



CITATIONS

APRIL - TWO THOUSAND TWENTY ONE



RESPECTED JURIST BECOMES VENTURA COUNTY'S PRESIDING JUDGE

by Edward A. Andrews

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SARA PETERS

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PRESIDENT'S MESSAGE

by Marc D. Anderson

It is with a heavy heart that I tell you I am stepping down as the President of the Ventura County Bar Association. Effective immediately, **Jacquelyn Ruffin** will assume the Presidency. This is not a voluntary resignation, but it is in my personal best interest. In late February I had a meeting with my probation officer. I was telling him about my community involvement and mentioned I was the President of the VCBA. He gently reminded me that it was a violation of my probation "to serve as an officer of any organization that collects dues of more than \$10 per member." Thankfully, I can remain on the Board as a general member although I will not be able to vote. I enjoyed my brief time serving you.

I love April!

Two things in my life made April Fools' Day better – having children and social media. Both expanded my audience.

With my kids, there are rules. I must keep in mind their emotional age and mental well-being. No eight-year-old thinks it is funny to be told he is going to Disneyland and then discover he is not going to Disneyland but to school. Likewise, telling a six-year-old you bought her a horse and then giving her a toy horse can be emotionally damaging. Especially when she has read every horse book in the Oxnard Public Library, can identify all the horse breeds, and has already picked out a name for her horse (sorry, Biscuit). I nearly had to buy a real horse! Lessons learned.

There are fewer rules with social media. I don't know how well this will work, but I want to share my favorite April Fools' Day Facebook posts.



Medical conditions work well. I had a gruesome picture of a broken wrist in the

shape of an "S" I waited for years to use. I posted the picture and an X-ray of the surgical repair with "Do the Segway tour in Santa Barbara, they said. You can't fall off them, they said. Wrong!" I got a few Get Well cards in the next few days.

I decided to avoid a picture with my 2017 post: "I'm at St. John's. I had an ingrown toenail that I ignored for a month. Finally went to the doctor Thursday because I had trouble walking. Huge infection. Now my big toe's being amputated in two hours!"



Often, April Fools' Day is during Spring Break and we are on vacation. I usually post pictures and updates during vacation and this builds an audience and credibility. In 2018 we took a week-long road trip along the California coast with our tent trailer. I had made a vacation post every day that week. With Google, I found the perfect picture to go with this post: "Vacation, day 8: FIRST, WE ARE ALL OKAY! We were out hiking when the wind picked up and blew a tree over and onto our tent trailer!" **Dierdre Frank** was not amused. I appreciate her concern for my family's physical well-being, but that's why I led with, "We are all okay!"



In 2016 we were visiting my mom in Florida for Spring Break. April Fools' Day was toward the end of our visit and I posted a photo of a Florida house for sale and this: "So, big news! We've been talking

for a while about making a big move. And, we made an offer yesterday on this Venice home! Fingers crossed! The kids love Florida and **Kristi** and I will take the July Bar exam (no reciprocity for California)."

A few days later I was back in California at work. **Gina Clemow** came into my office and said, "I just bumped into **Rick Chaidez** in the parking lot. Why does he think you're moving to Florida?"

My personal favorite is from 2014. It was believable because it was self-promoting, which is a big part of social media, and had just enough detail. "I will be appearing in next week's episode of Finding Bigfoot on Animal Planet. It's a short piece/interview discussing a landowner's legal liability for Big Foot attacks occurring on his property. Be sure to check it out!" It got some of my friends, but **Allen Ball** called me out with his comment: "Interestingly I was interviewed too. They asked me all about coverage issues arising with marine policies when dealing with Kraken attacks on ocean going and open water ways vessels."

One last one. A few years ago, I pulled an office April Fools' Day prank that I learned from the internet. I put some change and paper clips on the copier glass and made 20 copies. I then put the doctored paper back into the copy machine so my co-workers' copies would come out with the change and paper clips on them. I waited in my office for what seemed like hours for someone to make a copy! **Dierdre Powell** was a good sport.

Try the copier prank. And walk into a co-worker's office with a serious face and ask them if they've read the President's Message.

By the way, I did not play those jokes on my kids! April Fools!



Marc D. Anderson is lawyer with Hiepler & Hiepler, APC, in Oxnard. He represents plaintiffs in personal injury and wrongful death cases.

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HAVE YOU HEARD?



Sad to report that **Commissioner Judith Rhodes** passed away March 25 from amyotrophic lateral sclerosis, also known as Lou Gehrig's disease. Our thoughts are with her family and our thanks to Rhodes for the smiles she managed despite her struggle. **CITATIONS** profiled Rhodes in July 2019. <https://www.vcba.org/wp-content/uploads/2019/06/July-Citations-Web.pdf>.

Apologies to **Judge Jack Smiley**. The March **CITATIONS** mistakenly added "Ret." to Judge Smiley's name on his letter to the editor. He is not in the least retired.



Michael Velthoen just celebrated his 20th year at Ferguson Case Orr Paterson, LLP. Velthoen, who handles a variety of transactional and litigation matters from the firm's

Ventura office, has been managing partner for the past twelve years.

Thanks to **CITATIONS** editorial board member **Panda Kroll** for sharing a recent order in *In re Juul Labs, Inc. et al.* (N.D. Cal. case no. 19-me-02913-WHO). Paragraph 4 of the order provides, "The Court confirms that no party shall vape during deposition questioning. Breaks shall be taken as frequently as necessary to accommodate those parties. Those breaks shall not count against the presumptive seven-hour deposition limit."

In response to the article in February's **CITATIONS** about things to tell clients, **Lindsay Nielson** offered some famous people's words of wisdom, including Thomas Edison's: "Hell, there are no rules here – we're trying to accomplish something." And Dwight Eisenhower said, "I have always found that plans are useless, but planning is indispensable."

The **CITATIONS** editorial board meets on Zoom at noon on Monday, April 5. If you are interested, let VCBA Exec **Sandra Rubio** know and she'll provide you a link.

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HUMAN TRAFFICKING

by Kristi Peariso

In 2019, a client showed up in my office requesting my services on a motion for vacatur and sealing pursuant to Penal Code section 236.14. I was embarrassed to admit it at the time, but I was unfamiliar with the motion. However, after hearing the client's story, I knew I needed to make myself familiar with it, and I needed to write and argue the motion on his behalf. The client had been certified as a victim of human trafficking by the Department of Homeland Security, and it was clear that his criminal convictions were a direct result of his victimization. The client was exactly the person section 236.14 was intended for, and his immigration status depended on the motion being granted.

Penal Code section 236.14 became law Jan. 1, 2017, pursuant to Senate Bill 823, legislation designed to give victims of human trafficking a fresh start by creating a pathway to vacate and seal nonviolent arrests and convictions from their records. Under the law, victims of human trafficking who have been arrested, convicted or adjudicated in juvenile court for a nonviolent offense as a result of being a victim of human trafficking can petition the court to have the offense vacated and sealed. Also enacted by SB823 was Penal Code section 236.23 establishing an affirmative defense for victims of human trafficking.

According to the U.S. Department of Justice, human trafficking is a modern-day form of slavery. It is the illegal exploitation of a person. It is a multibillion dollar criminal industry that denies freedom to 20.9 million people around the world. It can happen to anyone regardless of nationality, age, gender or socioeconomic status, and is happening everywhere. All trafficking victims have one thing in common: their loss of freedom. Human trafficking is a hidden crime frequently happening right in front of us. Victims are often afraid to come forward or may not even realize they are victims.

There are three different types of human trafficking: (1) sex trafficking; (2) forced labor; and (3) domestic servitude. Sex trafficking victims are forced against their will to engage in sex acts for money. Sex traffickers often use violence, threats,

manipulation, or promises of love and affection to lure victims. Forced labor victims are made to work through force, violence, fraud or coercion for little or no pay. Victims of domestic servitude are hidden in plain sight. They are forced to work in homes across the United States as nannies, maids, or domestic help.

My client was a victim of more than one type of human trafficking. I have since learned this is not uncommon. He was also forced by his trafficker to commit crimes. Also, not uncommon. Fortunately, by the time I was retained, my client had escaped from his trafficker and was receiving services through Interface Children & Family Services. Interface is a comprehensive nonprofit community-based organization that has provided Ventura County individuals and families evidence-based, culturally inclusive, trauma-informed, and developmentally appropriate services and supportive programming since 1973. For the past six years, Interface has worked with local partners including law enforcement, the Ventura County District Attorney's Office, child welfare, medical providers, victim service agencies and other community-based organizations to establish a coordinated response to trafficked individuals in Ventura County. Interface serves as the lead victim service provider for the Ventura County Human Trafficking Task Force and provides a 24/7 hotline, crisis response, safety planning, advocacy, case management, shelter and therapy for victims like my client.

My client's motion was ultimately granted. Last I heard he was in the process of obtaining a Trafficking Visa so that he could stay in this country legally. However, this would not be the end of my involvement with human trafficking victims. After witnessing the compassion and incredible dedication that the people at Interface have for the victims of human trafficking, I decided to join the legal subcommittee of the task force. **Interface is looking for attorneys to volunteer their time to help these victims. The task force is not just in need of criminal law attorneys. They need family law and immigration attorneys as well.** Victims often marry or have children with their trafficker and need the services

of a family law attorney. Victims are often brought to this country with false promises of employment and education. When they finally get away from their trafficker, they are in need of immigration help.

The Ventura County Criminal Defense Bar Association will be hosting a CLE program on human trafficking. The speakers will include members of The Ventura County Human Trafficking Task Force. I hope we can educate the legal community on the prevalence of human trafficking, how to identify a victim of human trafficking, motions and defenses available for victims of human trafficking, and most importantly, how we as attorneys can help.

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A TRIBUTE TO A QUIET LAWYER AND A WONDERFUL HUMAN BEING

by Don Greenberg



Pauline (Pat) Zebker passed away on Feb. 28. She was 92.

Most of us, even most of her longtime colleagues as “emeritus” attorneys in the VCBA’s pro bono program, did not know Pat well. That’s unfortunate – and there is a lesson there. That was our loss. We need to take the time to get to know our friends and colleagues better!

Pat was quiet and unassuming. She came to the law late – like many women of her generation.

Born in 1928 in Omaha, Nebraska, where her father was a businessperson and ran a small restaurant, Pat grew up there during the Great Depression and World War II. She graduated high school in 1945 and attended the University of Nebraska, majoring in English and education. When she was two years along in college, her father died. Pat returned to Omaha and finished her degree at what is now the U Neb Omaha campus.

Pat became an elementary school teacher – we think teaching fourth grade. She moved to Los Angeles in 1953, where she met and married the man who would be her lifelong partner, Phillip Zebker. The couple moved to Ventura in 1954. This community became their home – for Pat, nearly 67 years!

In those early years, Pat was primarily a supportive wife, homemaker and mother.



But she also helped at the family business – Jan’s Dress Shop in downtown Ventura – and became active in community affairs. After Phillip suffered a massive heart attack and was forced to close his business, Pat felt it was her turn to support the family. At age 46, she decided to go to law school. As many adults and successful lawyers and judges have done, she attended the nearby Ventura College of Law, and graduated four years later. She became a member of the California Bar on Nov. 29, 1978.

As with many, Pat had to build a practice. She began by taking “overflow” or “conflict” referrals from the Ventura County Public Defender. She shared office space and began getting some family law cases. As so often happens, she gained expertise and became specialized as she handled more and more. During her sixteen years of private practice, family law and criminal law were her two primary areas. I am confident that, because of Pat’s personality, she helped many, many clients through very difficult times in a calm, capable and caring way.

In 1993 Pat turned 65 and decided to retire. She was heavily involved in community activities and community service. Among other things, she had served as a Commissioner on the Board of the Housing Authority of the City of Ventura and was very active in the Sisterhood and in teaching Sunday school at Temple Beth Torah. Undoubtedly, she wanted more free time to spend with her husband and with their two wonderful, adult children

(Howard and Susan) and four grandchildren (Jake, Molly, Hilary and Joey). Family was first priority.

For nearly three years, Pat put her bar license on “inactive” status. Then, in late 1997, her dear friend **Verna Kagan** talked her into volunteering in the Ventura County Bar Association’s “VLSP” pro bono program. Pat reactivated her bar license and commenced **nearly 20 years** of providing pro bono services to clients of that program – primarily in family law. But Pat’s impact went beyond that. Beginning in 1998, she and Verna Kagan helped **Carolyn Tulberg**, the 2019 Verna Kagan Pro Bono Service Award recipient, learn family law. Bringing Carolyn along helped provide another 20-plus years of attorney pro bono assistance for needy clients who could not afford legal counsel. The VLSP program, of which Pat, Verna and Carolyn were a major part, was awarded the State Bar President’s Pro Bono Service Award in 2002.

Pat was a wonderful “pro bono” attorney but, even more, a wonderful human being. She served her community (*e.g.*, 20 years as a volunteer helping at Community Memorial Hospital), her clients and at the same time, always put family first – “the most important part of life.” Pat would never brag, but how about this for a mom and a dad who raised two children in Ventura: (1) son, Howard, graduated from Ventura High School, attended CalTech, received a Ph.D. from Stanford and is a former chair of, and currently teaches in, the Geophysics

and Electrical Engineering Departments at Stanford University; and (2) daughter, Susan, graduated from Ventura High School, attended U.C.L.A., graduated from Yale Law School, and, among other things, worked at a prestigious law firm in Los Angeles.

Not bad, Pat! You did good!!!



Don Greenberg is, among other things, a former city attorney for the City of Ventura and senior assistant county counsel for the County of Ventura. He has been involved in the VCBA "pro bono" and legal aid programs for fourteen years.

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RECENT GENDER-NEUTRAL LANGUAGE CHANGES IN CALIFORNIA CODES PART OF GROWING EFFORT TO BE INCLUSIVE OF TRANSGENDER AND NONBINARY COMMUNITY

by Sara Peters

It's still early in the year and already 2021 has brought several changes aimed at being more inclusive of people who are transgender and nonbinary. In February, toy giant Hasbro announced it would be dropping the "Mr." from its iconic Mr. Potato Head brand. A few weeks prior, on his first day in office, President Biden's White House added the gender-neutral title "Mx" and pronoun "they" as options on its website's contact form. That same day, Biden signed an executive order prohibiting federal agencies from discriminating on the basis of gender identity or sexual orientation when implementing laws barring discrimination on the basis of sex. Earlier in January, the US House of Representatives revised the House rules to contain only gender-neutral language. Terms like "chairman" lost the "man" and simply became "chair."

Also in January, California became the third state in the country to require its prisons to place incarcerated transgender people where they believe they'll be safest. This means that a trans woman now has the option of being housed in a women's prison. The same law, known as the Transgender Respect and Dignity Act, also requires prison staff to use transgender inmates' preferred names, titles and pronouns. This groundbreaking law follows years of legislation designed to protect the transgender and nonbinary community. Some of that legislation, like this law, have afforded substantive rights. But recently, much of the legislation has focused on changing the very wording of California's statutes – with the goal of removing gendered language, including gendered pronouns, from all 29 California codes.

This article provides an overview of the recent gender-neutral language changes to the California codes – as well as an overview of the reasons behind those changes.

"Husband" and "Wife" Replaced with "Spouse" in Family Code

In 2015, the Family Code implemented gender-neutral language when it deleted references to "husband" and "wife" and replaced them with "spouse." At the same time, the code's definition of marriage

was changed from "a union between a man and a woman" to "a union between two persons." But these changes were not made for the purpose of being inclusive of transgender or nonbinary people.

Instead, the changes were made because of the new legal status of marriage between same-sex couples, which was made clear by the Legislature: "the purpose of this act is to clarify that all laws relating to marriage and the rights and responsibilities of spouses apply equally to opposite-sex and same-sex spouses." (Sen. Bill No. 1306, Sec. 1, 2013-2014 Leg. (Cal. 2014).) It appears that making language gender-neutral for the purpose of being inclusive of transgender and nonbinary people is something the Legislature had not yet contemplated – even though it had already passed legislation designed to protect them in other ways. Assembly Bill No. 868 is one example. Enacted in 2013, it required training programs for judges on the impact of gender identity and sexual orientation in family law proceedings. It also required standards for providing adequate care to LGBT (lesbian, gay, bisexual and transgender) youth in juvenile court.

Probate and Other Codes Updated Accordingly

In Jan. 2017, the Probate Code and other California codes containing references to "husband" and "wife" were updated to be consistent with the Family Code, which replaced such references with the gender-neutral "spouse" in 2015. The Senate Judiciary Committee's Bill Analysis noted that the change was part of the widespread Efforts of states to make statutes more gender-neutral, and specifically referenced Alaska's attempt to eliminate masculine pronouns from its constitution. (Sen. Jud. Comm. Bill Analysis at 3, March 16, 2016. Sen. Bill No. 1005, 2015-2016 Leg. (Cal. 2016).)

In light of the Legislature's shout-out to Alaska for its masculine pronoun elimination efforts, one might expect that it would've started eliminating gendered pronouns from the California codes at that time – while it was in the process of

eliminating the gendered "husband" and "wife" references. But eliminate gendered pronouns it did not. Instead, it *added* them in. A lot of them. For example, "his or her" was added into Corporations Code section 25102 in five different places (replacing gender-neutral words like, "the commissioner's," "that person's" and "the purchaser's"). Another example was the addition of "his or her" into three parts of Revenue and Taxation Code section 17053.5 (replacing "the renter's" and "the individual's").

Recognizing Intersex, Transgender and Nonbinary People

In Oct. 2017, the Gender Recognition Act was signed into law. With that, the Legislature formally declared it the policy of California "that every person deserves full legal recognition and equal treatment under the law and to ensure that intersex, transgender, and nonbinary people have state-issued identification documents that provide full legal recognition of their accurate gender identity." (Sen. Bill No. 179, Sec. 2(a), 2017-2018 Leg. (Cal. 2017).) In Sept. 2018, a person wishing to conform their legal gender to their gender identity could obtain a new birth certificate without undergoing "clinically appropriate treatment for the purpose of transition" and obtaining a court order. (Sen. Bill No. 179, Leg. Couns. Dig., 2017-2018 Leg. (Cal. 2017).) In Jan. 2019, "nonbinary" was added to the gender category on driver's licenses and state identification cards.

The act also defined intersex, transgender and nonbinary as follows:

Intersex

An umbrella term used to describe natural bodily variations, which can include external genitalia, internal sex organs, chromosomes, or hormonal differences that transcend typical ideas of male and female.

Nonbinary

An umbrella term for people with gender identities that fall somewhere outside of the traditional conceptions of strictly either

female or male. People with nonbinary gender identities may or may not identify as transgender [and] may or may not have been born with intersex traits[.]

Transgender

An umbrella term used to describe people whose gender identity or gender expression do not match the gender they were assigned at birth. Some transgender people have medically transitioned, undergoing gender affirming surgeries and hormonal treatments, while other transgender people do not choose any form of medical transition.

Resolution to Eliminate Gendered Pronouns

In 2018, the Legislature recognized that eliminating gendered pronouns is an important part of making language gender-neutral for the purpose of being inclusive of transgender and nonbinary people. With the passage of Assembly Concurrent Resolution No. 260, the Legislature declared that the pronouns “he” and “she” are “not inclusive of all transgender people [or] nonbinary people who may not ascribe to a particular or fixed gender[.]” Reasoning that “the language we use to draft our laws, applicable to all persons [should] recognize[] and represent[] all persons,” the Legislature resolved to revise existing statutes and draft all new statutes with inclusive language “by using gender-neutral pronouns or reusing nouns to avoid the use of gendered pronouns.” (Assem. Con. Res. No. 260, 2017-2018 Leg. (Cal. 2018).) It was also resolved that state agencies should do the same when drafting policies, regulations and other guidance.

“They” as a Singular Pronoun

If you find it difficult to use the plural pronoun “they” in place of “he” or “she,” you’re not alone. But fear not. Assembly Concurrent Resolution No. 260 reassures us that the *Chicago Manual of Style* and the *Associated Press Stylebook* both accept the use of “they” as a singular pronoun. So do the *Merriam-Webster Dictionary* and *The Washington Post*. (And, by now, probably many others do as well.)

Another compelling consideration is that “they” was used as a singular pronoun

in English for hundreds of years. Yes, hundreds of years – going back to the 1300s. According to an article in *The Washington Post*, writers like Shakespeare and Jane Austen used “they” and “their” as singular pronouns, which apparently was standard until the Victorian era. (Berger, “A guide to how gender-neutral language is developing around the world,” *The Washington Post* (Dec. 15, 2019, 3:00 AM), <https://www.washingtonpost.com/world/2019/12/15/guide-how-gender-neutral-language-is-developing-around-world/>.)

Transgender and Nonbinary People Face Disproportionate Mistreatment

Transgender and nonbinary people have historically been among the most misunderstood, most mistreated, and, therefore, most vulnerable in society. The disproportionate mistreatment of transgender people was formally acknowledged by the Legislature in the Gender Recognition Act: “Studies show that transgender people disproportionately face discrimination, harassment, and violence in areas of life including housing, education, employment, health care, and law enforcement.” (Sen. Bill No. 179, Sec. 2(e), 2017-2018 Leg. (Cal. 2017).)

Respect for Pronouns Lowers Risk of Suicide

In light of the disproportionate discrimination, harassment and violence they face, it’s no surprise that one in five transgender adults in California have attempted suicide. According to Assembly Bill No. 2218, transgender adults attempt suicide at a rate six times that of adults who aren’t transgender. (*Id.*, at Sec. 1(d), 2019-2020 Leg. (Cal 2020).)

The statistics for transgender youth are even worse. More than half of the transgender and nonbinary youth surveyed by The Trevor Project reported having seriously considered suicide in the twelve months preceding the 2020 survey. But those whose pronouns were respected attempted suicide at half the rate of those whose weren’t. (The Trevor Project’s 2020 National Survey on LGBTQ Youth Mental Health report can be found at thetrevorproject.org.)

Gendered Pronouns Eliminated from Family Code

In July 2019, the Legislature finally began to act on the promise it made in Assembly Concurrent Resolution 260 – which was to eliminate gendered pronouns from California policy. With the passage of Assembly Bill No. 1817 (which took effect in 2020) gendered pronouns were deleted from numerous sections of the Family Code. One example of this is found in section 3011, where “he or she” was replaced with “the parent or person seeking custody[.]”

Family Code Extends Substantive Protections to Gender Identity and Gender Expression

In Oct. 2019, Senate Bill No. 495 was enacted. Effective in 2020, it prohibited courts from considering a parent’s sex, gender identity, gender expression or sexual orientation when making child custody determinations.

Gendered Pronouns Eliminated from Other California Codes

Also in Oct. 2019, the Legislature enacted Assembly Bill No. 991, which eliminated gendered pronouns from many of the other California codes. The “his or her” references that were *added* to many of the codes in 2017 were taken back out at this time. For example, Revenue and Taxation Code section 17053.5 changed “his or her” back to “the renter’s” and “the individual’s.” It also eliminated other gendered language throughout the codes. One example of this is found in Penal Code section 368.5, where “ombudsman” became “ombudsperson.”



Sara Peters practices family law and civil litigation in Ventura. She has a background in employment law and is a former special education teacher. She can be reached at (805) 200-7418 or srp@peterslawgroup.com.

RESPECTED JURIST BECOMES VENTURA COUNTY'S PRESIDING JUDGE

by Edward A. Andrews

In Aug. 2020, **Judge Bruce Young** was chosen by his fellow jurists to lead the Superior Court as Ventura County's Presiding Judge. The Presiding Judge's many responsibilities include establishing policies, allocating resources, and equitably addressing equal access to justice, the use of judicial resources, efficiency in court operations, and service to the public. Newly added is the duty of steering the Court through a pandemic while working to ensure justice and safety. Judge Young has ably taken the helm during the largest restructuring of the county's court system in response to one of the greatest crises it has faced in recent memory.

At the start of 2020, Judge Young was Assistant Presiding Judge, a position he had held since 2019, following election in Oct. 2018. 2020 began with a rosy budget picture and careful plans about administration of the Court, but that all changed in March. During the initial lockdown, the Court was forced to consider how to administer justice and ensure safety during the present crisis. "There was no playbook," Judge Young said as he described the situation. Reopening pending, the Court needed to address and balance the needs of the Civil, Criminal, Family Law, Juvenile and Probate Departments, determine how to safely handle operations inside its facilities, and establish procedures for remote hearings.

Amid this effort, Judge Young was elevated to Presiding Judge. Drawing on relationships built with the rest of the bench and with the Bar, and on lessons learned during the budgetary shortfalls of the Great Recession, he rolled up his sleeves and set himself to the task. "It was amazing seeing how hard people worked," said Judge Young, describing the late nights and early mornings participating in working groups within the court internal departments, other county agencies and throughout the state. The Coronavirus era has demanded agility and innovation from the Court and, while some areas are still works in progress, Judge Young is committed to leading the Court in a way that ensures justice and protects people.

Part of his commitment stems from a strong connection to our community. Judge

Young's family moved to Ventura County when he was an infant. His mother, a school teacher, and his father, a delivery driver for a local bakery, were positive role models for him. After graduating from Buena High School, Judge Young matriculated to California Polytechnic State University, San Luis Obispo. While a Mustang, Judge Young had a chance encounter with the legal field that would divert him from his initial plans to teach history. A business law class taught by a local practitioner sparked an interest in the law and after obtaining his degree, Judge Young continued to Pepperdine University's School of Law.

Before joining the bench, Judge Young had significant experience as an attorney, with a career spanning both private practice and public service. Sworn in as a member of the California Bar in 1977, Judge Young clerked briefly in the Ventura County District Attorney's Office before practicing in civil litigation and joining Romney, Smith & Drescher as an associate. He practiced in Ventura County for over twenty years, holding roles as an associate, solo practitioner and partner, and becoming a managing partner in Drescher, McConica, Onstot, Schuck & Young in 1993.

Judge Young then jumped to a position at the District Attorney's Office from 1999 to 2003. Already an accomplished civil litigator, he began anew in a misdemeanor assignment, working elbow to elbow in one large windowless office with other new prosecutors. Unafraid of novel challenges, Judge Young quickly learned the nuances of criminal prosecutions, working tirelessly with the same courthouse-by-day and office-by-night schedule he had kept in civil practice. Despite the gap in age and experience, he quickly created strong friendships and popularity among his colleagues. As some colleagues have further noted, it was this same timeless charm which helped him connect with juries and gain success in his trial work. As a result, Judge Young was quickly assigned to the more specialized elder abuse unit. In this role, he focused on the expanding crime of financial elder abuse, prosecuting cases locally while also making presentations countywide and out of state as an expert on the topic.

Judge Young was selected to join the Court in 2003 as a Commissioner. Following four years of service in that role and primarily presiding over a Family Law calendar, he was appointed to a judgeship by Governor Arnold Schwarzenegger on Aug. 20, 2007. His experience has involved not only criminal trial assignments, but also juvenile dependency, criminal master calendar and settlement conference calendar assignments.

Seeing the need for additional courtrooms for case settlement conference calendars resulting from the current pandemic, he worked with his colleagues, the District Attorney, the Public Defender and private defense Bar members to set up an additional felony disposition calendar in Courtroom 23, where he currently sits. Judge Young shared that he is "very proud of the Ventura County Superior Court bench officers and the Court Administrators" with whom he works because "our Court is large enough to be innovative" but also "not so rigidly structured that we cannot work with each other to implement changes to problems that need to be fixed."

Although his current assignment routinely involves complex matters with more experienced lawyers, he has enjoyed opportunities to meet new lawyers through trials and hearings. When asked for advice for newer attorneys, he responded, "Do your homework and be prepared. Understand the strengths and weaknesses of what you have." Even with more senior lawyers on the other side of an issue, "very little cannot be overcome by hard work." And, in oral arguments, "hit the high points." Judge Young also noted that he is open to receiving materials electronically from the lawyers prior to the hearing when needed on a case-by-case basis, as long as all parties are copied. He believes that receiving and reviewing materials before the court date can be helpful in narrowing the issues, in hopes of expediting the lawyers' arguments followed by a Court ruling shortly thereafter, but he clarified it is not his practice to respond substantively via email.

Judge Young's diligent efforts on behalf of the legal and general communities have

not gone unnoticed. He previously served as Supervising Judge of the Criminal Division from 2009 to 2012. In 2015, he was recognized by the Ventura County Trial Lawyers Association as Judge of the Year. He is a past recipient of the Oxnard Knights of Columbus Public Safety Award, among other honors. A consummate team player – in the Superior Court and on the basketball court, as some colleagues have noted – Judge Young looks forward to the challenges ahead. He also wishes to give credit to his wife of three-and-a-half decades, Tena, for her unwavering support of him in these difficult times.



Edward A. (“Ted”) Andrews is a Ventura County deputy district attorney.

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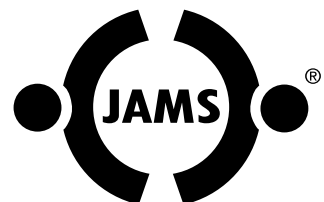
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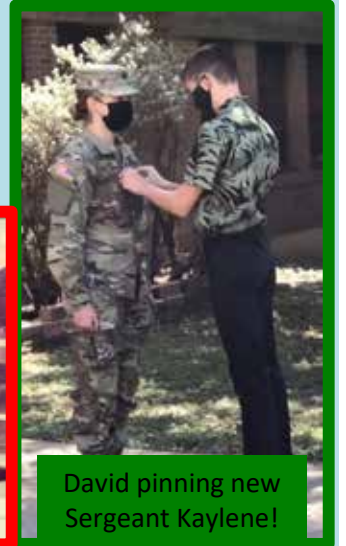
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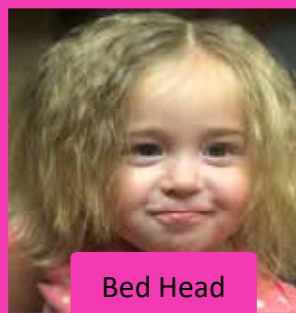
New RN Aubrey's Graduation Party!



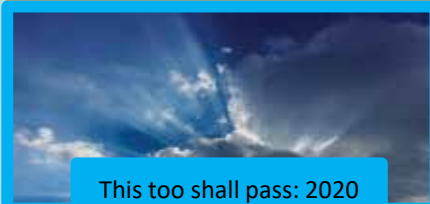
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