

BAR BULLETIN

PO Box 624 ~ 8291 Utica Avenue~ Rancho Cucamonga, CA 91729

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www.wsbcbca.org

October 2012



REMARKS FROM THE PRESIDENT'S DESK —

By: Laurel A. Hoehn

I anticipated feeling a sense of relief when writing this article, my final one as the Western San Bernardino County Bar Association's 2011-2012 President. However, I was actually surprised to experience a bit of melancholy that this will be my last one. I want to thank all of our members for their continued support because our success as a Bar Association is dependent upon your continued participation.

This past year has certainly been a busy one, dealing with continued challenges of the day-to-day operations of the Bar Association, as well as the annual events we hold. I would be remiss if I did not thank all of the Board Members, past Presidents and our Executive Director, who have all graciously given of their time to plan, assist, attend, and help with the running of the Bar Association. We are very fortunate to have an active Board with one common goal, the continued advancement of our organization.

Moreover, I have to thank the partners and staff at my office, Cihigoyenette, Grossberg & Clouse, for their exceptional support of my activities as President. From scheduling depositions around Board meetings to attending our events whether they wanted to or not, everyone went above and beyond this past year, for which I am grateful. Additionally, I have to give a very special thank you to my mom, Carol Hoehn, who has taken all of my calls, listened to me vent, and been a great source of advice and guidance throughout.

The annual Bench/Bar Barbecue was September 21st, and I believe a good time was had by all! We had a great turn out, and it was wonderful to see so many members of the Bench in attendance, as well as an opportunity to relax and talk with fellow attorneys and law students who were able to attend. Thank you again to Brian and Camille Brandt for hosting the Barbecue and donating the wine, and to all our sponsors who donated items to the raffle.

As a reminder, Hon. Joseph Brisco, Hon. Keith Davis and Hon. Christopher Marshall will be speaking in Dept. R10 of the Rancho Cucamonga Courthouse on October 4, 2012 about the "State of the Courts - Impact on San Bernardino County." Hopefully, there will be some good news in spite of all the recent budget cuts. Then, on October 11, 2012, David Ricks and Hon. Gilbert Ochoa will be presenting "Nuts and Bolts of Expedited Jury Trials" at the Old Spaghetti Factory. Given the cutbacks the Courts have been forced to make, the expedited jury trials may be an option for getting certain cases to trial in a timely manner. Furthermore, on October 25, 2012, we will be honoring Hon. Stephen G. Larson (Ret.) with the Jennifer Brooks Lawyer of the Year Award and Crystal Burton with the Legal Assistant of the Year Award at our "Installation and Awards Ceremony." We are excited to hold this event at a new location, the Embassy Suites Ontario, and look forward to seeing everyone there.

**The Western San Bernardino County Bar Association would like to thank
Brian and Camille Brandt
For hosting the 13th Annual Bench-Bar
Barbecue**



October Almanac

By: Tony Sears

All times Pacific Daylight Time (PDT), which is minus seven (7) 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. There is a lot of useful information available on this website and it should definitely be in your smart phone, especially if you travel. The website are even has opportunities to obtain astronomical data for litigation purposes.

October Moon: The October Full Moon, known as the "Hunter's Moon" occurs on Monday, October 29, 2012, at 12:50 p.m. and rises at 5:57 p.m. Is it Wabbit season or Duck season? The rising of the full Moon over our local mountains on a crisp fall evening is an impressive sight to behold, especially if you have an east bound commute.

On Sunday, October 21, get ready for the *Orionid* meteor shower. Very favorable conditions for this major shower, as the first quarter Moon will not be a factor, setting at 12:12 a.m. on Monday, October 22. As usual, the prime viewing will occur in dark sky areas, such as the desert or mountains. The best viewing time will be after 11:00 p.m. The *Orionids* are associated with *Halley's* comet, which last streaked through our solar system in 1986. Look for the radiant in the asterism of "Orion's Club". Orion is one of the easiest, most obvious constellations to see. Orion looks like hunter with a raised club. Orion rises in the east, and tracks across the southern sky all night. Once you see a meteor shower, you will be hooked.

Garden Notes: What to do now? You can still grow salad greens (see last month). You can also get started on the cool season crops, such as broccoli, kale, cabbage, spinach, and Swiss chard. All of these do well in containers. One of my favorites is *Brassica rapa chinensis*, Bok Choy, also known as "Napa Cabbage". Easy to grow from seed. Very versatile, even the flowers are edible. Bok Choy can be sauteed, put into soups, chopped up for a slaw, or used for a garnish. Packed full of essential nutrients. Cold hardy, so it can grow in the high desert or mountain regions in winter.

El Nino Alert! A mild to moderate El Nino is developing. Check it out for yourself @

<http://www.cpc.ncep.noaa.gov>. This typically means above average rainfall in our local area. This means that October and November should be ideal for planting trees or shrubs. You can get your planting site ready now by digging your holes and back filling with the dirt and appropriate soil amendments. Pre-water the holes and when you plant later this month or in November, the tree or shrub will be able to take advantage of the extra rain and develop

a strong root system over the winter. Come spring, they will ready to take off.

Simple Fall Dinner: Pan Roasted Potatoes/Vegetables, and Fall Squash with Beer Can Chicken. We have a weekly family Sunday dinner at our house. In addition to a simple green salad or green beans, one favorite is to roast new potatoes (the small ones, use whole) or cut-up (fork size) Yukon Gold potatoes and oven roast at 325F until tender, about 45 minutes or so. I wash the spuds, put in a ceramic roasting dish, and toss with olive oil, finely minced garlic or shallot (or both) and season with salt and pepper. You can also use carrots, turnips, beets, sweet potatoes, yams, or cut up acorn Squash. The aroma of the roasting potatoes, vegetables, and squash is divine.

The roasted potatoes, etc. goes great with chicken. I am a huge fan of the so-called "Beer Can" style of roasting chickens. I do at least 2 and often 3 chickens, because the left overs are fantastic. Although you can use an actual beer can; you should get the metal racks that hold the can. Pour out half the liquid, be it beer, seven-up, or cola. I use a red wine and seven-up mix, with fresh rosemary (soak it first) in the can opening. Season the chicken, place on the can or can rack, feet first, and roast over an indirect fire for about an hour. You know how your grill behaves. If you use gas or propane, set it on 350f. You could even use the lower rack of your oven. The charcoal and wood burning crowd knows about the indirect fire. I also use mesquite, hickory, or cherry wood chunks for making delicious smoke. Make sure you let your chickens rest for at least thirty (30) minutes, preferably an hour before serving. It is fine to leave the whole yard bird on the can or can rack while it cools down. This makes a big difference, as the juices will reabsorb into the chicken, keeping it moist and tasty. If you don't let it rest, it will make a mess. Too hot to handle. Let it cool off.

Buon Appetito! Tony Sears

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13th Annual Bench-Bar Barbecue



**FROM THE DESK OF THE PRESIDENT
OF THE HONORABLE JOSEPH B.
CAMPBELL INN OF COURT**

By: Commissioner Diane I. Anderson

The first 2012-2013 meeting of the Honorable Joseph B. Campbell Inn of Court will be on Wednesday, October 10, 2012, at the Arrowhead Country Club in San Bernardino. A buffet style dinner will be served at approximately 5:30 p.m. with Introductions and Program Presentation beginning at approximately 6:00 p.m.

The Honorable Joseph B. Campbell Inn of Court is a local chapter of the American Inns of Court. An American Inn of Court is an association of judges, lawyers and law students. The Mission of the American Inns of Court is to promote legal excellence, civility, professionalism and ethics. The American Inns of Court Foundation was formally organized in 1985 under the guidance of United States Supreme Court Chief Justice Warren Burger. The Honorable Joseph B. Campbell Inn of Court is the oldest Inn in the Inland Empire having been chartered in 1992. The Inn is named after distinguished former Presiding Justice Joseph B. Campbell of the Fourth District Court of Appeal, Division Two.

The American Inns of Court adopted the traditional English model of legal apprenticeship whereby the membership is divided into pupillage teams and each pupillage team conducts one program for the Inn each year. MCLE credit is available at each program. The program theme for the Honorable Joseph B. Campbell Inn of Court this year is **DOING THE MOST WITH THE LITTLE WE HAVE.**

The program topic for the October 10, 2012, meeting is **LAWYER BULLYING AND STONEMOUNTAINING: COMBATTING OVERLY-AGGRESSIVE TACTICS AND REDUCING DELAYS.** This program will focus on how the use of aggressive tactics and the "big stall" may lead to wasting valuable and limited resources versus the ethical obligation of zealously representing a client. This presentation will be chaired by the Honorable Raymond L. Haight, III.

The program topic for the November 14, 2012, meeting is **ECONOMICS AND THE CHANGING ROLE OF JUDGES AND JUSTICE.** This program will address the consequences and repercussions of the Court's budgetary cut backs. This presentation will be chaired by the Honorable Christopher B. Marshall. The November meeting is also the annual "Bring an Associate" meeting where members are encouraged to bring an associate to the meeting who may be interested in joining the Inn. The Associates attend the meeting as a guest of the Inn.

The December 12, 2012 meeting is the annual field trip. This year the Inn will be taking a tour of the San Bernardino County Sheriff's Department's updated Crime Lab.

The program topic for the January 9, 2013, 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.

The February, 2013, meeting is the annual Joint Inns of Court Dinner Meeting with the Honorable Leo A. Deegan Inn of Court from Riverside and the Honorable Slaughter/Roemer Inn of Court from Indian Wells. This year the Joint Dinner Meeting is being hosted by the Honorable Slaughter/Roemer Inn of Court.

The program topic for the March 13, 2013, meeting is **KEEP IT MOVING: AVOIDING OBJECTIONS IN TRIAL.** During this presentation members will watch brief cuts from movies such as "My Cousin Vinny," and make objections to questions and evidence. A panel of Masters (Judicial Officers and Attorneys who have practiced for 10 years or more) will rule on the objections.

The program topic for the April 10, 2013, meeting is **HOW BASIC TECHNOLOGY TOOLS CAN SAVE TIME AND IMPROVE PRODUCTIVITY.** The guest speaker for this presentation will be Scott J. Grossberg, Esq., known for his "Ipad for the Lawyer" articles and lectures.

The program topic for the May 8, 2013, meeting is **THE PUBLIC PERCEPTION OF LAWYERS (SHAKESPEARE TO NOW).** The focus of this presentation is how to maintain and/or engender a positive view of the legal profession in a time of crowded courts, court closures, reduced funding of legal aid services, etc.

The June 12, 2013, meeting is the annual End of Year Banquet. Historically, the Presiding Judge of the San Bernardino County Superior Court and the Presiding Justice of the Fourth District Court of Appeal, Division Two are guest speakers for the evening with each of them presenting on their respective State of the Courts.

In addition to these scheduled events, the Honorable Joseph B. Campbell Inn of Court is implementing an outreach pupillage team this year. The outreach pupillage team will be comprised of volunteer members who donate an hour of time to pro bono service and then report briefly to the membership about their experience. Participation in the outreach pupillage team will be considered the same as though a member participated in a program presentation

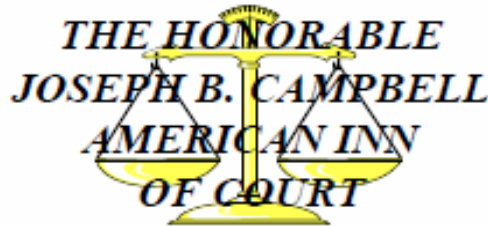
For membership information in the Honorable Joseph B. Campbell Inn of Court, please contact Membership Chair Kathleen J. Patterson at kpatterson@homan-stone.com

If you are planning on joining the Honorable Joseph B. Campbell Inn of Court and you are interested in participating in a particular program presentation please contact Program Chair Donna Connally at donna@noquitdefense.com.

If you are planning on joining the Honorable Joseph B. Campbell Inn of Court and you are interested in participating in the outreach pupillage team please contact Commissioner Diane I. Anderson at danderson@sb-court.org; Jack Osborn at josborn@brownwhitelaw.com; Greg Brittain at gb@sbrittainlaw.com or Kathleen J. Patterson at kpatterson@homan-stone.com.

I look forward to seeing returning members at the meeting in October and I hope to see some new faces as well.

Hon. Diane Anderson, President
The Honorable Joseph B. Campbell
American Inn of Court
P. O. Box 1093
Redlands CA 92373



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Member Category (indicate one only)	Member Dues (annual)	
<input type="checkbox"/> Judicial Master	\$220	State or Federal Judge or Commissioner
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<input type="checkbox"/> Legal Professional	\$145	Non-attorney, Non-Bench Officer in the Profession
<input type="checkbox"/> Law Student	\$ 75	Enrolled in final year, with approval
<input type="checkbox"/> Other	TBD	*Contact Membership Chair* (below)

Name: _____ Year Admitted: _____

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Bus. Address: _____

Practice Area(s) (e.g., Probate, Criminal, Family Law):

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When: Friday, October 12, 2012

Time: Registration begins at 11:30 am
Seminar begins at 12:00 pm

Where: Cihigoyenette, Grossberg & Clouse
8038 Haven Avenue, Suite E
Rancho Cucamonga, CA 91730
909-483-1850

Includes: Seminar, Workbook, Lunch

Cost: \$150/person - for Multiple Attendees from the Same Firm
\$175/person - Individuals

For registration, contact Veronica Speed at 909-483-1850



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Presented by:
Scott J. Grossberg, Esq.

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For More Information
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Western San Bernardino County Bar Association and the ASCDC

PRESENT an MCLE BROWN BAG LUNCHEON on

“STATE OF THE COURTS - IMPACT ON SAN BERNARDINO COUNTY”

**Speakers: Hon. Joseph Brisco, Hon. Keith Davis and
Hon. Christopher Marshall**

The Judges will be discussing the following issues:

- Budget Impact on Courts in San Bernardino County and the IE in general;
- Use of the Court's reserve accounts by the State;
- Anticipated changes in courtroom operation and staffing;
- Anticipated changes in law and motion handling, case management, and trials;
- Role of Judges sitting by assignment

—► 1 hour MCLE credit ◀—

**Thursday — October 4, 2012
12:00 Noon to 1:30 p.m.**

at

Rancho Cucamonga Superior Court, Department 10
8303 Haven Avenue, Rancho Cucamonga, CA 91730

This is a BROWN BAG luncheon, food will not be provided.

COST: \$5.00

*******RSVP REQUIRED! CALL (909) 483-0548*******

NAME: _____ **Phone No.:** _____

—NOTE: A \$15.00 fee will be charged for failure to show or cancel reservation within 24 hours.—

The WSBCBA certifies that this activity has been approved for 1 hour of MCLE credit by the State Bar of California.

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Western San Bernardino County Bar Association

PRESENTS an MCLE LUNCHEON on

“NUTS AND BOLTS OF EXPEDITED JURY TRIALS”

Keynote Speakers:
David H. Ricks, Esq.
Hon. Gilbert G. Ochoa

If you have a trial practice, you need to know how Expedited Jury Trials (EJT) can benefit you and your clients. This seminar will help you learn how to streamline a civil action, especially simple, smaller and/or admitted liability cases. You will learn how to economically try cases without giving up your right to a jury trial. You will see how these trials are prepared from an attorney's perspective and how they are handled by the court from a Judge's perspective. This MCLE should have you looking for an opportunity to try your first EJT.

PLEASE SELECT YOUR LUNCH CHOICE

- Spaghetti with Meat Sauce
- Spinach and Cheese Ravioli
- Spaghetti with Mizithra Cheese and Browned Butter

—▶ 1 hour MCLE credit ◀—

THURSDAY — OCTOBER 11, 2012
12:00 NOON TO 1:30 P.M.

at

Old Spaghetti Factory
11896 Foothill Blvd., Rancho Cucamonga, CA
(909) 980-3585

COST: \$25.00/Member — \$35.00/Non-Member

*******RSVP REQUIRED! CALL (909) 483-0548*******

NAME: _____ **Phone No.:** _____

—NOTE: A \$25.00 fee will be charged for failure to show or cancel reservation within 24 hours.—

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**Western San Bernardino County
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Invites you to attend its

**2012/13 ANNUAL INSTALLATION OF OFFICERS &
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Jennifer Brooks Lawyer of the Year Award *presented to*
HONORABLE STEPHEN G. LARSON (RET.)

Legal Assistant of the Year Award *presented to*
CRYSTAL BURTON

THURSDAY, OCTOBER 25, 2012

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(909) 605-0281

5:30 - 6:00 p.m. Cocktails
6:15 - 7:00 p.m. Dinner

Grilled New York Steak, Chicken Supreme or Penne Mediterranean (veg)

Installation & awards ceremony immediately following dinner.

Cost: \$70.00/person (\$85.00 at the door)

Use reverse side of this form for additional names & meal choices. Thank you.

RSVP is required.

Please contact Noreen at the Bar Office

Phone: (909) 483-0548

Fax: (909) 483-0553

E-mail: westernbarassoc@aol.com

Sponsorship opportunities available, please contact the Bar office for details.

NAME: _____

GUEST(s): _____

PHONE NO.: _____

NOTE: *A reservation made is a reservation paid.. You must cancel your reservation at least 24 hours in advance .*

Western San Bernardino County Bar Association

PRESENTS an MCLE LUNCHEON on

“EMPLOYMENT LAW CONCEPTS: YOU SAY TOMATO, I SAY TOMAHTO”

Keynote Speaker: Alan J. Leahy, Esq.

Alan J. Leahy is the owner of The Leahy Law Firm APC, located in Claremont, and a former Partner at the law firms of Covington and Crowe LLP, and Tomlinson, Prince, Cullen & Leahy LLP. He also has previously served as a Deputy City Attorney for the City of Hesperia.

For about 18 years, Mr. Leahy has gained extensive experience defending employers and management in employment lawsuits as well as with respect to administrative complaints before the California Department of Fair Employment and Housing (DFEH), and the federal Equal Employment and Opportunities Commission (EEOC) and Department of Labor (DOL). Mr. Leahy also has represented numerous individuals in both state and federal court as well as before the California Public Employee Relations Board (PERB). Mr. Leahy also conducts AB 1825 sexual harassment compliance training seminars for employers, including most recently, for the city of Ontario.

Mr. Leahy will discuss general employment law concepts including at-will employment, exhaustion of administrative remedies, the distinction between hostile work environment and quid pro quo harassment, the differentiation between “harassment” and “discrimination” terminology and resulting impact on both individual and employer liability, the importance of employer investigations and much more.

PLEASE SELECT YOUR LUNCH CHOICE

- Spaghetti with Meat Sauce
- Spinach and Cheese Ravioli
- Chicken Caesar Salad

All lunches come with choice of non-alcoholic beverage.

—▶ **1 hour MCLE credit** ◀—

**THURSDAY — NOVEMBER 15, 2012
12:00 NOON TO 1:30 P.M.**

at

**Old Spaghetti Factory
11896 Foothill Blvd., Rancho Cucamonga, CA
(909) 980-3585**

COST: \$25.00/Member — \$40/Non-Member

*******RSVP REQUIRED! CALL (909) 483-0548*******

NAME: _____ **Phone No.:** _____

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Lanterman-Petris-Short Conservatorship Representation;

Paternity/Child Support Contempt Representation

When the RFPs are released, further information and the RFPs will be available at the San Bernardino County Purchasing Department's e-Procurement webpage
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Office Space for Rent

8301 Utica Avenue, Rancho Cucamonga

Two office suites for rent. Located in Rancho Cucamonga just steps from the courthouse. Building features ample parking, and access to a park and tennis courts behind the building.

Suite 102 - Approximately 1,500 square feet.
4 private offices, kitchenette, storage closet and a large reception/work area.
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Contact Matthew Taylor at (909)989-7774 for details.



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OFFICE FOR RENT: In AV firm, class A building, for attorney with compatible practice - no criminal or family law. Kitchen, library, photocopying, etc. Negotiable. Tom (909) 390-9999

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ROOMS Orange County's finest full-service executive suites with state of the art amenities in the historic Artist Village in Santa Ana. Near courts and all government buildings. Newly remodeled Executive office suites, virtual offices (work from home and see clients in a fully furnished office) and conference room rentals available. All offices include web presence under SantaAnaLawCenter.com; 24/7 access to building; conference room use; copy/fax/scanning service; kitchen use; coffee service. Excellent for primary or satellite office. Please visit SantaAnaLegalSuites.com or call (714) 361-4150

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Contact (909) 608-7426 or email heather@wefight4you.com for information.

Attorney Office Downtown San

Bernardino: Executive window office available, across from courthouse. Fax, photocopies available, free parking. Secretarial bay available. Ideal for attorney seeking cross-referrals from AV rated criminal/family law firm. Call Sandy (714) 730-5300

RIVERSIDE OFFICE seeks full-time Paralegal with 2+ years experience in insurance defense. Position offers competitive salary/benefits package. Email resume to phil.jump@varnerbrandt.com

WSBCBA EVENTS

October 4, 2012: MCLE "State of the Courts - Impact on San Bernardino County" Judges Joseph Brisco, Keith Davis and Christopher Marshall will touch upon issues like budget impact on Courts in San Bernardino County and the IE in general. To be held at Rancho Superior Court, 8303 Haven Ave., Dept. R10. Please contact the Bar office to RSVP (909) 483-0548 or e-mail westernbarassoc@aol.com

October 11, 2012: MCLE "Nuts and Bolts of Expedited Jury Trials," Speakers: David Ricks, Esq. and Honorable Gilbert Ochoa. This seminar will help you learn how to streamline a civil action, especially simple, smaller and/or admitted liability cases. You will see how these trials are prepared for from an attorney's perspective and how they are handled by the court from a Judge's perspective. To be held at The Old Spaghetti Factory, 11896 Foothill Blvd., Rancho Cucamonga, CA 91730. Please contact the Bar for more information, (909) 483-0548 or e-mail

westernbarassoc@aol.com

October 25, 2012: Installation and Awards Ceremony will be held at Embassy Suite Ontario-Airport, 3663 E. Guasti Road, Ontario, CA 91761

November 15, 2012: MCLE, "Employment Law Concepts: You Say Tomato, I say Tomahto"

Mr. Leahy will discuss general employment law concepts including at-will employment, exhaustion of administrative remedies, the distinction between hostile work environment and quid pro quo harassment, the differentiation between "harassment:" and "discrimination" terminology and resulting impact on both individual and employer liability, the importance of employer investigations and much more.

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..

Articles, advertisements and notices should be received by our office no later than the 15th of the month prior to the month of publication. For current advertising rates, please contact us at 909/483-0548 or WesternBarAssoc@aol.com.

Promoting Success in the Inland Empire



WSBCBA

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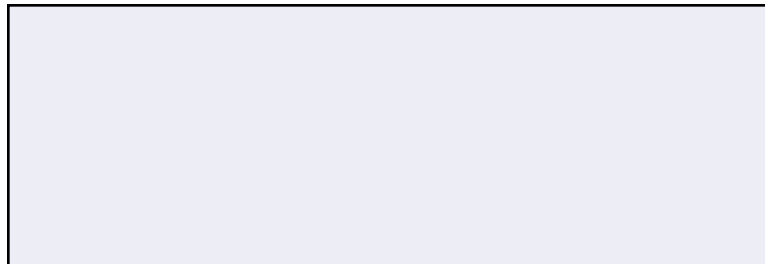
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