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To promote legal excellence, high ethical standards and professional conduct in the practice of law; to improve access to legal services for all people in Ventura County; and to work to improve the administration of justice.

# CITATIONS

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

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## 2015 PORTRAIT HONOREE



JUDGE BRUCE A. YOUNG

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PRESIDENT'S COLUMN:

## “There’s a Little Bit of Magic, Everybody Has It.”

*Head Underwater* – Jenny Lewis, 2014

by Bill Grewe



**800 South Victoria** never shines as it does during the annual Ventura County High School Mock Trial Competition. The courthouse is not just abuzz, it is electric. The best. This year, 26 public and private schools, 33 teams, some 550 students, about 70 volunteer coaches, 150 attorney scorekeepers, and fifteen volunteer sitting judges in seventeen courtrooms participated.

Real judges and real attorneys assist in bringing this yearly affair to life as these competitive students take to their paces. First place finisher La Reina High School, with its annual championship form, like a strong runner has pulled the field with it. It is unlikely that any other county matches Ventura's participation and excellence.

The full measure of the thing is 550. That many students. I wrote last month that Chris Jew, Esq., a December 2014 admittee with the highest bar number in the county, is now in Virginia at the U.S. Marine Corps Judge Advocate School. He mentioned the spark of his two years of mock trial participation. It was irrelevant where his team finished. That doesn't matter going forward. Champions are to be lauded, but simply having 550 participating students is grounds for celebration, too. History is often written by those who begin in secondhand saddles atop 20-year-old horses. We don't know who they are, but they are out there amongst this group of 550.

**Judge Kent Kellebrew**, after ten years, is stepping away from the mock trial program. **Judge Gilbert Romero** will assume the helm in 2016. Tuck it away that our corps of

volunteers will make his first year as smooth as possible.

**The Buck Stops Here. Judge Donald Coleman** is the new Presiding Judge of the Ventura County Superior Court, and the **Honorable Patricia Murphy** is the new Assistant Presiding Judge. In addition to judicial assignment matters and the business of accommodating criminal and civil litigation, Judge Coleman is the point judge for public communication, concerns and complaints. He is also responsible for any other day-to-day troubleshooting needs. The Court is in good hands. Spend some time in other California courts and you will hop on the first bus back to Ventura....*And did I mention the price of parking?*

**Think Ethics Ticket Thicket Thyme.** VCTLA. Tuesday evening, April 21. State bar ethics insider **Joel Mark, Esq.** passes along what he has seen and learned along the way – current Special Deputy Disciplinary Prosecutor, fifteen years Mandatory Fee Arbitration Committee. It has to be good. Joel is competing with the fabulous view from the Tower Club! *VCTLA.org/flyer*. MCLE....*Rumor has it April 21 is Joel's birthday, so hold out for cake!*

**Rhymes with Bullpen....Bull's Eye!** Close enough, and isn't that the point of darts? **Barristers** Dart Night, April 16, 5:30 to 7:00, Brendan's, Camarillo. Always fun. All members of the bench and bar are invited. *FREE!*

**Do You Own a Transistor Radio?...**If you answered “yes,” well, maybe this program

should be mandatory. “Technology and the Courts.” **Judge Glen Reiser**, Dept. J6 (Juvenile Justice Ctr. on Vineyard), April 15 at noon. *F-R-E-E...* optional MCLE fee of \$15. Flyer or RSVP to *bar@vcba.org*. Presented by Barristers.

**But your honor, this is family law court. Judges Matthew Guasco and Thomas Trent Lewis**, “Evidence and Other Issues at Trial for the Family Law Attorney,” presented by the VCBA Family Law Section, Saturday morning, April 25, 3 MCLE. *VCBA.org* or *vcfamilylawbar@gmail.com*. Flyer herein.

**Shiver Me Timbers!** Marital property settlement matter? Don't forget the attic. A 1967 *Pirates of the Caribbean* skeleton prop – the one where the skeleton is guzzling a bottle of rum and you can see the liquid flowing through his rib cage – sold on March 2 at auction for \$129,000. The interest in Disney gear brought in much more than expected. Why? A young small-time bidder who picked up some knickknacks hit it on the head, “You can't put a price on magic.” Yup. And somewhere out there, retired CEO Michael Eisner is saying, “*Exactly!*”

**Runnin' on Empty?** No worries. Law Day 5k is a run/walk...or 1 mile fun run. Saturday, June 27. Kimball Park. Step out and start the 4th of July week off right. *VCBA.org*.

**This is a program not to miss:** Women Lawyers of Ventura County, Employment Law Update from **Karen Gabler** of LightGabler. Friday, April 10, noon. Ottavio's. Cost/MCLE \$27/\$15 or nonmembers \$32/\$15. All are welcome. Flyer or *VCBA.org*. The food is good and the venue, terrific.

**“Appealable Orders and Writs in Probate Litigation.”** Probate and Estate Planning. April 23 at noon. Wedgewood. Guest Speaker Herb Fox, Esq. MCLE. Flyer at *VCBA.org*.

**One Fish, Two Fish, Red Fish, Blue Fish** and Dr. Seuss were cited by Justice Elena

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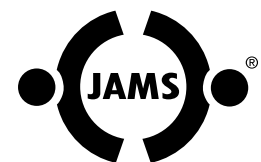


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### PRESIDENT’S COLUMN:

*Continued from page 3*

Kagan in *Yates v. United States* in February. It certainly brought a smile to veteran court watchers, not to mention every who down in Whoville.

**Chief Deputy Public Defender Extraordinaire Jean Farley 81853** has left the building. After more than 36 years, Jean retired at the end of March. Her compassion and commitment extended to matters in our legal community beyond the footprint of the Government Center. There are unseen people whose time and effort help make our local justice system and legal community sparkle. Jean is one of them. I hope she doesn’t totally wander off.

**Keepin’ it Local:** Your bar section leaders deliver all four seasons. We appreciate your support through memberships and attendance – *and ideas, suggestions and participation!* What you put into our local VCBA comes right back to our legal community. Thank you! And from Sea Cliff to Santa Susana, have a great April! *And did I mention the price of parking?*



*Bill Grewe is a member of Rose, Klein & Marias LLP, and represents individuals in personal injury and workers’ compensation claims. He is the 2014-2015 president of the Ventura County Bar Association.*

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# VCTLA

## Ventura County Trial Lawyers Association

Every year since 1978, VCTLA has honored the outstanding trial court judges of Ventura County by presenting its Judge of the Year Award. The award recognizes exceptional judicial performance balanced with courtesy and compassion toward litigants and attorneys in the courtroom. Each year's honoree is selected with the assistance of a diverse group of trial lawyers from the civil and criminal arenas. The criteria used in the selection process are the attributes of wisdom, wit, patience, understanding, and compassion.

### 2015 JUDGE OF THE YEAR



**JUDGE BRUCE A. YOUNG**

**Bruce A. Young** was born in Warren, Ohio, but was raised in Ventura. He is a graduate of Buena High School, where he played basketball. He has a bachelor's degree in history from California Polytechnic University at San Luis Obispo. He attended Pepperdine University School of Law.

Judge Young practiced civil law in Santa Paula and Ventura for 21 years. He was a partner at Drescher, McConica, Onstot, Schuck & Young when he decided to enter public service. He took a position with the Ventura County District Attorney's Office where he worked in the Elder Abuse Unit.

In 2002 he became a Commissioner. In 2007 Governor Schwarzenegger appointed Judge Young to the bench. He currently sits in Department J1 of the Juvenile Justice Center where he presides over juvenile matters.

Judge Young enjoys studying history, especially the Revolutionary War and the Civil War. He and his wife, Tena, have four children.

### 2015 PORTRAIT HONOREE



**JUSTICE STEVEN Z. PERREN**

**Steven Z. Perren** was confirmed as an Associate Justice of the Court of Appeal in the Second Appellate District in 1999 after serving seventeen years as a Superior Court Judge for the County of Ventura. His Superior Court assignment included five years as the Presiding Judge of the Juvenile Court. The Ventura County Juvenile Justice Center bears his name.

Justice Perren was born and raised in Los Angeles and attended UCLA for his undergraduate and legal education. After serving in the Army he was a deputy district attorney in Ventura. He then entered private practice until his appointment to the bench in 1983.

Justice Perren chaired the Judicial Council's Criminal Law Advisory Committee, served on the Jury Instructions Task Force and has been a member of the executive committee and vice-president of the California

Judges Association and the president of the California Judges Foundation. He currently serves on the Commission on the Future of California Courts. He has been a lecturer at the California Judicial College on sentencing practices, juvenile justice and jurisprudence. He has testified before the California Legislature and the Little Hoover Commission on sentencing issues and has participated in numerous panels and forums dealing with criminal justice.

Justice Perren has served on various charitable and community boards including United Way of Ventura County, Casa Pacifica Children's Home, Ventura Boys and Girls Club, the UCLA Law Alumni Association and Temple Beth Torah. He currently serves on the Board of Directors of the Ventura Music Festival and performs regularly in community and regional opera and musical theater.



# XXXVII

## VCTLA ANNUAL JUDGES' NIGHT



Photos courtesy of Marc Anderson



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## RECENT DEVELOPMENTS IN INSURANCE LAW

by Mark E. Hancock

### ADJUSTORS CAN BE LIABLE!

An insurance company's employees and agents cannot be sued for either breach of the insurance contract, or breach of the implied covenant of good faith and fair dealing (i.e., "bad faith"), **but they may be sued for independent torts**, such as assault and battery, trespass, invasion of privacy and defamation. (See *Tran v. Farmers Group, Inc.* (2002) 104 Cal.App.4th 1202, 1216; CAL.PRAC.GUIDE: INSURANCE LITIGATION (The Rutter Group 2014) §§ 11:201 et. seq.)

The recent decision in *Bock v. Hansen* (2014) 225 Cal.App.4th 215 stated that though an adjustor cannot generally be sued for negligent claim handling (because there is no contract between the adjustor and the insured and no duty of care), an adjustor can be sued for misrepresentation, or deceit in the process of handling a claim, including negligent misrepresentation. (The court also held that the trial court should have given the Bocks the opportunity to amend as to an additional tort: intentional infliction of emotional distress.)

In *Bock*, Travelers Insurance Company sent their adjustor out after a tree fell and damaged the Bocks' insured home. The Bocks alleged the adjustor altered the scene, then took his photos, spoke derogatorily to them and misrepresented that the policy did not cover debris removal. When the Bocks commenced cleaning up the mess themselves, he told them "Atta boy! See you can do it! Now go get a few friends and finish up." In the process, Ms. Bock cut her hand on broken glass.

Remember this when evaluating a complaint against an insurance company and its employees and agents.

### IN A UM CASE, YOU MAY NOT NEED TO BEAT YOUR OFFER, OR THE POLICY LIMITS, AT ARBITRATION TO SUE FOR BAD FAITH!

In *Maslo v. Ameriprise Auto & Home Ins.* (2014) 227 Cal.App.4th 626, an uninsured motorist rearended Maslo, causing him

to collide with a third vehicle. His injuries required two surgeries. Maslo filed a claim for the \$250,000 limits of his UM coverage. He submitted a police report showing the other driver was completely at fault, along with copies of his medical records and bills.

Apparently without investigation, Ameriprise demanded UM arbitration. **There was no offer to settle or to mediate.** The arbitrator awarded Maslo \$164,000.

Maslo sued Ameriprise for bad faith for demanding arbitration without first investigating his claim, forcing him to arbitrate unnecessarily and to incur costs and fees. Ameriprise demurred, invoking the genuine dispute doctrine. It contended both that it is not bad faith to invoke the right to arbitrate and that a case for bad faith can only be made out when the arbitrator awards more than the insured's initial demand. The trial court sustained the demurrer, finding that Maslo could not show that his damages exceeded the policy limits.

The court of appeal reversed, concluding that Maslo had stated a case for bad faith. That court stated that the genuine dispute doctrine can be invoked only where the insurer's position is maintained in good faith and on reasonable grounds. The appellate court rejected the presence of a genuine dispute in the *Maslo* case, because the company had failed to conduct any investigation. Ameriprise made no effort to evaluate Maslo's damages; it did not interview his treating physicians and it did not have his injuries *independently evaluated*. It apparently relied solely on its judgment/opinion that the amount sought was "excessive."

The fact that the damages are found to be less than the policy limits (and the demand) does not relieve an insurer of its duty to investigate and fairly process a claim. Even where damages are lower than policy limits, an insurer can still act in bad faith by failing to pay damages that are certain!

Remember this in first party cases where the insurer makes no offer to settle and

doesn't provide you with evidence that they have investigated your client's claim, providing you only with the tired phrase: "your demand is too high," or with nothing at all.

### THERE IS NO AFFIRMATIVE DUTY TO SETTLE A THIRD PARTY CASE IN THE ABSENCE OF A DEMAND OR AN INDICATION OF A WILLINGNESS TO SETTLE

While you may not want to take Mel Brook's specific advice in *The Producers*, there are times when you don't want to be stupid and you do want to be a schmartie. One such time is when you are handling personal injury cases with big injuries, modest third party insurance limits, and higher first party Under-Insured Motorist (UIM) limits. *Reid v. Mercury Ins. Co.* (2013) 220 Cal.App.4th 262 is an example of what not to do in such a case.

Zhi Yu Huang, a Mercury insured, ran a red light and caused a multi-car accident with catastrophic injuries to Shirley Reid. Huang had modest \$100,000/\$300,000 limits. Reid had \$250,000 in UIM limits.

Early on, Reid's son inquired about Huang's policy limits. Mercury responded: "we need the insured's permission to disclose limits" and made its own requests for information, asking for a recorded interview, medical record authorizations and to see Reid's car. Because he felt he was "being jerked around," Ms. Reid's son hired an attorney, who also unsuccessfully inquired as to Huang's limits. (The opinion does not indicate whether Huang ever actually refused permission to disclose limits.)

About two months post collision, Mercury did disclose its insured's limits and also stated that the insured was not in the course and scope of employment and did not have excess insurance, **but still insisted on a detailed statement, medical authorizations, proof of Reid's own insurance and an inspection of Reid's car.**

Four months post collision, Reid's attorney filed suit, without making a demand first. When asked about why he made no demand, the attorney indicated that he believed Mercury was being disingenuous in its statements that it needed more information before offering up its limits.

Seven months after the collision, Reid's attorney provided medical records and three months after that, Mercury offered the per-person limits. Nearly a year had gone by.

Reid's attorney rejected the offer and the case went to a bench trial (almost 2 years after the collision), resulting in a judgment against Huang for \$5.9 million. Huang declared bankruptcy and the bankruptcy trustee assigned Huang's bad faith claims against Mercury to Reid.

The Court of Appeal affirmed summary judgment for Mercury in the bad faith case. It held that an insurer's duty to settle does not arise simply because there is a likelihood of an excess judgment against the insured. (Remember this is a third party case). Neither Reid nor the attorney conveyed to Mercury that they would accept policy limits (even after the limits were disclosed). *Bare inquiries* about the amount of policy limits did not constitute an opportunity to settle.

Of course, hindsight is 20/20, but an early demand for policy limits information, under the authority of *Boicourt v. Amex Assurance Co.* (2000) 78 Cal.App.4th 1390, combined with an express indication of an interest in exploring the possibility of settlement within the tortfeasor's policy limits and an early production of medical records reflecting the victim's catastrophic

injuries, would have been a better way to go. It would have either compelled an earlier (pre-lawsuit) offer of the per-person limits (and an earlier transition to the UIM claim), or laid the foundation for a better bad faith case. Ms. Reid might have appreciated that; she died in the course of the delay.


This should not be seen as a "victory" for the defense. I doubt Ms. Huang enjoyed the process, or having to file for bankruptcy.



*Mark Hancock is an attorney, with offices in Ventura who handles insurance disputes and personal injury matters of all types.*

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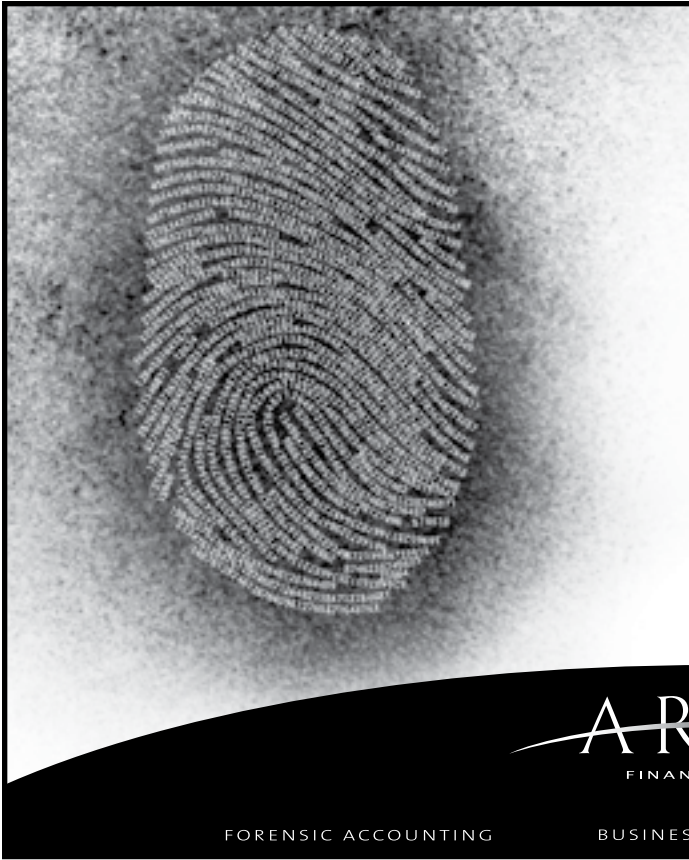
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*(Left to right): Steven A. Meadville, Esq., of Counsel, Richard M. Hoefflin, Esq., and Jason M. Burrows, Esq.*

# EDUCATIONAL RIGHTS FOR CHILDREN

By *Eric Hirschberg*

Children of all abilities are entitled to an education that will help them prosper. For some children this includes extensive evaluations and meetings that lead to participation in special education and other educational services. For any parent, it is helpful to know your rights so that you can advocate for your child's educational needs.

The California and the federal governments insure that the educational process appropriately provides for children with special needs. "Special education" is instruction specially designed to meet the unique needs of a child with a disability, provided for by the Individuals with Disabilities Education Act ("IDEA"). (20 U.S.C. §1400 et. seq.; Ed. Code, §56000, et seq.) The IDEA was enacted to: (1) ensure that a free appropriate public education ("FAPE") is available to children with disabilities, emphasizing special education and related services crafted to meet their unique needs and prepare them for further education, independent living, and employment; and (2) to protect the rights of children with disabilities and their parents.

The IDEA recognizes twelve categories of disabilities:

- Intellectual difficulties
- Hearing impairments (including deafness)
- Speech or language impairment
- Visual impairments (including blindness)
- Serious emotional disturbance
- Orthopedic impairments
- Autism
- Traumatic brain injury
- Other health impairments (e.g., attention deficit hyperactive disorder, epilepsy, asthma, tourette syndrome, etc.)
- Specific learning disabilities (e.g., dyslexia, developmental aphasia, perceptual disabilities, and minimal brain dysfunction.)
- Deaf-blindness
- Multiple disabilities.

To determine if a child has a disability requiring protections under IDEA, a school district evaluates the child with an assortment of assessment tools and strategies to obtain relevant developmental,

functional, and academic information, including information from the parent. The assessment considers the relative contribution of behavioral and cognitive factors, in addition to developmental and physical factors. Such evaluations may be requested by the child's parent, a state or local educational agency, or another state agency. Once a child is referred for an initial assessment, a school has 60 days from its receipt of parental consent, to conduct these assessments, and hold an individualized education program meeting.

Once the assessments are complete, the team of qualified professionals involved in the assessment, and the parents, then determine together whether the student is an "individual with exceptional needs," within the categories above, and the child's educational needs. These findings and determinations are ultimately made at the initial individualized education program meeting. If a student is found to be an "individual with exceptional needs," the information gleaned in the evaluation determines the content of the child's individualized education program ("IEP") and dictates FAPE. An IEP is generally a written statement setting forth the child's needs, academic and functional goals, and a statement of the special education, services, and accommodations to be provided. The IEP team must consider the child's strengths, the parent's concerns for improving the child's education, the results of the most current evaluations, and finally, the developmental, functional, and academic needs of the child.

Specifically, an IEP needs to contain information regarding the child's current academic level and functional performance, including the effect of the child's disability's on his or her performance and involvement in general education. The IEP's statements as to the special education and related services to be provided should be, to the extent possible, based on peer-reviewed research. The IEP must contain an anticipated start date for services and modifications, as well as the projected frequency, duration, and location of the services. Once identified, there must be

an IEP in effect for every "individual with exceptional needs" at the start of each school year.

After the initial meeting, the individualized education program team must meet when the student demonstrates a lack of expected progress, when a parent or teacher requests a meeting to review or revise the IEP, or at least annually to review the student's progress.

Parents have various forms of recourse regarding IEPs and the process involved therewith. Depending on the grievance, a parent can either file a compliance complaint or request a due process hearing. A request for a due process hearing is filed when a parent disagrees with a school's position as to a student's placement, eligibility, related service, or program needs. This process is initiated by a parent filing a written request for the due process hearing with the Superintendent of Public Instruction at the California Department of Education (Superintendent). This request must be filed within two years of when the parent knew or should have known the facts supporting the request. Within 15 days of this notice being filed, the school district shall convene a resolution meeting with the parents or parent and pertinent members of the individualized education program team. The due process hearing may occur if the conflict is not resolved within 30 days after the school district received the due process hearing request.

A parent also has the option of mediating prior to filing a request for a due process hearing. To schedule the mediation, the parent must file a written request with the Superintendent and provide the request to the other party. Then the prehearing mediation conference must be scheduled within 15 days of the superintendent receiving the notice, and must take place within 30 days of receipt. The Education Code specifically bars attorneys from attending these mediations.

*Continued on page 17*

## Barristers Presenting Dart Competition and MCLE Series

By Tom Adams

The Ventura County Barristers are pleased to host a new series of brown-bag lunch MCLEs with our local judges and justices. The first three are scheduled for this year. We hope for more to follow.

On April 15 at 12:00 p.m., **Judge Glen Reiser** will present *Technology and the Courts* in Department J6 of the Juvenile Courthouse (4353 Vineyard Avenue in Oxnard).

On June 24, at 12:00 p.m., **Presiding Judge Donald Coleman** will present *Do's and Don'ts for Attorneys, and Civility in the Courtroom* in Department 36 of the Ventura County Superior Court (800 S. Victoria Ave. in Ventura).

And, on Aug. 5 at 12:00 p.m., **Justice Steven Perren** will present *Basics of Appellate Practice* at the Court of Appeal (200 E. Santa Clara St. in Ventura).

Each of these programs comes with CLE credit, and is \$15 for Barristers and \$25 for all others. Please RSVP to Nadia at [bar@vcba.org](mailto:bar@vcba.org) at least five days before each program.

To round out the series, the Barristers will also present its biennial Bridging the Gap program on January 16, 2016. This is a great opportunity to get a unit each of your mandatory subject credits of legal ethics, competence, and elimination of bias. Barristers prides itself on having interesting and compelling presentations, and next year's will not disappoint. More information will follow as the program develops.

But it's not all about education. The Barristers' annual Dart Night competition will be at **Brendan's** (1755 E. Daily Dr., in Camarillo) Thursday, April 16 from 5:30 to 7:00. We will be collecting \$10 donations to VLSP at the door.

Continued on page 18



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## EDUCATIONAL RIGHTS FOR CHILDREN

*Continued from page 15*

If a parent believes that a school district has violated a special education law, either procedurally or substantively, he or she may file a compliance complaint. Some examples of typical violations are: failure to assess or refer a student to special education, failure to implement an IEP, failure to comply with the Educational Code's timelines, and failure to provide parents with notice of an IEP. Compliance complaints are filed with the California Department of Education and must be filed no more than one year after the alleged violation. This complaint will then be investigated and a decision will be issued 60 days after it is filed. If the district has failed to comply with a special education law, the decision will include remedial action to appropriately address the needs of the child.

All parents should know about and understand the extensive body of law providing a free appropriate public education to all children with disabilities.





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*Eric Hirschberg is an associate at Ferguson Case Orr Paterson LLP. He practices family law and civil litigation, with special interest in special education law.*

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**Barristers Presenting Dart Competition and MCLE Series**

*Continued from page 16*

There's a lot going on, and we hope to see you at these events. Please bring your friends and colleagues!

*A Barrister is any member of the Bar who has been in practice for 7 years or less, or who is under 36 years old.*



*Thomas Adams practices consumer law in Ventura. He can be reached at (805) 229-1529.*

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## WHAT WE DO IN THE SHADOWS

*By Bill Paterson*

The alarm rings at 6:00, and a hand gropes for it in the dark. It is 6:00 p.m. The sun has gone down, and it is time for a household of suburban vampires to get ready for a new night. In the spirit of such “mockumentaries” as *This Is Spinal Tap* and *Best in Show*, this tale of four vampires navigating life in Wellington, New Zealand is a real discovery.

Life is not easy for present day vampires. Along with being condemned to live forever and a diet that lacks variety, there are other drawbacks. How does one look their best when they cannot see their reflection in the mirror and how can one be sure the pizza delivery man is not carrying a concealed stake? On the upside, they are spared from daytime TV; sunburn is not a problem; and when things get rough, they can always transform themselves into bats and soar off into the night sky.

And who are these creatures of the night? Peyter is 8,000 years old, looks every day his age and is a surly stay-at-home. By contrast, Viago (Taika Waititi), the amiable house-mother and Liberace look alike, is only some 300 years old. Love brought him to New Zealand, but due to a shipping error, his coffin was at sea for sixteen months. By the time he arrived, his true love had found another. However, even a broken heart has not dampened his high spirits. By contrast, Vladislav (Jemaine Clement) has been around since medieval times. With a piercing gaze and a Van Dyke beard he is as dour as Viago is cheerful. When he is not dwelling on his arch enemy “The Beast,” he is constantly ruminating about the good old days before torture got a bad name.

*What's In The Shadows* is a worthy addition to the pantheon of cinematic guilty pleasures. Far from being sinister (other than sucking blood) or teenage heartthrobs (*Twilight*), they are just a group of bickering bachelors trying to get by. Whose turn is it to do the dishes, and what should one wear to the annual A-list bash of zombies, werewolves,

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*continued on page 20*

WHAT WE DO IN THE SHADOWS  
*Continued from page 19*

banshees and assorted demons that is the center of the undead social season?

Anchored by two droll performances by Waitu and Clements of the comedy band "Flight of the Conchords", *What We Do In The Shadows* is a comic gem. It also contains artwork of vampires and their ilk down through the ages that would warm the heart of Hieronymus Bosch. Surprisingly, it even has an ending that is emotionally effecting. Wit and originality are alive and well in New Zealand. Currently at the Paseo Camarillo.



*Bill Paterson is a now-retired lawyer and mediator. He formerly practiced at Ferguson Case Orr Paterson LLP.*

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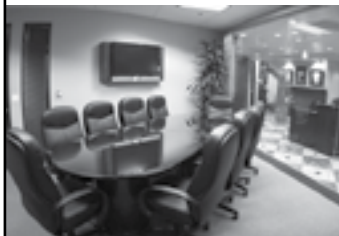
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# Exec's Dot...Dot...Dot...

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



**Jean Farley**, Chief Deputy Public Defender, retired March 27, and **Paul Drevenstedt**, Senior Attorney, has been promoted to Chief Deputy

Public Defender. She's headed to Barcelona for six months and work as a sales clerk to improve her Spanish, then off to face-painting classes. Her retirement party was held March 28 at the Derby Club and it was just about what you'd expect a PD party to be. Jean has been with the office since 1986 and spent 10 years prior to that in the Orange County PD's office. Classy Career Jean; thanks...The US News & World Report has come out with their annual Best Law Schools Ranked. Yale once again comes out as the top law school, with a fiercely competitive 607 students enrolled. Harvard and Stanford are tied for second with Columbia University and the University of Chicago tied for the fourth spot. NYU held the #6 spot. University of Penn scored #7. Duke and UC Berkeley tied with the University of Virginia for eighth this year...**Panda Kroll** and **Tina Schoneman** joined Bento Orr Duval & Buckingham as shareholders January 1. They may be reached at 648.5111 or pkroll@bentonorr.com or tschoneman@bentonorr.com...

The Ventura County Superior Court is again requesting public comment regarding

the proposed changes to the Local Rules of the Superior Court, July 1, 2015. New/ Revised/Deleted text is redlined in the "Rule Changes" document located at [www.ventura.courts.ca.gov](http://www.ventura.courts.ca.gov). The Judges would like your comments by April 30th...A law professor who used a bar directory and online resources to track down more than 1,100 lawyers who passed the Ohio's bar exam in 2010 feels "great sadness" for her study subjects. Ohio State law professor Deborah Jones Merritt found that at least a quarter of the 2010 bar admittees weren't using their law licenses four years later, a finding she attributes to structural changes in the market for legal labor... and hubby, Victor Farias, are the first-time proud parents of Oliver, born February 28th. All doing well and say so-long to the over rated sleep for 18 years...

**Rennee Dehesa**



After Verna Kagan passed, her husband of 53 years, Herman, discovered notes for her autobiography. He organized the notes, wrote an Addendum and published, "My Trail Through Life: Leftover Memories." Outskirt Press. 110pp, \$13.95. Contact

Herman for your copy at [h.kagan@earthlink.net](mailto:h.kagan@earthlink.net). I got my copy autographed by the Big Herm!...An Illinois man who was

exonerated in a 1992 child-murder case after being tried and convicted three times and serving nearly 20 years in prison has won a \$20 million settlement from authorities in a county just outside of Chicago where the trials took place. The amount to be paid to Juan Rivera by governmental entities may be the largest ever for an individual for a wrongful conviction case...Looking for a new or slightly used dictation and transcription equipment, including foot pedal(s) and headset(s)? Send email to [www.normandowler.com](http://www.normandowler.com)...

After 14 years of service to the Law Day 5K Committee, Don Zrehigian, is hanging up his shoes. Don was the VCPA Liaison to the bar association and will be replaced by Heather Lindquist. He has gotten a job offer in LA he could not refuse, but will be attending the race June 27. Thanks for a job well done Don!...A Texas lawyer once jailed for making an obscene gesture in court is back in the news after appearing to take credit for posting "exclusively for white people" stickers on the windows of businesses in East Austin. In two YouTube videos laced with F-bombs, lawyer Adam Reposa appears shirtless while talking about gentrification and "white hipsters." View at your own risk...



**Judge Kent Kellegrew**

was honored with Oxnard's Rotary highest award, The Paul Harris Fellow Award. For Service Above Self. Particular emphasis was accorded his leadership

role as the driving force behind the hugely successful Mock Trial Program. From Moyo wa Simba, **Dick Regnier**...

**Steve Henderson** has been the executive director and chief executive officer of the bar associations and their affiliated organizations since November 1990. He was the only person to have a perfect March Madness ballot on ESPN beating all 12 million plus contestants. Additionally, his twins, Max and Meg have selected their universities. Suffice to say retirement is not likely any time soon. Henderson may be reached at [steve@vcba.org](mailto:steve@vcba.org), FB, Twitter at [stevehendo1](https://twitter.com/stevehendo1), LinkedIn, or better yet, 650.7599.

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