

## My Road to Becoming an Attorney

I'm writing this column shortly after President Obama was reelected as our President. His reelection gives me much to be hopeful for and reminds me that we don't always have control over the path our lives take. I never set out to become a lawyer, yet here I am, and it is who I was meant to be.

After I graduated from Helix High School in 1973, I attended Grossmont Junior College. I intended to fulfill all of my required courses there and then transfer to a four-year college where I could concentrate on my core substantive courses. Back then I thought I wanted to become an evidence technologist, a CSI-type person. Then I figured out evidence technologists worked 24/7.

I was working part-time at Grossmont Hospital in 1976 when I decided to apply for a Monday - Friday job and continue my college classes at night. I found a job listing in the newspaper (the way we found jobs back then) for a general office clerk at MBF Interiors. I went to their offices in Kearny Mesa, filled out an application and got an interview. I didn't get that job, but about a week later, out of the blue, I received a telephone call from an attorney, Eva Kinsella. She and her husband, Larry, were friends with the owners of MBF Interiors and had an opening for a legal secretary trainee. She asked if I was interested in the job. I drove downtown right then, interviewed and took a typing test. I didn't know how to type with all my fingers yet, but I was able to finish the test. I was offered the job. It paid \$400 per month, plus paid parking behind the building at Sixth and E Streets. I started that job on June 20, 1976; then I took a typing class. I was 20 years old.

In my search, if I'd seen a job listing for a "legal secretary trainee," I wouldn't have considered applying for the job. Getting into the legal field was not even a blip on the radar screen for me. Growing up, I'd never even met a lawyer. Neither of my parents went to college, nor did their siblings or parents. In my family, I was the first one of about 65 close relatives to even go to a junior college. My sisters and I were encouraged to get a job that had health benefits, not go to college. That's just my familial history.

In 1978, I was working as a legal secretary for an attorney who decided to retire and close his law practice. It's also the job where I met Jim McElroy, yes, *that* Jim McElroy, who was an associate there.

In preparation for my transition, I applied for a job at four different law firms and was offered all four jobs. My then next-door neighbor was an attorney and I asked him which job I should take. He told me there was no comparison – I needed to accept the job at Rhoades & Hollywood.

On October 29, 1979, I began working at the job that would change my life forever – as secretary to Dan White at the law firm that was then known as Rhoades & Hollywood. (It is now Neil, Dymott, Frank, McFall & Trexler.) While working for Dan in insurance defense, we handled a variety of cases, including auto, products and even avocado root rot. (For you inquisitive minds, the Latin term for avocado root rot is *phytophthora cinnamomi*, and I still remember it from that case back in 1981.) Dan and I worked on the other side of the "v" from many, many different plaintiffs' counsel. It was in the early 80's that I met Red Boudreau, Steve Boudreau, George McClenahan, Steve Denton, Maynard Kartvedt and Louisa Porter.

by Rebecca Lack Mowbray



Rebecca Lack Mowbray is a principal at Mowbray Law Firm and the 2013 President of Consumer Attorneys of San Diego. She's the seventh woman President of CASD. She practices civil litigation with an emphasis on insurance bad faith and personal injury law and is very proud to call herself an attorney. CASD has recently awarded Rebecca an "Outstanding Trial Lawyer" award. She currently shares her life with her two standard poodles.

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I was extremely proud to work for Dan White. He was well respected, smart and nothing short of professional. The discovery process was easy back then. We just gave them everything we had and expected the plaintiffs' bar to do the same. We never served only objections to discovery requests. Never. Extensions were routinely granted. Attorneys voluntarily produced their clients at the respective attorneys' offices. The practice of law was fun and collegial. Cooperation was the name of the game. "Sanctions" was a four-letter word.

In 1982, Dan suggested to me that I was too smart to stay a legal secretary. He offered to assist me with getting into law school, even though I had foregone a four-year degree. I must have looked at him like he was speaking in tongues. Considering my background, it was beyond my wildest imagination that I could become an attorney.

I applied for a Legal Secretary Scholarship to attend Western State

University. The scholarship would pay my tuition, and all I had to pay for were my books. Out of several other applicants, I found out I won the scholarship offered by Western State. I started law school in August 1982. I continued to work full-time for Dan White while I went to law school part-time at night. I graduated in 1986.

At times, I find myself cursing Dan White now that I'm on the front line of battle. Many of the defense attorneys I've found myself against are not as forthcoming and professional as I witnessed year after year with Dan. Yet, I wouldn't trade what I get to do for a living with anything else. I get to right wrongs. I champion the cause of the harmed. I get to guide the aggrieved through the justice system. I get to help people. I presume that's what draws us to be consumer attorneys. The 20<sup>th</sup> thank you card from my clients was as meaningful as the first. It's my clients' case, their one day in court, their

one chance at justice with this fact pattern, and I get to hold their hand through the process.

Because we lawyers need to pay bills with this profession, it is easy at times to see it as a mere job and lose sight of what the profession is for so many. The daily posturing by opposing counsel and insurance company executives, not to mention the odd legal ruling divined from seemingly nowhere, creates the raw chafe so easily capable of turning into a searing burn by the coarse salt of a trial loss, acerbic opposing counsel, or a client's lack of appreciation. We're human and, strong as we are, still subject to the frailties of the ordinary.

Longevity in this business has given me the opportunity to meet lawyers from all around the country. To me, trial attorneys are the best. Plaintiff trial lawyers. Plaintiff trial lawyers can be such incredible storytellers. Universally, when they tell a story that is meaningful to them, it begins with

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the weak, or the infirm, or the disadvantaged or the plain, old put upon. And the story winds through one of many varieties of disadvantage faced with steadfast persistence and sometimes just plain luck until a proper meaningful result occurs.

But the essence of every story that makes the teller proud is this. In each instance, the lawyer takes the client and equalizes them to the might of the opponent through the sheer use of skill, intellect and sometimes with nothing more than simple, raw courage. If anything in life, only the gift of healing rivals the ability to inflict and draw fairness. It is this effort that fulfills so many lawyers as they've told their important stories. It is a gift, plain and simple. And this is why I think so many trial lawyers choose to represent the underdog – the insured against the big insurance company, the employee against the massive corporation, the patient against an entire healthcare system. Plaintiff trial lawyers, again, are simply the best.

Sometimes we perform heroically and are not fully appreciated. On other cases, our self-appraisal will be that we're worthless, yet achieve great praise from our clients. But those consequences are fleeting and in the long run serve only as fodder for storytelling. In the end, it is the process that

becomes the miracle, and in each case we take unfairness and turn it into right by the use of our skills honed by study and experience. That is the great value of this journey.

My journey to become an attorney was not one sought out by me, nor even thought by me to be possible. After becoming an attorney, I've come to realize that I was prepared for this profession from the day I was born. I'm the middle of three girls. I'm 13 months behind my older sister, and 16 months ahead of my younger sister. We argued as siblings often do. Arguing became like a hobby to me. I recall an argument with my older sister when I was about 10 years old where I planned out my entire argument, questions included, and had her backed into a corner, figuratively, before I was even finished. If my life hadn't taken this path, all of that practice would have been for nothing. Today, my sisters are all too proud to have been my sounding boards for all that "work" leading up to today.

If this calling were not so important, not so compelling, it would not be filled with such extraordinary emotion, frustration, the lows of disappointment and just plain exhilaration. It would be like selling shoes, filling cavities or driving a cab, *i.e.*, cash without internal reward. What

we're able to do for our clients, as trial lawyers, enriches us in ways that money never could. It is an honor to carry the torch across the finish line with our heads held high and our clients riding on our shoulders. Such an honor.

Consider the sheer delight I must feel to be here, in this position, writing my first President's Column for Consumer Attorneys of San Diego. Knowing that I'm following in the footsteps of such revered attorneys as Wes Harris, Gordon Churchill, Vince Bartolotta, Denny Schoville and George Andreos, all attorneys I met while working for Dan White in the 1980's, is almost unimaginable. I have some really big shoes to fill, as only the seventh woman President of CASD, and I hope to make you all proud. **TBN**



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