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RIVERSIDE LAWYER

MAGAZINE

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PRESIDENT'S Message

by Megan G. Demshki



Simply Show Up

As September 1 draws near and the RCBA Board prepares to transition, I can't help but feel the weight of the responsibility of presidency. Some may not be aware that the Riverside County Bar Association was created in 1894 to encourage social interaction between the bench and bar.

Since that time, the RCBA's mission has broadened but a core commitment has remained the same: relationships matter in the practice of law.

In my time on the RCBA Board, beginning as Barristers president in 2018 and as a director-at-large in 2019, most of my time on the board has been in the COVID-19 and post-COVID eras. Navigating uncertainties for our organization and our members became our primary focus as we also endeavored to maintain relevance and lessen the many challenges facing the legal community throughout this time.

The once bustling RCBA Bar building and Gabbert Gallery were quiet as we transitioned to virtual programs. As COVID restrictions lessened, we worked to find balance for our members' preferences in an increasingly "hybrid" world.

While the days of social distancing and mask mandates seem (thankfully) behind us, COVID-era impacts persist. As it applies to the RCBA, a paramount concern remains: How do we encourage the legal community to continue to show up to foster relationships and preserve a vibrant and engaged legal community that values dignity and honor?

While virtual programs offer high quality educational opportunities for MCLE, virtual programs fall short in strengthening personal connection, engagement, and relationships.

Since I was sworn in as an attorney in December 2015, the Riverside legal community has taught me invaluable lessons about the importance and value of relationships in the practice of law. As I enter my year as president, I hope we can increase our membership's involvement as we continue to cultivate relationships and build new friendships.

For me, the RCBA has always been about the people, the friendships and the good we can bring to the community.

When I think of the RCBA's over 131-year history, I reflect on the many historical challenges this organization has faced and how we have endured. I feel confident that the challenges of this time will be just a footnote in our history. But it requires that we show up.

As our organization looks ahead, I challenge you to show up—whether that be at a general membership meeting, a volunteer event, mentorship, or another one of our meaningful programs. The success and future of our organization depends on the participation of our members. By showing up you help stimulate an interconnected legal community, fulfilling one of the RCBA's primary purposes: to maintain the honor and dignity of the legal profession. We need you to help continue the RCBA's legacy and ensure that our tightknit legal community remains a place of collegiality, professionalism, and integrity.

Thank you, Mark!

Mark Easter has faithfully led the RCBA as president since September 2023, and we are so appreciative of his leadership. His nearly two-year presidency came with significant health challenges beginning in the summer of 2024. Many would have stepped down from this type of commitment while facing such adversity, but Mark remained at the helm. Mark ran meetings from hospital beds and throughout his recovery, steadfast in his commitment to this organization. Mark has been an inspiration to me, and I value his mentorship. Thank you Mark for your ongoing leadership!

Welcome Our Incoming Board

On September 11, 2025, the incoming RCBA Board of Directors will be sworn in to serve our organization. The incoming board includes:

President-Elect: Elisabeth Lord Vice President: Goushia Farook Chief Financial Officer: Lauren Vogt

Secretary: Chris Jensen

Directors-at-Large: Erica Alfaro, Alejandro Barraza, Summer DeVore,

and Chris Johnson Past President: Mark Easter

Barristers President: Sharon Ramirez

I am eager to serve alongside these individuals who are so deeply committed to the RCBA.

Please Reach Out

I would love to hear from you! If you have any feedback or see an opportunity to grow the RCBA programming, please do not hesitate to reach out. I'm also happy to introduce you to new colleagues at any of our events. My email is megan@aitkenlaw.com and my phone number is (951) 534-4006. We look forward to a year full of engagement with the RCBA.

Megan G. Demshki is the president of the RCBA and a partner at Aitken Aitken Cohn.





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BARRISTERSPresident's Message

by Sharon P. Ramirez



Thank you to RCBA and the Barristers

Hello RCBA! It is a true honor and privilege to serve as president for the Barristers 2025-2026 term and have the opportunity to build upon the foundations of this organization that were laid down by the presidents and board members that came before us.

I was first introduced to the Barristers through the New Attorney Academy. I had graduated from law school and sat for the July 2021 bar exam. As I awaited the results, my brother, Kenny Ramirez, looked through the *Riverside Lawyer* magazine and saw that applications were open for the 2021-2022 New Attorney Academy, and encouraged me to apply. I am so glad that I listened to him.

Although I was nervous and felt that I did not belong because I was not officially an attorney yet, once I stepped into the first New Attorney Academy session, I realized that the Riverside legal community was very special. There is a spirit of generosity, encouragement, and willingness to help and support one another that makes this legal community different from so many others. The nerves went away, and I was eager to connect with colleagues and learn from so many accomplished attorneys and judges who, despite their busy and demanding schedules, made the time to pass on their knowledge and wisdom to the next generation of young attorneys. This is something that has stuck with me, and it is also how I want to live my life: as someone who will pay it forward and lift up others.

After graduating from the New Attorney Academy, I had the opportunity to run for the Barristers board as a member-at-large. I am now in my fourth year as a member of the Barristers Board, and it has been an unforget-table ride. I have grown as a professional while making friends and connections that I would not have made had it not been for this special group. Barristers truly provides a safe and open space for young attorneys from every background.

As a first-generation attorney, Barristers is the exact kind of group that not only welcomes you but actively lifts you up — offering mentorship, camaraderie, and opportunities to grow both personally and professionally. It's a place where you feel seen, supported, and empowered to give back to the legal community.

I look forward to all that our board will accomplish in this upcoming term, as we work to make a meaningful impact on our members and the Riverside community.

Thank you to the RCBA and to the Barristers! I am truly grateful.

Why Barristers Exists

Barristers exists to promote collegiality, friendship, and professionalism among all members while maintaining the honor, dignity, and professionalism of the legal profession. In short, Barristers is here to help young attorneys grow. We provide opportunities for our members to connect with one another through social events, CLEs, and giving back through community events. The Barristers is a truly special community!

Your 2025-2026 Barristers Board

I am thrilled to introduce this year's board and am looking forward work alongside incredible young professionals and all-around great people.

Immediate Past President: Summer M. DeVore

President-Elect: Nolan B. Kistler Treasurer: Kevin E. Collins

Secretary: Henry Andriano

Members-at-Large:

Derek Diemer Faran Imani

Amanda K. Perez

Sara Truitt

Elia Vazquez

Thank you to outgoing Barristers President Summer DeVore!

Thank you to Summer for leading the Barristers this past term. It was inspiring to see you handle your work, tasks, obligations, and commitments with grace. You were always open to new ideas and ways to bring value to our members while still maintaining and building community. I am grateful that you will remain with us through this upcoming term and that I will be able to look to you for guidance.

Join the Barristers Family

We have some wonderful ideas and plans for this year, and we hope to have you join us! We will be continuing our Barristers traditions, including our monthly happy hours (with some new locations) and gift-wrapping for the RCBA Elves Program. We will also be exploring some

new social events, such as puppy yoga and group golf lessons. Other Barrister events that have become staples is our annual Disneyland trip and Rubidoux hike. We also look forward to bringing to you educational CLEs that will be of value to you in your career. In addition, we look forward to having our 7th Annual Judicial Reception in May 2026, where we honor and celebrate the commitment of our local bench to the administration of justice, as well as an attorney who has made a positive impact to our Barristers community.

Wherever you are in your young, professional journey, we hope you see Barristers as a community and a space where you can learn, grow, connect, and have fun!

Stay up to date on everything Barristers!

For upcoming events and updates: Website: https://rcbabarristers.wix-

site.com/rcba-barristers Facebook: RCBA Barristers Instagram: @rcbabarristers

If you're interested in learning more about Barristers or you would like to attend one of our events, I am more than happy to connect with you and introduce you to our amazing members. Feel free to email me at sramirez@ ramirezlaw.com or text or call at (909) 702-0058.

Sharon P. Ramirez is an attorney with Kenny Ramirez Law Firm located in San Bernardino, where she practices catastrophic personal injury. Sharon can be reached at sramirez@ramirezlaw.com

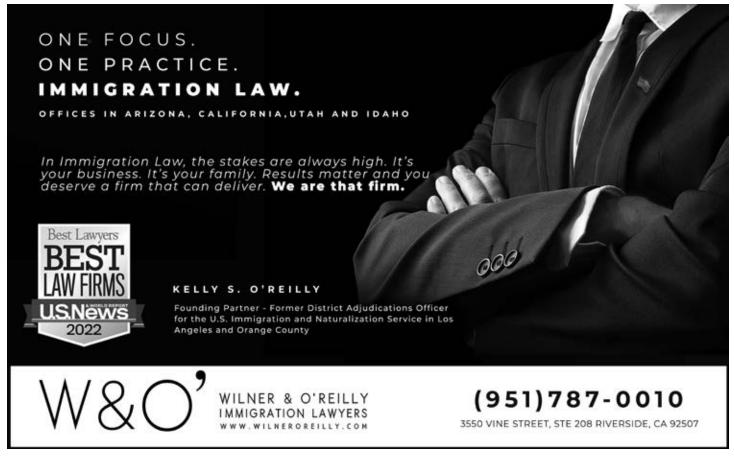


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A Different Set of Laws

by Gabriel White

In an issue of a legal magazine devoted to the dual topics of wellness and civility, I could hardly refrain from writing about refereeing youth soccer. Let me explain why.

I grew up playing soccer in the American Youth Soccer Organization (AYSO) and later on my high school team, but before my son decided he wanted to try the game out a few years ago, I had never considered becoming a referee. It turns out, AYSO is an all-volunteer organization, and to encourage volunteerism, sometimes they introduce incentives. For example, they might tell a team's parents that the kids won't get uniforms until someone puts their hand up and agrees to volunteer to train up as a referee, no prior experience required. For my son's first team, with some reluctance, I agreed to take the hit.

It turns out that was one of the better decisions I have ever made. Since that first team of littles, chasing around in a bunch after the ball in their snappy new orange uniforms, my kid has fallen in love with soccer, and he now is a powerhouse defender on a talented, competitive team that is part of AYSO's national club program, AYSO United. Moreover, several hundred matches later, I've fallen in love with refereeing.

It probably is not a coincidence that some of the best soccer referees I know are lawyers. When I am refereeing, I get to play several different roles from the legal system at one time: judge, jury, eyewitness, clerk, and court reporter. Occasionally even bailiff. The laws of the game are a lot more straightforward than state or federal laws, but they provide analogous challenges of interpretation and application. For example, contrary to the opinion of any number of soccer parents, and even coaches, who have never read the laws of the game, not every time a ball hits a hand is a handball offense, and it can be a tricky analysis. Similarly, was the contact that just happened between two kids just part of the game-soccer is a contact sport!-or was it a foul? If yes, was it a careless or a reckless offense? Did the offender stop a promising attack, or was it a denial of an obvious goal scoring opportunity? These are, in essence, legal questions, just arising from a different set of laws than in our day jobs.

The wellness aspects of refereeing are multifold. The physical part is obvious: particularly when you start refereeing for older teens, there can be quite a lot of running. I've covered as much as five miles as referee for an under-19 game. And even with the smaller kids on smaller fields, you are out in the fresh air walking and jogging around for an hour. For those of us who spend far too much time at a computer during the workday, finding some sort of physical activity is crucial. And refereeing soccer is a lot more fun than running on a treadmill.

Having some sort of mental challenge outside of work is also an important part of wellness. Ken Aston, the referee who invented the now-ubiquitous yellow and red cards used by referees to clarify to players and spectators that a player has been cautioned or sent off, famously said "Refereeing is

thinking." Knowledge of the laws of the game is the starting point, but then you then have to apply those laws to what you see, all the while anticipating what is likely to happen next so you can move on to see that next play from the proper angle. For me, refereeing is mental exercise, as much as physical exercise.

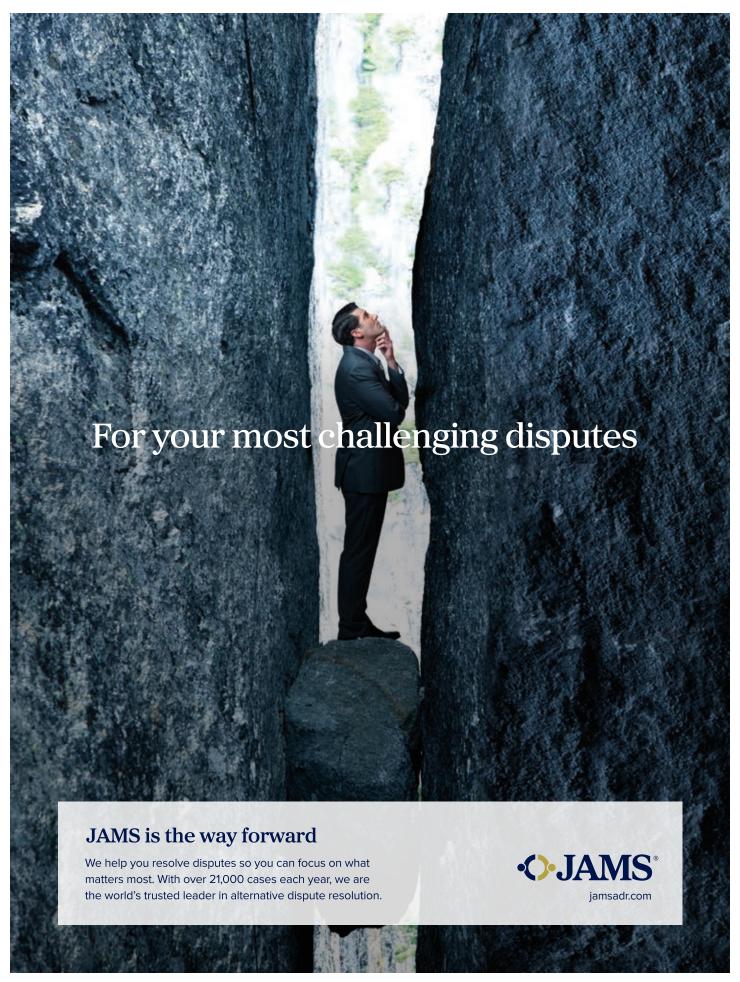
Arguably the most important wellness aspect of refereeing for me, though, might be called spiritual. In a universal and non-religious sense, it is just good for the soul to be of service to others. As a referee, I get to facilitate safe and fair soccer for dozens or even hundreds of kids every weekend during the season. The joy they have in the beautiful game brings me joy.

Of course, not every aspect of refereeing is necessarily a joy, which brings me to the civility portion of this article. The laws of the game say the decisions of the referee and other match officials "must always be respected." As any soccer parent probably has seen, a small but loud minority of the parents, coaches, and even (much less often) the players have not internalized that law. Remaining calm and professional in the face of people who are losing their minds, and redirecting the proceedings back onto an appropriate track, is not my favorite part of refereeing. It is, however, among the most gratifying. You can see the kids exhale and relax when they realize the adults are not going to be allowed to derail their game. Once, a teenager thanked me for requiring his dad to leave the sideline; he was sick of being yelled at, too.

A tremendous amount of energy is being exerted in all levels of youth soccer, and even professional soccer, trying to inculcate a new culture of civility towards the referees. Specific policies, establishing clear rules and a matrix of penalties for abusive behavior toward referees, such as U.S. Soccer's Referee Abuse Prevention policy, are positive developments. Of course, preventing abuse is not quite the same thing as requiring an affirmatively civil and supportive attitude toward referees, particularly volunteer and youth referees. But the first step on a journey is still a necessary and important one.

My son's team no longer needs volunteer referees—club referees are not connected with the team or league; they are independent contractors paid (a pittance) for their efforts. But I expect to continue refereeing for as long as I physically can do it. I would invite any of you to join me out on the pitch, or to volunteer in your local AYSO region—as I write this, the Fall season is kicking off, and we always need more referees.

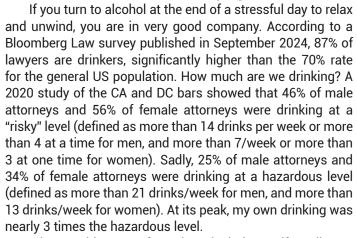
Gabriel White is a senior appellate court attorney at the California Court of Appeal, 4th District, Division 2, assigned to the chambers of Justice Michael J. Raphael. He is also a board member, referee, referee instructor, and assistant referee administrator for Claremont AYSO (Region 3). The views expressed in this article are his own.



Alcohol – Stress Reliever or Stress Exacerbator?

by Amy Guldner

If you asked me in my 30s or early 40's how alcohol impacts stress, I probably would have told you that, while it magnifies stress for those people who have a problem with it (you know, those "alcoholics"), it lightens stress for me. Back then I was convinced that it was my magical cure-all elixir, my "mommy juice," my reward for getting through the grind of another day without killing opposing counsel or one of my children. What started as a nightly glass or two of wine when my children were very young soon became a bottle of wine or more every night.



Who can blame us for using alcohol to self-medicate? Alcohol does indeed numb us, so much so that it was used as anesthesia for surgery well into the mid19th century. Given the way alcohol alters our brain chemistry, the societal glamorization of alcohol, and the 6-7 billion dollars per year the alcohol industry pours into advertising and influencing our beliefs, it's no wonder that so many of us get duped into thinking that it relieves our stress.

What does science have to say on this topic? Believe it or not, the science is clear that alcohol does not reduce our stress but instead exacerbates it. It increases our baseline cortisol level such that we feel anxious and on edge even when we are not drinking, making us less resilient. Alcohol changes what we perceive as "stress" versus "not stress." It increases our risk of developing anxiety and depression as well as other mental health problems. And even if you think alcohol helps you sleep, as I used to adamantly believe, the truth is that it disrupts our sleep, even in small quantities. It may help you fall asleep but it disrupts your REM cycles, lowering the quality of your sleep.

Moreover, just 1-2 drinks per night change our brain circuitries that control habitual impulsive behavior, making us more impulsive even when we are not drinking. How about those oh-so-fun times when we have too many and wake up the next morning without a clear recollection of what we did or said the night before? Speaking for myself, those definitely



Amy Guldner

increased my stress. We are also continually learning more about the negative impact alcohol has on our physical health, our cognitive health, our risk of cancer and the like. The last I checked, suffering from poor gut health, heart disease, liver disease, cognitive decline, and/or cancer would tend to increase our stress.

And last, but not least, scientific research has shown that drinking to cope with or avoid negative emotions can greatly increase the risk of persistent alcohol dependence. In other words, when you drink to decompress and take the edge

off, you are more at risk for addiction/dependence than when you are drinking socially. No one in their right mind would argue that being dependent on or addicted to a substance relieves stress.

While alcohol might provide you a temporary escape from stress, it's important to remember that alcohol's long-term effects significantly worsen stress. If you are using alcohol to help with stress, please prioritize finding other ways to cope that will foster greater resilience and emotional regulation. Regular physical activity, social connection and mindfulness meditation are all healthier and more sustainable than ethanol. Seek to identify and address the underlying causes of your stress rather than temporarily suppressing its symptoms.

And please do this as soon as you realize alcohol may not be serving you so well instead of waiting until you have a "rock bottom" experience. Our profession has enough stress as it is - we don't need to be adding to it by drinking one of the most addictive substances on the planet, a substance that the World Health Organization has declared to be a group 1 carcinogen, meaning it's known to cause cancer in humans. Start by reading a book like *This Naked Mind* and then take a 30-day break from alcohol, and if you struggle to make it to 30 days, please seek professional help from a physician, a therapist or a coach.

Amy Guldner has been a civil litigator in California and Arizona for over 25 years. Her primary practice areas have been medical malpractice defense and product liability defense. After 14 years with 2 large firms, she left Big Law in 2010 to help start Montage Legal Group, a network of freelance attorneys. When she found her own life-changing freedom from alcohol, Amy became a certified coach focusing on alcohol, mindset, and success. She founded Reframing Alcohol and then recently broadened her aperture to Reframing Well-Being. She is also now the head coach at Euphoric AF. For a free confidential consultation on changing your relationship with alcohol, you can email her at amyguldner@gmail.com or reach her through her website at reframingwellbeing.com. For daily well-being tips, connect with her on LinkedIn or follow Reframing Well-Being on Instagram and Facebook.







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Unburnable: The Empowered Attorney's Guide to Purposeful Success and Lasting Impact

by Sharon Vidano

In the world of law, where stress is constant and pressure comes with the paycheck, many attorneys take pride in their ability to "handle it all." Long hours, high-stakes cases, the incredible volume of cases, and client demands—it's often worn like a badge of honor.

But behind the scenes, many lawyers are quietly carrying too much. The mental load. The emotional weight. The push to always perform. No one intends to burn out—but sometimes, despite our best efforts, it happens.

So, what if success didn't have to cost you your peace? What if the true power of your practice wasn't in how much you take on—but in how aligned you are with what actually matters?

This article isn't about woo woo advice or quick fixes. It's about something deeper—reclaiming your clarity, your energy, and your presence, so you can lead with your "why" and still have a life that feels like yours. **Remember Your "Why"**

When you first entered law, it likely wasn't for the late nights or the stacks of files. You had a reason—perhaps to fight for justice, protect the vulnerable, or build a life of meaning. That "why" still lives in you.

It's easy to lose sight of it when you're buried in deadlines and obligations. But reconnecting with it isn't optional—it's what keeps your work meaningful and your decisions clear.

Golden Tip: Spend five quiet minutes each day reflecting on your "why." Let it reorient how you move through your day and your career.

Wellness Is Mandatory

Let's redefine wellness—not as indulgence or optional, but as the foundation for sustainable performance. It's having the energy to think clearly, show up fully, and stay grounded under pressure. Wellness looks like rest, boundaries, good food, movement, and time to be fully present—not just in court, but in life.

Golden Tip: You don't need a total life overhaul. Start small. Maybe it's a walk before checking email. Logging off at a certain time. Or creating 15 minutes of quiet at the end of your day. These small habits create long-term impact.

When you're rested and centered, everything—from decision-making to communication—gets sharper.



Sharon Vidano

The Power of Self-Leadership

Leadership in law isn't just about hierarchy—it's about how you show up: in meetings, with clients, with your team, and especially with yourself. Presence is what turns a competent attorney into a trusted advisor. It's in how you listen, how you handle pressure, and how you respond to challenge.

Self-leadership means managing your mindset, energy, and focus with intention.

Golden Tip: Decide "Who am I being today?" Examples:

"I am present"—focusing fully on each conversation.

"I am a person of increase"—no complaining, no criticizing.

"I am a grounded advocate"—firm in my stance, kind in my delivery.

What you set on the inside, can be seen and felt on the outside. This is where true leadership begins.

A Moment of Inspiration

Consider Sarah, a high-performing corporate attorney. From the outside, she was thriving—senior title, important clients, known for results. But under the surface, she was exhausted.

Seventy-hour weeks. Skipped meals. Constantly on her phone, even during family time. She couldn't remember the last time she felt fully present anywhere.

Then one day, a wave of dizziness sent her to urgent care. Her doctor was direct: You have to change how you're living. That night, Sarah sat on her kitchen floor, overwhelmed with exhaustion, grief, and the question she'd been avoiding: Is this the life I really want? She didn't leave her job. She shifted how she showed up.

She began with a 10-minute walk each morning—no phone, just breath and space. Then she set a boundary: no work after 7 p.m. It felt uncomfortable at first, but the world didn't fall apart. What changed was how she felt. Next, she reached out to a mentor for support. Their weekly calls helped her reconnect with her purpose—her "why."

Within months, her energy returned. Her mind cleared. Her relationships improved. And her work? It got even better. Clients felt more connected. Her team noticed the change. She didn't just show up—she led.

Sarah didn't choose to give up. She redefined it. And in doing so, she became unburnable.

Her story is proof: balance can be achieved. And when you find it, life becomes more fulfilling.

Build the Support You Deserve

This work-realignment, leadership, restoration-it isn't meant to happen in isolation. Surround yourself with people who understand what it takes to practice law and live well. The main reason? You can't see the picture when you're in the frame.

Whether it's a mentor, a peer group, or a coach, support helps you stay aligned and grounded. It offers accountability, perspective, and a reminder that you're

In Closing: Redefining Power

Real power isn't about how much you push. It's about how in flow you are with your "why," how present you are in your life, and how consistently you honor what matters.

The most empowered attorneys aren't the busiestthey're the clearest. The ones who choose alignment over living life on autopilot. This kind of lawyer doesn't burn out. They become unburnable-because they are clear, fueled by purpose, and lit from within.

So, whether you're thriving, surviving, or somewhere in between, remember:

You don't have to choose between being excellent and being well.

You get to have both.

You are entitled to both.

And when you do, you don't just succeed-you lead, you inspire, and you create impact that actually lasts.

Sharon N. Vidano is a retired criminal defense attorney turned transformational life coach and leadership advisor. She guides high-performing attorneys and leaders to align purpose with performance - helping them lead with clarity, live with intention, and create lasting impact without burning out. Sharon can be reached at www.SharonNVidano.com...

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Look Who's Joined Us!



GARY N. STERN, ESQ.

Veteran California civil litigator Gary Stern is widely regarded as a "lawyer's lawyer," known for his unwavering commitment to justice, fairness, and professional ethics. After 44 years of litigating civil cases throughout California - and with a growing focus on alternative dispute resolution over the past five years, Mr. Stern has transitioned to serving exclusively as a neutral.

In 2019, he was recognized as one of the most effective settlement officers at the Spring Street Courthouse. Mr. Stern is highly regarded for his balanced and impartial approach, thorough

preparation, and persistent commitment to resolution. His even-handed demeanor, professionalism, and good humor have earned him the trust and respect of both sides of the bar.

PRACTICE AREAS:

Health Care-Related Civil Disputes: Medical malpractice, Hospital and emergency room negligence, Nursing negligence, Dental malpractice, and Psychiatric malpractice. Elder abuse, including cases involving nursing homes and board-and-care facilities.

Other Civil Disputes: Product liability, General personal injury matters, and Employment disputes under California's Fair Employment and Housing Act (FEHA), including: Sexual harassment, Disability discrimination, Retaliation and Related workplace claims.

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Fueling Advocacy Through Wellness and Civility

by Mary Shafizadeh

The practice of law is demanding. Attorneys are called to advocate with dedication — immersing themselves in intricate legal research, case preparations, endless emails, high-stakes negotiations, tight deadlines, and billable hours — all while striving to deliver exceptional results and manage personal responsibilities. For many, this means sacrificing weekends to draft motions, skipping family dinners to review discovery, or pushing through exhaustion to deliver closing arguments. The profession's intensity — grounded in ethical obligations such as ABA Model Rule 1.3, which mandates diligence — creates a culture where overwork is not the exception but the norm, trapping many in a cycle of relentless pressure.

Accordingly, it is no surprise that the profession often leads to stress, burnout, and health consequences that disrupt work-life balance. Research shows that 77 percent of attorneys report burnout, 26 percent experience high anxiety, 21 percent suffer from depression, and 42 percent struggle with unhealthy alcohol use.¹

The study further revealed that burnout, anxiety, depression, and lower life satisfaction were more common among attorneys reporting earning less than \$150,000 per year, poor health or diet, low physical activity, working an average of 45+ hours per week, experiencing work-life conflict, exposure to vicarious trauma, or encountering bias, harassment, and/or discrimination. Similarly, higher rates of hazardous or unhealthy alcohol use were observed among attorneys with lower physical activity, work-life conflict, or experiences of bias, harassment, and/or discrimination. Interestingly, attorneys with childcare responsibilities reported greater life satisfaction but also higher burnout and anxiety. Solo practitioners experienced less burnout but lower life satisfaction, while litigators experienced higher burnout and anxiety along with less fulfillment. Attorneys in the public sector reported lower anxiety.2

Litigation-heavy practices — such as criminal defense, family law, or commercial litigation — are particularly stressful due to high-pressure, adversarial, unpredictable, and emotionally intense work. In contrast, fields like real estate, intellectual property, labor and employment, and estate planning often "provide a more relaxed work

environment, with fewer strict deadlines and adversarial interactions."3

The costs of burnout and anxiety are profound and multifaceted. They can diminish professional effectiveness, cause emotional exhaustion, and lead to a loss of self through detachment from personal identity and purpose. Burnout can also impair work performance and trigger a range of health issues, including depression, anxiety, sleep disturbances, memory lapses, concentration difficulties, cardiovascular problems, and an increased risk of metabolic disorders and diabetes.⁴ Chronic overwork is also linked to emotional eating, poor dietary choices, and reduced physical activity — resulting in weight gain or loss depending on an individual's stress response.⁵

Ironically, these consequences are eroding the very sharpness and resilience that define attorneys. Legal professionals play a pivotal role in society: their work upholds rights, shapes justice, resolves conflicts, and gives voice to those who cannot speak for themselves. These duties, however, cannot be fully fulfilled when attorneys are unhealthy or burning out. Wellness, vitality, focus, and resilience are not mere indulgence — they are strategic tools essential for optimizing personal and professional effectiveness. They provide the foundation for clarity, persuasive advocacy, strategic thinking, and sustained endurance and decision-making under pressure.

When stretched thin, it can be tempting to chase the perfect "reset" game plan — yet perfection burns out quickly. Sustainable transformation is not about intensity but consistency, built through manageable small habits. And the path begins with clarity—and clarity begins with decluttering.

An overwhelmed environment — overflowing email inboxes, piles of case files, overstuffed closets and draw-

Jenna Sirkin et al., Lawyer Well-Being in Massachusetts: Final Report 39 (Feb. 1, 2023), https://www.norc.org/content/dam/norc-org/pdfs/ NORC_MA%20Lawyer%20Well-Being%20Report_Final_2023_2_1.pdf (last visited Aug. 29, 2025).

² Ìd. at 4 − 7.

³ Francis Mundin, "Less Stressful Areas of Law for Lawyers," Law Crossing (Mar. 25, 2024), https://www.lawcrossing.com/ article/900054038/Less-Stressful-Areas-of-Law-for-Lawyers/ (last visited Aug. 29, 2025) (last visited Aug. 29, 2025).

⁴ Razia A.G. Khammissa et al., "Burnout Phenomenon: Neurophysiological Factors, Clinical Features, and Aspects of Management," 50 J. Int'l Med. Res. (Sept. 13, 2022), https://www.ncbi.nlm.nih.gov/pmc/articles/ PMC9478693/ (last visited Aug. 29, 2025).

⁵ Heather Padilla et al., "UGA study finds link between burnout and weight gain," Univ. of Ga. Coll. of Pub. Health (June 3, 2019), https:// publichealth.uga.edu/uga-study-finds-link-between-burnout-andweight-gain/; Heather M. Padilla et al., "Health Behavior Among Working Adults: Workload and Exhaustion Are Associated with Nutrition and Physical Activity Behaviors That Lead to Weight Gain," 26 J. Health Psychol. 892 (2021), https://journals.sagepub.com/eprint/ FIYPYFT6TF3ZYPX7FVWH/full (last visited Aug. 29, 2025).

ers, mountains of laundry, cluttered counters, dishes in the sink, pantries full of unused food — makes precise thinking nearly impossible. While some clutter can spark creativity, its downsides are significant: mental overload, diminished self-awareness, impaired decision-making, and elevated stress. Clinical psychologist Dr. Scott Bea explains, "Existing in a cluttered environment taxes our brains because the cluttering objects compete for our attention[.]" Clutter can increase cortisol, evoke negative emotions, decrease focus and productivity, disrupt sleep, and even impact weight. Studies show individuals with messy homes are 77% more likely to be overweight or obese.⁶

For many, Marie Kondo's decluttering method resonates, keep only what sparks joy or aligns with purpose to create space for identity to reemerge. For attorneys, decluttering is not cosmetic — it is foundational. Clear the office desk, streamline digital files, and journal while reflecting: What am I keeping? Why does it matter? What does it say about the attorney — and person — I want to be? These small reflections begin to reconnect one to their core.

As space clears, perspectives emerge, revealing that one's wellness extends beyond career to encompass life holistically. Wellness coaches often use the Wheel of Life, which maps life's key areas as spokes: (1) Physical Environment, (2) Career and Work, (3) Finances, (4) Health and Fitness, (5) Friends and Family, (6) Romance and Relationships, (7) Personal Growth and Learning, and (8) Fun and Recreation. When these spokes are imbalanced, such as when career overshadows health or joy, burnout can intensify, eroding well-being.⁷

Physical environment. Clutter negatively impacts mental and physical wellness. As the Wheel of Life notes, "Your surroundings impact your mood and productivity. This area covers your home, workspace, and overall satisfaction with your physical surroundings."⁸

Career and work. Success is not only about making partner or building a thriving solo practice. It is about "finding purpose and satisfaction in what you do[.]" Attorneys can ask: What do I love? What am I skilled at? What does the world need? What sustains me financially? For some, the answer may point to mediation rather than litigation, or to teaching and mentoring alongside client work. Burnout fades when law is practiced from alignment, rather than obligation.

Finances. Even successful attorneys experience financial stress. Align money with purpose. Evaluate expenses, cut what drains resources, and explore energizing income streams: client guides, consulting work, or teaching workshops. Financial discipline mirrors time management. The Wheel of Life frames this as one's "relationship with money, financial security, and the freedom it can provide."¹⁰

Health and wellness. One's well-being fuels the body, mind, and ambition,¹¹ yet the profession's grind — fueled by caffeine, sugar, and late-night meals — often impedes it.

Burnout and sedentary work drain energy, increase obesity and cognitive decline, and impair memory and focus. Regular exercise, such as a daily walk or strength training session, may boost energy and mental clarity. Research confirms that "executive functions including attention, working memory, problem solving, cognitive flexibility, verbal fluency, decision making, and inhibitory control receive the most benefit from acute exercise, with effects lasting for up to two hours post-exercise cessation." ¹¹²

Moreover, nutrition matters: food is fuel, not reward. Prioritize nutrient-dense choices — whole grains, fruits, vegetables, lean proteins, and water — to enhance energy, mood, and productivity. Limit processed foods, excess salt, saturated fats, soda, and alcohol, which can cloud cognition and creativity. To manage weight, consult a qualified healthcare professional. For general educational purposes, reports have suggested using a Total Daily Energy Expenditure (TDEE) Calculator.

Just as diet and exercise energize the day, sleep restores the mind and mental sharpness. To enhance attention, problem-solving, stress management, and overall health — including reducing risks of obesity and heart disease — prioritize quality nightly rest. Screen-free bedtime routines and restful sleep environments have been reported to help.¹⁶

⁶ Shandra Martinez, "The Science Behind Decluttering," Blue Cross Blue Shield of Michigan, MI Today (Sept. 8, 2021), https://www. bcbsm.mibluedaily.com/stories/mental-health/the-science-behinddecluttering; Erika Penney, :Why Household Mess Triggers Stress and Anxiety," Neuroscience News (Sept. 4, 2023), https://neurosciencenews. com/anxiety-stress-messy-home-23874/ (last visited Aug. 29, 2025).

⁷ NeuroLaunch Editorial Team, "Wheel of Life Psychology: A Powerful Tool for Personal Growth and Balance," NeuroLaunch (Sept. 15, 2024), https://neurolaunch.com/wheel-of-life-psychology/ (last visited Aug. 29, 2025).

⁸ Id

⁹ Id.

¹⁰ *Id.*

¹¹ Id.

¹² Julia C. Basso & Wendy A. Suzuki, "The Effects of Acute Exercise on Mood, Cognition, Neurophysiology, and Neurochemical Pathways: A Review", 2 *Brain Plasticity* 127, 127–30 (2017), https://pmc.ncbi.nlm.nih.gov/articles/PMC5928534/ (last visited Aug. 29, 2025).

¹³ NutritionEd.org, "How Food Affects Your Productivity (& What You Can Do About It), "https://www.nutritioned.org/food-effects-productivity/ (last visited Aug. 29, 2025).

¹⁴ Disclaimer: The author of this article is not a medical professional, doctor, or registered dietitian. The information provided in this article is for general informational purposes only and is not intended as medical advice. Before making any changes to your diet, exercise routine, or lifestyle, you should consult with a qualified healthcare professional to ensure that any approach is safe and appropriate for your individual health needs.

¹⁵ https://tdeecalculator.net/ Using the Mifflin-St Jeor formula, the TDEE estimates the calories the body burns at rest plus activity, guiding a daily deficit or surplus of about 500 calories for a sustainable one-pound weekly loss or gain. Additionally, focus on sustainable eating plans, not fad diets, to fuel the body and legal brilliance."

¹⁶ Alimova, M., Djyanbekova, F., Meliboyeva, D., & Safarova, D., Benefits of Sleep," 4 Modern Science and Research 780, 780–89 (2025), https:// inlibrary.uz/index.php/science-research/article/view/79592.

Relationships. Friends, family, and romance harness the power of human connection, vital for attorneys navigating high-pressure legal practice. The demanding nature of law often strains friendships, family bonds, and marriages, yet a strong support network can mitigate burnout, reduce stress, and strengthen resilience. Intentionally scheduling meaningful moments — like family dinners or reconnecting with old friends — fosters emotional well-being and perspective, further empowering attorneys to thrive both personally and professionally.

Personal growth and learning. While strong relationships provide emotional resilience, the Wheel of Life's seventh component - personal growth and learning nurtures intellectual and spiritual vitality, essential for attorneys striving for excellence. Life is a continuous journey of learning, encompassing intellectual stimulation, skill development, and spiritual growth. Attorneys should continue evolving, drawing confidence and clarity from secondary legal sources, continuing education, personal development, and leadership training. Moreover, spiritual practices - whether through religion, meditation, or journaling - offer moments of quiet reflection, helping attorneys detach from client stress and make values-driven decisions. Research shows that mindfulness practices reduce stress and enhance focus. By committing to learning and reflective practices, attorneys can sharpen both their legal acumen and inner peace.¹⁸

Fun and recreation. Joy, hobbies, and leisure are also essential. 19 Non-work creativity may improve problem-solving and innovation. Hobbies such as painting, hiking, music, or writing can reignite identity and balance professional life.

Balancing these spokes is not just a personal matter - they are deeply professional. When wellness is neglected, civility - defined as "behavior involving politeness and regard for others in the workplace, within workplace norms for respect"²⁰ – is often the first casualty. A fatigued, depleted attorney is more prone to harsh words, unnecessary conflict, or impatience with colleagues, clients, and even the court. This erosion of civility challenges credibility in negotiations, poisons working relationships, and can even harm trial outcomes. Conversely, an attorney grounded in wellness carries themselves with composure, clarity, and respect. That presence not only elevates the profession's reputation but also builds the trust essential for effective advocacy. Research shows that civil individuals were perceived as warm and competent, and these positive perceptions, in turn, improve professional performance.21

Therefore, wellness is a professional responsibility, not self-indulgence. Investing in clarity, health, and balance preserves sharp thinking, strategic action, and civil leadership. The legal field demands much — but it does not demand losing oneself.

Clarity, health, and balance are most effective when supported by systems. In Atomic Habits, James Clear emphasizes that success stems from habits cued by environments, not willpower.22 Legal professionals can apply this principle both personally and professionally by creating actionable plans and breaking goals into smaller, manageable steps that minimize friction. Professionally, this might mean building systems and automations to streamline workflows. Financially, it could involve automating savings or budgeting. For health and fitness, scheduling meals, workouts, and consistent morning and evening routines creates structure that supports well-being. Avoiding burnout relies on cultivating consistent habits. Research shows that new behaviors rarely stick overnight; they require weeks of steady repetition. The most effective approach is to start small and link each new habit to an existing routine using a simple loop: cue, action, reward. Over time, these small, repeatable frameworks compound, making behaviors automatic, effortless, and capable of producing lasting change with far less effort.23

Small habits compound into big results: five 20-minute workouts a week yield 80+ hours of annual exercise; skipping a daily 250 calorie coffee drink saves 90,000+ calories yearly; earning an extra \$350 daily adds \$90,000+ annually; reading 10 pages daily results in a dozen books per year; 15 minutes of learning daily yields nearly 100 hours of mastery yearly.

In conclusion, while the legal profession is demanding and stress-inducing, it does not have to lead to burnout. By prioritizing clarity, health, and work-life balance—and building systems that convert positive actions into lasting habits—attorneys can create a sustainable practice and protect not only their own well-being but also the integrity and impact of their work within the justice system. Begin now: create habits, cultivate clarity, and reclaim balance to sustain both the attorney and the human behind the title.

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.

¹⁷ NeuroLaunch, supra note 7.

¹⁸ Id.

¹⁹ Id.

Christine L. Porath, Alexandra Gerbasi & Sebastian L. Schorch, 'The Effects of Civility on Advice, Leadership, and Performance, '100 J. Appl. Psychol. 1527 (2015), https://doi.org/10.1037/apl0000016.
 Id

i Id.

²² James Clear, Atomic Habits: An Easy & Proven Way to Build Good Habits & Break Bad Ones (2018).

²³ Ben Singh, Andrew Murphy & Carol Maher, "Time to Form a Habit: A Systematic Review and Meta-Analysis of Health Behaviour Habit Formation and Its Determinants," 12 Healthcare 2488 (Dec. 9, 2024), https://doi.org/10.3390/healthcare12232488

California's New MCLE Requirements: A Modern Mandate for a Changing Legal Landscape

by Nesa Targhibi

In a significant move aimed at modernizing legal practice and better supporting attorney wellbeing, the State Bar of California has implemented sweeping changes to its Minimum Continuing Legal Education (MCLE) requirements. These updates reflect a broader understanding of the challenges facing today's legal professionals, from the rise of implicit bias and digital transformation to increasing concerns around mental health and professionalism. By expanding traditional categories and introducing new ones, the State Bar seeks not only to ensure lawyers remain knowledgeable in the law, but also capable of practicing ethically, equitably, and sustainably in a rapidly evolving profession.

Key Structural Changes

While the total number of required hours remains the same, 25 hours over a three-year reporting cycle, the structure and focus of those hours have shifted considerably. This refined approach to continuing legal education is intended to do more than maintain competence in the law. It is a proactive investment in attorney resilience, cultural competence, and ethical conduct.

Summary of Key Changes:

- Total Hours: 25 (unchanged)
- Legal Ethics: 4 hours (unchanged)
- Elimination of Bias: 2 hours, with at least 1 hour on implicit bias (revised)
- Competence Issues: 1 hour required on prevention/detection of impairments, with an optional second hour focused on wellness (expanded)
- Technology in the Practice of Law: 1 hour (new)
- Civility in the Legal Profession: 1 hour (new)

Expanding the Definition of Competence

One of the most notable changes is the expansion of the **competence requirement**. Previously, attorneys needed only one hour of education on substance abuse or mental health issues. The new rules double that requirement to two hours and broaden its scope.

Under the revised system, one of these hours must focus on the **prevention**, **detection**, **and intervention** of issues that can impair a lawyer's ability to practice, this includes topics like substance use, dementia, and other cognitive impairments. The second hour is **optional but encouraged**, allowing attorneys to explore wellness-re-

lated subjects such as managing stress, avoiding burnout, practicing mindfulness, and establishing sustainable work-life habits.

This evolution in MCLE requirements recognizes what many in the profession already know: the emotional, psychological, and physical demands of legal work can take a toll. By legitimizing attorney wellness as a matter of professional competence, the State Bar is encouraging a culture where seeking support is no longer stigmatized, but embraced as an ethical responsibility.

Deepening the Commitment to Bias Education

Another important update is the restructuring of the elimination of bias requirement. While the total number of hours required remains at two, there is now a mandatory subtopic: at least one hour must specifically address implicit bias.

This update reflects a growing awareness that unconscious or unintentional biases can influence legal outcomes just as much as explicit prejudice. Implicit bias training is designed to help attorneys identify their own blind spots and examine how race, gender, disability, sexual orientation, and other social identities can affect decision-making, client interactions, and the dynamics within firms or courtrooms.

By mandating this focused training, the State Bar underscores its commitment to fairness, equity, and access to justice, not only in the courtroom, but also in day-to-day legal practice. This approach also aligns with national conversations about equity in the legal profession and beyond.

Introducing Technology and Civility Requirements

In a clear acknowledgment of how the legal landscape is changing, the new MCLE structure introduces **two entirely new subfields**, each requiring at least one hour of coursework.

The first, **Technology in the Practice of Law**, reflects the increasing reliance on digital tools in nearly every aspect of legal work. Whether it's e-discovery, remote hearings, digital case management, cybersecurity, or artificial intelligence, attorneys must now be proficient in the technology that underpins modern legal systems. The new MCLE requirement ensures that lawyers are not just technically competent, but also aware of their ethical obligations when using technology, particularly

around client confidentiality, secure communications, and data privacy.

The second addition, Civility in the Legal Profession, addresses a growing concern about the erosion of professional courtesy and respect within the field. This required course aims to promote more respectful, cooperative interactions among attorneys, clients, and judges. It may include content on managing difficult conversations, recognizing bias-driven incivility, and modeling professional behavior, even in adversarial contexts. Given the often contentious nature of legal proceedings, this requirement is intended to reduce unnecessary conflict and reinforce the core values of the profession.

Looking Ahead - A Holistic Approach to Professional Development

Altogether, these changes reflect a broader and more holistic view of what it means to be a competent, ethical, and effective attorney. The legal profession is no longer defined solely by technical expertise or substantive knowledge of the law. Increasingly, the ability to navigate complex interpersonal dynamics, use technology responsibly, and care for one's mental and physical health are considered essential components of legal competence.

The updated MCLE requirements mark a significant shift in how the legal profession in California defines ongoing professional development. These aren't simply bureaucratic updates or regulatory formalities, rather they represent a cultural shift toward a more inclusive, mindful, and sustainable vision of legal practice.

By placing greater emphasis on wellness, civility, bias awareness, and technological literacy, the State Bar is not only modernizing attorney education but also encouraging members of the profession to evolve in step with broader societal and industry changes. These reforms underscore a long-term investment in the health and integrity of the profession, both for those who practice law and for the communities they serve.

As attorneys adapt to these new standards, the profession as a whole stands to benefit from a more resilient, respectful, and responsive bar, one that's better equipped to uphold the values of justice, serve the public interest, and support its members in a rapidly changing world.

Nesa Targhibi is a sole practitioner and owner of Holborn Law APC based in Riverside and San Bernardino County. She practices in the area of Trust and Probate.

RCBA Members Share Activities That They Engage in to Relax

Read, HOTWORX yoga in sauna, Disneyland, painting, and walks around the neighborhood.

Priscilla George

My relaxation tools:

- Listening to classical or cowboy music (a contrast, I know!)
- Leisure reading (primarily history)
- Before I became a father, I'd fly my radio-controlled airplanes or throw boomerangs. But kids come first!

Christopher L. Nelson

I practice meditation and swimming in the ocean to help me relax.

Mona Nagvi

Hobbies and exercise are a definite must to help me relax. But in terms of a quick fix, I find being near a body of water, big or small, brings me instant relaxation.

One of my favorite places to spend a few minutes whenever I go there is the koi pond at Billy Reed's restaurant in Palm Springs. I always sit there and think I should install one at my house.

Being near a pool is even better, especially when you can dive in. After so many years in this business, I know there is a certain amount of stress you naturally experience when you have some responsibility for people's fortunes and families in the legal arena. But with the current political climate, another, newer, layer of stress is upon us.

Taking time on Friday nights with family and friends to remember what is important in life, turning off the phones, and concentrating on being with each other and expressing gratitude for what we have is something we do; it helps with the stress that seems to be all around us these days.

Denise Tessier

One of the ways in which I relax is sitting around the dinner table and everyone sharing their favorite part of the day. I also enjoy spending time with family and friends, taking walks with my husband, playing with my grandchildren, camping at the beach, and solving Wordle/Connections.

Jacqueline Carey-Wilson



Is Tai Chi the Answer?

by Dawn Swajian

The practice of law is stressful. Daily responsibilities require us to balance our roles as advocates, adversaries, and peacemakers with commitments and responsibilities to clients, family, colleagues, and friends. As these obligations overload us, it is easy to forget about our well-being. We tend to focus on everything except how to prevent stress from overwhelming and defining us. We would benefit from prioritizing our well-being with conscious strategies to quiet the stressful components of our lives.

The Research – Lawyers' Well-Being is at Risk

A 2016 study of 13,000 lawyers conducted by the ABA Commission on Lawyers Assistance Programs and the Hazelden Betty Ford Foundation found that 28% of the respondents experienced depression, 19% experienced anxiety, and 23% experienced stress.¹

The California State Bar and the American Bar Association, in collaboration with the Department of Psychiatry and Behavioral Sciences at the University of Minnesota, determined significant alcohol abuse and mental health issues among attorneys. The study results found that one in four women attorneys contemplated leaving the legal profession due to mental health problems, burnout, or stress. Seventeen percent of male attorneys reported the same.² In 2017, the American Bar Association approved a resolution to encourage courts, bar associations, legal employers, and law schools to develop and make accessible resources that advance the well-being of legal professionals.³

California's Lawyer Assistance Program (LAP) helps attorneys (active, inactive, or disbarred), State Bar applicants, and law students who are struggling with stress, anxiety, depression, substance use issues, or personal and career concerns. LAP counselors provide free assessments and help attorneys with mental health and substance use issues, or career transitions. Some short-term services are provided at no cost; or financial assistance may be available to qualified participants.⁴

Our Well-Being is Our Responsibility

The Covid pandemic taught us we are responsible for our well-being. In other words, we must find the time

1 https://journals.lww.com/journaladdictionmedicine/ fulltext/2016/02000/the_prevalence_of_substance_use_and_other_ mental.8.aspx. and tools to take care of ourselves. I recently saw a sign outside of a business that said, "If you don't take care of your body, where will you live?" LAP's strategy suggestions for emotional well-being include learning to set boundaries, building support networks, and developing coping exercises.

Dan Buettner, an author, explorer, and researcher has identified places around the world where people consistently live to be over 100 years old. Buettner found five Blue Zone locations: Okinawa, Japan; Sardinia, Italy; Nicoya, Costa Rica; Ikaria, Greece; and Loma Linda, California.

Strategies for promoting our well-being include getting enough sleep, maintaining a balanced diet, engaging in regular exercise, practicing meditation, and mindfulness. Although there is no official rule, health advocates recommend standing for five minutes for every thirty minutes you sit, taking outdoor walks, moving around while watching TV, and walking while talking on the phone.

Residents of Okinawa's Blue Zone benefit from "Moias," their friend networks.⁵ The friends meet regularly for a common purpose to talk, exercise, experience life, and share advice. Many Okinawans also practice martial arts, especially tai chi.

Legal professionals are typically workaholics. We love challenges and are in a high state of alertness. Meditation and mindfulness allow us to slow down our thoughts with controlled breathing and a keen focus on our present state of mind. Mindfulness practices provide our brains with the necessary time to calm our bodies and minds.

Tai Chi is a Moving Meditation

Tai chi is an ancient Chinese mind-body exercise. It is a low aerobic exercise that combines physical and mental training. It involves a series of movements called postures that are performed in a slow, focused manner. Each posture gracefully flows into the next posture without pause, ensuring the body is in constant motion. The body remains balanced as it moves with trunk rotations, weight shifting, and the coordination of the hands, arms, and feet.

The practice of tai chi improves cognition, muscle strength, balance, and motor control, as well as providing psychological benefits such as improved attentiveness,

² https://www.prnewswire.com/news-releases/california-lawyers-association-and-the-dc-bar-announce-results-of-groundbreaking-study-on-attorney-mental-health-and-well-being-301290105.html

³ https://www.abajournal.com/news/article/abas-practice-forward-group-puts-focus-on-members-needs-well-being.

⁴ https://www.calbar.ca.gov/attorneys/attorney-regulation/lawyer-assistance-program.

⁵ https://www.bluezones.com/2018/08/moai-this-tradition-is-whyokinawan-people-live-longer-better/

reduced stress, and anxiety. Tai chi has been found to improve balance and aid in the prevention of falls.⁶

In 2019, a study was conducted with 36 college students. The students were separated into two groups, a group that learned tai chi and a group that participated in an aerobic exercise (brisk walking). The students underwent MRI scans before and after an eight-week training period. The "Tai Chi Chuan vs General Aerobic Exercise in Brain Plasticity: A Multimodal MRI Study" concluded that tai chi exercise had a more substantial effect on brain plasticity when compared with aerobic exercise.⁷

A 2018 study by the Brigham and Women's Hospital Institutional Review Board, evaluated the changes in the brain and muscles following 12 weeks of tai chi training. The control group consisted of six healthy adults aged 55 or older who had not previously practiced tai chi. The results found that tai chi, as a mind-body exercise, may effectively promote neuroplasticity in older adults.^{8,9} Neuroplasticity is the brain's ability to change, reorganize, or grow neural networks.

Tai chi has been found to improve cognitive function, executive function, multitasking ability, time management, and decision-making. Studies performed with people who have mild cognitive impairment have shown that tai chi slowed down the progression of dementia more than other types of exercise.¹⁰

"The Positive Role of Tai Chi in Responding to the COVID-19 Pandemic," a study conducted in 2021, found that physical activity was significantly reduced due to the pandemic and confinement conditions. The study recommended tai chi as an intervention to improve people's healthy lifestyles. The clinical and biological research concluded that tai chi improved immune system function, reduced inflammation response, enhanced pulmonary function rehabilitation, and emotional well-being. The study promoted tai chi as suitable for most individuals, as it is easy to practice and safe to perform at home, in isolation, or in groups.¹¹

Tai chi can help manage stress. It does not require any equipment or special clothing, and it only takes a few minutes to focus your thoughts, calm yourself, relax your body, ground your feet, and slow your breathing.¹²

Peter Wayne, medical editor of *Introduction to Tai Chi from Harvard Medical School*, formulated the idea of "eight active ingredients" of tai chi:

- 6 https://www.health.harvard.edu/blog/try-tai-chi-to-improve-balance-avoid-falls-201208235198#:~:text=Tai%20chi%20helps%20improve%20balance;'t%20physical%E2%80%94but%20emotional.
- 7 https://www.researchgate.net/publication/337420250_Tai_Chi_Chuan_ vs_General_Aerobic_Exercise_in_Brain_Plasticity_A_Multimodal_MRI_ Study.
- 8 https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6055800/.
- 9 https://www.oxfordreference.com/view/10.1093/oi/ authority.20110803100259170.
- 10 https://www.health.harvard.edu/mind-and-mood/a-sharper-mind-taichi-can-improve-cognitive-function.
- 1 https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8307944/.
- 12 https://www.apa.org/topics/covid-19/manage-stress-tips.pdf

- 1. Awareness
- 2. Intention
- 3. Structural Integration
- 4. Active Relaxation
- 5. Strengthening and Flexibility
- 6. Natural, Freer Breathing
- 7. Social Support
- 8. Embodied Spirituality

Tai chi helps you relax, breathe, and increase your awareness of both your body and your surroundings. Wayne believes that these elements help quiet your mind, stabilize the physical body, and boost confidence.¹³

It is vital to make time for our well-being by surrounding ourselves with positive, intellectually stimulating, and creative people. Making connections by joining groups and reaching out to others with shared interests is a valuable coping strategy. When we embark on a new endeavor, such as learning tai chi, we experience life in an unfamiliar way, which can lead to new and enriching experiences. Breaking out of our routine and striving to accomplish new goals and achievements strengthens the brain. The habits shared by the healthy, longest-lived centenarians living in the Blue Zones incorporate daily physical activity, socializing, and connecting with others.¹⁴

I have been practicing Yang Family 108 form of tai chi since 2018. The late Sifu Master Lu Molberg was my teacher. She was a student of Sifu Master Pau Peter Lee, who learned tai chi from his grandfather, Wan Tsou, who in turn learned it from Yang Luchan, who developed the Yang Family 108 Long Form, now the most popular style of tai chi globally.

My tai chi practice is a moving meditation. It is my time to step away from my commitments and obligations and focus on the moment. I mindfully complete the three segments of the form by slowly flowing into each sequential posture. As Sifu Master Lu used to say, "We practice to enjoy the comfort of the movements and find and smooth out the rough edges. We practice to reach the state of no movement, no shape, only energy." ¹⁵ I have a profound sense of awe in how the rooted energy from tai chi calms my mind and strengthens my body, providing me with the balance needed to face the stress of the day, while navigating my obligations and commitments.

Dawn M. Swajian is a partner with the law firm of Swajian Law in Palm Desert, past president of the Desert Bar Association, and certified tai chi sifu (teacher) of Yang Family 108 Long Form.

¹³ https://www.health.harvard.edu/staying-healthy/the-active-ingredients-of-tai-chi.

¹⁴ https://fullscript.com/blog/blue-zones? utm source=Adwords&utm_medium=PaidSearch&utm campaign=DSA_Homepage&gclid=CjwKCAjw.
L6LBhBbEiwA4c46uoKNhlgpofkTE6fsL2yVfgzeZffectZeIICQkFvx PwRHtK_6_OrCdRoCR58QAvD_BwE

¹⁵ Molberg, L. (2022). Tai Chi Chronicles 2020-21 Lessons on Life, Love and Form.

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Civility in the Legal Profession — What It Is; What It Is Not; and, How to Effectively **Implement It into Your Legal Practice**

by Justice Richard T. Fields

When I was first asked to do a presentation on civility in the legal profession, I thought referencing a whole bunch of rules, ethics guidelines, and statutes would be boring and unexciting. However, as I started looking at real world examples of incivility, I could hardly believe what I saw and read. The spectrum of incivility I saw ranged from mild to shockingly horrible. In fact, one lawyer's behavior caused the appellate court to say, "[i]n our collective 97 years in the legal profession, we have seldom seen such unprofessional, offensive and contemptuous conduct by an attorney in a court of law."1 Can you imagine having an appellate court say such things about you in a published opinion? No attorney I know would want that distinction.

I have come to realize that once you bring those rules and guidelines to life, the subject of civility in the legal profession is interesting, dynamic, and very relevant in improving the legal profession and our love for it. The life of a lawyer is difficult enough all by itself. As we will see, once you add incivility to the picture, the practice of law becomes more stressful, difficult, and unfulfilling. On the other hand, a professional relationship between attorneys and the court makes the practice of law something we can enjoy doing for years and years and brings unexpected rewards.

As a young deputy public defender, I had a case against then deputy district attorney (now retired judge) Michele Levine. We both fought the case vigorously. She was one of the most thorough, kind, and professional lawyers I have ever come across. Although she prevailed in the trial, we gained mutual respect for each other. Later, when she applied to become a judge, I was pleased to support her because I personally had experienced her professionalism and kindness. Many years later, she was my colleague on the superior court. I went to tell her that I was applying for a position on the appellate court. She immediately went to her computer and printed out a letter of support for me addressed to the governor that she had already written. This was one of the kindest things that has ever happened in my life-an unexpected reward stemming from the professional relationship between us. Do I believe in civility? I most certainly do.

With that background, let's start by describing what civility is. Civility is the "[c]apacity to act in a manner that engenders respect for the law and the profession "2 Interestingly,

People v. Chong (1999) 76 Cal. App. 4th 232, 245

civility is an aspect of ethics. One court described it as an "ethical component of professionalism." We discern from this assertion by the court that lack of civility is not only unkind but an ethical failing. After all, "[c]ivil behavior is a core element of attorney professionalism."4 We are not dealing with something we can dismiss as optional. As lawyers, we must strive to ensure the continued excellence of our noble profession.

Now, let's take a look at what civility is not, "Civility is not the same as agreement."5 Civility does not "mean absence of disagreement."6 Civility guidelines are premised on the assumption that people will disagree.7 Without disagreement, we wouldn't have much of a system left. We most certainly would not have an adversarial system. Imagine a legal system where all criminal defendants came into court and said, "You're right. I did everything you said, and I did it just the way you described it. I'm guilty, and I throw myself on the mercy of the court." Or, where all the prosecutors came into court and said, "You're right. We have no evidence; we wish to dismiss all charges and apologize."

"Civility is [also] not the absence of criticism." Where a supervising attorney fails to correct a young lawyer's errors, such failure is not an example of civility. It is an example of poor leadership or supervisorial failure.9 What is important

- Karton v. Ari Design & Construction, Inc. (2021) 61 Cal. App. 5th 734, 747
- Reardon, "Civility as the Core of the Profession" (Sept. 18, 2014) Business Law Today (ABA Business Law Section) < https://www. americanbar.org/groups/business_law/resources/business-lawtoday/2014-september/civility-as-the-core-of-professionalism/> (as of Aug. 25, 2025)
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is how the criticism is delivered. You might say what one self-represented litigant once said to our panel—"Whoever wrote this opinion should be ashamed of themselves" (that would be me)—or, you might try a more thoughtful approach. When addressing the court, you may have to respectfully show why you believe that the court's position is incorrect. One way to do this might be to say, "We understand the court's position, but in our view" In my opinions, I often use the term "in our view" to respectfully express disagreement with the position put forth by the parties or by another court.

"Civility is not the same as liking someone." We must show respect for everyone sharing our space. I I remember having some racial supremacists appearing in my court for a preliminary hearing on a racial-hatred-related attack case. There is no rule that said I had to like them. But I did have to be fair, courteous, and respectful throughout the proceedings, including sustaining their objections when appropriate and overruling them when appropriate. My friend, Justice Codrington, experienced a similar situation with a white supremacist. She maintained her professionalism throughout the proceedings. When the proceedings ended, the litigant expressed his sincere appreciation for her. Sometimes, but not always, we change people's views and perspectives one person at a time.

"Civility should not be equated with manners or politeness alone." While impoliteness is a good example of incivility, good manners alone are not enough. When I was a child, I loved having lunch at the Newberry lunch counter with my mom. I did not realize that my ability to sit at that lunch counter came at such a high cost. I can certainly say that politely refusing to serve me would not have been practicing civility. The same is true where a person politely refuses to hire someone for an unstated insidious reason.

The State Bar of California set forth the expectations for attorney behavior in the California Attorney Guidelines of Civility and Professionalism (the guidelines). ¹⁵ Practical lim-

- 10 Reardon, "Civility as the Core of the Profession" (Sept. 18, 2014)

 Business Law Today (ABA Business Law Section)< https://www.
 americanbar.org/groups/business_law/resources/business-law-today/2014-september/civility-as-the-core-of-professionalism/> (as of Aug. 25, 2025)
- 11 Reardon, "Civility as the Core of the Profession" (Sept. 18, 2014) Business Law Today (ABA Business Law Section) https://www.americanbar.org/groups/business_law/resources/business-law-today/2014-september/civility-as-the-core-of-professionalism/ (as of Aug. 25, 2025)
- 12 Reardon, "Civility as the Core of the Profession" (Sept. 18, 2014) Business Law Today (ABA Business Law Section) https://www.americanbar.org/groups/business_law/resources/business-law-today/2014-september/civility-as-the-core-of-professionalism/ (as of Aug. 25, 2025)
- 13 Reardon, "Civility as the Core of the Profession" (Sept. 18, 2014) Business Law Today (ABA Business Law Section) https://www.americanbar.org/groups/business_law/resources/business-law-today/2014-september/civility-as-the-core-of-professionalism/ (as of Aug. 25, 2025)
- 14 Reardon, "Civility as the Core of the Profession" (Sept. 18, 2014) Business Law Today (ABA Business Law Section)< https://www.americanbar.org/groups/business_law/resources/business-law-today/2014-september/civility-as-the-core-of-professionalism/> (as of Aug. 25, 2025)
- 15 California Attorney Guidelines of Civility and Professionalism, State Bar of California (2007) <chrome-extension:// efaidnbmnnnibpcajpcglclefindmkaj/https://www.calbar.ca.gov/ Portals/0/documents/ethics/Civility/Atty-Civility-Guide-Revised_Sept-

itations of a magazine journal prevent me from going through all the guidelines. As lawyers, our business is communications. We communicate with other lawyers, judges, court staff, court reporters, bailiffs, jurors, witnesses (hostile and otherwise), clients, and many others. Thus, this article will focus on civility in our communications as a good starting point in our quest to bring respect and honor to our profession.

Section 4 of the guidelines deals with attorney communications. The guidelines regarding attorney communications are effectively summed up in the rule's opening paragraph. We are instructed that communications regarding the "legal system should at all times reflect civility, professional integrity, personal dignity, and respect for the legal system." More specifically, we are told, among other things, the following as to what attorneys should and should not do in their communications: 17

- An attorney should not disparage the intelligence, integrity, ethics, morals or behavior of the court or other counsel, parties, or participants when those characteristics are not at issue.
- An attorney should not disparage another's personal characteristics.
- An attorney should not make exaggerated, false, or misleading statements to the media while representing a party in a pending matter.
- An attorney should avoid hostile, demeaning, or humiliating words.
- An attorney should not create a false or misleading record of events or attribute to an opposing counsel a position not taken.
- An attorney should agree to reasonable requests in the interests of efficiency and economy, including agreeing to a waiver of procedural formalities where appropriate.

While these guidelines are exceedingly clear, we often see attorney behavior that is inconsistent with the expectations set forth in them. I offer the following examples that I have personally used, which may be helpful in shaping your communications. Rather than "tit for tat," I prefer that we employ the examples below as "this versus that." Please consider the following:

Examples:

- You're a liar vs. Your honor, that is simply not true because . . .
- You're a liar vs. The statement lacks credibility because . . .

2014.pdf>(as of Aug. 25, 2025)

- 16 California Attorney Guidelines of Civility and Professionalism, State Bar of California (2007) <chrome-extension:// efaidnbmnnnibpcajpcglclefindmkaj/https://www.calbar.ca.gov/ Portals/0/documents/ethics/Civility/Atty-Civility-Guide-Revised_Sept-2014.pdf>(as of Aug. 25, 2025)
- 17 California Attorney Guidelines of Civility and Professionalism, State Bar of California (2007) § 4 <chrome-extension:// efaidnbmnnnibpcajpcglclefindmkaj/https://www.calbar.ca.gov/ Portals/0/documents/ethics/Civility/Atty-Civility-Guide-Revised_Sept-2014.pdf>(> (as of Aug. 25, 2025)

- That's stupid vs. That's unacceptable . . . , or I respectfully disagree because . . .
- That's incoherent vs. That is unclear to me, or I'm sorry I don't understand, or That's logically inconsistent.
- You're wrong vs. In my view, or In our view . . .
- Nice job, you hit all the issues. (ok to give a compliment)

Experience tells us that once one lawyer calls another lawyer a liar, things are about to get ugly. It's much easier to use one of the examples above or say, "Your honor, I believe that is incorrect because the record shows" In fact, one court said, "[c]alling opposing counsel a liar . . . can invite **destructive reciprocity** and generate needless controversies."

My favorite word in the English language is vicissitudes. My favorite phrase from a court case is this term destructive reciprocity. We've all seen it. We know it instinctively. The court simply put a name to it, which causes us to reflect upon the concept. I once heard a proverb that says "a soft answer turns away wrath." Let's strive to maintain our professionalism even when the other side does not.

Imagine a record where one participant is completely rude, disrespectful, and discourteous while the other side is courteous, respectful, and patient. A jurist reviewing that record will see that and note the difference in conduct. In the initial example I gave where the court said in its "collective 97 years in the legal profession, we have seldom seen such unprofessional, offensive, and contemptuous conduct by an attorney in a court of law," it also said "[t]he trial judge acted appropriately and commendably in attempting to restrain an attorney who was out of control." That is what we want the courts to say about us. Let's demonstrate how our behavior reflects the latter, not the former.

There are many benefits to civility. Civility can result in higher fees. One appellate court has said, "excellent lawyers deserve higher fees and excellent lawyers are civil." The court explained that attorney skill is one factor a court looks at in setting fees, and "civility is an aspect of skill." The trial court's comments in the case underlying the appeal explain clearly why the requested fees were reduced so substantially. It said, "[i]f this is reflective of the litigation that went on in this relatively simple-sounding case, I understand how you may and your counsel may have spent the number of hours that you claim to have spent."

Civility also has societal benefits. "Civility is . . . socially advantageous" in that "it lowers the cost of dispute resolution."²³ It allows "disputants to focus on core disagreements and to minimize tangential distractions."²⁴ We have all seen the cases with endless bickering on every issue and have watched the costs skyrocket. I am happy to say that I have also seen the opposite—those cases where the lawyers vig-

orously, but respectfully and efficiently, represent their clients' interests.

Finally, it has been reported, time and time again, that "[l] awyers who behave with civility . . . report higher personal and professional rewards. Conversely, lawyer job dissatisfaction is often correlated with unprofessional behavior by opposing counsel." In one state survey of lawyers, 95% reported that "incivility made the practice of law less satisfying." 26

In case all of this seems only theoretical and nothing that actually happens in court, please consider the following statements made by counsel in the course of legal proceedings:

 Court says, "'You're interrupting. Don't do that, please.' " Lawyer says, "'You're just making up the facts.'"

The lawyer continues, "'You must realize that intellectual dishonesty is appalling to me.... And to hear the court paraphrasing the testimony in a way that is less than complete, and is a complete aberration of what was testified to....'"

Judge says, "'I was making a ruling, and you interrupted me again.'" Lawyer says, "'But you're wrong.' "27

- Lawyer says to Court of Appeal in appellate brief: "' "After reading the opinion, it became painfully obvious that this court worked backwards... to ensure that the 'ends justify the means.'... [¶] It is clear from the Opinion that this court neither reviewed the controlling cases, nor read [B's] reply brief, which contained the authority mandating reversal. And why would this court look at cases cited by [B], anyhow, when it has concealed its own conflicts with defendants resulting from their prior relationships!" ' "28
- Court sustains DA's objection during closing argument. Counsel argues the same thing. DA objects.
 Court says, " 'On this issue, move on.' "
 Counsel says, " 'I will not move on. I will not move on until you haul me away. This is the most important issue of the case and you're not going to convict my client.' "

Counsel also says, "'You're not my mother.' "29

Each of these lawyers was found in contempt of court. I really would not recommend telling the judge you will not move on until you are hauled away. These examples remind us that the issue of civility is real. We must be vigilant to uphold the highest standards of the profession. I am excited by the renewed interest and focus on civility. Much positive

¹⁸ Karton v. Ari Design & Construction, Inc. (2021) 61 Cal.App.5th 734, 747

¹⁹ People v. Chong (1999) 76 Cal. App. 4th 232, 245

²⁰ Karton v. Ari Design & Construction, Inc. (2021) 61 Cal. App.5th 734, 747

²¹ Karton v. Ari Design & Construction, Inc. (2021) 61 Cal. App. 5th 734, 747

²² Karton v. Ari Design & Construction, Inc. (2021) 61 Cal.App.5th 734, 742

²³ Karton v. Ari Design & Construction, Inc. (2021) 61 Cal. App.5th 734, 747

²⁴ Karton v. Ari Design & Construction, Inc. (2021) 61 Cal.App.5th 734, 747

²⁵ Reardon, "Civility as the Core of the Profession" (Sept. 18, 2014) Business Law Today (ABA Business Law Section) https://www.americanbar.org/groups/business_law/resources/business-law-today/2014-september/civility-as-the-core-of-professionalism/ (as of Aug. 25, 2025)

²⁶ Reardon, "Civility as the Core of the Profession" (Sept. 18, 2014) Business Law Today (ABA Business Law Section) https://www.americanbar.org/groups/business_law/resources/business-law-today/2014-september/civility-as-the-core-of-professionalism/ (as of Aug. 25, 2025)

²⁷ People v. Chong (1999) 76 Cal.App.4th 232, 235-236

²⁸ In re Koven (2005) 134 Cal.App.4th 262, 267

²⁹ McCann v. Municipal Court (1990) 221 Cal. App. 3d 527, 534

change comes from remembering the importance of how we deliver the message.

I conclude with a quote from Jane Reardon's article "Civility as the Core of Professionalism," as she has beautifully set forth the expectations for attorney conduct as follows:

"Civil behavior is a core element of attorney professionalism. As the guardians of the Rule of Law that defines the American social and political fabric, lawyers should embody civility in all they do. Not only do lawyers serve as representatives of their clients, they serve as officers of the legal system and public citizens having special responsibility for the quality of justice. To fulfill these overarching and overlapping roles, lawyers must make civility their professional standard and ideal."30

Justice Richard T. Fields has presided in the courts of Riverside County since 1991. He has served in his current role as Associate Justice of the California Court of Appeal, Fourth District, Division Two, since 2017. The views expressed in this article are his own.



30 Reardon, "Civility as the Core of the Profession" (Sept. 18, 2014)

Business Law Today (ABA Business Law Section) https://www.americanbar.org/groups/business_law/resources/business-law-today/2014-september/civility-as-the-core-of-professionalism/ (as of Aug. 25, 2025)



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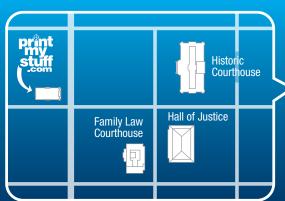
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Taylor Heath – Aleshire & Wynder, Riverside

Katherine Johnston – Aleshire & Wynder, Riverside

Miruna Lujan – Antonyan Miranda, San Diego

Laiba Malik (S) – Thompson & Colegate, Riverside

Olivia McGovern – Aleshire & Wynder, Riverside

Rebecca G. Mikhail – Law Office of Georges Meleka,

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Maren N. Woiemberghe – Trujillo & Trujillo, Temecula

(S) – Designates Law Student Member



CALENDAR

SEPTEMBER

- Roundtable with Judge Hopp 12:15, Zoom MCLF
- **Civil Litigation Section Meeting** Noon, Zoom Speaker: Robert Jacobs, Esq. Topic: "Mediation: Why the Other Side Won't Settle (and What You Can Do About It)"
- RCBA Annual Installation of Officers Dinner 5:30 pm Social Hour, 6:30 pm Dinner Mission Inn 3649 Mission Inn Avenue, Riverside

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.

Estate Planning, Probate & Elder Law Section Noon, RCBA Gabbert Gallery Speakers: James S. Sohn & Eric L. Stopher Topic: "Mental Health in Riverside County and the Law" MCLE

Juvenile Law Section 12:15, Zoom Speaker: Corina Viramontes Topic: "A Guide to the Interstate Compact on the Placement of Children" MCLE

Events Subject To Change

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

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