

Need  
Referrals?

Call Rosie at  
LRIS today!  
at **(805) 650-7599**

# CITATIONS

M A Y - T W O T H O U S A N D E I G H T E E N



## COMMISSIONER BAELLY: THE LONG AND UNEXPECTED JOURNEY TO VENTURA COUNTY

*by Rachel Coleman*

*Page 10*

P. MARK KIRWIN  
WILLIAM M. GREWE  
  
JACKIE GARDINA  
  
JAMES E. PROSSER  
KEVIN J. HEIMBERG  
  
STEVE HENDERSON

<b>PRESIDENT'S MESSAGE</b>	<b>3</b>
<b>THE TOP HAT MURDER LAUNCHES DNA EVIDENCE: PART TWO</b>	<b>8</b>
<b>VCTLA ANNUAL JUDGES' NIGHT PHOTOS</b>	<b>11</b>
<b>REINVENTING LEGAL EDUCATION</b>	<b>14</b>
<b>COMINGS AND GOINGS</b>	<b>15</b>
<b>INNS OF COURT: JUDICIAL CANDIDATES FORUM</b>	<b>16</b>
<b>BARRISTERS CORNER</b>	<b>19</b>
<b>CLASSIFIEDS</b>	<b>21</b>
<b>EXEC'S DOT...DOT...DOT...</b>	<b>22</b>

ARTICLES CAN BE VIEWED ONLINE AT [WWW.VCBA.ORG](http://WWW.VCBA.ORG)



# CREATIVE DISPUTE RESOLUTION



**HAVE JOINED FORCES**

**Hon. David W. Long**  
Judge of the Superior Court County of  
Ventura, Ret.  
[Judgelong@cdrmediation.com](mailto:Judgelong@cdrmediation.com)

**CONTINUING THE EXPANSION AND TRADITION  
OF EXCELLENCE IN MEDIATION & ARBITRATION**  
*ESTABLISHED IN 1986 BY PAUL D. FRITZ, ESQ. (1941-2011)*

**David M. Karen, Esq.**  
32-year Trial Attorney and  
Pepperdine Trained Mediator  
[dk@cdrmediation.com](mailto:dk@cdrmediation.com)

## MEDIATION OF ALL CIVIL DISPUTES

- \*Business Litigation
- \*Personal Injury
- \*Professional Negligence
- \*Employment
- \*Probate Litigation
- \*Medical Malpractice

805.498.9494

**CDRMEDIATION.COM**

*Highly Skilled and Effective Mediators*

**HEARD ABOUT OUR INTERNS?!**

***FOLLOW US ON TWITTER! #DKLAWGROUP***



**DK LAW GROUP, LLP—TRIAL AND LITIGATION REFERRALS WELCOMED • 805.498.1212**

**DAVID M. KAREN - MEMBER  
AMERICAN BOARD OF TRIAL ADVOCATES**

[dk@dk4law.com](mailto:dk@dk4law.com)



## PRESIDENT'S MESSAGE

by P. Mark Kirwin

During the Great Recession, I had an office in downtown Ventura. As I would walk down Main Street during lunch or after getting coffee, I was amazed at the sense of unity the remaining small business owners shared with each other as many businesses were closing and it seemed like every other shop was empty. Thankfully, our local gem has revived itself into a thriving, friendly and colorful place to spend an evening enjoying the local restaurants or to just walk Main Street with all its flair. I wanted to find out more about our downtown, so I asked my friend, local restaurant owner J. R., to share his insight on what makes our downtown unique. J. R. meets regularly with other downtown business owners. Here is what he said.

### **Downtown Ventura: As vibrant as YOU make it!**

From Definitions.net: *Downtown (n) Of or pertaining to a city's core or central business district, often in a geographical, commercial, or communal sense.* I would add the **soul** of a city. We are very fortunate to live in a city that not only possesses incredible physical beauty but is the right size to maintain a cultural hub. If you think about it, larger cities break up into more neighborhoods, each with its own core. Smaller cities frequently lack the population base to sustain commercial viability. It is really those towns from around 75K to 125K in population that are in the sweet spot. And we have the added bonus of having a downtown right next to the beach! Whether it is the arts, dining and entertainment, shopping or outdoor activity, your downtown has you covered.

Dubbed "New Art City" in the middle of the last decade, Ventura has not disappointed. From the Bell Arts Factory, to the WAV (Working Artists Ventura), to the fifteen-times Ovation Awards winner Rubicon Theater Company, all medias are well represented. The annual Artwalk Ventura, held in October, draws thousands. There are over a dozen galleries

in downtown alone, including Latitudes Fine Art, BuenaVentura Gallery, and Art City Studios. In addition, many retail locations like Fox Fine Jewelry feature local art shows on a regular basis. First Fridays is an ongoing event held, appropriately, on the first Friday of each month, where most galleries stay open until nine p.m. and feature a variety of special entertainment to complement the collectible artworks on display. If you like to mix your art with a little nosing, check out Arts & Eats, ongoing, six times a year.

The music scene is truly amazing for a city our size. From jazz to folk, rock and blues to country, rap, to standards, there is music playing virtually every night for all tastes. The best first stop is VenturaRocks.com. There you will find a daily and weekly listing of all music venues within the city. Try VinTura Tasting Room & Wine Rack for a little acoustic singer-songwriter music while sipping one of their Wine Wars. Grapes & Hops features likely the widest variety of musical styles, while the Star Lounge is your spot for some good ol' classic rock. The Hong Kong Inn is Ventura's home for the blues, with weekly appearances from the Gypsy Blues Band on Thursdays and great touring acts on the weekends. In addition to nightly events, the Roadshow Revival, Ventura Music Festival and the Boots & Brews Country Music Festival are can't-miss annual events.

The culinary choices downtown are truly limitless. Okay, I haven't found Ethiopian yet, but just about everything else. Of course, this is southern California so there is no shortage of Mexican restaurants. From the street tacos at El Rey, to the little-known gourmet delights at Maria Bonita, the options run the gamut. Thai food is also well represented downtown, but for something truly unique, try Himalaya at the corner of Main St. and Ventura Avenue. They have some of the best Tibetan and Nepalese food, well, below 14,000 feet! Rumfish y Vino has brought a decidedly Central American seafood

cuisine to town, while Capriccio, and Café Fiore have the Italian angle covered. You can't be a world-class surf town without a good seafood restaurant, and Lure delivers from fresh oysters, to a nice swordfish steak. Steak? Did someone say steak? For over 20 years now, Winchesters has been satisfying the carnivore appetite with a selection of prime steaks, wild game and juicy burgers, all washed down with a selection of 41 craft beers on tap. Having earned their reputation as Ventura's original craft ale house, their patio is **the** place to witness all the goings on of Main St. And speaking of beers, in some circles Ventura is being referred to as San Diego North for the number of new breweries opening. Just within a five-block circle downtown, you can go from Topa Topa, to Ventura Coast Brewing, to Anacapa, to Leashless Brewing, without breaking a sweat. And Downtown is not just about beer. Labyrinth Winery, located directly on Main Street, serves up wine by the glass, bottle or even a tasting of everything they have to offer. They even have educational sampling events.

On the shopping front, downtown has everything that is, well, *not* the mall. Unique, funky and eclectic would be the key adjectives here, and what gives each place its charm. Sea Things, B. on Main, and Cherie Amour have the one-of-a-kind gifts you won't see anywhere else. Betty's Belts turns leftover surfboard resin into gorgeous accessories. And Very Ventura has a collection of uniquely local gifts. Every Friday night in May, retailers will be staying open late for "Sidewalk Sale Fridays," with each Friday having its own theme. May 4th is Fiesta Friday, tying into Cinco de Mayo, May 11th is Ladies' Night tying into Mother's Day, the 18th is Pup Crawl, highlighting the many dog-friendly businesses downtown, and the 25th is the summer kick-off party featuring an outdoor movie screen on California Street. Part of this month-long event is a cool raffle. You may take the receipt from

*Continued of page 7*

**2018 VCBA  
BOARD OF DIRECTORS**

**OFFICERS**

*President*

**P. Mark Kirwin**

*President-Elect*

**Douglas K. Goldwater**

*Secretary-Treasurer*

**Kathryn E. Clunien**

*Past President*

**Erik B. Feingold**

*Chief Executive Officer*

**Steve Henderson, CAE**

Marc D. Anderson	Thomas J. Hutchinson
Linda K. Ash	Rod L. Kodman
Katherine Hause Becker	Kata Kim
Charmaine Buehner	Louis H. Kreuzer
Rachel Coleman	Susan L. McCarthy
Margaret J. Coyle	Kymerley E. Peck
Darren J. Goodman	Rabiah A. Rahman
Juan M. Higuera	Jacquelyn D. Ruffin
Joshua S. Hopstone	Jaclyn S. Smith

**CITATIONS EDITORIAL BOARD**

*Co-Managing Editor*

**Wendy C. Lascher**

*Co-Managing Editor*

**Cari Ann Potts**

*Publisher, CEO*

**Steve Henderson**

*Creative*

**J.P. McWaters**

Alice Arnold	Michael L. McQueen
Rachel Coleman	Rabiah A. Rahman
Karen B. Darnall	Lauren E. Sims
Joe Jones	Michael R. Sment
Panda L. Kroll	Kathleen J. Smith
Carol Mack	Al Vargas
Lauren Martinez	

CITATIONS is published monthly by the Ventura County Bar Association. The articles in CITATIONS are the views of the authors, and should not be construed as legal advice. Every situation is different. Consult a lawyer if you need legal advice.

**Submit all advertising, classified and calendar matters to:**

VCBA  
4475 Market St.  
Suite B  
Ventura, CA 93003  
t: 805.650.7599  
f: 805.650.8059  
e: [bar@vcba.org](mailto:bar@vcba.org)  
[www.vcba.org](http://www.vcba.org)

**Submit all editorial matters to:**

CITATIONS  
5425 Everglades St.  
Ventura, CA 93003  
t: 805.644-7188  
f: 805.644-7390  
[capotts@mwjlaw.com](mailto:capotts@mwjlaw.com)



**When it comes to employment law, this is not a good idea:**

Innovative | Experienced | Responsive

LightGabler is pleased to welcome **Maureen M. Home** to our team as **Employment and Appellate Counsel**. Her groundbreaking appellate work on behalf of employers and businesses includes:



- **Espejo v. Southern California Medical Group**, establishing employer’s burden of proof when moving to compel arbitration.
- **Blumhorst v. Jewish Family Services of Los Angeles**, dismissing equal protection challenge to battered women’s shelters by male plaintiff for lack of standing.
- **Spaziano v. Lucky Stores**, concluding leave policy that distinguished work-related disabilities did not violate the FEHA.

**LightGabler**  
*We Make Business Work®*

**EMPLOYMENT COUNSEL & LITIGATION | INTELLECTUAL PROPERTY**

Camarillo 805.248.7208 | San Luis Obispo 805.783.2300 | [LightGablerLaw.com](http://LightGablerLaw.com)



## BONGIOVI MEDIATION

Mediating Solutions since 1998

Mediator • Arbitrator • Discovery Referee

*“There is no better  
ambassador for the  
value of mediation than  
Henry Bongiovi.”*



HENRY J. BONGIOVI

AV Preeminent Rating  
(5 out of 5)

AVVO Rated ‘Superb’  
(10 out of 10)

Conducting Mediations  
throughout California

805.564.2115

[www.henrybongiovi.com](http://www.henrybongiovi.com)

## Hot Writs & Cool Appeals



### Herb Fox, Esq.

Certified Appellate  
Law Specialist\*

Appeals and Writs

Post-Trial and  
Anti-SLAPP Motions

Appellate Opinion Letters

Trial & Post-Trial Consultations

805.899.4777

[hfox@foxappeals.com](mailto:hfox@foxappeals.com)

[www.foxappeals.com](http://www.foxappeals.com)

Eighteen Published Opinions

Southern California Appellate Superlawyer®

AV® Rated / AVVO® Rating 10

Hourly, Flat and Contingency Fees Considered

\*Board of Legal Specialization, Cal. State Bar



## CISLO & THOMAS LLP®

Patent, Copyright and Trademark  
Litigation Attorneys at Law



Super Lawyers  
2018

Successfully Won or Settled 98% of Our Cases

“We have the best Intellectual Property  
Attorneys in Southern California,  
who litigate and protect IP.”

Daniel M. Cislo, Esq.  
Managing Partner

Serving Businesses in California Since 1979

With Office Locations in  
West Los Angeles/Santa Monica, Westlake Village,  
Santa Barbara, Pasadena and San Diego

[www.cisloandthomas.com](http://www.cisloandthomas.com) | (805) 496-1164

## BAR LEADERSHIP

### ADR SECTION

David Karen 498-1212

### ANIMAL LAW

Katherine Hause Becker 525-7104

### ASIAN BAR

*Vacant*

### BANKRUPTCY

Michael Sment 654-0311

### BARRISTERS

Lauren Sims 659-6800

### BENCH-BAR RELATIONS COMMITTEE

Hon. Matt Guasco 256-4972

### BLACK ATTORNEYS ASSOCIATION

Jacquelyn Ruffin 644-7188

### BUSINESS LITIGATION SECTION

Erik Feingold 644-7188

Rabiah Rahman 641-6600

### CITATIONS

Wendy Lascher 659-6800

Cari Potts 644-7188

### CLIENT RELATIONS

Dean Hazard 988-9886

### COURT TOUR PROGRAM

Thomas Hinkle 656-4223

### CPA LAW SOCIETY

Lauren Rad 659-6800

### DIVERSITY BAR ASSOCIATION

Ed Elrod 644-4486

### EAST COUNTY BAR

Doug Bordner 496-0111

### EMPLOYMENT LAW

Joe Herbert 482-5340

### FAMILY LAW BAR

Marcie Kraft 888-446-4478

### IMMIGRATION LAW

Matt Bromund 650-1100

### INTELLECTUAL PROPERTY

Chris Balzan 658-1945

### J.H.B. INN OF COURT

Kathryn Clunen 497-7474

### JUDICIAL EVALUATION COMMITTEE

Linda Ash 654-2580

### LAW LIBRARY COMMITTEE

Eileen Walker 444-6308

### LGBT ALLIANCE

Ed Elrod 644-4486

### MEXICAN AMERICAN BAR ASSOCIATION

Rennee Dehesa 525-7104

### NATURAL RESOURCES SECTION

Kate Neiswender 649-5575

### PROBATE & ESTATE PLANNING SECTION

Amber Rodriguez 643-4200

### VCLA, INC.

Cesar A. Libanati 650-7599

Managing Attorney

### VC TRIAL LAWYERS ASSOCIATION

Marc Anderson 988-5833

### VC WOMEN LAWYERS

Sasha Collins 482-3658

### VCBA STAFF

650-7599

Steve Henderson - Chief Executive Officer

Sandra Rubio - Associate Executive Director

Rosie Cisneros - Member Relations

Brenda Bodie - CTP Coordinator

Cesar Libanati - VCLA, Inc. Managing Attorney

## EMPLOYMENT MEDIATOR

- ✓ 38 years litigating employment cases, representing plaintiffs and defendants in the public and private sectors
- ✓ Mediating cases since 2002
- ✓ Past President Ventura County Bar Association
- ✓ AV Rated
- ✓ Reasonable Fees and Conference Room on Site



**ANTHONY R. STRAUSS, Esq.**



121 North Fir Street, Suite "F"  
Ventura, CA 93001

(805) 641-9992

ars@strausslawgroup.com

www.strausslawgroup.com

*"I have practiced employment law my entire career. I use this experience to settle complicated employment law disputes."*  
- Anthony Strauss

Your Real Estate Advisor

## TEAM DEMBOWSKI

Bankruptcy Sales • Court-Ordered Sales • Divorce Sales  
Investment Properties • Probate Sales • Trust Sales

Ellyn Dembowski is a graduate of the Pepperdine Mediation Program with more than 27 years of experience in mediation.

**VALUATIONS PROVIDED WITHIN 48 HOURS**



**ELLYN DEMBOWSKI**

Luxury Property Specialist

805.320.1206

team@teamdembowski.com

CalBRE: 01441424



**BERKSHIRE HATHAWAY**  
HomeServices  
California Properties

**LIVING TRUST & ESTATE PLANNING**

**KEVIN G. STAKER**  
**805-482-1000**

*When Emotions Get In The Way of Resolution*

TRUST AND PROBATE MEDIATION  
kevin-staker-mediation.com

**MEDIATION SERVICES**

**R.A. Carrington, Esq. and Victoria Lindenauer, Esq.**

Mr. Carrington and Ms. Lindenauer have conducted over 3,000 mediations, 300 arbitrations and have been discovery referees in multiple complex matters. Mr. Carrington (ABOTA Member) has been a full-time mediator since 1999 and Ms. Lindenauer has been mediating since 2011. Their professional association as of 2017 reflects their jointly held commitment to the values of tenacity, creativity, and the highest ethical standards applied to the resolution of every dispute.

*Serving Los Angeles, Orange, Ventura, Santa Barbara, San Luis Obispo, and Kern Counties*

**Contact R.A.:** (805) 565-1487  
ratic@cox.net

**Contact Victoria:** (805) 730-1959  
lindenauer\_mediation@cox.net

[www.californianeutrals.org/ra-carrington](http://www.californianeutrals.org/ra-carrington)  
[www.lindenauermediation.com](http://www.lindenauermediation.com)

PRESIDENT'S MESSAGE

*Continued from page 3*

**any** downtown business from any Friday in the month down to Cibara Salon at 418 E. Main St. and get one raffle ticket for each \$25 spent. There will be weekly drawings for cool downtown merchandise and gift certificates, and a grand prize of a \$300 Cruiser bike! Just for supporting your downtown!

Other happenings around downtown include the Pier Sunset Dinner on May 4, followed the next day by the 21st annual Pooch Parade at Promenade Park. Of course, the big July 4 street fair is always one of the highlights of summer, but the Taco & Tequila Festival later in July, the California Beer Festival in September, Pier Under the Stars and the Seaside Highland Games in October, and the Winter Wine Walk at the start of December, are all great events.

There is one additional common thread that runs through all of this aside from geography. Every business listed here is owned by someone who lives here in the community. Every event mentioned is produced locally. These are all your neighbors. In the wake of the Thomas Fire and recovery, having spoken to many other business owners, when asked what help could be offered, the answer was unanimous. Tell the world we are open and ready to serve! Dollars spent locally have a much greater impact on the local economy. Totally LocalVC has done some great research on this topic. Now more than ever, your downtown needs you!

So how about a trip to downtown Ventura if you have not been there in a while. You may be surprised at what you find!

*Mark Kirwin, 2018 Ventura County Bar President, is a civil litigator at Kirwin & Francis, LLP, and is Director of the Kirwin International Relief Foundation. He wants to Thank his friend J. R.*

## VCBA History Project

**PART 2: VENTURA'S 1988 TOP HAT MURDER LAUNCHES DNA EVIDENCE**

## DNA used for the first time in U.S., to convict AND exonerate

by Bill Grewe

*In the April 2018 issue of CITATIONS, Bill Grewe told the story of the Top Hat murder to set the stage for this month's description of how the case led to development of a new category of evidence in criminal trials.*

"Carol had no template," retired Appellate Court **Justice Steven J. Stone** would remark years later.

In 1988, if anyone knew the first thing about DNA, they referred to it as "DNA fingerprinting," as if to suggest an answer to a follow-up question. Almost universally, no one knew its possible application. Selby could not find a record of DNA used to support a conviction in a murder case. A current search reveals two late-1980s paternity suits on the East Coast in which DNA was used, but that was the extent, nationally.

**Deputy District Attorney Carol Selby** and investigator Richard Haas looked for answers about DNA evidence beyond California's borders. Haas researched possible labs and settled on one that showed the most promise. Selby and Haas traveled to Cellmark Diagnostics in Maryland to observe the testing process/stages and get educated on the science. The testing was slow and methodical, but they needed to get their bearings. They were confident Cellmark, which had very tight internal controls, could maintain the integrity of the evidence and establish the competency of its results. The theoretical challenge of applying the test results in the context of population statistics was in its infancy in the late 1980s.

Selby had to first determine for herself what evidence would have to be introduced to make a correct and complete record. It had not been done. Even Cellmark was not in the business of working with criminal evidence and so had no map. It had no experience in this context; its customers were in the medical field. Selby changed that. After her

visit, Cellmark had a constant backlog of evidence waiting to be tested.

Selby knew that, for the DNA evidence to be admitted, she would first have to teach others why it was reliable and accepted in the scientific community. For that, they would need experts. She and Haas asked Cellmark for the treatises the company relied upon. With those, they turned to the authors, and Selby began making phone calls. She would assemble a team of DNA all-stars, including biochemist and molecular biologist Richard J. Roberts, who would go on to receive a 1992 Nobel Prize for his work with DNA, and Yale Professor Dr. Kenneth Kidd, a world authority on Human Genome Diversity and one of three founders of the Human Genome Project. On rebuttal, Selby would strengthen her team with Population geneticist Lisa Forman, who was affiliated with Cellmark.

The defense attorney was **Jim Farley**, who passed away in 2015. A quick study, Farley realized that if DNA evidence were admitted, the case was lost. Farley retained four experts who would testify that DNA evidence was unreliable, not generally accepted by the scientific community, and that the size of the database utilized by Cellmark was inappropriate for the purpose of determining sound statistical probabilities. The latter was the soft underbelly of DNA evidence at the time and Farley went after it. Defense experts also opined that Cellmark had not followed its own protocols in its Top Hat work.

Well put. This was 30 years ago. Extrapolating from a few pieces of hair collected at a murder scene, and using blood samples randomly chosen from a Los Angeles blood bank to represent a large part of the world's population seemed like an overreach to prove guilt beyond a reasonable doubt in the absence of eyewitness testimony. Was this a prosecutorial shortcut when the government was lacking conventional evidence? Could the court

dismiss the defense evidence that the population database should at least 5,000 to 10,000? If **Judge Lawrence Storch** were to admit DNA evidence, he would first have to discard each possible counterpoint.

The two sides shook out the science in a Section 402 (admissibility of evidence) hearing applying the *Kelly-Frye* test would be applied. The hearing lasted six months and included six prosecution and five defense experts. It took a special judge to preside over this undertaking. Storch, whom Selby described as "almost sphinxlike," was able to "take it all in." "He read everything." Storch's patience could not be tested because he had no other gear. He loved the science. He loved learning. As he absorbed everything, Storch built a record. If he was going to admit DNA evidence, each doubt would be addressed and each hurdle cleared.

Selby was able to convince two of her most knowledgeable witnesses to travel to Ventura County to testify. Quite an achievement as these two scientists were sought-after around the world. When it was time for cross-examination, Farley made a strategic move. He said he needed time to prepare his cross-examination. He would need the witnesses to return. Everyone knew that was not going to happen. Storch, as serious as ever, said, "I have a solution for that." He said that if the witnesses could not come to the court, the court would come to them. The attorneys and the reporter traveled to Cold Springs Harbor, New York and Yale University, where cross-examinations were conducted with all objections reserved.

At the conclusion of the pretrial hearing, Storch issued an unprecedented ruling: DNA evidence would be admissible in the Top Hat murder case.

The science was not finished. DNA giveth and it taketh away. There was still the issue of the only eyewitness having identified the killer as male and evidence that an



identified male transient was in the vicinity of the Top Hat at the time of the killing. Selby wanted to introduce evidence that Chris C. did not commit the murder. She would do so by introducing evidence that his DNA did not match that of the evidence found within the Top Hat or on the victim's clothing. The only problem was no one could find Chris C.

The prosecutor got the word out on the street that the government wanted to find Chris so that he could be cleared as a matter of law. The prosecutor wanted a sample of his blood. After a time, a call came in from the Bay Area. It was Chris. It was explained that the District Attorney knew he was innocent and wanted a blood sample to prove it to everyone else. Chris complied. DNA cleared him.

Storch recognized, and acknowledged on the record, that the scientific community did not unanimously embrace DNA testing. Storch, though, said that was not the standard for the admissibility of evidence. The standard was whether or not the procedures used are generally accepted by the scientific community. They were.

At the conclusion of the bench trial, Storch ruled that defendant Axell was guilty of murder and attempted robbery. Storch said he relied on the DNA evidence to convict. Without it, he said, there was not proof beyond a reasonable doubt.

The Top Hat Murder case was the first in which a prosecutor proved, with DNA evidence, that science supported the conclusion that bodily evidence found at a murder scene was unquestionably that of the accused. In terms understood by laypersons, the margin of error, scientifically, was quantified as "six-billion to one." At the time, the science supporting such an opinion was astonishing but rational. Even assuming a margin of error of one in only two billion, the trial court found

it persuasive that, regardless, the possibility of a false match or positive was zero. (*People v. Axell* (1991) 235 Cal.App.3d 836.)

It was a game changer. Selby had proven her case without risk of human error in observation or in weighing evidence. Personal experience and biases were avoided. DNA had lit up the courtroom and there was no putting the light out. You could not argue with its truth. However, Selby, instinctively, even at this early stage, realized where DNA was vulnerable. A prosecutor must be able to prove where the evidence came from. If the source and thus the integrity of the DNA evidence is compromised, at any time, you don't get to the science. From George White's fist to the Cellmark lab and along the testing chain, Selby could prove the integrity of the hair evidence.

*"I am convinced that it will not be long before the whole world acknowledges the results of my work."* Gregor Mendel 1822-1884.

Before the court's stamp had imprinted Judge Storch's findings, the expert testimony elicited by Selby was being used by California Attorney General John Van de Kamp and Los Angeles County District Attorney Ira Reiner.

There was no question the conviction would be appealed. In 1991, the Court of Appeal published its decision. The author, Stone, more than welcomed the opportunity to review the case. He had been pre-med at Berkeley and attended medical school for one year before pursuing law. He was steeped in biology. The subject of DNA was of personal interest. Grounded in medicine and law, Stone spent more time on the opinion in this case than on any other in his seventeen years on the appellate bench. It shows. It reads as if traced with a scalpel.

Stone said his job was made easy by Storch's work. Storch made an excellent record on DNA, he said. Stone felt that prosecutor Selby was ahead of her time. A pioneer. There was nothing guiding her on how to present this case, Stone said. Selby created the process.

Stone loved diving into his task. He was unrestrained. There was no precedent on the subject. "It was decision-free." Uncharted. Selby showed how it was to be done. Storch made a strong and good record. Stone followed the evidentiary path and made sure each step was addressed and documented. It is all there in his 1991 opinion. When it was published, Selby immediately recognized its reach beyond her case. "The people who should be jumping up and down are the innocent, who are going to run the risk of being misidentified," she said. *Los Angeles Times*, Oct. 30, 1991.

The unanimous opinion could not have been tighter. On Jan. 30, 1992, the California Supreme Court acknowledged as much when it denied review.

Selby not only changed how serious felonies are tried, she changed how they are investigated. Selby first convinced herself that DNA could be relied upon to prove guilt beyond a reasonable doubt. From Selby's work forward, the science of DNA is unquestioned in the courtroom and the life of a good man, George Emery White, honored by her effort.



*Bill Grewe is an attorney at Rose, Klein & Marias.*

# COMMISSIONER BAELLY: THE LONG AND UNEXPECTED JOURNEY TO VENTURA COUNTY

by Rachel Coleman

On Dec. 4, **Paul Baelly**, the first Korean-American on the bench of the Ventura County Superior Court, served his first day as Commissioner. For those of you who don't know him, since 2006, Baelly has worked as a Deputy Public Defender in the Ventura County Superior Court. Before that, he worked in the same position with the Kern County Public Defender's office for about ten months. Right after graduating law school at University of San Diego, he took a position with the law firm of Stephen Von Till & Associates. Baelly also attended U.C. Berkeley, where he received his undergraduate degree in political science.

Baelly reported that until he came to Ventura for a job interview at the Public Defender's office, he never set foot in Ventura County. He fell in love with the county and finds it to be a great place to live and work.

During his time with the Ventura County Public Defender's office, Baelly worked on all types of misdemeanor and felony matters. As a Deputy Public Defender, he was assigned to trial rotation, arraignments and also to handling the day to day calendar in various courtrooms. He spent two and a half years on assignment at the Juvenile Justice Center, handling all types of juvenile criminal matters as well as mental health court. In 2012, Baelly received an award for his work with juveniles from the Juvenile Justice and Delinquency Prevention Commission, a volunteer board that hands out awards to public agency employees for outstanding service. Baelly worked with Recovery Classroom, a court-ordered classroom that included alcohol and drug treatment for juveniles. The award also included recognition for his work with behavior health services. Baelly noted that out of all the assignments with the Public Defender's office, he enjoyed the mental health and juvenile assignments the most.

Baelly's journey to Ventura was a long one. He was born in Korea and came to the United States when he was just one year old. His parents did not have any money when they arrived. To care for Baelly and his older

brother, his mom worked long hours as a seamstress in a sweatshop in Los Angeles. His dad worked various jobs, including as a janitor and at a gas station. His mom and dad saved up every penny they earned and opened four different businesses over the years in Redlands, California. Baelly worked every weekend and all summer in his parents' businesses. He started working at his parents' liquor store when he was just thirteen. Baelly related that his mother still owns and runs the liquor store to this day. Baelly's father remains a big influence in his life, despite passing away in 2006. His father encouraged him to go to law school and always impressed upon Baelly that if he worked hard, he could achieve anything. Baelly lamented that his father did not get to see him practicing as an attorney or being selected as a Commissioner. Baelly also stated that his father would be very proud of the fact that he was selected to serve on the Ventura County bench.

Since his father's passing, Baelly spends most of his weekends taking care of his mother in Redlands. In his free time, besides being a sports fan, Baelly really enjoys wine. Not just drinking wine, but collecting it and studying it. He regularly reads books and articles about wine: how it is made, the history of wine, and of course, drinking it. When he was younger, he tasted wine and hated it. Then, he had the opportunity to try Opus One. It was amazing. At that moment, he was hooked. He realized what people were saying about wine: all the subtle nuances and flavors. Baelly noted that the downside to this hobby is that it is expensive, and people sometimes ask him what wine pairs with what meal.

In addition to his hobby as a wine aficionado, Baelly enjoys going to the gym and traveling. Before he travels to a destination, Baelly reports he will often watch travel and cooking shows about the area for ideas of which restaurants to eat at on his travels. He is willing to try any type of cuisine at least once.

During Baelly's journey to his current position as commissioner, he has been asked by newer attorneys what he believes

makes a great attorney. His words of advice are that nothing is more important than your integrity and reputation. You should do your job with honor and dignity, be fair and always treat others with respect no matter what side you represent. I can't imagine better words of advice to follow during one's career as an attorney.

If you want to know what wine to drink with your Cheetos or who won the latest U.C. Berkeley football game, you can find Commissioner Baelly at the Simi Valley Courthouse on Mondays and Tuesdays in Dept. S1, where he handles small claims and traffic trials. Wednesdays through Fridays, he handles adult and juvenile traffic trials, juvenile infraction arraignments, and juvenile low-level arraignments and contests in Dept. J5, the Juvenile Justice Center.



*Rachel Coleman is an associate at David Lehr Law in Ventura, where she handles criminal matters and civil litigation. She is a member of the CITATIONS editorial board.*

**tracycollins**  
LAW OFFICES OF

**ERISA Disability and Life Insurance**

*Representing claimants in the denial of group disability and life insurance claims.*



**Tracy Collins**  
Attorney At Law  
5739 Kanan Road,  
Suite 415  
Agoura Hills, CA 91301  
tracy@tracycollins.com  
**(818) 889-2441**

*Referral fees paid in accordance with Professional Rule of Conduct 2-200.*

# VCTLA Annual Judges' Night

VCTLA presented Judge Tari L. Cody with the 2018 Judge of the Year Award and presented the Honorable Allan L. Steele with the 2017 Portrait.



*Thank you Jose Luis Melgar of Melgar Photo Studio in Santa Paula*



**A**S A SIGNIFICANT BENEFIT TO OUR MEMBERS...THE VENTURA COUNTY BAR ASSOCIATION HAS IDENTIFIED THESE INSURANCE AND FINANCIAL PLANNING PROFESSIONALS TO ACCOMMODATE YOUR INSURANCE NEEDS. THESE BROKERS ARE RECOGNIZED FOR THEIR INTEGRITY, KNOWLEDGE AND EXPERIENCE IN SERVING THE LEGAL COMMUNITY. THEY CAN ASSIST YOU IN THE AREAS OF LIFE, HEALTH, DISABILITY INCOME, LONG-TERM CARE INSURANCE, ANNUITIES AND INVESTMENTS. YOU CAN OBTAIN STATE AND COUNTY BAR PLANS AT DISCOUNTED RATES THROUGH THESE BROKERS.

# Barry A. Cane

**Disability Income Insurance  
Business Overhead Expense**

**(805) 496-5537 Fax: (805) 496-5598**

**240 Lombard St., #100, Thousand Oaks, CA 91360**



**Lic. #0740274**

Registered Representative Park Avenue Securities (PAS), 7 Hanover Square, New York, NY 10004. Securities products and services offered through PAS, 1-888-600-4667, Member FINRA. PAS is an indirect wholly owned subsidiary of The Guardian Life Insurance Company of America. Representative of The Guardian Life Insurance Company of America, New York, NY and other fine insurance companies.

# Michael P. Kenney\*, CLU

**Group and Individual Health Insurance  
Business and Personal Life Insurance**

**(805) 497-7407 Fax: (805) 494-1363**

**[www.kenneyins.com](http://www.kenneyins.com)**



**Lic. # 0688916**

Securities offered through a registered represented of Royal Alliance Associates, Inc., Member FINRA.  
Branch Office: 100 E. Thousand Oaks Blvd., Suite 152, Thousand Oaks, CA 91360 • (805) 496-4600



# LAWYERS' MUTUAL INSURANCE COMPANY . . .

## ***Industry Leading Member Benefits***

**New Simple & Quick Application**

**FREE \$100,000 Cyber Coverage *with policy***

**ONLINE MCLE AVAILABLE ON MOBILE APP**

**Free One-On-One Loss Prevention Hotline**

**Easy Renewal Process**

**Specialty Rates for ADR, Appellate, Criminal,  
Immigration and Insurance Defense Practice**

**Preferred Policyholder Discounts**

**Longevity Credits**

**Dividends\***

**Even more benefits at [LMIC.com](http://LMIC.com)**

# LMIC

LMIC has set exceptional standards for the industry for stability, customer service, continuing education and performance . . . standards by which other legal malpractice providers in California must be measured.

We are proud of those policyholders who see the value of membership in LMIC.

Visit us at: [www.lmic.com](http://www.lmic.com)  
or call **(800) 252-2045**

LAWYERS' MUTUAL INSURANCE COMPANY  
3110 West Empire Avenue, Burbank, CA 91504

***A.M. Best "Excellent"***



\* Dividends are paid at the sole discretion of the Company's Board of Directors and past dividends do not guarantee the payment or amount of future dividends.

# Reinventing Legal Education

by Jackie Gardina

Nearly two years ago, I left a traditional American Bar Association law school to join the Santa Barbara and Ventura Colleges of Law (COL). I wanted to be part of an institution that lived its mission to provide an affordable, accessible, and quality legal education. I wanted to be part of an institution where the sole focus was on improving student outcomes, untethered to rankings. I also wanted to be a part of an institution that embraced innovation.

I made the right decision. In August 2018, COL will become the first accredited law school in California to offer a hybrid J.D. This new program will allow COL to further its mission to open the doors to an affordable, quality legal education to individuals who might otherwise be unable to earn a law degree.

## Next Generation J.D.

For more than 50 years, commentators have criticized legal education and recommended changes to curricular design and pedagogical approach. They echoed a common theme: the need to balance what has been the bedrock of legal education for generations—fundamental legal knowledge and analytical skills—with the practical skills and ethical values necessary to apply theory to practice in law.

Law schools have been slow to adopt wholesale changes. Nearly 90 percent of new law school graduates surveyed say law schools must undergo significant changes to better prepare future attorneys for the changing employment landscape and legal profession. Likewise, 95 percent of hiring partners and associates believe recently graduated law students lack key practical skills at the time of hiring. These findings are consistent with the American Bar Foundation's "After the J.D." study, in which 50 percent of lawyers reported after seven years of practice that law school did not adequately prepare them for practice.

COL wanted to make sure we addressed these deficiencies in our curriculum. To aid our design process, we hosted a "Hack the J.D." weekend with a lofty goal: to design the next generation J.D. program. Participants came from within the COL community as well as legal educators and

thought leaders who traveled across the country to offer their insights. Teams went to work designing their ideal J.D. program built on knowledge, skills, values, and modern design principles.

Every team highlighted the need to weave professional development and skills into the core curriculum, with two teams suggesting that students do "practice rotations." Every team emphasized the need for frequent assessment with a focus on developing mastery rather than simply obtaining a grade. Every team identified the need to ensure the students start the program with a basic foundation in civics, the legal system, and writing skills before moving into substantive legal areas. Every team felt frustrated by the need to "teach to the bar" rather than to practice realities.

## Putting the Doctor back in Juris Doctor

The ideas generated during the Hack the J.D. weekend provided a solid foundation on which to build the hybrid J.D. as well as to improve the student experience in our traditional ground program. We were committed to designing a program that integrated skill development into the core curriculum rather than leaving it to the individual professors or in isolated elective courses. We wanted, as one team put it, "to put the Doctor back in Juris Doctor."

Students in the hybrid J.D. will take the same courses as those in our traditional J.D. program, with 70 percent of the coursework in the "virtual" classroom and 30 percent in a "bricks and mortar" classroom. In the virtual classroom, students will be engaged in discussion, quizzes, and written assignments to ensure that they are understanding the material presented.

Once a month students will travel to campus for an intensive residency component where they will synthesize the material they learned outside of class through in-depth discussions, active problem solving, and collaborative simulations. This model has the added benefit of allowing instructors to incorporate core practice skills directly into the classroom.

In addition, the program will weave legal research and legal writing problems and

assignments directly into at least one course each semester. The program seeks to create an integrated curriculum where students experience how legal writing and legal research, along with other practical skills, connect directly to their other courses.

To create opportunities for more practical skills development, the program incorporates four lawyering skill tracks: Practical Skills, Litigation, Transactional, and Professional Development and Leadership. One weekend per semester is dedicated to exposing students to the skills identified as necessary for new attorneys. Practicing attorneys will develop the courses so that they reflect the realities of practice. After being introduced to basic concepts, students will then have the opportunity to practice the skills presented. Students will be required to take one course in each track so they are exposed to a variety of skills and then they can choose to concentrate in a particular track. Because the lawyering skills tracks will occur on the weekend, they will be available to all COL students.

The program ends with a required capstone course. A capstone is a culminating project or experience that requires review, synthesis, and application of what has been learned over the course of the J.D. program. COL's capstone course will require students to demonstrate that they have mastered the basic knowledge, skills and values necessary for a first-year associate. For example, if a student chose to concentrate in the Lawyering Skills Litigation track, she will spend a semester doing a series of exercises focused on litigation, ending in a mini-trial. Practicing attorneys will assess whether the students have demonstrated the "minimal competence" expected of a new attorney.

## A 21st Century Legal Education

COL also want to modernize legal education. How legal services are delivered is rapidly transforming, and technology is at the center of that transformation. Few law schools offer courses that explore the impact that technology is having on the practice of law. Although new attorneys must navigate everything from document assembly and drafting to E-discovery and courtroom technology (not to mention the

## Comings and Goings

ethics of legal technology), few law school have courses dedicated to these issues and none require students to graduate with core competencies related to them.

COL wants to fill this gap. We intend to infuse the curriculum with the technology of practice. By identifying core technology competencies that every new attorney should have, we can introduce students to the legal technology that is central to today's practice.

In addition to technological literacy, new attorneys also need basic financial literacy. Lawyers in every practice area need to understand the business of law as well as their client's finances. COL wants to expose students to basic accounting, finance, and project management skills, including the software tools, such as Excel, that are widely used.

While no student can leave law school truly "practice ready," COL seeks to provide students a solid foundation on which to build their practice and to be an asset to the legal community and the clients they serve. Through the integrated writing assignments, the infusion of practice technology, the lawyering skills track units, and the capstone course, students will have the opportunity build a solid foundation of necessary skills that will make them immediately valuable to an employer.



**Jackie Gardina** is the Dean of the Santa Barbara and Ventura Colleges of Law. Before taking on this role, she was an Associate Dean and Professor of Law at Vermont Law School and a Visiting

Professor of Law at Santa Clara University, University of Denver, and University of Oregon. After graduating magna cum laude from Boston College of Law School, she clerked for Chief Justice William Young at the United States District Court for the District of Massachusetts and Judge Levin Campbell at the First Circuit Court of Appeals and was an associate at Choate, Hall, and Stewart.



LightGabler has added two attorneys to their employment law firm. **Maureen M. Home** and **Kathleen M. Fellows** began the first week in April.



**Catherine Swysen** is the newest member of the Santa Barbara & Ventura Colleges of Law Board of Trustees. A 1994 graduate of the school's Santa Barbara campus, Swysen joins the 13-member governing body.



### 35th Annual Law Day 5K Saturday, July 14, 2018

**Ventura Community Park**  
(901 South Kimball Rd, Ventura, CA)

8:30 A.M. – 5K RACE; ONE MILE FAMILY FUN RUN AT 9:30 A.M.

GO TO [WWW.RUNSIGNUP.COM](http://WWW.RUNSIGNUP.COM)  
FOR REGISTRATION & INFORMATION

Proceeds Benefit VCBA and Ventura Co. Legal Aid, Inc.

**\$2,000 IN Raffles Prizes!!**  
**CHIP TIMING, GREAT FOOD & MORE!!**

Lead Race Sponsor  
**Lawyers' Mutual Insurance Company**

**LIMITED TO FIRST 500 ENTRIES!!**

REGISTRATION ENTRY FORM (OR ENTER AT [WWW.RUNSIGNUP.COM](http://WWW.RUNSIGNUP.COM))

## ELDER LAW SERVICES

### VETERANS BENEFITS

- VA NON-SERVICE CONNECTED PENSION BENEFITS
- VA Accredited Attorney
  - Custom Designed Eligibility Analysis for Veterans and Surviving Spouses
  - Preparation & Filing of Pension Claims
  - Representation of Claimant during claim process

### MEDI-CAL ELIGIBILITY

- Custom-Crafted Eligibility Analysis & Qualification Plan (Asset Protection)
- Application Preparation & Representation
- Medi-Cal Recovery Claim Avoidance
- Appeals of benefits denial/loss

Services focused on assisting individuals obtain Veterans/Medi-Cal benefits for Long Term Care

THE LAW OFFICE OF CRAIG R. PLOSS

290 MAPLE COURT, SUITE 118, VENTURA, CA 93003  
TEL: (805) 642-8407 FAX: (866) 379-2149 EMAIL: [PLOSS@TDS.NET](mailto:PLOSS@TDS.NET)  
[WWW.ELDERLAWVENTURA.COM](http://WWW.ELDERLAWVENTURA.COM)

## INNS OF COURT Judicial Candidates Forum

Are you interested in who will be on the June 5, 2018 ballot for the two open judicial positions on the Ventura Superior Court? The Jerome H. Berenson American Inns of Court will hold a Judicial Candidates Forum on May 10, 2018, at 7:00 p.m., at the Saticoy Country Club, 4450 Clubhouse Drive, Somis. **Judges Brian J. Back** and **Glen M. Reiser** are retiring at the end of the year. As a result, their positions will be filled by election and not appointment by the Governor.

**Commissioner Anthony Sabo** (Ventura) and attorney **Caleb Donner** (Westlake Village) are the candidates for Judge Back's seat. **Commissioner Derek Malan** (Ventura) and attorney **Michael Magasinn** (Westlake Village) are running for Judge Reiser's seat. All four judicial candidates have confirmed to be at the May 10 forum. The audience will have an opportunity to ask questions.

This forum is part of the regular Inns of Court meeting. There are a limited number of additional seats available for the dinner (\$35) at 6:30 p.m. If you would like to join us for dinner, please contact *Steve@vcba.org*. This program is eligible for 1 unit of MCLE credit.



# Legal Notice Specialists

**Publication of all types of legal advertising:**

**Probate | Summons | DBA  
Trustee Sale | Name Change  
Bulk Sale | Notice of Sale**

**S** The Tri County's Only Multicultural Newspaper **TRI COUNTY  
ENTRY**

*We are adjudicated  
for all cities in Ventura County.*

**(805)983-0015**

451 W. Fifth Street Oxnard, CA 93030  
advertising@tricitysentry.com



[www.TriCountySentry.com](http://www.TriCountySentry.com)

**SOLD!**

**Arial Photography**



**Assisted Client with Complete Clean out**



**SOLD at  
\$350K**  
in 15 days in CASH!

## PROBATE, TRUST & DIVORCE REALTOR

*José and his crew handled our probate sale. It was a can of worms and José handled every aspect of it, giving us reassurance not to worry. He secured the property, tactfully removed the squatters and arranged for every professional. I would definitely recommend José and his team. They are awesome!*

**- Jill Hufford**



**OVER 50 PROBATE AND TRUSTS REPRESENTED**

**MORALES GROUP**  
PROFESSIONALS IN REAL ESTATE

BRE #018g1119

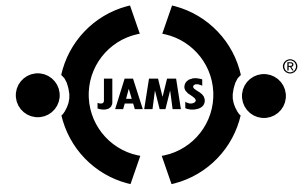


**JOSE LUIZ MORALES**

**OFFICE: 805.228.4671  
CELL: 805.832.2432**

[MRG@MORALESREGROUP.COM](mailto:MRG@MORALESREGROUP.COM) | [WWW.MORALESREGROUP.COM](http://WWW.MORALESREGROUP.COM)





# Neutrals Like No Others

Access to the best mediators and arbitrators practicing today—  
that's the power of difference™ only JAMS delivers.



**Hon. Richard D.  
Aldrich (Ret.)**



**Jeffrey G.  
Benz, Esq.**



**Bruce A.  
Friedman, Esq.**



**Joel M.  
Grossman, Esq.**



**Hon. Melinda A.  
Johnson (Ret.)**




**Barbara A.  
Reeves, Esq.**



**Hon. Steven J.  
Stone (Ret.)**



**Hon. Diane  
Wayne (Ret.)**



**Sometimes numbers are the only prints left behind.**

Arxis Financial is a proven forensic accounting and litigation specialist. We will examine the financial data and help you determine the “bottom line.” Arxis provides financial and valuation analysis needed to resolve a variety of legal disputes from family court to civil, criminal, and probate courts. In many cases our experts can help you reach a settlement. If trial or arbitration is required we give you the support you need to win.


**Chris Hamilton, CPA, CFE, CVA**  
**805.306.7890**  
[www.arxisfinancial.com](http://www.arxisfinancial.com)  
[chamilton@arxisgroup.com](mailto:chamilton@arxisgroup.com)

**ARXIS**  
 FINANCIAL, INC.

FORENSIC ACCOUNTING      BUSINESS VALUATION      FRAUD ANALYSIS

**SOUTHERN CALIFORNIA'S  
 PREEMINENT PROFESSIONAL  
 LIABILITY AND BUSINESS  
 LITIGATION FIRM**

**NEMECEK·COLE**  
 Attorneys At Law



15260 VENTURA BOULEVARD, SUITE 920  
 SHERMAN OAKS, CA 91403  
 TEL: 818.788.9500 / 877.314.1177

**WWW.NEMECEK-COLE.COM**

FRANK W. NEMECEK\*      JONATHAN B. COLE\*      MICHAEL MCCARTHY\*

\* Certified Specialist in Legal Malpractice Law from The State Bar of California Board of Legal Specialization

# Mediation

Where common sense  
and the law intersect.

Business / Contract  
Employment  
Real Property

Personal Injury  
Oil & Gas  
Other

**Gisele Goetz, Esq., Mediator**  
*Hollister & Brace, a professional corporation*

**Serving Ventura and Santa Barbara Counties**  
Member: State Bar of California, VCBA, SBCBA

**(805) 963-6711**

**GMGoetz@hbsb.com**



## BARRISTERS CORNER

*by Kevin J. Heimberg*

The Ventura County Barristers is a network of young lawyers practicing various specialties. Our membership includes attorneys for both plaintiff and defense, civil and criminal, and many other categories. We hold monthly meetings and schedule training and networking opportunities with lawyers, judges, law students and other professionals in Ventura and neighboring counties.

One of the most important practices for a young attorney is to take every networking opportunity as a chance not only to meet colleagues, but to learn from other professionals. There is no substitute for talking face-to-face with other attorneys, which will build your name and reputation. Consistent and beneficial networking will assist not only in providing unforeseen opportunities in the growth of your career, but will also contribute to learning tricks of the trade which could otherwise take decades to uncover.

In a county like Ventura, it is certain that we will keep coming across the same law firms and colleagues. It is beneficial to be civil – and dare we say, friendly – with attorneys you will certainly see across the table time and time again. Attending Barristers events provides a unique opportunity for young attorneys to get a head start on meeting those future colleagues, associates and even judges whom they may soon interact with professionally.

With a membership built of a variety of practice fields, we work to schedule diverse MCLE programs where attorneys can gain valuable educational credits. We welcome input from our membership at large in determining what areas of law to focus on for events, and encourage current and new members to contact us or attend meetings and let their voices be heard.

If you would like to get involved with the Ventura County Barristers contact any member of the board or email us at [vcbabarristers@gmail.com](mailto:vcbabarristers@gmail.com). Make sure to ask us to add you to our email list to receive regular updates for upcoming events, and check us out on Facebook @VCBarristers.

**Kevin J. Heimberg** is an associate attorney at *Slaughter, Reagan & Cole LLP* in downtown Ventura. He serves on the Barristers Board.



## MEDIATOR/ARBITRATOR

**PERSONAL INJURY AND BUSINESS,  
CONSTRUCTION, REAL ESTATE  
AND PROBATE/TRUST DISPUTES  
AND LITIGATION.**

Richard M. Norman, Esq.

- *Trial Attorney – AV Rated*
- *Member: American Board of Trial Advocates (ABOTA)*
- *Past President and Member of Ventura County Bar Association, and Ventura County Trial Lawyers Association*
- *Trained Mediator - Pepperdine University Straus Institute & Negotiation Strategy Institute*
- *American Arbitration Association and FINRA Arbitration Panel*
- *Reasonable Fees - Flexible Scheduling - No Administrative Charges*

**Richard M. Norman, Esq., Of Counsel**  
Norman Dowler, LLP.

840 County Square Drive, Ventura, CA 93003-5406  
(805) 654-0911 • [RNorman@normandowler.com](mailto:RNorman@normandowler.com)





# Yolanda Castro

Broker Associate, CalBRE# 01406193

SERVING VENTURA COUNTY AND SURROUNDING AREAS SINCE 2003

Direct: (805) 797-4524

Info@yolandacastro.com

E-fax: 1-877-926-5741

1000 Town Center Dr., #130

Oxnard, CA 93036

Recipient of Platinum Awards and Ranking among the Top Twenty Top Producers within Remax Gold Coast Realtors, the brokerage with the most market share within Ventura County! As a Broker Associate, Castro's greatest achievement is her unsurpassed reputation for honesty, integrity, and knowledge in the industry.

*Yolanda is a true professional. She is always checking in with her clients and referral partners and going above and beyond for them. She is easy to talk to and her dedication to ensuring that her clients receive the best outcome, whether it is to sell or buy a home, is clear in the way she conducts herself in every transaction.*

-Renee R. Dehesa, Esq.  
Estate Planning, Business Law & Bankruptcy

- Divorce Sale
- Probate/Trust Sales
- Short Sales
- Conservatorship Sales
- Bankruptcy Sales



YOLANDACASTROGROUP.COM





# Experienced. Trusted. Proven.

Mediator and arbitrator for the resolution of cases including:

- Business/Commercial
- Contracts, Employment
- Environmental and Real Estate
- Construction
- Wills and Trusts
- Family Law
- Personal Injury

Retired Judge, Elinor Reiner



## Judge Elinor Reiner

MEDIATOR AND ARBITRATOR

To schedule a consultation, please call **805-879-7517**  
 211 East Anapamu • Santa Barbara, CA 93101  
 elinor@elinorreiner.com • [WWW.ELINORREINER.COM](http://WWW.ELINORREINER.COM)

## Classifieds

### OFFICE SPACE

**Charming office space in downtown Ventura** available for lease at 682 E. Thompson Blvd. Built in 1905 and located on the Historic Mitchell Block across from Plaza Park. Three separate offices can be leased individually or combined in this beautiful building. Ideal for a solo practitioner or satellite office. Amenities include phone answering, parcel acceptance and conference room provided by the Law Offices of Bamieh & Erickson (lessor and neighbor at 692 E. Thompson). Rent varies by space desired. Contact Monique Martinez at (805) 643-5555 for more information.

### LOCAL LAW FIRM FOR SALE

A well-established and highly respected Southern California applicants' workers compensation law firm, in practice in the same location for more than five decade seeks to sell to a capable, experienced firm or individual. Practice management operating system and efficient facilities are in place. Annual revenue exceeds \$500,000. This is an excellent opportunity with capacity for continued growth in revenues. For more information, call (800) 837-5880 or e-mail [forsale@lawbizregistry.com](mailto:forsale@lawbizregistry.com) or contact [Edpoll@lawbiz.com](mailto:Edpoll@lawbiz.com).



# DIAMOND REALTY



**Henry & Theresa Robledo**  
 Broker / Owners  
**805.625.4450**  
**805.625.4451**



Recommended by several attorneys in Ventura County! References provided upon request.

Serving Ventura and LA County

[www.DiamondRealtyTeam.com](http://www.DiamondRealtyTeam.com)

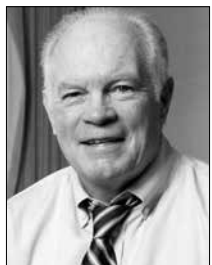


**Judge Michelle Castillo** along with the former Second Lady of the United States, Mary Elizabeth “Tipper” Gore, will receive an Honorary Doctor of Humane Letters for their pioneering work in their respective fields during commencement



ceremonies at CSU Channel Island May 19. Many folks are not aware Gore once sat in with The Dead during a 2009 concert for the song “Sugar Magnolia,” and recently played drums alongside music legends Willie Nelson and Herbie Hancock...A lawyer who says he didn’t realize he was suspended in a mass proceeding in 2010 remains on interim suspension as a result of an order by a New York appeals court. The Appellate Division, First Department, ruled in March in the case of M. Scott Vayer. The attorney grievance committee told the court that Vayer had continued to practice law after the 2010 suspension and he should be suspended or disbarred for unauthorized practice. Vayer responded that he didn’t realize he was suspended until last year, when another lawyer brought it to his attention. Vayer said he didn’t know of his 2010 suspension because he doesn’t subscribe to the New York Law Journal and didn’t see the notice published there for five days...

Ventura County Superior Court **Commissioner William Redmond** has been selected as one of the recipients of the Knights of Columbus Oxnard Council 750, Public Safety Night Award in early April. Commissioner Redmond, selected by the judges to serve as commissioner in July 2008, hears restraining orders and child support cases in the family law department...



## EXEC’S DOT...DOT...DOT...

by Steve Henderson, M.A., CAE

Yale Law professor James Forman Jr. won the Pulitzer Prize for nonfiction April 17 for his book examining the role African-American political leaders played in mass incarceration affecting the black community. The book is *Locking Up Our Own: Crime and Punishment in Black America*. Forman is a former clerk for Justice Sandra Day O’Connor, and developed the book while working as a public defender in Washington, D.C. Yale News describes the book this way: “By exploring the decisions that many black mayors, judges and police chiefs made – ostensibly in the hopes of stabilizing what they saw a struggling African-American communities – Forman shows that these leaders had a significant, albeit unintended, role to play in the creation of the current state of the criminal justice system.”...

You don’t want to miss this: The JHB Inn of Court (Team #8 – Master **James Prosser**, **James Armstrong** and **Dan Robinson**) will be hosting a Judicial Candidates Forum scheduled for the IOC’s final meeting of the year May 10 inside the Saticoy CC beginning at 6:00 p.m. **Commissioner Anthony Sabo** and attorney **Caleb Donner** are seeking the slot created by the retirement of **Judge Brian Back**. **Commissioner Derek Malan** faces attorney **Michael Magisnn** for the bench



position created by **Judge Glen Reiser’s** retirement. Guests are invited to the dinner for \$36, and \$15 for the general CLE. RSVP by contacting the bar offices at 650.7599 or [bar@vcba.org](mailto:bar@vcba.org). Better hurry as space is limited and the deadline is May 8 at noon time....The Association for Honest Lawyers hasn’t had any lawyer members since its founding in 2003. No lawyers are on its “nice list.” And no lawyer could be found to represent the group in a recent tax case, according to the group’s founder. The U.S. Tax Court ruled against the group earlier in April when it denied tax-exempt

status for the organization. The court said it appeared the group’s founder, Joan Farr, has been spending association monies on purchases at grocery stores, department stores and home-improvement stores...

The largest law firms in the United States? Kirkland & Ellis at 1,854; Latham & Watkins at 1,744; Greenberg Traurig at 1,725; Jones Day at 1,701; Sidley Austin at 1,657; Morgan Lewis at 1,652; Skadden at 1,475; DLA Piper at 1,427; Lewis Brisbois at 1,201; and Holland & Knight makes the Top Ten with 1,180 attorneys... Justice Neil Gorsuch has hired the first American Indian law clerk in Scotus history. Toby Young is also the first female graduate of her alma mater – University of Mississippi Law School – to be hired as a Supreme Court Clerk...If you are a high profile man accused of sexual harassment or other inappropriate conduct, what’s your next move? It turns out resignation might be the best move. The man in question, Jeffrey Staden, was forced to resign from his position as Dean of the Northern Kentucky University Law School in the face of misconduct allegations. “A full-time female employee reported that Staden made her stand on a table while wearing a dress to reach an air vent, and then hold his belt loop while he did the same. After he resigned, the NKU Provost offered him a position as a professor at the law school. That would make a 15% pay cut, but still make Staden the highest paid professor, making nearly \$222,000 annually...

I left attorney **Lee Hess** off the list of *Super Lawyers*. Lee has made the list several years now.....

*Steve Henderson has been the executive director and chief executive officer of the Ventura County Bar Associations and its affiliated organizations since November 1990. Henderson met for dinner with Steph Curry and Shohei Ohtani during Spring Break. Additionally, Henderson travels to Vandenberg AFB during the month to travel in a SpaceX rocket scheduled for take-off May 31. He may be reached at [steve@vcba.org](mailto:steve@vcba.org), FB, Twitter at [steve\\_hendo1](https://twitter.com/steve_hendo1), Instagram at [steve\\_hendo](https://www.instagram.com/steve_hendo), LinkedIn, or better yet, 650.7599.*

# Client Trial War Rooms



**Across the street from the Courthouse  
Downtown L.A. - San Bernardino - Van Nuys**  
Secure conference rooms for you and your clients to strategize,  
refresh and relax throughout your trial. Catering, WiFi and Parking  
available. It's like having your own office at the Court, **FOR FREE.**

**Call 800-43-DEPOS  
or email [info@personalcourtreporters.com](mailto:info@personalcourtreporters.com) for details.**



## Seven convenient Southern California locations to serve you

**Van Nuys**

**Downtown LA**

**Ventura**

**Ontario**

**Santa Barbara**

**West LA**

**San Bernardino**

*Call us to book your next DEPO! 800-43-DEPOS*  
[www.personalcourtreporters.com](http://www.personalcourtreporters.com)

**Personal**  
COURT REPORTERS, INC.



**CITATIONS**

Ventura County Bar Association  
4475 Market Street, Suite B  
Ventura, CA 93003

PRSR1 STD  
US POSTAGE  
**PAID**  
PERMIT NO. 507  
OXNARD, CA 93030



**HAPPY NEW  
YEAR 2018!**



***24 years of trial experience  
We appreciate your criminal law referrals!***

[WWW.DavidLehrLaw.COM](http://WWW.DavidLehrLaw.COM)

805-477-0070