

Western San Bernardino County Bar Association **BAR BULLETIN**

Volume XIV Issue 12

www.wsbcba.org

December 2014



REMARKS FROM THE PRESIDENT'S DESK -

By: *David H. Ricks*

It is finally here!!!! The Western San Bernardino County Bar Association is no longer occupying a cubby hole behind some filing cabinets, or a sliver of an office space more appropriately designed for file storage rather than a growing Bar Association. Our new office space is located alongside the San Bernardino County Law Library in Rancho Cucamonga, at 8409 Utica Avenue. With this new office, the Bar Association will be able to expand its services to its members and others within the legal community. The office has three independent conference rooms, which can also be combined to create a larger conference room. These offices are available for rent by the hour or the day at a very low cost to our members. We will also use this space to provide greater access for legal training and educational programs sponsored by the Bar, as well as mediations and fee arbitrations as needed. I personally invite you to stop by and take a look at our new home.

It is hard to believe we have arrived at the holiday season once again. Each year at this time, I feel a love for the holidays, while at the same time, I hate the holidays. I love them because regardless of your beliefs or non-belief in the message of Thanksgiving and Christmas, these holidays remind us that we should be thankful, and that we should be giving and charitable to others. It seems that during the last month of the year, there is a different spirit of decorum and greater comradery amongst the members of an otherwise contentious profession. I enjoy this attitude and would like to see this spirit of goodwill extend well beyond the end of the year.

Continued on page 2

Welcome WSBCBA New Members

James Banks, Jr. - 1976-1977 WSBCBA Past President
Owen Murphy - University of La Verne
Aderinola H. Osifeso - University of La Verne

CONGRATULATIONS Honorable JANET FRANGIE Western San Benrardino County Bar Association's Judicial Officer of the Year 2015-2016



Western San Bernardino County Bar Association

cordially invites you to its
6th Annual Judicial Officer of the Year Awards Ceremony

HONORING:

San Bernardino County Superior Court
Judge Janet Frangie

Thursday Evening
March 5, 2015

5:00 p.m. - Social Gathering
6:00 - 8:00 p.m. - Dinner & Program

DoubleTree By Hilton
222 North Vineyard Avenue, Ontario, California

Remarks From The Presidents's Desk Continued from page 1

I hate the holidays because it reminds me that another year has come and gone. I stand looking over my shoulder in reflection, wondering where did the time go. I look at the end of the year with an eye of retrospection on what I have done this past year. I ask myself, to what extent did I contribute to my life, my family, my friends, my church, my profession and my community? I often find myself having fallen short of my desired goals from the first of that same year.

Feeling like a failure, I have to shake it off, and start again the new year. With the dawning of the new year immediately following the holiday season, I try it all over again.

I don't know if any of you have this same feeling, but I would guess that I am not alone. I will tell you, that going in to this 2014 holiday season I actually feel a bit different. This feeling comes from the events of Ferguson, Missouri, which have shaped the national dialog and clouded the season of goodwill and gratitude. No matter what side of the fence you may be on with the events which occurred in Ferguson, Missouri back in August, and then again in November, there is an interesting underlying problem expressed by the discontent of so many. Because of this discontent, many innocent people suffered serious losses from acts of violence unrelated to anything they have done. My expressions of concern are extended to these people caught in the cross-fire of debate and discontent. In the Inland Empire, we were fortunate to be miles away from the epicenter of the violence. However, make no mistake, but for a slight shift of location or change in attitude, we too could be in a Ferguson-like fire storm.

There are many lessons we can learn to keep such Ferguson-like events from occurring in San Bernardino and Riverside Counties. First, we need to look at the source of the discontent. Many have focused on race relations, arising out of a black shooting victim and a white police officer. Would the outcome of that incident have been different if the officer was black or the young man white? I don't think so. If one looks deeper at the Ferguson issues, similar to the Rodney King situation, the discontent arises from the perception, real or otherwise, that the law is dispensed unjustly based on the color of one's skin or the status of one's financial account. The second issue has to do with the lack of understanding of the manner in which decisions are made by grand juries or trial juries.

As lawyers within the Inland Empire, in conjunction with local law enforcement, we often control the manner in which justice is dispensed. We argue our point, we fight against our opposition, all the while seeking what we perceive to be justice for our client. At times we prevail, at other times we do not, and occasionally, we feel justice was not served. But was it? The outcome of a case is not necessarily the dispensing of justice or injustice.

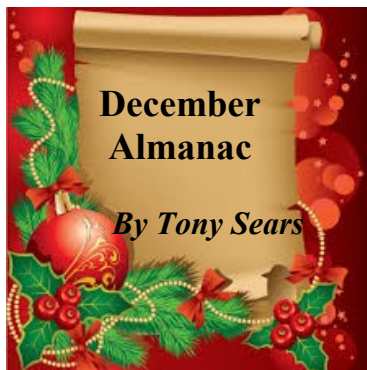
Reasonable minds may differ when presented with all the same facts. Justice more appropriately comes from the fairness of the process in arriving at that decision. So long as all involved can perceive that both sides had a transparent, fair and reasonable opportunity to be heard, justice is served regardless of the outcome. One side in a legal battle will nearly always "win," while the other side will "lose." One side, normally the winner of the dispute, will claim justice was served, while the other side contends the opposite. But in the end, if there is a fair, open and transparent legal system, governed and run by men and women committed to dispensing law and order equally and without prejudice. As lawyers, this is all we can really ask. It is also all the public can really ask for out of its legal system.

What I do know, is that we as lawyers have a duty and responsibility to help educate the public about the legal process. Education is power. The public's participation in the legal process helps the public own the reality of "justice for all." If we see injustice being dispensed, we must speak up against it. Then we must do all we can to alter the system back to the balance required for an equitable system to prevail. It is not about a preordained outcome that we want, it is about a fair process resulting in a just outcome. I have seen our judges, lawyers, prosecutors and defense lawyers work hard to assure that the system is operating on an even level for all who come to court. I encourage all to make every effort to prevent the spirit of discontent from rising up in the Inland Empire by protecting a fair system and due process for all. If we do this, our local legal system will rise in respect as we practice our chosen craft and trade.

Have a truly happy holidays filled with the spirit of gratitude for this great Country we live in. May many be benefitted by our fight to make sure "justice" is "justice for all."

David H. Ricks
President

All times Pacific Standard Time (PST), which is minus eight 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.



December Sky. Due to prevailing atmospheric winds in late autumn/early winter and the low angle of the setting Sun, December has some spectacular sunsets. The clouds are usually high and scattered, so the last rays of the setting Sun illuminate them in orange, yellow, purple, and red. During December, the Sun will be setting about 4:45 p.m. which gives you about a twenty (20) minute time window to check out the Sunset. While you are on your way to or at that Holiday party on Saturday, December 6, you can observe the Sunset and then catch the Full Moon rising over the San Bernardino Range at 5:19 p.m. Between 4:40 p.m. and 5:30 p.m. will be prime time and hopefully the clouds will be scattered in the southwestern sky.

The Winter Solstice occurs at 3:03 p.m. on December 21, 2014. Only nine hours, 52 minutes and 52 seconds of daylight. December 22 has one more second of daylight, and by December 31, the length of daylight has increased by 27 seconds, on the way to June 21, the longest day of 2015, with 14 hours, 25 minutes and 45 seconds of daylight. By contrast, on December 21, Minneapolis will have only eight hours, 46 minutes, and eight seconds of daylight, headed for 15 hours, 36 minutes, and 54 seconds on June 21, 2015.

Looking for an interesting and useful Holiday gift? Consider the "Astronomical Calendar 2015" by Guy Otwell, published by Universal Workshop, P.O. Box 102, Rayham, MA 02767-0102; telephone (800)-533-5083; website UniversalWorkshop.com. This an excellent resource for beginner to expert. You can teach yourself basic astronomy just by following the calendar for a year. It is in a large format and contains sky maps and many helpful and thought provoking diagrams. It costs about \$30.00 a copy. Go ahead and order 2 or 3 copies, because when you see it, you'll want to keep a copy for yourself.

Finally, December has two decent meteor showers. The *Geminids* on December 12-14 are an easy one. The radiant, the constellation of *Gemini*, the twins, Castor & Pollux, is well up in the early evening and the predicted peak is about 3:00 a.m. local time on December 14. However, the last quarter Moon will be a factor, as it is up after midnight. So the best time for the *Geminids* will be between 8:00 p.m. and 11:59 p.m.

Next up are the *Ursids* (*Ursa Major*, aka the Big Dipper) on December 22. With the New Moon on December 20, this could be a fine year for *Ursids*. So if you are up early on the first full day of Winter, then have a look in the northern sky.

Garden Notes: Take advantage of the chance to plant flowering bulbs now. Daffodils, Tulips, Freesia, Anemones, Crocus, and Hyacinths. You can buy your bulbs now, put them in the fridge or other cool dry place until you plant. Tulips like about 6 weeks in the cooler before planting. Chilling definitely makes a difference. You can do some impressive things in your flower beds with bulbs. You can make circles, squares, triangles, or any other pattern you can conceive of. Just dig a shallow trench, throw some bone meal or other bulb fertilizer, arrange the bulbs, and cover. The winter rains will take care of the rest. By February or March, your efforts will be rewarded. Most bulbs will return for several years in a row. Would you rather have daffodils on the piano or?

December Recipe: I know how crazy December can be, especially it starts on a Monday. Yet, there is still a need to have some simple comfort food, especially on a cold and rainy day. This is a perfect recipe for older kids and teens. One of the best things about cooking, even with our busy schedules, is the sense of accomplishment that comes with a simple home cooked meal on an otherwise crazy day. If you have your ingredients set out, you can make it in a snap. By popular demand, here's my mom's quick and easy chili recipe:

Marie Sears' Seven Can Chili

(Serves 4-6 Prep and cooking time: 30 minutes)

1 ½ lbs ground sirloin or leanest ground beef

½ an onion, diced. Use the other half for garnish.

1 small can of tomato paste

1 can of tomato sauce (the rest of the cans are the 14-15 oz. size)

1 can of water, using tomato sauce can.

1 can of diced tomatoes

1 can black beans

1 can kidney beans

1 can of ranch beans

1 package of chili seasoning. (Lawry's works just fine, or use whatever you like).

Garnishes: Grated cheddar, Frito's corn chips, diced onions, and/or sour cream.

Wine pick: *Brandt Family 2009*, "Ink" which is a Santa Barbara County Syrah.

In a Dutch oven, heat 1 tbsp. of olive oil. Cook the onions until translucent. Then brown and cook ground beef. Drain off as much fat as you can. Then add all remaining ingredients, liquid from the cans included, combine, cover, and bring to a simmer. This is ready to go in about 30 minutes. If you have more time, uncover and reduce heat to a simmer for up to an hour. Will it win a chili cook off? Probably not, as it is not spicy enough. Will it be tasty and make your tummy full? Absolutely. Serve with a small salad or sauteed spinach and freshly baked corn bread. The Marie Callendar's cornbread mix works great. Vegetarian variation: Don't use ground beef! Let it cool off before you store the left overs. Ummmm, chili dogs....

Buon Appetito! Tony Sears

**From the Desk of the President of the
HONORABLE JOSEPH B. CAMPBELL
AMERICAN INN OF COURT**

Lisa DeLorme, President



This letter finds me in London, England thinking about our last Inns meeting and hoping to visit the British Inns while I am here.

At our November membership meeting, the Inn enjoyed a very interesting talk by the District 4 representative to the California State Bar Board of Trustees, Heather Rosing. District 4 includes San Bernardino, Riverside, San Diego, Orange, Imperial and Inyo counties.

The State Bar Board of Trustees governs the largest bar outside of New York, with over 150,000 active lawyers among 300,000 admitted lawyers. The Board of Trustees is made up of 19 trustees, which includes six lawyer members elected from districts based on California's six Appellate Court Districts, five lawyer members appointed by the California Supreme Court, two lawyer members appointed by the Legislature (one by the Senate Committee on Rules and one by the Speaker of the Assembly), six "public" or non-lawyer members (four appointed by the governor, one by the Senate Committee on Rules and one by the Speaker of the Assembly).

A president may continue to serve an extra year if his or her term as one of the appointed or elected members has expired. He or she would become the 20th Board member. Ms. Rosing indicated that four of the public member seats are currently vacant.

Ms. Rosing discussed some recent bar initiatives, including an expansion of the Substance Abuse component of the MCLE requirements to a general Competency requirement, embracing all sorts of Competency issues including substances, age, infirmity, etc.

Ms. Rosing discussed some initiatives currently under consideration by the bar, including a pre-admission Competency requirement that would require law students to complete 50 hours of pro bono legal work as a condition of admission.

The most surprising thing she told us was regarding the Bar's conception of the Trustee's role. Most lawyers would assume that a district Bar representative would directly represent the lawyers of that district and advocate for their interests before the State Bar. Ms. Rosin explained that the Board of Trustees was convened for the protection of the public. Members of the Board, though elected by lawyers and districts, are put in place to advocate for and protect the public, rather than lawyers.

I hope most of you are all enjoying a turkey-filled sunny holiday in California. While enjoying your stuffing, please take a moment to calendar our next Inns meeting.

Our next meeting is our annual "field trip" meeting to be held at the County Administration Building at 385 N. Arrowhead Avenue in San Bernardino. We will meet with representatives of the County Counsel's Office and the County Board of Supervisors to learn more about how these important institutions work. We will also receive a tour of their facilities. Prospective Inn members are welcome to join us. We will convene at 5:30 in the building's lobby. Please arrive on time so the group can leave promptly. After the meeting, we will gather at BJ's Restaurant at 1045 E. Harriman for appetizers, drinks and socializing. We look forward to seeing you all there.

~ Lisa DeLorme, President ~

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Ralph K. Hekman Honored with the Saint Thomas More Award

By: Jacqueline Carey-Wilson

More than 100 members of the Inland Empire legal community and their families gathered at the 24th Annual Red Mass, which was held at Saint Francis del Sales Catholic Church in Riverside on October 7, 2014. The Red Mass is celebrated to invoke God's blessing and guidance in the administration of justice.

In the opening procession, Michelle Lauron carried a banner depicting the Holy Spirit, the Scales of Justice, and the Ten Commandments, symbolizing the impartiality of justice and how all must work toward the fair and equal administration of the law, without corruption, avarice, prejudice, or favor. Jacqueline Carey-Wilson processed into the church with a vase of 15 red roses, in memory of the individuals in the legal community who passed away in the last year, and three additional red roses for Linda Maynes, Helen Rodriguez, and Louise Biddle, members of the Red Mass Steering Committee who passed away in previous years.

The chief celebrant and homilist was Most Reverend Rutilio del Riego, the Auxiliary Bishop of the Diocese of San Bernardino. Mitchell Norton read a passage from Deuteronomy (16:18-22); Reverend Erin Thomas, Associate Pastor for Youth and Mission at Calvary Presbyterian Church, read a passage from I Corinthians (12:3b-7, 12-12); and Deacon Michael Jelley read a passage from the Gospel of Matthew (5:1-12a). Mark Strain and Jacqueline Carey-Wilson offered the Prayer of the Faithful, which included remembering the individuals who passed away. At the end of the Mass, Bishop Barnes and Reverend Thomas gave a blessing to those in attendance.

At the reception immediately following the Mass, Judge Virginia Phillips presented Ralph K. Hekman with the Saint Thomas More Award. The Saint Thomas More Award is given to an attorney or a judge whose conduct in his or her profession is an extension of his or her faith, who has filled the lives of the faithful with hope by being a legal advocate for those in need, who has shown kindness and generosity of spirit, and who is overall an exemplary human being. When speaking about Saint Thomas More, Pope John Paul II stated that "this English statesman placed his own public activity at the service of the person, especially if that person was weak or poor; he dealt with social controversies with a superb sense of fairness; he was vigorously committed to favoring and defending the family" Mr. Hekman humbly followed the example set by Saint Thomas More.

Ralph K. Hekman was born in September 1932, the eldest son of Peter M. Hekman and Anne (Van Dyken) Hekman. Mr. Hekman grew up in Ripon, California. Ripon is a small community between Modesto and Stockton in San Joaquin County. Mr. Hekman is from a family of eight children and has six brothers and one sister. Peter Hekman was a Public Accountant and past away at 59 years of age. Anne Hekman

was a registered nurse and passed away at age 95. Both were compassionate to others and took care of anyone in need. Mr. Hekman sent flowers to his mother every week in the last ten years of her life.

Mr. Hekman first attended Modesto Junior College and transferred to California State University, San Jose, where he graduated in 1954 with a major in Economics and a minor in American Literature. He enlisted in the United States Marine Corp. in January 1955; and served on active duty until August 1958, and was then in the reserves until 1964. Mr. Hekman attended law school at U.C. Berkeley's Boalt Hall where he graduated in 1961. Mr. Hekman married Betty Law in 1961 and settled in Riverside where they raised their three children, Stephen, Kimberly, and Philip and he put out a shingle to practice law. For over fifty years, Mr. Hekman has made significant contributions to the Riverside community through his church, Calvary Presbyterian, and through the Public Service Law Corporation (PSLC), the pro bono program of the Riverside County Bar Association.

Mr. Hekman is an active member of Calvary Presbyterian Church. He is an Ordained Deacon and Elder of the church. As a Deacon, he serves as the caring arm of the church where he ministers to persons who are sick and those confined to their home because of illness or incapacity. As an Elder, he has chaired the Stewardship Committee and a number of other working groups of the church. For many years, Mr. Hekman served at the hot meals program on Sunday evenings to the 150 to 200 homeless who come to the church. He also regularly donates razor, shoes, and socks to the many needy that pass through their doors. Since 1969, Mr. Hekman has sung 2nd bass on Sundays in the Calvary Chancel Choir.

Mr. Hekman was a board member with Inland Counties Legal Services in the 1960s. He was a founding board member of PSLC and has served on its board since 1982. Mr. Hekman has also volunteered thousands of hours at the legal aid clinic operated by PSLC. He often spent two to three hours a week helping several clients at each session. There were many times when Mr. Hekman interviewed clients in the clinic and after learning they had no money for food or bus fare to get home, gave these clients money from his own pocket. He often took casework back to his office and completed it outside of the clinic time. Mr. Hekman continues to directly represent the elderly, poor, disadvantaged, and underprivileged in probate, guardianship, real property, and other general civil matters in his private practice. In 1999, Mr. Hekman received the California State Bar President's Pro Bono Service Award.

"Ralph Hekman is a quiet and humble man who has benefitted and encouraged countless people by his knowledge, his talents, and his unwavering dedication. He is the true good Samaritan, in life and in the law," stated James Otto Heiting, past State Bar President and past president of the Riverside County Bar Association.



Continued on page 6

**Ralph K. Hekman
Honored with the Saint Thomas More Award
At the 24th Annual Red Mass**

Hekman exemplifies the highest ideals of the legal profession and serves as an inspiration to those around him. Accordingly, the Red Mass Steering Committee is honored to present Ralph K. Hekman with the 2014 Saint Thomas More Award for his extraordinary service and devotion to church, community, and justice.

The Red Mass Committee is accepting nominations for the 2015 Saint Thomas More Award. The award will be given at the reception following next year's Red Mass, which will be held in October 2015. If you have any questions or would like to be involved in the planning of next year's Red Mass, please call Jacqueline Carey-Wilson at (909) 387-4334 or Mitchell Norton at (909) 387-5444.

Jacqueline Carey-Wilson is Deputy County Counsel for the County of San Bernardino, immediate past president of the Riverside County Bar Association, past president of the Inland Empire Chapter of the Federal Bar Association, and co-chair of the Red Mass Steering Committee.



18 roses presented in honor of those in the legal community who have passed away.



Hon. Virginia Phillip presenting the Saint Thomas More Award to Ralph Hekman



Hon. Virginia Phillips and Ralph Hekman



Ralph Hekman and family with Bishop Rutilio del Riego



Rev. Erin Thomas and Ralph Heckman



Rev. Erin Thomas and the Bishop

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From our family to yours...

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Holiday Greetings from our members....



Happy Holidays and best wishes from the Law Offices of Angelique G. Bonanno

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Wishing everyone a joyful Holiday season! – The Law Offices of Betty Auton-Beck, PLC

~~~~~

Wishing you a very happy Christmas and a prosperous New Year! Dean McVay, Lewis Brisbois Bisgaard & Smith

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Happy Holidays from the San Benardino County Law Library

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Season’s Greetings - Wishing you a joyous holiday and prosperous new year! - US Legal Support

~~~~~

Happy Holidays and prosperity in 2015 from the Law Offices of Matthew L. Taylor

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Happy Holidays - from HNBA at the University of LaVerne College of Law

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Happy Holidays to my WSBCBA friends & future colleagues! Steve Bell, WSCL Class of 2015

~~~~~

2015 promises to be another up/down year. Keep on keeping on. Peace, Law Offices of Margaret Helen Arter

~~~~~

The Inland Counties Association of Paralegals wish you and your family a safe, happy and healthy holiday season! ICAP

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IVAMS would like to wish you a joyous Holiday Season!

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SECOND IMAGE NATIONAL wishes you a Happy Holiday Season and a prosperous New Year!!!!

~~~~~

Brown & Lipinsky LLP wishes everyone Seasons Greetings and Happy Holidays

~~~~~

Happy holidays From Bosco Legal to all of our friends in the WSBCBA

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May your holiday season and new year be deeply and richly blessed. ~ James Heiting - Heiting & Irwin

Seasons Greetings from all of us here at Richard Sadeddin Law Group

~~~~~

Wishing everyone a Happy Holiday and a Joyous New Year! Law Office of Elizabeth F. Courtney

~~~~~

Have a Merry Christmas and Fantastic 2015 from Tony Sears

~~~~~

May God's blessings shower you during the holidays and the New Year! Law Offices of Fernando D. Vargas

~~~~~

Christmas Greetings and Peace to the Members of the Bar - Law Office of Scott J. Dexter

~~~~~

Best Wishes for a Joyous Holiday Season and a Happy New Year from all of us at Fullerton, Lemann, Schaefer & Dominick, LLP

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Wishing you a Joyous Holiday Season and a Prosperous New Year. Happy Holidays - Sir Speedy Printing, Rancho Cucamonga

~~~~~

Wishing you a happy and blessed holiday season, from the Law Offices of Diane M. Hartog

~~~~~

The Law Offices of Sherif Fathy wishes everyone a safe and happy holidays

~~~~~

Wishing all our WSBCBA members, staff and families the very merriest holidays - David H. Ricks & Associates/Inland Empire Law Group

~~~~~

Season’s Greetings and Happy Holidays to all our association and their families. Law Office of Randal P. Hannah

~~~~~

Happy Holidays to all from David M. Goldstein

~~~~~

Happy Holidays ~Gilbert Holmes, Dean University of La Verne College of Law

~~~~~

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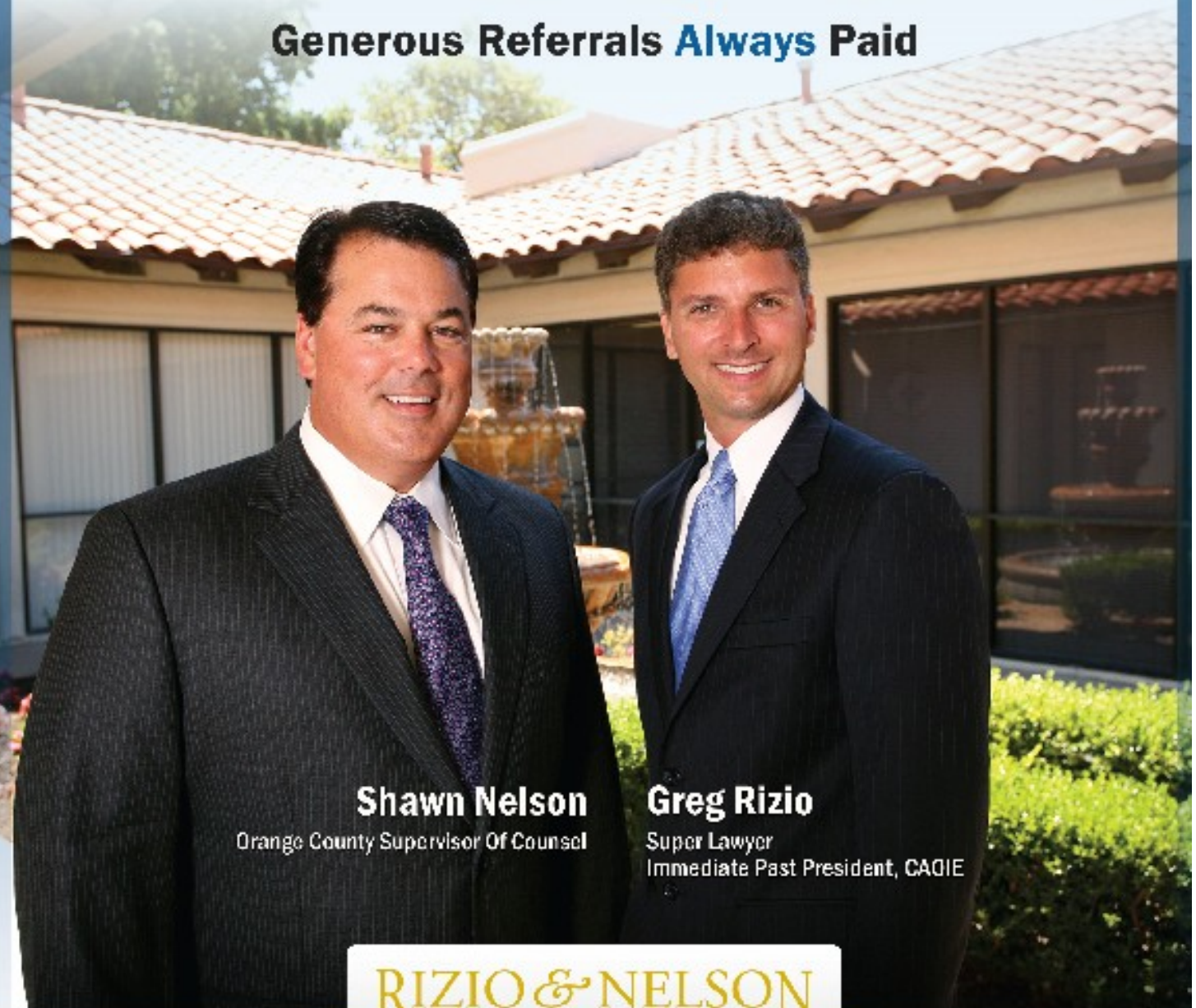
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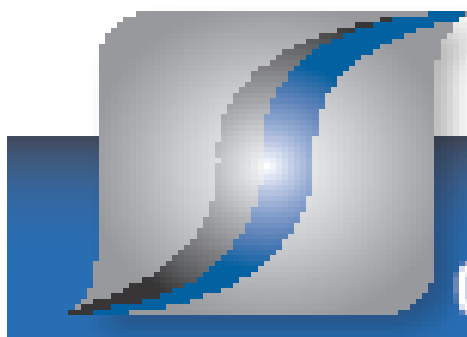
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#### **Location:**

**Western San Bernardino County Bar Association  
8409 Utica Avenue, Rancho Cucamonga, CA 91730  
Tele: (909) 483-0548 Email: [mail@wsbcbba.org](mailto:mail@wsbcbba.org)**



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### Yes, They Qualified for Benefits

Della, 71, earns \$12,000 monthly from her psychiatry practice. Her husband, Sam, 78, receives social security of \$2,100. They have \$321,000 of non-exempt trust assets and \$80,000 of exempt IRA assets. They carry a large mortgage on their home. Sam suffered a stroke and needs extended nursing home care. Solution: Set aside \$117,000 of trust assets for Della's spouse allowance, use remaining \$200K+ to refinance mortgage, reducing significantly their monthly mortgage payment. Her psychiatry practice is exempted as an operating business. Della keeps all of her income, Sam's income goes to share of cost.

California has yet to implement many federal rules being followed by most states. The look-back period for California is still 30 months. Stacked gifting still works. For families that lack sufficient resources to pay \$6,000 to \$7,000 per month for nursing home care, Medi-Cal long-term care benefits are typically their only choice to avoid complete spend down of family assets.



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# NEWS BULLETIN



## SAVE THE DATES:

**Toys for Tots Holiday Celebration**  
**December 4, 2014 @ 6:00 p.m.**  
**IVAMS, Rancho Cucamonga**

**Western San Bernardino County**  
**Bar Association**  
**OFFICIAL TOYS FOR TOTS**  
**DROP OFF LOCATION**  
**8409 Utica Avenue**  
**Rancho Cucamonga, CA 91730**  
**November 3, 2014 - December 4, 2014**



**Judicial Officer of the Year**  
**March 5, 2015 @ 5:00 p.m.**  
**DoubleTree, Ontario**

**State of the Courts MCLE**  
**March 26, 2015 @ 12:00 Noon**  
**WSBCBA, Rancho Cucamonga**

**East Meets West**  
**May 14, 2015**  
**Azusa, CA**

**Bench Bar BBQ**  
**September 18, 2015**  
**Rancho Cucamonga, CA**



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