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# CITATIONS

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## PRESIDENT'S MESSAGE: EAST COUNTY BAR ASSOCIATION – LIFE BEYOND THE CONEJO GRADE

By Dien Le



(Left to right) Kevin Shaw, Roxanne Torabian-Bashardoust, Bret Anderson, Natalie Panossian

The Ventura County Bar Association, which was established in 1928, originated in Ventura because its role as county seat and the center of population and business at the time made the city home to its membership base. The outskirts of the County were mostly farmland and ranches. However, as the county's population began to grow and move eastward as new cities sprouted up, VCBA also needed to begin its progression east as well. At first there was hesitation. Members were averse to crossing the Santa Clara River in order to attend a bar meeting/function in Oxnard or Camarillo, but eventually people got over it and made the effort. That divide has now apparently shifted to the Conejo Grade. The Grade has become more than just a physical barrier and has morphed into a psychological barrier of sorts. I recently attended a section meeting where I heard the Grade referred to as the "Great Wall of Ventura County." Contrary to urban myth, you can drive over the Grade, and there is life on the other side!

As someone who has lived and worked on both sides of the Grade, I feel it is my obligation as VCBA President to help bridge the divide between the East and West County and to bring our bar membership together. As I have heard from attorneys in the East County (Thousand Oaks, Westlake Village,

Moorpark and Simi Valley) over the years, they feel disconnected or ignored because all the meetings/events seem always to be held in the West. On the other side, I hear from bar leaders that they can only have our meetings/events in the West because otherwise no one would attend. At the 22nd Annual VCBA Strategic Planning Session of Bar Leaders held on Feb. 11, I challenged the nearly 50 bar leaders (representing our 35 sections, committees and affiliates) in attendance to commit to holding at least one meeting/event per year in the East County. I am hopeful that we will begin to see a change in the willingness of members on both sides to go over the Grade. Of the more than 1,200 current VCBA members, at least 20 percent work in the East County. This percentage doesn't account for non-members, in-house counsel (e.g., 100+ Amgen attorneys) and those who work in the West but live in the East, which could amount to more than 30 percent of our members. Given the increased migration of attorneys from the saturated areas of L.A. and the San Fernando Valley, this untapped group will only continue to grow.

To help fill the void left by VCBA, the East County Bar Association (ECBA) was started back in the early 90s by a core group of officers – **Marge Baxter**, **Al Keep**,

**Gordon Lindeen**, **Patti Mann**, and **Roberta Burnette**. According to Patti, who was ECBA president from 2002 through 2004, the precursor to ECBA was the Simi Valley Bar Association (led by **Frank White**), which was instrumental in pushing for a new courthouse to be located in Simi Valley. With the opening of the East County Courthouse in 1991, many attorneys started setting up shop in Simi Valley and surrounding areas in the East County. ECBA then took on the role of a liaison to the courthouse and a way to connect with the judges assigned to this branch.

Since becoming ECBA President in 2008, **Bret Anderson's** mission has been to reinvigorate ECBA. He has certainly accomplished this, starting with the first hugely-successful kickoff event, the "East Meets West Mixer" in 2009. Bret hopes to bring this mixer back again this year. Other annual ECBA signature events that have been well attended in the past include the Brown Bag presentation by all the East County judges, and the holiday party in December, in which all the judges, clerks and staff of the East County Courthouse were invited to socialize with ECBA members. However, given the new reality with the impending closure of the East County Courthouse, Bret hopes that judges from the main Ventura courthouse are willing to come out to the East County to attend ECBA events.

One of the strong partnerships that Bret has developed is the joint MCLE luncheons with the East County Chapter of the CPA/Law Society (President Maryellen Sebold) at the Westlake Village Inn. With the assistance of ECBA Vice President **Roxanne Torabian-Bashardoust** and Secretary **Kevin Shaw** working closely with Maryellen, they plan on continuing these luncheons with high-quality speakers and interesting topics.

Treasurer **Natalie Panossian** is spearheading something new for ECBA: broadening its activities by doing more community service and outreach in order to attract more members to get involved. One idea is to

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4475 Market St.,  
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Attn: Executive Director  
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## LETTER TO THE EDITOR

Dear Editor:

### BEWARE OF EMAIL SCAMS

Please be aware that there has been a recent surge of email scams directed at attorneys. I have received at least ten in the last two months and many more in the past year. Luckily, I was able to avoid these scams. As an example, I received one of these emails last week, and a follow-up today that were very convincing. They purported to be from Mazco Medical Healthcare for a case against Lincare Holdings. Both turn out to be real companies, but the case is fictitious. I found a fraud alert from a Canadian fraud blog. You can find the alert here: <http://avoidclaim.com/?p=3025>.

In my case, they tailored the email to indicate that the target company was based in Moorpark. These are not simple bot emails spamming attorneys found on the Internet. They are spending some time crafting details that could be convincing to local attorneys.

Please be careful as these scams can create great liability issues for attorneys and have already done so.

Do you know if the State Bar or any other organization maintains any database regarding these scams to help attorneys ferret them out? If not, do you think it would be advisable and manageable for the Ventura County Bar Association to begin keeping such a database and posting them on the VCBA website? If so, I would be interested in helping organize and lead such an effort.

These emails and phone calls are becoming a big problem in our community and could lead to serious problems for VCBA members.

*Joshua A. Burt has a solo practice in Ventura. He advises clients about intellectual property and employment and handles civil litigation, including personal injury.*

### President's Message:

*Continued from page 3*

work with the courts on National Adoption Day in November by providing volunteer assistance to the public in completing paperwork. Similarly, ECBA would like to team up with the Conejo Free Legal Clinic to provide pro bono service in such areas as family law and landlord-tenant. Another suggestion is to replicate a "Food from the Bar" event locally to benefit Food Share.

The ongoing challenges for ECBA will be maintaining the momentum through good events, and working toward bringing back a full-service courthouse to the East County. ECBA would also like to have other joint events in the future with the Barristers, VCTLA as well as other VCBA sections and affiliates. Important to these efforts is preserving ECBA's strong affiliate relationship with VCBA, which is a win-win situation for both in terms of increasing participation.

*Dien Le is a partner at Westlake Village-based Sullivan Taketa LLP, where he represents clients in business litigation, employment litigation, real property litigation and appellate matters in both federal and state courts.*

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## SO, YOU WANT TO BE A JUDGE?

By Rachel Coleman

Whether appointed or elected, every six years each superior court judge in California must hit the streets to shake hands, kiss babies and raise campaign funds for the upcoming election – if they have an opponent. On June 5 this year, Ventura County will see the following Superior Court judges up for re-election: **John R. Smiley; Colleen Toy White; Brian J. Back; Henry J. Walsh; Glen M. Reiser; Mark S. Borrell;** and **David M. Hirsch.** Most run unopposed, which means avoiding the campaign trail and the scramble to drum up much-needed campaign dollars.

This June, **Brad Bjelke**, a Thousand Oaks business and employment attorney, is gunning for Judge Walsh's seat on the bench. **George Manus**, also a local Thousand Oaks attorney, filed a Declaration of Candidacy and paid the filing fee to run against Judge Hirsch. However, Mr. Manus did not file the nomination paperwork with the elections division of the county recorder's office by the March 9 deadline. As such, it appears that Judge Hirsch will now run unopposed.

While the life of a judge may seem glamorous to all those people who watch "Law and Order" or re-runs of "Perry Mason," come election time that life isn't so glamorous. In order to start the process of re-election, all superior court judges up for re-election must file a Declaration of Candidacy "within 30 days before August 16 preceding the expiration of the judge's term." If the declaration is not filed, the Governor shall nominate a candidate before Sept. 16. (Cal. Const., Art. 6, §6(d) (1).)

In California, each candidate was required to file a Declaration of Intent between Jan. 30, 2012 and Feb. 8, 2012 along with a filing fee in order for nomination documents to be issued. (Elec. Code, § 8023.) In Ventura County, the current filing fee is \$1,787.89. If the candidate does not have the filing fee, he or she may submit a Petition In Lieu of the filing fee, which requires the candidate to hit the streets seeking registered voter signatures. (Elec. Code, § 8061)

Next, all candidates must fill out and file the following documents with the recorder's office: Declaration of Candidacy; Nomination Form; Ballot Designation Worksheet; Statement of Economic Interests Form 700; and Voluntary Expenditure Limitation Statement. If that isn't enough paperwork, an optional Candidate Statement Form may also be submitted at the same time. The deadline for filing these documents was March 9, 2012 at 5:00 p.m. Judges who run unopposed will not be placed on the ballot. Instead of being "re-elected" by the vote of the people, those judges will be appointed to their office by the Governor for another term.

Those candidates running for a countywide office, including judicial office, may voluntarily agree to limit campaign spending to \$621,000 or \$700 per person per election, or not accept the limit, which lowers the applicable contribution limit to \$350 per person per election. (Ventura County Campaign Finance Reform Ordinance No. 4429.) Every six years or sooner, a judge will be up for reelection depending upon whether the judge was appointed within a few years or just several months prior to the next general election. (That means judges all across Ventura County potentially have to spend over half a million dollars just to get re-elected to do a job that pays, on average, \$178,789.)

If the local election paperwork and the price of running for election isn't enough, maybe the California Code of Judicial Ethics will change your mind. Canon 5 of the Code of Judicial Ethics applies to all candidates for judicial office. After reading through Canon 5, it is surprising that a judicial candidate can say anything at all publicly. For example, a candidate can speak at a political gathering on his or her own behalf or on behalf of another judicial candidate (Canon 5 C). However, the candidate shall not "make statements to the electorate or the appointing authority that commit the candidate with respect to cases, controversies, or issues that could become before the courts" (Canon 5 B (1)). With



that in mind, it would seem that almost any statement made by a judicial candidate could potentially regard an issue capable of coming before the court.

All those potential and current judicial candidates out there should also be wary of where they choose to conduct their fundraising events. Judges should avoid “meeting at a club which the judge knows is practicing invidious discrimination” (I did not know what that word meant either. According to *Webster’s Dictionary*, invidious means “tending to cause discontent, animosity, or envy.”).

It should also be duly noted that judicial candidates are allowed to wear the black robe for photo opportunities in promoting their campaign so long as “the usage does not denigrate the integrity of the office.” (The California Judges Association Committee on Judicial Ethics prepares a very informative

flyer entitled “Ethics In Judicial Elections” which sets forth the most common questions and answers regarding ethical issues in relation to judicial elections). So, judicial candidates must be careful that no one snaps shots of you wearing the black robe on the dance floor at the Hard Rock Casino in Las Vegas and posts them to your re-election Facebook page.

Current judges must report the identities of campaign contributors who contribute more than \$99. Sitting judges must also disclose contributions of more than \$99 to all parties and lawyers who are appearing before the candidate judge in a pending matter. For all those attorneys out there who are fond of disqualifying the judge assigned to your case under Code of Civil Procedure section 170.6, use the upcoming elections as a reason to automatically disqualify a judge from hearing your case instead. Contribute more than \$1,500 to that judge’s campaign,

and that judge is automatically disqualified from hearing the case, unless, of course, the opposing party waives (Code Civ. Proc., §170.1 (9) (a)).

This article barely scratches the surface of what is involved in the arduous, stressful and expensive judicial election process. So, do you still want to be a judge?



*Rachel Coleman is an attorney with DK Law Group in Oxnard, and a member of CITATIONS’ Editorial Board.*

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## BET ON YOURSELF

By *Jasmeen A. Ubhi*

I've always wanted more in life. I spent my undergrad taking as many classes as I could, trying to figure myself out. I spent a considerable amount of time switching majors but I eventually narrowed my focus to two majors: Psychology & Social Behavior and Criminology, Law & Society. Instead of choosing a major, I decided that I would just double major. During this time, I was working at a personal injury/workers compensation law firm where the lead attorney pushed me to take the LSAT. Having no desire to actually attend law school, I sat for the exam mostly just to appease my boss. After taking the exam, things just snowballed and I ended up applying to law school. Throughout law school I continued to work in the legal profession to gain more experience.

While awaiting bar results, I was hired by a healthcare financial management organization to assist in third party recovery. After I passed the bar, the president of the company offered me the position of in-house counsel. This was a huge task as I had to quickly learn the laws governing MediCare/Medi-Cal. I was lucky enough to have a wonderful paralegal who took me under his wing and showed me the ropes. Before I knew it, I was preparing and facilitating resolutions for writs of mandamus on behalf of healthcare institutions. My roles and duties changed throughout my employment there but I still wanted more. After a couple of years, I started applying to various attorney positions but nothing seemed to fit. So I took the plunge and opened up my own workers compensation defense practice working for a small group of clients. I had some background in workers compensation from working as a legal assistant during law school, but had to learn a great deal on my own.

During my career as an attorney, I have had to rely on myself to learn the various nuances of the law. Honestly, you really do not know how strong you are until you push yourself. Being successful as a solo practitioner does not mean you have to work in a firm to "learn the ropes." Law school does not have a residency program – unlike medical school – so we are pushed into the practice of law with little or no experience.

You can be successful if you are determined and willing to put the time in to learn about the law that you practice. I have seen many solo practitioners who started their own firms immediately after they passed the bar and were successful.

Working as a solo practitioner has its drawbacks, as you are often a "one man/woman show." That is why networking is so important! Network to the point where if you are stumped you have several different attorneys available to give you feedback. This cannot be stressed enough. I have seen many attorneys struggle with success because they are too afraid to admit they don't have all the answers. You have to know where the bottom is to appreciate how far up you can go.

There are many positives about being a solo practitioner. While you do have to depend on yourself a great deal, "what doesn't kill you can only make you stronger!" You are your own boss and make your own hours. You control the work flow, number of clients, and the amount you charge. The work is all on you and when it's busy it may seem overwhelming. But when you are DONE you are DONE! At that point you can leave the office to go to the beach, go to a doctor's appointment or take the dog for a walk. In a firm setting, most lawyers cannot leave without advising their senior attorney.

Whether you work from home, have an office, work full-time, or work part-time, here are a few tips that I recommend for new solo practitioners:

- Do not underestimate the power of networking – Join local bar associations.
- Join a list-serve. This can be helpful as it allows an attorney to email a question to all members of that particular bar association.
- Contact your local bar association or affiliate organization to inquire about mentor-mentee programs.
- If working from home, set up a physical mailing address ... not a P.O. BOX (remember it's all about perception).
- Print stamps or take your mail to the

- post office (stamps look tacky!).
- Hire a part-time virtual secretary who can help with day-to-day tasks until you are able to afford a full time secretary in the office.
- Schedule lunches with friends/other attorneys to get you out of the office/house.
- Speak with your tax representative to find out which expenses can be tax deductible.
- Shop around for malpractice insurance (many companies offer a discount for new lawyers).
- You can never get everything done! Prioritize and give yourself a break – the unimportant stuff will still be on your desk tomorrow.
- Bookmark [www.calbar.ca.gov](http://www.calbar.ca.gov). It is a tremendous resource! (i.e. samples for fee agreements).
- Don't reinvent the wheel! Ask around and see if an attorney is willing to give you a template.
- Open a client trust account (think back to law school and personal responsibility and "commingling of funds").
- Look for blogs applicable to your field of law. (However, be careful to verify any and all information prior to relying on the information).
- Make sure you back up and encrypt your files (e.g., Carbonite).
- Maintain close contact with clients and arrange regular meetings.
- Don't be afraid to ask for help. Asking for help is better than explaining to your client why your failure to act/actions had an adverse impact on a case.
- If you decide to open your own firm, use *me* as a resource. It can be really intimidating to go out on your own, do not hesitate to contact me.
- Remember, "the best bet you can make is on yourself."



*Jasmeen Ubhi just described her practice. Her office is in Simi Valley.*

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# JUDGE REISER SUMMARIZES THE “STATE OF THE PROBATE COURT”

By Amber Rodriguez

In February, the Estate Planning and Probate Section of the Ventura County Bar Association was fortunate to have **Judge Glen M. Reiser**, presiding probate judge, present a State of the Probate Court address. The presentation was not only amusing, but very informative for the standing-room-only crowd. Following the presentation, I was contacted by numerous VCBA members who, having heard about Judge Reiser's information-packed presentation, asked if we could prepare a summary for those who were unable to join us. Judge Reiser has been kind enough to work with me to put together this summary for you:

## **CRC 7.575: Reporting Requirements for Standard versus Simplified Accountings**

Although these requirements have not been consistently enforced in the past, the court feels it is necessary and appropriate to have all accountings, from here forward, conform with the requirements of this Rule. If you have an accounting pending hearing, please review your accounting carefully to make sure a supplement is not required to meet CRC 7.575.

## **CRC 2.104**

The court reminded us that all papers must be printed or typewritten or be prepared by a photocopying or other duplication process that will produce clear and permanent copies equally as legible as printing in type not smaller than 12 points. This includes accountings.

## **Conservatorship File Reviews**

Judge Reiser actually reads the files and does not rely primarily on the research attorney or investigator's report to make his decision in these matters. Please be certain to file all necessary documents and review those documents carefully to help minimize the need for continuances.

## **Temporary Conservatorships**

Judge Reiser discussed the process required by statute when a temporary conservatorship is filed. Because of the strain on the already stressed investigator's office, Judge Reiser reminded us that he will only consider temporary conservatorships when irreparable harm may occur. Being unable

to pay bills in a timely manner is not usually “irreparable harm.” The court recognizes there are some cases where a temporary conservatorship is appropriate, but urges us to consider, carefully, whether such a request is truly warranted in our cases.

## **Professional Fiduciaries**

Recently, the court has been appointing professional fiduciaries much more frequently than seen previously. Judge Reiser discussed his views on this issue. He told us that when he sees a private individual who cannot—or will not—account properly, self-dealing, or late accounts, etc., he is inclined to appoint a professional to save the court time and the estate money.

## **Court-Appointed Attorney for Conservatee**

Judge Reiser prefers to appoint an attorney to serve as the attorney for the conservatee, rather than having an attorney appear and claim to represent the conservatee. His preference is based upon the inherent issues of capacity in a conservatorship. He does not want time and money wasted on the issue of whether a conservatee has the capacity to contract and retain an attorney. In addition, he is concerned about the validity of proceedings where it is later discovered that the conservatee did not have the ability to retain an attorney and was thus left unrepresented during key portions of a proceeding.

## **Conservator Fees: CRC 7.756**

Conservator's fees were discussed in relation to the requirements of CRC 7.756. The court asked us to review these requirements and keep them in mind when we make a fee request.

## **Attorney Fees in Conservatorships**

Judge Reiser wants to make sure we are paid through the date of the hearing when we make a fee request. Please include an estimate of the additional fees that will be incurred, up to and including the hearing on your petition. If additional time is required, you may file a supplement before the hearing, asking for additional fees.

## **Change of Conservatee's Residence**

The court reminded us that we are required to give notice *before and after* a conservatee is moved, per Probate Code 2352(e)(1) and CRC 7.1063(e).

## **60-Day Care Plan**

There is a new mandatory Judicial Council form that needs to be used for reporting your 60-Day Care Plan: GC 355. Please remember to use it.

## **Venue**

Our court is busy enough; please do not use Ventura as a venue for a conservatorship when it belongs somewhere else, even if it is more convenient for the attorneys involved.

## **Guardianships**

Judge Reiser spoke about his strong belief that guardianship estates should not be used to replace a parent's legal obligation to support their child.

## **Request for Continuance by Fax**

There was some clarification given in regard to a Request for Continuance made by fax. Judge Reiser believes there is a due process issue when a matter is simply continued without being called at the scheduled hearing. Accordingly, the court will (1) Approve or deny your request and return the request to you via fax; and (2) Call the matter at the scheduled hearing and continue the matter to the new date from the bench. He reminded us that notice of the new hearing date needs to be given in writing to all persons entitled to notice.

## **Extraordinary Fees**

Judge Reiser wants to see your ordinary time when considering a fee request for extraordinary time. Please submit both items if extraordinary fees are being requested.

## **Institutional Trustee Fees: CRC 7.776**

Please review the requirements set forth in this Rule. Judge Reiser follows these requirements and considers the items listed when making a decision on a fee request.

## **Notice on Pour-Over Wills**

Please be certain to follow Probate Code



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## “When the Killing Is Done” – T.C. Boyle’s Take on the Channel Islands

by Gabriele Mezger-Lashly

Many residents of Ventura County have never been to the Channel Islands National Park even though it lies literally in their front yard, only a short distance off the coast. The islands are mostly known as the setting of “Island of the Blue Dolphins,” a novel read by millions of California elementary students about a Chumash girl who was left behind on San Nicholas Island and survived there in solitude for sixteen years. T.C. Boyle’s recent novel *When the Killing Is Done* tells a compelling and fascinating story involving the National Park Service’s attempts to restore the ecological balance of the islands.

Santa Cruz Island, four times the size of Manhattan and 20 miles west of the Ventura coastline, the last link in the five-island chain that Congress designated as a national park in 1980, is not only a natural marvel, but a lawyer’s dream come true. Behind this island lies a tangled history of human dispute and litigation. Real estate battles, greed, and family infighting resulted in numerous legal actions.

The National Park Service’s efforts to protect native plants and animals – by eliminating rats on Anacapa and pigs on Santa Cruz – sparked a public debate. It caused a Santa Barbara County businessman to sue the National Park Service and the Nature Conservancy seeking to halt their \$7-million feral pig eradication program, which killed thousands of wild pigs on Santa Cruz Island. The lawsuit can only be described “as too little too late.” In 2008, the Ninth Circuit dismissed the action as moot because the pig eradication program had been completed and no feral pigs were left on the island. *Feldman v. Bomar*, 518 F.3d 637, 642 (9th Cir. 2008).

The lawsuit was the apparent inspiration for Boyle’s book. The novel takes up some of the environmental themes of Boyle’s previous novels such as *A Friend of the Earth* and *The Tortilla Curtain*. For those of us who like to read fiction rather than legal opinions, the book offers an account of Santa Cruz Island’s tortured legal history and a great trip to the islands from your armchair.

Beginning with a shipwreck or two or three and a back and forth history of the islands, “When The Killing Is Done”

centers on Alma Takesuke, an earnest and well-meaning National Park scientist who is trying to restore the balance of the islands by eliminating non-native species which are decimating the native wildlife and denuding the hillsides. On the other side is Dave La Joy, a well-off business man who hates to see the rats and pigs killed. He uses his considerable ego to do anything possible, legal or not, to stop the slaughter.

The story goes back and forth between present day environmental issues, for example the devastating effects of introducing non-native species into the environment, and the history of the island. It recounts the demise of the Santa Cruz Island Company in 1911 and the island’s subsequent partition. The Supreme Court’s decision in *Capuccio v. Caire* (1922) 189 Cal. 51, set the stage for decades of family infighting. An extended and complicated series of litigation among Caire family members resulted in the division of the island and the sale of most

of it to Edwin Stanton in 1937. This part of the island is now owned by the Nature Conservancy.

The Gherinis, Caire’s descendents, remained owners of the rest of the island. In the early 1990s, the government managed to buy the interests of three of the four Gherini siblings for about \$4 million apiece. **Francis Gherini**, an Oxnard attorney, considered the \$4 million offer paltry and decided to sue. The government ultimately settled with Gherini for \$14 million.

Like real life persons such as Francis Gherini, the characters in the book are colorful. The narrative moves back and forth between describing sheep and cattle operations on the island in the 1940s and 1970s and present time ecological challenges. Boyle combines delicious irony with a dark sense of humor as he describes the environmental idealism of his protagonists. His jazzy writing style and sharp observations are very entertaining.

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Nevertheless, Boyle provides nuanced descriptions of the strengths and weaknesses of their opposing perspectives, leaving the reader to wrestle with the moral ambiguities of their arguments. From reintroducing the correct species of eagles to efforts restoring the island's endangered fox and eagle populations, the story offers more than a glimpse of the ongoing public debate of restoring the islands to their "natural" state. Using a series of dramatic confrontations, the reader will discover that the issues are increasingly more complex and ethically challenging.



**Gabriele Mezger-Lashly** is a State Bar certified specialist in appellate law. She handles law and motion and appeals for Slaughter & Reagan LLP in Ventura.



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*Continued from page 11*

section 1208 requirements when giving notice on a matter with a pour-over will.

**Bond for Out-of-State Personal Representative**

The court WILL require bond for an out-of-state representative, so please prepare and petition accordingly.

**Proposed Orders**

Please lodge a proposed order with the clerk at the time of filing your petition, whenever possible. The court's "J6" email address, which is monitored by the Judge himself, should only be used when the judge specifically directs you to do so.

Unfortunately, we are not able to cover everything discussed at Judge Reiser's presentation, but this represents a good portion of it. In particular, I am leaving out the details of the Judge's new method of dealing with "difficult" parties (hint – it involves a voodoo doll). His speech was filled with good information and we certainly hope you will join us next year for his annual State of the Probate Court address.



*Amber Rodriguez is the current chair of the executive committee for the Estate Planning and Probate Section of the Ventura County Bar Association. Her practice focuses on probate and*

*trust litigation and administration, conservatorships and estate planning. You can reach Amber at arodriguez@estateattorneycalifornia.com.*



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## NOTORIOUS PEN PALS, CORRUPTION AND 40 YEARS OF COPS AND COURTS

By Kate Neiswender

The first time you meet author Mary Neiswender she's in jail, face-to-face with Charlie Manson:

"I remember the first time I saw him smile: 'So you're Mary.'  
I smiled back: 'So you're Charlie.'"

So begins "Assassins... Serial Killers... Corrupt Cops," the memoir of the woman who spent 40 years covering the LA waterfront, politics and "cops and courts" for the *Long Beach Press-Telegram*, then part of the Knight-Ridder chain of newspapers. In the 1970s and 1980s, Mary Neiswender was perhaps the number-one name in investigative journalism in California, winning every award that could be garnered. She was given commendations from the Los Angeles County Board of Supervisors and the City of Los Angeles, the State Legislature, the Criminal Courts Bar Association, Sigma Delta Chi (the journalism fraternity), plus investigative reporting and writing awards from the Associated Press, United Press International, the Los Angeles Press Club and many more. Twice, she was nominated for the Pulitzer Prize.

Her memoir has just been published and is available on Amazon.com and on Kindle. She reveals her private conversations with Charlie Manson, who would talk to no other reporter during the Tate-LaBianca trial. She still talks with him, and some of his handwritten letters are included in the book. LA's Freeway Killer, Bill Bonin, gave her his written confession to 22 torture-murders of young boys. He was convicted of only 14 of those murders.

Mary Neiswender had a knack for getting people to open up. It wasn't just serial killers who confessed to her. She helped break the story of Ron Settles, the rising young football star murdered in a Signal Hill jail cell, and worked closely with Johnny Cochran in revealing the truth of what happened in Signal Hill. She was harassed by the Las Vegas mob after a series of stories on corruption in Long Beach that linked back to Las Vegas, with a bullet coming through the back window of her home in Rolling Hills.

She interviewed politicians, killers, police officers, and victims with the same charm.

In the very conservative and male-dominated world of newspapers in the 1940s and 1950s, she was the odd one. Tramping through the Port of LA in a skirt and high heels, she wrote about corruption, gang rapes, back room deals and learned how to swear in six languages. At that point in history, her female contemporaries were writing about recipes; she was meeting FBI agents at midnight on dark street corners, to make sure no one would know who her sources were.

This book takes you into a world that has all but disappeared: the world where a reporter could make a difference, when good looks and hairspray had nothing to do with whether you were hired in media. Mary traces the downward spiral of that world while giving you the dirt on her most


famous cases, and her most notorious pen pals, including Charlie Manson. This is a great read, fast-paced and fascinating. Mary Neiswender, "Assassins... Serial Killers... Corrupt Cops: Chasing the News in a Skirt and High Heels." \$17.95 at Amazon.com; \$9.99 on Kindle.



*Kate Neiswender has a land use and litigation practice in Ventura. She grew up answering the phone for her mother when Charlie Manson and other serial killers called the house from jail, which happened often.*

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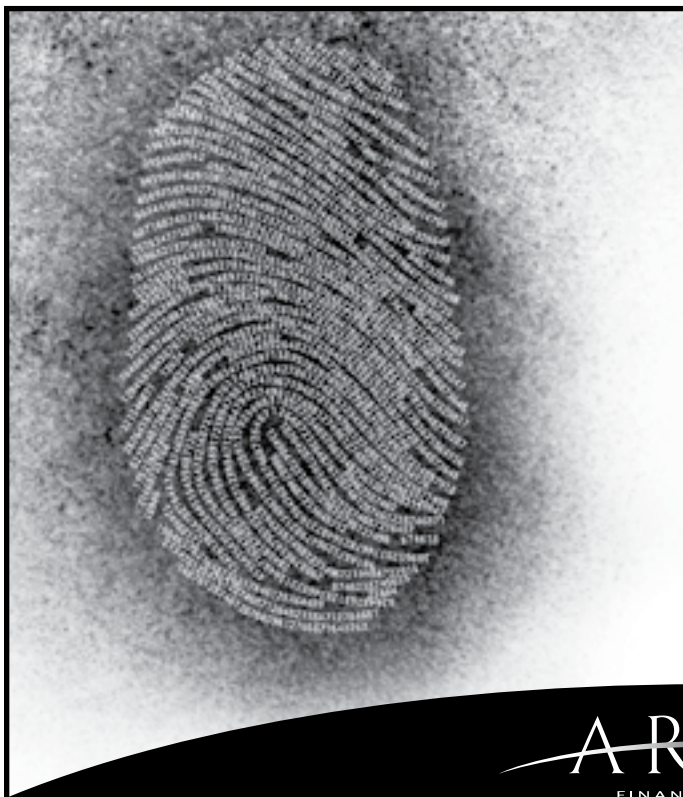
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Paris, March 18th

I just knew I would miss some of the *Super Lawyers* out there. Each year, a Thomson Reuters business identifies thousands of outstanding lawyers in very small print and not by jurisdiction, but by area of practice. So my annual mea culpa to more than 30 Ventura County Super Lawyers, including prez-elect of the bar, **Joel Mark**, for leaving out their names. Word has it I may be able to keep my job. Don't think I'll attempt the list next year. Well done people!...Montana's chief federal judge admitted March 1 that he forwarded an email comparing African-Americans to dogs and implying that President Barack Obama's mother had sex with animals. Richard Cebull's email, obtained by the *Great Falls Tribune*, read: "Normally I don't send or forward a lot of these, but even by my standards, it was a bit touching. I want all of my friends to feel what I felt when I read this. Hope it touches your heart like it did mine." A so-called joke then follows: [we are not going to repeat it hear.] Judge Cebull maintained he did not send the emails because it was racist, but because it was "anti-Obama"...Australia? **Dan Higson** at [higsonatty@aol.com](mailto:higsonatty@aol.com) or 642.6405 and **Katie Hause** at [katie.hause@baslawoffice.com](mailto:katie.hause@baslawoffice.com) or 525.7104...

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

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

There was a really excellent profile of **Judge Ryan Wright** in *The Daily Journal* March 12, check it out at [www.dailyjournal.com](http://www.dailyjournal.com)... The Barristers' Annual Darts Night held March 2 at Garman's in Santa Paula brought in 40 throwing arms and \$320 for the vlsp, inc. Thanks **Amy Dilbeck** for leading the charge and congrats **John Dixon** for bring home the First Place hardware and **Katie Hause** Runner-up!...A lawyer participating in suits against fourteen law schools has more ambitious plans in his quest to improve reporting of employment rates for graduates. New York lawyer David Anziska announced plans to sue 20 more schools. He hopes there will be more. "I truly believe that at the end of this process nearly every law school in the country will be sued." Two of the targeted law schools – Pepperdine and American University – are ranked among the top 50 by *U.S. News and World Report*. The average debt load for graduates of the 20 targeted schools is \$115,000... Santa Clara Valley Legal Aid's attorney **Kimberly Shean** was recognized by the Ventura County Board of Supervisors for all her good works for the county, including establishing the drug court. She was honored in 2008 with the State Bar President's Award for Pro Bono Service for her efforts with Santa Clara Valley Legal Aid...Costa Rica? **David Shain** at 659.6800 or [dshain@fcoplaw.com](mailto:dshain@fcoplaw.com)...

New admittee **Stephen Wood** has gone solo and may be reached at 202.9444 or [Stephen@swoodlaw.com](mailto:Stephen@swoodlaw.com). He does Estate Planning & Probate – [www.swoodlaw.com](http://www.swoodlaw.com)...Watch your peas and Qs!!! – The State Bar is peeved and heads are going to roll. Of the 65,000 lawyers who are eligible for MCLE audit during the last reporting period, the State Bar did indeed audit 1 percent, or 650. Of those 650, 95 were not altogether truthful about their reporting and fifteen are headed to the discipline machine. This has the Board of Governors fuming and we can expect more audits in the future, on-going warnings, and an increase of the number of CLE units back to 36, with plans for 45 or even 60. Keep your records on-hand and accurate...The proposed revisions to local court rules and revised forms for the Ventura County Superior Court are available for your consideration and recommendations. Go to the court's website at [www.ventura.courts.ca.gov](http://www.ventura.courts.ca.gov) and go to "What's

New." Comments by April 27. Victoria Borjesson is in charge at 654.2965...

VCBA/VLSP, Inc. Emeritus Attorneys do lots more than volunteer for us. **Fred Tschopp** recently completed 28 hours and received his Certificate of Completion for Mediation Training from VCDS in cooperation with CSU Channel Islands. EA **Carolyn Tulberg** assists the "Spirit of Santa Paula" in providing services to the homeless and is responsible for assuring that the winter warming shelter has food and supplies. Carolyn is also a docent at the Santa Paula Art Museum. Not to be outdone, EA **Pauline Zebker** has been volunteering hundreds of hours for the past fifteen years as a docent at Community Memorial Hospital Auxiliary. The Auxiliary raised \$105,000 this past year, which it gave to CMH to go towards the new hospital... **Jasmeen Ubhi** is going to resuscitate the Solo Section and would like a small core group to assist in their efforts. Please contact Jasmeen Ubhi at 813.8043 or [jubhi.esq@gmail.com](mailto:jubhi.esq@gmail.com)... In that same vein, **Matt Bromund** wants to start an Immigration Section, so if you'd like to help him, do so by contacting him at 650.1100 or [mbromund@bromundlaw.com](mailto:mbromund@bromundlaw.com)...

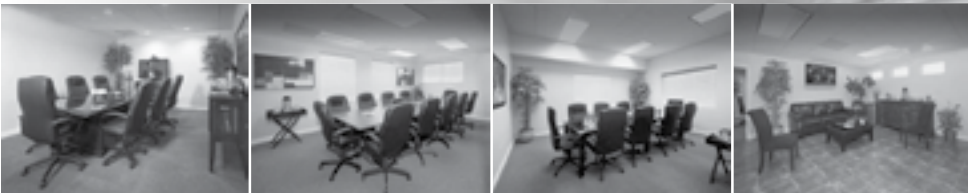
CITATIONS Editorial Board **Greg May** member is doing a story about lawyers who participate in extreme sports – yacht racing not included. He's looking for attorneys to interview, so contact him at [gmay@joneslester.com](mailto:gmay@joneslester.com) or 604.2655...On Feb. 23, **James McDermott** appeared on CNBC's program "Filthy Rich"...Talented pal of mine with a JD but no license is desperately in need of employment. Any kind of work as she is \$1,600 from being homeless as she cannot afford to pay the State Bar fee to retake the bar exam. She comes with fine references including two judges and a DDA. Call me at 650.2544 and thanks in advance.

*Steve Henderson has been the executive director and chief executive office of the bar association and affiliated bar organizations since November 1990. He correctly identified all Final Four teams and the eventual champion. He will be visiting his college roommate, Jeremy Lin in NYC April 27-30. Henderson may be reached at [steve@vcba.org](mailto:steve@vcba.org), FB, Twitter at [stevehendo1](https://twitter.com/stevehendo1) or [vcba1](https://www.facebook.com/vcba1), or better yet, 650.7599.*

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