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RIVERSIDE LAWYER



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On the Cover

Top Photo - Reading Day volunteers

L-r: Jacqueline Carey-Wilson, Megan Demshki, Sandra Lechman, Commissioner Nick Firetag, Jeremy Roark, Monica Bullock, Nancy Tetreault, Orquidea Wilcox, Brandy Tristao, Peggy Barnes, Leila Parviz, Mary Avalos, Reza Williams.

Photo courtesy of Jacqueline Carey-Wilson

Bottom Photo – Recipients and Presenters of the 2025 Good Citizenship Awards.

Photo by Michael J. Elderman

PRESIDENT'S Message

by Mark A. Easter



Our County has Some Great Young Citizens!

On April 22, I had the privilege of hosting the 2025 Good Citizenship Awards in Department 1 of the Riverside County Historic Courthouse, co-sponsored by the RCBA and the Riverside County Superior Court. Presiding Judge Jacqueline Jackson, Judge Sharunne Foster, and Judge O.G. Magno provided some encouraging words of wisdom to the students about the need for good citizenship in our nation and what it means to be a good citizen. We then gave Good Citizenship Awards to students from 29 high schools from across the County, who were in attendance along with their very proud families. Representatives of several of our State Legislators were also on hand to present certifications to the students. Here is the 411 on just a few of these outstanding students:

Christina Fayad, Murrieta Mesa High School, Murrieta



Christina Fayad with Principal Scott Richards

Christina has been with the Murrieta school district since she was in kindergarten. Principal Scott Richards had nothing but glowing things to say about Christina,

and she was a unanimous choice for the good citizenship honors. Christina has achieved all A's in high school, top 3 in her class, with a GPA of 4.46. Christina is a track and field athlete, but community service is apparently where she truly is a record-breaking "decathlete." Specifically, although the requirement for students graduating from Murrieta Mesa High is 40 hours of community service, Christina has accrued over 300 hours of service on a variety of community projects. And she still has her senior year to go. Christina is most certainly a good citizen at not only Murrieta Mesa High, but the Murrieta community, is fortunate to have.

Michael Robinson, Palo Verde High School, Blythe



Michael Robinson and parents
Cintia and Brad Robinson

Michael is very involved in the Blythe community in which he lives. He is currently the president and an active member of his local 4-H club. Through 4-H, Michael regularly assists with charity events in the Blythe community. He also serves as a teen mentor, guiding younger members, particularly in the care of swine. Yes, swine. Michael also works with his mother's organization, which focuses on the rehabilitation of stray cats in the community. Michael gained the experience of making a presentation to the Metropolitan Water District. Michael also volunteers as a judge at the science fairs of the local elementary schools and volunteers for the annual "Ducks Unlimited" charity auction event. At Palo Verde High, Michael volunteers at the beginning and end of the school year with classroom setup and tear down. It sounds like the Blythe community is very fortunate to have Michael. And I know his parents are very proud of him because they made the two and a half hour trek (each way) from Blythe to downtown Riverside, so they could observe Michael receiving his award!

Michael Cano, Vista Del Lago High School, Moreno Valley

Michael is on the mock trial team at Vista Del Lago, and his mock trial coach, Ivany Gonzalez, says that Michael is an exceptional student – one of the school's top 10 students. Michael volunteered at the Riverside Festival of Lights, and he participated in the school's Blood Donation Day, having gained empathy for people in need of blood as a result of one of his relatives needing a blood transfusion. Michael wrote an essay in which he discussed what good citizenship meant to him.



Judge O.G. Magno presents an award to Michael Cano

Michael believes that “happiness is the root of integrity,” and that “when people are happy they are driven to do the right thing.” As a result, Michael said that he strives to bring “positive energy in every volunteer opportunity or community service,” because “the service of happiness is [the] best community service I can provide.” Michael’s focus on good citizenship by way of empathy, integrity, and spreading happiness to others is spot on, and a great example for all of us.

Isaac Garcia Santamaria, Beaumont High School, Beaumont



Isaac Garcia Santamaria

Isaac takes rigorous course work and has excellent grades (a 3.7 GPA) at Beaumont High School. He plays in a soccer league outside of school, is currently going through the confirmation process with his church, and next year he will be the captain of the school soccer team. But the primary reason that school counselor Delfina Loustau nau singled Isaac out for good citizenship honors was that he exemplifies, in his conduct, the school’s values of “be safe, responsible, and respectable,” and he sets an example. Ms. Loustau nau explained that Isaac “does everything he is supposed to do, without drawing a lot of attention to himself.” For example, Isaac is always caring and looking out for the special needs students at the school and is patient and understanding with them. Through his actions, Isaac serves as a “silent leader.” Our world could use more silent leaders like Isaac.

Congratulations to Christina, Michael, Michael, Isaac, and all of the other good citizenship award recipients.

2025 Good Citizenship Award Recipients

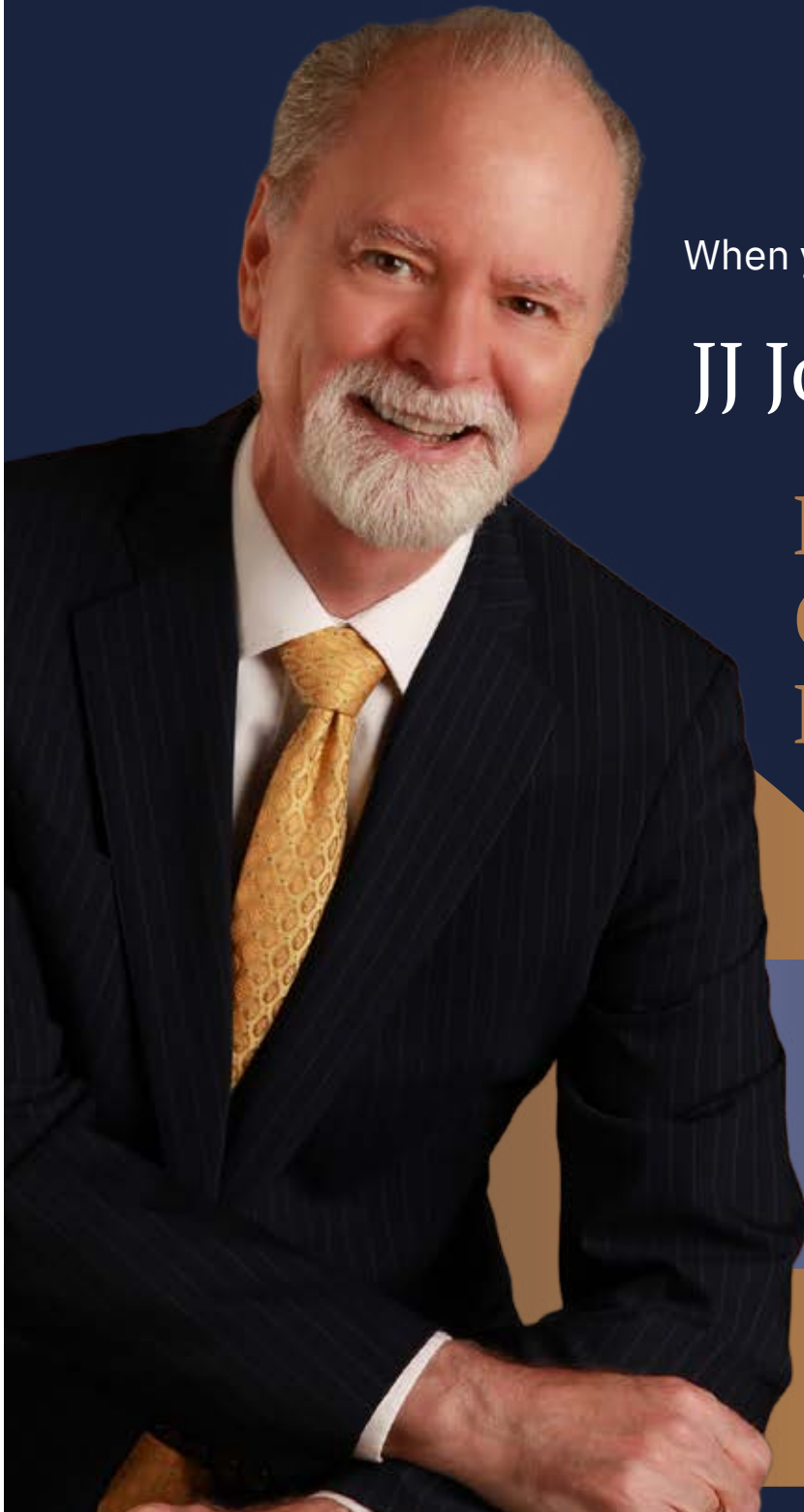
High School Name	Student Name
Amistad	Angelina Hernandez
Beaumont	Isaac Garcia Santamaria
Beaumont Middle College	Candice Lanmon
Centennial	Katelyn Stahl
21st Century Learning Institute	Kaiden Alderson
Glen View	Juantone Castillo
Great Oak	Abigail Huth
Indio	Elizabeth Guerra
John F. Kennedy	Peyton Zimmerman
La Quinta	Angel Navarrete
La Sierra	Sofia Rocha
Martin Luther King	Dana Chiek
Moreno Valley	Abril De La Fuente
Murrieta Mesa	Christina Fayad
Murrieta Valley	Joseph Galasso
Norte Vista	Sophia Kim
Nueva Vista	Govanny Sanchez
Orange Grove	Jaidyn Rueda
Palm Desert	Leela Fayssoux
Palo Verde Valley	Michael Robinson
Paloma Valley	Miley Lundstrom
Perris	Daisy Casas
Poly	Lorelai Hilton
Ramona	Tracy Tran
Rubidoux	Valeria Zamora
Shadow Hills	Angelina Wilson
Vista del Lago	Michael Cano
West Valley	Blessing Sele
Woodcrest Christian	Cleveland Stoudenmire

Summer is upon us, which means that I am sadly getting close to the end of my term as RCBA President—in fact the president’s column in the July/August issue of the *Riverside Lawyer* will be my last. Our next general membership meeting will be on June 13, 2025, at noon on Zoom. The speaker will be Los Angeles Superior Court Judge Mark Juhas, and he will be making a presentation entitled “Let’s Get Along: Civility in the Practice of Law,” which will provide one hour of MCLE credit in civility. Please join us.

Mark A. Easter is the president of the RCBA, a partner at Best Best & Krieger LLC, and has been residing and practicing law in Riverside since 1989.

Photos by Michael J. Elderman.





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BARRISTERS

President's Message

by Summer M. DeVore



Barristers Sixth Annual Judicial Reception: An Evening of Recognition, Inspiration, and Community

Barristers hosted its Sixth Annual Judicial Reception on May 7, 2025, at Riverside City Hall Grier Pavilion, bringing together members of the legal community for an evening of celebration and connection. For those who were unable to attend, the program opened with warm and welcoming remarks from Robyn Lewis, a past president of Barristers. Robyn reflected on Barristers' continued growth and the vital role that mentorship and community engagement play in shaping the future of the legal profession.



Barristers Board

Back row l-r – Amanda Perez, Henry Andriano, Derek Diemer, Jack Rafter, Kevin Collins, Nolan Kistler, David Rivera

Front row l - r Ellen Peng, Summer DeVore, Sharon Ramirez

The Barristers' Attorney of the Year Award was presented to **Darryl Exum** in recognition of his outstanding advocacy and invaluable



Darryl Exum

contributions to the legal community. In addition to his professional achievements, Mr. Exum was honored for his dedication to mentoring new attorneys. In his remarks, Mr. Exum shared thoughtful advice and challenged attendees to invest in the next generation of lawyers, reinforcing the importance of shared knowledge to strengthen the legal profession for years to come.

The Barristers' Judicial Officer of the Year Award was presented to **Justice Richard T. Fields** in recognition of his decades of leadership and deep commitment to mentorship, education, and community outreach. Justice Fields delivered an inspirational speech, offering encouraging remarks to those still navigating their legal careers. Justice Fields also shared his enthusiasm for the upcoming visit by the RCBA New Attorney Academy to the Court of Appeal as part of their final class session.



Justice Richard T. Fields

The Barristers Board extends its sincere thanks to all who attended and contributed to the success of the event. Your presence helped make the evening meaningful and reaffirmed the values of support, mentorship, and collaboration that define our legal community.

P.S. We hope everyone caught a magic trick or two from the wandering magician during the social hour!



Crowd enjoying a magic trick from the wandering magician

Join us at our upcoming events!

- Elections for the 2025-2026 Barristers Board and "Happy Hour" Mixer: Wednesday, June 25, 2025, beginning at 5:00 p.m. (election at 5:30 p.m.) at the Presidential Lounge located at Mission Inn Hotel & Spa, 3649 Mission Inn Avenue, Riverside, CA 92501.

- Barristers "Happy Hour" Mixer: Thursday, July 17, 2025, beginning at 5:00 p.m. at Killer Queens Social House located at 3630 University Ave, Riverside, CA 92501.
- Barristers "Happy Hour" Mixer: Friday, August 1, 2025—Save the date! More details are coming soon.

Stay up to date by following us!

For additional information about our upcoming events and updates, please visit Barristers:

Facebook: <https://www.facebook.com/RCBABarristers/>

Instagram: <https://www.instagram.com/rcbabarristers/>

Website: <https://rcbabarristers.wix-site.com/rcba-barristers>

Barristers Board Spotlight: Henry Andriano, 2024-2025 Member-at-Large

Henry Andriano is an associate in the municipal and litigation practice groups at Best Best & Krieger LLP's Riverside office, where he specializes in eminent domain and inverse condemnation claims. This

is Henry's first year serving on the Barristers Board. He also volunteers pro bono legal services at Inland Empire Latino Lawyers Association (IELLA) in Riverside. Henry joined the Barristers Board to help new attorneys recognize that their membership in the Inland Empire legal community is valued and can extend far beyond their own firm/office or practice area. In his spare time, Henry enjoys roasting green coffee beans in his small-batch roaster and then sampling the tasty results.

Summer M. DeVore is an attorney with Stream Kim Hicks Wrage & Alfaro, PC in downtown Riverside where she specializes in business litigation. She is also a member of the Leo A. Deegan Inn of Court. Summer can be reached at summer.devore@streamkim.com.

Photos by Michael J. Elderman



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The Life of a Post Bar Clerk in Criminal Court and Thoughts from her Attorney Mentor

by Juanita E. Mantz and Ashna Gorajia

A Law Clerk's Perspective by Ashna Gorajia

I was raised in Southern California and attended the University of California, Riverside for my undergraduate studies. I moved to New Jersey to attend law school at Rutgers University, and then moved back to Southern California to start my legal career. I am very happy to now be back in Riverside County working with the public defender's office as a law clerk, especially because I am in the mental health department, specifically in the incompetency section.

As a post-bar law clerk, I am lucky to assist deputy public defender attorneys inside and outside the courtroom with many aspects of their jobs. Some of the most influential experiences have been having the opportunity to talk to clients in and out of custody as well as writing different motions, everything from a motion to dismiss to a Penal Code section 17 (b) motion to reduce a felony to a misdemeanor.

Prior to coming to this department, I was able to work with different groups of people through the pro bono opportunities and clinics at Rutgers, but there is something different here that I never experienced previously. The array of people that I have interacted with are much broader, especially economically, and as a result, I have been given a much deeper understanding of what it truly means to be a criminal defense lawyer. There is a vast difference between what you learn about it in school, through books and case studies, and the real-life practice of criminal law. Additionally, the mental health aspect of criminal law was just one day of my criminal law class, and only a question or two on the final. This often-overlooked sub-section of criminal law that I have had the opportunity to work within has taught me much about how to empathize and work with clients from so many different walks of life.

Throughout law school, I was unsure about which type of law I wanted to study, and was open to whatever opportunities could teach me more about my interests. Upon working for the public defender's office, I have learned firsthand how essential the role of a public defender is to society. The clients that we work for are those who, without the public defenders' office, would receive no legal representation at all, as they do not have the means to afford an attorney. Although some of the clients can be difficult, due to mental illness and addiction, and/or other ailments, they all still deserve strong advocacy and due process under the law, and therefore the work that the public defenders do in the mental health

department is of the utmost importance. And while I do wish that I could have appeared on the record, this experience has been invaluable.

Another skill that working as a post bar law clerk taught me, is the many different kinds of motions used in court, and when it is appropriate to use them. This is information I was taught in law school, but this post bar law clerk position has allowed me to see the motions' impact in real time, as well as allowing me to ease into the profession in a way that going directly into the role of an attorney would not. Additionally, the practice of writing these motions, and the many edits I sometimes require, has given me an essential crash course in legal writing that every new attorney needs. I am thankful to get to work for an attorney who not only allows me to talk with clients and write motions, but who also has allowed me to make mistakes and learn from them. She has kindly gone over the reasons for changes in my motions and has taught me why we use the language we do within the motions, instead of just telling me what to do. Ultimately, being a deputy public defender law clerk has taught me much about the law and about life as a deputy public defender.

The Deputy Public Defender Perspective by Juanita E. Mantz

As a deputy public defender, I have always enjoyed working with both law students and post bar clerks. I do not know whether it is luck or divine providence, but I am almost always assigned an amazing person to assist me in Penal Code section 1368 (PC 1368) proceedings, which are proceedings where counsel has expressed a doubt about their client's competency. There are some drawbacks for the post bar clerks in my department, mainly, that they cannot appear on the record as our clients are in incompetency proceedings. But that said, our court has the unique opportunity for law students and post bar clerks to see the huge role that mental health plays in criminal cases and the difference that a caring and knowledgeable judge can make in people's lives.

While technically the PC1368 court is quasi criminal, I would argue that the experience is valuable beyond measure. As the "combat boots on the ground" attorney for the county's Incompetent to Stand Trial Diversion program, I have wholeheartedly enjoyed observing these "attorneys to be" see the change that can happen for our clientele when we treat them holistically and when we give them grace and a safe place to be.

The change that I have personally observed in clients has been tremendous. I have seen my clientele morph from shuffling and mute to expressive and verbal. Working with my post bar law clerk this Spring, Ashna, the woman who shares the byline with me, has reminded me why I do this work. Her dedication and work ethic are tremendous and most importantly to me in my practice area, her empathy reaches far and wide. Working with her has inspired me to be better and do better and to set an example for the kind of practice that we should all aim for as deputy public defenders.

Ashna Gorajia is a law school graduate and a post bar law clerk with the Law Offices of the Public Defender, Riverside County.

Juanita E. Mantz has been a Riverside County deputy public defender for over 16 years and practices in incompetency under Penal Code section 1368. She has two award winning books, Portrait of a Deputy Public Defender or How I became a Punk Rock Lawyer (Bamboo Dart Press, 2021) and a YA memoir, Tales of an Inland Empire Girl (Los Nietos Press, 2022).



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Offering Second Chances, Boosting Safety, and Streamlining Courts through California's Diversion Programs

by Mary Shafizadeh

What if you could walk away from a criminal charge with no conviction, no permanent record, and no courtroom battle? That's the promise of diversion programs—an alternative to traditional prosecution that focuses on rehabilitation rather than punishment. A "Get Out of Jail Free" card of sorts. Through counseling, education, or treatment, these programs give eligible individuals a second chance to grow, learn, and move forward without ever admitting guilt.

Whether someone is struggling with addiction, living with a developmental disability or mental illness, serving or formerly serving in the military, or facing misdemeanor or certain non-violent felony charges, California's justice system increasingly recognizes that not all defendants belong behind bars. Instead, diversion offers tailored support that can lead to charges being dismissed—effectively erasing the arrest—though there are exceptions for peace officer applications. This approach not only may help participants avoid lifelong barriers to jobs, housing, immigration, and licensing, but it also promotes long-term public safety and reduces strain on crowded courtrooms.

For individuals who may not fully understand the legal system due to cognitive or developmental challenges, diversion further ensures they are treated with care and dignity. Still, success depends on commitment; failure to complete a program may trigger the court to terminate diversion and reinstate criminal proceedings. While not everyone qualifies, and participation must be earned, diversion is proving to be a powerful tool in building effective and equitable justice.

In California, several diversion programs are tailored to address different types of offenses and defendant needs, with availability varying by county:

Drug Diversion – Penal Code Section 1000

One of the most well-known diversion programs is Penal Code section 1000 (PC 1000), a diversion program for certain nonviolent drug offenders. Rather than facing a criminal conviction, eligible individuals are given the opportunity to complete a court-approved drug education or treatment program in exchange for having their charges dismissed. PC 1000 generally applies to personal-use drug offenses, such as simple possession of a controlled substance, being under the influence, or possession of drug paraphernalia—as outlined in PC 1000(a).

To qualify, the defendant must not have any recent felony convictions or prior disqualifying drug offenses within the last five years prior to the alleged commission of the charged offense. Additionally, the current charge must not involve violence, threats of violence, or any concurrent drug-related offenses outside those listed under PC 1000(a). If deemed eligible and the defendant chooses to participate,

the program generally lasts 12 to 18 months and includes requirements like drug education classes, individual and group counseling, drug testing, and consistent compliance with all program rules. If successfully completed, charges are dismissed; failure, however, may result in reinstatement. This program recognizes that addiction is more effectively addressed through treatment than punishment.

Cognitive Developmental Disability Diversion – Penal Code Sections 1001.20–1001.34

For individuals living with cognitive developmental disabilities, California offers a unique form of diversion under PC 1001.20 to 1001.34. This program creates an alternative to criminal prosecution—recognizing that individuals with developmental disabilities may not fully understand or navigate the justice system in the same way others do. Eligible defendants facing misdemeanor or felony charges (excluding serious offenses like murder, voluntary manslaughter, most sex crimes—except indecent exposure—and possession of weapons of mass destruction) may qualify if they are evaluated by a Regional Center and found to have a qualifying developmental disability under Welfare and Institutions Code section 4512(a).

This includes individuals with intellectual disability, autism, cerebral palsy, epilepsy, or related disorders that require similar treatment. Once found eligible, the individual must also be deemed suitable for diversion services, which can last up to two years and are aimed at improving their quality of life—through treatment, habilitation, and support in social, physical, personal, or economic development. The program's goal is restorative: to offer support, reduce recidivism, and ensure individuals are treated with dignity.

Mental Health Diversion – Penal Code Sections 1001.35–1001.36

California's Mental Health Diversion law, under PC 1001.35–1001.36, gives qualifying defendants yet another chance to step away from the traditional criminal process and into treatment—with the possibility of having charges dismissed entirely. This diversion is designed for individuals with a diagnosable mental disorder, as identified in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders—such as bipolar disorder, schizophrenia, or PTSD—as defined by the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders, where the disorder played a significant role in the commission of the offense.

Unlike cognitive developmental disability diversion, this program requires a clear connection between the mental illness and the alleged criminal behavior. Eligibility hinges on several factors: the disorder must be treatable, the defen-

dant must be willing to participate and waive their right to a speedy trial, and the court must find that diversion does not pose an unreasonable risk to public safety. Serious crimes—like murder, sex offenses involving children, and other violent felonies—are also excluded by statute.

If approved, the individual is diverted from prosecution and enters a treatment program, rather than facing incarceration. Diversion can last up to one year for misdemeanors and two years for felonies, with ongoing monitoring by the court. Successful completion requires the defendant to substantially comply with treatment, avoid new criminal conduct (with limited exceptions), and establish a long-term mental health care plan. Upon meeting these conditions, the court must dismiss the charges, and the arrest is legally treated as though it never occurred—subject to exceptions for peace officer applications—offering a meaningful second chance for individuals living with mental illness.

Military Diversion – Penal Code Section 1001.80

Military Diversion, as outlined in PC 1001.80, also offers a meaningful alternative to prosecution for current or former members of the United States military who are facing misdemeanor or qualifying felony charges and are struggling with conditions related to their service. Eligible conditions include post-traumatic stress disorder (PTSD), traumatic brain injury (TBI), substance abuse, sexual trauma, or other mental health issues stemming from military duty.

With the defendant's consent and waiver of speedy trial rights, the court may postpone criminal proceedings and order participation into a treatment program for up to two years. These treatment services must be specifically designed to address the individual's service-connected issues. Defendants may be referred to federal, county, or community-based programs, including those offered by the U.S. Department of Veterans Affairs or the Department of Defense, with preference given to programs proven effective in treating veterans.

The court requires progress reports at least every six months to monitor compliance. Not all offenses, however, qualify. Under PC 1001.80(o), certain serious crimes—including murder, rape, sex offenses requiring registration (with narrow exceptions), and lewd acts involving children—are excluded from eligibility. Upon successful completion, the court must dismiss the charges, and the arrest is treated as though it never occurred—again, with exceptions for peace officer applications—providing service members an opportunity to rebuild their lives and transition back into their communities.

Misdemeanor Diversion – Penal Code Section 1001.95

California's Misdemeanor Diversion law, PC 1001.95, gives judges the power to offer a second chance to individuals facing misdemeanor charges—even without the prosecution's consent—by focusing on rehabilitation over punishment. To participate, the defendant must waive their right to a speedy trial. The judge then sets a diversion period—up to 24 months—during which the defendant is required to comply with terms, conditions, or programs the judge deems appropriate based on the defendant's unique circumstances. These often include a standard order to obey all laws,

ordinances, and court orders, in addition to completing the specific requirements of diversion.

This discretionary program empowers the court to design tailored conditions—such as educational classes, counseling, or community service—aligned with the nature of the offense and the defendant's background, needs, and rehabilitative potential. If the defendant completes the program successfully, the charges are dismissed, and no conviction is entered, giving the individual a real opportunity to move forward with a fresh start.

Although courts—particularly in places like Riverside County—often reserve judicial diversion for those with minimal or no prior record. However, the law itself leaves eligibility entirely to the judge's discretion, provided the offense does not fall under one of the statute's limited exclusions. These include crimes requiring sex offender registration under PC 290, stalking under PC 646.9, and certain domestic violence offenses as defined in Family Code section 6211 and PC 13700(b). DUI cases, while not explicitly excluded in the statute, are also generally barred from participation due to Vehicle Code section 23640. To earn dismissal, the defendant must complete all court-ordered conditions, pay full restitution to any victims, and comply with any applicable protective or firearm-related orders. Under PC 1001.96, however, a defendant's inability to pay restitution due to financial hardship cannot be used as a basis to deny diversion or to find that the defendant failed to comply with the program. Accordingly, this program creates an opportunity for many people, where a single mistake doesn't have to define their future. It gives individuals a chance to prove they've learned and grown—and to walk away without a conviction haunting their record.

Other Diversion Programs

Depending on the county, additional specialized diversion programs may be available, including Parental Diversion (PC1001.70–1001.75), Child Abuse and Neglect Counseling (PC 1000.12–1000.17), Bad Check Diversion (PC 1001.60–1001.67), and Repeat Theft Offense Diversion (PC 1001.81(a)). Each of these programs is designed to address particular categories of offenses and provides eligible defendants with the opportunity to avoid traditional prosecution by completing targeted treatment, counseling, or educational requirements.

In conclusion, diversion programs embody a forward-thinking justice system—one that prioritizes healing over punishment and recognizes the power of second chances. By addressing the root causes of criminal behavior, diversion benefits not only the defendant, but also the community and the courts—promoting accountability, reducing recidivism, and easing the burden on the justice system.

Mary Shafizadeh, of the Law Office of Maryam Shafizadeh, practices criminal law, family law, and intellectual property. Committed to helping individuals and entrepreneurs navigate new chapters, she provides robust defense in criminal cases, compassionate guidance through family law matters, and strategic support for creative and digital ventures in intellectual property.





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Opening & Closing: The Bookends of Great Trial Presentations

by Amir H. Alavi

"Do you wish to present an opening statement?" The trial begins after months of preparation. Negotiations did not bear fruit, and the only thing left to do is to present our case before a jury. We attorneys do not get to select our facts, our witnesses, or sometimes even our clients. We can, however, choose how to present our case and we can craft stellar bookends for our trial: the opening and closing. Some of my favorite mentors recommend planting the seeds of our theory in jury selection, making a clear and compelling opening that lays it all out, expanding on our theory with the witnesses, and giving a powerful closing that puts a punctuation mark on our theory and ties it all together.

Once jury selection is completed, perhaps the most important part of the trial itself is the opening statement. Several studies estimate that between 75 to 80 percent of jurors make up their minds after opening statements. That means that the opening statement provides us with an opportunity to win over or lose as many as 8 or 9 jurors from the start. This is the time to put the proverbial "best foot forward." Though seemingly obvious, preparation is critical! We want to thoroughly review and know the facts and evidence in our case and to develop our bookends. Some attorneys rely on their skill or experience and "wing it" during opening statements. Nobody is that talented.

Persuasive opening statements are well organized and flow logically in a coherent manner. Creating an outline for what is important because organized thinking leads to persuasive presentations. When possible, please consider using Power Point or other similar visual aid. Photographs or other demonstrative evidence during the opening argument allows the jury to follow the story and make the presentation three-dimensional. A picture is worth a thousand words, and effective use of exhibits makes the opening more compelling, clear, and convincing.

Starting with a theme or phrase that encapsulates your theory of the case can be very effective. For example, as a prosecutor in driving under the influence trials, I would start the opening with the phrase: "Over the limit, under the influence, and behind the wheel." Trilogies can be effective for themes. Any theme, however, may be preferable to starting with "On November 6, of..." A theme with an ideological "hook" stands out and could make the desired impact on jurors. Practicing the presentation before trial is also very helpful. I always practice and time my opening statements so I can figure out what works and what to cut out before presenting to the jury. Sometimes my wife, who is also an attorney, will hear me practice and give feedback. This is like actors rehearsing before a live performance. Friends and family members are potential jurors, and their input will surely improve our opening.

Substantively, while we cannot be "argumentative," how we organize and state our facts and what the evidence will

show can be very persuasive. Discussions of things not done and omissions by the other side and key witnesses can be very helpful. During opening, we may want to discuss seemingly damaging evidence or facts and give an alternative explanation to "take the wind out of the sails." Stylistically, varying tempo, sentence length, and volume make the presentation more effective. Movement can be very helpful if done with a purpose, such as changing where we stand as we go from one witness account to the next. Great presentations make great impressions.

Closing arguments give us an opportunity to end strongly and to put an exclamation point on our case. While we must address the law and "elements," it is important to not abandon the elements of style or get too bogged down in legalese. Ideally, the beginning and ending of our closing will be impactful and moving. Remembering the concepts of primacy and recency, jurors will be most attentive at the beginning and the end of any presentation. Sometimes attorneys spend the beginning thanking the jury and explaining the purpose of a closing argument. This may squander our chance to win them over with an impassioned introduction.

Starting our closing argument with our theme, or a memorable quote accompanied by an image or exhibit may grab the jury's attention. Preparation is indispensable for effective closing arguments. I often have the basic framework of the closing argument and slides prepared before trial. At the end of each day, I will take the most important quotes and testimony and incorporate them into the slides. So, when it is time to present, I am more focused on delivery and arguing what each fact means and how it supports our theory of the case. For example, witness credibility will generally be an issue in every trial. I will have the factors from the jury instructions laid out in my slides. I will then take any impeachments that came out during trial, the witness's mannerisms, inconsistencies, and other important factors and add them to my slides each day.

Sometimes attorneys will summarize the trial at great length during closing arguments. It may be preferable to give a brief and inspired rendition of the facts, but to spend most of our time arguing the significance of a few key points. It is better to make a few solid and convincing conclusions about what the evidence means than to try and summarize most of what came out at trial. If we get to make a rebuttal, one blueprint is to take the other side's argument and turn it against them and end with a critical fact or piece of evidence. In the end, if we construct strong bookends in our opening and closing, we embody the lively art of trial advocacy and improve our chances of a favorable outcome.

Amir H. Alavi is a criminal defense attorney in Riverside County.



2025 Annual RCBA Past Presidents' Dinner

by Robyn Lewis

If you have ever been in the board room in the Riverside County Bar Association or walked down the hallway in its offices on the first floor, you may have noticed the many frames that adorn the walls. Those frames hold the photos of the men and women who have served as presidents of our beloved organization, including the photo of the RCBA's very first president, Alexander Adair.

Every year since 1894, the RCBA has been led by a president. In more recent years, the term of the current president does not reflect just the one year of service during his or her presidency. Each president has spent years serving our legal community by carrying out each position on the executive board, including a two-year term as a director-at-large, secretary, chief financial officer, vice president, and president-elect before assuming the presidency. After that term, the current RCBA president then serves a final year on the executive board as the immediate past president.

The men and women who have devoted their time to serving the RCBA and who have served as its president belong to an illustrious club of attorneys, judges, and justices. Thanks to the efforts of some of our past presidents, that club meets every year to get together for an annual dinner, where those past presidents catch up and celebrate the RCBA and our Riverside legal community.

Justice Jim Ward (retired) can be credited with starting this amazing tradition back in the 1980's. He had served as the RCBA president in 1973. Following that term, he went on to serve in the State Bar, where he explained that "past presidents of local bar associations were often valuable assets because of their knowledge of past activities." Justice Ward commented: "They were the repository of the collective wisdom of their association."

In 1983, legendary attorney Michael Clepper was installed as the RCBA president. At that event, past presidents were invited and almost three dozen past presidents attended. Justice Ward took note. After learning that the Orange County Bar Association had a past presidents' meeting, Justice Ward decided to hold a luncheon, where all the past RCBA presidents were invited in 1989. During that lunch, it was decided that an annual event should take place for the past RCBA presidents to get together, and the idea of an annual dinner was born. To the knowledge of Justice Ward, the past presidents' dinner has been held annually ever since.

For years, Justice Ward organized the annual dinner but later turned that responsibility over to past presidents Sandy Leer Mackey (1991) and Judge Steve Cunnison (retired) (1981). Later, past presidents Diane Roth (1998)



*Back Row – Judge John Vineyard (1999),
Judge Stephen Cunnison (Ret.) (1981)*

*Middle Row – Steve Harmon (1995), Judge Chris Harmon (2012),
Judge Chad Firetag (2014), Diane Roth (1998), Mark Easter (2023-
2024), Harlan Kistler (2010), Commissioner Kelly Moran (2023), Jean-
Simon Serrano (2016), Judge Kira Klatchko (2015),
Judge David Bristow (2006)*

*Front Row – Judge Sophia Choi (2020), Robyn Lewis (2011),
Presiding Judge Jacqueline Jackson, Lori Myers (2022),
Michelle Ouellette (2004)*

and Theresa Savage (2005) also assisted in organizing the event. Each year, it has become a tradition to invite the current RCBA president, who provides a state of the bar address. The current presiding judge of the Riverside Superior Court is also invited to attend and asked to provide the group with comments about the current state of the court.

The most important part of each dinner was simply getting together and catching up. Perhaps the best part of the dinner is listening to all the stories of past presidents, especially those older past presidents. Justice Ward remarked: "Every meeting of our group has been congenial and important to me. The recitation of attendees of their activities during the year has always been interesting and often amusing."

Even during the COVID-19 pandemic, the RCBA past presidents found a way to continue to get together. When Judge Sophia Choi (2020) was the current RCBA president, the event was held at her family home in their backyard. It was a special evening that night as the group paid tribute to the late and legendary Arthur Littleworth, who had served as a past RCBA president in 1971.

The past presidents of the RCBA were later organized into a formal committee by past president Judge Chris Harmon during his presidency in 2012. An idea for what later became New Attorney Academy program, which is co-sponsored by the RCBA, the Riverside Superior Court, and the Inland Empire Chapter of the American Board of Trial Advocates (ABOTA) was initially developed in that committee.



Lori Myers, Judge Sophia Choi, Mark Easter

On April 30, 2025, many of the former Riverside County Bar Association presidents met for dinner for this year's annual Past Presidents' Dinner. Presiding Judge Jacqueline Jackson joined the group to provide a State of the Court address. The group was also thrilled to have current RCBA President Mark Easter in attendance, who provided a State of the Bar address.

Also joining us at the dinner, which she does every year, was Charlene Nelson, our executive director. Each year, Charlene is instrumental in helping to organize this amazing event and she was recognized for her efforts with a presentation of flowers, which were given to her with love by the past presidents.



*Steve Harmon, Judge Chad Firetag,
Presiding Judge Jacqueline Jackson*

As past presidents and continuing members of the Riverside County Bar Association, each of us are committed to ensuring the historical importance of all of the efforts of those who came before us. Judge Sophia Choi and I have been tasked with organizing this wonderful annual event for now, which is a responsibility that we do not take lightly. I am so honored to be part of such an esteemed group and look forward to welcoming future RCBA presidents as they complete their presidencies and join us as a past president.

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



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Changing the World

by Juanita E. Mantz

Sometimes you must work within a broken system. That is my job as a deputy public defender in Riverside, California, one who represents the incompetent to stand trial. My clients are voiceless and powerless. Many of my clients have no family support. I am their one lifeline to justice and often the only source that will advocate for their mental health and cognitive issues. My clients have allegedly committed a wide range of crimes, from misdemeanors, like petty theft and disobeying court orders, to felonies that range from vandalism to attempted murder. The majority of my clients are pre-trial and sentencing, meaning most have not been convicted of anything at all.

Once an attorney declares a doubt as to a client's competence to stand trial, my goal is to lead my clients through a strained and broken system with integrity and grace, treating them as I would wish my own family members to be treated. They deserve that respect. The machinery of the criminal justice system, as well as the civil commitment system that I work within, is a terrifying one and I try and make it less chaotic for my clients.

Although my clients often do not understand what is happening to them, they do know, I hope, that I care desperately for them and for their rights and that I will fight with all of my will for their protection. For the ones with family, I always keep in mind who I represent because I have to do what's in the best legal interest of the individual that I represent, which can conflict with the family's interest.

As the Talking Heads once asked, how did I get here? A big firm civil litigator turned deputy public defender; I took a somewhat unique path. After waitressing my way through Mount San Antonio Junior College and then University of California, Riverside, I was accepted to University of Southern California (USC) Gould School of Law and as a student at the law school, I worked in their USC Post Conviction Justice Project clinic as a student supervisor.

While there, I represented a battered woman who had received a life sentence for watching her abusive husband murder someone. After years of work on her case, which I only did a portion of under the supervision of the clinical professors, our clinic, finally, had her released from Chino State Prison. She had been shackled during her trial in Riverside, which was patently unconstitutional, and the challenges by our office resulted in the court vacating her conviction and granting her eventual release more than a decade after her original conviction. That law school experience taught me how important it was to have a zealous lawyer on a case and how very much the role matters to the most oppressed and powerless in our society.

Despite that experience, I chose big firm life as my first career and ended up in Houston, Texas, at the largest law firm representing Shell Oil. My only excuse is that I had been poor my whole life and wanted out, out of the small Southern California town that I grew up in and out of poverty. What I found, however, was a soul sapping existence representing corporations and within six years, I had decided enough was

enough. I came back to my hometown in the Inland Empire region of Southern California and eventually was hired in Riverside as a deputy public defender, coming full circle.

The day I started as a deputy public defender was like the day I wrote my first story. I knew it was meant to be and that I was meant to do the work.

The nuts and bolts of the incompetency proceedings are this, people can be incompetent to stand trial ("IST") due to mental illness, developmental disabilities, and cognition disorders.

Maybe because I cannot have children, I feel an overwhelming protectiveness toward all of my clients. It is maternal. Plus, as a person who struggled with depression in high school, I always think, but for the grace of a higher power, go all of us.

Mental illness does not know race or privilege. It strikes everywhere, but the poor have less resources and end up in the system. It is so unfair as well as patently discriminatory and traumatic for my clients who end up in cages for years. Many of my clients already carry childhood trauma in addition to being mentally ill, poor, and lacking a support system. My clients languish in the jails in a small cell awaiting treatment which no doubt makes their illness worse. But there is nowhere for them to go and our criminal justice system does not care that they are pretrial and have not been found guilty of anything.

Perhaps, if we had community placements, instead of in custody interment, clients might be able to restore without any hospitalization. Yet, there are few non-custodial community placements for my clients who also cannot afford bail. For some clients, however, we now have IST Diversion which does offer housing and in my opinion, provides the gold standard for IST Diversion programming in the state, but even there, bed space is limited.

Ultimately, if my clients are found incompetent, and not eligible or accepted to IST Diversion, my clients are held in the state hospital, unless the court finds that commitment is not in the interest of justice.¹

¹ Of note, Penal Code section 1370 was thankfully just amended to add an exception to the commitment process, which is when commitment is not "in the interest of justice."

Penal Code section 1370 provides, "Resolution of question of mental competence; procedure after commitment to hospital or other facility; antipsychotic medication; dismissal; conservatorship.

(a)(1)(A) If the defendant is found mentally competent, the criminal process shall resume, the trial on the offense charged or hearing on the alleged violation shall proceed, and judgment may be pronounced.

(B) If the defendant is found mentally incompetent and is not charged with an offense listed in subdivision (d) of Section 1001.36, the trial, the hearing on the alleged violation, or the judgment shall be suspended, and the court shall do all of the following:

(i)(I) Determine whether restoring the person to mental competence is in the interests of justice.

(II) In exercising its discretion pursuant to this clause, the court shall consider the relevant circumstances of the charged offense, including the harm done to the victim, the defendant's mental health condition, including, without limitation, any intellectual or developmental disability, the history of treatment, the criminal history of the defendant, whether the defendant is likely to face incarceration if convicted, whether

When clients do restore, their cases are reinstated (proceedings are suspended during the process) and they can resolve their cases and I often refer them to our sister program, mental health court or mental health diversion. But what people need to understand is this: my clients can be held for two years on a felony (misdemeanors are thankfully no longer committed, but even they do months of incarceration waiting for a finding of incompetency). Thus, my clients often do way more time than they would if they were competent to stand trial and were able to resolve their cases. How is this fair at all (especially when jail is a dangerous place health-wise and safety wise as the mentally ill are at high risk for becoming victims themselves)?

Despite all the hurdles and heartbreaks, it is a gift to do this work. To be able to represent my clientele is a privilege and what I do is very complicated and intense, involving constitutional, civil, and criminal complexities. It has taken me many years to become an expert in this area of the law. I fight forced medication orders because no client deserves to be held down and forced to take medication against their will. If you force them, they will never want to take medication. Further, many of the psychotropic medications have severe side effects that can damage kidneys and nervous systems. Medications are highly beneficial to most of my clientele, but everyone should have body autonomy.

the defendant has previously been found incompetent to stand trial, whether restoring the person to mental competence will enhance public safety, and any other relevant considerations. The court shall provide the defense and prosecution an opportunity to be heard on whether restoration is in the interests of justice."

Things will only change when you lead with empathy. This essay does not focus on the racial and economic component but suffice to say, most of my incarcerated clients are indigent black and/or brown and/or poor white folk. Some were in the foster care system or abandoned by their families for being mentally ill or developmentally disabled, and many of my client's own parents were incarcerated and/or have mental illness. My clients are most often the recipients of generations of trauma.

Lately, I have learned and vowed to trust my voice, to say the hard things that need to be said. That is the only way any of this will ever change. Change is the only thing that will help my clients. Real change will probably only come with a global and generational shift in thinking. True change will also only come when society sees my clients the way I see them, as people to be saved, rather than incarcerated and imprisoned.

For as the late, great David Bowie once said, "These children that you spit on, as they try and change their worlds, are immune to your consultations, they're quite aware what they are going through."

Juanita E. Mantz has been a Riverside County deputy public defender for over 16 years and practices in incompetency under PC Section 1368. She has two award winning books, Portrait of a Deputy Public Defender or How I became a Punk Rock Lawyer (Bamboo Dart Press, 2021) and Tales of an Inland Empire Girl (Los Nietos Press, 2022). This essay is a shorter, updated version of an essay in her book that was previously published in the Riverside Lawyer.



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2025 RCBA Reading Day at Woodcrest Elementary School

by Jacqueline Carey-Wilson

On April 24, members of the RCBA participated in reading to students from transitional kindergarten to sixth grade at Woodcrest Elementary School in Riverside. We initially gathered in the school's library/media room, where we were warmly greeted by Principal Eric Fladland and Library Media Assistant Darlene Gonzalez, and provided Starbucks coffee and donuts.

Following introductions and instructions, the attorneys were assigned one or two classrooms where we could read either our favorite children's book or a book chosen by the students and then talk a little about the legal profession.

I was assigned to read in third and fourth grade classes. I chose to read a book entitled, *I Wish You Happiness*, by Michael Wong and illustrated by Ann Baratashvili. This is an inspirational book to empower the students to be the best they can be in life. The students were joyful, bright, and inquisitive during the discussion of the legal profession and their future careers, which ranged from being a teacher to playing on a professional soccer team. They will go far in this world whatever path they choose.

Following reading to the students in the classrooms, RCBA President Mark Easter and I presented a check for \$1,000.00 to Principal Fladland. Principal Fladland, along with the students, faculty, and staff at Woodcrest Elementary were excited for the visit and appreciated all who volunteered their time to read and/or who donated books/funds for the school's library. Woodcrest Elementary needs volunteer readers, so please contact the school if you have time to donate. The following are comments from the other volunteer readers:

Nancy Tetreault — *I most definitely will do it again.*

I read a silly book to third and fifth graders chosen by the school staff. It was a sheer delight and left me with a warm feeling. The students particularly liked laughing at the goofy jokes in the book. After the reading, the fifth graders asked many questions about being an attorney.

Orquidea Wilcox — *It was a true joy to be in a classroom full of second grade students!*

I chose a book entitled *The Carrot Seed* by Ruth Krauss, written in 1945, but with timeless lessons applicable for all ages! This short story teaches about determination, patience, hard work, optimism, positive thinking, ignoring discouraging comments (even from people who mean well), perseverance and many other lessons! Students were able to discover these lessons on their own!

Then, I answered questions about my job representing unaccompanied minors in immigration proceedings. I showed them on a map where my clients came from and I



Mark Easter, Principal Eric Fladland, Jacqueline Carey-Wilson



Commissioner Nick Firetag



Megan Demshki



Jeremy Roark

shared their circumstances in their home countries, like not being able to go to school, having to work as young as first graders, and not having enough clothing or even enough food to eat.

I find that children that know more about other children's circumstances in the world learn to be more understanding and empathetic. And in turn, they become kinder to fellow humans.

I would definitely participate again in Reading Day!

Monica Bullock — *I had such a good time reading to 6th and 1st grade classrooms.*

Thank you for organizing this event! It was especially fun seeing the shocked expression on my youngest daughter, Cosette's face when I entered her sixth-grade classroom to read! "Cosi" in fact gets her name from a character in one of my favorite books — *Les Misérables* by Victor Hugo. With the sixth graders, I read the first chapter in one of the books I loved as a child — *Harriet the Spy* by Louise Fitzhugh. I encouraged them to continue reading the book and then watch the 1996 movie — I know kids are often more motivated to read a book when they can watch a movie based on the book after.

For the first graders, I read the book *If You Give a Pig a Pancake* by Laurie Numeroff, because I thought it would be fun for younger kids and keep their attention. The funniest comment I received from one of the students was, "If someone said this book sucked, that would be rude, right?" Hahaha, maybe my selection was not a hit with everyone. With both classes, I talked about the tremendous impact being an avid reader has had in my life, what a privilege it is to be able to take a journey anywhere for free just by opening a book, and how I credit reading as the primary factor in my academic and later career success despite changing schools 14 times growing up.

As an only child and always the new kid in school, books were one constant, a consistent source of joy, and a window to the stable and prosperous future I dreamed of and eventually created. While my daughter may have cringed to hear mom preaching a message that she and her seven older siblings have heard countless times growing up, I hope I helped inspire the kids to read more and planted some seeds which may flourish into a similar passion for reading! I also enjoyed answering the kids' questions on what it is like to work as a lawyer. I hope I piqued their interest in a possible future career in law!

Brandy Tristao — *The children, staff, administrators, and teachers were all grateful to have us at the school for their Reading Day.*

This is my second year participating in the RCBA Reading Day and if there is one event that I would recommend volunteering your time; this would be it! I am very impressed with this new generation as they ask many questions and were more informed about attorneys and judges than I initially thought they would be for their age. I appreciated the many questions that the children asked even when I visited the Pre-K classroom. I decided to read a book about Taylor Swift to the students because I am a Swiftie and many of the students love hearing about her. Her story is very relatable and taught the children about having their own voice. I cannot wait for the next RCBA Reading Day!

Jeremy Roark — *In just a few pages of a book, I found a deeper connection to my profession and a renewed sense of purpose.*

Let's be honest—I was slightly more nervous reading to a room full of kids than delivering an opening statement, cross-examining a witness, or arguing in court. My first goal as a guest reader? Do not get booed out of the classroom or accidentally put anyone to sleep. My second goal was to spark curiosity and maybe even a little inspiration. Based on the laughs, questions, and post-story chatter, I'm proud to say I accomplished both... and made it out without a single crayon thrown at me.

Having an attorney read a children's book to elementary students may seem like a small gesture, but it holds deep meaning—for both the students and the attorney. The legal profession is often seen as this complex, intimidating place, full of big words and even bigger suits. So, when someone from that world walks into a classroom to read a simple story, it's like building a bridge between 'Lawyer Land' and the world of recess and snack time. It shows the kids that lawyers are not just characters in stiff suits who show up in courtroom dramas. In my case, I was just another parent—wearing funny socks, laughing at the same jokes they did. I hope the presence of the RCBA at their school plants the idea that they, too, could grow up to be a lawyer, judge, or advocate. I never had that kind of exposure as a child—no one in my family or circle worked in the legal field. I know many kids are in the same situation, and I hope that this small moment of connection helped make the legal world feel a little more accessible and familiar.

On a personal level, reading to the children reminded me why I became an attorney in the first place: to help others, make a difference, and—on really good days—make third and fourth graders laugh uncontrollably. My favorite part was that the book I read was hand-picked by my 10-year-old son, who assured me it was "hilarious." He wasn't wrong. His choice led to some quality father-son debates about the best questions to ask and commentary to provide to HIS peers. My son taught me how to ask good questions and I enjoyed using these newly taught "courtroom" skills at story time.

Megan Demshki — *RCBA Reading Day at Woodcrest Elementary School was a heartwarming and inspiring way to spend a morning.*

The school administrators and teachers were gracious and welcoming. I had the opportunity to read to first graders, and I was so impressed with their good manners. Woodcrest Elementary is in need of volunteer readers to work with students—consider spending a few hours with them a month to help ignite a lifelong love of reading!

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



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Opposing Counsel: Darryl Exum

by Lori Myers

A Life in Service of Defense & Justice

In every courtroom, there are moments when the stakes are impossibly high – where a person's life, freedom, and future hang in the balance. It is in these moments that the presence of a principled, prepared, and courageous advocate can alter the course of a life. For more than 30 years, Darryl Exum has been that advocate.

A fixture in the Riverside County legal community, Mr. Exum has spent his career standing between the power of the government and the individuals it prosecutes. Mr. Exum defends the Constitution by defending the accused, ensuring due process and forcing the state to meet its burden. In doing so, he protects not only his clients, but the integrity of the entire justice system.

After graduating with a Bachelor of Science in Chemistry he went on to graduate from University of San Diego School of Law. Mr. Exum quickly rose through the ranks of the criminal defense bar. He has handled some of the region's most complex criminal cases – from high profile death penalty trials, gang-related homicides, to multi-defendant narcotics prosecutions, and serious sex offenses. His tactical precision, emotional intelligence, legal knowledge has earned him respect in front of juries and a reputation as one of the most formidable defense attorneys in the Inland Empire.

His ability to distill complexity, connect with juries, and honor the human dignity of his clients have made him a force in the courtroom. But, Mr. Exum's impact extends far beyond trial victories. His work has shaped the landscape of criminal defense in Riverside County and inspired a generation of attorneys to practice law with both skill and conscience.

In May of 2025, the Riverside County Bar Association Barristers honored Mr. Exum as Attorney of the Year, a recognition of his decades of service, mentorship, and excellence in the courtroom. It was not his first accolade, nor will it be his last. In 2015, he was named Lawyer of the Year by the Richard T. Fields Bar Association, celebrating his leadership in promoting justice and equity.

These honors reflect what those closest to him already know: Darryl Exum does not pursue recognition – he earns it. His practice is client-centered and justice-driven. His victories are hard fought, and his preparation is tireless. He does not take shortcuts. He does not back down.

Mr. Exum's commitment to excellence is reflected in his certification as a Criminal Law Specialist by the State Bar of California Board of Legal Specialization – one of the most rigorous credentials in the profession – solidifying his status as an expert in the field of criminal defense. But, even with decades of experience, Mr. Exum remains a student of the craft.



Darryl Exum

His pursuit of continued growth led him to the Gerry Spence Trial Lawyers College, where he completed an intensive, immersive program designed to sharpen trial attorneys' skills in authentic storytelling and client advocacy. That experience deepened not only his strategic approach to trial work, but his emotional connection to the work of defense lawyering. He has since returned the favor by becoming a faculty member at the National Criminal Defense College in Macon, Georgia, where he trains attorneys from across the country in trial techniques and the art of effective courtroom communication.

His impact on the legal profession is further amplified by his work as a sought-after lecturer, frequently presenting to public Defender offices and legal associations throughout California and the Warrior Attorney Academy. Mr. Exum does not hoard his knowledge – he shares it freely, lifting the next generation of defenders, so that justice does not rest on any one person's shoulders, but becomes a collective obligation.

Even as he reaches the peak of his professional influence, Mr. Exum remains grounded. He is a loving son, father, friend, and mentor. His colleagues describe him as humble, principled and a true warrior of justice. He is loyal to his clients, his family, and friends, along with the ideals of due process. He does not perform for headlines; he suits up and shows up for the sake of justice.

When asked about his proudest accomplishments, Mr. Exum is likely to point not to an award or accolade, but to moments; such as – the tears of a client walking free after facing a life sentence, the gratitude of a family who felt seen and heard in the darkest chapter of their lives, or the quiet sense of satisfaction knowing that he gave everything he had to defend someone society was ready to discard.

For those who practice beside him, Darryl Exum represents the very best of the legal profession. He is a technician in trial, a tactician in strategy, and truth teller in argument. As Riverside County and the legal profession continue to evolve, one constant remains; the presence of Darryl Exum – a man whose career is not simply a resume, but a legacy. One built not just in wins but in the lives changed, the standards raised, and the message reinforced with every closing argument and that criminal defense work, at its best, is the soul of the Constitution in action.

Lori Myers is a local private criminal defense attorney, founder of the Warrior Attorney Academy®, and a past president of the RCBA.

Photo by Michael J. Elderman.



In Memoriam – Hon. Dallas S. Holmes

by John E. Brown

Dallas Scott Holmes was born in Monterey Park, California on December 2, 1940. Throughout his long life, he displayed love and affection for California, as well as a deep connection to its natural landscape. His parents, Donald C. and Hazel Holmes, moved to Riverside in 1942. During his eight decades of life, Dallas embraced Riverside as a native son and made outstanding contributions to the city's legal and judicial professions, along with civic and community activities. Additionally, Dallas played a pivotal role in growing the municipal and public law practices of his Riverside law firm, Best Best & Krieger, and his strong efforts to preserve and protect Riverside's citrus heritage.

When his family moved to Valencia Street in Riverside in 1942, Riverside's citrus industry was already transitioning to residential and commercial development. Nearby a matriarch of Corona's and Jameson's lemon and orange growing family continued the cultivation of orange and walnut groves. Dallas remembered playing in those groves and when groves were removed in coming years to make way for more housing, he was left with a lifelong sense of the need to preserve and protect the character and history of Riverside's citrus production.

Dallas attended public elementary and middle schools in Riverside and Poly High School. Being the chief yell leader at Poly undoubtedly encouraged his interest in sports and might account for his volunteer stint as a driver during the 1984 Olympic Games in Los Angeles. He was also student body president at Poly and graduated with high honors. He majored in government at Pomona College and was proud that he and three fellow students, who became known as the "fabulous foursome," appeared on General Electric's televised college bowl televised quiz program from New York City. That team, which was captained by Dallas, retired as five-time champions. Dallas graduated Phi Beta Kappa in 1962, was awarded the British Government's Marshall Scholarship, and then attended the London School of Economics. He graduated with a master's degree in economics. Having made several lifelong friends in England, he was a frequent traveler to England, among other places in the world.

Dallas was my mentor, friend, and colleague at Best Best & Krieger. Many of his friends and I feel that his subsequent marriage to Patricia McMichael in 1965, a fellow Pomona College student, was one of the best things that ever happened to Dallas. Their sons, Mark and Toby, recall that his courtship began at Pomona, continued while he was in England and they remember their mother affectionately saying he "wore me down." They were married in 1965. During



Hon. Dallas S. Holmes

the family's many years of residence at the historic Estudillo (1911) house on Sixth Street, Pat is remembered for her intellect, hospitality, culinary skills, sense of humor, and hospitality. Those qualities served her well in her lifelong marriage to Dallas. Dallas and Pat welcomed many into their home, frequently hosting large firm parties and events, including Christmas celebrations and an annual chili cheesecake festival and bakeoff.

After attending the University of California Berkeley's School of Law and graduating Order of the Coif in 1967, Dallas joined the law firm of Best Best & Krieger. He took a brief leave of absence in 1969, moved to Sacramento and served as executive assistant to the Majority Floor Leader of the California State Assembly. That relatively short stint in State Government convinced him of the importance of counties, cities, school districts, and special districts staying abreast of State legislation. He devised and supervised for many years an elaborate law firm project to track State legislation to keep those clients updated as to impactful legislation. Dallas was the keeper of that "bill watching" service and he was a master in every sense of the word of "how a bill becomes a law." As the California Environmental Quality Act (1970) was adopted followed by the Political Reform Act (1974), Proposition 13 (1978), accompanied by the resurgence of redevelopment projects throughout the State, he expanded the effort and enabled dozens of younger lawyers to pursue specialties in those areas. Walking into his office those days was like visiting a legislative alchemist in a scene out of *Harry Potter*. Pending legislative bill sheets in huge stacks were everywhere. The firm continues those efforts to provide legislative updates throughout the year.

After Dallas and Pat returned to Riverside, Dallas ran for and lost a race for a State Assembly seat in Riverside and at Pat's urging, never considered running for elective office again. Dallas became a partner of Best Best & Krieger in 1974. His interest in politics never waned and he was quite active in local, state, and national politics. He was a delegate to a national presidential convention and a not infrequent advisor to governors, district attorneys, and locally elected officials.

Beginning in the late 1930s, Raymond Best and his son, Gene Best (Best & Best), broadened the firm's efforts to establish a statewide public law practice. John Gabbert, Jim Krieger and Art Littleworth all joined the firm subsequently and by the 1950s, the firm represented a variety of special districts and public utility companies throughout California. Dozens of other lawyers advanced those practice specialties, and other practice areas, into the 1950s, 1960s and

1970s. Jim Krieger and Art Littleworth became pre-eminent California water lawyers while Krieger began to develop a national natural resources legal practice.

Krieger envisioned a time when professionals, like lawyers, might practice all over the world free of traditional geographic limitations and based upon specialized practice areas. By the time Jim Krieger died in a tragic plane crash in 1975, the firm was at a crossroads and Dallas was at the center of an ambitious effort to expand the firm's public law and water law practices, in addition to more traditional practice areas. He knew that the firm, many decades earlier, had years of experience as contract city attorneys and Dallas had his eyes on growing the firm's municipal law practice by providing a full range of city attorney services within Best Best & Krieger. Gene Best, after all, as part of the small law firm of Best and Best, had been the contract city attorney for Elsinore since 1927, and Art Littleworth had taken over that position in 1954. Gene also served as the city attorney for Riverside from 1929 to 1941. Dallas believed it was time to dust off that business model. He did not waste any time.

In 1976, Dallas applied to be the contract city attorney of Corona (1976-1996) and soon succeeded that city's attorney, Robert Timlin, who had been appointed a Superior Court judge. Dallas also became city attorney of the nearby cities of Banning (1979-1989) and Redlands (1981-1992). During those years Dallas was the chief architect of the firm's efforts to expand its municipal law practice and served as the chair of the firm's public law department for a decade. He mentored and trained attorneys in the firm to be city attorneys throughout the State. With the help of Art Littleworth and Dallas, I became the city attorney for Desert Hot Springs in 1976. This position gave me the experience I needed to fill in for Dallas in Corona, Redlands, or Banning when he and Pat roamed the world.

During his years as a city attorney and leader of the firm's public law practice, Dallas echoed again and again the commitments of the Bests, Jim Krieger and Art Littleworth, as well as many of our other colleagues, to professional and community service. They all emphasized the importance of giving back to communities in which our lawyers earned their livings. He also served as president of the University of California Riverside's Citizen University Committee and as an Adjunct Professor of Law at Hastings College of the Law and at the University of California at Riverside's Graduate School of Management. He was president of the Riverside County Bar Association as well as a member of the California State Bar Board of Governors, including vice president of the State Bar.

Dallas set the bar for community service high in 1978-79, when he returned to electoral politics, this time as principal draftsman of a City of Riverside initiative, Proposition R. He agreed to be the draftsman and scrivener at the request of a local citrus grower along Victoria Avenue, George Buster. A prior initiative effort to slow growth had been complicated and not easily understood and failed. George and his committee wanted to mount another effort to amend the Charter of the City of Riverside to preserve and protect many of the remain-

ing citrus groves and agricultural areas along Victoria Avenue and in Arlington Heights through land use regulations. During a later oral history interview by the University of California, Riverside, Dallas told the interviewer that he hoped that for many years, parts of Riverside might come bear at least some resemblance to the time when Riverside was one of the citrus growing capitals of the world.

Dallas scoffed at the idea of a few citrus trees preserved, as if in a natural history museum, and with the help of the committee and local attorney, Joe Aklufi, Proposition R was drafted and approved by the voters of Riverside. The State Historic Citrus Park and the surrounding agricultural uses capture vividly that historic period in the city's history. The 248-acre California Citrus State Historic Park in Riverside is an open-air museum and the crown jewel in the effort to preserve the historic cultural landscape of the citrus industry.

Dallas was a lawyer of tremendous intellect. He suffered those who differed with him legally not lightly. His education and training and his familiarity with politics and the exercise of power made him one of the most effective city attorneys in California. He was a mentor to me and a colleague of mine at Best Best & Krieger for more than a quarter of a century, and a friend for half a century. For many of us, those roles are not always compatible when interacting with others. That was certainly the case with Dallas. He was a very private person and oftentimes expressed his quick wit in a somewhat caustic fashion. To me and many of my colleagues at Best Best & Krieger, he could remind us of the imperious and sometimes sarcastic fictional Harvard Law Professor, Charles Kingsfield, played by John Houseman in the movie, *The Paper Chase*. When I became a partner at Best Best & Krieger in 1981, Dallas affectionately routed me an associate request legal research form used by the firm and reminded me that I had not completed a final legal research assignment from him. I frequently reminded myself that was "Dallas Holmes being Dallas."

Dallas left Best Best & Krieger in 1996 after nearly three decades when he was appointed a judge to the Riverside Superior Court. He served in many capacities, trying mostly civil cases and served for years on special assignment for the chief justice. As Dallas' friend, I prefer to remember him both as an imposing and elegantly dressed city attorney and an appropriately robed judge, but most importantly I remember him in his retirement once more volunteering as a docent ranger at Citrus State Historic Park. Dallas was of course an imposing ranger undoubtedly more serious and a bit more gruff than Smokey the Bear, but in his ranger hat and uniform I suspect that Fred Rogers would have been happy to welcome Dallas to Mr. Rogers' "neighborhood of Make Believe" to tell a little bit more about citrus cultivation. We owe you Ranger Holmes and our own ranger hats are off to you!

John E. Brown is a Partner Emeritus at Best Best & Krieger.



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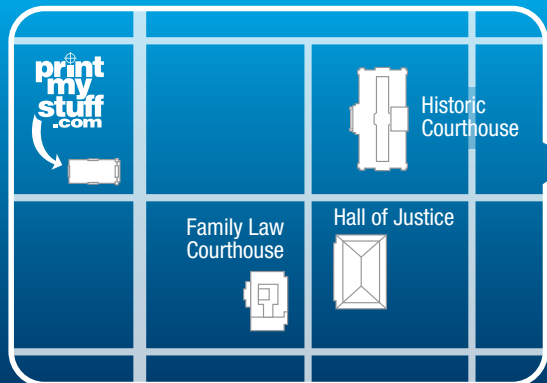
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Conference Rooms Available - RCBA Building

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@riversidecountybar.com.



MEMBERSHIP

The following persons have applied for membership in the Riverside County Bar Association. If there are no objections, they will become members effective June 30, 2025.

Doug A. Ecks – Law Office of Doug Ecks, Fullerton
Sergio Hernandez – Smith Law Offices, Riverside
E. Steve Najera – Najera Law Group, Riverside
Erika M. Perez – Law Student, Moreno Valley
Julie Saudners (A) – Our Family Wizard, Long Beach
Manish B. Soni – Law Office of Manish Soni, Corona
Reuben Urbina – Law Student, Burbank
Xasha J. Valderrama – Riverside County Superior Court, Riverside

(A) – Designates Affiliate Member



Don Cripe



Susan Exon



Tom Watts



Chas Schoemaker



Soheila Azizi



Luis Lopez

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CALENDAR

JUNE

9 Roundtable with Judge Hopp
12:15, Zoom
MCLE

10 Civil Litigation Section Meeting
Noon, Zoom
Speaker: Elijah Underwood
Topic: "The Partition of Real Property Act"
MCLE

13 General Membership Meeting
Noon, Zoom
Speaker: Judge Mark Juhas, Los Angeles Superior Court
Topic: "Let's get along: Civility in the Practice of Law"
MCLE: 1 hour Civility

17 Family Law Section Meeting
Noon, RCBA Gabbert Gallery

18 Estate Planning, Probate & Elder Law Section
Noon, RCBA Gabbert Gallery
Speaker: Mark McGuire
Topic: "Cross Over Issues Between Trust Administration and Conservatorships"
MCLE

Events Subject To Change

For the latest calendar information please visit the RCBA's website at riversidecountybar.com

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 6th day of the month preceding publications (e.g., October 6 for the November issue). Articles are due no later than 45 days preceding publication. All articles are subject to editing. RCBA members receive a subscription automatically. Annual subscriptions are \$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.

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

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, Reading Day and other special activities, Continuing Legal Education brown bag lunches and section workshops. RCBA is a certified provider for MCLE programs.



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