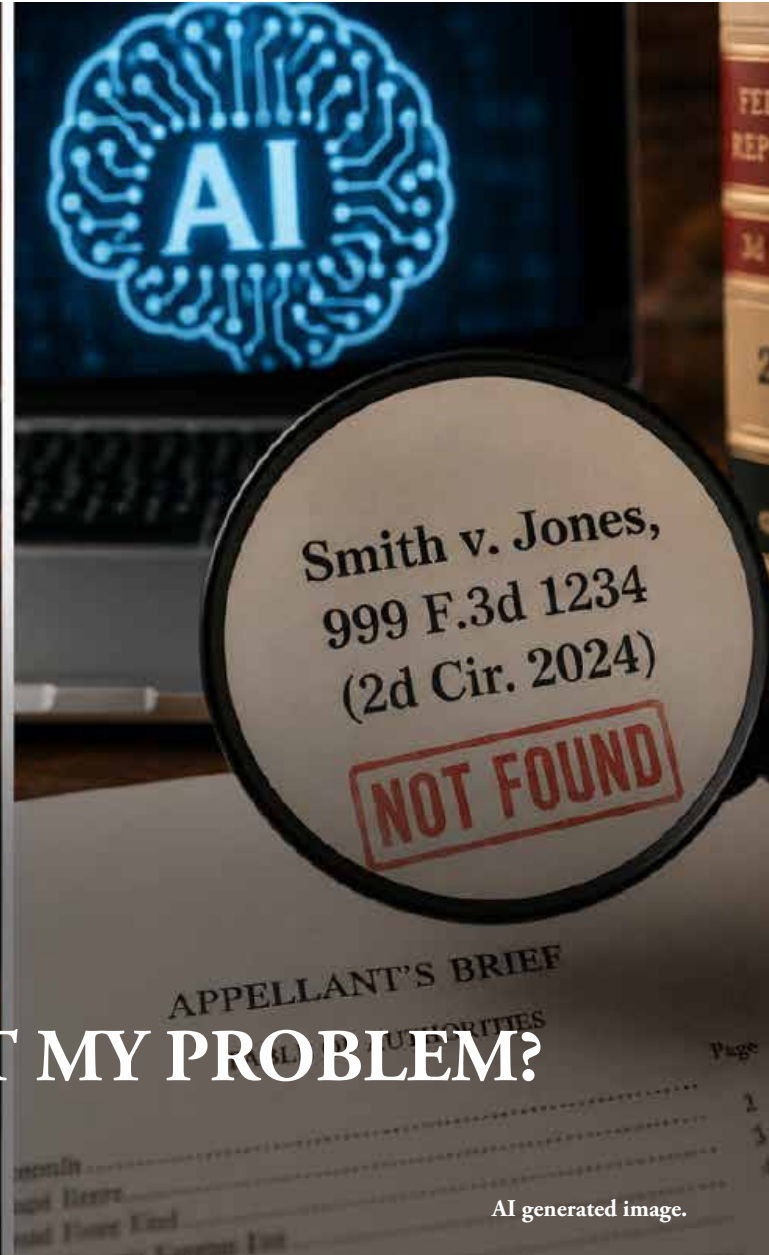




CITATIONS

AUGUST - TWO THOUSAND TWENTY SIX



NOT MY BRIEF... NOT MY PROBLEM? THINK AGAIN.

By Christal Joy Porter

Page 10

AI generated image.

KRISTINE TIJAM

DAVID B. SHEA, ESQ.

ALFRED VARGAS

KATHLEEN "KAT" MAHEU

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PRESIDENT'S MESSAGE

By Kristine Tijam

Like many industries, the legal field continues to navigate uncharted territory with the use of artificial intelligence, especially generative AI (which creates new content in response to prompts) and agentic AI (which acts autonomously). The possibilities of AI are endless, as basic as correcting grammar and providing better tailored search results, all the way to writing documents, summarizing voluminous transcripts, and accelerating workflows like never before. Legal research software has been a visible pioneer of AI, with such programs now generating highly detailed, comprehensive reports of relevant legal authorities to answer the user's question.

AI is certainly alluring to our industry, where there always seems to be too much work but not enough time. Inherent in our profession is dealing with constant and competing deadlines, while managing demands from various sources. Consequently, many will turn to systems that provide a promise of increased productivity and decreased burdens in mere seconds or minutes, especially where such systems advertise themselves as helping reduce the most tedious aspects of our jobs. However, some of the obvious concerns with using AI include the lack of reliability of its finished work product, ensuring we are not violating the professional and ethical obligations we must abide by, and the concerns of possibly uploading confidential, privileged, or sensitive material into AI programs and having no guarantee of what becomes of that information.

In November 2023, the State Bar of California's Committee on Professional Responsibility and Conduct published a "Practical Guidance for the Use of Generative Artificial Intelligence in the Practice of Law," which remains available on the State Bar's website. This resource provides guidance on the use of AI as to the following attorney obligations: Duties of Competence and Diligence; Duty of Confidentiality; Duty to Comply with the Law; Duty to Supervise Lawyers and Nonlawyers; Responsibilities of Subordinate Lawyers; Communication Regarding Generative AI Use; Charging for Work Produced by Generative AI and Generative AI Costs; Candor to the Tribunal and Meritorious Claims and Contentions; Prohibition on Discrimination, Harassment, and

Retaliation; and Professional Responsibilities Owed to Other Jurisdictions.

The increasing popularity and appeal of AI has certainly come with its own issues. After the February 2025 California bar exam, the California State Bar faced major backlash because it employed a company to have a non-lawyer use AI to draft questions that were given on the bar exam. Many attorneys have been sanctioned by courts and faced other discipline in connection with their use of AI, which is typically discovered through "AI hallucinations," generative AI applications cite and discuss caselaw that *appear* legitimate on the surface, but instead either do not exist or are misrepresented.

In a letter dated August 22, 2025, from the Supreme Court of California to the California State Bar, the Supreme Court directed the State Bar to consider whether the guiding principles in its November 2023 Practical Guidance resource should be incorporated into the comments for the California Rules of Professional Conduct. The Court further directed the State Bar to consider incorporating into the comments for the Rules of Professional Conduct any additional guidance that may be warranted pertaining to the use of AI, including lawyers' use of agentic AI tools.

In March 2026, the California State Bar sought public input on proposed amendments to the Rules of Professional Conduct addressing the use of artificial intelligence. The proposed amendments pertained to the rules governing Competence (Rule 1.1), Communication with Clients (Rule 1.4), Confidential Information of a Client (Rule 1.6), Candor Toward the Tribunal (Rule 3.3), Responsibilities of Managerial and Supervisory Lawyers (Rule 5.1), and Responsibilities Regarding Nonlawyer Assistants (Rule 5.3). The public comment period closed on May 4, 2026. Presently, the State Bar's Standing Committee on Professional Responsibility and Conduct likely remains in the process of reviewing the public comments and modifying the proposed amendments if needed.

Aside from the proposed amendments, California already has rules in place specifically addressing the use of AI. For example, California Rules of Court, rule 10.430 pertains to generative AI use policies

for California state courts. More recently, SB 574 proposes amendments to the Business and Professions Code and Code of Civil Procedure regarding professional obligations for AI. SB 574 passed in the Senate and is currently advancing through the Assembly.

In the media, news of attorneys across the country being sanctioned for improper use of AI have been widely publicized. Disciplinary proceedings from the California State Bar Court now sometimes include counts relating to an attorney's improper use of AI. As of the writing of this article, a search for "artificial intelligence" in Westlaw populates a total of 64 cases in California, 29 of which have been officially published. All but one of the 64 total cases are opinions from the California Supreme Court and California Court of Appeal, with the one outlier being from the Review Department of the California State Bar Court. The published cases pertain to attorneys who have been sanctioned for using AI in connection with briefs submitted to the Court. Those briefs cited cases that did not exist, contained erroneous statements of law, presented quotes that were not actually in the case cited, and cited cases that did not address the issues for which they were cited. In one California Court of Appeal decision, the Court explained:

We agree with our colleagues that "there is nothing inherently wrong with an attorney appropriately using AI in a law practice," but attorneys must check every citation to make sure the case exists and the citations are correct. (Citation.) Attorneys should not cite cases for legal propositions different from those contained in the cases cited. (Citation.) And attorneys cannot delegate this responsibility to any form of technology; this is the responsibility of a competent attorney. (Citation.) " 'Honesty in dealing with the courts is of paramount importance, and misleading a judge is, regardless of motives, a serious offense.' " (Citation.)

(*People v. Alvarez* (2025) 114 Cal.App.5th 1115, 1119, citing *Noland v. Land of the Free, L.P.* (2025) 114 Cal.App.5th 426 and

continued on page 4

PRESIDENT'S MESSAGE

continued from page 3

Paine v. State Bar of Cal. (1939) 14 Cal.2d 150, 154. Internal citations omitted.) Because these published cases often pertain to attorneys whose AI programs provided them with cases that simply did not exist, some of the published opinions conspicuously include an Editor's Note that states the following: "This document contains discussion of unverified citations, likely generated by AI tools used by a party or counsel. These citations are not attributable to the Court. The unverified citations have been preserved as part of the official record, but links are unavailable." The courts in these cases took corrective action against the attorneys at issue by publishing orders admonishing their use of AI, imposing sanctions, and finding that the attorneys violated various provisions of the California Rules of Court and Rules of Professional Conduct.

Perhaps unsurprisingly, AI has also been popular among pro per litigants. While some have used AI programs to write court briefs and conduct legal research for them, other uses have been more egregious. Notably, a New York pro per litigant was recently admonished by a judge after attempting to use an AI attorney (which he displayed on a video that he played) during a hearing in court. That hearing is still available on YouTube.

Of course, AI has been especially alluring to students, prompting schools throughout the country to develop policies governing the use of AI. As one example, UC Berkeley School of Law recently published a comprehensive AI policy that became effective Summer 2026, which is available online. Other schools continue to work on these issues. Law schools must determine how to balance the unavoidable involvement of AI in the educational and legal institutions, while ensuring students are completing their own work, developing the necessary critical thinking skills by not taking improper shortcuts, and operating with integrity and ethics, especially considering the professional field they plan to enter after graduation.

Like most technology, the benefits of AI are undeniable but must nevertheless be used judiciously. I frequently caution my law students that reliance on AI hinders their ability to develop the necessary critical

thinking and analytical skills they need to be successful in law school and as an attorney. In thinking about the skills we use daily as attorneys and how we become better practitioners, I firmly believe there is simply no substitute for reading, understanding, and analyzing hundreds of pages of legal doctrine, and creating written product ourselves. Doing those tedious parts of our jobs is not only central to our profession but helps us become better attorneys. AI may have its place in helping support the work we do. However, I believe we best serve our clients by performing the substantive work on our own as much as possible, instead of having AI read and write for us.

As President of the Ventura County Bar Association this year, I truly appreciate the platform I have each month to speak directly to all of you through CITATIONS. Although it would be significantly faster and easier for me to simply ask AI to write these articles for me each month, doing so would erase my voice and integrity, while disrespecting this position and the legal community. Similarly, the improper

reliance on AI negatively impacts our profession because it disregards our ethical and professional obligations, disrespects the institutions we serve, devalues the positions we hold, allows legal professionals to avoid using the skills they were hired for, and decreases the public's trust in the legal system. While it may be clear that I still have major reservations with AI, I acknowledge that I must accept that it is here to stay, and we must carefully decide the role we allow it to play in our professional lives.



Kristine Tijam is a civil litigation attorney at *Procter, Shyer & Winter, LLP* and an adjunct law professor at *The Colleges of Law*. Her practice focuses on representing cities, businesses, and individuals in various types of lawsuits. She can be reached at kristine@proctershyster.com or (805) 603-8623.

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NEWS FROM THE COURT

Changes in Court Operations to Affect the Criminal, Traffic and Juvenile Justice Departments

Beginning August 3, 2026, changes in Court operations will occur affecting the Criminal, Traffic and Juvenile Justice Departments.

Under the Court's 2024-2028 Strategic Plan, *Resetting, Reimagining and Preparing for the Future*, the Court has spent much of 2025 and 2026 focused on improving the public's access to court services through the use of technology solutions and management. The goals of this initiative are to support the Court's strategic focus areas, including improvement of the court user experience, enhancing operational efficiency and improving online security.

A major step is to ensure our Court is compliant with Government Code section 69846, which imposes upon the Court Clerk the duty and responsibility to "safely keep or dispose of according to law all papers and records filed or deposited in any action or proceeding before the Court." In obedience to this duty, the Court is taking ownership and control of the Vision platform of VCIJIS. This is a major transition away from the County-managed database to one over which the Court has sole ownership and control.

The Ventura Superior Court will begin transitioning its Criminal, Traffic and Juvenile Justice Case Management System on July 31, 2026, with the new platform expected to go live on August 3, 2026.

A planned outage of the current case management system will begin at 4 pm on July 31, 2026. This will affect online services for criminal and traffic case types. The new platform will provide additional benefits to the public as we continue to implement enhancements that will allow for greater public access.

The court kindly requests that attorneys and the public limit business to essential filings or inquiries during the week of August 3 to allow staff time to adjust to the new workflows.

Across all affected case types, the Online Case Search and online Court Calendar will not reflect updates made after 4 pm on July 31, 2026, until August 3, 2026.

Criminal

Filings will be accepted through Friday, July 31, 2026, but will not be processed until on or after August 3, 2026.

Juvenile

Filings will be accepted through Friday, July 31, 2026, but will not be processed until on or after August 3, 2026.

Traffic

The following systems will be unavailable after 4:00 pm on July 31, 2026, and will be re-established on August 3, 2026:

- MyCitations: Ability to Pay (ATP)
- Traffic Online Payment portal

Judge Jacquelyn D. Ruffin Takes the Bench as Ventura Superior Court's Newest Judge

Judge Jacquelyn D. Ruffin took the bench on Monday, July 6, 2026, as Ventura County's newest Superior Court Judge. Hon. Charmaine H. Buehner administered Judge Ruffin's judicial oath of office.

Judge Ruffin was appointed by Governor Gavin Newsom on June 2, 2026. She fills the vacancy created by the retirement of **Hon. David M. Hirsch**.

Judge Ruffin will be assigned to the Civil Department. The date of her formal enrobement ceremony will be announced in the near future.

Notice of Revised Fee Schedule

Effective August 31, 2026, the court's Statewide Fee Schedule, which may be found on the court's website at www.ventura.courts.ca.gov, will include an addendum to reflect a fee increase for the cost of compact discs.

Increase:

- Compact Disc: \$30.00

The addendum to the Fee Schedule will be posted on the court's website at www.ventura.courts.ca.gov and will be posted in the clerk's office.

Pursuant to Cal. Rules of Court, rule 10.815, the court is authorized to charge a reasonable fee for the production of compact discs. The fee may not exceed the court's cost in providing the service. The new fee amount indicated above reflects the court's actual costs for production.

The court invites public comment on this change before it is implemented. To ensure prompt review and consideration, comments should be submitted to admin_vsc@ventura.courts.ca.gov. For those without internet access, comments can be mailed to the Ventura Superior Court Executive Office, P.O. Box 6489, Ventura, CA 93006. Comments must be received by August 24, 2026, to be considered.

Updated Procedures for Family Law Ex Parte Requests

Courtroom 34 (DVRO): Requests for Domestic Violence (that are assigned to Courtroom 34), Workplace Violence and Gun Violence restraining orders will be heard daily in Courtroom 34 at 1:30 pm. All requests may be decided on the papers only.

■ Parties/attorneys that have access to email may email the papers to: EmergencyRestrainingOrdersFamilyandCivil@ventura.courts.ca.gov by 9:00 AM for the day the ex-parte request has been noticed. Timely notice as set forth in the California Rules of Court is required. Any papers submitted after that time will be ruled upon the next business day.

■ Any party opposing a request may email the papers to EmergencyRestrainingOrdersFamilyandCivil@ventura.courts.ca.gov, by 11:00 AM for consideration by the court.

■ PARTIES ARE NOT TO SUBMIT ANY NON-RESTRaining ORDER EX PARTE REQUESTS THROUGH THIS EMAIL PROXY.

■ For parties/attorneys that do not have email access or the ability to complete the forms electronically, papers must be presented in person at the Hall of Justice Room 210 (Family Law Clerk's Office) by 11:00 AM for the day the emergency ex-parte request has been noticed. Timely notice as set forth in the California Rules of Court is required.

Courtrooms 31, 32, 33 & 35 (DVRO):

Requests for Domestic Violence filed in an existing Family Law case and assigned to the listed courtrooms will be heard daily in the assigned courtroom at 11:30 AM. Elder/Dependent Adult Abuse restraining orders will be heard daily in Courtroom 32 at 11:30 AM.

■ Parties/attorneys that have access to email, may email the papers to EmergencyRestrainingOrdersFamilyandCivil@ventura.courts.ca.gov by 9:00 AM for the day the ex-parte request has been noticed. Timely notice as set forth in the California Rules of Court is required. Any papers submitted after that time will be ruled upon the next business day.

■ Any party opposing a request may email the papers to EmergencyRestrainingOrdersFamilyandCivil@ventura.courts.ca.gov, by 10:30 AM for consideration by the court.

■ PARTIES ARE NOT TO SUBMIT ANY NON-RESTRAINING ORDER EX-PARTE REQUESTS THROUGH THIS EMAIL PROXY.

■ For parties/attorneys that do not have email access or the ability to complete the forms electronically, papers must be presented in person at the Hall of Justice Room 210 (Family Law Clerk's Office) by 9:30 AM for the day the emergency ex-parte request has been noticed. Timely notice as set forth in the California Rules of Court is required.

Courtrooms 31, 32, 33 and 35 (Non-DVRO): For Family Law non-DVRO ex-parte requests in cases assigned to Courtrooms 31, 32, 33 and 35, A RESERVATION IS REQUIRED. Reservations must be made by contacting the judicial secretary by telephone.

- Courtroom 31 and 32 - 805-289-8762
- Courtroom 33 and 35 - 805-289-8772

These ex-parte requests will be heard daily at 11:30 AM Monday through Friday. Timely notice as set forth in the California Rules of Court is required. After scheduling a reservation, parties/attorneys may submit their documents through the eDelivery system by 9:00 AM the day of the ex-parte hearing. (Excluding weekends and court holidays.)

Any party opposing a request may submit the opposing papers through the eDelivery system by 10:30 AM on the day of the hearing.

For parties/attorneys that do not have the ability to complete the forms electronically, papers must be presented in person at the Hall of Justice Room 210 (Family Law Clerk's Office) by 9:30 AM for the day the emergency ex-parte request has been noticed. Timely notice as set forth in the California Rules of Court is required.

■ If you do not have an eDelivery account, select Online Services on the Court's homepage, then choose the eDelivery option to create an account.

■ eDelivery is open for submission of documents on court days (Monday – Friday) from 8:00 AM-4:00 PM. eDelivery is not available for the submission of documents before or after these hours, on weekends or on court holidays

Any party opposing a request may present their papers in person at the Hall of Justice

Room 210 (Family Law Clerk's Office) by 10:30 AM.

If papers are not presented within the time limits set out above, the ex parte request will not be heard that day. All applicable fees will be required. If an appearance is not required or a party/attorney without a fee waiver appears telephonically, payment must be submitted after the hearing has taken place.

If you are appearing in person, you may bring a check payable to the Ventura Superior Court. The court is unable to process cash or credit cards in the courtroom. Credit card, cash, and check payments can be processed in the Family Law Clerk's Office during normal business hours.

Reminder: Court Call No Longer Supported at VCSC

As a reminder to all practitioners, Ventura County Superior Court no longer coordinates services with Court Call. All remote access will be coordinated via Zoom.



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THE FORM MOST ATTORNEYS FORGET: EVIDENCE CODE SECTION 1129

By David B. Shea, Esq.

Your client is about to walk into mediation. They trust you, they are following your lead, and they have no idea that if you give them bad advice in that room, pressure them into a settlement they should not accept, or miss something critical, they may have no meaningful recourse against you. Not because the law excuses your conduct. Because the evidence of it is confidential and almost certainly cannot be used against you in a malpractice action. Evidence Code section 1129 requires you to tell them that before they agree to mediate. A lot of attorneys are not doing it.

The Case That Made This Necessary

The rule traces directly to *Cassel v. Superior Court* (2011) 51 Cal.4th 113. Michael Cassel attended a pretrial mediation on August 4, 2004. The session ran fourteen hours. His complaint alleged his attorneys pressured him throughout to accept a \$1.25 million settlement, well below the \$2 million floor he and counsel had previously agreed upon. At midnight, Cassel signed. He later sued for malpractice.



AI generated image.

The California Supreme Court held that every communication between Cassel and his own attorneys, in the days before the mediation and throughout the session itself, was shielded by mediation confidentiality under Evidence Code sections 1115 through 1128. The communications were inadmissible. His malpractice case could not proceed. The Court found the statutes unambiguous, declined to fashion a judicial exception, and made clear the

remedy belonged to the Legislature. Justice Chin concurred reluctantly, writing that attorneys “will not be held accountable for any incompetent or fraudulent actions during that mediation unless the actions are so extreme as to engender a criminal prosecution.” It was less a concurrence than a legislative referral.

The Legislature’s initial response was a bill to create a malpractice exception to mediation confidentiality. It drew organized opposition from practitioners and mediators who argued any crack in confidentiality would chill the candor that makes mediation work. The bill died. The Legislature instead directed the California Law Revision Commission to study the problem from 2013 through 2017. Its recommendation: leave confidentiality intact, but require attorneys to tell clients what they are giving up. Senate Bill 954 enacted that, adding section 1129 effective January 1, 2019.

What You Are Required to Do

Before the client agrees to participate in mediation, the attorney must provide a written disclosure and obtain a signed acknowledgment. Class and representative actions are exempt. Everything else is covered, including mediation consultations.

The form has strict requirements: a single standalone page not attached to any other document, at least 12-point font, in the client’s preferred language, signed and dated by both attorney and client. The statute provides a model form in subdivision (d) deemed compliant if those mechanics are met. It tells the client that all communications made in preparation for or during a mediation, including private communications with their own attorney, are confidential and cannot be used in any subsequent legal proceeding, including a malpractice action against that attorney.

The mediation provider does not handle this. A private ADR firm may offer the form as a courtesy, but the obligation belongs entirely to the attorney. Assuming otherwise is how the form never gets signed.

The timing exception does not exist. Attorneys retained after mediation is already scheduled sometimes conclude they have nothing left to do. Section 1129(b) says otherwise: compliance is required as soon as reasonably possible after being retained, regardless of when the session was set.

The retainer agreement does not substitute. The form must stand alone. Folding it into an engagement letter does not satisfy the statute.

Section 1129(e) expressly states that failure to comply is not a basis to set aside a settlement reached in mediation. That matters, but noncompliance is not harmless. Senate Bill 954 also amended section 1122 to create a narrow exception: communications or writings related to an attorney’s compliance with section 1129 may be used in a State Bar disciplinary proceeding to determine whether the attorney complied, even though the underlying mediation communications remain confidential.

Give Them the Page

Cassel left clients with a stark reality: by agreeing to mediate, they may be relinquishing any meaningful claim against their attorney for conduct that occurs in that room. The confidentiality statutes serve a legitimate purpose worth protecting. But a client who does not understand the rules cannot make an informed decision about whether to participate at all.

The model form is at section 1129(d). Have your client sign it, whether by wet signature or electronically, before mediation begins, and keep a copy in the file. If that is not already a standard step in your mediation preparation, it should be.



David B. Shea is a mediator with Lexington Mediation APC and a Certified Specialist in Estate Planning, Trust and Probate Law with more

than 30 years of experience litigating trust and estate disputes. Originally published in the Santa Barbara Lawyer, May 2026.



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Our Attorneys

Dee Dinnie, Managing Attorney

dee.dinnie@ventura.org

Jim Allen, Senior Child Support Attorney

jim.allen@ventura.org

Michael Marcelo, Senior Child Support Attorney

michael.marcelo@ventura.org

Matthew Terry, Senior Child Support Attorney

matthew.terry@ventura.org

Elina Avagimova, Child Support Attorney

elina.avagimova@ventura.org

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NOT MY BRIEF... NOT MY PROBLEM? THINK AGAIN.

By Christal Joy Porter

Imagine preparing for oral argument expecting tough questions about the legal issues in your appeal, only to have the first questions focus instead on why your brief cites cases that don't exist. Even more surprising, imagine watching the court turn to opposing counsel and ask why *they* failed to alert the court that those authorities were fictional. That unusual exchange, not the underlying dispute itself, is what has captured the attention of lawyers following *Landberg v. City of New York*.

"[He] was genuinely scared at the time. It felt like [his] career was on the line, and [he] was afraid to even use the words 'AI.'" *Landberg v. City of New York, et al.* 2025-02380, (Index No. 509670/18).

Imagine having to write those words to the Court in explaining why you submitted a brief with three fictional cases and misrepresentations of law. In a recent New York Court of Appeals case, *Landberg v. City of New York, et al.*, Appellant's attorney was confronted by the Appellate panel during oral argument as to why his brief cited cases that did not exist and statements of legal precedent that were not true. During oral argument, Appellant's attorney took full responsibility for *writing* the brief, but had no words to explain why multiple fictional cases were cited.

We have heard many stories of courts issuing sanctions against attorneys who rely on artificial intelligence "hallucinations" in citing law and legal arguments, but the New York Court of Appeals took an interesting approach during the oral argument hearing in *Landberg* by putting the attorneys for the Respondents in the hot seat. During the oral argument, after Appellant's counsel was confronted with the fictional case citations and misstatements of law, each of Respondents' counsel came to the podium expecting to argue the merits of the appeal. Instead, the Court's only question focused on counsel's failure to address the fabricated authorities.

"When you read your adversary's briefs, do you check the case law?...How come you didn't bring it to our attention?" the Court

asked. "How do you explain your failure to bring to the attention of this court that a brief was filed with this court by appellant's counsel with apparent fabrications and misrepresentations?"

That line of questioning is what makes *Landberg* stand out from the growing number of AI-related sanctions cases. The issue was no longer simply whether Appellant's counsel violated his ethical duties by submitting fabricated authority. The Court shifted its attention to opposing counsel and asked whether lawyers have an obligation to alert the tribunal when they discover that an adversary has cited authorities that do not exist.

Both Respondents' counsel relied upon the fact that the fictional cases and misrepresentations of law were unrelated to the issues actually in dispute, which is why they were not addressed in either response brief. Needless to say, the Court did not take kindly to Respondents' counsel's explanation.

CA Rule of Professional Conduct 3.3 states,

"(a) A lawyer shall not:

(1) knowingly make a false statement of fact or law to a tribunal or **fail to correct a false statement** of material fact or law previously made to the tribunal by the lawyer."

The duty stated in Rule 3.3(a) applies to all lawyers. So, is an attorney responsible to report to the Court a false citation or misrepresentation of law if made by opposing counsel?

The Appellate Court in New York seemed to think it was the Respondents' counsel's duty to make the Court aware of the false authorities in Appellant's briefing. The Court expressed that judicial officers rely heavily on the bar, and in a case like this, absolutely expected Respondents' counsel to flag Appellant's use of fictional cases and misstatements of law.

Whether that expectation ultimately becomes an ethical obligation in other

jurisdictions remains to be seen. Nonetheless, *Landberg* serves as a reminder that courts increasingly view attorneys as partners in safeguarding the integrity of the judicial process, and not merely advocates for their individual clients.

In *Landberg*, on the Court's own motion, all parties were directed to show cause why sanctions and/or costs should or should not be imposed against counsel for the Appellant. Appellant's counsel submitted an affirmation stating that, in connection with his research, he recalled "utilizing artificial intelligence-assisted research tools, but did not recall which exact tool he used, it was one of the free ones available to the public."

As you may be able to guess, the Court ultimately imposed sanctions on Appellant's counsel because of counsel's lack of candor during oral argument. The Court stated:

"As Sanders later admitted in his affirmation, he was not being candid at the time of oral argument, as he should have said that the cases were hallucinated by artificial intelligence. Sanders 'expla[ined]' that his decision to be dishonest with the Court was due to being 'scared.' This may be true. However, Sanders' decision not to be honest with the Court during oral argument also demonstrated his professional immaturity, arrogance, and profound lack of respect for the judicial system."

Interestingly, the Court's strongest criticism was not directed at counsel's use of artificial intelligence itself. Rather, it focused on counsel's failure to verify the authorities before filing the brief and, perhaps even more significantly, his failure to be candid with the Court once the issue came to light. AI may have generated the fictitious authorities, but it did not relieve counsel of the professional responsibility to confirm that those authorities actually existed.

The Court did not impose sanctions on Respondents' counsel, but its inquiries and admonitions during oral argument should serve as a wake-up call for all attorneys. Running a quick check to confirm the

existence of every unfamiliar case cited by opposing counsel may soon become part of every litigator's routine, if it is not already.

For many attorneys, the practical takeaway from *Landberg* extends well beyond the use of AI. It may be time to develop office procedures that include verifying unfamiliar authorities, particularly when a citation cannot readily be located or appears inconsistent with the proposition for which it is offered. While such verification has always been good practice, the increased use of generative AI may make it an essential part of competent appellate and trial advocacy.

Twenty years ago, no one imagined attorneys would need to verify whether a cited appellate opinion actually existed. Today, that simple step may become as routine as Shepardizing a case before relying on it. As the use of artificial intelligence becomes more prominent in

the legal field, duties that may once have seemed obvious are surfacing in new ways. **Courts are still defining the boundaries of lawyers' ethical obligations in the age of AI, and *Landberg* illustrates that those obligations may extend beyond our own filings.** If you were counsel for the Respondents and discovered the fictional cases and legal misrepresentations, what would you do?



Christal Joy Porter, a graduate of Pepperdine University School of Law and former NCAA collegiate athlete (Rice Women's Basketball 2011-2015), 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.

Practice Pointer

When Reviewing an Opponent's Brief:

- Verify any unfamiliar authority before assuming it exists.
- Confirm that quotations accurately reflect the cited opinion.
- Consider whether the issue should be addressed in your responsive briefing.
- Evaluate your ethical obligations under Rule 3.3 and applicable case law.
- Remember that courts expect lawyers, and *not* AI, to ensure the accuracy of legal authorities.

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VERNA KAGAN'S WORK CONTINUES WITH APPRENTICE PROGRAM

By Alfred Vargas



Our friend, **Verna Kagan**, championed pro bono legal services for Ventura County Legal Aid, Inc. until her passing in 2014. Her legacy continues through the Verna Kagan Apprentice Program, which provides practical experience to student interns of The Colleges of Law.

VCLA offers free legal aid walk-in clinics twice a month at The Colleges of Law, Ventura Campus. The clinics allow VKAP interns to evaluate real-world case categories, observe attorney-client interactions and perform research and writing. They may even appear in court cases as Certified Law Students, but the goal is to foster an experience of what the practice of law entails outside of a casebook context.

VCLA has had over thirty interns throughout recent years. A sampling of our interns include:



Kendra Vejtasa received her M.S. in Special Education. She passed the February 2026 Bar Exam and currently works for the Beach Law Group.



Jenneffer Hallford holds degrees in Administration of Justice, and Social and Behavioral Sciences. She speaks fluent Spanish and wishes to practice Estate Planning Law. She passed the February 2026 Bar Exam.



Jean Portillo received a B.S. in Criminology from CLU. He wants to practice Criminal Law in some capacity and is fluent in Spanish. He passed the February 2026 Bar Exam.



Candice Amico first interned with the Fresno Public Defender's Office. She supports vulnerable clients in their pursuit of fairness in the justice system. She works as a paralegal in Ventura County and will take the Bar Exam in 2026.



Monica Ubungen received her B.A. in Psychology from CSUN. She speaks fluent Tagalog and will take the Bar Exam in 2026.



Gabriela Dominguez holds a B.A. in Political Science from Cal Poly San Luis Obispo. She enjoys her work at an employee-side employment law firm and looks forward to sitting for the 2027 Bar Exam.



Vanessa Melendrez-Jimenez received a B.A. in Political Science and a B.S. in Criminology from CLU. She currently serves as the Executive Director of the Family Justice Center Foundation. She plans to sit for the Bar in 2027.



Yessika Posada holds a BA in Criminology & Criminal Justice Studies from CSUN and currently works for a Personal Injury law firm as a case manager. She will take the Bar Exam in 2027.



Lillian Alfonso has a B.A. in Sociology from California State University Northridge. She plans to pursue a career in Estate Planning Law and will take the Bar Exam in 2027.



Paniz Sobouti holds an M.S. in Global Medicine from USC and a B.S. in Biology from CSUN. She will take the Bar Exam in 2028.



Sharmin Shahjahan earned her B.A. in Political Science from UC Riverside. She hopes to practice Family and Immigration Law. She speaks fluent Bengali and will sit for the Bar Exam in 2027.



Hyung Lee received his PharmD from University of Pittsburgh and is a licensed pharmacist. He will take the Bar Exam in 2027.



Grace Lestak received a BA in Geography/Environmental Studies from UCLA and currently works for Venskus and Associates as a law clerk. She will take the Bar Exam in 2028.



Andrew Matzkin has over 25 years of executive leadership and franchise ownership. He brings a practical business perspective to his legal studies. He will sit for the 2028 Bar Exam.

Clinics run on the first and third Tuesday of the month. New attorneys are always welcome to stop by. Also, VCLA's renewed Pro Bono Program pairs newer attorneys with more seasoned attorneys in pro bono matters.

For more information on upcoming free legal aid clinic dates and volunteer opportunities, please visit vcla.org. For further information on The Colleges of Law, and their 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.

CITATIONS ON VACATION



Attorney Janette Magdaleno and her family traveled to Japan and visited Tokyo, Kyoto and Osaka. During her travels, she found time to read her latest issue of Citations at the Fushimi Inari Taisha Shrine.

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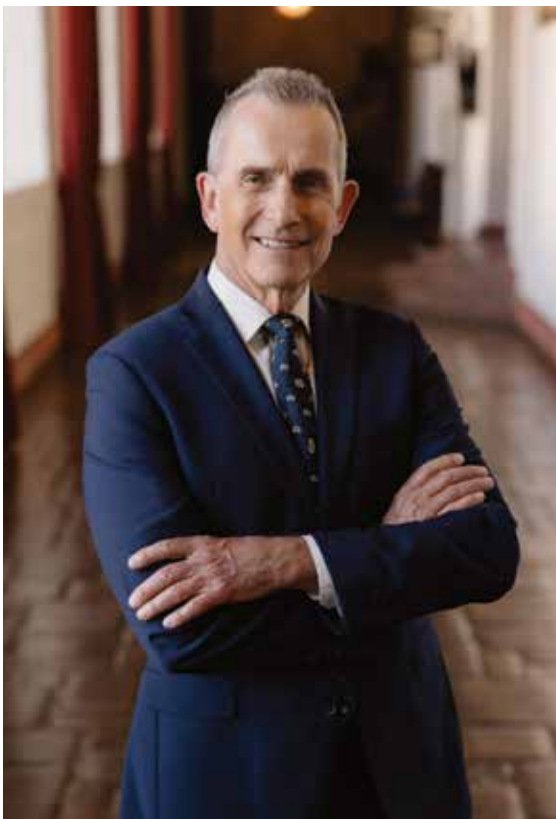
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MEMBER SPOTLIGHTS:

SHANDRA TODD AND SANTO RICCOBONO

By Kathleen Maheu, Esq.



Although one of the newest members of the Ventura County Bar, **Shandra Todd** has already become actively involved in both the profession and the community. Admitted to the California Bar in 2024, Todd practices with the Law Office of Amber Rodriguez, where her practice focuses on trusts and estates and conservatorships. In addition to her practice, she serves as Vice President of the VC Barristers and volunteers with the Ventura County Legal Aid Foundation, demonstrating an early commitment to professional service.

A Ventura native, Todd earned her undergraduate degree from California State University Channel Islands before attending Ventura Colleges of Law. Before becoming an attorney, she gained experience in criminal defense while attending paralegal school. Asked why she chose a legal career, Todd's answer is straightforward: to be an advocate for those who do not have a voice and to help people navigate the legal system. It's a mission that continues to guide her practice today.

When she's away from the office, Todd can usually be found outdoors. Trail running, trekking, backpacking, paddleboarding and weight training are among her favorite activities, and running in the wilderness is her preferred way to unwind. It comes as little surprise, then, that the Sespe Wilderness is her favorite Ventura County destination, while Yosemite National Park and the Eastern Sierra rank among her favorite places to visit.

Todd's appreciation for the outdoors extends well beyond California. One

accomplishment that many people might not expect is that she trekked 160 miles through the Himalayas of Nepal, crossing a 17,000-foot mountain pass. Had she chosen a different profession, Todd says she would have pursued environmental conservation.

Her interests are as varied as her adventures. Todd enjoys reading everything from *To Kill a Mockingbird*, *Hatchet*, *Island of the Blue Dolphins*, *Lord of the Flies*, *Where the Crawdads Sing* and *The Motorcycle Diaries* to the works of Haruki Murakami and John Steinbeck. Although she rarely watches television or movies, she enjoys films by Quentin Tarantino and Robert Rodriguez. Her favorite local restaurants are Gotetsu and Himalaya, macaroni and cheese tops her list of comfort foods, and the classic 1966 El Camino is her favorite automobile.

If given the opportunity to interview a historical figure, Todd would choose artist Georgia O'Keeffe or chef and author Katie

Lee. At home, she shares her life with a cat and a rabbit, and when asked what she prizes most, her answer is simple: integrity.

Todd closes with a favorite quote from conservationist Aldo Leopold that neatly reflects her appreciation for the natural world:

"There are some who can live without wild things, and some who cannot."

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Santo Riccobono has built a career around competition, advocacy and service. Admitted to the California Bar in 2007, Riccobono is a partner with Ellis Riccobono, LLP, where his practice focuses on personal injury and wildfire litigation. A member of the Ventura County Bar Association since 2019, he also serves the legal profession in numerous leadership roles, including as the 2025 President of the Ventura County Trial Lawyers Association. His professional involvement extends to the Consumer Attorneys Association of Los Angeles (CAALA), the Consumer Attorneys of California (CAOC), the

American Association for Justice (AAJ), and as the founder of the Downtown Los Angeles Bar Association.

A native of Thousand Oaks, Riccobono earned his undergraduate degree from Cal Poly San Luis Obispo before attending California Western School of Law. He began his legal career practicing civil defense, an experience that gave him valuable perspective before transitioning to plaintiff-side litigation. Looking back, Riccobono says he felt truly at home in the practice of law only after he began representing plaintiffs, where he found satisfaction in helping people who might otherwise not have a voice.

Law was never an unexpected career path. Riccobono's father is an attorney, although he encouraged his son to pursue another profession. Growing up, however, Riccobono developed a love of athletics and competition, qualities that naturally drew him toward litigation. The opportunity to combine that competitive spirit with advocating for injured clients ultimately confirmed that he had found the right calling.

Family is at the center of Riccobono's life. He and his family, including one daughter and one son, live in Westlake Village and

share their home with four dogs. Asked what he prizes most, Riccobono's answer is immediate: his family. It's also no surprise that his favorite sporting events to watch are not professional contests, but whatever games his children happen to be playing.

Outside the office, Riccobono enjoys staying active through hiking, surfing and weightlifting. Hawaii is a favorite vacation destination, Marshall's Bodacious BBQ tops his list of local restaurants, sushi is his favorite cuisine, and *The Office* remains his go-to television show.

One accomplishment that often surprises people is that, at just 17 years old, Riccobono became the youngest fourth-degree master of Tang Soo Do in the United States. The discipline and dedication required to reach that level at such a young age foreshadowed the commitment he would later bring to his legal career.



Kathleen "Kat" Mabeu 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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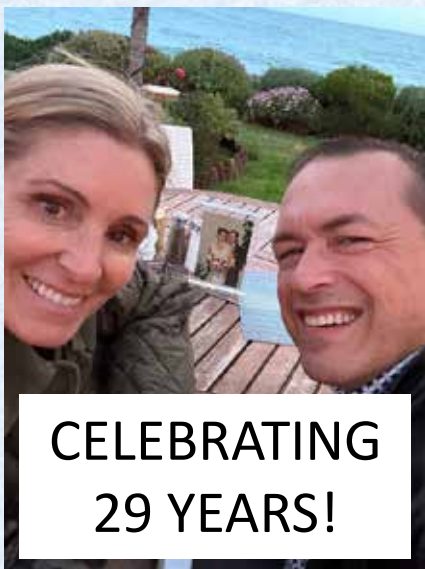
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