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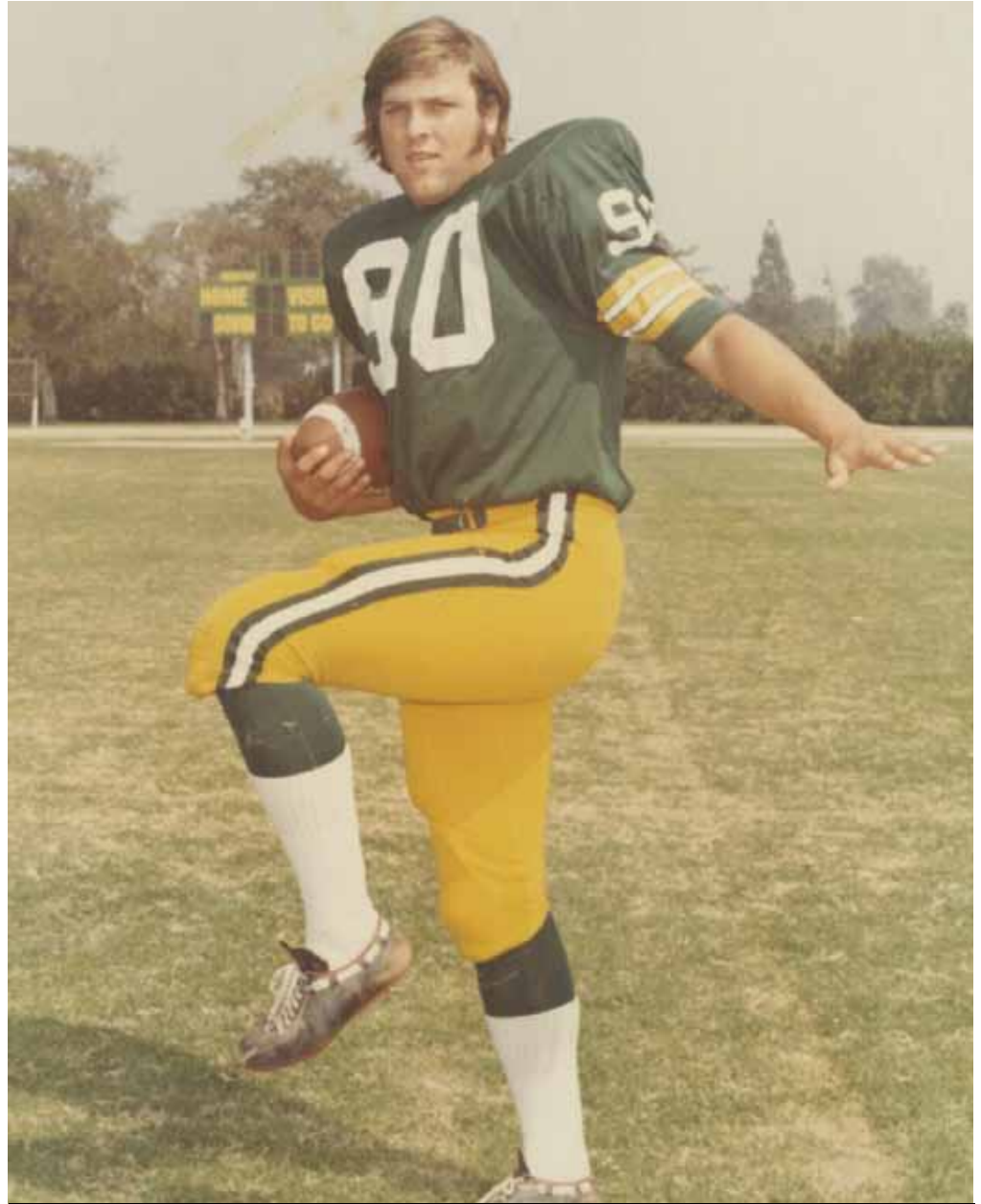
# CITATIONS

A P R I L - T W O T H O U S A N D T H I R T E E N

## LEROY SMITH'S CLAIM TO FAME

*By Kathleen J. Smith*

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 ALFRED VARGAS  
 REBECCA RUBENSTEIN  
  
 LISA MJ SPILLMAN  
  
 STEVE HENDERSON

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## PRESIDENT'S MESSAGE: TRANSITIONS, PERCEPTIONS AND CHANGES

by Joel Mark



"You're not from around these parts, are you, stranger?"

As two recent transitions have caused me to recall, that cliché from an old Western was my perception when I first transitioned from the Old Country to the Nordman firm in July 2000.

The very first week, at the government center after an appearance, two Ventura lawyers emerged from another department. "Can you believe that guy?!?" said one about opposing counsel that day. "Yeah!" responded the other. "Where does he think he is? North Los Angeles?" As we rode down the elevator they laughed: "Maybe they should put up an inspection station on the 101 to intercept lawyers from LA."

I, however, had an infiltration plan. I joined the Ventura County Bar Association. But at my first event, a VCTLA dinner, I introduced myself to the attorney in front of me at check-in. "Oh," he said. "You must be that carpetbagger who just joined the big firm in the Emerald Tower." The plan had not started well at all.

Fortunately, one of my new partners, **Randy George**, took me to lunch to console me, in Ventura Harbor, on a beautiful fall day, and we sat outside. Randy ran into one of

his colleagues and exchanged pleasantries. Then, to my surprise, they actually talked about real things beyond pleasantries. As I shared with my wife Leslie that night, that never happened in the Old Country.

And, in the Old Country, if they talked at all, it might be about how that morning they took a power breakfast with some movie star client at the Polo Lounge. Here, it might be about how that morning they had been surfing at Rincon. And, they wouldn't be affected, "gnarly, dude" surfers – just real lawyers who liked to surf.

A little later, I had to cover a settlement conference, where I first met **Judge David Long**. About a month after that, I was in the cafeteria. Judge Long wandered through and said with a smile: "Good morning, Joel, good to see you again." When I got home that night I told Leslie: "Toto, we are not in Kansas anymore." I mean, in the Old Country, the chances of ever seeing a judge again were pretty slim, and here one already knew me by my first name?

Encouraged, I decided to resume the infiltration plan, and joined Inns of Court, where I could meet litigation attorneys who I would be seeing in court. In the Old Country, you hardly ever saw opposing counsel a second time. Here, people did battle in court with each other regularly. Sure, familiarity can breed some measure of contempt. But, I was amazed and even excited at how, overall, opposing attorneys here treated one another not only with respect and civility, but often with good humor.

As my transition progressed, I also began to notice the differences in the legal issues that shape community life here. I handled cases involving our agricultural industry. Strawberries – who grew them, their profit margins, who picked them, and how lemons and avocados were giving way to them. Row crops – how workers in that industry were housed and compensated. Water – where it came from, how it was being used, and the important yet delicate balance between the needs of our more than \$2 billion agricultural industry and our native plants and wildlife, including steelhead and red

legged frogs. I learned about issues from operating wineries to issues that remain from the "tiling" that made the Oxnard Plain one of the most fertile agricultural areas in the world. Development – to SOAR or not to SOAR. And I learned about businesses and industries that thrived here, and the workers and families at the core of their successes.

The transition continued with joining the VCBA Board, where I met more attorneys who practiced in areas other than litigation. I began to perceive far more than I ever had in the Old Country how other areas of law are so important to the community in which we live, including the criminal justice system, juvenile and dependency practices, family law, immigration, employment and labor law and, yes, even animal law.

Involvement with the board also opened my eyes far more than ever to the importance of diversity in the bar paralleling the diversity of our community – and how important it is for the bar to strive to serve all of our community's diverse needs.

And that brings me to the two recent transitions that have revived these ancient reflections – the passing of **Emeritus Attorney Earl Price** and the enrobing of **Judge Gilbert Romero**.

Price was one of our Volunteer Lawyer Services Program emeritus attorneys, and he personally over the years raised several hundred thousand dollars to support the program. He was keenly aware of how necessary it is for our community of lawyers to help provide access to justice to all members of our community. While people of kindred spirit certainly reside in the Old Country, upon hearing of Earl's passing I realized how fortunate we were to have had Earl among us in Ventura, and how fortunate I was to have gotten to know, work with and be inspired by him, no matter for how briefly.

Judge Romero's enrobing ceremony, where I had the honor of speaking on behalf of the VCBA, was a very special event – an overflow crowd, a family beaming with pride, dignitaries recognizing his accomplishments, an entire bench turning out to welcome

*Continued on page 7*



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**LIBRARY OUTREACH***by Alfred Vargas*

The Ventura County Law Library received a grant from the Institute of Museum and Library Services which will be used for legal outreach programs for the general public. The library will offer the hour-long talks at the law library every 2nd and 4th Wednesday from 5:30 p.m. to 6:30 p.m.

The following talks have been scheduled:

**4/10 - SMALL CLAIMS COURT**

Gretchen Lichtenberger

**4/24 - ESTATE PLANNING**

Michael Williams

**5/8 - AFTER ARREST**

Mike Ford

**5/22 - RENTERS' RIGHTS**

Alfred Vargas

Each talk will be filmed and made available on YouTube. Any attorney interested in speaking to the general public may contact Ms. Dolly Moehrle, [dollym@vencolawlib.org](mailto:dollym@vencolawlib.org), to volunteer for a particular subject area.

**6/12 - CONSERVATORSHIPS**

Cheri Elson

**6/26 - TRAPS IN HIRING AND FIRING**

Panda Kroll

**7/10 - EMPLOYMENT ISSUES**


Brian Hefelfinger

**7/24 - RESTRAINING ORDERS**

Mary Howard

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## PRESIDENT’S MESSAGE:

*Continued from page 3*

their newest member. Nothing like the ceremonies I had seen in the Old Country.

Truly inspiring as well were the comments of **District Attorney Greg Totten** about Judge Romero – his growing up in the roughest parts of our community, the challenges he faced and the courage with which he faced them. Mr. Totten also quoted Judge Romero recalling – and it should be a lesson for all of us – how he came to realize that, while he could not change his past, he could make sure it did not dictate his future. Mr. Totten added that, while Judge Romero graduated from the finest legal institution in the land, Hastings, he still returned to his roots where he became the outstanding citizen and role model that led to his appointment to the bench.

These two transitions are what has caused me to reflect again upon my own transitions, perceptions and changes that began when I first came to Ventura, and how I have been inspired and positively affected by so many whom I continue to meet and work with here.

Transitions in life are inevitable, and the changes in perceptions they can bring should be embraced. As an old dog, I embrace change slower than most. But, I am encouraged by what I have learned so far. Just the other day, I made a first contact with opposing counsel from the Old Country, and he was surprisingly civil. I caught myself thinking: “Where does he think he’s from South Ventura?”

*Joel Mark is the managing partner at Nordman Cormany Hair & Compton LLP in Oxnard. Any similarities between the “Old Country” and some big city such as Los Angeles are purely coincidental. Hastings, however, is for real.*



# What's the Difference ? Bad News / Good News

Bad News: **Onerous 2013 foreclosure laws are in effect for trustees that foreclosed 175 or more times in 2012. MANY large services have started turning down foreclosures involving 1<sup>st</sup> Trust Deeds on owner-occupied 1 to 4 unit properties! DETAILS: [unitedtrustees.com/pdf/DOC\\_Release\\_65-FS.pdf](http://unitedtrustees.com/pdf/DOC_Release_65-FS.pdf)**

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# ON BECOMING AN INTERPRETER

by Rebecca Rubenstein

Court interpreting is a difficult and demanding skill to learn, but once it is mastered it is an extremely rewarding career.

In my case, I grew up speaking Spanish and lived primarily in Mexico from the age of seven to eighteen, when I returned to the United States to go to college. Even though the bulk of my friends were Mexican/Spanish-only speakers, and I spoke Spanish as a native speaker, my higher register Spanish was lacking because I was never required to use it as an adult. I had to study a lot to be able to pass the California Court Interpreter's Exam. I spent six hours a day for a year and a half studying on my own and then attended a full-semester class that gave me the necessary vocabulary to successfully pass the exam. When I took and passed the California exam in 1990, there were very few classes available for people interested in becoming court-certified interpreters. I attended the Monterey Institute of International Studies to prepare for the Federal Court Interpreter Certification Examination.

Today there are many reputable programs that help people evaluate their language skills and interpreting ability, build up any sub-par skills and provide tools to help pass the exam. The exam has changed over the last few years to allow for an English-only written exam.

I recently spoke with Martha Ortiz who works for the US Courts Bankruptcy Division. She was originally from Guadalajara, Jalisco, Mexico. She also considers herself a native speaker because she spoke only Spanish at home. After being hired by the bankruptcy court she decided to investigate becoming a court interpreter. She was asked to interpret during debtor exams in court and really liked being able to help people understand. She has passed the written portion of the federal exam and is studying for the oral, which she failed the first time. She said she took a basic court interpreting course which wasn't much help. Then she began some self-study using the resources from the California court's website as well as suggestions from

experienced/certified interpreters and also began volunteering at a hospital. She also came to U.S. District Court and started listening to certified interpreters wearing a headset in the courtroom. She says that is what let her know what was really required to be a good interpreter. Once she began studying on her own, Ortiz started to notice improvement in her skills. She says it is like learning a whole new language because you have to know proper legal terminology, be familiar with the legal process and be fast. She has to learn slang, and know the cultural nuances and variations in usage of the vocabulary.

Formal certification is required to work as a court interpreter in California state courts and in the United States District Court. First, the candidate must pass a written test evaluating proficiency as well as ethics and professional conduct. The State of California's average pass rate is approximately 12 percent and the US District Court's pass rate is even lower. After passing the written test, candidates are invited to an oral exam which tests the three modes of interpreting we use in court in both the source language and the target language; simultaneous, consecutive and sight translation. The US District Court tests Spanish, Haitian Creole and Navajo; the State of California tests American Sign Language, Arabic, Armenian (eastern and western), Cantonese, Japanese, Khmer (Cambodian), Korean, Mandarin, Portuguese, Punjabi, Russian, Spanish, Tagalog, and Vietnamese. Interpreters must obtain 30 units of continuing education every two years in addition to reporting the case numbers and names of a minimum of 40 assignments over each two-year period.

The skills required to interpret effectively are complex and difficult. An interpreter must have linguistic, speaking, listening comprehension, reading comprehension, interpreting and behavioral skills. An interpreter must possess: a native-like proficiency; an ability to think and react communicatively; a broad vocabulary – including legal terminology, subject-specific terminology and slang – and the

knowledge and use of cultural nuances, regional variations, idiomatic expressions and colloquialisms in each working language.

On top of that, an interpreter must be able to speak with proper pronunciation, diction and intonation, in a neutralized accent and dialectical differences, and to both project and speak softly. At the same time, an interpreter must be able to ignore auditory distractions and focus on the source speaker. And an interpreter must be able to read and comprehend overall meaning and specific details of written text, recognizing the context, whether it is formal or informal, the subject-specific vocabulary, idiomatic expressions and colloquialisms and be able to read quickly with little preparation.

Additionally, an interpreter must be able to process the linguistic information quickly, make decisions regarding word choice or terminology, apply short-term memory skills to retain small units of information, think analytically and utilize predictive thinking skills to anticipate incoming messages and the ability to convey meaning. While doing this, an interpreter must be able to transfer the message from one language to another preserving the accuracy while conserving the intent, tone, style and utterances of the whole message. An interpreter must follow ethical standards while working in varied situations and maintain an appearance of self-confidence and self-awareness.

As I have often heard said by Holly Mikkelson, Victoria Vazquez and Rosanne Dueñas Gonzalez, the authors of *Fundamentals of Court Interpretation*, "Two hands do not a concert pianist make." In short, a solid knowledge of the source and target language is only the beginning.

*Rebecca Rubenstein is a California Court Certified Court Interpreter and serves as Staff Interpreter/Coordinator for the federal court in the Eastern District of California.*

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# CITATIONS SUBSTANCE AND GUIDE

*CITATIONS* continues to welcome contributions of articles from all of the members of the Ventura County legal community. While we do not guarantee publication of any article, we are glad to have them and are trying to increase our coverage of local people, local events and the law written by members of our legal community.

As you consider sending your work, please keep in mind the following style guidelines. This will help ensure that everyone receives consistent editing and that the magazine

maintains a consistent style. If you see a reason to deviate from the style, please detail why your deviation is necessary and we will take it into consideration.

All articles should come in by the 10th of the month preceding your contemplated publication date. We will edit and return them as soon as possible after receipt. If you have additions or revisions make sure to get them in before the deadline; it gets confusing and frustrating to receive repeated changes as we are editing.

All articles should be submitted in Microsoft Word or RTF (rich text formatted) format. Please no PDFs.

All articles should be submitted with a head shot as a separate attachment (Do not import images into the document). Add a one- or two-sentence bio to be included with the article.

Please refer to the following style sheet when formatting articles. Take special note of title formats, bylines, spacing and case citation notes.

## STYLE GUIDE:

**Commas:** Avoid the Oxford/serial comma. Correct format is “cats, dogs and goats” without a comma after “dogs.”

**Headlines:** ALL CAPS. please keep brief.

**Bylines:** *italicized*, “by” lower case. *Ex: by Bill Lascher.*

**Indentation:** Do not indent paragraphs.

**Justification:** Align Left.

**Line spacing:** Single-line spacing.

**Sentence spacing:** Two spaces after colons, periods, question and exclamation marks.

**Font:** Times new roman, 12-point

**Citations:** If a section is mentioned in a sentence, write out the word “section” instead of using the symbol. Inside parentheses use §.

**Case titles:** Use California Style Manual format, not Bluebook. *Ex: Manual v. Bluebook* (2013) 999 Cal.App.4th 999 or *Bluebook v. Manual* (9th Cir. 2013) 999 F.3d 999.

**Dates (days):** Numbers only, no superscript. *Ex: Feb. 25, not Feb. 25<sup>th</sup>.*

**Dates (months):** Abbreviate longer names; don't abbreviate March, April, May, June or July. *Ex: Feb. 25 and July 14*

**Dates (years):** Exclude year if current. *Ex: April 13, not April 13, 2013.*

**Dates (decades):** For decades, don't use apostrophes (i.e. 1980s instead of 1980's) unless it is possessive for the specific year.

**Names (VCBA members):** Bold names of all VCBA members present or past on first reference in an article. Nonbold for second references. Do not bold firm names.

**Names:** Last name only on second reference. *Ex: Bill Lascher edited this document. Lascher said maintaining style is important.*

**Said/says:** If you're reporting an interview, it's past tense. *Ex: Henderson says he graduated from Cal Poly SLO.*

**Abbreviations:** Full name first, abbreviation used on second reference if they are familiar ones. *Ex: The Ventura County Bar Association publishes CITATIONS. The VCBA is based in Ventura. If unfamiliar and used more than once enclose abbreviation in parenthesis after full phrase Ex: The Ventura County Law Library (VCLL).*

**Numbers:** Write out one through twenty, use digits for larger numbers (i.e. “the jury deliberated for four hours,” not “the jury deliberated for 4 hours”), except when those numbers lead a sentence (i.e. “Eight hours later, the jury emerged.” not “8 hours later, the jury emerged.”). Likewise with ages (i.e. 4-years-old, not four-years-old).

**Websites and email addresses:** *italicize*; do not underline. *Ex. www.vcba.org or wlascher@fcoplaw.com*

**Book titles (and magazines, newspapers, art exhibits, musical compositions, etc.):** *italicized.* *Ex: The Grapes of Wrath.*

**Article titles (and chapters, movements, etc.):** in quotations. *Ex: He wrote about the ravenous man in the article “Man bites dog.”*

**Percentages:** Write out “percent.” *Ex: 100 percent of CITATIONS contributors should follow the style guide.*

**Quotation marks and apostrophes:** use “smart quotes,” which are “curly,” not “straight.”

**Endashes – not emdashes —** surrounded by spaces for interruptions. Use hyphens for page range and compound word.

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## LEROY SMITH'S CLAIM TO FAME

by Kathleen J. Smith



Ventura County Counsel **Leroy Smith** spots and meets celebrities wherever he goes. This is probably a function of growing up in the Hollywood-adjacent San Fernando Valley as a cruiser on Van Nuys Boulevard, and then traveling the country as an athlete. Smith met Bear Bryant while being recruited to play linebacker for Alabama, and watched Crimson Tide practice in the tower with the Bear. Smith once met Chicago White Sox owner Bill Veeck in the rival Wrigley Field bleachers and convinced Veeck to prank the Cubs fans by treating Smith like a rookie baseball phenom. When the Clippers basketball team had training camp at University of San Diego, Smith, by then a law student, was in the gym playing pickup games with them. It seems that Smith, Ventura County Counsel since July, 2010, traveled the world to seek out and contest sports notables. This may explain why he regularly spends lunch hours in the Government Center backlot playing basketball with county employees who banded together for a creative wellness program of outdoor pickup games.

After attending college on a D1 football scholarship at the College of the Holy Cross in Massachusetts and earning an economics degree, Smith attended The University of San Diego Law School, graduating cum laude.

After law school, Smith accepted a two-year clerkship with the U.S. Department of Labor Office of Administrative Law Judges in Washington, D.C. While in D.C., Smith attended a Holy Cross alumni wine and cheese affair at the Hart Senate Office Building, where he met his future wife, your reporter, **Kathi Smith**, who was a Georgetown Law student planning to see the world by getting a job in a big city. The two drove west and settled in Los Angeles. Leroy worked for the U.S. Department of Labor prosecuting Fair Labor Standards Act violations and is proud of his role as trial attorney in *McLaughlin v. Ho Fat Seto*, a garment industry case setting the rule for non-testifying employees to receive back pay based on representative testimony. Smith spent three years in private practice in Century City where he practiced employment law on the employer side. So, his employment career worked both sides of the ball.

During their time in L.A., Leroy and Kathi had three children, who rightly believe they should be featured prominently in this profile. Caitlin is a Stanford graduate who is a Ph.D. student at USC. Dan is a Berkeley biology graduate aspiring to work in science public policy in D.C. Matt is about to graduate from George Washington

University in D.C., and also plans a public policy career. All three attended Ojai public schools, benefiting from Kathi's childrearing hiatus from law and Leroy's sports team coaching for each of them: softball, basketball, and flag football. Many championships of the Ojai Recreation Department were won by Smith teams.


Leroy Smith was hired at Ventura County Counsel in 1989 when **Jim McBride** was County Counsel. Smith's responsibility was employment law, advising and litigating for all county agencies through the years. Smith was eventually promoted into management, becoming Litigation Supervisor in 2001 when **Frank Sieh** was County Counsel. County Counsel **Noel Klebaum** named Smith Chief Assistant County Counsel, and the Board of Supervisors appointed Smith as County Counsel when Klebaum retired in 2010. County Counsel's job is multifaceted, requiring attendance at supervisors' meetings, constant availability for legal questions from supervisors and agency heads, and management of the office.

Fortunately, Smith is supported by management attorneys – **Michael Walker**, Chief Assistant, and **Alberto Boada**, Litigation Supervisor – and Staff/Services Manager, **Sheila Deleo**, who work to support and enable the 24 attorneys, two paralegals and nine assistants at County Counsel to provide solid, high quality civil legal services to county agencies and the Board of Supervisors.

Smith keeps an Albert Einstein quote on his office wall: "If you can't explain it simply, you don't understand it well enough." If this quote tells you anything about Leroy Smith, it explains this lifelong athlete's drive for simple, perfect accuracy – like a nothing-but-net jump shot out on the tarmac in the California sun.

*Kathleen J. Smith is a civil litigation attorney at Norman Dowler LLP and on the CITATIONS Editorial Board.*





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The first part of this series appeared in the January, 2013 edition of CITATIONS.

## SPIRITUALITY AND THE LAW PART II: JUDGE v. JUDGE NOT

by Lisa MJ Spillman

I was driving through an unfrequented intersection a few years ago when my five-year-old daughter blurted, "Hey Mom, this is where that idiot was." Gulp. Yes, this is where he was. While grateful that I had not chosen a more profane set of words the prior year for that unsafe driver, I was not proud that I had taught my daughter to judge the guy an idiot. So, as judging is in my blood, I am writing another article on Spirituality and the Law, this time, on some legal and spiritual aspects of judgment.

Spiritual leaders and religious doctrine have had a lot to say about judgment. "Give your Muslim brother the benefit of the doubt 70 times before judging him."

*The Holy Prophet (S.A.W.S.).*

"If you judge people, you have no time to love them."

*-Mother Theresa*

"A man should not act as a judge either for someone he loves or for someone he hates."

For no man can see the guilt of someone he loves or the good qualities in someone he hates."

*-Babylonian Talmud, tractate Ketubbot.*

"Do not judge, or you too will be judged. For in the same way you judge others, you will be judged, and with the measure you use, it will be measured to you."

*-Jesus, as quoted in Matthew 7:1-2, New International Version.*

Even Shakespeare had a dog in the fight: "Give every man thy ear, but few thy voice; Take each man's censure, but reserve thy judgment."

*-Hamlet*

So, one simple question that arises is, "Why is it that judges who have spiritual beliefs that it is important not to judge others, judge others?" Well, first of all, they must judge. Judges judge. But, more significantly, it would appear that a judge cannot be influenced or controlled by his or her religious or spiritual

beliefs. Judges have to be "independent." The preamble to the California Code of Judicial Ethics reads: "Our legal system is based on the principle that an independent, fair, and competent judiciary will interpret and apply the laws that govern us." Canon 1 of that code says, "An independent, impartial, and honorable judiciary is indispensable to justice in our society." Independence is defined in that code as "a judge's freedom from influence or controls other than those established by law." Moreover, a judge cannot be biased based on religion (Canon 3 subdivision (B) (5)) and must ensure lawyers in proceedings before the judge refrain from bias or prejudice based on religion. (Canon 3 subdivision (B)(6)).

In my interview with **Justice Paul Coffee** about spirituality and the law, I asked him how he reconciles judging with "do not judge." He said that the state of California was paying him to judge and theology says not to judge. This posed a conflict, the resolution of which is unique to each matter. Once he is involved with the specifics of the controversy, he is looking for what is right. Justice Coffee said that much of appellate work is tilled ground. I took that to mean that the law is clear, so he applies the law to the facts and comes back with a just result. But, as a judge, particularly at the Court of Appeal, Justice Coffee sometimes had to "sleep on it," and really think about what is right to do. If he could not sleep with a particular resolution, that would not be the right decision to make.

So it is clear from talking to Justice Coffee and from the Code of Judicial Ethics that the spiritual principles against judging do not, and indeed, must not prevent judges from doing their jobs.

But, is that the end of the story? Isn't judging really more than that? There is 'judging' from a legal sense, such as determining whether a person has committed an act the law has defined to be erroneous or criminal, and then determining the appropriate remedy or punishment. But there is also 'judging,' as in assessing the value or worth of another. Isn't it this latter concept that the spiritual leaders rally against?

I talked with Lutheran Pastor Brian Elster of Oxnard about judgment. He said that the judgments by the courts were appropriate and need to happen to preserve the public good



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and safety. The problem occurs when people judge the worth of a person, post-judgment or post-conviction. Such judgments as to another's worth are not in the common good but are arrogant presumptions based on imperfect information which puts us in a God-like position. Moreover, the "throw away the key" mentality, that convicts are of no worth, so we are better than they are, is a fallacy because we are all broken.

I agree with Pastor Elster. First, getting in trouble with the law does not mean we are a person of little or no worth. How many of us have broken a law and not gotten caught or not gotten punished for it? I certainly have. I recall a Wyoming police officer writing me but a warning ticket, leaning to the open window, and telling my daughter to scold me if I go too fast again. But does the fact that I did not get punished make me better than those who have broken a law and been sentenced? No. Would I have less worth had I been punished? No.

Second, most of my practice involves representing indigent criminal appellants—convicted felons. I would make an educated guess that most people behind bars were not born with a silver spoon in his or her mouth. Indeed, their hunger was great. And a great many witnessed unspeakable violence in their own homes as children.

I bring this up not to excuse any later criminal behavior, or to advocate for lifetime welfare programs, for I firmly believe in the ability of a mentally fit adult to choose legal and productive behaviors so as to lift oneself out of poverty and a life of crime, with support from the community, as needed, at times. My point is that most of these guys, from day one, had a lot more hell and chaos to overcome in their lives than most of us will ever have or know.

So "judge not" and coexist peacefully. Let us not judge the value of the person, but her or his behavior. Let us not judge those behind bars as worthless. And once a person has paid the legal-price for the erroneous or wrong behavior – be it a fine, damages or imprisonment – let Ventura County be a place for those who want to change their behavior and live law-abiding, productive lives free from the judgment of their worth by others.

*Lisa Spillman is an attorney in Ventura. She handles criminal appeals and habeas corpus petitions.*



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

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



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**Jim Griffin's** correct new email address is [jamesgriffin@waiconnor.com](mailto:jamesgriffin@waiconnor.com) not jimgriffin blab bla bla...A longtime Washington, D.C., criminal defense lawyer portrayed by a prosecutor as a serial violator of legal ethics rules was sentenced March 14 to 63 months in federal prison for presenting staged photographs and perjured testimony as evidence at a client's drug trial. A defense lawyer for Charles Daum had sought a one-year prison term, while the government urged U.S. District Judge Gladys Kessler to sentence him to the 78 months at the top of the federal sentencing guidelines range that applied to his case. His 63-month sentence was at the bottom of the guidelines range. Kessler said the "shocking" crime had threatened the integrity of the justice system...**Carol Woo** and **Maureen Houska** launched Woo/Houska LLP March 1. They may be found at 5700 Ralston Street, Suite 311, in Ventura. Congrats may be made at [cwoo@woohouska.com](mailto:cwoo@woohouska.com) or [mhouska@woohouska.com](mailto:mhouska@woohouska.com). Indeed, they may also be reached at 658-6300...

DK Law Group announced that **Deborah Meyer-Morris** has joined the firm's litigation practice. Her new email address is [dmm@dk4law.cpm](mailto:dmm@dk4law.cpm) or call 988-4848...Court proceedings can be excessively boring; not every hearing can be like an episode of *Judge Judy*. But if you're the judge, you're kinda being paid to pay attention – and you are certainly not being paid to IM your

wife that plaintiffs are "acting crazy." The *ABA Journal* reports that a New Mexico judge has resigned after admitting he sent "excessive and improper" IMs to his wife, also a court employee, during work. Judge Eugenio Mathis admitted he used the court's internet to send IMs to his wife that included shit-talking other judges and "judicial statements" about cases that had yet to be settled. The New Mexico Judicial Studies Committee also alleges that Judge Mathis sent sexually explicit IMs to his wife during court time, including one that said, "Don't come knocking if the jury room is rockin'." ...Thomas P. Lowe, a divorce lawyer in Eagan, Minn., has been barred from practicing law for the next fifteen months. Lowe recently admitted to having sex with a client – and then billing her for her time! The *St. Paul Pioneer Press* reports Lowe and the woman had known each other since 1985, but that the affair took off in August 2011, when she approached him to represent her in a divorce. Several days after agreeing to represent her, Lowe reportedly asked if she would be interested in having sex (which is clearly against the Minnesota Rules of Professional Conduct for Lawyers). Read the entire post at [www.thelaw.net/?p=627](http://www.thelaw.net/?p=627) ...License Plate of the Month: PITZKLE on a 2006 Mini Cooper captained by Cheri Elson. What's it mean? Tiny in Yiddish. England or Scotland? **Cheri Elson** at 504-4828 or [cheri@elsonlawfirm.com](mailto:cheri@elsonlawfirm.com)...First time daddy **Tom Adams** tells us Eloise Zucca Adams was born at 8:04 p.m. on March 11 weighing-in at 8 pounds and 10 ounces (ouch). Mother Kelly just fine and dandy.

*Steve Henderson has been the executive director and chief executive officer of the bar association and its affiliated organizations since November 1990. He successfully procured thousands of dollars in March Madness bracketology. Additionally, he will be spending the third weekend of April in the Big Apple visiting Carmelo. He may be reached at [steve@vcba.org](http://steve@vcba.org), [FB](https://www.facebook.com/stevehendo1), [Twitter](https://twitter.com/stevehendo1) at @stevehendo1 or @vcba1, or better yet, 650-7599.*

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