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# CITATIONS

O C T O B E R - T W O T H O U S A N D N I N E

## WOMEN LAWYERS OF VENTURA COUNTY TO HONOR TWO UNSUNG HEROES

PAGE 6



**JEAN FARLEY**  
 CHIEF DEPUTY PUBLIC DEFENDER  
 RECIPIENT OF THIRD ANNUAL  
 LEGACY AWARD



**GABRIELLA NAVARRO-BUSCH**  
 RECIPIENT OF THE HOLLY  
 SPEVAK MEMORIAL AWARD

ANTHONY R. STRAUSS

TINA L. RASNOW

WILLIAM E. PATERSON

EDWARD T. BUCKLE

LOUIS J. VIGORITA

ALEJANDRA VARELA-GUERRA

M. CARMEN RAMÍREZ

CHERI L. KURMAN

STEVE HENDERSON

<b>PRESIDENT'S MESSAGE</b>	<b>3</b>
<b>SAYING GOOD-BYE TO OUR FRIEND AND COLLEAGUE, MARY SULLIVAN</b>	<b>4</b>
<b>"THE HURT LOCKER"</b>	<b>10</b>
<b>COLLABORATIVE CORNER</b>	<b>13</b>
<b>SOCIAL SECURITY ADMINISTRATION FAILS TO PLAN</b>	<b>16</b>
<b>LRIS TODAY</b>	<b>17</b>
<b>MABA TO HONOR JUSTICES (AND "IRREVERENT" WARRIOR FOR JUSTICE)</b>	<b>20</b>
<b>PROBATE UPDATE</b>	<b>23</b>
<b>CLASSIFIEDS</b>	<b>24</b>
<b>EXEC'S DOT... DOT... DOT...</b>	<b>26</b>

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**M E R R I L L   C O R P O R A T I O N**



I had one of those epiphanal moments this summer when the import of a heretofore seemingly insignificant phenomenon became crystal clear. It happened at the Hollywood Bowl. Michelle and I and our friends Rocky and Barbara had gone to see Yo-Yo Ma and Plácido Domingo perform with the L.A. Philharmonic. We picnicked beforehand and shared bottles of Pinot Grigio and Chianti. It was one of those marvelous LA evenings when the heat of the day had sufficiently dissipated to create a warm clear evening that allows you to momentarily ponder the insane idea that living in Los Angeles might not be that bad.

I most certainly had not ventured to the Bowl for an epiphany. I did expect good music and I was not disappointed. The concert was Plácido Domingo's premier performance as a conductor. Starting his conducting career with the L.A. Philharmonic and Yo-Yo Ma in the Hollywood Bowl seemed a bit like starting one's legal career with oral argument before the Supreme Court. But of course he had a seasoned orchestra with the world's greatest cellist performing Dvorak's cello concerto. It was as if he had F. Lee Bailey whispering in his ear. He couldn't fail.

This was my first time to see Yo-Yo Ma in person. I knew that he could make incredible sounds emanate from his cello. But I did not realize until seeing him in person what he brings to the stage. Even if you don't pay the big bucks for tickets, you still get to see the performers up close at the Bowl because of the big screen televisions placed along either side of the amphitheatre. With this vantage it was obvious that Mr. Ma loves making music. Throughout the performance he had a smile the size of a snare drum as he looked at the audience, the orchestra, Plácido and the sky, enraptured in his endeavor.

## PRESIDENT'S MESSAGE - Crickets

By Tony Strauss

The picnics, the bottles of wine, the warm evening and the heavenly music came together that evening for each of the 17,000 ticket buyers who communed in the experience. But during the concert I noticed that the paid attendees were not the only ones enjoying the music. When Mr. Ma played, the cricket community, the full-time inhabitants of the Bowl, were enjoying it too. They sang along in joyous chorus. When his volume increased, so did theirs. When his tempo changed, so did theirs. I noticed that when there was a part for the strings section, the cricket section also played. I became fascinated with this amazing occurrence. My brain was reeling as I tried to understand what was taking place.

What did this mean? It was obvious that the crickets thought Mr. Ma and the L.A. Phil's string section were playing to them. These were fellow creatures singing to them in the night. Whether the crickets perceived the strings as singing love songs or mere greetings, I could not know. What I did realize was that the crickets heard what they wanted to hear.

Now it is cliché to say that people "hear what they want to hear." My new awareness was that this is universal and trans-species. Literally we all hear what we want to hear whether we're humans, bugs, fish, Republicans, jihadists, vegetarians, you name it. All of these creatures like to be with, speak to and hear from their own. Rush Limbaugh is not talking to me. Neither is the frog in the pond or the cactus in the yard. They are

speaking to those who want to hear them, who think they know what will be communicated and want to agree. Barack Obama spoke to me when he talked about "change" because that's what I wanted to hear. Of course, when the message deviates from what we expect, we tend to lose enthusiasm. For instance, some of his party don't now like what they hear as Obama tries to find a compromise on health care reform. The same would undoubtedly be true for Limbaugh acolytes if he suddenly supported same-sex marriage. It's like the crickets going silent when the strings end and the brass section plays.

What about lawyers? Are we just like the crickets and the cacti? I would like to think not. We are supposed to remain detached, rational and logical, able to dispassionately analyze the facts presented. How can we competently advise our clients if we get hung up in the rhetoric or hear only the messages we expect to hear?

But then again, are we really immune? After all, we are part of the species that includes birthers, Branch Davidians, suicide bombers and the rest. Aren't there those moments when, like the crickets, we yearn to hear what will satisfy some unmet need or reaffirm a preconceived notion? When that client tells me she is going to pay her long past bill, don't I want to believe it is true though history and logic should lead me to the opposite conclusion? Am I not just like my fellow creatures, those musical insects I encountered at the Hollywood Bowl?

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# Saying Good-bye to Our Friend and Colleague, Mary Sullivan

By Tina Rasnow



“Perseverance, calmness, bravery and daring.” These are the adjectives of respect and admiration used to describe our dear friend and colleague, **Mary Sullivan**, who passed away on August 24, 2009. She had been recovering from a heart attack suffered while in the Juvenile Court six months earlier. Mary’s passing has left an enormous void in our legal and larger community, for the many difficult pro bono causes she undertook, and her generous service to those in need.

Mary was born in Missouri in 1950, and moved to Ventura in 1967 where she remained a Ventura County resident for 42 years. She attended Ventura College and graduated from Cal State University-Fresno. She received her Juris Doctor degree from Ventura College of Law in 1983 and has practiced law in Ventura County ever since. Before becoming an attorney, Mary worked as a Probation Officer for the County of Ventura.

Those who knew Mary were likely aware of her passion for Toastmasters. She served as a member of the Ventura Sunrise Toastmasters for 23 years, earning the designation “Distinguished Toastmaster” in 2005. She was honored this year for her efforts in bringing the Toastmaster model of communication and personal growth to sessions conducted at the Prototypes Women’s Center in Oxnard. Mary was a committed supporter of Prototypes, a program that helps women recovering from substance abuse.

Mary practiced family law, but for much of the last decade she represented parents in dependency court proceedings. This is a particularly challenging practice because of the volume of cases, and the unique challenges in helping a parent regain custody after a child has been removed for alleged abuse or neglect. The attorney who represents the parent in a dependency proceeding is often up against significant barriers. Adversaries can include social workers represented by County Counsel, as well as attorneys representing the minor(s), and clients who frequently are either unwilling or unable to comply with the stringent requirements placed on them by the court as a condition of regaining custody. With success so limited in these types of cases, it is amazing that Mary undertook pro bono cases in addition to the overwhelming case load assigned to her by the dependency court, and that she achieved success against almost insurmountable odds.

One of these pro bono cases involved a young mother who was herself a long time victim of abuse by her family. After fleeing from the abuse, the grandmother, by misrepresenting to the court her daughter’s situation, obtained a guardianship of the grandson without notice to the daughter. Mary took on representation of the young mother to help her regain custody of her 4-year old son. Dr. Debbie De Vries, who assisted the young mother through a program that helps victims of abuse, described Mary’s efforts: “Mary took on an almost impossible situation, representing a young mother seeking custody of her son. Julie had been beaten and threatened not to testify, but Mary was so strong and went with Julie to the house to pick up the child.” Dr. De Vries described Mary as “an amazingly brave person.” She felt that taking on Julie’s case helped Mary “to see a different side of how people can fall into a hole and not be able to get out.”

**Verna Kagan**, coordinator of our Volunteer Lawyer Services Program, said:

Mary Sullivan’s middle name was compassion. She had an unmatched depth of compassion for all who needed her. I never heard the word “no” come from her when called upon for pro bono service. Furthermore, she consistently made herself available to attorneys who needed her advice and

mentoring. For all of us who knew her and worked with her, she will be sorely missed. Her gentle smile, warmth and good humor will be emblazoned in our memories.

Julie, the young mother who got her son back because of Mary Sullivan, thinks Mary is her guardian angel. And Mary will remain the guardian angel to so many. Her legacy will continue as Women Lawyers of Ventura County names a scholarship in her memory, helping the next generation of women lawyers to serve others as Mary did.

*Tina Rasnow is an Emeritus Attorney with the Volunteer Lawyer Services Program. Special tribute to Mary Sullivan will be made at the WLVC annual dinner on October 22, 2009. See Citations flyer for further information.*

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## WOMEN LAWYERS OF VENTURA COUNTY TO HONOR TWO UNSUNG HEROES



**Jean Farley**

Women Lawyers of Ventura County (WLVC) will honor Chief Deputy Public Defender **Jean Farley** with its Third Annual Legacy Award, and **Gabriella Navarro-Busch** as the recipient of the Holly Spevak Memorial Award, October 22 at Herzog Wine Cellars in Oxnard.

The Legacy Award honors a pioneer woman attorney, one of our “founding mothers” who was an early leader among women lawyers, a strong supporter of women’s rights, an advocate for diversity in the legal profession, and a proponent of advancing the interests of women and girls.

Jean Farley was born second in a family of four girls, in a lower middle class area of Los Angeles. According to Farley, she was “raised with the poor but proud philosophy that girls could do anything.” She received a full scholarship to Pepperdine Law School, which allowed her to practice the kind of law she wanted. In 1986, she came to the Ventura County Public Defender’s Office, after several years as an Orange County deputy public defender. For 23 years, she has been a brilliant, dedicated and fearless trial attorney. She has handled every type of criminal matter from the least serious misdemeanors to the most horrific death penalty cases. She has been a State Bar Board Certified Specialist in Criminal Law since 1985 and a member of the State Bar Board of Legal Specialization.

Currently, Farley serves as Chief Deputy Public Defender. Previously, for nine years, she was one of the two assistant public defenders. After several years in this position as one of the highest ranking women public defenders in the nation, she asked to give it up, and took



**Gabriella Navarro-Busch**

a “demotion” so she could go back to the ranks of trial lawyers and try the most difficult and complex cases in the criminal justice system, which she did with distinction.

Farley has led the Public Defender’s Office in involvement in mental health and

conservatorship cases and is a member of the National Alliance for Mental Illness. She is a lecturer for a CLU Psychology of the Law class where she talks on battered women’s syndrome. She has spoken for the California Rural Migrant Families Association on battered women’s syndrome.

She was honored as the Ventura County Woman of the Year in Law the last time such awards were given. She has been a pioneer in public defender involvement in Teen Court, Homeless Court, Stand Down, and so many other efforts for the local bar and state bar. She has lectured widely, and serves as a moot court judge. She is an ardent supporter of the high school Constitutional Law competition, and has coached teams in her spare time, as well as coordinating public defender participation in the program.

But most importantly, she is an inspiration. Her dedication to her clients is unparalleled. She brings to her work a verve and passion that is a great credit to our profession. What Farley is most proud of is “being part of a generation of female attorneys who were in the extreme gender minority in law school, paving the future for equal participation and admissions to law school.”

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### Gabriella Navarro-Busch

The Holly Spevak Memorial Award honors the memory of a woman whose short time as an attorney brought lasting contributions to the community and access to justice through pro bono work. This award is presented to a new or "newish" attorney who exemplifies the commitment to serve others.

Gabriella Navarro-Busch has been practicing immigration and civil rights law since 2001, so while no longer a Barrister by definition, she is still a relatively new attorney with less than ten years of practice. Navarro-Busch has devoted her law practice to immigration, and in particular, assisting those facing deportation orders where it impacts families. She does a lot of pro bono work, including cases for women who are victims of domestic violence and need to immigrate without their abusive husbands' help. She has always given up several days a month to counsel, without charge, people with immigration issues at El Concilio and other places.

Navarro-Busch is the former president of Ventura County's chapter of the Mexican-American Bar Association and a past recipient of the State Bar of California President's Pro Bono Service Award. She is a consulting attorney for the Mexican Consulate in Oxnard, and sits on the Board of California Rural Legal Assistance and the Ventura County Bar Association. She coordinates the free legal clinic for El Concilio and is the referred attorney for several domestic violence shelters in the county whose clients qualify for relief under the Violence Against Women's Act (VAWA).

Besides her immigration work, Navarro-Busch also serves as a mentor to young women of color, particularly those who are single mothers at a young age. She willingly shares her own life experience as a single mother to motivate others to succeed.

Navarro-Busch exemplifies the principles that Holly worked for, to make a better way for others and to dedicate her law practice to the greater social good.

**Please join us on October 22, 2009 to honor these remarkable and inspirational women. See the enclosed flyer for details.**

*By Carmen Ramirez, solo attorney, candidate for Oxnard City Council 2010*



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# “The Hurt Locker”

By Bill Paterson

Iraq, 2004. The three men of Bravo Company's bomb squad are counting down the final days of their deployment. When we first meet them they are next to their Humvee at the head of a dusty and litter strewn street. At the other end of the street is a suspicious trash pile. Is it only trash or does it disguise an I.E.D? While the street is eerily empty, hundreds of eyes watch the squad from windows and balconies. Are they only curious onlookers, or does one pair of eyes belong to an insurgent waiting to trigger the bomb as soon as the squad draws near? Welcome to the world of “The Hurt Locker,” a riveting portrayal of life in a combat zone.

Sgt. William James (Jeremy Renner) is an Army Ranger and Afghanistan veteran. Fearless to the point of recklessness, Renner does not endear himself to his other two squad members. Sgt. J. T. Sanborn (Anthony Mackie) has a simple goal. He wants to do his duty and put Iraq in the rear view mirror. Specialist Owen Eldridge (Brian Geraghty) lives with the abiding fear that he is not going to make it. To Sanborn and Eldridge, Renner is a cowboy who is cutting down their odds of survival.

Renner is a different breed. Suited up in a bomb disposal suit which makes him look like a cross between a deep sea diver and an earthbound astronaut, he is most alive when lumbering towards the latest concealed bomb. He lives for the adrenalin rush and the opportunities for adrenalin fixes are endless in Iraq.

“The Hurt Locker” is an exceptionally vivid and gritty depiction of the violent hall of mirrors our soldiers confront every time they roll outside the wire of their fortified compounds. Danger is everywhere but is nearly always unseen. Are the young boys waving at them just intrigued by seeing soldiers or is one an insurgent lookout? Is the car headed towards them a confused driver or a suicide bomber? There are only a few seconds to decide. It's a deadly game of “Where's Waldo.” While combat skills can tilt the odds in your favor, the real factor is luck. And the question for Renner, Mackie and Eldridge is how long their fraying cord of luck will hold.

One of my tests for a successful film is whether I can recall scenes from it years later or once seen the film is quickly forgotten. I doubt the following scenes from “The Hurt Locker” will ever leave me and they are but a few that will sear themselves into your mind:

\* A middle aged Iraqi man kneels in the street. A suicide vest is chained to him. Panicked and with increasing desperation he pleads with Renner to cut the chains off as the timer strapped to the charges measures out his life out in minutes.

\* American troops struggling to communicate with uncomprehending Iraqis. With little or no knowledge of Arabic they fall back on frantically repeating themselves louder and louder in English, thinking volume and profanity will somehow bridge the language barrier. They are lost in a society they cannot comprehend and what they do not know can kill them.

\*An extended firefight following an ambush. Pinned down and isolated, Renner and Mackie man a two-man sniper team. Sweat pouring into their eyes and barely able to glimpse the black clad jihadi attackers through the shimmering desert heat, it is the ultimate kill or be killed moment.

Films on Iraq have repeatedly failed at the box office. I hope “The Hurt Locker” is the exception. Either as a vicarious journey into the world of combat or a character study of what draws some men to relish rather than dread the dangers of war, it is a supremely well-crafted film that holds you in its grip from beginning to end. Destined to be a classic.

Related DVD - Although it is not a large screen epic, “The Hurt Locker” shares a common theme with my favorite film of all time, “Lawrence of Arabia”: Men who thrive in the cauldron of war. In the last scene, as Lawrence (Peter O'Toole) is being driven out of Damascus, his driver comments on how good it must feel to be going home. A look passes over Lawrence's face that leaves us in no doubt that he dreads a return to civilian life. He has become addicted to war. Renner and Lawrence are two of a kind.

*Bill Paterson, a partner at Ferguson, Case, Orr & Paterson, has been sharing film reviews with his firm and a select group of friends for many years.*

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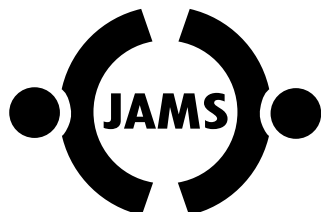
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## COLLABORATIVE CORNER

*By Ed Buckle*

The most empowering words a collaborative attorney can say to the parties: "It's your deal." Of course, that presupposes that there is an existing balance of power in the meeting.

Very often, in a collaborative or mediation meeting there will exist an imbalance of negotiating power. It can take the form of an economic imbalance, an emotional imbalance, or a physical imbalance. An economic imbalance typically occurs when one spouse has little or no income, work experience, education, or skill acquisition. Emotional imbalance is very often created by "guilt" by acknowledgement of an affair, or implied or perceived threats to withhold or alienate the children. Physical imbalance is most often seen as a disparity in size between the parties. For example, a husband who may be 6'5" and 300 lbs. and a 5'2", 110 lb. wife creates a daunting scenario for any negotiation.

Recognizing the imbalance is crucial to the success of the process. Signs of a power imbalance are often hidden or suppressed, but can be recognized listening to the responses of each party. When one of the parties describes an event, does the other party seek permission to speak, fail to object, or simply give a fawning acquiescence? Similarly, when one party makes an illogical statement, does the other simply concur rather than to state an objection? Often a party having acknowledged having an affair will be wallowing in guilt, creating an untenable situation, and an eventual withdrawal from the process.

In a collaborative meeting, both parties are represented by legal counsel. The appropriate response is to call a "time out" to meet with the "down" party and help them recognize the power shift, and its effect on a long term solution. An additional source of assistance is bringing coaches into the process, to help the parties recognize the imbalance, appreciate where they are within the process, and ultimately to help them define and refine their decision making.  
"It's your deal."

*Ed Buckle is Collaborative Attorney practicing in Ventura.*



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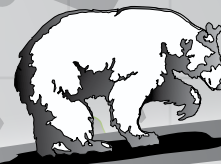
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## SOCIAL SECURITY ADMINISTRATION FAILS TO PLAN

By Lou Vigorita

The National Organization of Social Security Representatives (NOSSCR) reports in its June 2009 newsletter that the Social Security Administration (SSA) did not plan for the increase in claims which has resulted from the recession. There was an expected increase in new disability claims filed due to the baby boomers reaching peak disability years, but the economic downturn was a surprise factor. SSA is projecting that an additional 500,000 disability claims will be filed directly as a result of the recession.

In the Central Coast area of California, hearings are held in Santa Barbara. Average processing time is 561 days; in this statistic Santa Barbara ranks 104th out of 142 regions in the United States. Clients have to seek alternative funding while their Social Security benefits are delayed, affecting all local alternative sources such as charities, churches and pro bono healthcare providers.

The impact is acute at the Ventura County Medical Center, where residents train to become family practice specialists. At the Family Care Clinic, which caters to Medi-Cal and Medicare patients as well as uninsured and fee-based patients, there has already been an increase in patients with pending Social Security claims seeking medical attention. For residents in training, increasing patient numbers means the chance to see more patients with more varied medical issues. Nevertheless, an increased caseload due to Social Security Disability delays imposes a financial burden on the County, and on clients who must rely on the county while they await benefits.

*Lou Vigorita handles Social Security Disability and Workers Compensation cases in Ventura. He is a member of CITATIONS' editorial board.*

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## LRIS Today

By *Alejandra Varela-Guerra*

Due to the recent mortgage crisis and bad economy, the LRIS has had many requests lately for attorneys from potential clients who are trying to avoid foreclosure and perhaps complete a loan modification. These potential clients find themselves frustrated and in need of an attorney who can help with this difficult and confusing process.

Recently such a referral was made to LRIS attorney **Irwin Miller**. The client called the LRIS because he had tried unsuccessfully on his own to do a loan modification with his bank and was getting nowhere. Mr. Miller agreed to meet with the client to try to see if he could be of any assistance.

Mr. Miller later advised us that he was able to help the client by successfully completing a loan modification. He was able to reduce the interest rate considerably, allowing the client to make his monthly mortgage payments and avoid going into foreclosure.

Thank you, Mr. Miller, for all your hard work on this particular referral and for all the other referrals as well.

The Bar would also like to thank attorney **John D. Williams** for his recent contribution to the Lawyer Referral & Information Service of fees he recovered from malpractice and torts plaintiff cases. Mr. Williams serves on the torts plaintiff, business, estate planning and real property panels for the LRIS.

Thanks to all of our LRIS attorneys who provide great service to the public.

*Alejandra Varela-Guerra is the Client Relations Manager at the Ventura County Bar Association. If you are interested in joining the LRIS, please give Alex a call at (805) 650-7599, or e-mail her at alex@vcba.org*



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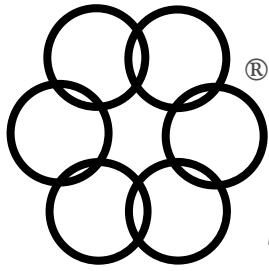
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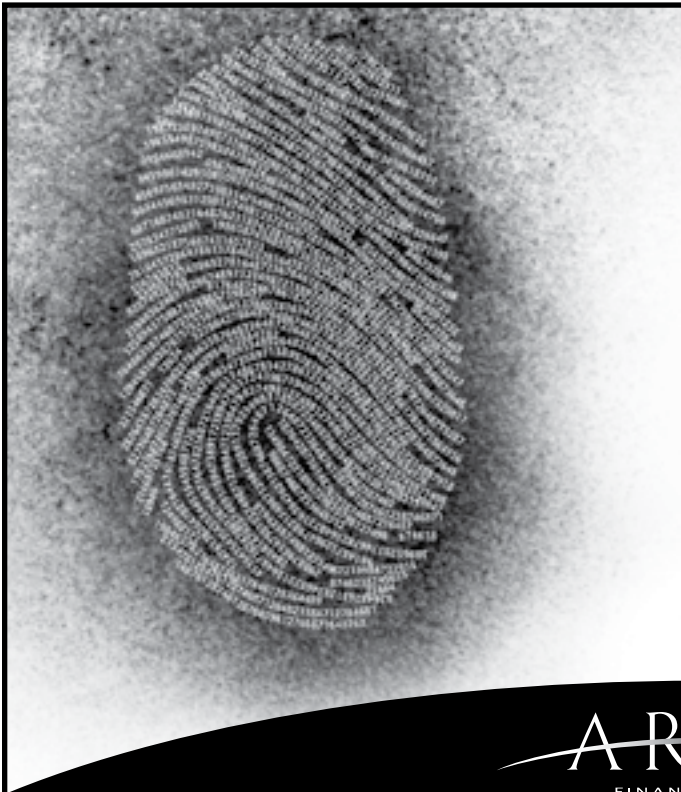
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# MABA To Honor Justices (And “Irreverent” Warrior For Justice)

*Justices Moreno and Stone, Local Hero Alice McGrath to Accept Awards at Annual Mexican American Bar Association Scholarship Dinner*

By Carmen Ramírez



## Alice McGrath

Alice McGrath, a legend in her own time at age 92, will receive the Ventura County Mexican American Bar Association's first “Warrior for Justice” award at its 31st Annual Scholarship Dinner on October 30.

Alice is a central figure in Luis Valdez’ “Zoot Suit,” the hit Broadway play that transformed Edward James Olmos into a star. She is also the subject of “From Sleepy Lagoon to Zoot Suit: The Irreverent Path of Alice McGrath,” by documentary filmmaker Bob Giges. Alice’s oral history, “The Education of Alice McGrath,” was published in 1987 by Michael Balter and is on file at UCLA’s Oral History Library.

Alice is known for her work during the 1940’s as the executive secretary of the Sleepy Lagoon Defense committee. Her organization worked to correct an injustice, a murder conviction of 22 young Mexican men after a Los Angeles trial *en masse* (*People v. Zamora* (1944) 66 Cal. App.2d 166). The convictions were overturned by the Court of Appeal, which found the proceeding to have been plagued with legal error and bias. As executive secretary, Alice led the defense committee for the Sleepy Lagoon defendants, raising money and keeping public attention focused on the appeal.

Alice moved to Ventura County from Los Angeles in the 1970’s. She served as our County Bar’s first Pro Bono Legal Services

Director as well as teaching women’s self-defense classes. From 1984 through the mid 1990’s, Alice made 86 trips to Nicaragua, delivering desperately needed medical supplies and humanitarian aid to this war-stricken and impoverished country. On these trips, she exposed U.S. religious leaders, doctors, lawyers, professors, technicians and others to the Nicaraguan people, their history and the role of the U.S. in Nicaraguan history, particularly our role in perpetuating the Somoza dictatorship.

In May 2009, Alice received an honorary Doctorate in Humane Letters from Wooster College in Ohio for her work for social justice.

Supreme Court Justice Carlos Moreno, attending Alice’s 90th birthday party in 2007, commented: “In the short time of one’s life on this earth, from the vast perspective of world history, one might say that the world will little note nor long remember what we say, or what we do here – and that applies to all of us, I’m sure – but Alice, we can never forget what you have done for so many people – many times over – to make this state a better place, a freer state, where justice, and due process, and compassion for the poor and the disenfranchised have been your guiding lights and passions.”



## Justice Carlos R. Moreno

Justice Moreno will receive MABA’s “President’s Award.” The son of Mexican immigrant parents, Justice Moreno has served on the California Supreme Court since October 2001. After graduating from Yale University and Stanford Law School, he went on to be a deputy city attorney in Los Angeles, a civil litigator, and then a Los Angeles Municipal Court judge. President Bill Clinton nominated him to be a federal district court judge (Los Angeles), and he was unanimously confirmed by the U.S. Senate. Justice Moreno gave up life tenure to serve on the California Supreme Court. Justice Moreno is known for his work with youth, in particular foster children and special needs children.

According to the *New York Times*, Justice Moreno was on President Obama’s “short list,” and the only male to be considered for the U.S. Supreme Court to replace retiring Justice David Souter. (May 26, 2009). The *Times* reported that “[Moreno] propelled himself from the working-class neighborhoods of Central Los Angeles to Yale University and rose to become a justice on what is arguably the most important state court in the nation.”



**Justice Steven Stone**

MABA will award Justice Steven Stone its annual "Access to Justice" Award. Justice Stone served for sixteen years as Presiding Justice on Division Six of the Second District Court of Appeal, following six years as on the Superior Court bench in Ventura County. Retiring in 1999, he is now a much sought-after neutral with Judicial Arbitration and Mediation Service. Justice Stone received the prestigious "Roger J. Traynor Appellate Justice of the Year Award" from the Consumer Attorneys Association of Los Angeles in 1998. Justice Stone and his family, including his twin brother, Judge Peter Stone of the Santa Clara County Superior Court, fled the rise of the Nazis, leaving Vienna, Austria, shortly after the twins' birth. This first-hand experience with prejudice has made him especially sensitive to violations of the civil rights of minorities, parents, public assistance beneficiaries and the homeless.

Justice Stone plies his trade of judging and mediating with good humor and patience. In addition to his legal work, Justice Stone teaches and train judges as a faculty member on the Council on Judicial Education and Research and the California Judges Association.

The Scholarship Dinner will take place at the Marriott Residence Inn in Oxnard. For tickets, please contact Al Vargas at 483-8083 or email [vcba.maba@gmail.com](mailto:vcba.maba@gmail.com).

*Carmen Ramirez is a solo attorney. She is a candidate for Oxnard City Council in 2010.*

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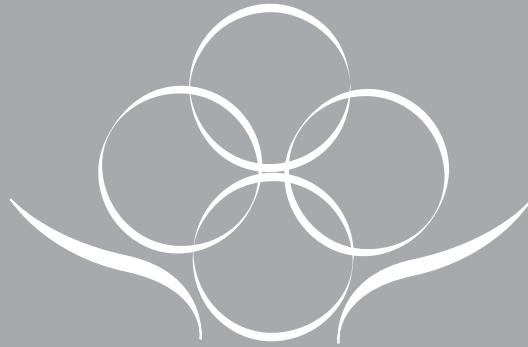
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## PROBATE UPDATE

By Cheri Kurman

At a recent brown bag lunch, **Judge Kent Kellegrew** met with the Executive Committee of the Estate Planning & Probate Section. Highlights:

**Notice issues:** Judge Kellegrew would like the filing attorney to choose a hearing date when filing petitions. He does not cap the number of cases that can be set on any given day unless a Judge Pro Tem is sitting. When choosing a hearing date, please remember that conservatorships are heard on Tuesdays, with trusts and probates heard on Wednesdays and Thursdays.

**Probate Filing Window not Covered:** The court is training a juvenile clerk to cover the window when the probate clerk is on break.

**Courtroom Closed Days:** At least until June of 2010, the courts are closed on the third Wednesday of each month. Per **Kathy Bowers** (one of our esteemed research attorneys), do NOT count this day when calculating court days for notice and filing deadlines; however, this day DOES count when calculating calendar days for notice and filing deadlines. The court is not anticipating any backlog because of these dark Wednesdays and there is no plan to add any additional courtroom time.

**Court Calendar Posted Outside Courtroom:** Judge Kellegrew was unaware that a calendar was not being posted outside his courtroom, and indicated he would address the issue.

**Conservatorship Files Being Sent Automatically to Public Defender:** If you are requesting a private attorney be appointed (instead of the Public Defender's Office) to represent a conservatee, please call Kathy Bowers (981-5712) and/or Claudia (Judge Kellegrew's clerk) and/or Mariella (Judge Kellegrew's secretary) to request your documents not be sent to the Public Defender's Office.

*Cheri Kurman practices at Norman Dowler, LLP. She is a State Bar certified specialist in Estate Planning, Trust & Probate Law.*

## Classifieds

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## VCTLA Dinner

*Photos courtesy of Telegenics and Craig Bates*





Hats off to **Bob Huber** for being selected the Ben E. Nordman Public Service Award recipient for 2009. Bob will be given the 14-inch crystal obelisk during the bar's annual installation and awards banquet scheduled for November 21 at the Crowne Plaza Hotel. Your invitation will be arriving shortly and the theme for the night's activities is, "Less Talk, More Fun!" Here's a tidbit none of you knew – Bob was nominated once before, in 1986, when **Bruce Johnston** was selected the first winner of the bar's most prestigious award... Quote of the Month: "I would like to encourage more punctuation. The patents could be a lot clearer if we had a lot more periods, commas and semicolons." – From U.S. District Court Judge Susan Illston, Northern District of California, describing to a Stanford Law School conference this spring one change she would like to make in patent law...

The Barristers received an award from the ABA Young Lawyers Division for their efforts last year organizing the 1st Annual Three-On-Three Basketball Tournament. Current VCBA board member and president of the Barristers last year, **Katie Pietrolungo**, reminds us the 2nd Annual Basketball Tournament is co-sponsored by the Ventura YMCA and is scheduled for October 3. Additional Info? [mas@strauslawfirm.com](mailto:mas@strauslawfirm.com)... A Los Angeles federal judge has announced he is resigning because the stagnant salary makes it difficult to support his seven children, all under the age of 18. U.S. District Judge Stephen Larson, 44, will retire November 2, the National Law Journal

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

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

reports. He released a statement criticizing Congress for failing to give federal judges a pay hike... Recommended Reading – *Five To Die*, by Ivor Davis and Jerry LeBlanc. Thor Publishing, 2009. 235 pages. \$14.95. A compelling read about Charles Manson and his "family." Contact President **Tony Strauss** or me for your copy. 25% of the proceeds benefit the VCBA/VLSP, Inc...

Mark Your Calendar! The Women Lawyers of Ventura County will be hosting their annual Scholarship and Awards Dinner October 22 at the Herzog Wine Cellars. **DPD Jean Farley** will be receiving the Legacy Award and **Gabriella Navarro-Busch** is the recipient of the **Holly Spevak** Award. Additionally, there will be a special tribute to **Mary Sullivan** who died August 24 – [jody.prior@ventura.courts.ca.gov](mailto:jody.prior@ventura.courts.ca.gov)... **Melissa Street** and **DDA Taylor Waters** married September 12 at Gainey Winery. They met at Judges' Pizza Night in 2007. Tahiti? [mstreet@nchc.com](mailto:mstreet@nchc.com). Rio de Janeiro? **Chris Gray** at [chris@vclaw.com](mailto:chris@vclaw.com). Rome or Greece? **Andy Viets** at [aviets@ci.ventura.ca.us](mailto:aviets@ci.ventura.ca.us)...

**Barbara Macri-Ortiz** and **Carmen Ramirez** were both attributed in a *USA Today* story dated August 21 about Supreme Court Justice Sonia Sotomayor... New to the bench and appointed by The Terminator, **Nancy Lynn Ayers** has been a dues paying member of our bar association since she departed the DA's office for the Fresno DA a couple years ago. She should be swearing in soon... From David Letterman's Top Ten list on Tiger Woods' excuses for blowing the PGA Championship: "Spent the previous night with John Daly... Would you practice if you had a hot Swedish wife?... Instead of winning majors, focused on making every recipe in Julia Child's cookbook"... **Bert Partida** became a daddy for the second time August 8th. Little Molly Addisson weighed-in at 7 pounds, 7 ounces. Mama is doing just fine too...

Remember my Crappiest Car Contest? Well, lots and lots of jalopies to choose from and the assembled panel selected an easy victor. That would be **Patrick Cherry's** 1976 Cadillac Fleetwood Brougham. The vehicle has been keyed on both sides and has a crunched rear

door. The rust spots make the car appear as though it "has a liver disease." The rear fender is missing and the "Exxon Valdez" sheen on the pavement is testimony to its chronically leaking transmission. Patrick states that attorney **Dennis Orrock** once saw him exiting the vehicle at the courthouse and asked if his partners "knew what he was driving." ... Boston lawyer Kevin Barron has been acquitted of a charge that he tried to smuggle heroin into a Massachusetts state prison. Judge Janet Sanders ruled Barron did not know there was heroin in a package he was carrying into the prison. In June, the mother of a prison inmate pleaded guilty to inserting the heroin into holes in a legal brief contained in the package...

The Mexican American Bar Association's 31st Annual Scholarship Dinner is set for October 30, in the Courtyard by Marriott. The Access to Justice Award will be presented to the Honorable **Justice Steven Stone**. Honorable **Justice Carlos Moreno** will be given the President's Award. The Warrior for Justice Award will be presented to Alice McGrath. Thomas Saenz is the guest speaker – [gramirez@wclaw.com](mailto:gramirez@wclaw.com). All proceeds benefit scholarships for student pursuing careers in the legal fields... Many of you do not know who Mary Tash was. She was **Ben E. Nordman's** secretary many years ago and was the "conflicts" check long before computers. When **Bob Compton** and **Bill Hair** started with Ben in 1962, Mary took both of them under her wings. Mary passed August 9. She started her legal career around 1947 and retired about 2000... Quote of the Month: From Marion Barry when he was mayor of Washington, DC – "*Outside of the killings, Washington has one of the lowest crime rates in the country.*"...

*Steve Henderson has been the executive director and chief executive officer of the bar association and its affiliated organizations since November 1990. Henderson thanks all the lawyers who donated beverages and dough celebrating his birthday last month. The Yankees and Cardinal World Series should be a memorable one ending with a Posada walk-off!*

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