

# BAR BULLETIN

Volume XIII, Issue 1

[www.wsbca.org](http://www.wsbca.org)

January 2013



## REMARKS FROM THE PRESIDENT'S DESK—

*By: Dean McVay*

Happy New Year! The Holidays are over and 2013 is here. It is the time many of us sit down to make New Year resolutions and plans for the future. Be sure to include bar association involvement in your list of goals for 2013! We have many programs and events planned for the year.

This month, the Bar Association Board of Directors will review the nominees for Judicial Officer of the Year and will select a recipient to be honored at the Dinner on March 21, 2013, at the Embassy Suites in Ontario. Enclosed in this month's newsletter is a nomination form. Please send in your nominations for Judicial Officer of the Year by January 8 so that they may be considered by the Board.

For those of you in MCLE Group 1 (last names A-G), the compliance deadline for 2/1/10 - 1/31/13 is Feb. 1, 2013. We will hold a three-unit MCLE event on January 24 from 6-9 p.m. at the University of La Verne College of Law, offering units in ethics, substance abuse and elimination of bias, just in time for your compliance deadline. Please RSVP soon for this popular course offering.

The New Year will also bring more court reductions in the West End and throughout San Bernardino County. Courthouses in Barstow, Needles and Big Bear Lake will be closed next spring as San Bernardino County's court system continues to struggle with the loss of more than \$22 million in state funding.

The cutbacks are the second in a number of cost-reduction measures intended to close a budget shortfall by the end of this fiscal year. As part of the closure of all four courtrooms in the Barstow courthouse, 22 positions will be eliminated. The Needles and Big Bear courthouses, which were recently limited to three days per month, will close effective May 6.

The first phase of operational changes announced in July call for the closing of the Chino courthouse on Jan. 1, reductions of the court clerk's office hours county-wide, and reductions of administrative staff, among other things. Three retired judges, who were recalled to handle some cases at West Valley Superior Court in Rancho

Cucamonga, are also being released as of January 1. Judges Ben Kayashima, Barry Plotkin and Raymond Van Stockum, who sat on the bench at West Valley Superior Court Rancho Cucamonga for years, are now retired and will not be replaced. The decision goes hand-in-hand with the Chino Courthouse closure, also effective January 1, 2013.

In San Bernardino County there are 83 judicial positions - 69 judges and 14 commissioners. Based on the statewide judicial workload, there should be 150 judicial officers in this county, according to Stephen Nash, San Bernardino County Superior Court executive officer; Riverside County and San Bernardino County are the most under-judged courts in the state.

These announcements spotlight the dire position California courts are in. The state court system has had \$1.14 billion in cuts in the 2009-10 to 2012-13 fiscal years. This fiscal year will see a reduction of about \$536 million, which is a substantial amount of the multi-year cut. Further troubling news comes from California court officials, who have warned that Gov. Jerry Brown is planning to cut another \$200 million from the state's court budget. The court system was initially promised that the \$200 million was part of what would be received for the next fiscal year. Civil court services are at the highest risk without enough funds, as they can be cut without fear of failing to provide constitutionally protected services, such as criminal courts.

California Supreme Court Chief Justice Tani Cantil-Sakauye has met with Gov. Brown to communicate the dire consequences of this potential action and the need to reaffirm the commitment of our sister branches for the two-year spend down of reserves. The court closures and judicial reductions will result in heavier workloads for clerks throughout the County, as well as crowded courtrooms, long lines and traffic.

The Western San Bernardino County Bar Association will coordinate with other local bar associations, including San Bernardino and Riverside County, to advocate for increased funding for local judges. If you would like to be involved in advocacy for increased funding and judicial positions, please contact Tony Sears or me.

On behalf of the Board of Directors of the San Bernardino County Bar Association, we wish you all the best in 2013 and look forward to serving you this upcoming year.

**From the Desk of the President of the  
HONORABLE JOSEPH B. CAMPBELL  
AMERICAN INN OF COURT  
by Commissioner Diane L. Anderson**

***Inn Field Trip - December 12, 2012***

The December meeting of the Honorable Joseph B. Campbell Inn of Court is the Inn's annual field trip. On December 12, 2012, the members of the Inn toured the San Bernardino County Sheriff's Department Forensic Science Laboratory and Firearm Analysis. The tour was conducted by Crime Lab Director Steve Johnson and Paul Mirra.

Director Johnson advised the Inn members that the Crime Lab conducts the following types of analysis: controlled substance, blood/breath, forensic biology, DNA profiling, firearms and limited trace evidence. The Crime Lab does not conduct toxicology analysis, which has been outsourced, and the Crime Lab does no documentation examination.

Director Johnson shared with the Inn members that the Crime Lab has to contend with the CSI Effect. Television shows depict and the general public believes that DNA results can be obtained in ten minutes. In actuality, DNA results take two months. Director Johnson also told the Inn members that the fingerprint analysis machines on television shows which overlay prints and then produce a photograph of the individual upon a match do not exist.

In touring the Forensic Science Laboratory the Inn members observed a Scanning Electron Microscope, also referred to as an SEM, which is used for testing gunshot residue.

The Inn members were also able to view the Breath/Alcohol Lab. Director Johnson explained that with advances in technology breath testing is now controlled by a micro-processor and that all an analyst has to do is instruct a person to blow into the breathalyzer machine.

The tour also included viewing the Photo Lab. Director Johnson explained to the Inn members that film is no longer used and that all photography is now digital with images being stored electronically and backed up.

The Inn members viewed where trace evidence such as shoe prints and tire tracks are analyzed. Inn members also observed where arson analysis is conducted with Director Johnson explaining arson analysis can determine what accelerant was used to start a fire.

The Inn members were allowed to enter the portion of the lab where controlled substances and blood is analyzed. In this portion of the lab Inn members were also able to observe at a distance the Stain Preservation Room and

learn about the DNA extraction lab.

The Inn members were also given a tour of the Firearm Analysis division of the Crime Lab. Members observed where firearms are test fired in order to recover a bullet for analysis. The Inn members were shown the Comparison Microscope and Paul Mirra projected images on a computer screen to demonstrate the results of a comparison that matched two bullets.

Inn members observed the IBIS computer which Paul Mirra explained was a network computer which allows images of fired bullets and fired cartridge cases to be stored and then examined and compared against evidence samples from all over the United States.

Inn members learned from Paul Mirra that Firearm Analysis also includes the ability to analyze tool marks, such as screwdrivers and bolt cutters, which may have been used as weapons.

Lastly, Inn members were allowed to view the room where test ammunition is stored.

Upon the conclusion of the tour, Inn members met and socialized at the El Torito Restaurant.

The next meeting of the Honorable Joseph B. Campbell Inn of Court will be held on Wednesday, January 9, 2013, at 5:30 p.m. at the Arrowhead Country Club in San Bernardino. The program topic for this meeting is LOST IN TRANSLATION: EFFECTIVE USE OF INTERPRETERS IN THE COURTS. Court Certified Interpreters will be joining in this presentation and will also offer tips on how to most effectively use their services.

For membership information in the Honorable Joseph B. Campbell Inn of Court please contact [kpatterson@homan-stone.com](mailto:kpatterson@homan-stone.com)



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## January Almanac

By: Tony Sears

All times Pacific Standard Time (PST), which is minus eight (8) hours from UTC (Universal Time Coordinated). Location: 34.1 N, 117.7 W. All astronomical data courtesy of the United States Naval Observatory website: [www.usno.navy.mil](http://www.usno.navy.mil).

**January Sky.** The January Full Moon, known as the "Full Wolf Moon" occurs on January 26, 2013, at 8:38 p.m., shortly after it rises at 5:14 p.m. The Earth passes through perihelion (closest to the Sun) on January 2, 2013, about three percent (3%) closer than the aphelion in July.

January 2013 looks to be an exceptionally busy month for rocket launches, with China, Russia, South Korea, Japan, India, the United States of America, and the Odyssey ocean based launch platform all on schedule to launch. The Russians, as usual, will be the most active. Unfortunately, there aren't any launches from Vandenberg AFB until February and April of 2013. More details on those launches later. Check out [spaceflightnow.com](http://spaceflightnow.com) for further details.

The annual air show at Cable Airport in Upland is set for January 12 and 13, 2013. This is really fun, inexpensive family event. Even surly teenagers are impressed by the stunt flying. For more details, check out [www.cableairport.com/airfair](http://www.cableairport.com/airfair).

**Garden Notes:** Keep an eye out for snails and slugs in the garden, especially after the rains. I do not use snail bait, as it is simply too nasty to have in the garden. You can put on your gloves and simply toss the snails in the street. The cars crunch 'em and the crows eat them like frat boys on pizza. As for slugs, a pie tin filled with beer, that's right beer, will take care of the problem. You can use the beer from those half empty *Stella Artois* bottles you find on January 1.

**January Recipe:** Nothing beats a bowl of soup on a cold winter day. Try this Potato Leek Chowder. It is so good that you will add it to your list. This can also be a social recipe, as one can mind the potatoes whilst the other looks after the leeks. I've gone with the detailed version because this is a great recipe to teach kids or novice chefs how fresh ingredients and good technique yield tasty results. This soup goes really well with a sour dough bread bowl. As always, if you have your pans, tools, and ingredients set out, you can make it in a snap.

**Potato Leek Chowder** Serves 4-6. Prep and cooking time: 30 minutes.

**Tools:** **Chef's knife.** **Potato peeler.** **4 qt. sauce or stock pan.** This is for boiling potatoes. **Dutch Oven.** Go ahead, drag out that La Crusette. What are you waiting for? This is for cooking the bacon and the leeks. **Stick Blender.** A regular blender is okay, just be careful you

can only fill it 1/3 to 1/2 full, or else you'll have a "hot soup incident" on your hands and a mess in the kitchen.

**Colander:** for washing up your potatoes and leeks.

**Ingredients:** 4 cups of water; 1 1/2 lbs Yukon

**Gold Potatoes**, peeled and cut into chowder size chunks. Try to keep the chunks uniform in size so they cook evenly. **3-4 fat leeks.** If you aren't sure how to choose your leeks, ask the produce staff at your market. **Bacon (or Olive Oil).** Hmmmmmm. Cut up into 2 inch pieces and cook down 10-12 strips of bacon in your Dutch oven. Plain bacon works best, rather than Applewood or Hickory Smoked. If you are not a bacon person, olive oil works just as well to cook down the leeks. Two tablespoons will do the trick. **2 cups of heavy cream;** and **1/4 cup of White Wine.**

**Cooking Technique:**

1. Get the bacon going and preheat the oven to 425F. Cook bacon in Dutch oven until crispy, drain on paper towels and set aside for garnish (or snacking). Remove from heat (this means turn off the stove!). Reserve about two table spoons of the bacon drippings. Remove remaining bacon fat from Dutch oven and deglaze with 1/4 cup of white wine. Set Dutch oven aside for step 3.
2. Wash, peel, cut, and boil potatoes in four (4 cups of water, until tender. In this recipe, the potato cooking water forms the base for the soup, which is why we measured it. In this recipe, you need to keep the potato water, for the starch (which thickens the soup) and for the residual heat.
3. Wash, chop up, and cook down the leeks: Leeks get fat and tasty because the edible (white) part grows in the dirt. So, you need to clean well. Cut the leek where the white turns to green. The leek leaves can go in your compost pile. Slice the leeks as you would an onion. Rinse thoroughly. You'll be surprised how much dirt gets in the leek as it grows. Cook leeks down in the Dutch oven using bacon fat or olive oil until soft. If there is still too much oil in the pan, you may dab it off using a paper towel.
4. Optional Sour Dough Bread bowls: Get some sour dough rounds. You should have preheated your oven to 425 F. Gently cut a large hole in the top of the bread and carefully remove the bread inside, keeping the crust intact. Tear the removed bread into chunks. Place bowls and bread chunks on a cookie sheet and place in oven for 10-15 minutes.
5. Now, here's the finish: Separate out about a third of the cooked potatoes and place in bread (or other soup bowls) to form the chunks of the chowder. Using your stick (or regular) blender, add remaining potatoes and reserved potato cooking water to the cooked leeks (in the Dutch oven) and puree. The soup should still be quite hot. Temper the cream by adding and

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## January Almanac

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stirring in a tablespoon of the hot soup to the cream. The cream is now tempered and can be added to the hot soup and stirred in. Add soup to bread bowl and there you have it.

6. Garnishes and sides: Grated cheddar and the Bacon! Also, a Meyer lemon zest is nice. Salad: Try a salad of baby arugula with a vinaigrette of your choice. Wine pick: Sauvignon Blanc.
7. Spring Holiday Feast Variation: This soup even better when served cold, as a starter for a spring holiday feast. It is amazing. In such an event, you may wish to tone down or even lose the bacon (cook Leeks in olive oil), drop the cheese, and puree all of the potatoes. Finish the same way, but let the potatoes and reserved water cool down first. This is much closer to a classic French cold potato leek soup, rather than a dinner time chowder.
8. Finally, remember this helpful hint for boiling potatoes: no potato water down the drain, as the starch will go to about the exact middle of your plumbing system, re-solidify, and clog your drains at the worst possible time, like 9:00 p.m. on December 24, 2000, with a houseful of company. If you are not using the water for your soup, then let the water cool down and use it in your garden.

Buon Appetito! Tony Sears

## Outreach Program

by Commissioner Diane Anderson

On December 4, 2012, I had the opportunity to teach a class at the legal clinic held at the Redlands YMCA as a part of the newly initiated Outreach Program of the Honorable Joseph B. Campbell Inn of Court. The subject matter was "How to Conduct Yourself in Court." In teaching this class I provided Self-Represented Litigants with the following guidance:

### Arrive Early to Court

Litigants were advised to arrive early for their hearing, not on time, but early.

### Expect to Wait at Court

A hearing set at 8:30 a.m. does not necessarily mean that your case will be heard immediately at 8:30 a.m. Be prepared to wait at Court for your hearing.

### Not All Courtrooms Hear Cases in the Order in which the Cases Appear on Calendar

The number of your case on calendar does not always control when your case will be heard.

D

### Dress Appropriately

### Avoid Bringing Your Children to Court

### Photography

Photography and/or recording of Judicial Proceedings is not permitted.

### Food/Drinks/Reading Material/Phones

Litigants were advised not chew gum or tobacco during their hearings. Additionally, that food and beverages are not allowed in Courtrooms nor is reading, texting or talking on a cell phone.

### How to Address the Judge:

Litigants should address the Judge as "Your Honor."

### Decorum

Litigants should speak only to the Judge, not to the other party.

Only one person can speak at a time.

When referring to others, do not refer to them by their first name.

Do not call the other party a liar. A litigant can disagree with what the other party has said to the Court, but whether or not someone is lying is for the Court to determine.

Do not interrupt the other party, and especially do not interrupt the Judge.

Speak only when you are addressed or instructed to speak.

If you are asked a question, listen carefully to the question and then **answer the question.**

Do not argue with the Judge.

The caveat for the class was **RESPECT**. Litigants were advised that the Court is the third branch of government and as such commands respect. This is true even if a Litigant disagrees with how the Judge ruled on their case. Throwing your paperwork into the well, shoving your chair back from Counsel Table, attempting to leave the Courtroom before your hearing has concluded and the use of expletives directed at the Court are all intolerable acts of disrespect and could potentially lead a Litigant to being held in Contempt of Court.

The participants in this class were very attentive and asked many, many questions. Some questions were off topic, but no question was discouraged. What I learned from teaching this class is that Self Represented Litigants want to come to Court prepared and they want to know how to properly and respectfully participate in their proceedings. This was so important to the Self Represented Litigants in this class that they invested an evening of their time after having worked all day to learn how to be prepared on their case and how to be respectful to the Court. It is my sincere hope that they found their time well spent and that they learned something from my presentation to them because I know that I certainly learned something from all of them.

**The High Desert Bar Association Presents:**

# **“The Sky’s the Limit”**

**Installation Dinner**

**January 25, 2013**

**5:00 to 11:00 p.m.**

**Spring Valley Lake Country Club  
13229 Spring Valley Parkway, Victorville**

**2013 Officers**

**Brandon A. Wood, President**  
**R. Lynne Glickstein, Vice-President**  
**Kyle E. Wooldridge, Treasurer**  
**Sharon J. Brunner, Secretary**  
**Sandy L. Turner, SBCBA Liaison**  
**Kerrie C. Justice, Immed. Past President**

**2013 Directors-at-Large**

**Sherry A. Thompson**  
**Stephanie R. St. John**  
**Wil R. Mullins**  
**Susan F. Slater**  
**Peter W. Allan**  
**Mary M. Campbell**

**RSVP on or before January 18, 2013**

**\$40 per person**

**Make checks payable to “High Desert Bar Association”  
and send with your name (and guest names) to:  
The Law Offices of Brandon A. Wood  
14338 Park Avenue, Suite 3, Victorville, CA 92392**

**If you would like to donate an item for the raffle,  
or money towards the Mock Trial Teams, please contact  
Kathleen Wood at 760-245-9663 or [Kathleen@Brandonawood.com](mailto:Kathleen@Brandonawood.com)**

# THE iPad FOR LAWYERS: TRIAL PREPARATION TRICKS YOU'LL ACTUALLY USE (PART 1)

by Scott J. Grossberg, Esq.

Here's the challenge for those of us who are both litigators and iPad users: Can the iPad truly be a powerful tool for trial preparation?

The answer: Yes! In this series of articles, I want to share with you the more powerful apps that allow me to be a litigation road warrior.

Prior to the iPad, I would use OneNote as my digital Trial Notebook on the PC and Outlook for scheduling/project management (Okay, I'll show my age and tell you that I still miss the powerful and versatile DOS program called Lotus Agenda . . . but it is no more). When I switched to a Mac, I started using Growly Notes in place of OneNote, but continued to use the Mac version of Outlook. When I learned that Growly had no intention of producing an iPad version of its terrific software, I created my own workflow for litigation preparation that permitted me to do all that I needed on my iPad.

Now, those of you who have attended my iPad for Lawyers seminars know that I am insanely practical. So, I must digress and confess that, even though I do all of my planning now on the iPad, I still carry a paper version of everything into Trial. Every technology junkie, if they're being honest, must confess that eventually the technology we love to wield will inevitably fail and at the worst possible time. When that happens, you (and the judge) will be glad you have a paper backup.

Let's start with how I easily handle litigation project management now. Generally, my project management starts with a new case - even before a Trial date is actually set. Let's face it - I want to plan the end-game long before the other side does. My litigation design, then, all revolves around an app ironically called "SG Project" from FourthFrame Technologies. [<http://itunes.apple.com/us/app/sg-project/id373004554?mt=8>] With SG Project, I am able to keep track of all important deadlines, pleadings, cut-off dates, and other Pre-Trial and Trial activities that I want to periodically manage and review. It also easily permits me to assign entries to other attorneys to handle. Naturally, I am able to continually update the status of how far a particular task is in the completion process. Further, I can assign color codes to entries for a quick visual cuing ability.

SG Project runs only in landscape mode on the iPad. This permits the greatest amount of screen real

estate for your use. The real power behind this app for me is that, in addition to naturally allowing you to create new projects, you can duplicate existing projects. This duplication feature allows you to create a Trial Project template once, copy it, and modify it for a particular case. I'm all about using my time wisely and this app eliminates repetitive work for the busy litigator.

After you create a project, the SG Project app has headings across the top of the grid that is created: Task Name (the title of a particular activity will appear here), Work (how many work days will be spread over the total number of calendar days), Start (the start date), End (the end date), % Done (how far into the completion process you are), People (the attorneys, paralegals, or assistants you assign to a task), and Predecessors (events/tasks you specify as having to occur prior to the current event/task). While I may start a new project in advance of a Trial date being assigned by the court, the real power of SG Project takes place once you know the date Trial is to commence. With the first day of Trial known, you can then start assigning realistic and controlling dates that will easily permit you to stay on top of your case instead of rushing around to complete things at the last moment. SG Project allows you to be incredibly proactive!

So, let's get down to what I track in SG Project. Here is my secret formula for planning out a case in the Pre-Trial and Trial stages. Each one of the following items is entered as a separate entry initially (remember, I only had to create this once and then I duplicate this template for each Trial):

- ◆ Case Management Conference
- ◆ Final Status Conference
- ◆ Prepare Motion for Summary Judgment
- ◆ Summary Judgment Hearing
- ◆ Mediation
- ◆ Mandatory Settlement Conference
- ◆ Supplemental Discovery to Plaintiff/Other Parties
- ◆ Dismiss Parties
- ◆ Independent Medical Examination
- ◆ Update Trial Status/Evaluation/Budget
- ◆ Notify Clients of Trial
- ◆ Notify Experts of Trial
- ◆ Obtain Experts
- ◆ Prepare CCP 998 Offer
- ◆ Organize Evidence
- ◆ Witness Information
- ◆ Witness Depositions
- ◆ Organize Pleadings
- ◆ Statement of the Case
- ◆ Prepare Trial Brief
- ◆ Judicial Notice
- ◆ Prepare Trial Notebook
- ◆ Expert Depositions
- ◆ Site Inspection With Experts

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## THE iPad FOR LAWYERS: TRIAL PREPARATION TRICKS YOU'LL ACTUALLY USE (PART 1)

*Continued from Page 6*

- ◆ Prepare Motions in Limine
- ◆ SDT's to Third Parties/Facilities
- ◆ Demand for Exchange of Experts/Documents
- ◆ Motion to Bifurcate/SeverSpecial
- ◆ Verdict
- ◆ Bill of Particulars (CCP 454)
- ◆ Notice to Attend Trial/Bring Documents
- ◆ SBP for Witnesses
- ◆ Supplemental Expert Designation
- ◆ Motion to Compel Discovery
- ◆ Meeting with Clients/Witnesses re Trial Preparation
- ◆ Meeting with Experts re Trial Preparation
- ◆ Trial Exhibits/Demonstrative Evidence
- ◆ Keynote Presentation
- ◆ Voir Dire Outline
- ◆ Jury Instructions
- ◆ Jury Questionnaire
- ◆ Deposit Jury Fees
- ◆ Prepare Opening Statement
- ◆ Prepare Closing Argument
- ◆ Motion to Exclude Expert Witnesses
- ◆ OSC re Mediation/Motion to Amend Answer
- ◆ Trial

You will notice that these events are not necessarily in the chronological order I want them for a case. You see, SG Project is also somewhat of a brainstorming tool. You can enter events as they come to you and then freely rearrange them later on to suit your particular case. It should go without saying (but I'll do it anyway) that you can continually modify the actual event titles or delete any events that are not suitable or relevant to a particular case.

While we're talking about modifying a litigation project to your heart's desire, you should know that SG Project gives you the power to create hierarchal sub-events under your primary headings. For example, under the Obtain Experts activity, I might specify particular areas of expertise as they come to mind after reading the pleadings or through the discovery process.

One project review secret that I use all the time is assigning colors to the various attorneys, paralegals, and assistants that I might be using on a case. By creating a color-coded Trial management plan, I can powerfully review my outline by task designee. Oh, by the way, you can assign more than one person to a task, if needed!

Finally, you can share your SG Project in a number of different ways. I generally export my project

whenever it is updated or revised. I like sending it in PDF format to the various people working on a particular project with me. You can also link your project with a Dropbox account.

By now, you can readily see how SG Project on your iPad will make you more productive, more proactive, and more powerful as a litigator! Who could ask for more?

Next time, I'll explore using the iPad as a digital Trial Notebook!

If you enjoyed this, I'd be grateful if you share this with others. That's right, go ahead and help spread this information by emailing it to a friend, or sharing it on Twitter, Facebook, or Google+. And, if you're interested in finding out how I can make a presentation to your law firm, please contact me at 909-483-1850 or email me at [sgrossberg@cgclaw.com](mailto:sgrossberg@cgclaw.com).

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*Mr. Grossberg is a founding partner of the Southern California law firm of Cihigoyenette, Grossberg & Clouse. He is a featured speaker and published author on numerous topics including media relations, social media, technology, public speaking, memory, and various other cutting edge concepts. Mr. Grossberg's "iPad Lawyer" seminars provide legal professionals with the ability to truly harness the potential of Apple's tablet. He is regularly called upon to address the impact of emerging technology and social media, suggest policies and procedures that should be in place, and to discuss liability exposure for this new way of doing business. He can be reached at [sgrossberg@cgclaw.com](mailto:sgrossberg@cgclaw.com).*

## ATTENTION ATTORNEYS!

**Are you receiving calls from clients who need legal assistance OUTSIDE your area of expertise? If so, please let them know about our Lawyer Referral Service program. We have several qualified lawyers on our panel who can help your client with their legal needs. Simply give them our phone number: (909) 945-2980 Our staff will be delighted to direct them to the appropriate attorney. State Bar of California Certification # 0040 For information about becoming a panel member, please contact Noreen. (909) 945-2980 [westernbarassoc@aol.com](mailto:westernbarassoc@aol.com)**

**Western San Bernardino County Bar Association**  
**8291 Utica Avenue ~ PO Box 624**  
**Rancho Cucamonga, CA 91729**  
(909) 483-0548 Fax (909) 483-0553  
[Westernbarassoc@aol.com](mailto:Westernbarassoc@aol.com)

The Judge of the Year Award is an annual award which honors a current or retired judge, commissioner, or court of appeals justice from San Bernardino County, eastern Los Angeles or Riverside County who has demonstrated a long-term commitment to the local legal and judicial community, including significant work in upholding and providing impartial justice for all, improving the interaction between the judiciary and the bar, improving access for low and moderate income litigants to the court system, and improving the efficiency and effectiveness of the court system.

If you know of someone who merits this award, please use the form below to make your nomination and return it to the Bar Association no later than January 15, 2013.

\*\*\*\*\*

**NOMINATION FORM**

Name of person making nomination: \_\_\_\_\_

Phone number of person making nomination: \_\_\_\_\_

If you are an attorney, state bar number: \_\_\_\_\_

Name of Nominee: \_\_\_\_\_

Address of Nominee: \_\_\_\_\_

Presides in which Courtroom/District: \_\_\_\_\_

Qualifications Upon Which Nomination is Based: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Other Basis for Nomination: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**\*\*\*Awards dinner will be held March 21, 2013. Please mark your calendars. Invitations to the awards ceremony will be mailed once award recipient has been chosen.\*\*\***

# Western San Bernardino County Bar Association

*A 3 Hour MCLE Course on*

## “ELIMINATION OF BIAS” “SUBSTANCE ABUSE” “ETHICS”

LISTED BELOW ARE THE SPEAKERS FOR THIS COURSE, AS WELL AS A BRIEF BIO FOR EACH. MR. POLSKY WILL SPEAK ON BIAS, MS. FELD ON ETHICS, AND MR. CORCORAN AND MR. HEITING WILL BE SPEAKING ON SUBSTANCE ABUSE.

**Alexander S. Polsky, Esq.:** Mr. Polsky is considered a pioneer in the field of alternative dispute resolution. An AV-rated trial lawyer who began practicing in 1977, Mr. Polsky left litigation in 1991 and refocused his practice solely on ADR at a time when few attorney specialists were working in the field. Mr. Polsky's practice spans disciplines and countries, as he conducts mediations, arbitrations, reference trials and training programs worldwide. He has presided over the resolution of more than 10,000 disputes and is well known for his ability to calm highly emotional parties and to simplify complex disputes.

Mr. Polsky has received nearly every independent award for excellence in the field of ADR. He has been recognized year after year as a top arbitrator and mediator by the *Los Angeles Daily Journal*, *Super Lawyers* and *ALM Best Lawyers*. Martindale Hubbell has given him an AV rating and he is among Lawdragon's top 1,000 Lawyers in America. Mr. Polsky teaches negotiation and mediation at USC's Gould School of Law. He also provides negotiation training to law firms, bar associations and corporations worldwide.

Mr. Polsky has a deep understanding of securities-related issues, as well as insurance coverage issues as they apply to complex class action matters.

**Karen Feld, Esq.:** Karen Zermeno Feld serves as Vice-Chair of the firm-wide Real Estate Development & Land Use Practice Group. She has more than 20 years of experience representing public entities and private clients. She is active in several organizations, including but not limited to: Operation Safehouse, Inc., San Bernardino City Library Foundation, California Women Lawyers, Inland Empire Legal Association of Women, and Mexican American Student Bar Association.

**Tim Corcoran, Esq.:** Mr. Corcoran is a veteran ADR professional who has mediated and arbitrated more than 6,000 matters over the past 23 years. He resolves complex, contentious, and emotionally charged conflicts involving personal injury, business/commercial, employment, real estate, and family-death-succession issues.

Mr. Corcoran brings parties together to facilitate settlement, providing guidance when needed to reach creative resolutions. He demonstrates sensitivity, impartiality, and neutrality while displaying an ability to listen to important issues and interests of participants. Mr. Corcoran is known for treating everyone with respect and sympathy and is tireless in following up after sessions when necessary. He is highly regarded among plaintiff and defense counsel for his effectiveness and efficiency in resolving disputes.

**James O. Heiting, Esq.:** The only past President of the State Bar of California ever elected from the Inland Empire, James Heiting handles civil litigation matters throughout California, recovering over \$100 million for clients, dealing with wrongful death, serious injury, professional malpractice and transportation accidents. Also past President of Riverside's County Bar, his firm has served the Inland Empire for over 30 years.

The managing partner of Heiting & Irwin has been practicing law since receiving his doctorate degree in law in 1976. Mr. Heiting is admitted to practice before all courts of the state, the federal courts, the United States Court of Federal Claims, and the California and United States Supreme Courts.

Mr. Heiting also served on the Board of Governors of the State Bar of California, was a co-founder of the Leo A. Deegan Inn of Court (training younger or less experienced members of the bar) and a charter member of the Inland Empire Federal Bar Association. He was president of the Other Bar (a statewide organization of judges and lawyers helping other lawyers and judges) 1991-1993, and a board member from 1988-2003 and again since 2006. He is or has been a member of multiple federal and state litigation, ethics, and trial associations. He is currently the American Bar Association west coast Commissioner appointed to the Commission on Lawyer Assistance Programs, studying, evaluating, and providing oversight and support for programs in nine states.

Mr. Heiting has served in a variety of roles in Superior Court and the Federal District Court. He is also sought after as a privately requested and court appointed arbitrator and mediator in state courts and the California Court of Appeal. He has been an invited speaker, lecturer and panelist for the State Bar and a variety of legal and community organizations.

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**Thursday, January 24, 2013**

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Cost is \$50/member \$75/non-member, food will be served. Please contact the Bar office with and questions or to RSVP. (909) 483-0548 or [westernbarassoc@aol.com](mailto:westernbarassoc@aol.com)

**UPDATES**

**New Sales Tax Rate for 2013:** California will raise its state sales tax rate by one quarter of one percent (0.25%) on January 1, 2013, due to the passage of Proposition 30. The sales tax rate will go from 7.75% to 8.0% for the County of Orange.

**New Mileage Rate for 2013:** The IRS has announced that the business standard mileage rate for transportation expenses paid or incurred beginning January 1, 2013, will be 56.5 cents per mile, up one penny from the rate in effect during 2012. The new pay code for the rate increase is MI565 and MI250 for employees covered by an MOU who are eligible to receive the increased rate for traveling 250 or more miles per month. For further information, please reference the New Mileage Reimbursement Rate letter issued by Claims on December 3, 2012 and available on the Claims & Disbursing Intranet website.

The News Bulletin of the Western San Bernardino County Bar Association is published 11 times a year. Our circulation is approximately 400, including our bar membership, state and federal judges, state and local bar leaders, legislators, and businesses interested in the advancement of our mission.

The majority of our membership includes attorneys located in the western regions of San Bernardino County as well as portions of the eastern regions of Los Angeles County.

**Articles, advertisements and notices should be received by our office no later than the 15th of the month prior to the month of publication.**

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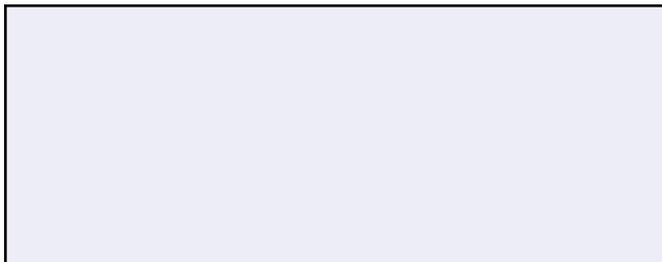
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