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CITATIONS

OCTOBER - TWO THOUSAND EIGHT



TAKING THE LONG WAY

By Glenn J. Campbell

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PRESIDENT'S MESSAGE

By Matthew P. Guasco



So much of my work as president of the SVCBA focuses on civil law practice. I spend considerable time attending meetings of the sections and affiliates, nearly all of whom focus on civil lawyering. Yet many of Ventura County's lawyers are criminal practitioners, either prosecutors or defense attorneys. Most of the cases resolved in the Ventura Superior Court each year are criminal prosecutions. On any given day, more judges preside over criminal cases than civil cases in our local courts. So, I think it is time to devote this column to the work being done by criminal law practitioners.

I started my legal career as a deputy public defender in Marin County and served in that office for nearly five years. In that time, I tried many cases, settled many more, and was in the criminal courts every day. I wanted to give our members a snapshot of the daily work of prosecutors and defense attorneys. So, I spent a morning with a prosecutor, Deputy District Attorney Joann Roth, and an afternoon with a defense attorney, Deputy Public Defender Russell Baker. The short time I spent with them reminded me of my days in the criminal courts more than 20 years ago. In many ways, not much has changed since then.

Joann Roth has been a member of the Ventura County District Attorney's Office for 10 years. She is currently assigned to the morning felony master calendar in Courtroom 12, where in-custody and out-of-custody defendants are arraigned on new charges and probation violations, and where cases are sent to different departments for preliminary hearings. In addition to her active morning

calendar assignment, Ms. Roth handles all gang crime prosecutions for incidents occurring in four major Ventura County cities, from initial investigation all the way through trial and sentencing. Currently, she has 30 gang prosecutions in her caseload.

Ms. Roth's day began with her collecting the cart containing the files (approximately 30), which had been organized the evening before. The files are not all hers; other deputies are assigned to them, but it is Ms. Roth's job to make the calendar appearances. The cases range from relatively minor burglaries to armed robberies, sexual assaults, shootings, knifings, and homicides. The vast majority of the felony crimes I saw were burglary, robbery, and drug-related offenses, pretty much the same as when I was in the business. I did notice one difference: the very high percentage of charged offenses relating to alleged gang activity.

Ms. Roth spent the morning appearing for other attorneys in her office, as well as talking with witnesses, peace officers, and defense attorneys. All of this occurred in a remarkably fast pace over the course of an hour. Through it all, Ms. Roth calmly multi-tasked, alternatively addressing the court, talking to the various participants, checking files on the in-court computer, or calling other lawyers in her office or peace officers. At one point, she went to Courtroom 14, the master trial calendar, to seek a continuance of a gang-related robbery case. Then she came back to Courtroom 12, which was packed with out-of-custody defendants, victims, witnesses, peace officers, family members and friends, defense attorneys, in-custody defendants (behind an

enormous cage to the left of the courtroom), and Sheriff's Office security staff. When she was done, Ms. Roth went back upstairs with her cart to make final notations in the files. She then sat down to prepare for the felony trial and settlement calendar in the afternoon in the same department. In her spare time each day, she prepares for trial in her several pending gang cases. Ms. Roth loves her work as a prosecutor, and it shows.

Deputy Public Defender Russell Baker has been a criminal defense attorney for approximately nine years, the first four in Miami, Florida, and the last five in Ventura County. Although his mentor in law school urged him to be a prosecutor, Mr. Baker preferred the defense of those accused of crimes. He is currently handling a felony caseload of approximately 45 files, of which eight carry possible life sentences. These cases range from alleged burglaries and assaults to alleged gang crimes and homicides. He had just finished a jury trial with Ms. Roth shortly before I spent time with both of them. Like Ms. Roth, Mr. Baker has tried a lot of cases.

On the afternoon I spent with Mr. Baker, he had four cases on calendar: three in Courtroom 12 (the early disposition/settlement department with Judge Clark), and one in Courtroom 37 (the domestic violence department with Judge Murphy). Both Ms. Roth and Mr. Baker have mastered the art of appearing simultaneously in several different courtrooms without drawing the ire of the judges. Mr. Baker first stopped by Courtroom 12 to see if any cases were being called. He let one of his colleagues know he would be in Courtroom 37. Then he appeared for the arraignment of his client in Courtroom 37 on charges of kidnapping, which carried a potential life sentence. The arraignment of his in-custody client completed, Mr. Baker went back down to Courtroom 12 for his other three cases.

Mr. Baker walked into Judge Clark's chambers, where the judge, several prosecutors, and several deputy public defenders were reviewing files. They engaged in a constant hum of conversation liberally spiced with "Penal Code-ese," a language alien to anyone other than criminal law practitioners and judges. Intermittently, Judge Clark indicated whether he would agree to a specific sentence in exchange for a guilty plea based upon the nature of the offense and the offender's record.

Continued on page 4.

PRESIDENT'S MESSAGE

Continued from page 3.

Mr. Baker spent a brief time plugged into this ongoing conversation, then left to meet with his clients in the holding cell area adjacent to the courtroom. In the semi-private cubicles there, he discussed the status of plea negotiations with each defendant. One decided to accept a negotiated plea, he advised another that there was no deal being offered, and a third deferred entering a guilty plea while he awaited screening for a drug program. I was impressed with the efficient but patient way in which Mr. Baker listened to and advised his clients

I was privileged to observe the work of these two consummate professionals. I also was reminded of a thought I've had over the years since my days as a public defender: For all the popular notions of prosecutors versus defense attorneys (thanks to "Law and Order" and its progeny), these lawyers work in the same courts, on the same cases, involving the same people and the same social ills, pursuant to the same legal framework. They and their colleagues are necessary parts of the balanced administration of criminal justice. They may not always think so, but they have so much in common.

I left my time with both Ms. Roth and Mr. Baker inspired to highlight their good work and that of their colleagues, to encourage the public to support adequate funding and staffing for both the District Attorney and the Public Defender, and to remind all of the lawyers of Ventura County, including criminal practitioners, of our common training, oaths, experiences and bonds. My thanks to Ms. Roth and Mr. Baker for their courtesy and their continuing commitment to serving the public, our profession, and justice. You and your colleagues make us proud.

Matthew P. Guasco is the President of the Ventura County Bar Association, and he is of counsel to the law firm of Arnold, Bleuel, La Rochelle, Mathews & Zirbel, LLP, in Oxnard, where he handles appellate litigation as well as trial court litigation in business, real estate and probate matters. He is also a mediator and arbitrator.

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LETTERS TO THE EDITOR

Dear Editor:

While I liked the beginning two paragraphs of Terry Bonham's article (September Citations page 6), I didn't like much of the rest. No wonder many members of the public do not like lawyers; to read Terry's story is to identify a few reasons.

How about telling a plaintiff at a deposition: "I'm ready for the first lie. What's your name?" Litigation by meanness. Frankly, such tricks are not new, but by advertising that "[w]ithin days...the case settled," Terry seems to be implying causation and promoting boorish behavior. This kind of stuff happens too often as it is.

Then there is the story of hassling the pregnant witness, with the predictable outcome that she and her husband left in a huff, sorry for ever having gotten involved. What is this telling us? What good was accomplished? Witnesses are precious. They help resolve disputes and help overcome attorneys who would like to obfuscate and deny. They should never be abused, inconvenienced, or made sorry they got involved. Rather, they should be congratulated for stepping forward and made to feel useful and appreciated for having done so.

While bemoaning the loss of civility between lawyers, Terry seems to miss the irony that these so-called "civil" lawyers were often rude to others in a big way.

Mark Hancock

A COMMENT FROM THE EDITOR

This is not an editorial, folks, just an observation about editorial philosophy.

We are a publication of VCBA, not an independent newspaper that is free to offer its own editorial views. That's why you don't find malicious criticism or delicious gossip in CITATIONS (well, that and the law of defamation). If you feel a need to know about who is divorcing whom, who has a drug or alcohol problem, or who is losing clients hand over fist, there are people you can ask.

Nor do we trash the courts or other institutions, though we could. This is not from lack of intellectual courage, but because we are a bar publication. We are loathe to express the views of the CITATIONS editorial board as if they were the views of VCBA. Besides, we rarely receive articles or letters challenging our local institutions. Can you guess why local lawyers don't do that?

Dear Editor:

I just read Bonham's article about Batten's actions to impress the young lawyer and the Brace/Halde conduct during the deposition of the pregnant deponent. Is there any wonder that the general public has a poor impression of lawyers when one of our own disseminates evidence of such offensive behavior? I understand the entertainment value of CITATIONS and the idea of "colorful" stories, but aren't we supposed to be trying to emphasize the "good" that we do and de-emphasize the negative? Page 3 has our President Guasco encouraging us to participate in Food Share and to do what we can to feed the homeless, and the very next page describes how "enjoyable depositions could be" when a pregnant women is brought to tears.

If we are to hold ourselves to a "higher standard" in ethics and avoid "the appearance of impropriety" as such a standard, then I do not feel that these stories cited should be recorded in our CITATIONS. They may be true and accurate but they do not honor us and our predecessors.

Lou Vigorita

Please see Mr. Vigorita's own Ab Initio recollections on page 13.

This month is unusual in that two members of the CITATIONS editorial board have written letters to the editor criticizing CITATIONS itself for September's *Ab Initio* column as casting a bad light on the legal profession. *Mea culpa*, only I don't think there is any *culpa* involved. These incidents really happened. They happened in an era when the bar was smaller and more collegial than it is now, but obviously less sensitive to its public image. There is no reason to cover them up – nor any reason to avoid criticizing our own history. I welcome more stories about the way things used to be, even if they reveal that the way things used to be was not always as lovely as memory sometimes makes it seem.

While I'm on the subject of editorial choices, another explanation is in order. We do not print everything submitted to CITATIONS. We prefer articles by and about the local legal

Dear Editor:

As I was writing my classmates today, I wondered about the use of the word "pleaded," as in "tort damages must be specifically pleaded," so I Googled the query. I found it quite amusing to find a site (and I'll bet there are a half dozen or more of 'em) in which attorneys argued passionately on the subject: http://www.abovethelaw.com/2008/01/a_random_friday_poll_pleaded_o.php.

The website had a whopping 114 posts on the subject and a poll to boot! I did not participate in the posts, though I am tempted. Interestingly, the poll responders preferred "pled" almost 2-to-1 over "pleaded" (62.5% to 37.5%). I didn't read all of the posts, but I did look at Black's Law Dictionary, in which "pleaded" appears consistently and "pled" is notably absent. My two cents (and personal sense): I prefer "pleaded" in a written document and the choice of either option in speech, depending on the context. For example, "She pled guilty" sounds better than "she pleaded guilty," but "she pled for her life" sounds less dynamic than "she pleaded for her life."

What do you think (or would you prefer not to)?

David A. Cole

community to more generic pieces. We choose practical legal pieces over law review-type articles. We are trying to move away from the "what I did on my summer vacation"-type pieces.

That said, we welcome your input. In fact, we beg for it. Feel free to submit an article of 500-1500 words about something you think your colleagues should know or would enjoy hearing about. Call me, or any other member of the editorial board, for ideas. Come to one of our editorial board meetings for the latest news, including some that we won't print. This is your magazine.

Wendy Lascher has been editor of CITATIONS (this time around) for about five years. In her spare time, she writes appellate briefs and helps trial lawyers with law and motion practice.



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A BRIEF HISTORY OF COURT TOURS

By Tom Hinkle

Been missing the kids in the courthouse lately? Take heart! Summer is over, student tours will resume this month, and once again you will be sharing your courtroom with young faces experiencing their first taste of our justice system.

In Ventura County, even older practitioners have seldom known a time when courtroom appearances and trials haven't been witnessed by touring schoolchildren. This important service began in 1976, when a fine young attorney, **Richard Swinney** and his wife Jody arrived in Ventura to start practicing law here. Jody had been active in another county with a group of lawyers' wives who gave courthouse tours to local schoolchildren, and she brought the idea to the attention of our (gasp!) Ventura County Lawyers' Wives Association. (As an aside, that fine organization soon fell victim to political correctness, was invaded by males seeking to crack the glass ceiling, was sadly re-named Legal Guild, and eventually disbanded. Fortunately the court tour program survived...but I digress).

Jody corralled the energy of future **Judge Melinda Johnson, Peggy Purnell, Genny Hinkle** and **Carol Ann Smith**, and Mindy authored a procedure manual and mock-trial script. Lawyers' Wives provided the docents and spread word of the project to local elementary and high school teachers.

Over the years, the program has expanded. Docents have been recruited from the public at large, formal docent training has been initiated, and the program has supplied instructive videos to the schools for student orientation in advance of their tours. Until the early 1990s when it was assimilated into the Ventura County Bar Association as an official committee, the program was administered, operated and funded entirely by unpaid volunteers. In more recent years, the program has enjoyed a small line item in the bar's annual budget, but still depends for the funding of its major projects on the generosity of community supporters. For ten years or so after VCBA assumed responsibility for the program, the committee was successfully chaired by **Dennis LaRochelle**, who oversaw many innovations, including a professional video depicting the County's Pre-Trial Detention Facility (once affectionately known as the County Jail).

The tours include an orientation trip around the courthouse, observation of an actual, age-appropriate trial in progress, and participation in a mock trial in which students play all the roles, including judge. Frequently judges will adjourn proceedings, talk to the students about careers in the law, introduce their court attachés, and attempt replies to the many impossible questions only kids can dream up.

Recently two educational video productions have received generous financial support from our legal community:

In 2006 we produced a seven-minute video of the Juvenile Justice Center in El Rio. With the cooperation of the Juvenile Probation Department and access to Juvenile Hall we were able to dramatize a "day in the life" of a fictitious ward, including his arrival by police car at the sallyport of the Hall, search of his body for weapons, the booking process, confinement quarters, his classroom and sports activities while confined, etc.

By voiceover, the fears and anxieties of the young offender are suggested as he learns to accept his new home. One message of the video is that juvie is not a place most kids would want to be – a little aversion therapy and tough love for our touring students to go along with their lesson on how the juvenile justice system works.

The committee has just completed final editing of its latest instructional video, "Who's Who in the Courtroom?" This 22-minute production describes the functions and operations of the court system and the professionals working in it. It explains the educational requirements, qualifications and duties of judges, court clerks, bailiffs, court reporters, interpreters, prosecutors, criminal defense attorneys, and civil plaintiff and defense lawyers, and includes selected short interviews with many of them. Besides serving as an orientation tool, important purposes of this video are to encourage legal careers, and respect for the legal process.

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These endeavors would not have been possible without the financial assistance of judges, lawyers, lawfirms and philanthropic organizations, including: Foundation of the State Bar of California, **Hon. Roland** and **Mrs. Peggy Purnell, Jonathan Light, Tony Strauss, Mark Hiepler, Tom and Genny Hinkle, Arnold, Bleuel, LaRochelle et.al, Dan Palay,** the Julius Gius Foundation, and Rotary Club of Ventura. In producing the most recent video the committee received enormous assistance and cooperation from our Superior Court Administrator, **Michael Planet** and his staff in making courtrooms, judges, and courtroom personnel available for filming; from Court Tour Committee members **Peggy Purnell, Karen Paskowitz** and **Genny Hinkle**, who wrote, rewrote, edited and re-edited the script and video; from judges (including Judges Roland Purnell and **Harry Walsh**), legal professionals, and community volunteers appearing in the video who volunteered their time, effort and expertise; and from **Larry Nimmer** of Nimmer Pictures who yielded an excellent result and agreed to shoot and direct the video at an affordable price.

In the past 32 years, over 100,000 students, teachers and parents have participated in the court tour program. For most of them it has served as their first introduction to our nation's legal system. I am honored to have succeeded Dennis LaRochelle in chairing the Court Tour Committee for the past four years, and am extremely proud of what it has accomplished for the good of our community's students.

Don't forget to stop once in awhile thank the docents herding those kids through our halls of justice. They are enhancing the reputation of our profession, and have earned your admiration and appreciation.



Tom Hinkle is chair of the Court Tours Program and practices law in Ventura. Mr Hinkle is a past president of the VCBA and received the Ben E. Nordman award in 2006.

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AB INITIO

By Lou Vigorita

In 1978 I was lured to Ventura from San Diego when I was offered a position with a workers' compensation defense firm that wanted to establish a presence on the Central Coast. Having been raised in New York City I did not know anyone here, so I joined the Downtown Lions Club. There I met **Bruce Johnston**. He was such a calming influence on the petty day to day workings of that association. People listened to him when he spoke, and he never abused their confidence. I was delighted to see him win the Nordman Award years later.

Another classy guy there was future **Superior Court Judge Jack Smiley**. We shared some fun lunches and conversation about "back East" on those Thursdays. I was not surprised when he was appointed to the bench.

Around that time, still without children to slow me down, I joined the bar association and immediately volunteered my services as a piano player to those who put on the "Bar Show". What a bunch of characters! You may recall a few: **Marv Lewis, Ron Gill, Steve Perren, Nancy Sieh, and George Eskin**. They skewered, incinerated, poked fun at and otherwise slandered the likes of **Richard Hanawalt, Dick Regnier, and Red Blase**. No one was safe from their scripts! **Bill Paterson** had endless anecdotes; Perren and gang kept egging him on.

I had done quite a few gigs in my day, but I could not believe how caustically funny and irreverent these guys were. Marv Lewis was inherently funny in a slapstick way; he reminded me of Red Buttons or Red Skelton. His Michael Jackson take-off (long before The Trial) was brilliant! Steve Perren had the voice to solo and lead the chorus on many tunes/lyrics written by funny guys Bill Paterson and Ron Gill. Remember their take on "A Funny Thing Happened On the Way to the Forum"?

Then there was George Eskin. To accompany him was impossible. Challenging is too kind a word to describe it. He was so demanding that one night at rehearsal I had to tell him that "Marvin Hamlisch himself couldn't make you happy!" Changing keys, tempos – c'mon George, I'm a volunteer! Remember? – he worked me harder than I ever had to work before. "George, this is Ventura, not Broadway." Little did I realize what a perfectionist he is. His community theater rendition of Jacques Brel was a classic I would put up against any off-Broadway production.

I was not in the District Attorney's or the Public Defender's Offices where some of them cut their teeth, so this was my first exposure to the Ventura Bar. It certainly did not appear to be the hick town portrayed by the L.A. attorneys

in my firm. These guys were sharp, talented, unafraid and extremely hard working, even on such a frivolous thing as the annual bar show.

Others will tell you about the irreverent jokes and the politically incorrect content that actually got a trial removed from Ventura County once – but that is the subject of some other article. What I was introduced to was a funny and talented group of guys (and women) who not only brought the house down every year but made me feel at home in my new digs.

Three of them became judges. They had the correct balance between legal professionalism and levity and wit, and the controversy surrounding their performances were unfounded. They are pretty tough acts to follow.



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

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TAKING THE LONG WAY

By Glenn J. Campbell



By the early winter of my second year of law school, I convinced myself that I could open my own civil practice in Ventura immediately after the bar examination. “What are the barriers?” I wondered. I didn’t need a license while getting set up, making contacts and awaiting results – did I? After all, what qualifications would I need to start a firm out of law school? I actually believed I possessed more than enough experience.

I had arrived in the law the long way. I was a Merchant Mariner at 16, transporting jet fuel to Guam for the B-52 bombers bound for North Vietnam. At 17, I became a full time soldier. After the war and during college I worked as a security officer at an inner city medical center and later I was a store detective. Between college and law school, I worked in securities processing and account compliance for E.F. Hutton. During law school, the fun really started: I was a paid summer law clerk at the Ventura County District Attorney’s Office (along with schoolmate **Greg Totten**); Black & Decker’s general counsel had hired me for contract research projects over the school years; I worked at the law library; I was a moot court champ and student body president; I researched a 42-page law review article on wrongful termination; and one weekend each month, plus two weeks in the summer, I was an artillery forward observer calling fire for a self-propelled howitzer regiment. I thought I knew it all. In sum, I was too naive to know what I didn’t know about practicing law.

During that second year of law school, the Pepperdine Law Library had a “fire” sale. A full, current, but used set of West’s California Codes could be had for a mere \$100. “Surely this is a favorable omen,” I thought.

With the boxes provided, I eagerly hauled them away in my 1969 Dodge Dart. Now “fully equipped” and armed with my “major-league” credentials, I had the temerity to believe that I was ready to hit the ground running in a brand-new law practice with no contacts, no experience as a lawyer, with \$1,845.98 in the bank and, despite the wartime-earned GI Bill stipend for education, with \$10,000 in student loans. Somebody should have slapped me long

before reality did. I didn’t even know what “billable hour” meant.

As the bar exam finally approached, my feet began to turn very, very cold. In my naiveté, I had failed to anticipate a few minor things: debt, fear, staggering ignorance, love, zero clientele and sparse rations. Upon graduation from law school, I bailed out on the start-your-own-firm idea and focused solely upon the bar exam. Luckily, I landed an awaiting-results position with Henderson & Smith – **Joe Henderson’s** insurance defense “training battalion.” I had other offers, but Joe’s was a good fit. Joe was always brilliant, sometimes patient and man-oh-man, could he work a room – and he still can and often does. I passed the bar first try. At Joe’s, I was privileged to work with (**Judge**) **David W. Long**, **Dennis LaRochelle**, **Dean Hazard**, **Kevin Parks** and **Tom McCormick**, among others. They were a super crew and to this day I count them all as great compadres.

Three and a half years later, following some thinning of the ranks, having gained translatable experience and also a broken heart, I parted company with the battalion. I joined Lowthorp / Richards at the invitation of **Paul Miller**. Was that really 22 years ago? I had the opportunity to work with **Carl Lowthorp**, **Dick Richards**, **Bob McMillan**, **Paul Miller**, **Chuck Conway**, **Patrick Loughman**, **Quincy Masteller** and also with that stranded-alien-left-on-earth-genius, **Al Templeman**. I had the good fortune in the trial courts to try or litigate every type of civil case under the sun. I recruited **Mark Hiepler** into the firm and we watched his star rise and then supernova into his own spectacularly successful shop. **Dean Hazard**, from the old Henderson Battalion, joined us after a stopover at Benton, Orr. Lowthorp / Richards pulled a coup with the addition of **Dennis Kuttler**. We also have youthful legal “muscle” in **Darin Marx**, **Frank Corral** and **Brett Templeman**. In sum, it is a blessing to work with and be partners with the best attorneys in the tri-counties – skillful, dependable, honest and fun-seeking. These guys are my friends and these guys are the cream of the crop.

In light of all this history, what happened to that second-year-of-law-school idea of my own civil firm? What about that challenge? How many lawyers-to-be had a similar goal still unrealized years later?

In October, 2008, there will be a new “kid” in town: the Ventura Law Group – an idea merely delayed by a quarter of a century. After decades of thought and reflection, following many years of tapping the insights of others and with tremendous gratitude to my partners at Lowthorp/Richards, it is with both regret and anticipation that I am moving from that venerable firm to the new one across the river.

The new firm will handle tort, employment, investment and business disputes, litigation, trials and arbitrations – with technological agility, a new “customer” focus and much less overhead. Leveraging cutting-edge technology will greatly enhance litigation strategy and trial tactics. We will employ integrated tools to produce early and more accurate case evaluation. These dynamics will lead, in most cases, to early resolution. This is a shift from time to value. We are not simply trying to achieve “better-sameness.” We are going to close the huge lawyer/IT gap.

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Even so, it is with a large measure of sorrow that I am leaving Lowthorp/Richards. These are wonderful lawyers whom I consider brothers (okay, maybe some step-brothers). It is a great firm and staff. I will miss this family daily and deeply.

So, what happened to the boxes of purchased Codes? They were stored in successive garages over the years. They were utilized as long dusty shelves for my old bass guitar case and my tape-dotted pistol targets. The conspicuous space they occupied served as a useful reminder of that original plan put on hold.

Not too long ago the Codes found their way to a landfill – they were outdated, heat-warped, dusty and unnecessary in the age of digital research. Eventually we all will face that great “landfill in the sky.” I have lost many comrades over the years. I have buried my parents and three law partners. Before it is my turn, I want to deploy this long delayed law firm, finish some writing projects which have languished

Continued on page 18.

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The Ventura Superior Court proposes new local rules and revisions to other rules. The judges would appreciate any comments or recommendations about these proposals by Thursday, November 6, 2008. Go to www.ventura.courts.ca.gov. Once you get to our website, go to "What's New" and you will find the proposed rules and forms. A hard copy of the proposed changes is also available on request.

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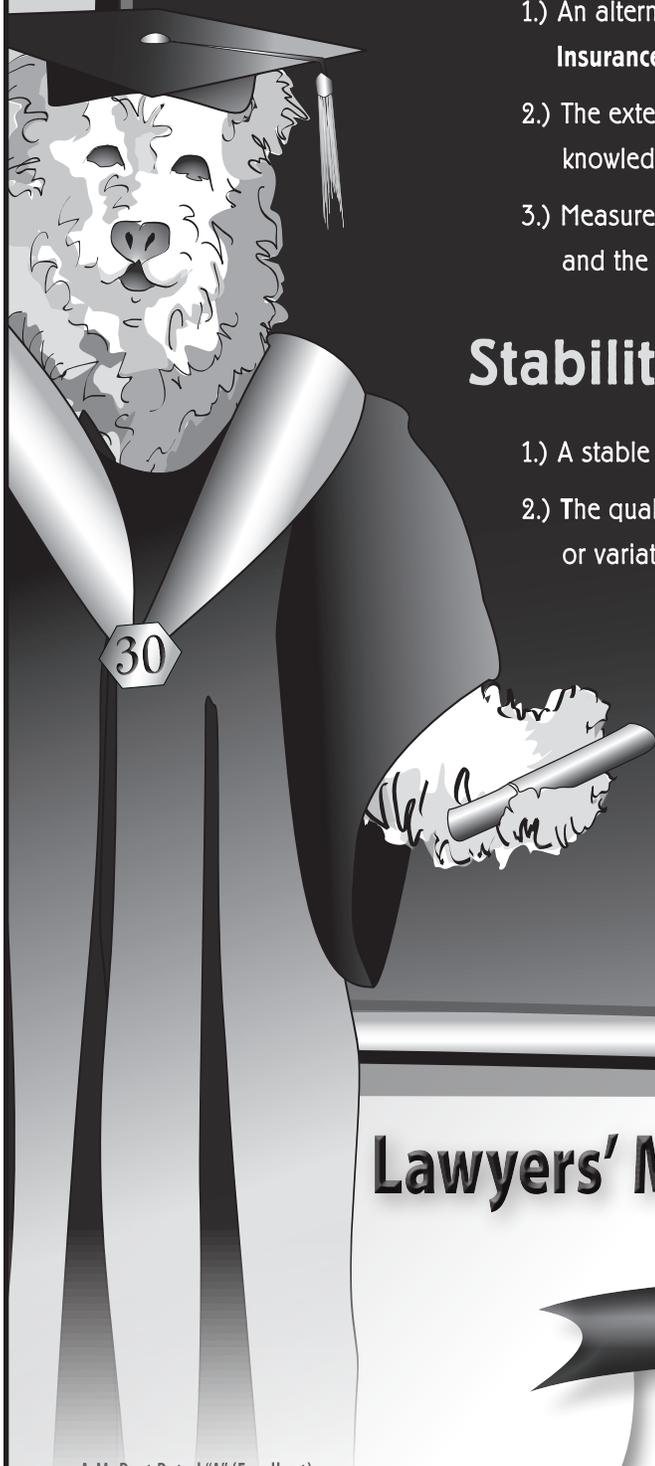
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TAKING THE LONG WAY

Continued from page 14.

and take a few risks in order to pursue and, with God's grace, attain a vision or two.

With Sally, our four daughters, two dogs, one cat, a parrot and hamster-like beings to consider, I cannot retire in any event. Who really wants to retire, anyway? While I am still not completely without slightly chilly feet, I am confident of my skills. It is time to stand in the door, anticipate the prop wash and make this jump. It took the long way to get here and it is going to be great fun!

"To be what we are, and to become what we are capable of becoming, is the only end of life."
Robert Lewis Stevenson

We may be documenting the milestones of our journey for Citations. Stay tuned. I apologize for the length of "Taking The Long Way" and I value your encouragement and critique. By way of some small recompense, I hope you will accept my future invitation to lunch.

Glenn J. Campbell

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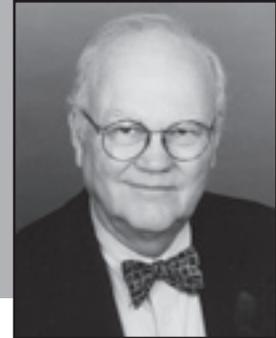


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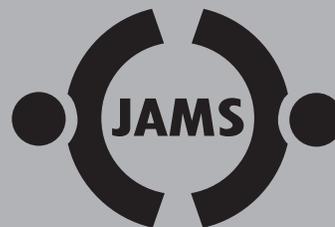
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PRO-BONO HIGHLIGHTS

Expenses Stall Relative Adoptions

By M. Michelle Erich

Grandma wanted to adopt her grandson who had lived with Grandma most of his nine years. She was a simple, elderly lady who loved him and wanted to secure his future. I agreed to represent her on a pro bono basis. The Department of Social Services sent her a stack of forms and a bill for \$2,950 for the report to the court. (Theoretically, a fee reduction or waiver can be requested. Realistically, they are rarely approved these days.) Overwhelmed financially and emotionally, she walked away. If anything happens to Grandma, her grandson is now at risk of foster care placement and an ugly dispute as to where he should live. If Grandma adopted, she could have provided for his new home in her will.

Effective October 1, 2008 the home study investigation fee is \$4,500. With the exception of stepparents, relative adoptions are subject to state investigation, even with a legal guardianship. If a parent does not consent to the adoption, a county investigation is required, \$1,000 perhaps, regarding parental rights. If a parent consents and receives the statutory advisements by a state-licensed Adoption Service Provider, the fee is \$650-800 per parent. Happily the filing fee remains \$20.

The relative is looking at expenses of \$6,000-\$7,000 before attorney fees. Absent contested hearings those fees may run another \$1,500-\$3,500. Costs may include publication, a private investigator for an absent parent, a psychological counselor on the best interests of the child, and more. A relative, who is often being asked by the child to be adopted because the child fears an unfamiliar parent may try to take her or him, faces expenses that may run \$10,000-\$12,000 or more. Isn't it enough that this relative is shouldering the financial burden of raising someone else's child? There should be an exception to the state investigation fee for legal guardians and/or relatives where the child is already in the home. Society is well served by these adoptions, and they should be promoted, not hindered.

Michelle Erich practices in Ventura, and is an expert on adoption law.

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Women Lawyers of Ventura County To Honor Three Leaders

By Jodi Prior

Women Lawyers of Ventura County (WLVC) will honor **M. Carmen Ramírez** and **Tina Rasnow** with the group's Second Annual Legacy Award, and **Deborah Eileen Jurgensen** as the recipient of the Holly Spevak Memorial Award at an October 30 dinner at La Dolce Vita in Oxnard.

The Legacy Award honors one of our "founding mothers" who was an early leader among women lawyers, a strong supporter of women's rights, and an advocate for advancing women in the legal profession.

CARMEN RAMÍREZ



Ramírez served as president of WLVC in 1984, and she has devoted her entire legal career to serving the underserved. She was Executive Director of Channel Counties Legal Services for close

to 30 years, during which time she recruited and mentored many women and minority attorneys to perform pro bono service and help to meet the daunting needs of Ventura and Santa Barbara Counties' low income populations. She left that position in 1998 to start the first court-based Self-Help Legal Access (SHLA) Center in the country devoted to serving limited English proficient populations. Ramírez directed the SHLA Center in La Colonia in Oxnard until her retirement from the court in 2007. She currently serves as Director of Community Development for CAUSE (Central Coast Alliance United for a Sustainable Economy).

For the past three years Ramírez has represented Ventura, Santa Barbara, San Luis Obispo, Riverside and San Bernardino Counties on the State Bar Board of Governors, the first woman governor from our district. She has also served as president of the Ventura County Bar Association, the first chair of the State Bar Standing Committee on the Delivery of Legal Services, and on countless non-profit boards. She is currently a candidate for Oxnard City Council.

Ramírez has dedicated her career to making opportunities for others, particularly those who have suffered from exclusion based on membership in a protected class. She has been a stalwart supporter of WLVC and its feminist principles. She has mentored many new attorneys and encouraged those from disadvantaged backgrounds to pursue legal careers. Ramírez has never wavered in her commitment to protecting the environment and the human rights and dignity of others. She has used her leadership positions to open doors for others. She has forever changed the face of bar leadership.

TINA RASNOW



Rasnow is a Senior Court Attorney and Director of the Ventura Superior Court Self-Help Legal Access Center who was recently honored by the American Bar Association (see

September, 2008 CITATIONS). For the past 10 years, she has coordinated the development and operation of California's first court-based self-help center for self-represented litigants in civil matters other than family law. She is responsible for bringing the award-winning Homeless Court and Teen Court for the Ventura Superior Court, developing models for court collaboration with community organizations, social services, and non-profits. Rasnow served as the President of WLVC (1990-1992); the East County Bar Association (1993-1994); the Ventura County Bar Association (2003); and as Second Vice-President of California Women Lawyers (1992-1993 and 1996 -1997). Since 1994, she has served as a delegate to the Conference of Delegates of California Bar Associations and chaired the Ventura delegation from 2000 to 2002.

She is a member of the National Legal Aid and Defender Association, National Lawyers Guild, Ventura County Bar Association, California Women Lawyers (Life Member Since 1990), Mexican-American Bar Association of Ventura County, Women

Lawyers of Ventura County, and a founding member of the Ventura County Asian American Bar Association, and Ventura County Black Attorneys Association.

In 2005-2006 Rasnow chaired the State Bar Standing Committee on the Delivery of Legal Services. She currently serves on the State Bar Access & Fairness Council. She also serves on the California Judicial Council's Task Force on Self-Represented Litigants, and Access and Fairness Advisory Committee.

Rasnow regularly teaches ethics and elimination of bias in the legal profession for local and state bar associations, as well as cultural competency issues for local law enforcement. She has taught consumer and real estate law for CLE credit for attorneys and for the general public, and has authored numerous articles on the law, including Norton Rabbit Gets a Ticket, a children's book, the first in an ongoing series, to teach people about the law by reading to their children.

Among the awards Rasnow has received are the Ventura County NAACP President's Award (1994), California Women Lawyers President's Award (1996, 1997), California State Bar President's Pro Bono Service Award (1996), Soroptimist International of Oxnard's Women of Distinction Award (1997), Ventura County Cultural Diversity Board's Home Town Hero Award (1997), California Women Lawyers' Fay Stender Award (1998), the Ben E. Nordman Public Service Award (1999), and the American Bar Association's Lawyer as Problem Solver Award (2008).

Rasnow is committed to ensuring that everyone has equal and meaningful access to the courts. She is overwhelmingly generous with her time and travels all over the U.S. to assist other courts and organizations with developing their own self-help centers. She is a long-standing member, officer and president of WLVC and is largely responsible for keeping the organization alive and active. Rasnow's life and career reminds us that the struggle for equality, whether it be equal treatment or equal access, is still vitally important. We must never forget the barriers our "founding mothers" faced and overcame. Their struggle, tenacity and perseverance paved the way for women lawyers to excel.

Continued on page 23.

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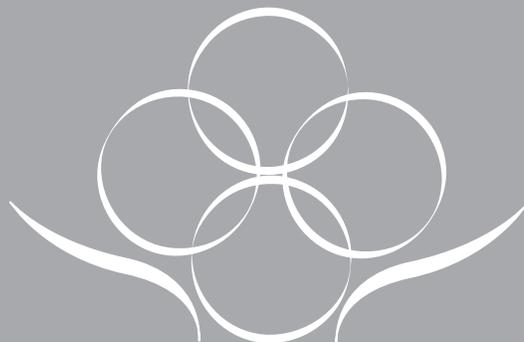
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Women Lawyers of Ventura County To Honor Three Leaders

Continued from page 21.

DEBORAH JURGENSEN



The Holly Spevak Memorial Award honors the memory of a woman whose short time as an attorney brought lasting contributions to the community and access to justice through pro bono

work. This award is presented to a new woman attorney who exemplifies the commitment to serve others as well as involvement with WLVC.

While Deborah Eileen Jurgensen was still a law student at Ventura College of Law, she worked tirelessly to organize a Teen Legal Clinic. She brought the Street Law curriculum to local high school students, particularly those attending continuation schools. With the patience of a saint, she weekly brought students practical knowledge about law and society to which they could relate, helping to empower them and prepare them for adulthood.

The Ventura Teen Legal Clinic allows young people to meet with an attorney to assist and answer questions on a host of subjects from juvenile justice to housing issues. She now has her own private practice devoted to juvenile justice issues. Jurgensen is a member of WLVC and has assisted many other law students in her work at the Ventura College of Law library. She remains a source of inspiration to new and experienced attorneys alike.

Please join us on October 30 at La Dolce Vita, 740 South B Street in Oxnard, to honor these remarkable women. RSVP to Laurie.Nintcheff@ventura.courts.ca.gov or (805) 650-4010.

Jodi Prior is an attorney at the Self-Help Legal Access Center.

WHITE, WHITE, WHITE, WHITE, WHITE AND WHITE



Grandma Dixie joined Camarillo attorneys Stephanie White and Shawn White when they appeared in Courtroom J1 in Oxnard on their own behalf on August 29, to finalize their adoption of Adison “Vanessa” White. Vanessa is the biological sister of the Whites’ two other adopted daughters (Astrid and Maria, age 4). Vanessa has been a practicing part of the White family for just over two years, and now – thanks to a signature by Judge Tari Cody – she is officially a member of the White family. Attorneys White also have a 3-year-old biological son, Adam. The family is looking forward to opening the firm of White, White, White, White, White and White sometime within the next 18 years.



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After 30 years in Oxnard, **Michael V. Beckwith** has moved his law office to Ventura. He can be reached at 1280 South Victoria Ave., Suite 110, Ventura, 93003. Tel: (805)650-1222; fax (805)644-3655. Practice is limited to California Workers' Compensation (Certified Specialist since 1983), and Social Security Disability claims.

Greg May has relocated his practice in civil and criminal appeals and business litigation to Channel Islands Harbor. His new contact information is 2741 Victoria Avenue, Suite E, Oxnard, CA 93035, (805) 824-5120.

Al Vargas will perform in the upcoming Pirates of Penzance Oct. 3-19th at the Oxnard High School Theatre with Comedy Tonight Productions. For more information go to www.comedytonightproductions.com.

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Michael Blaine Brooks has recently published a book entitled, *"The Patent Protractor: A Tool for at Least One Prudent Business Planner."* Michael is extremely active in our IP community as a speaker and board member. He gave me a signed edition just after the last IP meeting in September, and it's a pretty cool looking softback. In the Acknowledgments, Michael thanks many people, including local attorneys **Chris Balzan** (IP Chairperson), **Glenn Dickinson**, and **Eric Aagaard** (what are the chances of having a last name with seven letters, four of which are "a"?). You may get your copy (\$25.99 price saves shipping and handling charges) by getting in touch with Mike at michael@brooksiplaw.com. Amazon too or www.patentprotractor.com. Read a review at www.ieee-buenaventura.org...

Jackie Wright is a new momma again. Kaitlyn Ann was born on August 31 at 2 in the afternoon. She weighs 7 pounds, 7 ounces and is 20^{1/2} inches long. Mother and baby doing spectacularly. Daddy Winston and big sister Cassandra are well too...From Vasco Nuñez de Balboa to King Ferdinand V of Spain, 1513: "One thing I supplicate, your majesty: that you will give orders, under a great penalty, that no bachelors of law should be allowed to come here (to the new world); for not only are they bad themselves, but they also make and contrive a thousand iniquities."... From Adlai Stevenson: "Law is not a profession at all, but rather a business service station and repair shop."...**Dick Norman** attended the Ohio State v. USC fiasco 9.13 from press box row. Naturally, I took the Buckeyes...

DPD Jean Farley won the weight loss contest in the office and some significant cash for her efforts. The contest was from January 7 to July 7 – that's a long time to be hungry...From Winston Churchill: "Men occasionally stumble over the truth, but most of them pick themselves

Exec's Dot...Dot...Dot...

By Steve Henderson, Executive Director, M.A., CAE

up and hurry off as if nothing happened."...A few new faces at Nordman Cormany Hair & Compton and let's all welcome them to our legal community – **Melissa Street**, **Brian Hefelfinger**, **Gannon Johnson**, **Darth Vaughn**, and **Peter Bromaghim**...A German proverb: "Doctors purge the body, preachers the conscience, lawyers the purse."... "Kiss the Good Old Boys" Club Bye Bye!" F.A.R. stands for Female Attorneys Rock and they will begin meeting the first Monday of each month beginning 10.6. Swwhite@805lawyer.com for details...From John Mortimer: "No brilliance is required in law, just common sense and relatively clean fingernails."...License Plate of the Month: SOPIOR2, driven by **Melissa Cohen** on a Volvo SUV. "Something about singing", Melissa states...

Brian Nomi will be beginning his *second* tour of duty starting in October. (Personally, this news just shocks me!) His Army Reserve Unit is going to Balad, Iraq for a year. Indeed, it was a surprise to Brian, who needed to close down his solo practice in 30 days. Brian also had to resign as President of the Asian American Bar. He may be reached at brainnomi@yahoo.com. or by going to his blog at briannomi.wordpress.com. **Leeton Lee** will take over as president of VCAABA with the help of **Dien Le** and **Mark Fang**... Recommended Reading of the Month: *Supreme Courtship*, by Chris Buckley. Twelve: 286 pp., \$24.99. The son of William F. Buckley writes a fine piece of fiction with plenty of parallels including the currently sitting court, and you guessed it, references to *Bush v. Gore*, and the Coke can debacle too...From Ralph Waldo Emerson: "The man for whom the law exists – the man of forms, the conservative – is a tame man."...You are invited to a forum sponsored by the Gold Coast Chapter of the Federalist Society entitled, "Same-Sex Marriage in California: Legal Issues." It is being moderated by **Judge Steven Hintz**. The program is on the 16th at 7:00 p.m. at CLU. RSVP to **Natalie**

Panossian at goldcoastfs@gmail.com...Hiking in the Lake Ediza area? **Gabriele Lashly** at gabrielelashly@yahoo.com, **Wendy Lascher** at wendy@lascher.com...

Kate Pietrolungo was appointed to the California Young Lawyers Association Board of Directors. Kate will be sworn-in at the State Bar's annual meeting 9.27. She is currently president of Barristers and follows closely in the footsteps of **Joel Villaseñor** who served CYLA a couple years ago...**Al Vargas** has hung his hat at California Rural Legal Assistance (CRLA) as their new staff attorney. He may be reached at 805-483-8083. ...From *The Rodent's Guide to Lawyers*: "Post Closing Syndrome (PCS). Temporary feeling of euphoria followed by extreme sense of uselessness after completing a major transaction."...From District Court Judge Jackie Glass, presiding over the O.J. Simpson trial, to the attorneys: "The last thing you want me to do as the judge is to start losing my temper in front of the fine ladies and gentleman of the jury and having to deal with all of you. You've been warned, folks."...In case you had not read it in this issue (see cover story), **Glenn Campbell**, 22 years with Lowthorp, Richards et al., is forming his own firm. He won't be alone however, as a few others will follow when he's settled in. "It's a new day," says Glenn. He'll set-up shop near the courthouse since he lives two blocks from the 800 S. Victoria address...

Steve Henderson has been the executive director and chief executive officer of the bar association and their affiliated organizations since November 1990. Henderson will be dressed Halloween evening as a UCLA Bruin booster because his youngest son insists. Additionally, Henderson worked for a mayor of a small town from 1980 to 1990 and wonders silently if such experience qualifies him for Secretary of State or Director of the CIA. Steve may be reached at steve@vcba.org 24/7.

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