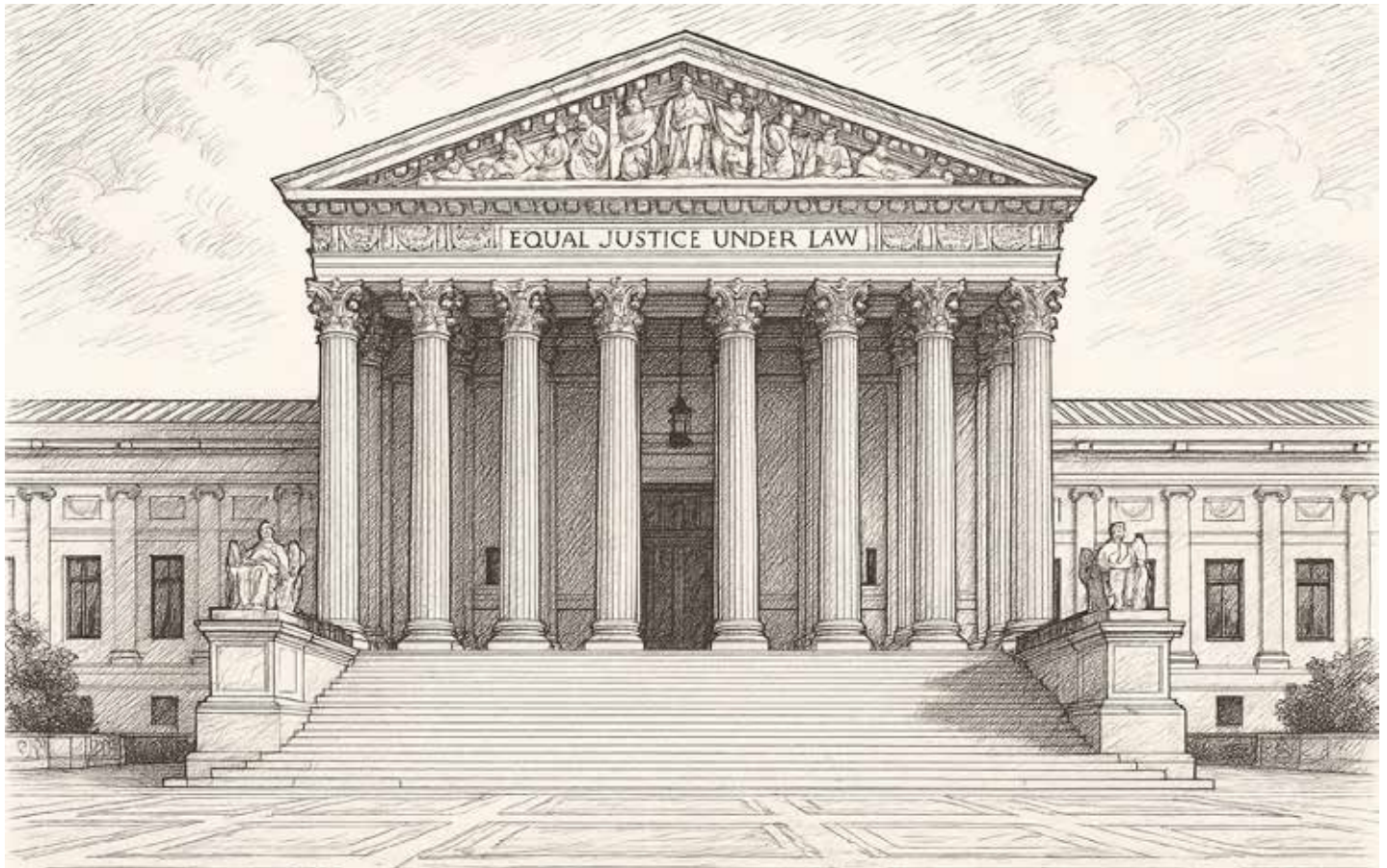




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PRESIDENT'S MESSAGE: VENTURA COUNTY BAR ASSOCIATION STATEMENT IN SUPPORT OF THE RULE OF LAW

By Guillermo "Bert" Partida

A common guiding principle as a legal community – *access to justice for all and the rule of law* – is being attacked. For this reason, the Ventura County Bar Association joins more than 100 bar associations across the country in supporting and defending the rule of law and rejecting efforts to undermine our courts and the legal profession. (Statement on page 10.)

The American Bar Association has stated the following:

"We endorse the sentiments expressed by The Chief Justice of the U.S. Supreme Court in his 2024 Year End Report on the Federal Judiciary, '[w]ithin the past year we have also seen the need for state and federal bar associations to come to the defense of a federal district judge whose decisions in a high-profile case prompted an elected official to call for her impeachment. Attempts to intimidate judges for their rulings in cases are inappropriate and should be vigorously opposed.'"

"We support the right of people to advance their interests in courts of law when they have been wronged. We reject the notion that the U.S. Government can punish lawyers and law firms who represent certain clients or punish judges who rule certain ways. We cannot accept Government actions that seek to twist the scales of justice in this manner."

"We reject efforts to undermine the courts and the profession. We will not stay silent in the face of efforts to remake the legal profession into something that rewards those who agree with the Government and punishes those who do not. Words and actions matter. And the intimidating words and actions we have heard and seen must end. They are designed to cow our country's judges, our country's courts and our legal profession."

"There are clear choices facing our profession. We can choose to remain silent and allow these acts to continue or we can stand for the rule of law and the values

we hold dear. We call upon the entire profession, including lawyers in private practice from Main Street to Wall Street, as well as those in corporations and who serve in elected positions, to speak out against intimidation."

We are obligated by our profession to protest injustice in all forms. Lawyers should speak to, advocate for, and defend our judges. We must protect our bedrock of justice. Now is the time to speak, which is why VCBA stands together with all other bar associations in support of the rule of law. We are locking arms to support each other and the community in protecting this honorable profession.



Guillermo "Bert" Partida practices law at Slaughter, Reagan & Cole, LLP in the areas of Personal Injury Defense, Premises Liability, and Habitability Defense.



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HAVE YOU HEARD?

Brenda McCormick Formally Retires

The Ventura Superior Court announces the retirement of **Brenda L. McCormick**,



Court Executive Officer, Clerk of the Court and Jury Commissioner, effective April 14, 2025, after more than 19 years of service to the Court.

Ms. McCormick has served as the Court Executive Officer since her appointment by the Judges in 2021. Ms. McCormick was the Court's General Counsel from 2011 to 2021, and the Managing Attorney overseeing the Court's Legal Research attorneys, Family Law Facilitator, Civil Self-Help and the Case Management Attorney from 2005 to 2011. Before joining the Court in 2005, Ms. McCormick was a respected civil litigator for 17 years in Ventura, where she was a shareholder in the prestigious firm of Benton, Orr, Duval & Buckingham. Ms. McCormick has served on several advisory committees to the California Judicial Council including the Court Executives Advisory Committee.

"We thank Ms. McCormick for her years of dedicated service to the Court and, most importantly, to the residents of the County of Ventura," says **Presiding Judge Matthew P. Guasco**. "In particular, Ms. McCormick's work as General Counsel for the Court was critical during the COVID-19 pandemic, especially that pertaining to the emergency orders, which modified court operations in an effort to protect the public, judicial officers and employees." Presiding

Judge Guasco adds, "Even in the most stressful situations, Ms. McCormick always demonstrated her trademark calm and patient demeanor. We wish her the best on the occasion of her retirement."

Kathryn "Kate" Bieker Takes the Reins at the Ventura County Superior Court



The Judges of the Ventura County Superior Court are pleased to announce that they have appointed **Kathryn "Kate" Bieker** to serve as Court Executive Officer, Clerk of the

Court and Jury Commissioner, effective April 14, 2025. Ms. Bieker's appointment follows the retirement of Brenda L. McCormick, who has served as the Court Executive Officer, Clerk of the Court and Jury Commissioner since 2021. Ms. Bieker has served as the Court Executive Officer of the Contra Costa Superior Court for the last seven years, having held various positions at that court for 19 years. During her distinguished career with the Contra Costa Superior Court, Ms. Bieker has held leadership positions in Human Resources, Finance and Operations, and she serves on the California Judicial Council. The hiring of Ms. Bieker follows a competitive nationwide recruitment which was facilitated by CPS HR Consulting.

The Court Executive Officer serves at the pleasure of the Judges of the Court and is responsible for overseeing and managing the day-to-day operations of the Court

subject to the supervision and direction of the Presiding Judge. "We are thrilled and excited to begin this next chapter in the Court's history of service to the community with the appointment of Kate Bieker. While we were impressed with the qualifications of each of the finalists we interviewed, Kate's breadth and depth of experience in all facets of court management, coupled with her demonstrated track record of innovation and success in technology, operations and employee relations, made her clearly the best-qualified applicant to be our next CEO," says **Presiding Judge Matthew P. Guasco**. "Kate is the right person at the right time to help the Ventura Superior Court achieve the objectives in our recently-adopted Strategic Plan, which focuses on improvements and innovations in all facets of court operations to better serve the residents of Ventura County."

Ryan Skelly Joins Ferguson Case Orr Paterson

Tax and estate planning attorney **Ryan Skelly** has joined Ferguson Case Orr Paterson as an associate to guide individuals, families, and closely held businesses through complex tax, wealth transfer, and business succession matters. Skelly also represents clients in federal and California tax controversies. He lives in Ojai with his wife and daughter. He can be reached at 805-659-6800; rskelly@fcoplaw.com.

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- Lori Dobrin,
Attorney and Mediator

"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."

- Rennee R. Dehesa,
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OBITUARY: CHRISTINA LYNN WILSON



Christina Lynn Wilson (Christie), a local attorney, passed away on March 26, 2025, in Camarillo, California.

Christie was born on April 28, 1985, at Queen of Angels Hospital in Los Angeles, California to Douglas and Juliana Wilson (Julie). Christie was born on her mother Julie's birthday at the same hospital - a very special day for mother and daughter.

Christie grew up in Ventura Keys, and on a ranch in Santa Ynez Valley where she raised quarter horses and bred miniature horses. She also had numerous pet dogs, cats, goldfish, chickens, a heifer calf, a land Tortoise and a pet Cockatiel that she trained to whistle the horse racing bugle calls, "First Call" and "Call to Post." She appreciated all animal species and especially bonded with her own.

She went to high school at Dunn School in Los Olivos, graduating at the top of her class. While at Dunn, she was an honor roll student and earned varsity letters in basketball, tennis, and track & field. Christie also sang and danced ballet, jazz, flamenco, and tap while at Los Olivos Dance Gallery. She started singing live on stage at five-years-old and performed in more than 12 dance productions at Solvang Outdoor Theaterfest.

She later won a singing contest at the Santa Barbara County Fair. She was also one of the main featured performers.

Christie competed in numerous beauty pageants, including Miss Santa Barbara County. Her talent and passion were always dancing and singing.

Christie went on to earn a Bachelor of Science Degree in Agricultural Business, with a concentration in Finance and Appraisal, from Cal Poly, San Luis Obispo where she was on both the Dean's List and President's List. She also attended a summer study abroad in Paris, France. While at Cal Poly, she developed a passion for running, and completed ten 5Ks, four 10Ks, eight half-marathons, and one full marathon.

Continuing on her education at The Santa Barbara and Ventura Colleges of Law (now known as The Colleges of Law), Christie earned a Juris Doctor degree. While in law school, she was Dean of the Sandra Day O'Connor Senate of Delta Theta Phi Law Fraternity. Her classmates, professors, and Colleges of Law community will always remember her as hardworking, intelligent, and incredibly caring, with a constant willingness to serve the community and help those in need. She remained active with

The Colleges of Law even after graduation, serving as a Board Member of the Alumni Council, and continuing her involvement with the institution's various events.

In her second year of law school, she met a fellow classmate and her future husband Kryztofr Kaine, and they were married on August 15, 2022.

Christie worked for several law firms during her five-year legal career before starting her own practice specializing in estate planning. She continued working during her illness until her final days.

Her brave battle with cancer began shortly after her wedding, discovered just after her honeymoon. She fought long, hard, and courageously, and was a warrior to the end.

Christie was a wonderful, loving daughter and wife. Smart, beautiful, and courageous. She was loved and will be missed by everyone who knew her.

Christie is survived by her beloved husband, Kryztofr Kaine; her parents, Douglas and Juliana Wilson; and numerous aunts, uncles, cousins and nephews.

In lieu of flowers, your memorial donation may be made to the City of Hope tribute website: www.cityofhope.org/giving/give-honor-or-memory

Christie's wish was that "City of Hope" could continue to help others with cancer, so please include her full name on your donation: In Memory of, Christina Lynn Wilson. If you prefer to mail in a donation, donations may be sent to City of Hope, Attn: Annual Giving, 1500 Duarte Road, Duarte, California 91010.

Our legal community mourns the loss of Christie, whose kindness, compassion, bravery, perseverance, and strength will never be forgotten. We send our thoughts and prayers to Christie's family during this difficult time.

VENTURA COUNTY BENCH WEIGHS IN ON CIVIL TRIALS: Know your local rules, be prepared, and mind your manners.

By Ben Baumer and John Leverett

For those of you who may not know, a section of the Ventura County Trial Lawyers Association (VCTLA) regularly invites feedback from the bench as to how trial lawyers can make the trial experience more efficient and effective (and hopefully enjoyable) for everyone involved, *especially the jury*. Below are some best practices VCTLA and the Ventura Superior Court civil department judges would like to share with our legal community.

Know Your Court's Pretrial Rules

Although the general procedural rules for civil trials are set forth in Local Rule 8.12, each judge has their own written rules governing how pretrial and trial-related matters should be handled. These rules vary from one court to the next. In many cases, the court publishes their respective rules online at <https://www.ventura.courts.ca.gov/assignments-vent.html>. If not, they can usually be obtained by contacting the judicial secretary for your assigned court.

Bottom line: Research your court's specific trial rules before and after any trial setting conference so any concerns can be addressed well in advance of the trial date. For example, when considering trial estimates, know that some courts are dark on certain weekdays and have different operating hours. Other differences include:

Pretrial Filing Deadlines, e.g., motions in limine, witness & exhibit lists, trial briefs, statement of the case, proposed jury instructions, proposed verdict forms, etc.:

■ Courtroom 20 - Judge Houska:

- Master Witness/Exhibit lists and trial briefs to be emailed to court five (5) court days before trial

■ Courtroom 21 – Judge Buehner:

- Email copies of Master Witness/Exhibit lists and trial briefs five (5) court days before trial.
- Courtesy paper copies should be delivered to Courtroom 21 by 8:30 a.m. on the court day after they are emailed to the Court

■ Courtroom 40 – Judge Borrell:

- All pretrial documents filed/lodged on the first day of trial

■ Courtroom 41 – Judge Ortega:

- Email copies of Master Witness/Exhibit lists and trial briefs to court three (3) court days before trial.
- Original documents must be filed with court on first day of trial

■ Courtroom 42 – Judge McKaig:

- Master Witness/Exhibit lists and trial briefs emailed to court three (3) court days before trial to be filed with court on first day of trial

■ Courtroom 43 – Judge Coats:

- All pretrial documents to be filed/lodged on the first day of trial
- Unless there is a particularly thorny issue in which case early notice to the court should be given

Motions in Limine ("MILs")

■ Courtroom 20 - Judge Houska:

- All briefing emailed to court five (5) court days before trial
- Max of five (5) in limine motions per party (absent leave of court)

■ Courtroom 21 – Judge Buehner:

- All briefing emailed to court five (5) court days before trial
- Max of five (5) in limine motions per party (absent leave of court)
- Courtesy paper copies should be delivered to Courtroom 21 by 8:30 a.m. on the court day after they are emailed to the Court

■ Courtroom 40 – Judge Borrell:

- Filed with court on first day of trial
- Max of ten (10) in limine motions per party.

■ Courtroom 41 – Judge Ortega:

- All briefing emailed to court three (3) court days before trial
- Max of five (5) in limine motions per party (absent leave of court)

■ Courtroom 42 – Judge McKaig:

- All briefing emailed to court three (3) court days before trial
- Max of five (5) in limine motions per party (absent leave of court)

■ Courtroom 43 – Judge Coats:

- Due on the first day of trial
- Do not exceed ten (10) MILs total (without leave of court)
- The Court expects only five (5) MILs total and each MIL must be limited to five pages or less;

Note that for a bench trial, evidentiary and legal issues can be handled through the trial brief instead of MILs.

Caveat Emptor: Rules Change

Pursuant to Code of Civ. Proc, § 128, a trial court has the power to make changes to its rules and our local judges review their rules periodically to see if there should be adjustments. So, make sure to check for updates and/or changes when preparing for a trial setting conference and/or trial.

Common Themes

Many judges want to emphasize common impediments to the effective presentation of expert evidence pursuant to *Kennemur v. State of California* (1982) 133 Cal. App. 3d 907 and *People v. Sanchez* (2016) 63 Cal.4th 665.

Kennemur Objections – Generally, the judges discourage bench conferences (which are not reported) and note that *Kennemur* objections frequently lead to such bench conferences and the attendant delays. To mitigate bench conferences, which can result in removing the jury from the courtroom, judges recommend anticipating *Kennemur* issues and handling them *in limine*. If this is not practicable, the judges suggest the following:

- Lodge your expert's depositions transcripts
- Be prepared to provide pinpoint cites to the deposition transcript immediately to avoid excessive wait times or bench conferences

• Note that if the *Kennemur* admonition is not tied up neatly in a bow during the expert's deposition, don't bother making the objection

Sanchez Objections – The judges are acutely aware of the exclusionary effect *Sanchez* has on expert opinion testimony and caution trial counsel to prepare accordingly. Failure to account for *Sanchez* creates one of the most perilous situations an attorney can face when attempting to introduce evidence. It is painful when it happens. For example, many judges find themselves educating attorneys about *Sanchez* in the middle of trial. An attorney can't get around *Sanchez* by saying, "Are you aware that the Dr. Jones' note says..." or "Is it your understanding from reviewing Dr. Jones' records that X happened?" or "I will represent to you that Dr. Jones' record says...". This is testifying and it's subject to objection. The judges suggest attorneys anticipate *Sanchez* issues *in limine* to get a ruling in advance of the trial to determine if a witness needs to appear. Alternatively, the courts send a gentle reminder that attorneys are always free to stipulate around *Sanchez*.

Exhibits – Counsel should avoid bringing in thousands of pages of exhibits if they are only using a fraction of them. The courts and witnesses get bogged down looking for an exhibit that is buried in a large binder.

Proposed Jury Instructions – Although Code of Civ. Proc. § 607a requires proposed jury instructions be filed and served before the first witness is sworn, the courts recommend preparing them early and know that they will likely get adjusted during trial based on the evidence presented. Also, keep the bracketed instructions so everyone knows what is being removed.

Verdict Forms – Do them early. Don't make the jury wait on you to figure out what you want them to decide.

Remote Appearances – For the courts that allow Zoom appearances, know that court staff use their valuable time before the hearing to organize the appearances for maximum efficiency. Late notifications that an attorney intends to appear remotely frustrate this courtroom efficiency.

Meet and Confer Early and Often – The court observes that a lot of trial-related heartburn can be avoided by active communication among counsel to resolve the myriad issues (legal, evidentiary, scheduling, etc.) that present themselves before, during and after trial. Pick up the phone or meet and person. Judges do not want to decide a controversy that should have been resolved through timely dialogue amongst counsel.

Civility – Finally, the judges and VCTLA wish to remind us of our duty of professionalism and to "cooperate in bringing the action to trial." (Code of Civ. Proc. § 583.130.) To this end, the bench strongly recommends reviewing *Lasalle v. Vogel* (2019) 36 Cal.App.5th 127 to remind trial attorneys of the importance of civility. For example, the discussion in *Lasalle* begins with the following:

"Three decades ago, our colleagues in the First District, dealing with a case they attributed to a 'fit of pique between counsel,' addressed this entreaty to California attorneys, 'We conclude by reminding members of the Bar that their responsibilities as officers of the court include professional courtesy to the court and to opposing counsel. All too often today we see signs that the practice of law is becoming more like a business and less like a profession. We decry any such change, but the profession itself must chart its own course. The legal profession has already suffered a loss of stature and of public respect. This is more easily understood when the public perspective of the profession is shaped by cases such as this where lawyers await the slightest provocation to turn upon each other. Lawyers and judges should work to improve and enhance the rule of law, not allow a return to the law of the jungle.' (*Lossing v. Superior Court* (1989) 207 Cal.App.3d 635, 641.)"

The opinion concludes with a quote from Justice Warren Berger as follows:

" '[L]awyers who know how to think but have not learned how to behave are a menace and a liability ... to the administration of justice.... [¶] ... [T]he necessity for civility is relevant to lawyers because they are the living exemplars – and thus teachers – every day in every case and in every court and their worst conduct will be emulated perhaps more readily than their best.' (Burger, Address to the American Law Institute, 1971, 52 F.R.D. 211, 215.)"

The Court and VCTLA want to emphasize that perhaps the best way to put on a more efficient and effective (and hopefully enjoyable) civil jury trial is to epitomize the "dignity, courtesy and integrity" we are sworn to show others as officers of the court. (See *Lasalle*, *supra*, 36 Cal.App.5th at 134.)

Ben Baumer is a civil litigation attorney with Lowthorp Richards, and a member of the CITATIONS Editorial Board, VCBA, and VCTLA. Ben can be reached at Bbaumer@lrmmt.com, or (805) 981-8555.



John Leverett is a first-year associate attorney with Lowthorp Richards and a graduate of the Pepperdine Caruso School of Law. Since he began practicing in June 2024, he has primarily worked in civil litigation under the mentorship of Lowthorp Richards' senior attorneys. John can be reached at jleverett@lrmmt.com, or (805) 981-8555.



The ABA is one of the largest voluntary associations of lawyers in the world. As the national voice of the legal profession, the ABA works to improve the administration of justice, promotes programs that assist lawyers and judges in their work, accredits law schools, provides continuing legal education, and works to build public understanding around the world of the importance of the rule of law.

We the undersigned bar organizations stand together with and in support of the American Bar Association to defend the rule of law and reject efforts to undermine the courts and the legal profession.

1. American Bar Association
2. Alameda-Contra Costa Trial Lawyers' Association (California)
3. Alameda County Bar Association (California)
4. Alexandria (Virginia) Bar Association
5. Allegheny County Bar Association (Pennsylvania)
6. American Immigration Lawyers Association
7. Appellate Lawyers Association
8. Arab American Bar Association of Illinois
9. Association of Professional Responsibility Lawyers
10. Atlanta Bar Association
11. Bar Association of Erie County (New York)
12. Bar Association of Metropolitan St. Louis
13. Bar Association of San Francisco (California)
14. Berks County (Pennsylvania) Bar Association
15. Beverly Hills Bar Association (California)
16. Boston Bar Association
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23. Connecticut Bar Association
24. Connecticut Criminal Defense Lawyers Association
25. Contra Costa County Bar Association (California)
26. Cook County Bar Association
27. Deaf and Hard of Hearing Bar Association
28. Delaware State Bar Association
29. Detroit Bar Association and Foundation
30. Durham County Bar Association
31. East Bay La Raza Lawyers (California) Association
32. Erie County (Pennsylvania) Bar Association
33. First Judicial District Bar Association (Colorado)
34. Filipino American Lawyers of San Diego
35. Florida Association of Criminal Defense Lawyers
36. Gallatin County Bar Association
37. Greensboro Bar Association
38. Hampden County Bar Association
39. Hawaii Women Lawyers
40. Hennepin County (Minnesota) Bar Association
41. Hispanic National Bar Association
42. Hudson County (New Jersey) Bar Association
43. Illinois State Bar Association
44. International Academy of Trial Lawyers
45. International Society of Barristers
46. The Iowa State Bar Association
47. Kansas Bar Association
48. Kansas City Metropolitan Bar Association
49. Kansas City Metropolitan Bar Foundation
50. Association of Latino Marin Attorneys
51. Lake County Bar Association (IL)
52. Lawyers Club of San Diego (California)
53. Long Beach Bar Association (California)
54. Los Angeles County Bar Association (California)
55. Louisville Bar Association
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63. Milwaukee Bar Association
64. Minnesota State Bar Association
65. Monroe County (New York) Bar Association
66. Multnomah Bar Association (Portland, Oregon)
67. Muslim Bar Association of Chicago
68. Nassau County (New York) Bar Association
69. National ABS Law Firm Association
70. National Academy of Elder Law Attorneys
71. National Arab American Bar Association
72. National Arab American Bar Association - Michigan Chapter
73. National Asian Pacific American Bar Association
74. National Association of Women Lawyers
75. National Conference of Bar Presidents
76. National Conference of Women's Bar Associations
77. National Filipino American Lawyers Association
78. National LGBTQ+ Bar Association
79. National Native American Bar Association
80. New Jersey Women Lawyers Association
81. New Mexico Black Lawyers Association
82. New York City Bar Association
83. New York County Lawyers Association
84. North County (California) Bar Association
85. Ohio Women's Bar Association
86. Oregon State Bar Board of Governors
87. Palestinian American Bar Association
88. Passaic County (New Jersey) Bar Association
89. Pennsylvania Association of Criminal Defense Lawyers
90. Philadelphia Bar Association
91. Queen's Bench Bar Association of the San Francisco Bay Area
92. Queens County (New York) Bar Association
93. Ramsey County (Minnesota) Bar Association
94. San Diego County Bar Association (California)
95. San Fernando Valley Bar Association (California)
96. Santa Clara County Bar Association (California)
97. Sonoma County Bar Association (California)
98. South Asian Bar Association of North America
99. South Carolina Women Lawyers Association
100. Southwest Colorado Bar Association
101. State Bar of New Mexico
102. Virgin Islands Bar Association
103. Washington Council of Lawyers
104. Washington State Bar Board of Governors
105. Women's Bar Association of Illinois
106. Women's Bar Association of Massachusetts
107. Women's Bar Association of the District of Columbia
108. Women's Bar Association of the State of New York
109. Worcester County (Massachusetts) Bar Association

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ADVANCE DIRECTIVES: QUESTIONS REMAINING

By Carol Mack

So, you have executed an advance healthcare directive in which you stated your wishes for treatment and chose an agent to make decisions for you when you cannot. Check that off your to-do list. Everyone over the age of eighteen should have an advance directive. But wait! There are remaining questions to address, some unsettled and some decidedly unsettling.

Who Will Speak For You?

The Federal Patient Self-Determination Act of 1990 codified patients' rights to make their own health care decisions and to sign an advance directive. It followed several Supreme Court decisions where the Court, while recognizing patients' rights to accept or reject medical treatment, was faced with an additional question. When a patient was in a persistent vegetative state, who could speak for her?

You may remember Terri Schiavo, a young woman left in a vegetative state by a cardiac arrest in her home. In her case, the dispute was between her husband and her parents over removing the feeding tube that was keeping her alive. Her husband testified that she would not have wanted to be kept alive that way, and her parents disagreed, believing that she could still recover. The case played out in multiple courts on the national stage with even President George W. Bush weighing in. Finally, some 15 years after her accident, the Court approved the removal of her feeding tube and allowed her to die.

In part, as a means of avoiding such court cases, federal law requires hospitals to inform patients of their right to execute an advance directive and to indicate in the medical record when they have done so.

Are Advance Directives Legally Binding?

In 2022, in *Greenberg v. Montefiore*, a New York state appeals court overturned a lower court's ruling that a dying man did not suffer any damages when he was kept alive for 30 days in violation of his advance directive. It allowed a malpractice case to go forward, ruling that the failure to follow the man's advance directive violated the standard of care.

Despite this ruling, there are some situations in which your advance directive may not be followed. A physician who has a conscientious objection to your wishes may not have to follow them. Similarly, if your hospital is part of a Catholic healthcare system, and your wishes are contrary to Catholic doctrine, they will not be honored. In one Oklahoma case in 2010, an elderly patient admitted to a Catholic facility after a stroke had, in her advance directive, no artificial hydration or nutrition, but Catholic doctrine required "medically assisted nutrition and hydration for those who cannot take food orally." The patient could have been transferred to another provider in accordance with Oklahoma law, but she died first.

Another situation in which a patient's stated wishes may not be followed concerns pregnancy. Although this is not the case in California, in ten states, pregnancy invalidates a person's entire advance directive, and in 17 others, a direction to forego life-sustaining measures would be ignored before fetal viability.

How Do You Make the Right Medical Decisions?

When you are executing an advance directive, please have a conversation with your designated agent and other loved ones. Explain the decisions you would make, if you could. How would you like your agent to approach requests for consent for treatment? What do you mean when you check "I do not want my life to be prolonged. . ."? When you check "I want my life to be prolonged"? How about diagnostic tests? If you are feeling brave, describe what, to you, would be a good death, when the time comes.

When my father, who had dementia, was taken to the hospital near the end of his life, I was asked, as his agent, to consent to a diagnostic bronchoscopy. I looked at his advance directive, but there was nothing about a bronchoscopy, a procedure that involves inserting a scope into the airways and lungs. It was as a nurse that I knew that such a procedure would likely result

in his being put on a ventilator, due to his preexisting lung damage. I knew he didn't want that, so I refused. After my father died, I sat down with my sister, who was my agent, and described in detail what I wanted. I urge you to have this conversation with your loved ones, and to be as specific as you can as to what treatment you would want, so that your agent can make the best decisions for you.

When considering treatment options for yourself or another, it's important to understand the concept of medical futility. Medical treatment is futile if it does not serve to extend a patient's life or to improve their quality of life. Physicians have no duty to provide futile care, but many will do so, if they have no clear direction from the patient. An article in the *Ventura County Star* several years ago reported that physicians provided futile care to 11% of patients in intensive care. The article ended with an admonition for the reader to fill out an advance directive.

To avoid futile care and provide the best treatment options for the patient, here are some questions that I would ask about treatments and diagnostic tests:

Does it have the potential to restore the patient to health?

- Will it improve the patient's condition?
- Will it improve the patient's quality of life?
- Will the proposed test lead to new options for treatment?

If none of the above is true, then the test or treatment may not be warranted.

Now, what about CPR and life support? The survival rate of CPR on television is impressive, at about 70%, but that is far from real life. CPR was developed as an emergency measure when someone has suffered a sudden cardiac event. It was never intended to be used on patients who are old, frail, or dying. Recent statistics suggest that the in-hospital survival of CPR is about 15% for all hospital patients, but less than 5% for frail elders, and less than

1% for patients with advanced chronic illness. It is very reasonable to request no resuscitation attempts for elderly, frail, or seriously ill patients.

You may also wonder about life support. Life support comprises a number of interventions meant to support failing bodily functions. These interventions may include mechanical ventilation, artificial feeding and fluids, medications to maintain blood pressure, and even kidney dialysis. Generally, these measures are intended to temporarily support the patient's body until it can resume normal functioning. The question here is whether the patient is likely to recover after a period of life support. If not, then life support can be foregone or discontinued, once started.

If the decisions to be made involve end-of-life care, ethical questions often arise. One, I just alluded to. Patients have a legal and ethical right to accept or refuse medical treatment, and there is no recognized difference between withholding and withdrawing a medical treatment. If a treatment is mistakenly started or is not helping, it *can* be withdrawn.

Another question that often comes up is about pain control. Patients and families may be afraid of opioids, which are strong pain medications, having heard that they are dangerous. The possibility of addiction is not generally a consideration at the end of life, but these medications may affect breathing and potentially hasten a patient's death. It is ethical, though, to use these pain medications when their primary intent is to relieve pain, even though there is some risk.

Families are often concerned about their loved one's not eating and ask about artificial feeding and fluids. Food and drink have significant social meanings, and it is difficult to see a loved one who no longer can eat or drink. Families are concerned that, if their loved one stops eating, they will die of starvation. In fact, patients do not die because they are not eating, they stop eating because they are dying. Artificial feeding and IV fluids at

the end of life are medical interventions that should be considered in the same way as other interventions. In dying patients, they will not prevent the inevitable, and they could contribute to a patient's discomfort with nausea and increased fluid in the lungs.

It is important to consider all of these questions ahead of time, preferably when having a frank discussion with your loved ones. Any decisions that need to be made on your behalf will be easier, and your agent can feel assured that they are following your wishes.

Your last task is to give a copy of your advance directive to your agent, other loved ones, and your physician. You should take a copy to the hospital when you are admitted or upload a copy to the patient portal for your healthcare facility. And remember, every ten years and whenever your life status or medical condition changes, you should review your advance directive and make any changes that are indicated.



Carol Mack is a member of the CITATIONS editorial board, a registered nurse, retired attorney, and holds a PhD in nursing from UCLA.

Her nursing practice was exclusively in the field of oncology nursing, and although she has not been at the bedside for a number of years, she believes in the truism "once a nurse, always a nurse," and maintains an active license. Mack was formerly a volunteer attorney for Grey Law of Ventura County and now serves on its Board of Directors. She is also a retired health science professor at California State University, Channel Islands.



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VERNA KAGAN APPRENTICE PROGRAM

By Alfred Vargas

Ventura County Legal Aid, Inc. provides no-cost legal services to Ventura County residents through free legal aid clinics, grant based programs and private attorney volunteer pro bono assignments.

In 2024, VCLA launched the Verna Kagan Apprentice Program which provides practical experience to student interns of The Colleges of Law, Ventura Campus, and also to newly-minted attorneys.

Verna Kagan ran the VCLA Pro Bono Attorney program until her passing in 2014. It is in her honor that the VKAP program exists. The student interns facilitate the efficient presentation of free legal aid clinics on the first and third Tuesday of each month. This allows the volunteer attorneys to focus on providing legal advice to the attendees.

VKAP student interns bring with them a diverse gathering of life experience. Some of those students are:



Ruth Barcenas-Silva received her B.A. from UCSB in political science and sociology. She is currently a law clerk with a local law firm and will take the bar exam in July. Ruth is a native Spanish speaker.



Marco Flores finishes his final year of law school with a focus on criminal law. He wishes to pursue criminal defense work and public service. He would welcome a position with the Public Defender to that end. He speaks Spanish fluently.



Nigel Fung holds a B.S. in business administration and a paralegal certification. His professional experience includes contracts, insurance underwriting, copyright claims, intellectual property management, and regulatory compliance. He expects to sit for the 2027 bar exam.



Jenneffer Hallford plans to sit for the February 2026 bar exam. She holds associate degrees in General Education, Administration of Justice, and Social & Behavioral Sciences. She speaks fluent Spanish and has a strong commitment to serving diverse communities.



Kayla Jeffress has a B.A. in Criminology and Justice Studies with a minor in psychology. She has extensive experience drafting and negotiating contracts. She currently enjoys her work as a law clerk for a local family law firm. She looks forward to the 2027 bar exam.



Jordyn Light has a B.S. in business administration from CLU and a UCLA paralegal certification. She works for a local law firm and truly enjoys propounding and responding to discovery. She takes the bar exam in 2027.



Barbara Ream is a certified law student taking the July Bar exam. She holds an MBA and has extensive personal experience with contracts, housing, construction, human resources, business negotiations, M&A transactions, and other personnel matters. She wishes to join a multifaceted law firm.



Kendra Vejtasa uses her M.S. in Special Education locally as an education specialist. She is a certified law student finishing her 3L year and will be interning at the California Court of Appeal, Second Appellate District, Division 6 this summer.



Shannon Wasley graduated from the Clinical Forensic PsyD program at The Chicago School. She has insightful experience with trauma-informed services. She takes the bar exam in 2027.

For more information on the upcoming dates for the free legal aid clinics and volunteer opportunities, please visit VCLA.ORG. For further information on The Colleges of Law, Ventura Campus, including its various program offerings, visit www.collegesoflaw.edu.



Alfred Vargas is the Managing Attorney of Ventura County Legal Aid, Inc. He is a former co-editor of CITATIONS Magazine.



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A TRIBUTE TO ATTORNEY MOMS

By Christal Joy Porter

We asked a handful of local attorneys who also hold the title of being a mother to provide words on what it means/their experience being a Mom who practices law and/or experience being a product of an Attorney Mom. These are a few of their responses.

Elana D. Cuzzo

Ferguson Case Orr Paterson, LLP

At its essence, practicing law, whether you are a mother or not, is about helping people. Being a mother may add an extra wrinkle or two, but the goal for all lawyers remains the same. Personally, being a mother adds more balls to this juggler, and my multitasking skills are tested daily. In addition to practicing law, more-often-than-not, mothers bear more of the mental load than their counterparts when it comes to managing household tasks, such as childcare, school, social activities, meals, schedules...and the “invisible labor” list goes on. This was a lot of my experience when we first had children, but our family is a work-in-progress. Our children are 5 and 7 years old now, and things have become a little easier.

Some advice I wish someone had given me is that you are not a failure as a mother if you seek support from your partner, family, or hire help. If you feel like you are being suffocated by laundry, there is no shame in paying for a fluff-n-fold delivery service or a college student to be a “mother’s helper” (if you can fit it in your budget). It does not mean you’re not good enough or “can’t do it all.” Most importantly, openly discuss the division of household labor with your partner and brainstorm ways to redistribute the mental load. Your family might go through some growing pains, but the payoff is avoiding resentment and ensuring you get enough support.

Alex Tron, son of Terry L. Tron, *Partner*
Tron & Tron

Growing up with a mom who was an attorney was a formative and inspiring experience. I remember watching her prepare for court and feeling an immense sense of pride and admiration. Before becoming a lawyer, she was a computer engineer—a woman in STEM in the 1980s—which only deepened my respect for her resilience, intellect, and ability to break barriers. She was also the first in her family to go to college, which made her accomplishments all the more powerful to witness. Her determination and confidence

left a lasting impression on me and shaped how I view the possibilities of a career grounded in both service and strength.

Although she encouraged me to explore any path *other* than the law, I found myself naturally drawn to it. As I’ve grown older and developed my own legal career, I’m especially grateful to have her as a source of wisdom, perspective, and encouragement. We exchange war stories from court, talk through tough questions, and sometimes, I get to return the favor—like helping her figure out Zoom! Being able to share this profession with my mom has been one of the most unexpected and meaningful joys of my adult life.

Karen Oakman, *Partner*
Clunen and Oakman Law, LLP

There is an internet meme with Beyonce at a basketball game holding her daughter’s snacks with writing that says “It doesn’t matter who you are. To your kid, you’re just the lady with the snacks.” I think this meme really sums up the juxtaposition of being an attorney and being a mom. I go from arguing all day in front of the court for a client, to serving cotton candy as a PTA volunteer at a Halloween event. I go from drafting complex points and authorities to writing the PTA Newsletter to make sure parents remember tomorrow is the wacky hair day spirit day. I go from being a partner/owner of a law firm to being the parent running game changer and making sure an 8-year-old does not go over on pitch count. This does not even account for the more unglamorous tasks regarding body fluids.

It is a day to day balancing act to be the best at both worlds. But I think both these worlds help me be better at the other too. Both teach patience, an understanding of how people function, setting boundaries, advocacy, and, of course, the art of cross examination. I like setting an example of what women can be, how a parent can “do it all,” and role modeling hard work. There is a sense of pride when I hear my 11-year-old daughter say she wants to be a doctor and the same when my 8-year-old son says

he wants to be an attorney. Both know they can go far and will have my support. I love both my worlds, so you can always find me around the courthouse, Pony baseball field, office, and elementary school!

Monique Magar
Senior Deputy Public Defender

I consider my career an extension of my identity. So, just as it is important for my children to know about their faith and heritage, it’s equally important that they understand the morality behind what mama (and dada) do at work. Forgiveness, second chances, not judging others, and being kind to people no matter what they are going through are virtues from my job that I instill in my children. I recently went to TK for Career Day and told a bunch of 4- and 5-year-olds about how I help people in trouble. They know I work with people in jail, that police officers can make mistakes, and that no one is a “bad person”—everyone is good and good people just make bad choices sometimes.

I was worried that my devotion to the law would shift when I became a mother, or that I couldn’t be an attorney *and* a mother up to my standards. But motherhood has a beautiful way of bringing perspective. Since being a mother, I have been able to juggle, prioritize, and compartmentalize unlike before. And that sharpened from having one son, to both of my boys. Part of that perspective is giving myself extra grace. It’s about doing the best I can, when I can and being fully present at both work and at home. Whether or not I’m successful is another topic. But... grace, right?

Wendy Cole Lascher, *Partner*
Ferguson Case Orr Paterson, LLP

I brought week-old babies to work with me in 1974, 1976, and 1980. Work from home was not the option it is today because the law library was not electronic; it was not even portable.

Having the boys at work was a blessing as well as a distraction. As they and the

distractions grew, I found babysitters who became part of the family. Still the kids often came to work with me for a few hours at a time on occasion, and they became temporary workers when they were in high school. One of my sons was our firm's bookkeeper for years.

For me one of the best things about integrating law practice with motherhood was the perspective it gave. The one time I argued in the U.S. Supreme Court, I took my two younger children to watch (the oldest, the only one to become a lawyer himself, was in college.) At lunch before the argument, in the Court's cafeteria and in sight of Justice Brennan and his clerks, my youngest spilled his Coke all over the place. Laughing about that helped me relax about the upcoming argument.

No matter how serious the client's situation, no matter how unpleasant the opposing counsel, no matter how hard I was working, it was always immediately evident that cases and clients were fleeting problems. Family was, and is, the real deal.

Jill L. Friedman, Partner

Myers Widders Gibson Jones & Feingold, LLP

I am zero for three of children who are attorneys. Each is thriving in their chosen field, though none of them chose the law. Looking back, I can still hear myself frantically yelling for my kids to get into the car so I could get them to school on time and still make an early morning court appearance or deposition. I asked my then-teenaged daughter what she wanted to be when she grew up. She pondered, "I don't know, but I do know that I don't want to be an attorney." I asked her why. She said, "I see how hard you work, and I don't want to work that hard." I explained that my busyness had more to do with me being a single mom to three than a trial attorney. Years later, when she was finishing up her Ph.D. in translational science, my daughter attended a statewide competition with other graduate students. She called me up excitedly, relaying that she met two incredible women: one a physician and the other a neuroscientist. Both were moms. My daughter was so impressed that these women were professionals *and* mothers. "You do realize that I know something

about that," I pointed out. She seemed genuinely shocked. Motherhood is the toughest and most rewarding job I have ever had. The fact that my children grew up watching my dedication to my chosen profession and witnessing my work ethic in action has shaped them in ways that they may not even realize. And I could not be prouder

Melissa E. Cohen, Partner

Milhaupt & Cohen

My mother passed the bar when I was in high school, and she practiced here in Ventura County. (I got a new dress for her graduation day!) She worked hard and took her cases personally. I can remember an occasion when she was on the phone with a woman whose husband had taken the children – they were both crying at the end of the conversation. (This was waaay before DACRU, obviously.) My grandmother, who lived with us, tried to shoo us (me and my sister) out of the room at the time. I also remember how exciting it was when someone came into the office to sign a will or trust – my mother tried to make a little ceremony out of the signing of the documents because, she once said, it might be the most important document that person ever signs. She also told me once that being a lawyer who went to court was the best thing, because "things happen over there every day, all the time." She really loved the work, and the other lawyers she worked with.

As for me, I often say I am living my mother's life, just not as well as she did! When my boys were young (they are 27 and 23 now), the balancing act was a constant challenge, every day – school, work, dinner, homework, extracurricular activities – and I had lots of help from my husband. I voluntarily took myself off the "partnership track" at one of the firms I worked with, because I had no time with the boys (when they were little) that wasn't an errand or required activity. As the boys grew, I tried to schedule work around their schedules as much as possible, but there were times when they had to come to court with me. (That may be what made them choose other careers!) And I'll never forget when Colin, the oldest, spit up on the back of my favorite red jacket, which I did not discover

until I got to court, and **Donna Santo** kindly trailed a hearing for me so I could run home and change before it started to smell.) I often felt as if something always remained undone. On the other hand, I like to think I helped the boys focus their thinking as they became teenagers, drawing on my own skills. I also like to think I was a model for the boys – yes, you can have a career and a family if you work really hard, and if it's something you want, then you should work hard at it and do the best you can.

Thank you to all the Attorney Moms out there for your dedication to further the practice of law while also caring for your families. Citations wishes a Happy Mother's Day to all Moms in the Ventura County community and elsewhere!



Christal Joy Porter, a graduate of Pepperdine University School of Law, is an attorney with Rodnunsky & Associates, practicing in the areas of trust and estate litigation and estate planning. She can be reached at the office at (818) 737-1090.



MEMBER SPOTLIGHTS:

Deborah Meyer-Morris: Defying Expectations, Advancing Justice



Deborah Meyer-Morris has been a committed advocate for justice and equity since joining the California Bar in 1992 and returning to the Ventura County Bar Association in 1994. A civil litigator with Kramer, deBoer and Keane, Meyer-Morris focuses heavily on commercial trucking defense while also dedicating decades of pro bono work to education and disability accessibility law – areas she describes not as side work, but as a long-standing personal mission.

Her legal career has spanned a wide variety of practice areas, including insurance defense, trust and probate litigation, ADA compliance, education law, and family law. Her consistent thread, however, has been advocacy on behalf of marginalized groups, particularly students with disabilities. A founding member of the Autism Society Ventura County Advocacy Committee, she also serves on the Disability Rights Bar Association, the Deaf and Hard of Hearing

Bar Association, and multiple education-focused policy committees.

Meyer-Morris's path to the legal profession began in defiance of outdated expectations. As a student at Simi Valley High School, she was told by her female guidance counselor that law was not an appropriate career for a woman and that she should consider becoming a legal secretary instead and focus on taking typing. Ironically, that typing course turned out to be pivotal. It led to a job in medical transcription, which opened the door to work in insurance claims and ultimately law school. With support from CIGNA/INA's tuition reimbursement program, she attended Loyola Law School's night program while working full-time, graduating in 1991 without a penny of law school debt. The only expenses she paid out of pocket were for gas and parking.

In addition to her legal practice, Meyer-Morris teaches as an Adjunct Professor at the Colleges of Law and serves on the VCBA's Lawyer Referral and Information Service Committee. She participates in the

AAUW's Public Policy Committee and holds leadership roles with the 12th District PTA and Ventura Unified School District's Ethnic Studies and Social Justice Steering Committee. Meyer-Morris recently joined the Board of Directors of City Impact, a nonprofit organization in Oxnard.

She and her husband Jeff (her college sweetheart) have been married since 1987 and live in Ventura. They have two grown daughters: Dayle, a local HR and payroll representative, and Bailey, currently pursuing a Master of Social Work at UCLA. On weekends, the couple often travels the coast in their RV with their two dogs, Sir Walter Fluffy Butt and Max.

Her favorite statute is Education Code section 220, which reflects her life's work toward ensuring equal educational opportunities. She treasures all three articles of the U.S. Constitution, and her favorite quote comes from Arthur C. Clarke, capturing her spirit of perseverance: "The limits of possible can only be defined by going beyond them into the impossible."

Justin Tuttle: Fifth-Generation Lawyer Finding Purpose in Mental Health Advocacy



Justin Tuttle has been a dedicated member of the Ventura County Bar Association since 2008 and a practicing California attorney since 1996. A Senior Deputy Public Defender in the Ventura County Public Defender's Office, Tuttle currently serves in the Mental Health Unit, where he defends clients navigating both the criminal justice system and serious mental health challenges. In parallel, he teaches Criminal Law, Evidence, and Criminal Procedure as an Adjunct Professor in the Colleges of Law's Hybrid JD program.

Tuttle's path to public defense is rooted in both family tradition and deeply personal experience. A fifth-generation attorney, he grew up in Fresno surrounded by legal discourse. But it was his family's

struggles with financial hardship and mental illness—including the loss of their home, periods of housing insecurity, and a brother who remains unhoused and treatment-resistant—that inspired his calling. "I turned those experiences into one of wanting to stand up for the poor, mentally ill, and those with less means," Tuttle reflects. His empathy, shaped by lived experience, drives a career that has spanned over 100 jury trials in Ventura and Tulare Counties.

Outside the courtroom, Tuttle is committed to legal education and mentorship. He participates in the UCSB Pre-Law Mentorship Program and serves on several committees, including the VCBA's Lawyer Referral and Information Service (LRIS) Committee and two academic committees at the Colleges of Law focused on access and academic standards.

Tuttle lives in Santa Barbara and is the father

of two adult sons: Dominic, who works in tech, and Mason, a college student. He is a collector of postwar Lionel trains, an avid James Bond fan, and the proud owner of three dogs—Miss Moneypenny, Q, and Vesper—all named after Bond characters. He enjoys playing beach volleyball, skiing, and relaxing at Hendry's Beach. His favorite jury instruction is CALCRIM 224, concerning circumstantial evidence—a tool he finds both persuasive and protective of the presumption of innocence.

A regular at Urbane Café on Telephone Road and a fan of Thai food, Tuttle maintains a strong connection to Ventura County even while residing in Santa Barbara. Whether he's teaching law students, preparing for trial, or playing volleyball at the beach, Tuttle remains centered on compassion. As he often reminds others, quoting Plato: "Be kind, for everyone you meet is fighting a hard battle."



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