FAMILY LAW COMMISSIONER
JUDITH RHODES
GIVING THE COMMUNITY A VOICE

by Claudia Silverman

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Recently, I was honored to speak at the swearing in ceremony in Department 22 of our Ventura Courthouse. Typically, when I am sitting in that courtroom, I am entranced by the portraits of the Judges of yesteryear that adorn the walls. (Parenthetically, if you did not attend the recent Bench & Bar History Project event, at which Judge Melinda Johnson, Justice Steven Perren, Judge Harry Walsh, Judge George Eskin, and Bill Paterson provided background on many of these historical judges, then you missed out on an amazing program.) This time, however, I was focused on the seven individuals sitting in the jury box who were about to be sworn in as California attorneys. Looking at them, I thought back to when I was sworn in – and was immediately overwhelmed the memory of my first court appearance.

Not long after being sworn in, Jim McDermott gave me my first crack at a court appearance. I was tasked with going to the Stanley Mosk Courthouse in downtown Los Angeles for a demurrer hearing. The morning of the hearing, I was up and out the door early to account for traffic and ensure that I would be in court on time for the 8:30 a.m. proceeding. Approximately thirty minutes into my drive, I received a call on my cell phone from Jim. As any good supervising partner does, he checked to make sure that I was ready for the substantive and procedural issues associated with my hearing. I assured him that I was fully prepared and knew the arguments I needed to assert. Seemingly relieved, Jim replied, “Good. Now just one last thing. You brought your Bar card with you, right?” My heart stopped. I did not have my Bar card with me. I thought to myself – why would I need it? Hearing silence and apparently reading my mind, Jim added, “How else is the clerk going to know that you are actually an attorney when you check in?” I finally found the ability to speak, but the words that I said were not appropriate to print in CITATIONS. I hung up the phone, immediately exited the freeway and started my journey back home to get my Bar card. Approximately five minutes later, Jim called me back. He could not control his laughter, as he assured me that he was just joking and I did not actually need my Bar card. Very funny, Jim. Very funny. Thankfully my short detour did not cause me to be late for the court appearance.

Stephen Mitnick, on the other hand, was not so timely for his first court appearance. As a young deputy public defender in Riverside County, his first appearance was an arraignment hearing before Judge Gerald Schulte. Stephen arrived five minutes late to the hearing and, upon the matter being called, Judge Schulte directed him into custody in the holding area next to his client!

First court appearances do not often lead to being put into custody, but they do generally cause new attorneys to be flustered. For example, Carla Hartley was making her first ever court appearance before Judge Brian Back and, seeing a dignified gentleman wearing black with a small white collar poking out reminding her of her pastor, directed her opening remarks to “Father” rather than “Your Honor.” Judge Gay Conroy admitted that her nerves arising from her first ever court appearance were not manifested verbally, but rather physically. An outbreak of hives left Judge Conroy trying to conceal and, more troublesome, not scratch them as she was presenting her case to the court.

While Judge Conroy was red with hives at her first court appearance, Judge John Smiley was red from embarrassment at his. Judge Fred Bysshe sent him to appear on behalf of a plaintiff in a personal injury case in downtown Los Angeles to have the case dismissed. At the hearing, the bench officer invited Judge Smiley and defendant’s counsel into chambers to discuss the case. As directed, Judge Smiley reported that he was there to ask for the case to be dismissed. The judicial officer responded, “Very well, are you dismissing it with prejudice or without?” Having been taught by his father, the finest attorney he has ever known, to be sure that he understood a question before he answered it, Judge Smiley admitted that he was not aware of what he meant by “with prejudice or without.” The judicial officer stood up from his desk and began bellowing in Judge Smiley’s face about how he could not conceive of an attorney making it through law school and the bar exam without knowing what is meant by “with prejudice or without.” After reading the proverbial riot act, the judge excused him – without telling him what the phrase meant – so that Judge Smiley could locate a pay phone to call Judge Bysshe and ask whether the case was being dismissed with or without prejudice (whatever that means).

Hearing these wonderful stories reminded me – and hopefully reminds you – how difficult it is to be a new lawyer. So, whether you run into them on the other side of cases or transactions, or just see them in the courthouse, I hope that you will extend them a hand, provide them some sage advice, or just help them understand the difference between “with prejudice or without,” as they embark on their career. We were all that nervous new attorney at one point in our careers, and I suspect that each of you remembers those attorneys who helped make the transition into the career a little easier. For me, I ended up taking Jim McDermott’s advice and carrying my Bar card with me to court for many years. While I never showed it to a clerk, it did allow me to cut in the line to enter a courthouse on a few occasions!

Doug K. Goldwater is a partner at Ferguson Case Orr Paterson, LLP. His practice focuses on family law. He can be reached at (805) 659-6800 or at dgoldwater@fcpolaw.com.
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At last achieving a goal formed during childhood, Judith Rhodes has been appointed to the Ventura County Superior Court as a Family Law Commissioner. As a teen growing up in the South Bay, the future Commissioner often observed proceedings in the Courtroom of Judge George Perkovich, who was her mentor and neighbor. Commissioner Rhodes decided at that young age that she wanted to become an attorney and possibly a judge. “I have wanted this for a long time, and was very persistent to get this job,” Commissioner Rhodes said.

Commissioner Rhodes’ path to judicial office has been impressive. She was a family lawyer in private practice for 30 years. She frequently served as a Judge Pro Tempore in the Ventura Superior Court’s Family Law Division and was a member of the court’s Minor’s Counsel Panel for many years. A Certified Family Law Specialist, she was also recognized as a “Southern California Super Lawyer” for the three years preceding her appointment to the bench.

With her background as a Judge Pro Tem, Commissioner Rhodes was certainly well-prepared for the challenges of judicial office. She graciously offered that the transition to judgeship has been made easier by the support system offered by her colleagues on the bench as well as her husband Randy Rhodes, a Los Angeles Superior Court Judge for the past 23 years.

Currently assigned to Department 34 of the Ventura County Superior Court, Commissioner Rhodes handles some of the most difficult cases in family court: domestic violence restraining orders, civil harassment restraining orders, and child support cases. Ninety percent of the litigants in her courtroom are self-represented. Acknowledging that in restraining order matters she must rule against one party or the other, Commissioner Rhodes’ goal is to make sure that everyone who walks out of her courtroom “feels they have been listened to, regardless of the outcome. The most satisfying part of my job is that I am able to give the community a voice.” Apparently this openness is appreciated by the litigants who appear before her. “Most people who leave my courtroom say ‘thank you,’ and I am grateful for that,” she said.

One of the more surprising and heartbreaking aspects of the Commissioner’s caseload involves numerous children age 12 and over seeking restraining orders against other children (often classmates) for bullying. In these cases, Commissioner Rhodes is vigilant about protecting children’s rights and privacy and takes special care to be sure that each child’s story is heard. She commits to painstaking review of the evidence, which often includes testimony of teachers, other adults and children, as well as photos and videos, social media posts, and other shared information between children. These cases are sadly all too common in her courtroom – she hears three to four such matters each week. Commissioner Rhodes believes that her background as an appointed attorney for children prepared her to handle these cases with the compassion and care that vulnerable child litigants deserve.

Commissioner Rhodes also hears cases brought under the Gun Violence Protective Order statute. Penal Code section 18100 et seq., effective January 1, 2016, permits a peace officer or immediate family member to obtain an ex parte emergency order or restraining order permitting, upon a showing of good cause, law enforcement’s confiscation of all firearms and ammunition in a person’s custody or control. Commissioner Rhodes states that his is a particularly effective tool to prevent domestic gun violence. Commissioner Rhodes believes that the statute’s protections are most safely and efficiently employed when the order is sought by law enforcement (as opposed to family members), thus permitting law enforcement to enforce the order and to immediately confiscate the weapons.

Commissioner Rhodes was the owner and principal attorney of the Law Offices of Judith D. Rhodes from 2002 until her appointment. Prior to that, she was an associate attorney at Van Sickle & Associates from 1999 to 2002, the Law Offices of Bobette Fleishman from 1996 to 1999, and the Law Offices of Cunningham and Lansden from 1994 to 1996. She was an associate and later owner and principal of the Law Offices of Judith Dahlman from 1988 to 1994.

Commissioner Rhodes is a graduate of California State University, Long Beach, and earned her law degree from the University of West Los Angeles.

Claudia Silverman is certified as a Family Law Specialist by the State Bar of California Board of Legal Specialization. Her offices are in Oxnard, California.
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Many attorneys have had a prior career, or are devoted to a project or cause in addition to the practice of law. One of my mid-life transformations was returning to graduate school for the Ph.D. in psychology that I stopped pursuing when I decided to go to law school.

While I do weave my psychology knowledge into the practice of family law, I also have a small psychoanalytic practice. There are some days I meet with couples in both arenas: counselor at law and therapeutic counseling. The intersection is conflict resolution, and I strive to help my clients and patients reach mutually beneficially solutions.

I love both my family law practice and my counseling practice. Ideally, I would practice law ten hours a week, counsel psychology patients fifteen hours a week, and devote the rest of my work time to writing and projects like conducting therapeutic retreats.

From then to now

I went to college and graduate school planning on a Ph.D. While studying for master’s degree in developmental psychology, I worked for several months as office manager at Lawyers for Children New York City. I also took and loved a course in law and education. As part of that class, I wrote a paper on First Amendment rights of public high school newspapers and found myself fascinated by the process of researching the law and analyzing cases. That led me to apply to law school. I wanted to advocate for children.

After graduating from Columbia Law School, I cut my legal teeth practicing in a medium-sized (for Manhattan) firm: 250 lawyers. I worked on white collar criminal cases, prepping people for Security and Exchange Commission depositions. I had a side gig as a volunteer writing appellate briefs for the juvenile division of Legal Aid.

Two years after law school, I moved to Colorado. There, while I practiced law in a small town, I spent fifteen years acting as a guardian ad litem and minor’s counsel for children in foster care and juvenile delinquents.

Changing paths

In my mid-forties I returned to school for the Ph.D. I had abandoned twenty years earlier in favor of going to law school. Five years ago, while I was still living in Colorado, I was diagnosed with cancer. I was fortunate to have had incredible doctors and community support as I healed from treatment and surgeries. I had to close my solo law practice due to the rigors of medical care. During that time I finished my Ph.D. dissertation, Sacred Illness: Breast Cancer and the Dark Feminine.

A relationship brought me to California and my third bar exam. I opened a family law office with the intent to focus on collaborative and mediation practice. At the same time, I am participating in what amounts to a post-doctoral program, training to become a Jungian analyst. Jungian psychology focuses on making conscious the manifestations of the unconscious: dreams, complexes, anxieties, and the like. Becoming aware of our inner landscape helps us develop psychologically and live a life aligned, body, soul and mind.

All of our lives are marred by wounds and traumas, some physical, some social, some emotional. Any life trauma can pull the ground out from under us, providing an opportunity to reflect on the path we’re creating for ourselves. For me, an advanced cancer diagnosis at age 50 helped me hit the “reset” button. There are many ways to confront a life challenge. For people who reflect quietly and don’t talk about it, this connection may take the form of religious or spiritual practice, or walking in nature. Others may benefit from a group experience.

As a part of my psychology work, I have begun to offer retreats for those diagnosed with cancer. My desire is to help others at all stages of treatment and recovery find healing wisdom and inner strength. A retreat allows time to unplug and reflect, to let one’s inner world express itself, and to connect with one’s inner thoughts, physical body and creative spirit. And many people find a therapeutic collective energy in hearing others’ stories in an atmosphere of shared healing. A connection to the sacred and unknowable mystery of life can be a salve for the suffering. If nothing else, we learn we are not alone in our suffering and that others are willing to aid in our growth. With this in mind, I will facilitate a retreat July 26-28 in Santa Barbara, for women only. Please share this information with anyone who might be interested. I plan to offer retreats several times a year, for men and couples as well as women. More information and registration at https://sacredillness.org.

Two halves of a totality

The essential purpose of both law and psychology is to help people through difficult times. Law is oriented toward conflict resolution in a structured way, while therapy approaches conflict from a more organic, feeling angle. For me, both law and psychological approaches are two halves of a totality.

While I focus my law practice on alternative dispute resolution methods, I do believe there is a place for litigation in the family law context. At the very least it is sometimes necessary when there is a question of interpreting a statute or decision, or when facts need to be clarified. But if I had a magic wand, I would require everyone to do mediation or collaborative law before going to family court, even when there is not a custody dispute.

Alice P. Arnold, who is a member of the CITATIONS editorial board, is licensed to practice law in California, Colorado and New York. She is also licensed by the Medical Board of California as a student research psychoanalyst. 805-910-8861 or alice@alicearnold.com.
Did you know there are several thousand Google® searches every month for lawyers and legal services in the Ventura County area? Google currently holds 90.1% of the total search engine market share.

Did you know there are only ten spots for organic listings on page 1 of Google? 75% of people never scroll past the first page of search engines.

Search engine optimization (SEO) helps raise your Google website rankings by using specific keywords and phrases. Google provides two types of search results. One type is websites that pay for keywords with Adwords® or PPC (pay per click, more on this in future articles), The other is free website listings identified by keywords that the Google algorithm finds. The latter is where SEO delivers.

For example, the word “attorney” can be searched in multiple ways. A potential client might look for attorneys, lawyers, a “lawyer near me,” or might use the search phrase, “Do I need a lawyer?” The client might add detail to the search by mentioning personal injury, criminal defense, probate, or appeals. And the search might specify a location (e.g., Ventura, Oxnard, Westlake Village). Google scans and indexes words like these to rank your page. Because your objective is to get to the top ranking, or at least on the first page, it matters how your website is structured.

How to improve website rankings:

1. **Use a proven web platform.** I recommend a content manage system (CMS) like Wordpress that you or your web designer can manage.

2. **Content is king.** If you want to be “The Expert” among experts, you must write and talk about your practice on your website. The more targeted your content, the better chance your website will rank for a specific search term. Great SEO starts with high-ranking keywords and key phrases in your posts, blog and web pages. Talk about your cases using long-tail keywords (e.g., “As a criminal defense attorney in Ventura, I specialize in defending drug charges”). The more you cross reference legal terminology, the more you talk about what your client might expect, the more you keep it local and regional, the better your Google rankings are likely to be.

3. **Start a YouTube channel** - Guess who owns YouTube? Google.

If you’re not a video celebrity, share your knowledge with a YouTube PowerPoint presentation. Educational videos are a great way to find leads; don’t forget to link back to your website. You can also transcribe your videos with online software to add another level of SEO.

4. **Backlinks.** Add a link to the VCBA website, to Ventura County Trial Lawyers Association, to your legal specialization organization, and ask that they reciprocate. Take the time to reach out to the organizations you volunteer for, and ask to be linked to their website through a directory or contact information. Google improves your ranking when websites link back to your page.

5. **SEO tools** - Have your website designer add SEO tools to your website. This allows a more focused description of your content and better search results.

6. **Keep your website fast and mobile friendly.** Google likes fast sites.

7. **List your firm with “Google My Business”** and add your contact information.

8. **Set-up a Google Adwords account.** This tool gives you greater insight into frequently searched Google keywords and key phrases.

**Bottom Line**

You need to convert clicks to actual leads. Make sure your phone number, chat forms and contact forms are always front and center for prospective clients to reach you or your answering service. Many leads come in late at night and on weekends.

The internet is a powerful tool capturing over 300 million customer data points every day, 24 hours a day, 7 days a week, 365 days a year. Use this supercomputer to your advantage, by learning how people search for information and offering answers to their searches.

**J.P. McWaters** has been designing websites for over twenty years. He is also the art director for CITATIONS. You can reach J.P. at jp@nueworks.com or (805) 701-8688.
ANNUAL VCBA LAW DAY 5K RACE
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YOUR GOOD PRACTICE IS REFLECTED IN OUR NEW LOWER RATES.
When former District Attorney Woodruff J. Deem arrived in San Francisco after a World War II Pacific tour, he and his buddies spotted a Marine Corps Reserve recruiting billboard featuring a beautiful young woman Marine in full dress uniform. It was a different era; the billboard said, “Be a Marine, Free a Marine for Combat.” Deem told his friends he thought a woman like that should be married and have children. In 1946, while Deem was working in Washington, D.C., he telegraphed a friend that “Am marrying a Marine Sergeant. Meet me in Salt Lake Airport…” The first person Deem’s friend saw getting off the plane was a big burly Marine Sergeant, but it turned out Deem was marrying the Marine from the billboard, Norrie Colvin, the secretary to the Commandant of the Marine Corps. Deem had met Colvin when she spoke at a ward meeting of Deem’s Church of Latter Day Saints.

Moving to Ventura County – twice

Deem had been working for a private firm that handled Native American claims litigation. The eighteen-hour days were a little much since he and Norrie wanted to start a family, so they packed up and moved to California.

District Attorney Roy Gustafson hired Deem, who soon became the chief deputy in the criminal division. (In those days, the District Attorney was both the county prosecutor and county counsel, advising the board of supervisors and county departments in civil matters). Deputy district attorneys would stay for just a few years and then seek their fortunes in private practice. Deem left the District Attorney’s office to open a firm. Gustafson was later appointed to Cohen and Gustafson in their law firm. Gustafson needed an experienced second chair at trial; he chose Deem. All three defendants were convicted and sentenced to death in 1958.

Gustafson resigned as District Attorney in 1960 to challenge Ed Henderson for a Superior Court seat. Gustafson lost, and went into private practice with a former deputy, Stan Cohen. Then-Assistant DA Bruce Thompson was appointed District Attorney, and Deem took over Thompson’s seat as Assistant DA. The next year, Thompson ran for a state Senate seat against Republican Robert Lagomarsino, who won the election. Having resigned as DA to run for the Senate seat, Thompson joined Cohen and Gustafson in their law firm. Gustafson was later appointed to the Court of Appeal and Thompson to the Superior Court. Deem was appointed District Attorney 1962 and stayed until he resigned in 1973.

Governor Edmund G. “Pat” Brown opposed capital punishment. Frank Duncan appealed to him: “My mother gave me life. I’m pleading with you to give her the rest of her life.” Brown was still considering the matter when, a few years later, newly elected District Attorney Deem responded, “Nothing can refute the fact that this was a killing for hire, boldly done, brutally accomplished on a woman who was about to give birth to a child.” Ma Duncan was the last woman to be executed in California, on the same day as the two hit men.

Call me Woody?

Early one morning, I was working on a brief in the horseshoe of bookshelves that passed as the DA’s Office law library, just out of sight of Deem’s secretary, Ann Shields. She was chatting with the boss about the office’s seven new law clerks, including me. “Which one of the new clerks do you think will be the first to call you ‘Woody?’” she asked.

He said, “I’m not sure, maybe Steve Cornell or Bill Paterson, they seem pretty cocky.”

I began plotting to be the first, now that I knew it wouldn’t get me in trouble. Since Deem came in early and usually left for his home in Ojai around 3:30 p.m., I “happened” to be up in front in the power alley about that time. As Deem exited with his brief case and jacket in hand, I said, “Have a good afternoon Woo, Woo (cough, choke, panic), I mean Mr. Deem.”

“Well, thanks Mike, I’d like to see you tomorrow if you have time.”

I sputtered a “yes, sir.” I knew I was dead. I didn’t sleep, believing I was going to be fired even before I got bar exam results.

Driving Mr. Deem

Deem was a great teacher and trial lawyer. He was an incredible recruiter, a leader in the finest sense of the word, a great mentor, husband, father and spiritual leader. He was also a terrible driver. In the morning when Ann escorted me in, I immediately began apologizing for my rudeness and disrespect. Deem stopped me with a wave of the hand and said he didn’t know what I was talking about, but that wasn’t the reason he wanted to speak to me.

Deem explained that he was embarrassed about being solely to blame for a couple of car accidents. He said he was not a good driver because his mind was usually on other important matters. He needed to fly to Sacramento for meetings with other district attorneys, and wanted me to drive him to LAX on his next trip.
On my relieved way out of Deem's office, I ran into George Eskin, the law clerks’ training supervisor. Eskin told me I was one lucky guy to get that much time alone at the feet of the master.

The day of the trip to LAX I was nervous. I had reread Eskin's training material and gone over Deem's lectures to new law clerks. Although I had been up all night, I was ready for any questions he might ask. When I picked Deem up, he got into the back seat and shortly was sound asleep. I'm not sure whether I was disappointed or relieved.

When Deem returned later the same day, he was chatty. He described his day and told me the next trip would be different. “You are going to come along and assist me with legislative proposals.” Turned out he was chair of the legislation committee; he was also a president of the DAs association.

During the next flight to Sacramento, I was offered stuffed dates and black bananas — not by the flight attendants, mind you, but by Deem. At the meeting, Deem was brilliant. He knew the proposed legislation better than anyone there.

At precisely 11:30 a.m., the morning session broke up and the group moved into an adjoining room for lunch. The group immediately headed for the bar. I wasn’t a drinker, and clearly Deem was not happy about the early recess and the drinking. I thought we would at least enjoy a good lunch, but Deem took a bag out of his briefcase and told me to come with him. For the next couple of hours, we hiked all over the Sacramento Airport eating things that I didn’t even know existed — and they were not very appetizing, to say the least. Then Deem poured green liquid and offered me a cup. “Drink up, good for you.” I sniffed and turned my head. “Now, you don’t want to offend Norrie, do you?” According to former district attorney investigator Mal King, when Deem first introduced Eskin to his “Green Magic,” Eskin “took a sip and then hopped around the office yelling about Popeye the Sailor Man.”

Part Three of the Woody Deem biography will appear in a future issue of CITATIONS.
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**HAVE YOU HEARD?**

Effective July 1, 2019, Jones & Lester will merge with Schuck, Becker & Dehesa to form Jones, Lester, Schuck, Becker & Dehesa, LLP. The firm will have offices in Santa Paula, Camarillo and Westlake Village, with James G. Jones, Mark Lester and Theresa Loss moving to their new offices at 771 E. Daily Drive, Ste. 230, Camarillo, CA 93010 effective August 1, 2019. Also as of July 1, 2019, James Jones will become “of counsel” with the new firm. Ben Schuck, Katie Becker, and Rennee Dehesa will remain in the firm’s Santa Paula office. The combined firm will continue to focus on trust and estate litigation, estate planning and administration, conservatorships, business law and bankruptcy matters.

Kendall VanConas has resigned from Ventura County Legal Aid, Inc. after over a decade of dedicated service to VCLA and VCBA. Mrs. VanConas oversaw many changes that led to the enhancement and stability of both VCLA and VCBA. We are told her leadership and presence will be greatly missed. Ms. VanConas is a partner with Arnold LaRochelle Mathews VanConas & Zirbel.

CITATIONS would like to recognize all the lawyers designated as Rising Stars by Super Lawyers. If you know of one (or more), please let us know by July 15.
CLASSIFIEDS

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Help Wanted

Ferguson Case Orr Paterson’s Ventura office seeks a top caliber associate for its estate planning and probate department. The ideal candidate has 2 to 5 years of experience in estate planning and probate, strong academic credentials, and excellent writing skills. Ties to the Ventura County area are a plus. This is an ideal opportunity to build your career in a great community with an esteemed law firm that pays competitive salaries and benefits. Applicants without estate planning and probate experience will not be considered. Please send a résumé with a cover letter introducing yourself and describing your experience to sbarron@fcoplaw.com.
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OUR BEAUTIFUL ARIYA MAIRE LOVE LEHR CAME ABOUT A MONTH EARLY ON SUNDAY, MARCH 10th AT 6:20 P.M.! SHE CAME OUT VERY LOUD (LIKE HER FATHER) AND SPENT A COUPLE DAYS IN THE NICU. JEN AND ARIYA ARE BOTH HOME AND DOING WELL!