



CITATIONS

NOVEMBER – TWO THOUSAND TWENTY FIVE



VCBA HONORS BARBARA MACRI-ORTIZ WITH 2025 BEN E. NORDMAN PUBLIC SERVICE AWARD

By Christal J. Porter

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PRESIDENT'S MESSAGE

By Guillermo "Bert" Partida

The Annual Bar Dinner Is Around the Corner

Please join us on November 15, 2025, for the 40th Annual VCBA Installation and Awards Dinner, celebrating over 120 years as a bar association. I hope to see you at the Four Points Sheraton Ventura Harbor Resort where we will be honoring the 2025 Ben E. Nordman Public Service Award recipient, Verna R. Kagan Pro Bono Award recipient, and the James D. Loebel Pro Bono Award recipient. Sponsorship opportunities are still available.

A clarification on playing Blackjack, let the dealer bust if they are showing a card **below** six as I had previously said above six, which may explain in part why I never win at Blackjack.

Artificial Intelligence

I feel I would be remiss if I did not join in the discussion of artificial intelligence (AI) in the legal practice. Chief Justice of the Supreme Court, John Roberts intimated that artificial intelligence should be used as any new technology introduced into the legal profession such as the typewriter, fax, or computer, which acts as tools to create work product. The California Bar Association has issued guidelines that remind us of some perils to avoid when using AI. (<https://www.calbar.ca.gov/Portals/0/documents/ethics/Generative-AI-Practical-Guidance.pdf>)

The legal profession has ethical considerations, including the following:

The Duty of Confidentiality

Client confidential information and identifying information should not be disclosed to generative AI products. Client information should be anonymized before inputting information into generative AI products.

The Duties of Competence/Diligence/Candor and AI Hallucination

AI hallucination is the "tendency of AI tools to produce outputs that are demonstrably false." In *Mata v. Avianca* (2023) 678 F.Supp.3d 443, lawyers for the plaintiff used an AI tool that fabricated the cases cited in a brief submitted to the court. The court found the false citations, and plaintiff's

counsel eventually admitted to using AI in drafting the pleading without confirming the validity of the referenced cases. The court issued sanctions based on the lawyers having "abandoned their responsibilities." (*Id.* at 448.) Lawyers have a duty to verify their citations and if submitted in error to the Court, the attorney has a duty to promptly correct it.

Using AI may violate intellectual property rights of others. In *New York Times Co. v. Microsoft Corp., et al.*, the New York Times ("Times") filed a complaint seeking statutory and actual damages for alleged unauthorized use by Open AI in disseminating and using Times copyrighted news articles to build AI large language models.

Law firms must have clear policies for AI use by attorneys and ensure that all lawyers and non-lawyer staff are properly trained on their ethical obligations.

Courts will be required to have policies for use of AI by staff by December 15, 2025. Some judges have issued standing orders requiring attorneys to disclose the use of generative AI in court filings. Some courts may require a specific declaration that any AI-generated content has been verified for accuracy.

Generative AI should be evaluated when used in communication with clients and risks abound as the initial tool to communicate with clients.

AI discovery allows for summaries of deposition transcripts and written discovery, and AI allows for creation of drafts for briefs. However, the content should be verified because of AI hallucination. Further, AI may help with opening statements and jury selection. This too should be monitored, as AI has been shown in some cases to display biases. AI may have allowed for efficiency in these areas but only the actual time spent may be charged and not the time saved by using generative AI. The fee agreement should outline AI costs for the client.

In the future, AI will likely be able to draft this article, but someone will still need to oversee the accuracy of AI.

Have a great Thanksgiving Holiday!



Guillermo "Bert" Partida practices law at Slaughter, Reagan & Cole, LLP in the areas of Personal Injury Defense, Premises Liability, and Habitability Defense. He can be reached at (805) 658-7800, or by

email at partida@srllplaw.com.



Members of the Ventura County Family Law Board proudly present a new Nintendo Switch 2 console with games and accessories to the Honorable Commissioner Judith D. Rhodes Children's Waiting room at the Ventura Superior Court. The donation, made possible through generous contributions from LorchGreene Forensic Accounting Firm, reflects the Family Law Board's continued commitment to supporting families and children within the Court system.

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VENTURA COUNTY BARRISTERS CALL FOR NOMINATIONS

By Alex Tron

The Ventura County Barristers, a section of the Ventura County Bar Association, provides annual programming to assist the newer members of our Bar with networking, mentoring, and educational opportunities.

Each year, Barristers organizes entertainment events (e.g., Trivia Night, Wine & Cheese Night, and Meet the Bench), hosts MCLEs (e.g., Bridging the Gap), and connects new lawyers (and law students) with attorneys in fields of expressed interest.

The 6–8-member Board of the Barristers coordinates these events and is always looking for additional members (including law students).

Joining the Barristers Board

Do you know someone who would be a great addition to the Barristers Board? Would you like to be a member? If you are interested, the following seats are available for nomination for next year's Barristers Board:

- Member at Large (3)
- Secretary
- Treasurer
- Vice President
- President

How to Nominate

Nominations may be emailed to alex@thesocialimpactcenter.org, with the subject line of "Barristers Nomination." All nominations must be received by 11:59 p.m. on November 30, 2025.

Nominations may only be made by eligible Barristers (described below). Nominees will be confirmed for eligibility.

Eligibility

A "Barrister" is any member in good standing of the Ventura County Bar Association who, on January 1 of a given year, meets at least one of the following requirements:

1. Is under the age of thirty-six (36) years;
2. Has been admitted to practice law in any jurisdiction for seven (7) years or fewer; or
3. Has been in practice in any jurisdiction for a total of seven (7) years or fewer.

Active law students who are members of the Ventura County Bar Association are considered "Student Barristers" and may serve on the Board as a Member at Large, but may not serve as an officer of the Board.

Want to Learn More?

If you would like more information or to see a Barristers Board meeting in action, please email Alex Tron at alex@thesocialimpactcenter.org for information regarding the next meeting.

The Barristers Board generally meets on the first Thursday of every month.



Alex Tron is the Social Impact Center's staff attorney specializing in reentry. He is also VCBA's section leader for Barristers. alex@thesocialimpactcenter.org

HAVE YOU HEARD?

F.T. "Ted" Muegenburg, Jr. named Lowthorp Richards estate planning chair



F.T. "Ted" Muegenburg, Jr., an attorney with deep roots in Ventura County and vast expertise in business, estate planning, and tax law, has been named chair for the Lowthorp Richards, LLP Estate Planning Practice Group. He is one of 1,300 California attorneys certified by the California State Bar as a specialist in trust, estate planning and probate law. Muegenburg will oversee the Lowthorp Richards team of esteemed estate planning attorneys *Left to Right: Steven S. Feder, partner; Seth P. Shapiro, partner; Jeanne M. Kvale, partner; F.T. "Ted" Muegenburg, Jr., estate planning chair; Brian C. Israel, partner; and Cristian R. Arrieta, managing partner.*

Headquartered in Oxnard, Lowthorp Richards specializes in business, estate, family, agricultural, real estate, and injury law. The firm's expert attorneys serve clients throughout Southern California and the Central Coast. Lowthorp Richards, established more than 100 years ago, holds the distinction of being the oldest law firm in the county and maintains an "AV" rating by Martindale-Hubbell as an outstanding to preeminent firm.

To contact Ted Muegenburg or for more information about Lowthorp Richards, call (805) 981-8555 or visit www.lrmmt.com

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VENTURA COUNTY UNITY BAR HOSTS "RAISING THE BAR" EVENT

By Edward A. Andrews



On October 14, 2025, the Ventura County Unity Bar hosted its "Raising the Bar" event at the Ventura Colleges of Law, honoring a historic moment for gender parity on the Ventura Superior Court. The evening celebrated the appointments of **Hon. Carla J. Ortega**, **Hon. Amy Van Sickle**, and **Hon. Carol L. Hubner**, three distinguished jurists whose journeys to the bench reflect resilience, excellence, and a commitment to justice.

In his introductory remarks, **Presiding Judge Matthew P. Guasco** emphasized the importance of representation and diverse backgrounds on the bench, recounting the Court's journey towards gender parity, which enhances access to justice and strengthens the rule of law. In her remarks, Ortega emphasized not just gender parity but gender equality, referencing works like Sheryl Sandberg's *Lean In*, while drawing on her own experience embracing roles in both her work and life, as Managing Attorney for the Kern County Superior Court alongside motherhood and familial responsibilities. Van Sickle discussed her tenure as both a commissioner and judge before turning to the numbers, highlighting Ventura

County's commitment to advancing women in judicial roles. Beginning with a deep reading of the term 'parity,' Hubner reflected on her own journey to the bench and emphasized the importance of persevering despite, and even because of, setbacks, closing the evening with a reading of Shel Silverstein's "Listen to the Mustn'ts."

The Ventura County Unity Bar (vcub.org) continues its mission to empower historically underrepresented and disenfranchised communities in the legal profession and judiciary. The Unity Bar accepts and reviews requests for letters of support for judicial applications and recently adopted a streamlined request form. The Unity Bar also commends programs such as the Judicial Mentor Program.



Edward A. "Ted" Andrews is a Senior Deputy District Attorney with the Ventura County District Attorney's Office. He is currently assigned to the Special Prosecutions Unit.

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VCBA HONORS BARBARA MACRI-ORTIZ WITH 2025 BEN E. NORDMAN PUBLIC SERVICE AWARD

By Christal J. Porter

The Ben E. Nordman Public Service Award recognizes outstanding contributions made by a Ventura County lawyer to the community by means of charitable or other public service activities. The recipient of the Nordman Award must have shown leadership, dedication, tangible impact, and significant involvement in the entire community. This year's award recipient, **Barbara Macri-Ortiz**, embodies these qualities and has shown unwavering dedication and service to the Ventura County community throughout her nearly four-decades-long legal career.

Since the start of her legal career, Macri-Ortiz has worked tirelessly to advocate for our local farmworker community. Her work has given voice to individuals who felt like they had no place to speak or be heard, specifically, through her advocacy for local farmworkers' rights to have safe and suitable shelter, a basic need of every human. Macri-Ortiz has focused her practice on tenants' rights and providing housing for the farmworker community. The list of Macri-Ortiz's involvement on local boards and community organizations can go on for pages. Her work is most visible to the naked eye through the impact of the Cabrillo Economic Development Corporation (CEDC).

CEDC develops and manages residential communities for farmworkers and low-income families in Ventura County. It is a leading provider of affordable housing in the Ventura County region and has also gained national recognition as a model in supporting the self-sufficiency of farmworkers. Macri-Ortiz served on the board of CEDC in the early 1990s and continues to advise and encourage the efforts of the organization. During her time with CEDC, Macri-Ortiz has had a significant influence on the creation and successful implementation of numerous low income developments in Ventura County and a number of farm worker housing developments including Meta Street Apartments, Fillmore Central Station, Azahar Apartments, Villa Cesar Chavez, Villa Victoria Apartments, Rodney Fernandez Gardens, Valle Narajal Apartments and Dolores Huerta Gardens. Macri-Ortiz has been and continues

to be involved and active in numerous community and national organizations that advocate for housing needs.

Victoria J. Brady, Chief Executive Officer of the CEDC, had these words to share:

"Barbara Macri-Ortiz played a pivotal role in the early days of the Cabrillo Economic Development Corporation, serving on the Board during a formative time when the organization was shaping its mission and values. Her early leadership helped lay the groundwork for CEDC's long-standing commitment to affordable housing, community empowerment, and social equity. Barbara's deep understanding of housing law and her unwavering belief that safe, affordable homes are a fundamental right guided the organization through key milestones in its development."

Macri-Ortiz transitioned from Board member to legal aid litigator to help convince cities and developers to provide land and opportunities to develop low-income housing in their communities. Macri-Ortiz continues to serve as CEDC's legal counsel, where her expertise and advocacy became an enduring force behind the organization's growth and integrity. Through her service, countless families have benefited from stronger tenant protections, sounder developments, and more equitable housing opportunities. Barbara's wisdom, courage, and steadfast dedication have left an indelible mark on both CEDC and the communities it serves. Her work continues to shape a legacy of justice, compassion, and opportunity for generations to come.

Macri-Ortiz' Path to Licensed Practice

Macri-Ortiz took an unconventional path to becoming a licensed California attorney. As an undergraduate, she attended the University of California Santa Cruz and majored in Community Studies. Her selected major allowed her to live and work in San Francisco in order to have hands-on experience with community organizations. In 1968, while working with organizations like the YMCA in San Francisco, Barbara was introduced to unions when she joined students and ILWU members in a food caravan to deliver food to striking grape

farm workers in Delano. The United Farm Workers (UFW) union was formed by Cesar Chavez, Dolores Huerta, and Larry Itliong upon the merging of the NFWA union and AWOC Filipino workers union during the Delano grape boycott. The UFW is the nation's first enduring and largest farmworkers' union, still active and in existence today. Little did Macri-Ortiz know that her initial encounter with the UFW and her efforts as an organizer for the grape boycott would forever change the trajectory of her life and career.

After the UFW won contracts in the Coachella Valley and Delano in 1970, Macri-Ortiz was assigned to Salinas as a strike organizer just because she spoke a little Spanish. In Salinas, Macri-Ortiz found herself responsible for 1,000 Pic N Pac strawberry workers who voted to join the strike. During the next few years, Macri-Ortiz served the UFW in various capacities such as labor organizer and contract administrator.

Dolores Huerta assigned Macri-Ortiz to be her note taker during contract negotiations with landowners and union leaders. Besides note taking during discussions regarding fair wages, suitable working conditions, and fair treatment of farmworkers, Macri-Ortiz was also a part-time caregiver for Huerta's youngest daughter. While working with Huerta and administering contracts in Delano, Macri-Ortiz honed her skills in grievance processing. When grievances were submitted to arbitration, Macri-Ortiz helped prepare UFW witnesses to testify and argued the Union's case during arbitration proceedings. This exposure to arbitration is where Macri-Ortiz began to learn about the legal process.

With the passage of the Agricultural Labor Relations Act in 1975 (ALRA), hundreds of representation elections and Agricultural Labor Relations Board (ALRB) hearings were held, followed by negotiations, contract administration, and labor relations duties. There was an abundance of work to be done in the UFW, and while women were not generally given prime career opportunities in society at this time, that was not the case in the UFW, which had an all-volunteer staff. Cesar Chavez just

looked for those who had the skill or ability to learn coupled with the willingness to work hard to get the job done.

In 1976, Macri-Ortiz was entrusted with handling the Arbitration Division. Her involvement in ALRA hearings and arbitration proceedings formed the foundation for her education in Evidence, Contracts and Civil Procedure. All the while, at the time, becoming an attorney was not on Macri-Ortiz's career list.

In 1980, Chavez selected Macri-Ortiz to serve as the Administrator for the UFW Legal Department. This position required Macri-Ortiz to manage the union's legal department and oversee the administration of about 300 ALRB and civil litigation cases. Still, as Legal Department Administrator, Macri-Ortiz did not have the idea of becoming an attorney on her mind.

In 1981, Chavez directed Macri-Ortiz to re-start the legal apprenticeship program because he wanted the Union to "grow its own lawyers," so that the UFW would have dedicated legal representation. The program was started in the first year with several students, two of whom passed the baby bar the following year. At that time, the apprenticeship program functioned on the condition that each class should have a pair of trainees (groups of 2). One former UFW volunteer paralegal returned when he heard the program was active. He wanted to start the apprenticeship program, but he could not find a partner. By happenstance, and the desire to help a friend become a lawyer, Macri-Ortiz agreed to join him in October 1982, and their apprenticeship program began. After Macri-Ortiz completed the apprenticeship program and passed the California State Bar Exam, Macri-Ortiz started her legal career as a UFW labor attorney with a full case load.

She recalls the days when she was a new attorney with UFW advocating for farmworkers' rights and making arguments in Federal District Court against large national firms like Gibson, Dunn & Crutcher LLP. Macri-Ortiz went head-to-head against experienced senior litigation attorneys, but due to her extensive background handling arbitrations and

ALRB hearings regarding similar issues, Macri-Ortiz knew the law, knew the procedure, knew the evidence, and had no fear. As an attorney for UFW, Macri-Ortiz was frequently called on short notice to travel throughout the state of California for injunction hearings. The traveling became very challenging to juggle with the growing needs and school schedules of Macri-Ortiz' two children. She eventually made the difficult decision to leave the UFW because she needed to spend more time caring for her children and being present for their lives.

That decision led Macri-Ortiz and her family to Oxnard, where she was hired by the late **Carmen Ramirez** to be a staff attorney at Channel Counties Legal Services. Macri-Ortiz spent the next ten years as a staff attorney at the legal aid program, representing farm workers and other low wage workers and disabled individuals with housing, education, health, employment and public benefits matters. She gained particular expertise in affordable housing litigation and landlord tenant matters. One of Macri-Ortiz' notable victories started as an eviction defense case, evolved into an affirmative habitability lawsuit that ended in a \$400,000 judgment, followed by a fraudulent conveyance lawsuit which led to a negotiated settlement that resulted in the Villa Cesar Chavez development, which hosts 52 town-home rental units and 6 single family homes to house the original parties to the case.

Macri-Ortiz' legal aid career ended in December 2000 when the program went out of business after losing its federal funding. When contemplating where to practice next, although she could have gone to a firm, Macri-Ortiz knew what she had a passion to do and wanted the freedom to be able to do it, so she started her own firm: Law Office of Barbara Macri-Ortiz.

Macri-Ortiz' Practice

In addition to her efforts to advocate for affordable farmworker housing with the CEDC, and groups like House Farm Workers!, Ag Futures Alliance, and city and state housing committees, Macri-Ortiz' firm has handled numerous tenants' rights and eviction defense cases. She

tirelessly worked and continues to work to hold landlords accountable under the law regarding unlawful detainer and eviction proceedings. She also developed a niche practice around density bonus law and the Housing Accountability Act that has assisted developers of affordable housing in getting their projects entitled. Over the course of her career with both CCLSA and her private practice, Macri-Ortiz has helped create over 2,700 affordable housing units in Ventura, Santa Barbara and Los Angeles Counties.

Gabrielle Vignone, Executive Director of House Farm Workers! non profit organization, had these words to share:

"I don't know anyone who doesn't know of Barbara. She is the person the experts in the room will defer to. She is full of tenacity and encourages people to continue working, have faith, and hope."

Personally, I know Barbara to be a champion not only of farm workers, but of the underserved and vulnerable. Barbara will either help you or give you enough advice to help yourself. I have gone to Barbara in a time of need for myself, as well as in a professional capacity on behalf of affordable housing residents and farm workers; she answered every call.

Barbara's dedication to others is truly inspiring and sets a bar for future and current advocates to strive to reach."

Local attorney, **Vanessa Frank**, has these words to say about Macri-Ortiz' Practice:

"Barbara has been an inspiration to me since I came to Ventura County 20 years ago as a much newer attorney. She was then, and continues to be, the very ideal of what a lawyer should be -- fiercely dedicated to justice and equity, relentless in her pursuit of the truth, reasoned and pragmatic when it comes to gathering with stakeholders to find common ground to achieve practical results. Barbara ensures that her clients, who are often people unfamiliar with legal systems and advocacy, understand their rights and feel comfortable and supported when they assert them. I have witnessed her in community

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VCBA HONORS BARBARA MACRI-ORTIZ WITH 2025 BEN E. NORDMAN PUBLIC SERVICE AWARD

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meetings explain with great patience and care what steps needed to be taken to ensure that families could remain or be housed. And I have seen her prepare for meetings with those who either did not understand or simply did not care about people losing their housing. I have seen her be terribly angry and frustrated, and then enter a discussion calm, collected and pragmatic.

As an attorney and advocate, Barbara works to secure the best deal possible for folks of few financial resources, while seeking to help those with the resources learn and grow from the experience. A lawyer should be of service. A lawyer should make the world a better place, not just on an individual basis, but by addressing systems which keep people dispossessed. Barbara has done this, and continues to do this, mentoring youth from high school mock trial through to apprenticeship. She helps individuals, while pushing the larger project of reform forward, always towards safe, decent affordable housing for all, and dignity for farmworkers and the skilled work they perform. I am grateful to have Barbara in this community, as a role model, and as a friend."

Echoing the early days of her legal career, Macri-Ortiz successfully mentored **Jessica Arciniega** through the apprenticeship program, who is now a licensed attorney and Regional Director of the ALRB. Macri-Ortiz' current apprentice, Maria Navarro, recently passed the baby bar and is looking forward to becoming a housing lawyer.

Arciniega shares comments about her apprenticeship with Macri-Ortiz:

"One of Barbara's many acts of service was to mentor me as my supervising attorney in the state of California's Law Office Study Program. My four-year apprenticeship with her prepared me not only to pass the bar exam but to practice law with high professional standards, compassion, and in the pursuit of justice. I would not be the lawyer I am today if not for Barbara. She has also had a tremendous influence on my family by continuing to consistently support families raising children with values that serve the community and remind us to help the most poor, the most needy, and the most vulnerable."

Macri-Ortiz' Driving Forces

Macri-Ortiz is the daughter of parents with an 8th-grade education. Her father was a World War II Veteran, and her mother worked on tobacco farms and canneries, and then in a factory while Macri-Ortiz' father was serving in the war. She was the first in her family to leave home to attend college. Her parents believed in unions, so they always supported their daughter's efforts with the UFW. That was especially so for her mom, who had spent time as a tobacco field worker and understood the conditions that farmworkers experience.

Throughout Macri-Ortiz' journey and life experiences, she bases her life on the following principles:

- Dignity for all people. She has a passion for people to be treated fairly.
- Have a focused mission and do not stop, even when setbacks and losses occur. If you keep going, you will get a victory.

- Persistence. Nothing is easy.
- There is always a way to justice, but you may have to fight to find it.
- There are no shortcuts or substitutes for hard work.
- Leave the world a better place than when you found it.

Barbara Macri-Ortiz' commitment to the Ventura County community embodies her life principles, and she continues to leave the world, especially the Ventura County community, a better place.



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.



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EYES WIDE OPEN: LEGAL OBSERVERS SAFEGUARD FUNDAMENTAL RIGHTS

By Russ Charvonia and Cynthia Replogle



Legal observers stand at the intersection of advocacy and accountability, ensuring that every person's right to free expression and due process is respected, whether on the streets during a planned protest or in the fields at a rapid response to an ICE operation.

The Role of a Legal Observer

Legal Observers are trained volunteers dispatched by the Mass Defense Program of the National Lawyers Guild (NLG) to serve as impartial “eyes and ears” at actions where civil and constitutional rights may be threatened. Wearing identifiable green hats, Legal Observers monitor law enforcement interactions with protestors, record any instances of excessive force, unlawful detention, or infringement of constitutionally protected rights, and compile contemporaneous notes that are crucial for later legal advocacy and accountability.

Certification and Support Network

Becoming a Legal Observer begins with a comprehensive training led by an experienced NLG attorney, covering constitutional protections, effective notetaking, and best practices for evidence collection. Upon certification, observers are integrated into a Mass Defense network that may include on-call supervising attorneys, legal support hotlines, and Know Your Rights materials, all coordinated regionally by local NLG chapters.

Why are Legal Observers Needed?

Deterrence and Accountability

The visible presence of trained Legal Observers has a twofold impact: it often deters potential misconduct by signaling that each law enforcement action is being documented, and it bolsters accountability when enforcement oversteps constitutional bounds. Officers aware of observer scrutiny are less likely to engage in unlawful stops, searches, or use of force.

Objective Documentation

In the heat of a demonstration or enforcement sweep, memories can conflict and critical details may be lost. Legal observers maintain accurate, timestamped logs of commands issued, crowd movements, and any force used. They may also capture photographs and videos in limited circumstances. Objective, attorney work product-protected written notes ensure that subsequent motions, whether to suppress unlawfully obtained evidence or to seek redress for civil rights violations, rest on a solid evidentiary foundation.

Empowering Vulnerable Communities

Many actions monitored by Legal Observers involve marginalized groups, such as immigrant communities facing ICE enforcement, BIPOC activists, and low-income constituencies, whose members may hesitate to challenge official misconduct. By documenting each interaction, Legal Observers provide these communities with an independent record they can use to pursue habeas corpus petitions, civil damages claims, or policy reforms.

From Planned Protests to Rapid Response ICE Raids

Traditionally, Legal Observers are associated with marches, rallies, and other scheduled demonstrations. However, Legal Observers are also available for rapid response deployments to ICE raids – unannounced actions that disrupt homes, workplaces, and community centers. In these scenarios, observers verify agents' compliance with warrant requirements, document any coerced entries or detentions, and relay

information back to on-call attorneys who can intervene to protect due process rights.

Impact and Outcomes

Post-action reports assembled by Legal Observers have paved the way for successful legal motions, internal agency investigations, and legislative hearings on police and immigration enforcement practices. Timestamped notes and media evidence have resulted in revised use of force policies, suppression of unlawfully gathered evidence, and civil rights settlements, which are all a testament to the pivotal role of rigorous, objective documentation.

Joining the Effort

By embedding trained observers in both planned protests and rapid response ICE actions, the NLG's Legal Observer program ensures that exercises of the right to dissent, and enforcement actions against immigrants, occur under the watchful gaze of trained observers in service of the Constitution.

Anyone interested in safeguarding fundamental rights can volunteer as a Legal Observer through the Central Coast NLG Chapter, which serves Ventura, Santa Barbara, and San Luis Obispo Counties. The local chapter is also looking for attorneys willing to offer jail support to arrested protestors. Contact ccc@nlg.org for more information.



Russ Charvonia is a VCBA member practicing estate planning and trust and estate administration with Channel Islands Law Group, a P.C. He has been an NLG Legal Observer since 2020.



Cynthia Replogle is an intellectual property attorney in solo practice in San Luis Obispo County. She coordinates the local NLG Legal Observer team and is a co-chair of the NLG Central Coast chapter.



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MEMBER SPOTLIGHTS – Mitchell Davis and Lisa Sale

By Kathleen Maheu



Mitchell Davis has been part of the Ventura County Bar Association community for nearly two decades and brings a steady hand to public-service legal work.

He joined the California Bar in 2001 and VCBA in 2006. His undergraduate and law degrees are from the University of Wyoming.

Davis currently works at the County of Ventura as a senior attorney whose practice focuses on probate, mental-health issues, and litigation, areas where the law overlaps strongly with everyday human concerns.

Before moving into public service, he did work in criminal tax and federal banking-regulation settings, which gave him a strong procedural background.

Originally from Cleveland, Ohio, Davis now calls Newbury Park home. Growing up in a family of twelve siblings gave him early exposure to negotiation and interpersonal dynamics; today he has three children and six grandchildren. He also shares his home with a miniature Doberman Pinscher.

For him, family remains the priority. Outside of work, he likes to unwind at Ventura Harbor, and he lists Tomadachi Sushi and The Lure as his favorite local eateries. He's an avid reader, with titles like *Don Quixote*, *The Prophet*, and *Shogun* among his go-tos, and he plays basketball

and golf for recreation. He enjoys watching live baseball and pro football, and when vacation calls, Kauai or Pismo Beach rank high on his list.

Davis says the legal path appealed to him because it offered a meaningful way to make a difference. If he hadn't become a lawyer, he imagines he might have become a firefighter. He cites Muhammad Ali's "Float like a butterfly, sting like a bee" as his favorite quote, and names the Fourteenth Amendment as the law that most inspires him, given its foundation in fairness and equality.

His blend of professional dedication, personal grounding, and humble service makes him a valued colleague and contributor in Ventura County's legal scene.



Lisa Sale has been a member of the Ventura County Bar Association since about 2005 and a member of the California Bar since 1995. She earned her law degree from

Western State University College of Law and her undergraduate degree from Cal State Fullerton.

Sale practices in Westlake Village, where she runs the Law Office of Lisa A. Sale, APC, and also serves as Minor's Counsel in Ventura County Dependency and Family Courts. Her work focuses on family law and dependency matters, fields that require both patience and empathy. Earlier in her career, she practiced aviation law.

A long-time leader in the local bar, Sale served as vice president of the Family Law Bar Association and spent fifteen years on its board. She also gives back through mock trial programs, having coached teams at Royal High School and Oak Park High School and volunteered as an attorney scorer in both Ventura and Los Angeles Counties since 2007.

Sale grew up in Huntington Beach and still carries that coastal perspective with her. She loves being outdoors, whether hiking, kayaking, boating, or swimming, and says her favorite local spots are Pier Shoals Beach (for its dog-friendly vibe) and Camarillo Airport.

She has one child, two cats, and a Golden Retriever named Abby, who is a certified therapy dog and part of the LAX Airport PUPS comfort program. She's also fostering a senior dog named Henny for a local rescue.

Sale's path to law wasn't planned. She originally studied marine biology and was wait-listed at Scripps. While considering paralegal school, her father, himself a physician and later a law graduate from Southwestern (as was her grandfather), suggested she go straight to law school. "I suppose the rest is history," she says. If she weren't practicing law, she'd return to her environmental roots, working on marine life and ocean health.

Few people know she learned to fly at 13, soloed at 15, and became a private pilot at 16. Her favorite books include *First Ladies* by Marie Benedict and Victoria Christopher Murray, and she's been part of a book club

for 20 years. She enjoys *MASH*, *Ted Lasso*, and adventure documentaries, and her favorite foods are tacos and seafood.

Sale lists Eleanor Roosevelt as the historical figure she'd most like to interview. Her favorite quotes include Eleanor Roosevelt's "Courage is more exhilarating than fear and in the long run it is easier," and Austin Brashears' reminder to "DIFTS – Do it for the story."

When asked what she prizes most, Sale doesn't hesitate: family. It's a fitting answer for someone whose career, community work, and personal life all reflect the same steady commitment to care, purpose, and connection.



Kathleen "Kat" Maheu is an associate attorney practicing family law with Pachowicz | Goldenring, a PLC, and Managing Editor of CITATIONS. She can be reached at kat@pglaw.law.

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WHO IS LIABLE WHEN AI REPLICATES PEOPLE IN CALIFORNIA?

By Alex Tron

The rapid advancement of artificial intelligence (AI) has ushered in tools capable of replicating someone's likeness, whether voice, face, or mannerisms, with staggering realism. In California, the law has evolved to address this phenomenon, imposing liability on users, companies and platforms as well. At the core of California's approach is the robust right of publicity under Civil Code section 3344, which protects living individuals, and via the Celebrities' Rights Act (section 3344.1), which protects decedents' estates for up to 70 years after death.

Corporate Liability: Contracts, Unauthorized Uses, and Statutory Penalties

In September 2024, Governor Gavin Newsom signed two landmark bills, AB 2602 and AB 1836, which together bolster protections against unauthorized digital replicas of performers. AB 2602 prohibits contracts that permit an AI-generated digital replica to stand in for performers unless the performer had specific, transparency-driven consent and professional representation during negotiations. Meanwhile, AB 1836 extends protection posthumously, barring commercial use of a deceased performer's digital replica unless expressly authorized by the estate.

Beyond the entertainment sector, California is also pushing for broader deterrents. For instance, proposed legislation (SB 11) would build on the right of publicity by making the dissemination of false AI-generated content without a clear consumer warning both civilly and criminally punishable.

Deepfakes in Sensitive Contexts: Elections and Non-Consensual Content

California was among the first states to establish legal recourse for victims of non-consensual sexually explicit deepfakes. Under AB 602 (2019), individuals may sue creators of such content for damages, emotional distress, and injunctive relief. More recently, federal legislation targeting AI-generated child sexual abuse material further criminalizes the creation, possession,

and distribution of such images has been introduced, such as the ENFORCE act.

In the realm of political deepfakes, California enacted stringent laws in late 2024. These statutes prohibited deepfake distribution in the pre-election period and required platforms with more than one million users to remove deceptive content swiftly following complaints. However, as of August 5, 2025, a federal judge in Sacramento struck down these laws, citing conflict with Section 230 of the Communications Decency Act and raising First Amendment concerns, effectively blocking their enforcement for the time being.

Liability of Individuals Who Post or Share AI Likeness Content

People who post AI-generated likeness content, especially without consent, can be held legally liable under multiple theories. When content defames or impersonates someone maliciously, defamation or privacy laws apply. Deepfake creators or distributors can also be sued under the right of publicity, or, in cases of explicit imagery, facing criminal and civil penalties under statutes designed to protect victims of non-consensual content.

The Path Forward: Balancing Innovation, Consent, and Accountability

California's ongoing legal evolution around AI-generated likenesses reflects a broader national and global reckoning: how to balance the extraordinary creative potential of artificial intelligence with the fundamental right to personal identity, privacy, and consent. As the line between real and artificial becomes increasingly blurred, courts and lawmakers are tasked with defining new boundaries for accountability.

For individuals, the message is clear. California law provides strong remedies for unauthorized digital replication. Victims of AI-generated impersonations can pursue claims under the State's right of publicity, privacy torts, and, when applicable, defamation statutes. They may also seek

injunctive relief to compel removal of harmful content. These remedies are complemented by criminal statutes in cases involving non-consensual or sexually explicit materials.

For creators and businesses, compliance must go beyond mere avoidance of liability. Entertainment companies, advertising agencies, and software developers should implement clear consent protocols, maintain auditable records of performer agreements, and include explicit clauses addressing AI usage and digital replicas. Transparency, informed consent, and ongoing oversight are rapidly becoming contractual and ethical necessities.

For legal professionals, the terrain ahead will require vigilance and adaptability. AI-driven disputes now intersect with intellectual property, privacy, contract, and constitutional law, demanding interdisciplinary fluency. Attorneys should anticipate a rise in litigation over misappropriated likenesses, deceptive political ads, and unauthorized virtual performances, as well as new precedent-setting appellate decisions defining the scope of "consent" and "commercial use" in the AI era.

Ultimately, California's framework illustrates both the promise and peril of regulation in a rapidly advancing field. The state leads in recognizing that identity has intrinsic value, even when rendered in pixels and code, but must balance that recognition with the constitutional protections of expression and innovation. As technology continues to evolve faster than legislation, one truth remains constant: consent, clarity, and accountability will form the foundation of lawful and ethical AI practice in the years ahead.



Alex Tron is the Social Impact Center's staff attorney specializing in reentry thesocialimpactcenter.org. He is also VCBA's section leader for Barristers.



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THINKING THINGS OVER: OFFICE DOG

By Lindsay Nielson



After five decades of lawyering, I think I am in a position to say, with some certainty, that this is a difficult profession. The clients, the issues, the lawyers, some who have forgotten or reject any boundaries of civility, and, at times, the ever present need to chase after your fees. It, at times, can cause sleepless nights. Stress comes with that law degree that you hang on your wall to provide some assurance to your clients.

But other times, it does provide highs when a judge sees things from your point of view and/or your argument.

About eight years ago, my wife, Jackie, and I lost Bailey, our beloved Westie (i.e. a West Highland Terrier). It is a mind numbing and wrenching experience when your pet dies. Westies are pure white. That requires weekly baths on Saturdays. They are assertive with their demands for attention; for a walk; for dinner; for a treat; for a belly rub or just plain assurance that you still love them. It is an emotional journey. We needed time to mourn and recover from this loss of a family member. We decided that we wouldn't replace Bailey. We needed time.

But we didn't get that time. When my secretary and I returned from lunch just a few weeks after Bailey died, my oldest son, Greg, was in the front yard of my office (my office is a 110-year-old Victorian house in downtown Ventura). He had what looked

like a furry rat with very large ears. "Here Dad, I got this puppy for you. I have to get back to my business. Here you are." And he handed me a white bundle of fur with very big ears. Our vet later assured me that she would grow into her ears. That was my introduction to Daisy.

Well, she has grown up to be a lively and loving pet. She has trained us well and she gets whatever she insists she wants or needs. One of the greatest benefits of having a pet and being your own boss is that Daisy comes to work with me most days. My assistant, Sharon, who was there when the great arrival of young Miss Daisy occurred, has also grown to love her. She wants Daisy to stay with her any time Jackie and I are gone – from a couple of hours, an over-nighter, or days or a week's long trip. I have told Sharon, who has since retired, that Daisy is likely to outlive my wife and me. Daisy will be hers after that eventuality happens. Sharon told me that

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it may be a good idea to hire a food taster. I wonder what she meant by that?

Daisy actually enjoys coming to the office. She sleeps when she isn't lying on the table in the bay window overlooking Santa Clara Street. If someone is walking a dog on her street without her permission, she lets them know that it is not allowable. She greets our regulars... our process server, Darren Ranck, and the messenger from the title company and even the FedEx driver. When she sees them coming up the stairs, she gets excited and waits at the front door. By the time they get the door open, she is on her back and expects (actually demands) a belly rub plus assurance that she is pretty and is still their favorite dog. Often, especially the FedEx driver gives her a treat. That'll do it every time.

I once had a client come in for an appointment. "Where's Daisy?" She asked. I explained that I didn't bring her to work that day. Her response put me in my place. "Well, I can come back tomorrow". I wondered who she actually came to see... Daisy or me.

I have been to other law offices that have pets in the office. My former associate, **Tina Cowdry's** office, **Kenneth E. Devore** in Westlake Village, allows the entire staff to bring their dogs to the office. Work goes more smoothly. Just remember to bring a treat with you. And, oh, another bonus ... Daisy generally has more billable hours than me.



Lindsay Nielson is a veteran presence in the Ventura County legal community, practicing receivership law. He can be reached by email at Nielsonlaw@aol.com.



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MID TO SENIOR BUSINESS LITIGATION ASSOCIATE - Reicker Pfau, a leading full service law firm, seeks a Litigation Associate to join their dynamic team in Santa Barbara. Ideal candidate should have 5-8 years of litigation experience, a strong work ethic, and the ability to handle complex cases independently. Competitive compensation (\$160,000 – \$210,000 DOE) and benefits offered. Submit your resume to tcook@rppmh.com.

CONTRACT ATTORNEY AVAILABLE FOR LEGAL RESEARCH/WRITING Freelance attorney available to provide legal research and writing services to other attorneys on a project-by-project basis. Former judicial law clerk to federal judge in San Diego for three years. Licensed in California. For more information, please visit www.meghandohoney.com

SUPERIOR COURT SEEKS MENTAL HEALTH COURT-APPOINTED REFEREE - Position conducts mental health proceedings for the Superior Court of California, County of Ventura via remote video technology at the Hall of Justice in Ventura, pursuant to the Lanterman-Petris-Short Act, as set out in (Welfare & Institutions Code sections 5000-5550), and performs related duties as required. 5256.1. Please visit the Ventura Courts Career Website for more information

FAMILY LAW STAFF ATTORNEY - Ventura County Legal Aid seeks a licensed family law attorney to work at the Ventura Family Justice Center. Bilingual a MUST. Referrals typically involve allegations of elder or domestic abuse. Primary duties include EA and DA restraining orders, and custody and support orders. Contact Paul Bujold at paulbujold@vclegalaid.org.

STAFF ATTORNEY - Ventura County Legal Aid seeks a licensed attorney to work with our Managing Attorney on Landlord/Tenant, UD, debt collection, contract disputes and other cases. The attorney will review, assess and respond to inquiries received via our online intake form and at our walk-in clinic. Location: Ventura or hybrid. Bilingual a MUST. Contact Paul Bujold at paulbujold@vclegalaid.org.

BILINGUAL SPANISH/ENGLISH LAW STUDENT or ATTORNEY to work in busy Oxnard/Moorpark immigration practice. Good writing skills for briefs. Will train. Prepare family immigration forms and court papers. Salary commensurate with experience/type of work. Contact Howard J. McClure with experience/cv at howard@howardjmcclurelaw.com for an interview.

PARALEGAL - Ventura Coast Law LLP seeks a paralegal to join its Trusts, Estate and Fiduciary Litigation department. The ideal candidate will have a minimum of 2 years of experience with a strong understanding of general civil litigation. The position can be hybrid with remote working. The firm offers a competitive salary and benefits package. Please send résumé to business@venturacoastlaw.com

WESTLAKE VILLAGE LAW FIRM SEEKS SECRETARY/LEGAL ASSISTANT Well established (40 yr) busy law firm seeks well qualified legal secretary/assistant (full time or part time) for litigation and transactional. Exciting career opportunity. Experience with Windows, Microsoft Outlook, WordPerfect, Word, Excel, Essential Forms or similar, Timeslips. Email resume in confidence to sam@silverandarshb.com.

EXPERIENCED PARALEGAL - Law firm in Westlake Village, CA specializing in family law, is seeking a full-time, experienced paralegal with a minimum of 2 years of experience to join its litigation team. The candidate must have experience in preparing family law pleadings and discovery. Candidate must be able to work independently and work in a fast-paced environment. Excellent written and communication skills required. Salary in the \$75-\$100k range depending on experience. Excellent work environment and benefits. Position available immediately. Please email a PDF of your resume to lisa@slmfamilylaw.com. All inquiries will be held in strict confidence.

COURT ACCOUNTINGS FOR TRUSTS, ESTATES, GUARDIANSHIPS, AND CONSERVATORSHIPS for Attorneys, Professional Fiduciaries, and Individuals. We focus exclusively on fiduciary accounting and are not CPA's. Email scott@trustkeeping.com.

WESTLAKE VILLAGE OFFICE RENTAL I am retiring from the practice of law at the end of September 2025. I have a great "one-attorney" office space in a beautifully landscaped courtyard in Westlake Village. The space consists of an attorney office, a good size conference room and a small backroom storage area. It is fully furnished (including desk, chair, conference table and chairs, book cases and three large lateral file cabinets). I'm looking for someone to take over the remaining one year lease (\$1,077.50 per month) and I'll make a sweet deal on the furniture, so you can move in with just your computer, printer and wall decorations. Call Ed Matisoff at (805) 701-6799

OFFICE RENTAL - 2 Offices and 1 Secretarial Bay available in Westlake Village condo-office, located on Duesenberg Drive near the Post Office. These spaces are available separately or together. The Larger Office is \$700/Month, Smaller Office \$350/Month, and Secretarial Bay is \$150/Month. Utilities are paid by for by the Landlord. Contact Phil Dunn, 805-494-1131 or Email at philipremingtondunneseq@gmail.com

OFFICE RENTAL - Space in 3 loving restored Victorian houses, designated as Buenaventura Historical Landmarks, located next to one another, across the street from the Court of Appeal building in Old Town Ventura. Walk to Surfers Point and the beach, or to fine restaurants on Main Street. Convenient access to the 101 freeway. Off street parking, in our lot behind the Victorians. Lease one office or an entire Victorian house. Rents start at \$550/month. Common reception area. Landlord pays for utilities, janitorial service aPetty at 805-340-1204 or email at jjpetty@beckergroup.com.

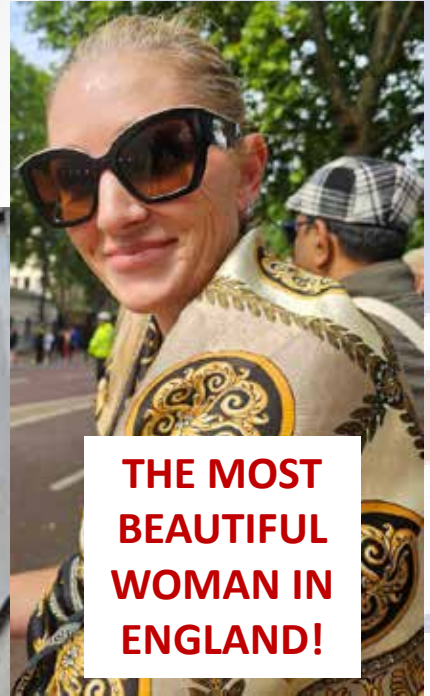
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Ventura, CA 93003

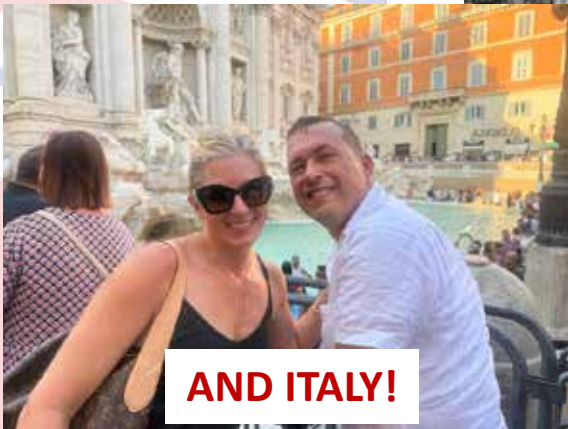
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