



CITATIONS

DECEMBER - TWO THOUSAND FOUR

VCBA MISSION STATEMENT

To promote legal excellence, high ethical standards and professional conduct in the practice of law;

To improve access to legal services for all people in Ventura County; and

To work to improve the administration of justice.

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THE LONG GOODBYE

By Philip Garrett Panitz



So here we are. It's been one year, and my administration is drawing to a close. I've enjoyed the experience of serving as President of the VCBA. In reflecting on this year's accomplishments, I hope my legacy is a new state of the art website for the VCBA, which should be up and running early in 2005. It will provide our attorney directory, MCLE, and many other great features that should benefit us for years to come.

I hope my legacy does not include controversy over topless sunbathing. Quite frankly, having visited France this summer, if our beaches looked anything like their beaches, it would be very hard to object to our beaches being graced with scantily clad lasses, whether equal protection applies or not. Unfortunately, sometimes I think it would be preferable to just ban topless sunbathing for both men and women in this country. It is not necessarily a pretty sight here in the USA. Thank you McDonald's, Burger King, KFC and all our other fast food friends, in conjunction with our general sedentary lifestyle. As attorneys we certainly fall into that pattern more than most, sitting in front of our computer screens so many hours per day. At least I swing a golf club about 95 times every other week or so. It keeps me in shape, as you can surely tell.

In reflecting back on my year, I would have to say that the job proved to be gratifying. When asked whether the year was what I expected, I must admit I found

myself more of a mediator than I had anticipated. There are certainly many strong-willed individuals in any group of lawyers, and one thing about lawyers is that they rarely agree on much. As president, one generally spends considerable time either making peace between them or finding some middle ground. I hope I have at least brokered a temporary calm. In that regard,

When asked whether the year was what I expected, I must admit I found myself more of a mediator than I had anticipated. There are certainly many strong-willed individuals in any group of lawyers, and one thing about lawyers is that they rarely agree on much.

I consider my administration a success. I avoided impeachment, was rarely misquoted in the press, avoided all interns like the plague, and put about 30,000 miles on my car attending most every meeting I was invited to.

I would like to thank a few special people who made my life easier this year. Steve Henderson, our Executive Director, in my opinion, is the best thing that ever happened to this Bar Association. His dedication to our bar is unparalleled, but on top of that he is innovative and creative and our bar association is vibrant, dynamic, and – most importantly – prosperous due to his influence. Don Hurley and Loye Barton, who both served as officers on our executive committee, were so extremely supportive and were active participants in everything that we accomplished this year. It was a pleasure to work side by side with such enthusiastic and classy individuals. Prior to my involvement as an officer of the

bar, I knew them only in passing. Now I consider them my friends. Wendy Lascher I considered a friend long before I took this job. Yet, for her tireless efforts in editing my columns and picking up the void left when our former editor resigned mid-year, in addition to running her busy law practice, I extend my extra heartfelt gratitude. (The former editor resigned, believe it or not, because he felt my columns were running too long and I refused to sign a "contract" to keep them under 1050 words. I kid you not.) I would also like to thank my staff, Jeanne Melancon and Ryan

Schaap, who make coming to work fun, and being gone from work way less stressful, knowing that the fort is protected when I am not there. Thanks to them for allowing me to volunteer my time this year to the Bar Association.

I would also like to thank you, my constituency, for putting up with me this year and providing me with such positive feedback about my columns. However, I do not plan on fading into the sunset. I'm sure that I will be suckered into, oops, I mean graciously talked into volunteering in some other capacity in the future.

Have a great holiday and a Happy New Year! Can you believe it is nearly 2005? Somebody slow this train down, will you?

WORKERS' COMPENSATION JUDGE STELLA L. OWENS-MURRELL

By Louis J. Vigortia

Judge Owens-Murrell is a native of New York City. The oldest of five siblings, she was born and raised in the heart of Manhattan, growing up in the era of the civil rights movement and the Vietnam War.

She participated in the civil rights demonstrations of the 1960's and witnessed the enactment of the Civil Rights Act of 1964. These historically significant events instilled in her, at an early age, a desire for a career in the legal profession. Next to her mother and her aunts, Judge Owens-Murrell cites as her role model Constance Baker Motley, a pioneer civil rights lawyer who was one of the attorneys on the NAACP litigation team in the landmark case of *Brown v. Board of Education*, and one of the first African-American women to be appointed as a United States District Court Judge.

Judge Owens-Murrell graduated from Hunter College in the Bronx, New York, in 1970. Her undergraduate experience further guided her toward a law career. During her junior year, she studied government as a Washington Semester Fellow at the American University in Washington, D.C. and Harvard University in Cambridge, Massachusetts. She was particularly drawn to the judicial branch. Through her study of the judiciary, she had the privilege of meeting Supreme Court Justice Thurgood Marshall, another civil rights pioneer and lead attorney for the NAACP in *Brown*. She remembers asking him why he chose to become a judge. He told her that his career was based on service to the public and that judges must be dedicated to public service. They have a duty to serve the public with integrity and fairness in the administration of the law.

Judge Owens-Murrell entered the University of Notre Dame School of Law in 1970 and graduated in 1973 with a Juris Doctor degree. After graduation, Judge Owens-Murrell worked for the National Labor Relations Board (NLRB) as an Agent and Field Attorney-Trainee, where she investigated unfair labor practice charges,

oversaw union certification and decertification elections and appeared at administrative hearings. In her next position, with Trans World Airlines in New York City, she continued to develop her interest in labor law. When Judge Owens-Murrell moved to Los Angeles in the late 1970's, she continued her work in the labor field. At Parker, Milliken, Clark, O'Hara and Samuelian, she worked as an associate in the labor law division and represented such corporations as StarKist and ITT. In 1986 she opened a law office, practicing criminal and civil law, but she soon developed a specialty in labor and civil rights litigation, including work as an applicant's attorney before the Workers' Compensation Appeals Board. Judge Owens-Murrell dedicated her career for more than 20 years to developing an expertise in the field of labor and civil rights litigation. While in private practice she litigated several employment discrimination cases in the state trial and appellate courts, the U.S. District Courts for the Central and Eastern Districts of California and the Ninth Circuit Court of Appeals.

In July 1988, Judge Owens-Murrell was the lead trial attorney for the plaintiff in a U. S. District Court race discrimination case against a major grocery chain in *Young v. Von's Grocery Company*, in which the plaintiff was awarded \$12.2 million. It was the highest verdict of its time for a single plaintiff in a race discrimination case. Judge Owens-Murrell also published articles about Civil Rights Act reform in the *Minority Employment Journal* in 1990 and 1991.

In 1995 Judge Owens-Murrell left private practice when she received an appointment to the California Department of Industrial Relations, Office of the Director-Legal Unit. She served as a Trial Attorney representing the Director as administrator of the Uninsured Employers Fund, the Subsequent Injuries Fund, Death Without Dependents Unit and in other civil and administrative matters. She also presided as a Hearing Officer in public works cases.

Judge Murrell-Owens ran for a Los Angeles Superior Court judgeship against an incumbent in the March 2, 2004 primary election. Although she received the endorsements of the Los Angeles Times, the Long Beach Press-Telegram and the Daily Breeze, she was unsuccessful in her bid for office. Her campaign nonetheless proved fruitful. She found in the process that many civil and criminal litigators lack an understanding of the complexities of workers' compensation litigation and practice, a field she recognizes as highly specialized and challenging. She was appointed as a Workers' Compensation Administrative Law Judge and took the bench on July 6, 2004. She is currently assigned to the Oxnard Claims Adjudication Unit of the Division of Workers' Compensation. She says she is excited about her appointment because it has given her the opportunity to put into practice those IDEALS imparted to her by Justice Marshall.

Taking Justice Marshall's admonition to heart, Judge Owens-Murrell has dedicated her life and career to public service. In the early 1980's she served on the Board of Directors for Haven Hills Shelter for Battered Women and worked with the Fair Housing Council of the San Fernando Valley. For several years she has provided pro bono legal assistance to the Boys and Girls Club of the San Fernando Valley and has served on their Development Resources Board. She has also taken a special interest in promoting diversity and the participation of women in the California State Bar. She served as Vice-Chair of the State Bar Committee on Women in the Law during 2000-2001 and Chair during 2001-2002. She is currently a member of California Women Lawyers and the Antelope Valley Bar Association. She also serves as Legal Advisor to the Antelope Valley Human Relations Task Force, formerly known as the Antelope Valley Hate Crimes Task Force, where she works with law enforcement agencies to ensure the reporting, investigation and prosecution of hate crimes. Judge Owens-Murrell also serves in a legal ministry for First Missionary Baptist Church in Lancaster, California where she

advises the church on legal matters and provides pro bono services to members of the congregation and to the Antelope Valley community. She is the recipient of numerous awards.

Judge Owens-Murrell is a resident of Palmdale and is married to Minister Emmett B. Murrell. She has 3 children and 6 grandchildren.



Lou Vigorita practices workers' compensation and social security law in Ventura. He is a member of the CITATIONS editorial board.

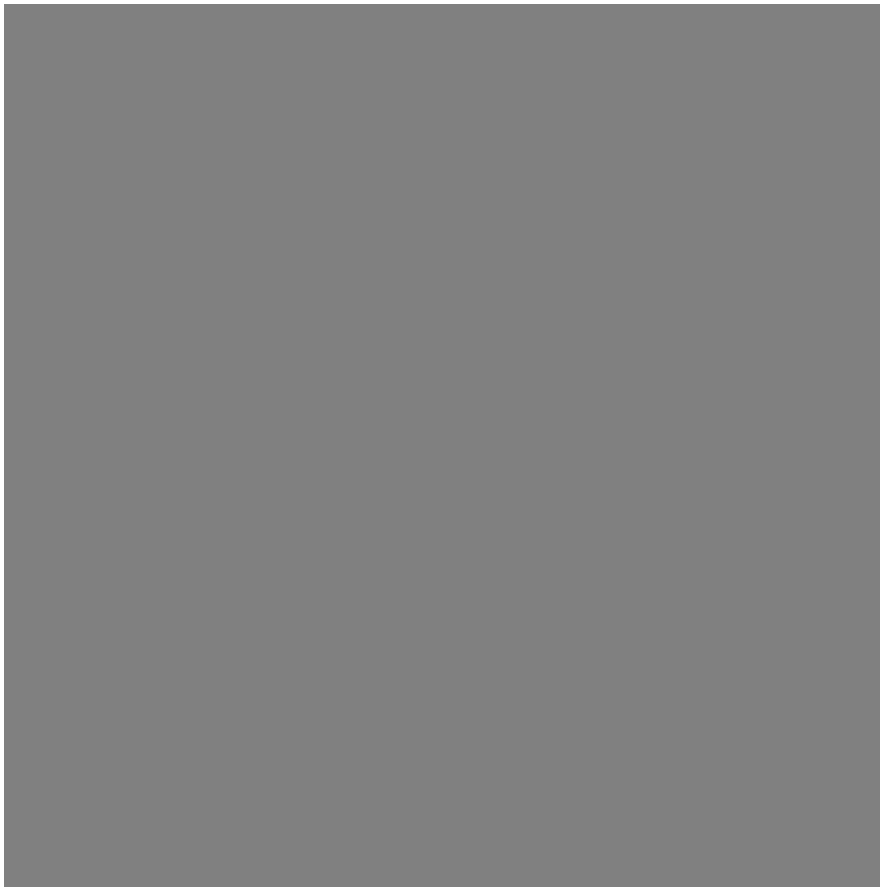
CHANGE THE LAW!

Now is the time for making resolutions. No, probably not the kind you are thinking of. Start drafting resolutions for submission to the Conference of Delegates for California Bar Association. The Conference of Delegates is a great way to help change the law, and to make it work better. You must select a code section that you think could use clarification or modification. Pick your favorite code section and fix it, or draft a new one. There are a number of lawyers in the county who have already done just that.

The Conference of Delegates reviews and debates over one hundred resolutions each year. Those that pass at the annual meeting are submitted to a lobbyist for proper placement. This is one way for you, as a practicing individual, to have a statewide effect on the laws that bind us all. Please contact your District 6 representative to the board of directors, Liana Johnsson, or Melissa Hill, Ventura County delegation chair, for more information.

Also, State Bar dues notices are about to be sent. Please check the box for voluntary dues to support the important work done by the Conference of Delegates.

DEVINE HALL



EVOLVING LEGAL BATTLES FOR DOMESTIC PARTNERS

By Christina Shaffer

During the past decade, Californians have been subjected to a legal “tug of war” over same sex relationships

First, in *Lawrence v. Texas*, the United States Supreme Court overruled *Bowers v. Hardwick* and held that a ban on same sex sodomy violated the Due Process Clause of the Fourteenth Amendment to the United States Constitution. (*Lawrence v. Texas*, 539 U.S. 558, 578 (2003)). Then, the Supreme Court of California invalidated approximately 4,000 same sex marriages performed under licenses issued by the County Clerk of the City and County of San Francisco. (*Lockyer v. City and County of San Francisco* (2004) 33 Cal.4th 1055, 1069.) In what appears to be a “happy medium” between gay marriage and an outright ban on the same, the legislature passed the California Domestic Partner Rights and Responsibilities Act of 2003 (AB 205) effective January 1, 2005, which expands the rights of domestic partners to be similar to those conferred upon spouses.

Shortly after it was enacted, opponents of AB 205 brought suit in the Sacramento County Superior Court arguing that AB 205 violated Proposition 22, the California Defense to Marriage Act, which limits the definition of marriage to being between a man and a woman. On September 9, 2004 Judge E. McMaster disagreed, ruling that AB 205 does not change the definition of marriage and thus does not violate Proposition 22 (Romney, “Judge Backs Partner Rights Law”, Los Angeles Times, September 9, 2004).

AB 205 is now the governing statute regarding the rights of domestic partners. It provides that “Registered domestic partners shall have the same rights, protections, and benefits, and shall be subject to the same

responsibilities, obligations and duties under law . . . as are granted to and imposed upon spouses.” Fam. Code § 297.5(a).

CHILDREN OF DOMESTIC PARTNERS

Family Code section 297.5(d) provides that the rights and obligations of registered domestic partners with respect to a child of either of them shall be the same as those of spouses.

AB 205 is a significant expansion of the domestic partnership rights first recognized in California in 2000. The application of new domestic partnership laws to real life situations will undoubtedly create cases of first impression for California courts,

Under prior legislation, a domestic partner could adopt his or her partner’s child. Adoption may not be necessary under AB 205. Since a husband is presumed the father of a child born during marriage, should a domestic partner be presumed the parent of his or her partner’s child born during the domestic partnership? The legislative intent appears to answer this question affirmatively by stating that Family Code section 297.5 should be construed liberally in order to provide registered domestic partners the “full range of legal rights, protections and benefits, as well as all of the responsibilities, obligations, and duties to . . . their children . . . as the laws of California extend to and impose upon spouses.” Stats 2003 ch 421 (AB 205) § 15.

Eligible spouses have the rights to child support, custody and visitation of minor children. Under AB 205, domestic partners are entitled to these same rights and obligated by these same laws.

COMMUNITY PROPERTY

AB 205 does not specifically state that community property rights are extended to domestic partnerships. However, the statute implies that community property laws expand to those unions. First, Family Code section 299.5(d), which prevents the creation of community property rights by domestic partners, is repealed by AB 205. Second, AB 205 invokes the term “community property” with reference to termination of domestic partnerships (Fam. Code, § 299(a)(6)-(7)) and domestic partners’ tax obligations (Fam. Code, § 297.5(g)).

TAXES

Although AB 205 extends the rights of domestic partners to be similar to those conferred upon spouses, there are limitations. First, California’s domestic partnership laws with respect to federal taxation issues are preempted by the Federal Defense of Marriage Act. Second, AB 205 provides that state income tax returns shall be governed by federal tax return requirements. Specifically, earned income may not be treated as community property for state income tax purposes, and the filing status of a domestic partner must be the same on his or her state return as it is on his or her federal return. Fam. Code § 297.5(g). Thus, since domestic partners cannot file a joint federal tax return, they cannot file a joint state tax return.

TERMINATING A DOMESTIC PARTNERSHIP

Under prior law, either partner could terminate the domestic partnership simply by giving notice to the other partner. AB

205, however, requires that a petition for dissolution be filed when there are minor children of the partnership, the domestic partnership is of more than five years, or there is any interest in real property, among other circumstances. Fam. Code § 299(a).

THE FUTURE FOR DOMESTIC PARTNERSHIPS

AB 205 is a significant expansion of the domestic partnership rights first recognized in California in 2000. The application of new domestic partnership laws to real life situations will undoubtedly create cases of first impression for California courts, thus resulting in further legislation. If the past is any indicator, such legislation will likely expand and solidify the rights of domestic partners.

REQUISITE FORMS

The declaration of domestic partnership form is available from any local county registrar's office or at any office of the California Secretary of State. The form can also be downloaded at <http://www.ss.ca.gov/dpregistry/>. It must be notarized and sent to the Secretary of State's office in Sacramento with a \$10.00 filing fee.

The forms and instructions for terminating a domestic partnership can also be found at <http://www.ss.ca.gov/dpregistry/>.

Christina Shaffer is an associate at Van Sickle & Rowley, LLP, in Thousand Oaks.

VCBA - 2004 ANNUAL INSTAL



LATION & AWARDS BANQUET

PHOTOS : AL VARGAS



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State Bar President's Pro Bono Award



Chief Justice Ronald M. George and State Bar President Anthony P. Capozzi presented Ventura attorney Gabriela Navarro-Busch with the State Bar President's Pro Bono Award in October, for her efforts at a

monthly free legal clinic for Spanish-speaking immigrants, and for her hundreds of hours of work on individual pro bono cases.

\$1,158,000!

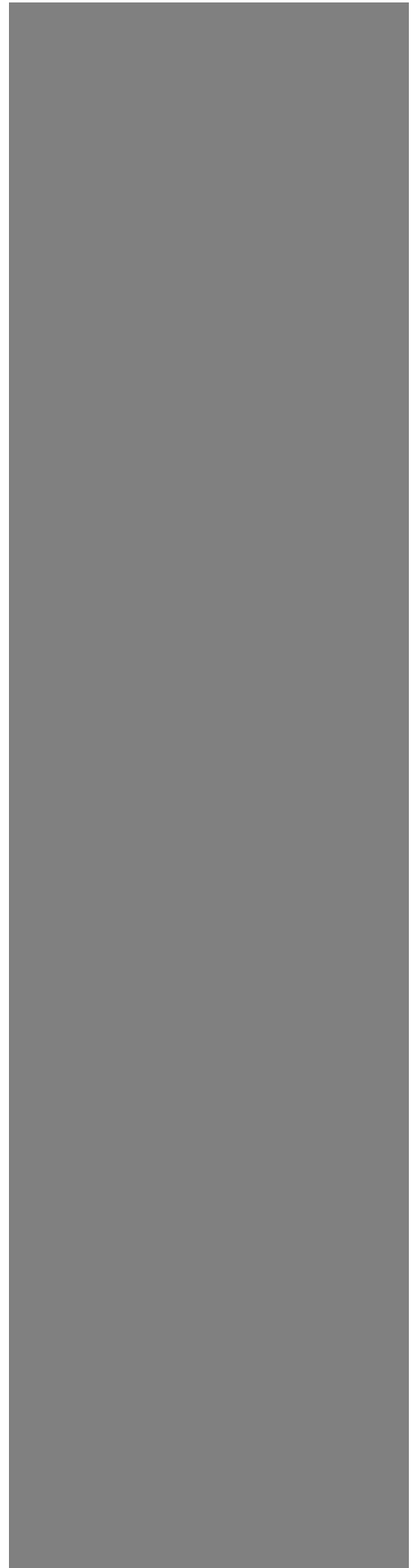
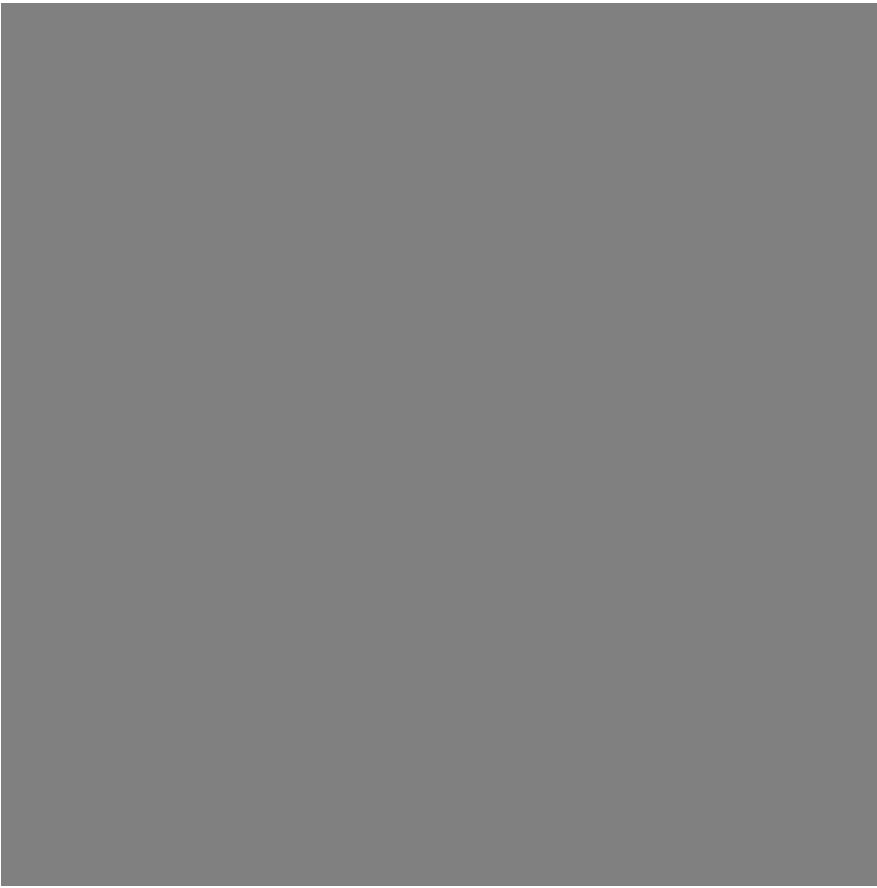
VCBA LRIS panel members have generated more than \$1,158,000 in attorney's fees from referrals in the tort and malpractice panels



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EAR TO THE WALL

Gregory W. Herring, a partner with the law firm of Ferguson, Case, Orr, Paterson & Cunningham LLP, has been elected Chair of the Executive Committee of the California State Bar Association's Family Law Section for the 2004 – 2005 year, beginning in October, 2004. The Executive Committee (1) organizes Continuing Legal Education Programs for the Family Law Section, (2) publishes the Section's periodical, "Family Law News," and (3) tracks and helps shape statewide legislation concerning family law matters. Mr. Herring previously served as the Executive Committee's Vice-chair and as Editor of Family Law News.

Mark F. Sullivan and **Donn S. Taketa** of Westlake Village have formed Sullivan Taketa LLP. The firm is located at 31351 Via Colinas, Suite 205, Westlake Village, California 91362, and the new telephone number is (818) 889-2299. The firm's new website is at www.calawcounsel.com. The other members of the firm are **Glenn C. Kelble**, **Dien Le**, and **Joel R. Villaseñor**. The firm specializes in business, employment, telecommunications, and real estate litigation.

Thomas Milhaupt and **Melissa Cohen** are pleased to announce their new offices at Milhaupt and Cohen, A Professional Corporation, 101 Moody Court, Second Floor, Thousand Oaks, CA 91360, (805) 379-0235, Fax (805) 379-2001.

Charles Pode would like you to know that he has associated with a new firm effective immediately. Charles Pode, Maranga – Morgenstern, 5850 Canoga Avenue, Suite 600, Woodland Hills, CA 91367, (818) 587-9146, Fax (818) 587-9147, email: cpode@marmorlaw.com.

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WHISTLESTOP

By: *Jeanne A. Flaherty*

THE COURT SEEKS VOLUNTEER MESC OFFICERS

DEMAND FOR MESC_s HAS EXCEEDED SUPPLY

The Ventura County Superior Court offers a relatively early settlement conference, the Mandatory Early Settlement Conference ("MESC"). It is a very popular option in the court's Alternative Dispute Resolution Program. The conference is intended to be held at about 6 to 7 months into the case. Volunteer attorneys act as settlement officers.

MESCs are often requested in less-complicated unlimited jurisdiction cases. Unfortunately, the demand for these MESCs has far exceeded the availability of volunteer officers, so the court has been unable to set MESCs in many cases where parties have requested them.

Anyone who wants to become a Settlement Officer can contact Bobbie Del Toro at (805) 654-3889.

Quote of the Month:

Tip big and wear good clothes.

--Frank Sinatra



Jeanne A. Flaherty is the Senior Case Management Attorney and presides over the Civil Case Management Calendar. She contributes monthly articles about the concerns of the Civil Case Management Team of Ventura County which includes Judge David W. Long, Judge Vincent J. O'Neill, Jr., Judge Henry Walsh, Judge Thomas J. Hutchins, Judge Kent M. Kellegrew, Judge Steven A. Hintz, Judge Frederick H. Bysshe and herself.

Letter to the Editor

Editor:

The following is a response to an article, "Will California Strike 'Three Strikes'? Criminals' families ask voters to turn their kin loose", by Bridget Johnson, which appeared in the Wall Street Journal of Thursday, October 28, 2004. The Johnson article may be found at <http://www.opinionjournal.com/extra/?id=110005816>.

No doubt there are some who are making the "cruel and unusual punishment" argument in favor of Prop. 66. But not all of us. She's closer with the economic argument: "Proponents say that Three Strikes has cost taxpayers too much, as if any amount is too much to lock up the bad guys."

Well yes, Ms. Johnson, there is "any amount" that would be too much. (Be wary of arguments that include the word "any"-those who wanted "anyone but Bush" for their candidate...well, isn't that exactly what they ended up with?) Ms. Johnson objects to the reduction [sic] ad Hitlerum argument, but herself falls into the reductio ad absurdum one with her 'at any cost' thesis. After all, if safety and freedom from crime are to be had at any cost, why not start with a Singaporean system and then start to get really serious? Might it be because we wouldn't want to live in that land? And not because of our concerns for the criminals' rights.

There are two lobbies in California that regularly get their boots polished by the loving tongues of the Legislature (and no, the trial lawyers might want to be in that enviable position, but they haven't managed it). I refer to the physicians (see MICRA, going on thirty years without a cost-of-living adjustment) and more to the point, the prison guards.

Sure, we can just lock everyone up, but is that the only solution? As to the thefts, both petty and not, the better solution would be to give drug addicts all the drugs they want.

As Ms. Johnson recognizes, most thievery arises from the desire to buy drugs. So, sayonara, theft problems; the improvement that we might see in our lives from refusing to further rape the Constitution, militarize civil society, corrupt the police and judiciary (and of course the prison guards who sell drugs to inmates) wholesale, and create great profits out of weeds for increasingly violent thugs, would be merely icing on the cake.

As to the truly violent...Ms. Johnson says: "That means Richard "Night Stalker" Ramirez [sic], convicted of 13 murders and 30 other felonies, would get only one strike."

What is wrong with this picture? First, Ramirez should have been put down by the unlicensed, unregistered handgun of his first intended victim. (What? You want to be safe from violent crime, and you've allowed the victims to be disarmed, rather than the criminals? What the hell were you fools thinking? But that's an argument for another day.)

But seriously-how many "strikes" do you need to give a guy the death penalty, or life without parole, for one murder? Is the problem really refusing to give a guy 25 to life for stealing a pizza, because he has a long rap sheet, or is the problem refusing to give serious sentences for serious crimes? Example: "After a jury trial, she was convicted on assault with a deadly weapon (her car), strong-arm robbery and petty theft with priors, and she was remanded into custody. She had a history of probation violations, and the probation department recommended she go back to prison for eight years. The judge gave her probation only. And even through she had two violent crimes in my case, she was only handed one strike. "

When someone gets probation for assault with a deadly weapon and strong-arm robbery, the problem is not that she was given only one "strike." The problem is that she didn't get a reasonable sentence for assault with a deadly weapon and strong-arm robbery. And why is that? Might it be because there's no room at the inn, what with all of the pizza thieves we've sent away forever?

Three-strikes was conceptually flawed from the outset. If we want a safe society without turning us all into either inmates or guards, the solution is simple: decriminalize all consensual behavior, and then seriously raise the stakes for crimes against persons or property, without waiting for some arbitrary number of "strikes."

Or is letting the punishment fit the crime too complicated to understand?

Cordially,
Terence Geoghegan

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Thursday, December 2, 2004

4 p.m.

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CLASSIFIEDS

OFFICE SPACE

Office Space to share located on **California Street** in downtown Ventura. Already furnished. Current attorney occupant uses the office minimally. \$250-\$350 (depending on usage). (805) 641-9326.

EMPLOYMENT OPPORTUNITY

Norman, Dowler, Sawyer, Israel, Walker & Barton LLP is seeking an **estate planning, trust administration and probate attorney** with one to two years' experience, and a **litigation secretary**. Great working environment. Please send resume to: Loye M. Barton, 840 County Square Drive, Ventura CA, 93003. (805) 654-0911, (805) 654-1902, fax lbarton@normandowler.com.

Legal Assistant for Thousand Oaks law firm. Denise Houghton and Jeff Swartz are recruiting a friendly, organized, multi-tasker to join their team. Family Law or Workers' Comp experience a plus, but willing to train. Candidates with initiative and who are looking for a challenging, collegiate atmosphere and an excellent benefits package with a competitive salary, should fax their confidential resume immediately to (805) 496-7734.

Law firm in Oxnard Financial Tower seeks **probate and estate planning secretary** with solid 2+ years experience, including working knowledge of probate and estate planning and proficiency in WordPerfect 10 and Legal Solutions. Excel, Abacus and Hot Docs is a plus, but can be trained. Strong organizational skills and attention to detail is required. Salary will be commensurate with experience and qualifications, plus standard benefits package. Chris Miyasaki (805) 988-1937 or Saki@atozlaw.com.

Busy litigator with fast-paced trial and mediation practice seeks **PT/FT legal assistant/paralegal/secretary**. \$DOE. Resume to (805) 988-4948 Attn: DK.

Conejo Valley Association of Realtors has an immediate opening for a **Membership and Professional Standards Administrative Assistant**, Mon-Fri 9-5. Qualifications – Computer savvy, Word/Excel, good people skills, multi-tasker. Great health benefits, super work environment. Prefer some paralegal/legal background. Conejo Valley

Association of Realtors is located in beautiful Thousand Oaks. Salary commensurate with qualifications. Please email resume to evelyn@cvar.com.

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USC Law School graduate with 7 years' experience in general civil litigation, and exceptional writing skills. I am **available part-time, or on a contract basis** and am interested in real estate, business, and estate planning in Thousand Oaks, Westlake or Agoura. Contact Evonne Fisher at (818) 281-3779 or emagee@adelphia.net.

Seeking full/part time employment. I have 3 1/2 years experience in civil litigation in personal injury matters. Formal Education: BA cum laude; M.ED; JD, dean's list. National honor society in Psychology. Please contact me at harveen_simpkins@yahoo.com or (805) 985-2823. Beena Simpkins.

Summer Associate Position Wanted.

Rising Wake Forest 3L looking for a summer position with a family law or general practice law firm in Ventura County. Smith College graduate with 3 years of paralegal experience in trusts and estates, structured finance, and franchising. Resume and references available upon

request. If interested, please email me at holsjc3@law.wfu.edu.

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Anthony Ramos, of **Nordman, Cormany, Hair & Compton**, just received the 2004 Cesar Chavez Award Nov. 6 from the state Association of Mexican American Educators for his work on behalf of the community and its children. Anthony was raised in El Rio and became involved with the local AMAE chapter when he was 10, helping his sister and attending conferences. In 1985 he was awarded a scholarship for college from AMAE, too...Chalk-up three more associates with **Ferguson, Case, et al.** **Ellen M. Murphy** and **Doug K. Goldwater** were initiated early November, while **Jesse E. Cahill** began Nov. 22. That gives FCOP&C 25 legal eagles...**Sean Cowdrey** has departed **Proctor, McCarthy & Slaughter** and is taking a couple months off prior to opening his own shop in January '05...

New officers of the **Mexican American Bar Association** include **Susan Ratzkin**, President; **Barbara Macri-Ortiz**, Vice President; **Susana Goytia Miller**, Treasurer; and **Joel Villaseñor**, Secretary. They will be honored during the installation dinner December 10. **Gabriella Garcia Navarro-Busch**, president this year, did a magnificent job managing the troops...**Melissa Cohen** set out from **Benton, Orr, Duval, et al.** after about 3 1/2 years and joined her husband forming **Milhaupt and Cohen** mid-August. Melissa is much closer to home now making life a tad easier with their two children, Colin and Evan. San Francisco's new District Attorney, Kamala Harris, claims the "crackdown mentality has not worked". According to a LA Magazine article October 24 she states: "The California Criminal justice system is in dire need of drastic change. Capital punishment, three strikes, determinate sentencing have backfired badly, creating a

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Steve Henderson, Executive Director

massive adult and juvenile prison system that has absorbed billions of dollars of resources that would be more wisely invested on crime prevention and rehabilitation." **Judge Steve Hintz** was presented the Award of Merit for Professionalism during the September gathering of the **Jerome H. Berenson Inn of Court**. The award was given for ethics and civility within the legal community and offered by the board of directors during a standing ovation of the 80-member organization...Spotted in Sports Illustrated: "Chinese track star Liu Xiang, who won the gold medal in the 110-meter hurdles in Athens, has signed a deal to endorse cigarettes..."

David Masci is a daddy once again. Jack Gabriele Byrn Masci was born Sept. 15 at 5:25 a.m., weighing 9 pounds even. Wife Kathryn is doing well and 17 month old Alexandra is tickled...A couple judicial races in several states became partisan battlegrounds. In one Illinois race, two vying candidates raised \$5 million. In West Virginia, a group financed by business interests spent \$2.5 million to defeat a sitting State Supreme Court Justice. In 2002, in every judicial election in the nation combined, "We didn't even reach \$1 million until Oct. 30," said Deborah Goldberg, the director of the Democracy Program. In 2000, there were three races for seats on the Illinois Supreme Court, and no one thought to buy television ads. In 2002, there was a single race and candidates spent \$320,000. This year there was a single race and just over \$2 million was spent...Hooray for **Bob Huber**, who garnered a whopping 23,451 votes in his successful bid for a spot on the Ventura County Community College Board of Trustees. And **Deirdre Frank**, in a loss for the mayor's spot in Oxnard, managed 8,000-plus votes...

License Plate of the Month: CNZ ESQ driven by **Constance Zarkowski**...Orange County Superior Court Judge James P. Gray ran for the U.S. Senate on the Libertarian Party ticket and actually acquired 171,000 votes, or 2%. Gray was our keynote speaker at the bar's installation dinner in 2003...Bar friend **Byron Wedemeyer** suffered a heart attack Oct. 26 and underwent bypass surgery the 29th. Cards and letters may still be sent

to his office at 110 South A Street, Oxnard, 93030...**Charles Pode** has left **Patterson, Ritner, et al.** and joined the firm of **Maranga-Morgenstern** in Woodland Hills...Lots of lawyers and judges attended The Coalition to End Family Violence 10-29 at Spanish Hills. The Roaring 20's Casino Night enjoyed **Judge Tari Cody, Gilbert Romero, Mickye Coyle, DeeDee Frank, Laurel McWaters, Melissa Suttner, Rachelle Helm, and Lisa West** in attendance. **Jody Prior**, Legal Services Manager for the organization, raised some much needed money...

You should have witnessed Family Law Bar President **Marsha Neidens** save the day with some quick thinking Oct. 19 when the caterer for their general membership failed to show. Armed with a credit card and 4th Floor Family Law Facilitator **JoAnn Johnson's** cell phone prowess, pizza and drinks were had by the 40 in attendance including **Judges Smiley, Liebmann, Curtis** and **Commissioner Young**. A big applause too for the Reverend's husband on hand at the Center For Spiritual Living who saved our collective fannies...Another enormously successful VCLSA's 44th Annual Bosses' Night Oct. 13. Title of "Boss of the Year" went to **Loye Barton** of **NDSIW&B** while the "Secretary of the Year" honor was bestowed upon **Jack-Lynn Sawyer** of **Jim Lingl's** office. The **Honorable David Long** again served masterfully as MC. Other lawyers nominated were **Terrence Bonham, Randall George, Louis Cappadona, Carol Haffner** and **James Lingl**. **Mike Case** won the award in 2003. **Olivia Newton** and **Monica Padilla** co-chaired the event, and **Bev Ford** of Pacific Coast Court Reporters donated cruise tickets with Holland America. Word is VCLSA will be donating \$750 of proceeds to the VCBA/VLSP, Inc...

Steve Henderson has been the executive director of the bar association since November 1990 and hopes that family and sports distract him during the next four years. He will be staying at home for the holidays while traversing the Bakersfield-San Luis Obispo-Santa Barbara triangle. Additionally, he'll be asleep before midnight December 31 as the clock will be set back three hours to fool the children.

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