COMMISSIONER BAEELLY: THE LONG AND UNEXPECTED JOURNEY TO VENTURA COUNTY

by Rachel Coleman

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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 noshing, 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 María 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
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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 & Maria.
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. Baely'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 Baelly in 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.
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.

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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
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 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.

Comings and Goings

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, Ventura, CA) 8:30 A.M. – 5K RACE; ONE MILE FAMILY FUN RUN AT 9:30 A.M. GO TO WWW.RUNSIGNUP.COM FOR REGISTRATION & INFORMATION

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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.
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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 vcba.barristers@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.
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.

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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 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. 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 Scotos 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 Standen made her stand on a table while wearing a dress to reach an air vent, and then held 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 Standen 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, FB, Twitter at steve_hendo1, Instagram at steve_hendo, LinkedIn, or better yet, 650.7599.
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