



CITATIONS

FEBRUARY - TWO THOUSAND TWENTY THREE



INTRODUCING JUDGE HOUSKA

by Hon. Henry J. Walsh

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PRESIDENT'S MESSAGE

by *Brian C. Israel*

I have so enjoyed the emails, messages, and in-person conversations with our members. VCBA is better because of all of you.

There are so many individuals making a difference in this community. I am lucky enough to be able to use this space to highlight people and events in our community that help make a difference to the Bar and Ventura County.

This month I am able to introduce you to the newest Barristers President, **Kristine Tijam**. You can read her Barristers' Corner in this month's *CITATIONS*. As a past Barristers President, I know how Barristers affected me personally and professionally. I wanted to ask Tijam about the importance of Barristers to her and why she participates.

"I think of Barristers like a bridge that helps better connect young and new attorneys to our greater legal community. Barristers really serves to welcome our county's new attorneys to this industry, helps with the transition of going from 'law student' to 'attorney', and fosters their professional development."

She added, "I think Barristers plays an important role in helping new attorneys feel a greater sense of belonging in our community at large. Barristers helps bring together the young attorneys of the county, who are often spread across different practice areas and places of employment. Barristers' events also help newer attorneys' professional development by giving them the opportunity to mingle with a broad variety of more experienced attorneys, judges, commissioners and other legal professionals."

Barristers events, which are mostly held in informal settings, are great opportunities for newer attorneys to chat with the legal community without any pressure, all while participating in fun, casual activities.

This year the Barristers would love to see continued participation. As Tijam noted, "In 2022, we were pleased to see a lot of attorneys, judges, commissioners and legal professionals of all ages and experience levels come out and support us. We would love for that to continue. Everyone seems to have more fun and get more out of our events when we have a larger crowd."

If anyone is interested in helping sponsor any Barristers events, Tijam said that "we would definitely welcome that too and would be grateful for the support."

Wrapping up she astutely added, "Ultimately, our new attorneys will play a significant role in the future of our legal system. I think we should all do our best to help support them and do what we can to give them the tools to succeed and make a difference."

The Barristers are in great hands this year. Best of luck on your Presidency, Kristine.

Tijam reminds us of the importance of taking the time to make connections within our community. I encourage you to write that email to a colleague. Come to an event. Volunteer your time at the Ventura County Legal Aid (VCLA) clinic at the law library.

It's rewarding to spend five minutes being a mentor to a young attorney in town or to give an hour of your time for pro bono work.

On another note, I was able to attend new **District Attorney Erik Nasarenko's** swearing in. It was another great reminder of how strong our community is and how we members of the Bar can make a difference.

Nasarenko's remarks centered on his goal of getting fentanyl off the streets of

Ventura County. The Ventura County Bar Association whole heartedly supports that goal and we offer any and all support in accomplishing that mission.

Lastly, the Lakers. Boy have they been hit or miss. Close wins and tough losses. In my office following game days attorney **Andrew Covner** is always reminding me of the highs and lows.

Lebron James is truly something else, even at his "advanced" age. That's not to say he's the G.O.A.T. (greatest of all time), but he may have passed Kareem Abdul-Jabbar for most career points by the time you are reading this.

I look forward to continuing seeing you all and meeting new and familiar faces.



Brian C. Israel is an associate attorney at Norman Dowler, LLP in Ventura. His practice focuses on estate planning, probate, and trust administration. He can be reached at bisrael@normandowler.com or at 805-654-0911.



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CAMPUS CORNER: OUR OBLIGATION AS LAWYERS TO DEFEND DEMOCRACY

by Mitchel L. Winick and Jackie Gardina

Our democratic republic is approaching its 250th year anniversary which, unfortunately, makes it easy to take it for granted. However, it is not an overstatement to believe that democracy and the democratic process are currently under attack in our country. We are being confronted by one of the most polarized, divisive and dangerous political and social periods in recent history. Over the past several years, we have witnessed increasingly hateful rhetoric by members of the public and even elected officials at the local, state and national level. Physical confrontations at local school board meetings, city council sessions and an armed mob attack on the nation's capital are urgent warnings that the rule of law and our democratic institutions are at risk.

As American lawyers, we consider the Constitution and respect for the rule of law to be the foundation of our democracy. This is such an important principle that, **as a condition of licensure**, we take an oath to support both our U.S. and state constitutions. If it has been a while since you took or administered the attorney's oath in California, it is the following:

I solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of an attorney and counselor at law to the best of my knowledge and ability. As an officer of the court, I will strive to conduct myself at all times with dignity, courtesy, and integrity. California Attorney's Oath

(www.calbar.ca.gov/Admissions/Examinations/California-Bar-Examination/Attorneys-Oath.)

As members of the legal profession and sworn officers of the court, there is no question that we have an important role to play in navigating our country and our communities through these challenging times. In this context, perhaps we should take a step back to consider whether, individually and collectively, we are adequately meeting our professional obligations to come to the defense of democracy, the rule of law and the Constitution.

As attorneys, we have the professional, intellectual and educational skills to define, discuss and educate about the distinctions between legal vs. illegal behavior, honest vs.

fraudulent allegations, and factual vs. false narratives.

In fact, we have taken an oath to do so.

If we remain silent when members of our profession, and in rare cases, members of the judiciary, intentionally abuse the justice system by pursuing lawsuits without legal foundation or fact, publicly advocate claims that they know have been judicially determined to be without legal basis, fail to recuse in cases that appear to have specific conflicts of interest, and act openly and publicly in violation of the attorney's oath...

If lawyers in elected office or serving in public or administrative positions of trust sit silently when presented with evidence of alleged fraud, illegal behavior, false filings or intentional non-filings of statutorily required public and financial disclosure information...

If we are not horrified and outraged to the point of feeling compelled to speak out in defense of democracy and the rule of law in the face of an illegal and violent mob attack on our center of democracy – the U.S. Capitol – that disrupted the peaceful, democratic transfer of power and caused our elected officials to literally flee from their Congressional duties in fear of injury or death...

...then as lawyers, law professors and judges we are sitting idle when we have a professional and ethical obligation to act.

Can there be any doubt that we, as lawyers, have an obligation to: defend the process, participation in and outcomes of free and fair elections; demand the timely investigation, judgment and discipline of lawyers, judges and elected officials who violate legal and ethical standards; and support equal access to justice and protection of our Constitutional rights, regardless of ideology, financial ability, origin or identity?

These are not issues that can be disregarded by the legal profession under the excuse that they are merely issues of partisan politics and not fundamental attacks against the rule of law. Abandonment of the rule of law cannot be dismissed as politics-as-usual in the face of violent insurrection and the mainstreaming of hate-based

rhetoric within our political parties and in our public dialogue.

What weighs in the balance are the foundational Constitutional protections that define our democracy – freedom of speech, freedom of religion, freedom from discrimination, and freedom to participate in free and fair elections. History has taught us that the sustainability of these freedoms requires vigilance and a commitment to act when it is necessary to defend democracy and enforce the rule of law.

And that is the obligation that we have accepted as lawyers.

Although attribution of the quote, “all tyranny needs to gain a foothold is for people of good conscience to remain silent,” may be disputed (with apologies to Edmund Burke), the point is well made. Therefore, what steps should we be taking as lawyers to speak out in defense of democracy?

First and foremost, we need to identify more ways to actively and publicly work together—regardless of politics, ideology or identity—to be leaders in our communities speaking out against false, divisive, and hateful rhetoric. We need to accept responsibility to stand up to those who attack the most vulnerable in our communities and use our knowledge and ability, as required by our oath, to defend their rights and provide access to justice. Finally, we need to have zero tolerance for members of our profession who intentionally, openly and repeatedly violate our professional ethics.

In this new year, let's commit to work together as lawyers to remind all members of our community that democracy must not be taken for granted and that the rights, privileges, and freedoms that are guaranteed under the Constitution and protected by the rule of law are essential to another pledge that we each have taken as Americans – to be “one nation under God, indivisible, with liberty and justice for all”.

California Accredited Law School Deans Mitchel L. Winick (Monterey College of Law) and Jackie Gardina (The Colleges of Law) are cohosts of the new podcast SideBar (www.sidebarmedia.org) on the Legal Talk Network that discusses current challenges to our individual constitutional and civil rights. Comments are welcome at www.sidebarmedia.org/comments.

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Congratulations are in order for **Amy Van Sickle**. She has been selected to serve as a Superior Court Commissioner. A formal announcement is forthcoming. Van Sickle was the President of the Family Law Bar Association in 2022 and was admitted to the State Bar of California in 2003.

The United States Bankruptcy Court named **Randy Sutter** to its 2022 Honor Roll of Pro Bono Volunteers for his service as at the Consumer Debt Clinic operated by the Legal Aid of Foundation of Santa Barbara County. Sutter practices bankruptcy and business law at Ventura's Rounds & Sutter.



Aris Karakalos has opened Karakalos Law APC, focusing on individual and class action employee rights matters. He represents employees exclusively. 805-293-7776, aris@karakaloslaw.com



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INTRODUCING JUDGE HOUSKA

by Hon. Henry J. Walsh

On August 8, 2022, Governor Newsom appointed **Maureen Houska** as the newest Superior Court judge for Ventura County. Judge Houska is a Southern California native, having been born and raised in the San Fernando Valley. Her dad was a high school teacher and cross-country coach who became a lawyer and retired as a bank president. Her mother was a nurse. Maureen was valedictorian and student body president of her graduating class at Corvallis High School. She then attended the University of Notre Dame and received a bachelor's degree in finance. It was then back to So. California for law school at Loyola University in Los Angeles where she was graduated in 1990, and passed the bar exam that same summer. Her first legal job was with Cotkin, Collins & Franscell in Los Angeles defending public entities and police officers in state and federal courts.

In 1993, Judge Houska and her then husband moved to Ventura County where she took a job with Lawler, Bonham & Walsh. She also became the mother of her son Luke, and her daughter, Brianna.



Sr. DDA Margaret J. Coyle, Judge Maureen Houska, Past Bar President Jacquelyn D. Ruffin and VCTLA past president Danielle Everson,

In 1999, she resigned her position at LBW much to the disappointment of her employer (including the author of this article) to be a full-time mom to her two young children. She returned to the practice of law in 2008, working first for the Benton Orr firm in downtown Ventura, and then as a partner at WooHouska representing the County of Ventura and various school districts in all aspects of their litigation.

Off the bench, Judge Houska has had a long-time involvement with Tae Kwon Do, and has earned the rank of black belt. She has found that the tenets of Tae Kwon Do

are consistent with her own personal life, and her belief that no matter how much you know, there is more to learn.

Judge Houska's time away from the law has had a positive effect on her family. She and her children enjoy each other's company and see each other frequently to walk the dogs, share a meal and have fun. Luke is the assistant manager of a residential high rise on downtown Los Angeles. Brianna has a bachelor's degree in chemistry and supervises a media team that provides support for researchers at Amgen.

Judge Houska brings the gender proportion on the Ventura bench into a greater balance. Although "no nonsense" in her personality, she also possesses an ability to be flexible when necessary, and has an engaging personality. She will fit in easily with what is already a talented group of judicial officers.

Harry Walsh has been a Superior Court judge since 1998. His assignment is civil litigation, and in a prior lifetime, Maureen Houska worked for his lawfirm.



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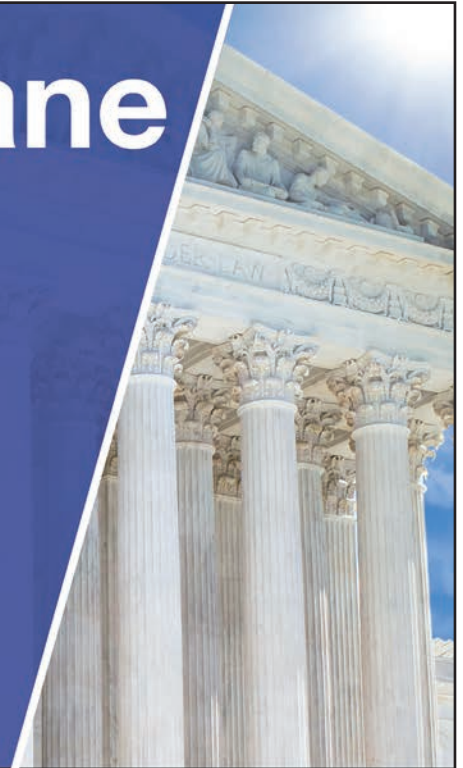
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BARRISTERS' CORNER

by Kristine Tijam

The first Barristers Board meeting of 2023 took place on Jan. 5, at which the Board unanimously voted to approve the following slate of Directors for 2023:
 President: **Kristine Tijam**
 Vice President: **Ian Elsenheimer**
 Secretary: **Christal Porter**
 Treasurer: **Ben Baumer**
 Past President: **Leonidas Nicol**

Members-at-Large:

Bryce Wallgard **Devin Mirchi**
Elizabeth Harrier **Erin Weilbacher**
Julian Gonzalez **Valarie Grossman**
Jack Ucciferri

H. Frederick Seigenfeld
 Elianna "Ellie" Gomez (*law student member*)

Barristers' first event of the year, Bridging the Gap, took place on Jan. 21 after unfortunate delays due to the COVID-19 pandemic. As many are aware, Bridging the Gap is Barristers' annual MCLE event meant to "bridge the gap" for attorneys' outstanding MCLE requirements before the reporting deadline. Speakers at this year's

event consisted of Hon. **Gilbert Romero**, Hon. **Kevin DeNoce**, Hon. **Vincent O'Neill** (Ret.), Ventura County Superior Court Executive Officer **Brenda McCormick**, **Randy Pollak**, **Mark Lester**, Seigenfeld, **Greg Dorst**, **Robert Cohen** and **Sidney Kanazawa**. Insurance professional Barry Cane was also present and hosted a raffle. Attendees walked away with six MCLE credits and knowledge on various legal topics and new developments in the law. Just as in prior years, the event again took place at the Ventura campus of The Colleges of Law, with breakfast and lunch from Noah's Bagels and Urbane Cafe, respectively.

The Barristers Board is currently planning additional events for this year, including its annual Trivia Night, Wine and Cheese Mixer and Meet the Bench. Speaking from personal experience, these gatherings are a lot of fun and are unique opportunities for younger and newer attorneys to mingle with more experienced attorneys, judges, commissioners and other legal professionals.

The first Barristers Board meeting of the year was not only productive, but also filled with high spirits, excitement, great ideas and an eye towards community service and outreach. I am honored to serve as this year's President alongside a talented group of intelligent and inspirational young legal professionals.

We hope you will join us at our events this year. If you have any questions about Barristers, would like to get involved, or would like to be added to our email distribution list, please contact me at kristine@proctershoyer.com. Finally, keep an eye on *CITATIONS* for our upcoming events!



Kristine Tijam is a civil litigation attorney at Procter, Shyer & Winter, LLP, and an adjunct law professor at The Colleges of Law. She is currently serving as the 2023 Barristers President.

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Senior Child Support Attorney
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Elina Avagimova
Child Support Attorney
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Michael Ocampo
Child Support Attorney
michael.ocampo@ventura.org

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