award for Meritorious Service was established with Aurora being the first recipient, receiving the award posthumously.

Practicing here in Riverside, there are so many people who devote so much of themselves to giving back. However, I was so very happy to hear that this year's board had voted unanimously to give the Hughes award to my dear friend, Greg Rizio. I could not think of a better

recipient as there are few people who give as much and as selflessly as Greg.

Greg is kind, generous, has never ending energy, is always positive and happy, and is truly the most humble person that I have ever met, despite all of his amazing accomplishments. In fact, when I congratulated him on receiving this award, his reply was that he did not feel that he was worthy of receiving it.

In 2011, I was gearing up to become president of the RCBA. I had just had my triplets in 2010 and was just finding a balance between my home life and returning to my professional life. And I was also about to be sworn in as president of the RCBA. One day, I was in my office and my assistant said that Greg Rizio was on the phone. I knew who he was, but did not know him personally so I was intrigued as to why he was calling. As soon as I began talking to him, I felt as if we had been friends forever. Greg was calling me to introduce himself and to offer any support or assistance that I might need.

During that conversation, it came up that both Greg and I are from the great state of New Jersey. Now, for those of you that know nothing about people from New Jersey, I need to explain. We have a huge amount of Jersey pride. Even if you no longer live in New Jersey, you are still from New Jersey. And when you meet another person from New Jersey, there is an unexplained bond that immediately forms. That is exactly what happened with Greg and I. Our friendship began on that date and I have been so incred-

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ibly blessed to know him and to have had the opportunity to work with him.

Greg is just one of those friends who is always there for you. Again, you never have to ask him. He is just there offering his support. One of my sons has a lot of health issues and has been in and out of the hospital these last few years. Every time there has been an issue, Greg was the first one to ask if we needed any help. And every time I or anyone else has needed to call on his legal expertise and experience, he is willing to share whatever he can to make you more successful. His generosity is truly unparalleled.

As my co-chair, Greg was instrumental in helping me start the New Attorney Academy, which is a program that was originally developed by the RCBA and Riverside Superior Court, to train new attorneys in our community. Greg quickly involved the Inland Empire Chapter of the American Board of Trial Advocates. From its inception, Greg has been an active member of our steering committee and has joined me for almost every session for the last 7 years as an instructor and as a mentor for our students. And his generosity does not stop there. He is responsible for getting most of our attorney speakers and even volunteers the time of other attorneys at his firm to make sure that the New Attorney Academy is successful.

When asked for his help or assistance, Greg never says no or why. He just says what can I do? How much do you need? From raising money for a scholarship fund for the late Judge Douglas Weathers, to helping with the fundraising and planning of the memorial service held at the historic courthouse for Judge Rich, Greg has never said no. And he is not just that way with me. He is consistently dedicated to giving 100% from everything to serving on the Riverside County Bar Foundation board to participating in the Leo A. Deegan Inn of Court.

Let me give you another example. We can all agree that this year's Installation should have been an amazing day for our new RCBA President Sophia Choi and her family to celebrate her installation. While the virtual Installation was a success, it was not the same as it would have been at the Mission Inn. COVID robbed her of that celebration. Although she was very gracious about it, the one thing that she really wanted was for the traditional paper invitations to go out to the membership. Unfortunately for budgetary reasons, that did not look like it was going to happen.

I was talking to Greg one day about installation and I mentioned the invitations in passing. Without skipping a beat, Greg immediately offered to pay for the invitations without asking. That is the generous spirit that I am talking about.

I haven't even begun to highlight all of Greg's other legal accomplishments. If for some crazy reason, you

don't know Greg Rizio, you should know that he is regarded as one of the best and most successful personal injury attorneys in the State of California. Here in Riverside, he secured a 58 million dollar plaintiff's verdict, which was the largest plaintiff's verdict ever in Riverside County, the #1 verdict in the state of CA and the 10th largest nationally in 2014. He has received countless awards, including the Litigator's Award, which is something given to only 1% of the attorneys in the nation. He is a past recipient of the Trial Lawyer of the Year from the California Consumer Attorneys and is recognized as a Southern California Super Lawyer. He is a life member of the Multi-Million Dollar Advocates Forum and received the Trial Lawyer of the Year award from the San Bernardino County Bar Association. He also received the Terry Bridges Outstanding Attorney Award from the Leo A. Deegan Inn of Court. I am sure that I am missing more awards, but that gives you a highlight.

When he is not out making millions for his clients or helping me at the RCBA, Greg is also involved in other organizations to ensure the success of California Trial Lawyers statewide. He serves on the executive board for ABOTA, has served as a past president of the Consumer Attorneys of the Inland Empire, and currently serves on the Consumer Attorneys of California executive board as second vice president.

Despite all of his professional accomplishments and his constant giving back to make our legal community a better place, Greg is a devoted husband and dad to three kids. He is always talking about his family and it is clear that he is more devoted to them than to anything else that he does.

I was so very honored that Greg chose me to present this award to him this year. I know Aurora would have been so pleased that he received it. I thank him again for his constant friendship and support. I thank him for everything that he does for me and for this legal community. And I again thank him for being an inspiration on how to practice law and how to give back.

I asked this during my comments at installation and I ask it again. If you see Greg, even if you don't know him, go up to him and thank him. Because I guarantee you that he has touched your life in some way or another and you probably don't even realize it.

Congratulations, again, to my friend, Greg Rizio, on receiving the E. Aurora Hughes Award for Meritorious Service and thank you for all that you do.

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*Robyn Lewis is with the firm of J. Lewis and Associates, APLC. She is the chair of the New Attorney Academy and a past president of the RCBA.*



# REFLECTIONS FROM THE RICHARD T. FIELDS BAR ASSOCIATION

by Kamola L. Gray

The Richard T. Fields Bar Association is celebrating 10 years! We have been able to use 2020 as a time to reflect and refocus.

This year we were able to have some great virtual meetings. Being virtual allowed many members to attend more meetings than we were able to attend before. We also were able to connect with more of our members.

We had our installation of officers on September 24. It was a great virtual gathering of our community. We had judicial officers, lawyers, and community leaders all join us as we laid out our plan for the upcoming year. Our theme for this term is "Celebrating Legacy – Pursuing Destiny."

We have reflected on the accomplishments of African Americans in our judicial system. We remembered: Macon Bolling Allen who is believed to have been the first African American to become a lawyer in the United States; Charlotte E. Ray who was America's first African American female attorney; Thurgood Marshall, the first African American Supreme Court Justice; Wiley Manuel, the first Black judge to serve on the California Supreme Court; and our own namesake Justice Richard T. Fields who was the first African American jurist in Riverside County. While reflecting on the legacy of these accomplishments, 2020 has given us Justice Martin Jenkins, the first openly gay member of the California Supreme Court (and the fifth African American), and Senator Kamala Harris who is the first woman and first person of color who has been elected as vice-president of the United States.

Locally, our organization would not have existed for the past 10 years without our great past presidents. Thank you to Charlene Usher, Willie Williams, Commissioner Eric Isaac, Commissioner Belinda Handy, Shumika Sookdeo, Paulette Gray, Nicole Williams, Guy Leemhuis, Jennifer Small, and Sharunne Foster. We are trying to create our own legacy and each of our past presidents has taken us forward towards our goal.

It does nothing to remember our past and celebrate past accomplishments if we are not doing anything to keep the momentum going. We must continue to work to achieve our goals. Here are just a few things we are doing in the next couple months:

- We have partnered with other community organizations to participate in a Thanksgiving Basket Drive. We were able to help feed 30 families from the Riverside Unified School District by providing them gift cards to be used at local grocery stores.

- We want to support Bemis Elementary School in Rialto-the students there need school supplies.
- We are also doing a gift card drive where we are going to donate gift cards in the amount of \$25 each for foster youth at Olive Crest, a local community organization that provides services for at-risk children.

In this time of reflection, we must not forget that we have been blessed to be a part of one of the most important parts of our society. Without law and justice we cannot continue to be a great America. We would love to have you partner with us as a member. Visit us at [www.rtfbarassociation.org](http://www.rtfbarassociation.org).

*Kamola L. Gray is with the firm of Chung & Ignacio and is the current president of the Richard T. Fields Bar Association.*



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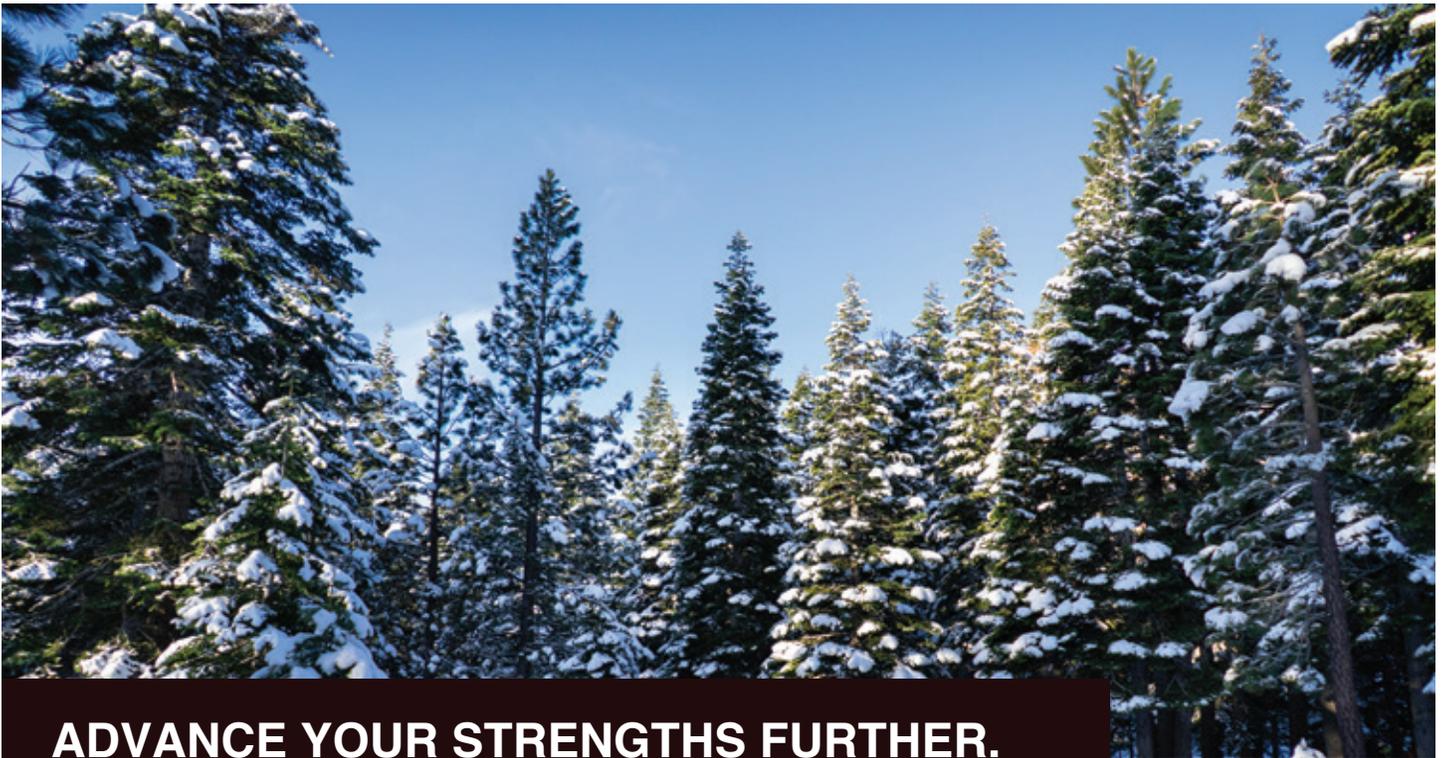
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### Conference Rooms Available

Conference rooms, small offices and the Gabbert Gallery 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@riverside-countybar.com](mailto:rcba@riverside-countybar.com).





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