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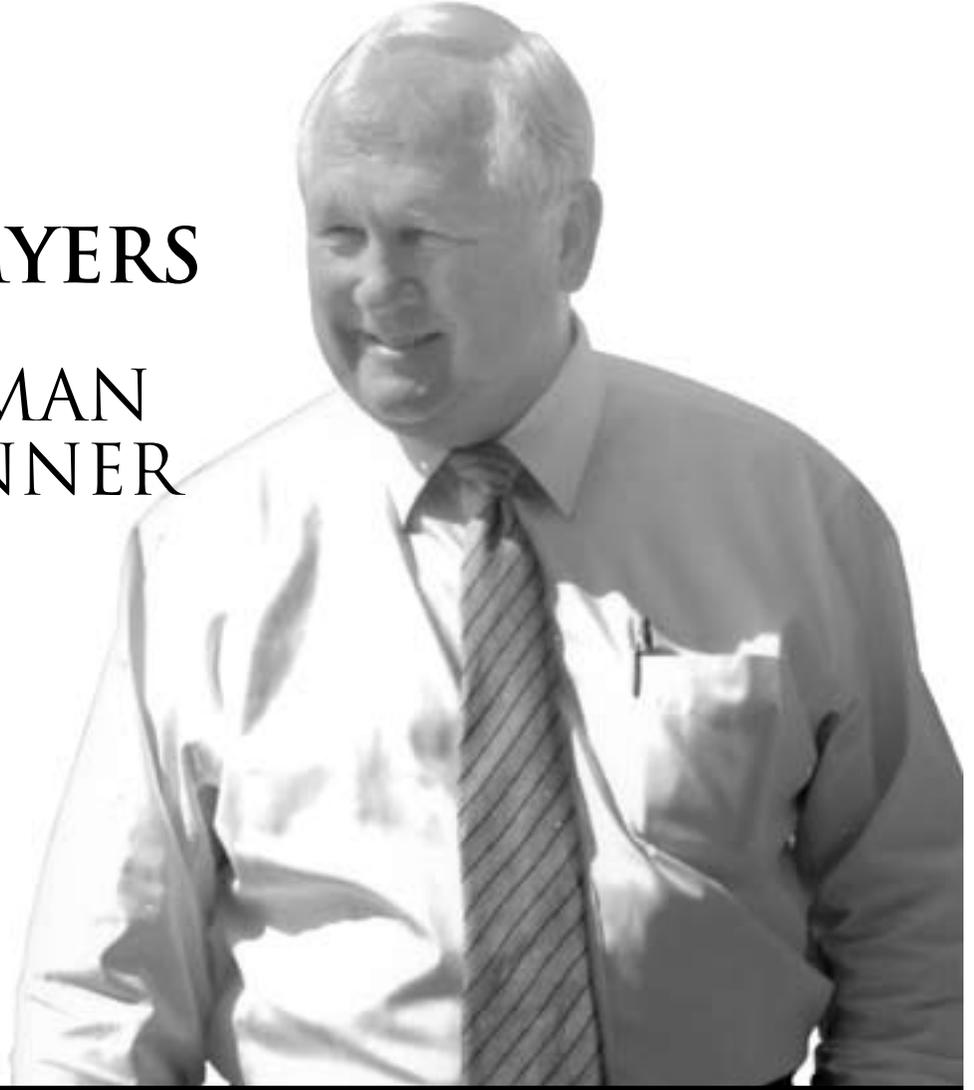
N O V E M B E R - T W O T H O U S A N D S E V E N

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2007 NORDMAN AWARD WINNER

By Erik B. Feingold

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PRESIDENT'S MESSAGE

“So, you want to be a judge?”

By Jonathan Fraser Light

September 15, Saturday morning, in Courtroom 22, I moderated a panel that included Presiding Judge Toy White, Judges Kevin McGee and Manuel Covarrubias, and Superior Court Executive Director Michael Planet. The topic: the mysteries of how to become a judge. A small but enthusiastic group attended, and learned much.

An overriding theme from Judge Covarrubias was that the best place to experience what judging is all about is to take the nine hour training course required to be a judge pro-tem, and then serve as much as possible. Judges McGee and White had the dubious honor of having to run for “office” in a general election, an expensive process—in excess of \$100,000 each, they reported; and Judge White wore out several pairs of shoes walking precincts.

The overriding theme was that we are going to have a large exodus over the next five years of extremely experienced judges. The vacuum needs to be filled by experienced attorneys who have the right temperament and overall experience.

The judges were almost as mystified as we attorneys by the procedures of the state Judicial Nomination and Evaluation Commission (JNE; or “Jenny” Commission as it is pronounced). The JNE conducts a judicial applicant review process. We also have a county mini-JNE commission that acts as a committee of the VCBA, which Wendy Lascher chaired for years, and which Dennis LaRochelle has recently taken over. This is a group of lawyers who receive a candidate’s name from the state-wide JNE Commission, collects information from the local bar and others, and conveys it back to the state JNE.

The judges emphasized that those who think they know when it is pre-ordained that a position will be filled by a certain person are usually wrong. Stories abound in which the call is made that so-and-so is going to be appointed “tomorrow,” only to hear two days later that someone else has been appointed to the position.

Another route to the judiciary is to become a court commissioner, selected at the pleasure of the local county judges. Judge White related that the applications are reviewed by an internal committee of judges and a final vote is taken by the 28 judges in our County (about to be 29). Judge Covarrubias said that when he applied to be a commissioner there were over 150 candidates. The most recent selection process, by which new Commissioners David Worley and Kevin DeNoce were appointed, had over 80 applicants.

Diversity appears to be the order of the day, and apparently there is a strong push by the state judiciary to canvas its members regarding their ethnicity, race, etc., in order to get a better profile of the state’s judiciary and perhaps bring greater diversity to the bench in the near future. Frankly, our most recent four selections don’t reflect that push, but all are fine choices. It does suggest, however, that the next appointments in our county will reflect greater gender and ethnic diversity.

The judges emphasized that you need to know what you’re getting into. They described the positives and negatives of the job. The chief negative seems to be their day-to-day isolation. They don’t get to see each other as often during work hours as one might imagine; a judge’s best friends end up being his or her bailiff, clerk, and secretary. There is not a lot of opportunity throughout the day to mingle with the other judges, kick around case issues or ideas, etc.

They believe, uniformly, that this is the best courthouse in the state, based on four criteria: a perfect number of judges, excellent facility, terrific location and a collegial atmosphere. Judge White commented that “some” of the judges are funny (we’ll leave that poll for another day). Judge McGee commented that he felt particularly gratified that he was dealing with the law in its purest form: interpreting it and enforcing it. The three jurists said they are never bored, but a judge needs to be prepared to make hard decisions, especially in family and criminal court: deciding where a six year old is going to live, or what state she may have to move to, can change lives; or looking someone

in the eye and telling them they are going to spend 25 years in state prison. The judges often lose sleep over some of the toughest decisions.

They stressed that the judicial training and education process is excellent. No one sits on the bench without a tremendous amount of training. They believe that California has the best judicial education process in the country, with several weeks of general training and additional specialized training for particular courtroom assignments.

They emphasized that attorneys considering a judgeship must keep their reputations spotless, and absolutely should not be the attorney often thought of as having underhanded or “sharp” general litigation or trial tactics.

A proper judicial temperament is critical. Per Judge White, “in the criminal courtrooms the judges handle bad people on their best behavior, and in the family law courtrooms they face good people at their worst.” The rest of the civil calendar is probably somewhere in between.

Ultimately, this is the best time in the history of this county to apply for a judicial position. The panel emphasized that one should keep trying through the application process, as an attorney may not receive an appointment on the first, second or even third try. The mechanics of what you need to do are available from Michael Planet, who said he would be glad to take emails on the subject.

Judge Covarrubias concluded with a description of a letter he received from a small claims litigant who had been approached by the *Judge Judy* show to have his case resolved on TV. He declined, and then Judge Covarrubias ruled against the litigant. The judge later received a letter from the litigant indicating what a bad job he had done and that “you are no Judge Judy.” The judges told us that the California Commission on Judicial Performance receives more complaints about a single jurist every year – Judge Judy [no joke].

Continued on page 6



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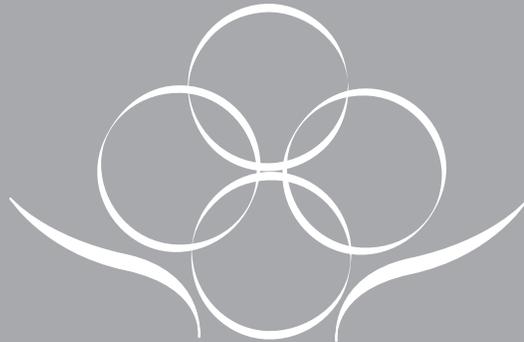
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PRESIDENT'S MESSAGE

“SO, YOU WANT TO BE A JUDGE?”

Continued from page 3.

Switching gears...

I ventured into a foreign land a few weeks ago—the Family Law Bar Dinner, featuring the entertaining and informative Judge Smiley on the state of the Family Law Bar. I knew almost no one, but ended up having an excellent evening. I sat with the engaging Commissioner Gay Conroy and Self-Help Center Director JoAnn Johnson. I enjoyed their table talk about the pro per who is seeking a restraining order against President Bush, allegedly for spying on him. And I thought the employment law cases were nutty.

I got the sense that this bar group enjoys its work, despite its constant stresses; and, as Judge Smiley put it, the lawyers are satisfied with what they accomplish for their clients on a daily basis. Nevertheless, several changes are needed, in part based on recommendations from an out-of-town expert engaged by Judge Smiley. He arranged for a sit-down by the expert with 15 family law attorneys around the county whom Judge Smiley knew would challenge the expert.

Judge Smiley noted that there are 9,000 pending paternity cases in the county (wow!), and that family law attorneys need to determine what is a “true emergency” and avoid continuances. The mean number of continuances was 3-4 of a random sampling of 1,000 cases with at least one continuance, with one case suffering 42 continuances. He expressed the common judicial frustration of preparing for a hearing only to find, after taking the bench, that it had been continued. He also asked that counsel tighten up their arguments, so that the judges do not “quit or go numb,” as the Judge put it. “I am not a fifth grader,” he remarked. “I generally get it after the first 90 seconds.” He also used as a metaphor the theme from Gay Conroy’s favorite new book, *Water For Elephants*. Apparently, if you like the circus, you will like *Elephants*. My favorite happens to be *The Cultural Encyclopedia of Baseball*, 2d Ed., but enough shameless promotion.

Jon Light – *What more can be said in this space that hasn't already been said?*

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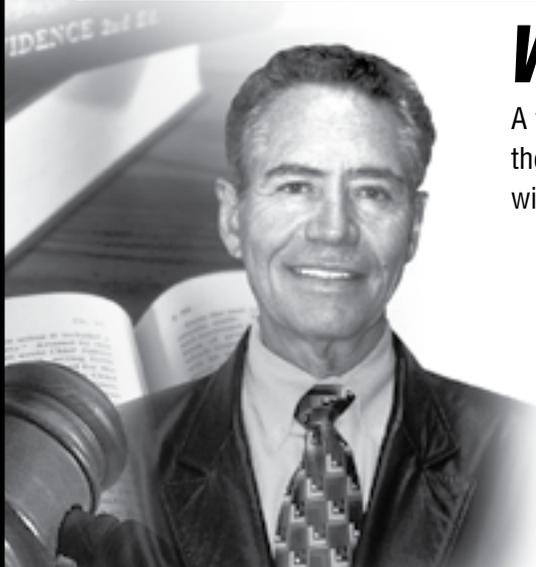
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J. ROGER MYERS

2007 NORDMAN AWARD WINNER

By Erik Feingold



Described as a man of integrity and consistency, J. Roger Myers is known for taking the tough assignments and putting service and duty before self. Myers, a founding partner of Myers, Widders, Gibson, Jones & Schneider, LLP, is being honored as this year's recipient of the Ben E. Nordman Public Service award. The award was inaugurated by the Ventura County Bar Association to "recognize outstanding community contributions by a Ventura County lawyer through charitable and public service activities." Myers' community contributions over the years speak volumes about his commitment to public service.

COUNTRY ROOTS

Roger was born in San Diego, but moved at the age of two to Illinois and then to Nebraska at the age of six, where he was raised. He attended sixth through eighth grades in a one room school house. He attended the University of Nebraska, receiving his Bachelor's Degree in 1963. Thereafter, he served as a Captain in the United States Marine Corps, serving a tour of duty in Vietnam with an artillery firing battery until his honorable discharge. After his military service, he moved to San Francisco, where he attended law school at Hastings.

After his graduation in 1969 from Hastings, he joined the Ventura County District Attorney's Office. He left the District Attorney's Office in 1971 to form the law firm of Rains & Myers, now known as Myers, Widders, Gibson, Jones & Schneider, L.L.P.

COMMUNITY SERVICE

Myers has consistently been involved in community service. He has been a member of Rotary International for 33 years, serving as president of both the Ojai and Ventura Marina Rotary Clubs. He is a former President of the Ventura County Bar Association. In addition, he has served on numerous charitable boards over the years, including the American Heart Association, St. Paul's Episcopal Church, St. Andrew Episcopal Church and the Ventura County Historical Society. His most notable service, however, may be his ongoing involvement with the Ventura County Stand Down.

VENTURA COUNTY STAND DOWN

Myers is a founding member and annual participant of Ventura County Stand Down. This Department of Veterans' Affairs program provides homeless veterans and their families with needed services, including medical, legal, employment counseling, drug and alcohol and mental health counseling, financial counseling, food and clothing. Myers coordinates the legal service division every year and also cooks breakfast.

Tina Rasnow, Senior Attorney/Coordinator with the Self-Help Legal Access Center gives Myers high praise. "Roger's dedication to the community, and in particular, the most under-served and forgotten members of society, is legendary. His coordination of legal services to the homeless vets year after year at the July Stand Down has helped to ensure that along with the medical and social work assistance they receive, they can resolve outstanding legal issues. Without Roger's efforts it would have been exceedingly difficult, if not impossible, to provide the homeless vets with the comprehensive assistance they need and deserve."



LEGAL COMMUNITY CONTRIBUTIONS

In addition to his community service, Roger has had an ongoing involvement with the legal community in Ventura County for his nearly forty years of practicing law. He was President of the Ventura County Bar Association in 1992. During his tenure, Roger founded the pro bono program which has evolved into a vital service to provide legal services to the poor. He has also been active over the years with the Jerome Berenson Chapter of the American Inns of Court and has served as president of the Tri-Counties Local Government Attorneys' Association.

On a personal note, Roger is married to local appellate lawyer Katherine Stone. They have four adult children and ten grandchildren between them from previous marriages.

Co-Nordman recipient Ron Harrington perhaps summed up Roger's character, background and experience best. "Roger Myers is a lawyer's lawyer, a loyal friend, a superior intellect, a man of impeccable integrity and good humor, and a perfect gentleman."

Myers will receive his honor on November 17 at the 2007 Ventura County Bar Association Annual Banquet at the Crowne Plaza hotel in Ventura. Contact Steve Henderson at 650-7599 for tickets or www.vcba.org.

Erik Feingold is a partner with Myers, Widders, Gibson, Jones & Schneider, LLP.

LETTER TO THE EDITOR

Dear Editor:

I would like to thank Michael Planet, Keri Griffith, Tina Rasnow, and Steve Henderson for their efforts to make space available in the James Dougherty East County Courthouse for occasional East County Bar Association MCLE brown bag meetings. The court staff also offered to provide a place for someone from the VCBA to spend the day "any time from once a week to once a month." Keri Griffith suggested that the Self-Help Legal Access Center would be a good location for these activities on those days when the Center is closed.

I also want to thank and recognize Judge Campbell and the other East County judges for donating their time and courtrooms for East County Bar brown bags. The next of these MCLE lunches is scheduled for November 5, Judge Campbell's courtroom S-1.

Very truly yours,
Marjorie Baxter
ECBA Board of Directors

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Museum of Ventura County.

It is ironic that the creator of the great fictional lawyer and courtroom battler, Perry Mason, actually hated the drudgery of the law and intensely disliked being cooped up in a law office. Erle Stanley Gardner began writing so he could quit the law, have more control of his time and play. One of his biographers, Alva Johnston, stated Gardner “wrote to go hunting.” The Perry Mason character and novels were and are very popular, but they are works of fiction. The real story behind the scenes is how Gardner achieved, through the medium of fiction, his own reality – the life he wanted to live for himself. The irony is that the writer of the character that influenced so many to enter the law actually wrote to get away from it. Ms. Johnston wrote that “Gardner never repented of his decision to quit the law in favor of writing.” In a statement of truth, inasmuch as real people are often complex, Gardner has been described as a split personality: half mixer and half hermit. Gardner glamorized the law to break free from it. He profited because there was, and remains, a public fascinated with things legal. That Gardner had some connection to Ventura County only increases the story’s local interest.

A LITTLE HISTORICAL BACKGROUND

Erle Stanley Gardner’s love of hunting and the outdoors shouldn’t be surprising, given his background. Though Erle was born in Malden, Massachusetts (in 1889), his father was a migratory mining engineer who soon had the family moving out west: in 1899, to Portland, Oregon; in 1902, to Oroville, California, a center of gold-dredging operations; and in 1906, his father went to that fabled gold country, the Klondike, though Erle was soon shipped back to Oroville.

Gardner was not a perfect child. There are mentions, in biographies about him, of his being expelled from school for a prank and for [prize] fighting. It wasn’t until 1909, in fact, when he was 20, that he graduated from

FICTION BECOMES YOU: THE STORY OF ERLE STANLEY GARDNER

By *Mark E. Hancock*



Image: Mark Hancock
Glenn County Courthouse, Willows CA. Built in 1894

high school. Alva Johnston states that it was a “dressing down” that Gardner received from a district attorney after a fight that motivated him to become a lawyer.

Not wanting to saddle his father with debt, Gardner took a job as a typist, reading for the law in Willows, California. Willows is a Central Valley town in northern California, about halfway between Sacramento and Redding, that even today is in the middle of the great wide-open, although it should be noted that Willows now has a Wal-Mart.

Though Gardner finished reading for the law in Santa Ana, in southern California, he returned north to practice law, first in Willows and then in Merced.

THE MOVE TO OXNARD

According to another of his biographers, Dorothy B. Hughes, temperatures of over 100 in the shade and waiting for business that didn’t come in soon influenced Gardner, in 1911, to relocate his practice to Oxnard, a place recommended by an acquaintance of his. Temperatures were cooler. Oil had recently been discovered and Port Hueneme was developing as a harbor. A big business was the American Beet Sugar Co. Oxnard itself was “the brawling... young town in the County”: “a place of brothels, gambling, open saloons and violence.” Gardner wrote that, whereas “Ventura was a pinnacle of respectability... a town of churches and schools, of dignity and morals... I fitted right into Oxnard.”

There were many Chinese in Oxnard at the time. Gardner is credited with the statement that Chinese were “too smart” to work in the beet fields and that gambling schemes, such as lotteries, etc., allowed them to take money from those that did.

Gardner was offered an office and a desk by an established lawyer on condition that he handle the other lawyer’s small justice court claims. During this time, Gardner wrote his father, stating: “I have clients of all classes except the upper and middle classes.” Were it not for work representing Chinese people in assorted criminal cases, Gardner, the new lawyer in town and “legal leper” would have had no business at all.

During his time in Oxnard, as not infrequently happens with lawyers, Gardner met and married his first wife, Natalie Talbert, who was working as a secretary in the office, in 1912 and the couple had their only child the following year.

LEGAL TRICKERY

Alva Johnston wrote that, having little else to do, Gardner put on tremendous legal shows on behalf of his petty offenders. Some of the tales that survive from this period show Gardner to have had a flair for the trick and the legal technicality.

In one case, confident that the police couldn’t tell one Chinese person from another, he moved his clients between houses in Chinatown. When the police went out to pick out their suspect, they came to realize, and it was soon reported in the papers, that they had the “W[r]ong Duck.” Charges were dismissed.

In those days, there were more courts, some with overlapping jurisdictions, spread out in the west county towns. In another matter, sensing his Chinese client would go down hard on a gambling charge in Oxnard, Gardner raced to courts in Ventura twice, first to have the relevant Oxnard ordinance declared invalid as in conflict with and preempted by state law, and then to plead his client guilty of the state gambling law there in return for a hand slap, revealing his machinations and the certified copy of the Ventura docket only after a long-winded presentation by the city attorney in a renewed prosecution in Oxnard.

Speaking of these and similar matters, Gardner said: “I ... annoyed many, many people as I went through life.” “I had secured the enmity

Continued on page 16



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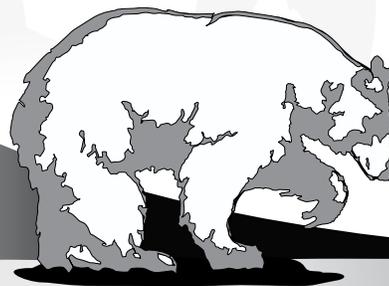
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FICTION BECOMES YOU: THE STORY OF ERLE STANLEY GARDNER

Continued from page 12.

of the district attorney...the...antagonism of the city attorney of Oxnard, the ill will of the Oxnard police force and...several members of the City Trustees." This aspect of Gardner's career, and the local results of his theatrics, certainly isn't dwelt upon by ones content to look at the surface of things, or to claim Gardner as a local boy done good.

MOVES TO, AWAY FROM, AND BACK TO VENTURA AND STARTS WRITING

In 1915, Gardner joined forces with Harold Francis ("Frank") Orr and moved to Ventura. According to Dorothy Hughes and local historian and biographer, Richard Senate, Gardner left the practice of law a year or two later to try his hand at business in the Bay Area, arriving back flat broke in 1921.

According to Alva Johnston, Gardner didn't know the first thing about writing when he started in 1921. He had rarely read a novel or even a short story. Years later, John Orr, son of Frank Orr, recounted to the Ventura Star Free Press: "It's common knowledge he began writing so he could quit the law and have more control of his time so he could play." John Orr also recalled that: "Gardner was good, but he hated the details of the law...He intensely disliked being cooped up in a law office." Ms. Johnston wrote that Gardner looked around for an occupation that would allow him to work when and where he pleased.

Gardner started off selling jokes for a dollar a piece and humorous sketches for \$15 apiece. His first year of writing he earned \$974, less than he made in a month as a lawyer. A novelette, "The Shrieking Skeleton," that he wrote and submitted to a pulp magazine was returned by the editor with the unkind (and somewhat ironic) comments that the characters talked like dictionaries and the story was the most puerile [read: childish, silly, immature, trivial] one the editor had ever read. Gardner chose to take these jabs as constructive criticism, rewrote the story to delete words that made people run to the dictionary, and successfully resubmitted the article.

This was the era of the "pulp magazine," there was a demand for content, and Gardner was "prodigiously productive." He had to be, because the pulp magazines paid pennies per word. Night after night, Gardner would work as a lawyer by day and pound out copy by night. He turned real-life events like the "human fly" climbing up a building in

downtown Ventura into the fictional "Sidney 'Speed' Dash," human fly detective with a photographic memory. He set a goal of a 10,000 word novelette every three days. He got along with as little as three hours of sleep at night.

By his 5th year of writing, Garner yearly earnings as a writer had risen to \$6,627. By the 30's, his earnings from writing were more than \$20,000 annually. He was a self-described "fiction factory." There would appear to have been a feverish motivation at work here prompting Gardner to churn out this amount of writing year after year in an effort to achieve what he wanted.

PERRY MASON

To rise above being a mere "producer of product," Gardner felt he had to write a novel that could be serialized – something that could appear in the "slick magazines," a step up in prestige from the pulps. His first effort at writing about a fictional hard-fighting lawyer, originally named Ed Stark, was rejected, however, on the basis that the characters in his book were "too cardboard."



Image: Mark Hancock

Gardner rewrote his book. In trying to humanize his hero, he drew upon what he knew. Perry Mason, the new name for his lawyer hero, has been described as a rose colored vision of Gardner, "a mirror of the man Gardner would like to have been." Whereas, Mason was tall and well-built, with rugged features, wavy hair and long legs, Gardner was overweight, with short legs and (in his own words) a fat face, like a middle-aged kewpie doll. Certain similarities were true enough, though. Not only Mason, but Gardner enjoyed a thick steak, with baked potato and a green salad and Mason's office was patterned after Gardner's real-life office in Ventura, which was in the corner of the First National Bank building that still stands at the intersection of California and Main Streets in downtown Ventura.

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Gardner wrote two Perry Mason novels while he remained in Ventura: *The Case of the Velvet Claws* and *The Case of the Sulky Girl*, published in 1933 and 1934 respectively. Both were successes.

GARDNER SEPARATES FROM HIS WIFE AND LEAVES VENTURA

While Gardner dealt in fiction, his achievement is very real. Fiction powered his reality. Altogether, Gardner wrote 82 full-length Perry Mason novels. As of 1978, more than 300 million copies of these novels had been sold, making Gardner the most widely read author of his time. His success brought him the means to get out into the outdoors.

Gardner's desired lifestyle, with writing/recreating caravans into the backcountry with secretaries in tow, was not to his [first] wife's liking, however, and, with their daughter away at college, the couple separated. She returned to the Bay Area. While there is a definite connection between Gardner, his time in Ventura County and the Perry Mason novels, those eager to call Gardner a local product made good, gloss over the facts that he was not from the area and that, when his Perry Mason novels proved to be a smash, he blew town for [what was then] the wilds of Temecula, purchasing a large ranch in that area. Like many others, his time in Ventura was a stop off the highway on a trip to somewhere else.

BIBLIOGRAPHY

The following sources were consulted in the preparation of this article:

Hughes, Dorothy B., *Erle Stanley Gardner, The Case of the Real Perry Mason*, New York, William, Morrow & Co., Inc., 1978; Johnston, Alva, *The Case of Erle Stanley Gardner*, New York, William Morrow & Co., Inc., 1946; Orr, John, *Erle Stanley Gardner*, *Star Free Press* (Jan. 18, 1993) (Article on File with MVC); and Senate, Richard L., *Erle Stanley Gardner's Ventura: Birthplace of Perry Mason*, Ventura, Charon Press, 1996.

Mark E. Hancock is an attorney in Ventura who enjoys history, the West County's fine old bookstores, and occasional research trips to the Museum of Ventura County. He acknowledges and thanks local historian Richard Senate for his review and comments on this article and museum librarian Charles Johnson for use of the photograph of Erle Stanley Gardner.

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PRO-BONO HIGHLIGHTS

By Verna R. Kagan, VLSP Senior Emeritus Attorney

I have just returned from the Annual State Bar Meeting in Anaheim. It is with great pride that I announce that Ventura County was represented by two outstanding pro-bono award winners.

Kate Neiswender: Kate is a solo practitioner with a practice in real estate and environmental land use. She did not have expertise in predatory lending case until she committed three years and thousands of uncompensated dollars to represent three Spanish speaking family members whose home and whose livelihoods were threatened.

In spite of many delaying tactics by the defendants, Kate rallied on and obtained for them a return of their home and the elimination of almost two hundred thousand dollars in sham liens – all without a legal assistant or secretary in her office or a network of organizational support. Moreover, as a result of her work, others who had been affected by the same predatory lending scheme were identified, and the District Attorneys in three counties were alerted and are now watching for these schemes. Quoting from her presenter, “Kate, from an office of one, you’ve impacted a community of many.”



DarAnn L. Dearing: DarAnn Dearing has been a fearless volunteer with Santa Clara Valley Legal Aid for the past nine years. Her two-decade career in Ventura County’s Child Protective Services Agency has helped countless at-risk families and children from falling into the child welfare system. Because of her job in the “trenches,” she has access to many agencies and partners and brings this breadth of connections to legal aid. On top of her 55-hour work weeks, she commutes 45 minutes each way every

week to provide much-needed legal services in the areas of domestic violence, landlord-tenant and consumer law to Santa Clara’s rural farm workers, working families and victims of domestic violence. She also serves as an invaluable resource for other volunteer attorneys with her insight and working knowledge of the county system. In her “spare time,” she is an advocate and fundraiser for adult literacy.

(Reprinted from A Tribute to Pro Bono 2007.)

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U. S. DISTRICT COURT MANDATORY TRAINING UPDATE

We reported last month that the VCBA would provide certification for the United States District Court, Central District of California's mandatory training on the electronic filing system. Since then, the USDC was flooded with requests for training and they cannot spare their one and only trainer to come to our county. No attorney may make an appearance unless they are certified by the deadlines required.

Attorneys appearing in criminal matters as of January 1, 2007 need certification. The exceptions are cases involving writs of habeas corpus and cases with pro se litigants. November 1, 2007, is the deadline for attorneys in intellectual property matters and January 1, 2008, for the remaining civil cases.

On-site training is still available for free at the USDC's courthouse and through various vendors elsewhere for a fee. However, the USDC has implemented their free on-line training program for attorneys and legal staff. You may visit the USDC's website and navigate to the training page, or visit this URL for a direct link:

<http://tinyurl.com/28sbn9>

The on-line training is modular and the modules may be completed over a period of time. However, a current email address is required to receive the certification and password information. The website details the requirements and instructions.

Attorneys already certified in other districts may use their certification to satisfy the requirement in this district. Certification provided by a bankruptcy court is insufficient.

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The Ventura County Legal Professionals Association hosted their 47th Annual Bosses' Night and attracted a crowd of 170. **Bart Bleuel** accepted the "Boss of the Year" award and triumphantly called his legal secretary, Kathy Taylor, up with him to the applause. They have been together 30 years! "Secretary of the Year" honors went to Sharyn Casaly, nominated by the lawyers in her office – **Dien Le, Donn Taketa, Mark Sullivan, Joel Villaseñor** and **George Galbraith-Albutt**. Other lawyers nominated for Boss were **Jonathan Light** and **David Praver**...From Louis XII: "Lawyers – Those who use the law as shoemakers use leather; rubbing it, pressing it, and stretching it with their teeth, all to the end of making it fit their purposes."...Galapagos Islands? **Panda Kroll** (panda@pandaesq.com) or **Carmen Ramírez** (ramirezmar@gmail.com). Argentina? **Joel Mark** (jmark@nchc.com) Italy? **Tony Strauss** (ars@strausslawgroup.com) Mexico's West coastline? **Rob Miller** (mmesqs@aol.com)...

Tons of Ventura lawyers attended the State Bar Annual Meeting and Conference of Delegates held in Anaheim. Spotted were: **Liana Johnsson, Tony Strauss, Earl Price, Pauline Zebker, Verna Kagan, Michelle Castillo, Carmen Ramírez, David Hirsch, Bob and Susana Miller, Kate Neiswender, DarAnn Dearing, Joel Villaseñor, Joel Mark, Matt Guasco, Judge Long** and **Justice Perren**. From Mark Twain: "We have a criminal jury system which is superior to any in the world, and its efficiency is only marred by the difficulty of finding twelve men every day who don't know anything and can't read."... License Plate of the Month: ATERNEE, on a late model Acura MDX, driven by **Howard Rosen**...From Thomas Jefferson: "It is the trade of lawyers to question everything, yield nothing, and to talk by the hour."...

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

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

Cristian Arrieta is a new daddy. Alyssa Renee was born 9.13 weighing in at 7 lbs. and 9 oz. Cristian thinks "she seems to naturally smell like pancakes." Mother Jennifer doing fine... Outrageous Marketing – check it out! www.youtube.com/watch?v=74Duv09UQ4...From Roy Cohn: "I don't want to know what the law is, I want to know who the judge is."...From Bill Maher: "My mother is Jewish, my father is Catholic. I was brought up Catholic, but with a Jewish mind. When I went to confession, I always brought a lawyer with me."...At the Asian Summit on Legal Services held recently in The City, we learned for example, in 2005, the U.S. exported about \$4.3 billion of legal services, \$1.2 billion of which went to Asia. Imports of legal services into the U.S. totaled less than 25% of the exports, or \$914 million... In the 4 1/2 years since Jack Whitaker won a record \$314.9 million Powerball Jackpot, he's been involved in 460 legal actions – www.newyorkpost.com – 9.13...The Law Offices of **Ted Muegenburg** are now FTMLaw. According to Ted, "easier to spell, pronounce and remember."...

The Mexican American Bar Association held its 6th Annual Scholarship Dinner 10.11. The nearly 100 in attendance enjoyed hearing guest speaker, Dolores Huerta. Saw **Barbara Macri-Ortiz, Michael Rodriguez, Joe Beltran, Michele Castillo, Susana Goytia-Miller, Greg Ramirez** and a bunch of others. Proceeds from the dinner go to local law school students...From Conan O'Brien: "A Florida court ruled that exotic dancers must cover one-third of their buttocks. Now, if only they could pass the same law for the cable guy, we'd be in great shape."...From Robert Smith Surtees: "There are three sorts of lawyers – able, unable and lamentable."... Recommended Reading of the Month: *Until Proven Innocent – Political Correctness and the Shameful Injustices of the Duke Lacrosse Rape Case*. By Stuart Taylor Jr. and KC Johnson. Illustrated. 420 pp. Thomas Dunne Books/St Martin's Press. \$26.95. From the Scottsboro Boys to Clarence Gideon, some of the most memorable legal narratives have been tales of the wrongly accused. Here's another...

After 5 years at the helm, **Wendy Lascher** has turned the chair's duties of the Judicial Evaluations Committee over to **Dennis LaRochelle**. Dennis' first meeting as quarterback was 10.10 and they have 7 names/applicants to review. County Counsel **Linda Ash** and Ventura Unified General Counsel **Anthony Ramos** have joined the committee too. Wonder their effectiveness? When State Superintendent of Schools, Jack O'Connell, spoke during the enrobing ceremonies for **Judges Young** and **Daily**. He specifically thanked our local JEC...I understand there is a basketball connection between O'Connell and Young... "Hard Case: Job Market Wanes for U.S. Lawyers" can be found at www.wsj.com 9.24 issue...From Lee Iacocca on a lack of litigation among Japanese businesses: "They've got about as many lawyers as we have sumo wrestlers."...After nearly 9 years of service, **Carmen Ramírez** has left her role as the Coordinator of the Self-Help Legal Access Center in the Colonia neighborhoods. She may be reached at 658.0810, ext. 200. She'll remain a member of the State Bar Board of Governors...

ANNUAL DINNER ANNUAL DINNER ANNUAL DINNER. Come on, people, it will be fun. New location, music, dancing, silent auction, a few jokes, three bar stands and the proceeds assist our pro bono applicants. And a real opportunity to honor a quality lawyer as **Roger Myers** accepts the Ben E. Nordman Award. Call Celene at the bar, 650.7599, or register on-line at www.vcba.org...From Leo Tolstoy: "The law condemns and punishes only actions within certain definite and narrow limits; it thereby justifies, in a way, all similar actions that lie outside those limits."...The Website of the Month is actually practical and useful: www.lawfirmcubator.com...

Steve Henderson has been the executive director and chief executive officer of the bar association and their affiliated organizations since November 1990. My goodness, that's 17 years on the 16th of the month. Sobbing and a quick review of his contract will mark the date. Henderson boasts of correctly calling the winner of the World Series 20 consecutive years and has been a Rockies fan since the early sixties.

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47th Annual
Bosses' Night Awards

Boss of the Year

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Matthews & Zirbel

Secretary of the Year

Sharyn Casaly

Sullivan Taketa

Nominees for Boss of the Year

David Praver

Taylor, McCord, Praver & Cherry

Jonathan Fraser Light

Nordman, Cormany, Hair & Compton

Nominees for Secretary of the Year

Kathy Taylor

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~ Michael D. Bradbury, Esq.

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