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# CITATIONS

J U L Y - T W O T H O U S A N D E L E V E N

## WELCOME HOME.

## THANK YOU, NOW HOW CAN I HELP?

By Kate Brolan

Page 7

*With another Memorial Day passed, wars – and the ravages of war – continue. With each, a new generation of soldiers leaves the battlefield. Some won't come home, while others eager to return home arrive only to find that war does not always end on the battlefield.*



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Beverly Hills, CA 90212

Dear Jack:

It was good to have a chance to talk with you today. I write to emphasize my appreciation for your good work on the cases on which you consulted with us.

I have found that your professionalism in conducting and scoring polygraph examinations is outstanding. Your reputation for integrity as a polygrapher was known while you were with the FBI and has continued into your years of private practice. Both your professional work product and your excellent reputation are particularly important to me as a criminal defense lawyer.

We do not routinely use polygraph exams but, when we do, we expect an honest confidential examination and report. Whether or not we choose to disclose the report, the examination and report are often very important to the client and often influence choices we make in strategizing with that client.

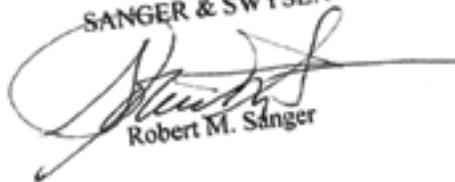
When we do decide to disclose the report in an attempt to convince a reluctant prosecutor of a client's innocence, a favorable polygraph report alone is not sufficient. The professionalism of the examination and the reputation of the polygrapher are critical.

In the recent case you worked on with us, we submitted your report along with witness interviews and other materials to the prosecutor. As you know, it was dismissed in its entirety on the day of trial. It was a felony case being vigorously prosecuted and the consequences of any conviction would have been devastating to my client's life and career. Being able to disclose your solid report backed by your substantial credentials was an important aspect of asserting our client's innocence.

Thank you again, Jack, and I will look forward to working with you in the future.

Best regards,

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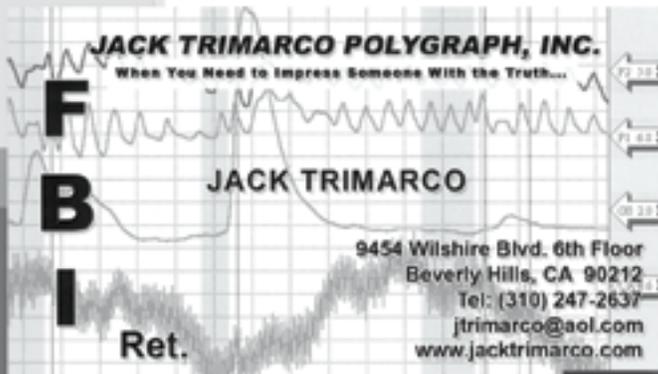
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We tore out three-quarters of our law library a few months ago. Rows and rows of once-precious hardbound case books and collections of treatises gave way to technology and the need for more office space.

The law library once represented the pride of a law office. Clients were regularly escorted through the halls and past these rows of books with remarks such as, “See, we are really smart and scholarly attorneys, look at all our books.”

Building a law library with the necessary collection of books was an expensive task. Either you had the books in your library, borrowed them from another practitioner or ran over to the Ventura County Law Library.

In the 1980’s, my firm came across an ad in the *LA Daily Journal* for the sale of the first series of the *California Reports* (the first volume being 1850-51) and first series *California Appellate Reports*. The Los Angeles attorney was closing up shop and going fishing. Back then these volumes were hard to come by and expensive. My legal skills were of such nominal value that the partners decided I should forget about billing for the afternoon and drive to Los Angeles to retrieve all of these volumes. So I headed to LA in my two-door 1975 Chevy Malibu.

The office of the soon to be retired LA attorney was right out of the Perry Mason days. His empty desk and marked-up desk pad showed that his career had come to an end. I transported load after load of books down the freight elevator until my Chevy Malibu was full. There was barely room to see out the back window. Upon my return to our Ventura office I was greeted like a returning hero as we unloaded the legal treasure and filled the shelves. These books were dusty leather-bound volumes. Now we find little need to open the covers.

## FAHRENHEIT 451

By Joe Strohmman

There is something scholarly in turning the pages of these old volumes and having the books lay open all over your office. It’s just not the same clicking the screen and pulling up the case on the computer. I swear I can find what I need faster in looking at the bound volumes of *Miller and Starr* than searching the computer.

I cannot say I miss “shepardizing” cases the old way by looking at the collection of hard-bound and soft-bound Shepard monthly and weekly updates.

Apparently you cannot sell or even give away many of these hard-bound legal books. I’m starting to see these law books pop up more frequently as background. They seem to be stuffed on shelves on many movies and television shows.

The electronic world has also affected law school libraries. Herb Cihak, Associate Dean of the Pepperdine Law School Library, tells me that the school’s law library is now divided approximately 50/50 between hard copy and electronic subscriptions. Apparently current students don’t like to use paper material and instead turn immediately to electronic works. Today more than 90 percent of the students have laptops during lectures. Dean Cihak noted that several professors were beginning to use live lecture response questions to assess student learning. Students answer multiple choice questions during lectures to gauge “if they are getting it.” So much for sleeping in the back row during the lecture on the rule against perpetuities.

There appears to be little chance of holding back the rushing tide. In July, 2010 *Amazon.com* announced that for the prior three months sales of books on its Kindle e-reader outnumbered sales of hardcover books. Some think that within the next decade fewer than 25 percent of books sold will be in print version.

As for me, I’ll stick with the stack of four or five half read books at my bedside. I swear I’ll get to them, right after this next *Seinfeld* re-run, which I’ve seen 25 times.

### Another Law Day success

Our thanks to all the sponsors and runners who participated in the 28th Annual Law Day 5K on May 21. Around 300 runners and 500 people attended the event and helped raise money for our Volunteer Legal Services Program and the VCBA. First place went to world class distance runner Christian Hesch of Hollywood (formerly of Morro Bay) who came across the finish line at 14:31, followed closely by Isidore Herrera at 14:32. Top women honors went to Danielle Domenichel of Flagstaff, Arizona at 16:46, followed by past 5K champion Grace Padilla at 17:11.

Former VCBA President **Matt Guasco** (who had the prestigious honor of calling out the one mile split) reported that the lead runners came through the one mile mark at a blistering 4:37 pace.

Winners Hesch and Domenichel each took home \$500 for their morning workout. Hesch even helped the race committee set up the registration table. We’ll welcome him back every year.

Ventura County Sheriff Geoff Dean was our official starter and **Judge Dave Long** again acted as our Master of Ceremonies. Captain Tim Hagel with *Cops Running for Charity* gave a nice donation to *Big Brothers/Big Sisters* during the awards ceremony. **Judge Brian Back** spoke on behalf of the Big Brothers/Big Sisters program. Our thanks to Lead Sponsor *Lawyers Mutual* and all our other Starting Line and Finish Line Sponsors as well as Race Patrons.

All sponsors and race times can be found at *LawDay5K.com*. Here are the 5K Race Committee members who did all the work: **Cindi Adams, Steve Blum, John Cross, Alice Duran, Barb Gutierrez, Doug Kulper, Olivia Newton, Don Zrehigan, Joe Wells, Bret Anderson, Dave Redmond** (Lead Bike) and **Craig Bates** – *Telegenics* (Official Race Photographer). We hope to see you at the race next year.

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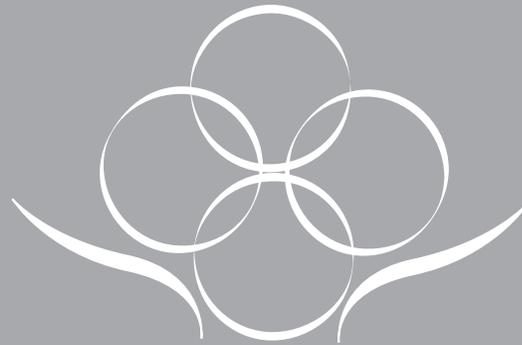
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# California's Expedited Civil Jury Trials

By Brenda McCormick

Are you familiar with the procedure for one day civil jury trials? The purpose of the new law, passed in January with the support of the plaintiff's and defense bars, is to provide parties with an option of a faster and simpler jury trial. (*Code of Civil Procedure* § 630.01, et seq.) When feasible, the trial is to be concluded within one day; however, juries are allowed to deliberate as long as needed.

So far, the process has not been used in the Ventura Superior Court, but other counties have used expedited trials for minor personal injury automobile accident cases. Our Civil Law Judges support the process to allow for quicker and more efficient resolutions of simple civil matters.

To get started, all parties must agree and enter into a proposed consent order. The court shall approve the consent order, unless there is a finding of good cause that the case should not have an expedited trial. If any of the parties are self-represented, a minor, incompetent person, or has a conservator, the court must determine if it is appropriate to approve an expedited trial.

As part of the consent order the parties must agree to the following:

1. Waiver of rights to appeal, directed verdict or post-trial motions, (subject to specific exceptions, CCP § 630.09);
2. Each side has up to three (3) hours to present its case; and,
3. Each side has three (3) peremptory challenges, unless the court permits an additional challenge in cases with more than two (2) sides;

The following also apply:

1. Juries shall be composed of eight (8) jurors with no alternates. The parties may agree to fewer;
2. The rules of evidence apply, unless the parties stipulate otherwise; and,
3. The verdict is binding, subject to any written high/low agreement or other stipulation.

Use of the expedited procedure should increase the number of jurors that are able to serve. Economic hardship prevents

many jurors from serving on civil jury trials due to the length of trials. This procedure will allow juries to participate and quickly return to their jobs.



If you have questions about the new procedure, please contact **Presiding Judge Vincent O'Neill** at 654-2238 or **Brenda McCormick** at Brenda.mccormick@ventura.courts.ca.gov.

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# WELCOME HOME. THANK YOU, NOW HOW CAN I HELP?

By Kate Brolan

“On an average day, eighteen veterans of our nation’s armed forces take their own lives. Of this, roughly one-quarter are enrolled with the Department of Veterans Affairs (‘VA’) healthcare system. Among all veterans enrolled in the VA system, an additional 1,000 attempt suicide each month. Although the VA is obligated to provide veterans mental health services, many veterans with severe depression or post-traumatic stress disorder (‘PTSD’) are forced to wait weeks for mental health referrals and are given no opportunity to request or demonstrate their need for expedited care. For those who commit suicide in the interim, care does not come soon enough. Like the cavalry of Alfred, Lord Tennyson’s ‘Charge of the Light Brigade,’ these veterans may neither ‘make reply’ nor ‘reason why’ to the ‘blunder’ [of] those responsible for their safety.”

This disturbing statement is drawn directly from the opinion of the 9th Circuit Court of Appeals in *Veterans for Common Sense and Veterans United for Truth v. Eric K. Shinseki*, \_\_F.3d\_\_ (9th Cir. 2011)



In this landmark ruling, the Ninth Circuit unapologetically lambasted the VA for its continued failure to deliver timely mental health care and disability compensation benefits to veterans. The promise to care for veterans is encompassed in statutorily defined and constitutionally protected services and benefits. The court ruled that the inexcusable delays constitute a

deprivation of property and an unjustified violation of a veteran’s right to due process.

The majority opinion ordered the lower court to oversee a complete overhaul of the VA health care benefits system and admonished Congress and the Executive Branch for having failed to respond appropriately.

*Continued on page 11*

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# The Greatest Lesson I Learned

By Lindsay F. Nielson

Back in the Dark Ages, when I went to UCLA, there was one class that all of us so-called “student leaders” wanted and needed to take. It was an upper division Poli Sci class taught by Dr. Charles Titus and was simply called “Politics.” It had nothing to do with Democrats and Republicans but with how to motivate people and to think and be a leader. It was a very competitive class. Each week Dr. Titus announced the class ranking of all of the students and we all tried desperately to be in the “first quartile” and be able to sit in the first two rows of the classroom.

Dr. Titus started each class with a quiz. After reading Machiavelli or John Stuart Mill or Cicero, we never knew what to expect. Once when we came into class there was a hand of bridge on the blackboard. The quiz – “What is your bid?” Dr. Titus’ point was if you are going to be a leader, play leaders’ games. Another time, Professor Titus gave us a list of dinner guests (the Governor and his wife; the Chief Justice of the State, etc.). Our job was to seat them around the table in the proper protocol. Yes, there is a protocol – you are seated in descending importance from the

host and do not put the spouses next to each other, but across the table from each other. I didn’t know that either.

One day we were given a quiz. The obvious (and only) answer was “A.” Dr. Titus, the good professor, ended the quiz by announcing that the answer was “B,” but he had no time to discuss it as he was running a bit late. There were a lot of moans and groans, but we went on.

The next time the class met, Dr. Titus announced that the following four students got the quiz right and he wanted them to come to the front row and be seated. Everyone was confused. How could they have answered “B”?

Dr. Titus told us that the golden four had indeed answered “A” just like everyone else. But during the week, they came to his office and asked how could that possibly be correct? The real quiz, he said, was what would we do with information that we absolutely knew was wrong. In our life as leaders we would be given so much information that is just wrong and if we merely accept it, he

didn’t want us in his class...certainly not in the front two rows.

I was not one of the four, but it was the greatest lesson I learned at my alma mater. I’ve never forgotten it. Talk about a great teacher...



*Lindsay Nielson practices in Ventura, where he handles land use and real estate matters.*



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# MOCK TRIAL COACHES SOUGHT FOR 2012 COMPETITION

By Joseph O'Neill

The Ventura County Bar Association Executive Board seeks local attorneys to help Ventura County high schools as Mock Trial coaches for the 2012 competition. Our request promises a most rewarding experience while assisting and introducing young adults to our legal profession.

Mock Trial is a statewide competition involving high school students from 58 counties in California. Each September, a fact pattern about a serious, but fictional, felony criminal case is distributed to all California high schools. Students have four months to learn rules of evidence, constitutional principles, arguments, courtroom procedures, investigative techniques, public speaking and to present logical and legal arguments in an actual courtroom.

The program is designed to clarify the judicial process. Students portray each of the principal characters in a felony criminal case: prosecutors, defense attorneys, pretrial attorneys, police officers, experts, witnesses, clerks and bailiffs. By this experience, students learn to become confident professionals in their future careers. As every Mock Trial coach can attest, the time and attention devoted to ordinary high school students will cause them to blossom in extraordinary ways. There is a necessary commitment of time and energy to be a coach, but the rewards are numerous. It also demonstrates to young adults our respect for the legal profession and the American system of justice.

Thanks to the championship efforts of La Reina High School and their volunteer coach **Ron Bamieh**, the Ventura County Mock Trial competition enjoys an impressive reputation as a quality event. In recent years, more local high schools have become involved in Mock Trial, and others have asked to form teams in 2011-12. Because of this growing desire to participate in Mock Trial, there is a more pressing need for volunteer attorneys now than in past years.

Thank you for your assistance, and if you are interested in helping our effort to locate volunteer coaches, please feel free to contact **Joseph O'Neill** (805) 988-6700.

*Joseph O'Neill is a long time Mock Trial coach and member of the VCBA Board of Directors.*

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## WELCOME HOME. THANK YOU, NOW HOW CAN I HELP?

*Continued from page 7*

Veterans and their families struggle to cope with health conditions and problems without assistance as thousands of disability claims languish in the VA bureaucracy and a clogged court. The backlog of appeals keeping veterans from benefits is staggering. With unplanned-for physical and psychological wounds, veterans wait six months on average to receive disability benefits and as long as four years for appeals to be heard after benefits have been denied. Service providers at the local vet center in Downtown Ventura told me that the tremendous log jam includes veterans as far back as World War II. The *Army Times* reports that pending claims for compensation stand at approximately 756,000 and growing. ["Zoroya, Critics Rip VA for Increased Claims Backlog," April 6, 2011 ([www.armytimes.com/news/](http://www.armytimes.com/news/))]

In a response to the unprecedented need for veteran advocates, the California State Bar collaborated with Practising Law Institute and Swords to Plowshares (a nonprofit organization assisting veterans since 1974),

to offer no-cost MCLE training for lawyers to assist veterans appealing for benefits. The free training remains available on the PLI website at <http://www.pli.edu>.

Although you do not have to be an attorney to become a veterans advocate, you must become accredited by the Department of Veterans Affairs. As an attorney veterans advocate you are required to complete three hours of qualifying CLE and file an application for accreditation with the Department of Veterans Affairs (available at <http://www.va.gov/OGC/docs/Accred/VA21a.pdf>). Applications are processed in approximately six weeks. Of course, there are thousands of cases up on appeal, but only one case a year could make a difference to one veteran and their family.

What can you do to get these selfless men and women back on their feet?

If you are interested in helping a veteran with an appeal for benefits as a pro bono service,

or you would like to offer a veteran other types of pro bono legal services you can email me: [k8brolanlaw@gmail.com](mailto:k8brolanlaw@gmail.com). You can also participate in the Ventura Stand Down the weekend of July 29, 30 and 31, with long-time volunteers and veterans **Roger Myers** and **Glenn Campbell**. Contact at [jrmyers@mwgjs.com](mailto:jrmyers@mwgjs.com) or (805)644-7188.

And next time you meet a veteran, welcome them home, thank them for their service and ask, "Now, how can I help?"



*Kate Brolan is a solo practitioner in the areas of small business, contracts, art law and "of counsel" services.*



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# NEW PATIENT PRIVACY RULES MEAN NEW CONCERNS FOR ATTORNEYS

By Karen Darnall and Carol Mack

On May 31, the Office of Civil Rights proposed new HIPAA Privacy rules that will make it easier for patients to investigate persons who viewed their medical records within the last *three years*.

The Office of Civil Rights derives authority for its new rules from a portion of the HITECH Act. HITECH aims to digitize all “protected health information” by Jan. 1, 2014.

Proposed rules for *access reports* will require “covered entities” and “business associates” to identify specific persons who accessed their protected health information. The *accounting of disclosures* rules requires covered entities to provide detailed information (a “full accounting”) for certain disclosures that are most likely to impact the individual.

## Penalties

The proposed rule increases penalties and enforcement for HIPAA violations. The Office of Civil Rights is directed to conduct periodic audits of covered entities and business associates to evaluate compliance. To enforce the rules, the OCR is increasing the number of investigators in ten regional offices. State attorneys general will be authorized to file civil actions to recover statutory damages on behalf of state residents.

Parties cannot avoid penalties by claiming they had no knowledge of the violation. Under the proposed rule, the lowest penalty range, where the violator “did not know (and by exercising reasonable diligence would not have known)” is \$100 to \$50,000 in a calendar year. Higher levels of culpability include “reasonable cause” to know and “willful neglect” (characterized by intentional failure or reckless indifference to the need to comply) and could result in penalties of up to \$1.5 million per calendar year, increased from the \$25,000 limit for identical violations regulated under previous rules.

## Satisfactory Assurances

HIPAA rules apply directly to covered entities and broadly to business associates. Federal jurisdiction touches business associates because HIPAA requires covered entities to obtain “satisfactory assurance” (in writing) that each business associate agrees to safeguard the protected health information from misuse. The Office of Civil Rights’s proposed rules will expand business associates’ obligations to help covered entities comply with accounting/reporting obligations. (The Department of Health and Human Services publishes templates for *BA Contracts* on the web.)

Definitions of business associate activities are listed in 45 CFR §160.103. Attorney services are not specifically listed; however any law firm that accessed personal health information electronically within the last *three years* could be included in the covered entities’ audit trail.

## California Law

Lawyers often get copies of medical records by submitting signed authorizations (Civ. Code, §56.11) to clients’ health care providers. But what happens if a doctor responds by emailing a copy of the client’s protected health information? Does the attorney automatically become a business associate if medical records are disclosed electronically?

The answer is no. Once a client waives confidentiality for disclosing medical records, then California law (not HIPAA) establishes the attorney’s standard of care. The lawyer has discretion to “use” client medical records to prosecute or defend lawsuits. Discovery statutes also protect “consumers” when medical records are subpoenaed. Conversely, if the attorney is retained to examine protected health information belonging to non-clients, then a *business associate contract* should be executed. For example: A medical malpractice defense lawyer might ask a physician to provide copies of the complainant’s protected health information so the lawyer can evaluate the merits of a pending or threatened lawsuit.

If the business associate’s examination of protected health information occurs within the covered entity’s business activity, HIPAA law considers it a “use” of protected health information. If business associate access goes beyond the scope of the Business Associates Contract, such access becomes a “disclosure.”

## Avoid Disclosing Unsecured Personal Health Information

The easiest way for lawyers to avoid HIPAA problems is to identify the source of electronic health records. If the electronic health record was *not* obtained by legal process (subpoena or client authorization) the record might be protected health information subject to HIPAA rules. The lawyer should store such files in an encrypted format pending further instructions.

Protected health information is presumed “secure” whenever it is encrypted (45 CFR § 164.304). Complying with new HIPAA privacy rules is not tricky if the lawyer avoids disclosing unsecured PHI. This is not as difficult as it sounds.

## PHI Encryption

Encryption software is inexpensive to purchase. Shareware such as *TrueCrypt* (free) can be downloaded and installed within minutes. The user may partition an encrypted area on the computer’s hard drive, or encrypt a flash drive plugged into the USB port. Once the encrypted folder is mounted, the user selects a password (at least 20 characters) and transfers all of the protected health information files into the encrypted folder. After the folder is dismounted (by closing the folder or removing the flash drive), the protected health information cannot be accessed unless the user re-enters the password. If the user forgets the password, the data will be encrypted forever (essentially lost).

If a laptop or flash drive is lost and someone else tries to access encrypted files, the protected health information will be “secure” because the finder does not know the password.

When encrypted protected health information is delivered to a trusted person, the attorney should also convey a secret code or pass phrase to open the encrypted files. An inside joke of 20 to 60 characters would be a viable encryption key that would be easy to convey verbally.

**Civil Enforcement**

Unencrypted protected health information leads to trouble. For example, Connecticut’s attorney general filed a case against Health Net after an employee lost a portable computer disk with unsecured protected health information and financial data belonging to 446,000 individuals.

“Protected private medical records and financial information on almost a half million Health Net enrollees in Connecticut were exposed for at least six months – most likely by thieves – before Health Net notified appropriate authorities and consumers,” Richard Blumenthal, the Connecticut Attorney General, said.

Health Net settled the case by agreeing to provide credit monitoring and identity theft insurance to affected individuals. The state of Connecticut also recovered \$250,000 statutory damages.

**Criminal Enforcement**

A cardiothoracic surgeon from China was one of the first HIPAA violators to be sent to federal prison just for snooping. He was employed as a researcher at UCLA but was terminated for reasons unrelated to HIPAA. On the evening of his dismissal and during the following three weeks, he remotely accessed the electronic medical records of his supervisors and co-workers as well as those of high-profile patients, including Tom Hanks, Drew Barrymore and Arnold Schwarzenegger. He was only able to commit these violations (a total of 323, according to the FBI) because access to these records was not adequately controlled.

UCLA subsequently expanded its training program and increased its IT auditing capabilities and doubled the number of

auditors. Since then, no celebrity protected health information has been snooped or disclosed from UCLA.

**Comment Period Ends August 1**

The Office of Civil Rights has made a series of judgments that attempts to balance individual rights with burdens imposed on covered entities and business associates.

Whatever your practice, whenever you provide legal services involving the disclosure of protected health information you are subject to HIPAA regulations and the changes discussed above. Therefore, you may find it useful to review the Office of Civil Right’s proposed rules. The opportunity for public comment ends Aug. 1.



*Karen Darnall practices in Camarillo, where she focuses on health and hospital and insurance matters.*



*Carol Mack handles elder law and estate planning from her Ventura office. She is also a registered nurse and teaches nursing.*

*Karen and Carol are both members of the CITATIONS editorial board.*

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Photo Credit: Bill Grewe

**Greg Johnson (l) and Judge Harry Walsh (r) congratulate Allen Ball, winner of the Ventura County Trial Lawyers' Association 2010 Trial Lawyer of the Year Award.**



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## BARRISTERS' CORNER

By Kathryn Pietrolungo

**Q: What did one bowling pin say to the other bowling pin?**

**A: Hey, you're a knock out!**

Barristers' Bowling Night is July 19 and the competition is heating up. Rumor has it that bowlers from AKWB have been practicing for months to take on the 2010 winner, the A to Z law firm, for the coveted bowling ball trophy. This year Barristers are asking everyone for a \$5 donation to Make-A-Wish Foundation of the Tri-Counties. Want more competition? The 3-on-3 Basketball Tournament is set for Oct. 8. Don't worry, lawyers have their own division. See [cymca.org/ventura](http://cymca.org/ventura) for all the information.

*Kathryn Pietrolungo is an associate at Anderson Kill Wood & Bender in Ventura and the unofficial historian of the Barristers.*

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## EAR TO THE WALL



New FCOP lawyer **Chris Kitisaki**, a former staff attorney at the Security and Exchange Commission, earned his bachelor's degree at University of California, Irvine; his J.D. at the University of

San Francisco; and his LL.M in taxation at Georgetown University. His primary practice areas include federal and state securities law compliance, general business and corporate law (including day-to-day operation of businesses) and structuring, negotiating and documenting agreements for the purchase and sale of commercial and agricultural properties, commercial and agricultural leases, and secured financing transactions. (805)659-6800, x118; ckitisaki@fcoplaw.com.



Another attorney new to FCOP, **Scott Samsky**, earned his bachelor's degree in accounting at the University of Minnesota and passed all 4 parts of the CPA exam in 1978. He moved to California

to attend UCLA Law School. He served on the Board of the Directors of the Camarillo Boys & Girls Club for 9 years, and is in his 10th year as board member of the Ventura County Community Foundation. Mr. Samsky will continue to practice primarily in the areas of estate and business succession planning, multi-generational planning and wealth preservation. (805)659-6800, x113; ssamsky@fcoplaw.com.



Arnold, Bleuel, LaRochelle, Matthews, & Zirbel LLP is pleased to welcome **Melissa H. Sayer** as Senior Counsel to the firm.

Ms. Sayer earned a B.A. from Eckerd College and a J.D. from Santa Clara University, where she graduated Summa Cum Laude in 1994. After practicing in the Silicon Valley for several years, she relocated to Ventura County in 2001. Her business and corporate law practice includes issues related to general business matters, formation, purchases and sales, capital raising, securities, water, and agriculture. You can contact Ms. Sayer at (805)988-9886.



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## VENTURA COUNTY ONE STOP PERMITTING WEBSITE AVAILABLE

By Annie Shim

The Ventura County One Stop Permitting website is a comprehensive, easy-to-access online resource for property owners, consultants, lawyers, and other members of the public to acquire zoning and land-use policy information from multiple county departments including the Planning Division, Fire Department, Building & Safety Division, and the Watershed Protection District for any property in unincorporated Ventura County.

The Ventura County One Stop Permitting website can be accessed at: <http://onestoppermit.ventura.org/>.

*Annie Shim works for the County of Ventura Planning Division.*

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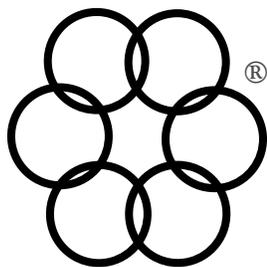
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Hats off to **Justice Arthur Gilbert, PJ Vince O'Neill** and **APJ Brian Back** for hosting the New Admittee Swearing-In Ceremony held in CR#22 June 7. It was light, humorous, intimate and thoughtful. One State Bar official from the Bar Examiners voiced aloud it was the best ceremony he'd ever attended. There were 11 new admittees, 11 speakers and **Joseph Dunn**, new State Bar CEO, was one of them in addition to **Joe Strohmman, Christina Stokholm, Katie Pietrolungo, Wendy Lascher,** and **Jill Friedman** representing our bar...In related news, law school graduates in the class of 2010 have set a new record, and it's not a good one. Only 68.4 percent of the 2010 grads were able to land a job requiring bar passage, the lowest percentage since the legal career professional group NALP began collecting statistics... **Marc Charney** received the Ventura County Leadership Academy Founder's Award May 19 at the annual Leadership luncheon. The award recognizes an individual who has played an important role in fostering and providing community leadership in various organizations over many years...

Who's on the cover of *California Lawyer Magazine*? **Barbara Macri-Ortiz** and **Jessica Arciniaga** are featured in an article about "Lawyers Without Law School." The article may be found at [www.callawyer.com](http://www.callawyer.com), page 18... Judge Julie Lynch notes an unfortunate juxtaposition at the new court house in Franklin County, Ohio. The courthouse is used to sentence sex offenders, and its glass

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

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

staircase may be used by women in skirts. "If you wear dresses, you're on notice that you might want to take the elevator, as I will be doing," said Lynch. Court officials are aware of the issue, and they are discussing whether they will need to change the design. Really?... The Barristers held a bar-wide logo contest with the winning entry receiving a free bar membership in perpetuity. There were a dozen or so submissions but the Barristers' board concluded the winner was **Celene Valenzuela**. Many of you will recognize Celene because she has been an Administrative Assistant with the bar association and the vlsp, inc. since '06. Her myriad activities include graphic designer and her logo can be seen on page 15 above the Barristers' Corner. BTW – she's getting hitched Dec. 10...

**Rebeca Mendoza** hosted her daughter's artwork, "New Beginnings," a showing of paintings and celebration of Summer June 23. If you missed it, Andrea Vargas' efforts may be viewed at [www.andreavargasstudio.com](http://www.andreavargasstudio.com)... An attorney is accused of keying and leaving notes on cars that were not parked properly at a downtown Seattle parking garage. Ronald Mattson, 63, is charged with malicious mischief after security officials at Columbia Center allegedly caught him keying a car during a sting operation. Mattson admitted damaging the cars and leaving the notes. On one of the notes, Mattson penned, "Take some parking lessons you idiot," on a car with wheels over the line... If you want to be a new member of the **Jerome H. Berenson** Inn of Court, during the 2011-2012 campaign, call me for an application at 650.7599. Better yet, complete the application within this issue of CITATIONS and get it to me ASAP as teams are being formed...

**John Negley** is relocating his office to the Court of Appeal building effective July 1. The new address is 200 E. Santa Clara, Suite 200, Ventura, 93001. His firm is changing its name to Negley Law. [John.negleylaw@](mailto:John.negleylaw@)

[gmail.com](mailto:gmail.com)... Facebook has sued several affiliated internet companies for using the phrase "Face Book of Sex" to promote their adult networking service. The federal suit names as a defendant Various Inc. and three subsidiaries. Filed in the Northern District of California, the complaint says the defendants operate *Facebookofsex.com* and affiliated websites in a "blatant attempt" to capitalize on the Facebook name... Rivera Maya Mexico? **Matt LaVere** at 642.6702 or [goldenringlaw@aol.com](mailto:goldenringlaw@aol.com)... Guernsey Island, United Kingdom? **Lawrence Noble** at 658.6266 or [lawrence@noble4law.com](mailto:lawrence@noble4law.com)...

**Steve Lee** completed the Eugene Marathon on May 1. It began at the U of O Duck campus and finished on the historic Hayward Field. His time of 3:14 is commendable and good enough to qualify him for the Boston Marathon... The Kentucky Bar Association Board of Governors is recommending that famous mass tort lawyer Stanley Chesley be disbarred for his role in a \$200 million fen-phen settlement that ended with prison sentences for two other lawyers. Chesley had charged \$20 million to help settle the case for the plaintiffs' lawyers, though his contract entitled him to receive about \$13 million, according to a hearing officers report... Looking for **Jill Singer**? Working for Gordon Edelstein et al. and opened up shop at 816 Camarillo Springs Road, Suite I. 888.764.7579 or [jill@geklaw.com](mailto:jill@geklaw.com)...

**Steve Henderson** has been the executive director and chief executive officer of the bar association and its affiliated organizations since November 1990. He correctly predicted a Mav championship and a NoMisski MVP. U.S. Representative for New York, Anthony Weiner, will be giving an Ethics CLE July 15 at Hooters in Ventura. Lastly, Henderson may be reached at [steve@vcba.org](mailto:steve@vcba.org), FB, Twitter at [stevehendo1](https://twitter.com/stevehendo1), LinkedIn, or preferably 650.7599.



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