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So Much for an Agenda

How could one not feel a sense of accomplishment at being elected to an office held by San Diego legal icons such as David Casey Sr., Dutch Higgins, Colin Wied and John Seitman? It was a privilege to serve as president of The State Bar from 1997 to 1998.

As my term commenced, John Seitman approached me and asked if I had an agenda. He said, “Whatever you have planned, forget it; something big will surely come up that will affect it.” That was an understatement in the history of The State Bar. It followed, one month into my term. Then-Governor Pete Wilson vetoed The State Bar’s funding source—the authority to collect dues—sending the State Bar into turmoil. Many State Bar employees lost their jobs due to lack of funding.

Yes, I did have an agenda, based on my family’s and others’ experience with the special education system. With a substantial increase in the number of children being diagnosed with autism, and a lack of appropriate services in schools, there was a need for special education advocacy.

My agenda took a back seat to the State Bar funding crisis.

Much of my time as State Bar president was spent speaking at virtually every local bar association in the state about the funding crisis, or in Sacramento trying to sponsor a new funding bill, lobbying elected officials in the Senate and Assembly. Gray Davis’ election in 1998 prompted a new bill in the legislature, restoring State Bar funding.

My practice did suffer, but the overall experience paid off later. I spent very little time in San Diego. My wonderful wife, Erin Kenney, picked up the slack with our 7-year-old twins. The lost time with them is my biggest regret, but all turned out just fine. My daughter is attending the University of Connecticut on a full athletic scholarship, and my son defied the odds with autism and will be attending George Washington University on an academic scholarship. And today, my litigation practice is where I’d like it to be.

The experience was character-building and toughened my skin. The support I received from the local bars and SDCBA was immeasurable. Though my agenda took a back seat to the State Bar funding crisis, the relationships I developed with members of the legislature and the many fine lawyers I met made the effort one I will never regret.

Marc Adelman (adelmanmd@aol.com) was SDCBA president in 1989.
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Time flies! It is hard to believe that we are about to enter the last quarter of 2009. As we welcome fall, we also welcome the return of our law students. I hope the entering class of 1L students finds their first year exciting and rewarding, and the 2L and 3L students continue their studies with renewed vigor and enthusiasm. We encourage our law student members to take advantage of the many opportunities we offer at the SDCBA, including the ability to meet practicing attorneys at our various CLE and networking events, especially the Young/New Lawyer Division (YNLD) programs. On October 19, we will launch the fall term of our Lyceum Mentoring Program, which helps law students and new attorneys make long-lasting professional and personal connections with more experienced attorneys in select areas of practice.

The fall also brings cautious optimism with regard to the economy. The SDCBA remains keenly focused on helping our attorney members sustain and also build their practices during these uncertain times. To learn more about current trends in our local economy, the SDCBA will be hosting a luncheon with noted economist Professor Alan Gin from USD for a special “economic update.” This CLE luncheon will be held on October 21 at the Bar Center and is cosponsored by the California Society of CPAs (CalCPA).

As part of the SDCBA’s long-standing commitment to diversity and inclusion, we are proud to host our annual “Dialogue on Diversity” program, presented by our Ethnic Relations and Diversity Committee. This CLE and networking event is set for October 27 and will include an interactive presentation on Cross-Cultural Issues in the Courts by Judge Delissa Ridgway from the U.S. Court of International Trade. Participants will also have an opportunity to mix and mingle with colleagues at a special reception.

Fall is also a great time to pledge to engage in pro bono work. The American Bar Association’s National Pro Bono Celebration is scheduled for October 25 through 31. Throughout the nation, bar associations will be highlighting the many contributions our pro bono attorneys have made to the community and the legal system. More importantly, we will continue to encourage more pro bono volunteers to meet the ever-growing legal needs of our most vulnerable citizens. Our year-long Lawyers Giving Back campaign is certainly part of this effort. However, if you are still looking for ways to get involved in our Lawyers Giving Back campaign, we have many events planned for the remainder of the year. Remember to check out the “Volunteer Opportunities” section of our website for ideas on how you can help. We have both pro bono opportunities as well as volunteer events where you can roll up your sleeves to make a difference.

Our signature community service event for the fall is our “Beach Clean Up Day” planned for Saturday, November 7. We are partnering with I Love A Clean San Diego for this event, and our members can spend a few hours making one of San Diego’s finest beaches litter-free and even more beautiful. You are welcome to bring friends and family including children to the Beach Clean Up.

This is a great way to spend a Saturday morning with your family, and teach your children the importance of helping the environment and our community. Please visit our website at www.sdcba.org for more information on all the events discussed above.

Thank you to all of you who have already embraced our Lawyers Giving Back campaign, and for making San Diego an even greater place to live and work through your pro bono and community service efforts.

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Sandra Morris graduated from the University of Arizona and California Western School of Law. She’s a State Bar–certified specialist in family law and has practiced for 39 years.

Have dissolution cases decreased during this economic downturn? Yes.

How does the fact that your clients tend to be high-income affect this trend? They hold off on divorces because of the impact on their standard of living. For example, many high earners are letting go of their second and third homes. The market for privately owned jet airplanes is in steep decline.

In 39 years of family law, what changes have you noticed in attitudes toward divorce/custody/types of clients? For many years now the divorce rate has been 50 percent. I have seen the shift from mothers being given preferential treatment—especially for very young children—to joint custody as an option to, more currently, joint custody being the preferred custodial arrangement if feasible.

In what way did being a judge pro tem of the juvenile and family law courts affect you? I felt I was on the side of the angels when I represented children in the juvenile court and could make a difference when I sat as a judge pro tem. I liked making decisions and creative problem-solving as a judge pro tem.

Did being a judge make any difference in the way you presented subsequent cases? I never realized before how many attorneys come before a judge and just start talking, without providing any frame of reference about the issues. I always carry a cheat sheet now to lay out the structure before starting to argue anything else.

For what types of cases do you favor mediation? High-conflict cases, where the agenda of one or both parties relates to interpersonal issues rather than the issues to be decided, are extremely challenging and at times impossible to settle.

Does your clients’ angst take a toll on your peace of mind? It most certainly does, and trial practice takes a toll on my evenings, weekends and sleep. It is important to find coping mechanisms for the stress.

What recommendations would you make to engaged couples to forestall future problems? Talk, talk, talk. About the tough subjects they don’t want to talk about because it is not romantic: acquiring and using money; working; numbers, timing and religious upbringing of children; respecting and embracing mutual differences as well as similarities; knowing what their differences are.

What recommendations would you make to marrieds contemplating divorce? Unless there are abuse or addiction problems, try every other solution first. Divorce should be the ultimate last resort.

How can you insulate a child from the stress of divorce? You cannot insulate any child from divorce. Make sure both parents can be in the same room at the same time, so that the child does not have to juggle who can come to life-cycle events (graduations, weddings, births, funerals).

What lessons did you learn from your own divorce? Not to talk about it.

Alice Solovay (alice@solovay.net) practices law in Mission Beach.
3 WORDS

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A recent annual conference of the Association of Legal Administrators in New Orleans, the focus was not just surviving the economy but on stepping back and taking a critical approach to everything that impacts the bottom line at law firms.

For some, the partnership track has slowed. Law firms are more likely to look critically at a potential partner’s book of business and require that he or she bring clients to the table in order to become an equity partner and share in the firm’s profits. Firms are also taking a closer look at lawyers who have been marginal performers and who were flying under the radar when the economy was strong; tolerance for not hitting the mark in billable hours has waned dramatically.

Another trend within the ranks is high-performers moving their practices to other firms, with the belief that the other firm is stronger and more likely to survive—or at least that the profitable practice won’t be supporting the other lawyers in a firm that may not be as productive or financially successful.

Some firms report rolling back associate compensation, both in starting salaries and for existing associates. To help take the sting out of salary reductions, some firms that have cut salaries have instituted bonus programs whereby associates can earn the reduction back by their performance in billing and collection.

Many law firms are experiencing “push back” from clients on rate increases and have responded by holding the line on hourly rates or increasing them only slightly. Some are more seriously exploring alternative billing methods, though one problem is that both sides expect to have the upside; they usually return to the billable hour.

In multiple-office national firms, there appears to be more cooperation among offices in terms of sharing services or consolidating some support functions, such as word processing, library services and centralized digital dictation. More important to the bottom line is sharing legal work with underutilized offices. The ability for law firms to collaborate on documents in real time has made this an effective option.

Secretarial ratios continue to rise, with many firms adopting a 4-to-1 ratio of lawyers to secretaries—or more. Secretarial teams have been implemented in several large firms and are being considered by many more. Secretarial teams, if implemented properly, can provide lawyers with more coverage via staggered shifts—and give secretaries the opportunity to work a four-day week. This model offers other benefits, such as having a team of secretaries all familiar with the practice area, the needs of the specific lawyer and knowledge of his or her clients. Team members can cover for each other, eliminating the need for temporaries and “floater” secretaries.

Occupancy and employees continue to be the two biggest expenses of any law firm. Cutting costs in other areas, such as supplies, travel and parties, will not make much difference in the bottom line. Increasing income and leveraging people is the road to prosperity—or, in these days, survival.

Patti Lane (plane@mckennalong.com) is firm-wide director of administrative services for McKenna Long & Aldridge.
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BAR LEADERS: The San Diego County Bar and the State Bar’s Office of Bar Relations Outreach hosted an all-day Bar Leaders’ Conference on September 10 for presidents, presidents-elect, board members and executive directors from California’s local bar associations. The conference offers sessions on leadership, governance, finance, planning, communications and more. The State Bar of California held its annual meeting in San Diego September 10-13, during a time when the California Judges Association and the Conference of Delegates also met here.

CAREER MOVES: Henry Coker succeeds Steve Carroll as San Diego County public defender. Carroll retired after 22 years with the county; Coker has been the chief deputy of branch offices for the public defender’s office. … Kimberly Stewart is the new managing attorney for the California Court of Appeal, Fourth District, Division One, having been a senior appellate attorney for the Court of Appeal. … Robert Gleason, chief financial officer for Evans Hotels, was confirmed by the San Diego City Council for a seat on the San Diego County Regional Airport Authority. He succeeds Alan Berson, who became assistant secretary for international affairs and special representative for border affairs in the U.S. Department of Homeland Security. … Former San Diego County Bar president Regina Petty has joined the San Diego office of Fisher & Phillips, and her former firm has changed its name to Wilson Turner Kosmo. … Paul Reynolds and Karen ZoBell are now at Solomon

SUPERIOR COURT: Judge Michael Orfield retired in August. … James Atkins was sworn in as commissioner. … Judges Maureen Hallahan, Nicholas Kasimatis (ret.), Runston Maino, David Oberholtzer, Stephanie Sontag and Luis Vargas toured Mexican courtrooms in July and provided information about the California court system. The visit was sponsored by the California Judges Association and included judges from other courts in California.

ELECTION: David Kleinfeld, a partner at Foley & Lardner, was elected president of the San Diego Opera Board of Directors.

RECREATION: Commissioner Cindy Davis’ team, The Sandwallowers, took first place in the “Creatures of the Sea” division at the July sandcastle competition in Imperial Beach. Teammates included attorneys Kurt Mechals, Tricia Pummill, Anita Margolis, Marjorie Terner, Paul Romero and Kristine Lorenz, along with bailiff Curtis Duhamel. “We have been competing together for a number of years,” says Davis. “We never practice. We just come together once a year and go for it.”

PUBLISHED: James Huston has published Marine One, his seventh “military techo-thriller.”

PASSING: Lawyers Ron Stout and Patricia Dwinnell Butler, Dean Robert Castetter and Hon. Daniel Leedy (ret.) and Hon. Raul Rosado (ret.).

Wendy Patrick Mazzarella (wendy.mazzarella@sdcda.org) is a deputy district attorney.
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Soup’s On!

With fall in the air, hearty, warming, soul-soothing soups are just what the doctor ordered. Many chefs believe soup is the true test of a chef’s skill—if you can cook a great soup, the logic goes, you can cook anything. Here are some of our favorite San Diego soups.

Grant Grill’s mock-turtle soup. A longtime San Diego standby, this soup involves a deep tomato broth, beef tongue, clam stock, hard-boiled eggs and other ingredients for a rich and unique tasting experience. When the recently revamped U.S. Grant Grill opened, there was a brief controversial spell during which the mock-turtle soup was off the menu. We are glad it’s back! And if you haven’t been to the Grant Grill since the remodel, it’s worth a trip.

Michelle Coulon Dessertier’s French onion soup. We mentioned this downtown La Jolla little gem in our column on desserts. Ms. Coulon’s talents extend to savory treats too, as evidenced by her divine French onion soup. This classic, hearty, cheesy, oniony soup will leave you extremely satisfied. She also makes a daily vegan soup that’s always excellent (a “green” herb soup and a brew of roasted tomatoes and Chino Farms corn are just a few we have tried and loved). Soup here comes with delicious La Brea Bakery bread.
7556 Fay Avenue, Suite D, La Jolla 92037, 858-456-5098, www.dessertier.com

Dobson’s mussel bisque. Dobson’s has been famous for this soup for years, and for good reason. Rich, delectable, encased in a buttery puff-pastry shell and topped with sherry, this is our very favorite soup in town. Add some crusty bread for dipping and a glass of red wine, and you’re in business.

Georges at the Cove’s smoked chicken, broccoli and black bean soup. By far one of our favorite soups in town. You can order it at all three dining options at Georges (the terrace, the bar or the fine-dining restaurant). In the winter, very few soups will satisfy you like this one does. It has a rich smoky flavor with a little kick and warms up the entire body. You will be sopping up every last bit with the bread that comes with it.
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La Especial Norte’s Mexico-style chicken soup. This addictive soup is the ultimate cure for a cold—or whatever ails you. The base is a fantastic, made-from-scratch chicken broth, with layers of chicken meat, avocado slices, cilantro and rice. This soup will truly warm your soul.
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INSIDE TIP
In addition to serving great ales and delicious wood-fired pizzas, Blind Lady Ale House in Normal Heights carries homemade ice-cream sandwiches. They are not on the menu, so it’s easy to have a meal there without realizing this treat is available. The flavors change regularly, but if the Nutella is an option, we highly recommend it.
3416 Adams Avenue, San Diego 92116, 619-255-2491

Krista Cabrera (kcabrera@wtk.com) is an attorney with Wilson Turner Kosmo. Gil Cabrera (gil@cabrerafirm.com) is an attorney and principal with The Cabrera Firm.
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On June 25, four sole practitioners participated in a roundtable discussion about a variety of topics, including the economy, marketing and ethics.

They included Nancy Bickford, a State Bar–certified specialist in family law; Joshua Gruenberg, who practices employment and personal injury law; and Jeremiah (Jay) Sullivan, a criminal defense lawyer. The discussion was moderated by James Spievak, a sole practitioner and former member of the San Diego County Bar Association Board of Directors, at the offices of Wright & L’Estrange. The discussion was recorded by Janette Dukic of Hutchings Court Reporters.

**JAMES SPIEVAK:** Has the bad economy affected you, Nancy?

**NANCY BICKFORD:** Not noticeably. In family law, there is one theory that says with a tight economy, people can’t afford to get divorced. But there is the other theory that says shortness of money with financial difficulties is the main cause of divorce.

**JAMES SPIEVAK:** Jay, in the criminal arena, has the recession helped or hurt you?

**JAY SULLIVAN:** It is kind of an interesting niche market that I practice—military justice—not only in a recession, but also in the time of war and conflict, so my practice has thrived across the country and around the world. Though it is a recession, it has really not had an impact on me.

**JAMES SPIEVAK:** Josh, there have been
massive layoffs, bankruptcies, people out of work. How has that affected your work?

JOSH GRUENBERG: In the last two or three months, I have received calls every day from folks who are referred to me because they have been terminated and they want to see if they have a case. I am talking about the same number of cases, but I am having to explain to a lot of people why the law doesn’t allow them a remedy, and that’s the big difference.

JAMES SPIEVAK: Why did you choose to have your own firm and start solo?

NANCY BICKFORD: I decided that I would wait until I got my certified family law specialist. I spent about a year writing a business plan, planning the finances.

JAY SULLIVAN: I spent a number of years doing public service as an active judge advocate, and then I was a public defender on the East Coast. I traveled and lived around the world with the Navy. My last active-duty station was here in San Diego, and it kind of grows on you; I knew I wanted to return to San Diego. I believe the stars aligned. I took a couple of high-profile military justice cases, and then it was off to the races.

JOSH GRUENBERG: When I came out of law school, it was a really tough economy. I think a lot of lawyers who came out in ‘92 and ’93 had trouble finding jobs, and I didn’t feel there were a lot of doors open to me. Very early on, I realized that if I was going to have a good career, it was going to have to be a career I created for myself.

JAMES SPIEVAK: Do any of you belong to community organizations that have helped you in your practice?

NANCY BICKFORD: I have recently joined Rotary. I enjoy the work and the people. It is a fabulous organization, but also networking is, obviously, going to be good for business one way or another.

JOSH GRUENBERG: I never joined any social organization to get business. I think people see through that, and so the organizations that I have joined are organizations that I joined because I am interested, like my cycling clubs or the San Diego Road Club.

JAY SULLIVAN: I believe you can’t practice law, develop a practice behind the desk. You have to get out and go into the community. I have always been involved in service and joining clubs. One of my best friends, Al, led me to the Torrey Pines Kiwanis Club. He is a very good friend of mine, quadriplegic Navy SEAL, and we support disabled communities. I enjoy what they do, and you meet the greatest people who are really interested in helping our community. It is good, from the heart, so I have met great people, great lawyers and friends for life.

JAMES SPIEVAK: What is the biggest challenge facing solos today? Is it the high cost of doing business?

JOSH GRUENBERG: I have never seen that as an obstacle because from the very beginning, I started out very modestly, and every time I would increase my expenses, I felt that I could handle it. I never did a business plan. I never mapped everything out. I just took baby steps every step of the way.

JAY SULLIVAN: Practicing law is an easy part. You are also running a business. I do a business plan every year and reassess and evaluate and have goals. I think that for sole practitioners today, we are lucky with technology. Twice a month, I am back and forth to the East Coast. Thank God for laptops, PDF files, scanners, Blackberry. You can practice law anywhere in the world now and not be out of touch.
What the Solos Say

We asked solo practitioners: What did you not anticipate when you opened your office?

DONALD SCHIFFER
I went from working in a large corporate environment, as in-house counsel and an executive, to a solo practice, and I did not anticipate how difficult and expensive the issue of health insurance would become. In the corporate environment it is a given, and in the solo practice environment it is a constant battle.

PAUL McMULLEN
When I opened my firm a year ago, I tried to expand my client base. A friend informed me that there were lots of people requesting attorneys on Craigslist. I sent some e-mails. None of the potential clients were legitimate. Now I’m on the e-mail lists of a dozen employment placement companies.

Sandra Wagner
I did not anticipate the amount of time it takes from the actual practice of law to do the law office management part of having a solo practice—dealing with vendors, accounting and billing issues, employee issues, etc. At a larger firm those issues are not dealt with by associates, but at a solo-small firm those issues are ultimately dealt with by the attorney. Over the years, that part of my practice has become easier than it was in the beginning, but it can still be challenging, especially when the technology we so depend on fails and there is not an in-house IT person to deal with the resulting chaos. I have been in solo practice since 1989.

Mark Blane
I did not anticipate all that was involved in setting up my own law practice. Reflecting back on it now, it is clear to me it was an evolving process that included selecting the right location for my law office after selecting the practice area (civil litigation/personal injury); choosing the right staff; choosing the right website and business cards; choosing the right malpractice insurance; choosing when and why to incorporate my office; understanding what marketing techniques work best for me; and becoming proficient in my chosen field of practice. It was a fantastic learning experience, and I would not have done it any other way; I enjoy being a solo practitioner. All of what I did not anticipate in opening my own law office has given me great confidence in my ability to practice law. I have been in practice nine years, four months.

Frederick Dudek
I did not anticipate how much time and money it takes to manage all the administrative issues of running a law practice. Complying with accounting rules, insurance matters, government regulations, payroll reports, etc., is still time-consuming even after six years. Hiring professionals, such as CPAs, payroll companies, computer experts, etc., helps—but as the person responsible, you still need to be aware of the issues and make the decisions. I started my small law firm after working as an associate and partner in a medium-size firm.

Theresa Erickson
I actually did not expect that I would spend more time running a business than practicing law. As law students, we are not trained in the business of business; instead, we are trained in the business of law. Being a solo is so much more. I have been practicing as a solo for almost 10 years.

James Spierek
JOSH GRUENBERG: My little iPhone, where I receive e-mails and texts and have all my clients and appointments and everything, is indispensable. I have three kids—14, 12, and 9—and carrying that thing with me allows me to be with them more.

NANCY BICKFORD: I am getting there, but I am very lucky. I live very close to my office. My office is 20 minutes from any of the courthouses that I go to, and I can access my office from home, so I really use my home computer to talk to my office.

JOSH GRUENBERG: Who uses social media for their practice?

NANCY BICKFORD: I haven’t felt it at all.

JAY SULLIVAN: Yes, but nothing, really.

JOSH GRUENBERG: My daughter set me up on Facebook, so I could go and read their profiles, and I have never logged on.
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to me is a non-issue. I am too busy getting the motions filed. We just call the attorney service, and the check is written. I don’t pay attention to that. The courts are getting more and more clogged. The caseloads are overwhelming.

JAMES SPIEVAK: Josh, do you have a Web page?

JOSH GRUENBERG: I think I have had some sort of Web page for 10 years. A friend created it for me.

JAMES SPIEVAK: Jay, do you have a Web page?

JAY SULLIVAN: Yes, for about four years. A relative who’s a Web designer developed it for me. It is a static website online brochure. We update it perhaps once a year with content.

NANCY BICKFORD: I looked at other Web pages throughout California and decided what design I wanted. I wrote it all myself. It took a few months to put it together. I had a technician do the technical parts.

JAMES SPIEVAK: What has your Web page done for your practice?

JOSH GRUENBERG: It is just a place where the clients can go to check you out. I think we have to be aware that our clients are Googling us, so I keep tabs on that.

JAY SULLIVAN: Since I take cases across the country and overseas, it enables service members around the world and some folks even in Iraq to be able to reach out and find me and get in touch with me. I get e-mails from the Middle East, so it actually works very well for me.

JAMES SPIEVAK: Nancy, has it helped your practice?

NANCY BICKFORD: The reason that I created a website was pretty much what Josh was saying. If clients wanted to learn more about me, I wanted to make that available to them. It isn’t so much necessary to solicit business.

JAMES SPIEVAK: Have any of you ever had a problem of mixing or the conflict between the ethics law and the business of law in your practices?

NANCY BICKFORD: I think every day we face that. Ethics versus zealous representation is more what I am thinking, but I believe most of my colleagues in...
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this specialist area in family law put their ethical obligations first. If you don’t, and if a judge or a colleague ever finds out that you pushed the envelope or went outside the envelope and said something dishonest or allowed your client to say something dishonest, that stays with you the rest of your career. Earlier you asked what is one of the greatest challenges affecting sole practitioners. As we spoke, it occurred to me that probably our greatest challenge is that we can’t even out the flow of work if you are one person. When the phone rings five times in a day and you have five clients that are very active, it is hard for one person to do all of that. Having associates really does help a lot to spread the work out.

JAMES SPIEVAK: I have relied upon a full-time paralegal most of my career. In addition, since I have been a sole practitioner, I have had a senior attorney who does not represent clients, who only does law and motion work for me and a couple of other lawyers, and I could never do litigation without that. They are an investment of resources. For a sole practitioner to write his or her own motions, to me, is something that you are going to have to spend all night doing, because you have got to go to court, and you have got to write letters, and you have got to write others.

JOSH GRUENBERG: I don’t think you can serve your clients well by insisting that you do everything. You know, there are certain things that my associates can do very, very well; there are certain things that my paralegal can do well; and there are certain things that I do well. I think dividing up the work and figuring out how to do that is very important to being a solo.

JAMES SPIEVAK: What advice you would give a new lawyer starting out with his or her own practice in San Diego?

JAY SULLIVAN: Coming here to San Diego, I really didn’t know anyone. I did have some contacts from my military. But get involved with your community.

JOSH GRUENBERG: I would say find something that you really love to do and get good at it; try not to worry about the money. If you like it and you are good at it, the money will come later, but try to find an area of law you are passionate about.

NANCY BICKFORD: Many new attorneys I see think that because they are an attorney, it is appropriate to go into court and act inappropriately or be rude or be sort of cocky. Read your Code of Ethics, know your ethical standards, and never lose your ethical compass, because if you do, you will never get anywhere in law.
Death always has an impact on others—perhaps far more so when it’s a violent death. Two local murders bring us two viewpoints, one from a shocked witness and one from a grieving mother.
June 12, 2007, 2:30 p.m. That was the date and time of my appointment with Dr. Kristi Dove, a Mission Valley neurologist. The confluence of events causing me to arrive at that office approximately 45 minutes early was serendipitous. I have a pilot’s license but had not flown as pilot in command since I injured my inner ear in the 1990s. Healed and symptom-free for more than 10 years, I had promised myself that in 2007 I would start flying again. Given my inner ear history, the FAA required a clean bill of health from a neurologist.

A friend gave me Dr. Dove’s name, and I scheduled an appointment. As is my custom, I went to the Toby Wells YMCA for a lunchtime workout. I got back to my chambers around 1. I wanted to pick up tickets for Chick Corea’s concert at Anthology, and I thought I would probably have enough time to drive downtown, pick up the tickets and still make it in time for my appointment. The roads were absolutely free and clear. I made every light, found a parking spot right in front of the box office on India Street, and there was no one in line.

Tickets in hand, I jumped in my car and headed for Mission Valley. I knew that Dr. Dove’s office was near an assisted-living facility where my mother had been a patient, but I didn’t know exactly where. I called the office from my car and spoke to a woman about the best route to take and the precise location. Little did I know that the woman to whom I was speaking would be dead within the hour.

I had no trouble maneuvering my VW Beetle into one of the spots in the garage beneath the doctor’s office, but I remember wondering how anyone in a large vehicle would be able to park there. I took the elevator to the fourth floor and found the office. The building was constructed in the style of a motel, with a walkway outside the offices. I entered the office, triggering a bell that notified the receptionist— who was working in a back room—someone had arrived.

I was immediately struck by the coziness of the office. It was not a large medical practice; it was an office for one practitioner. There were four chairs in the waiting area, a small space by the receptionist’s desk, and six doors leading to various rooms. I later learned that one room was the doctor’s office, two were examination rooms, two were supply rooms—more accurately, large supply closets—and the sixth was used by the receptionist for paperwork and billing.

When I entered, I saw the receptionist stand up and walk over to the reception desk. As in most offices, this desk was behind a barrier 3 to 4 feet tall. The doctor had business cards on the counter, a space I used to sort through various intake forms I had completed prior to arriving. I thanked the receptionist for her excellent directions and then sat in the one south-facing chair in the waiting area. I had brought the day’s Los Angeles Daily Journal, San Diego Transcript and New York Times so that I could make the best use of any waiting time. Immediately to my left were three west-facing chairs, two of which were occupied. In one chair sat a woman who appeared to be 65 or so. She had a walker by her side. Seated next to her was a woman wearing a medical outfit. She was much younger than the other woman and was, I later learned, her aide.

The distance from my left knee to the older woman was probably no more than 3 feet; from my right knee to the corner of the reception desk, about the same. I had been seated no more than a minute when I started to read about a U.S. Supreme Court decision in the Daily Journal. I yawned, and the elderly woman joked that it was far too early in the day to start yawning. I thought the comment amusing, smiled at her again and looked back at the newspaper.

A moment later I noticed a man walking into the office carrying flowers. He was a slightly heavyset black man who was probably in his 30s. He walked past the spot where a patient would be expected to stop. I assumed he was an employee, perhaps bringing a fellow worker a birthday gift of flowers. He looked very serious and brushed by me to get beyond the reception/waiting area. As he walked by, the elderly woman made another joke, remarking, “You didn’t have to bring me flowers.” I thought the comment amusing, smiled at her again and looked back at the Daily Journal.

The time it takes to fire four rounds from a handgun
I said, “I’m okay, but I just saw somebody shot”—and I couldn’t get another word out.

Pop. Standing perhaps six paces away was the man who’d brought in the flowers. He had just fired the fourth bullet into the base of the receptionist’s head. He was turning toward me. I could see the woman who had been at the reception desk slumped in her chair. A small red geyser gushed from her neck. It shot up 4 or 5 inches, perhaps to a point even with the top of her ear. It looked like a special effect in an all-too-realistic movie.

The man started to walk past me toward the front door. He was an inch or two from my leg. I struggled to assimilate all of the information. On the one hand, it was simple: This man has just shot the receptionist. On the other hand, I seemed to be searching for some other explanation. Instinctively, I tried to stop him. I jumped up and went after him. As he got to the door, I was right behind him. I yelled, “Stop, wait, you can’t leave!” He turned toward me. He looked dazed, and I could see the gun, still in his hand, at his side. I heard four pops; was there another bullet in the gun? I backed into the office, ran around the reception desk and called 911. The shooter walked away, turning right as he left the office via the outside hallway.

Unlike many films I’ve seen depicting shootings, there was no pandemonium. No one was yelling. It seemed so quiet. I later learned there were seven human beings and a dog in that office after the gunman left. One was slumped in a chair, mortally wounded; I could see that she had been shot in her neck. Another, the physician’s assistant, had been hit by a ricocheting bullet. There was the elderly woman and her aide. As I started speaking to the 911 operator, I saw a woman—later determined to be Dr. Dove—open the door to the examining room, where she had been seeing a patient. This was less than 30 seconds after the shooting. Her patient, a young woman with a neurological disorder, had an assist dog with her.

The call to 911 wasn’t easy. I had called 911 before, but this was different. Adrenaline rushed through my system. I tried to stay calm, but my guess is that the tapes of the call probably sound quite excited, as one might expect given the situation. The woman was bleeding profusely. Blood was dripping from her arm and pooling on the floor beneath her still body. The emergency operator was very calm and focused. She took my name and location and asked if the gunman had left and whether he still had the weapon. She asked if anyone was controlling the bleeding. The doctor, like all of us, was in a state of shock. Her
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by ambulance. Detectives arrived and interviewed each of us separately. I recall that the one who spoke with me was actually a robbery detective. He explained that the homicide detectives had asked for assistance. We discussed the events, and he tried to get details as to time, distance, physical description and other salient facts.

I don’t believe that anyone was allowed into or out of the building until early evening. I noticed a man walk into the parking garage and embrace Dr. Dove, and I did a double take. I had never seen this man before—except for that morning when he appeared in my courtroom. It was Dr. Dove’s husband. What a strange coincidence.

When I went back to work the next day, Mitch Vitug, the court police liaison officer, came in and spoke to me. Officer Vitug was shot and seriously wounded while on duty several years ago. He told me not to be surprised if I experienced some type of post-traumatic reaction.

For the next several days, it was difficult to talk about what had happened without choking up. The image of the receptionist slumped over with blood gushing from her neck was burned into my memory.

What if the shooter had decided to shoot the witnesses as well? What if he had decided to shoot me when I chased him to the door?

Roger McDowell called the police approximately one hour after the shooting and surrendered. He was charged with two counts of first-degree murder. One count was for the shooting of McDowell’s former girlfriend, Dawna Wright. The second count was for shooting Wright’s fetus, an unborn baby girl fathered by McDowell. Special circumstances were alleged. McDowell entered a guilty plea to two counts of first-degree murder. In exchange for the plea, the district attorney agreed that the death penalty would not be sought. On March 6, 2009, McDowell was sentenced to a prison term of 75 years to life.

Two years have passed since that fateful day. I don’t know if a person ever gets over such an experience. How can you witness something like that without feeling an abiding sense of sadness at the loss of an innocent life? All of the clichés about the fragility of life seem more poignant. Today, however, is a new day. I put on my robe and take the bench.

“Madame Clerk, please call the next matter.”

Peter Doft (peter.doft@sdcourt.ca.gov) is a Superior Court commissioner.
On a Thursday evening in January 2008, inside her southeast San Diego home, Reba Gordon Matthews is enduring a cruel stretch of time. It is after 7 p.m.—the time she would normally expect her son Jamal to telephone and say, “Mom, I’ll be home in a minute” or “I’m staying at Dad’s house tonight”—but it is not yet 2:30 a.m., when San Diego police will knock at her door.

Earlier that morning—at home on Christmas break from her job as an elementary-school computer lab teacher—Matthews had watched her 21-year-old son, Jamal Eugene Gordon-Hill, leave her house and walk down the street, munching on a pear. His job at Taco Bell had ended the week before, and Jamal was headed to the bus stop to look for a new one. As Matthews watched him, she worried that Jamal was a more vulnerable and isolated young man, compared to his two older brothers. They had grown up in a safer time, and they had each other for protection. But Jamal’s world concerned her.

Now, those concerns are keeping Matthews from going to bed. It’s getting late, and she still hasn’t heard from Jamal. Then comes that knock-knock-knock on her door, and there stands San Diego Police Sergeant Dave Johnson and a uniformed companion.

“Are you Jamal’s mother?” says Johnson.
“Yes.”
“Is your name Reba Matthews?”
“Yes.”
“Can we come in?”
“Okay.”

“Are you Jamal’s mother?” repeats Johnson, as the three sit at the dining room table. “Is he your son?”

Matthews can sense Johnson’s difficulty in conveying his news. “Where is Jamal?” she asks sharply.

“He’s been shot.” Johnson pauses. “It’s not good. I’m sorry.” Matthews screams.

She can recall the minutes following Johnson’s sad message. “I just kept screaming. I telephoned my fiancé and then my older son. My fiancé drove over to my house in a matter of minutes. I called my youngest brother too, but he couldn’t understand what I was saying, so he asked to speak to my fiancé. Then I couldn’t stand to hear any more, so I made everyone go to another part of the house, and I just sat there thinking, I can’t believe it! I started screaming again, and my fiancé came and hugged me, and Dave Johnson said again how sorry he was. I just felt like Oh, my God!”

Earlier that evening, around 8, passengers on a westbound city bus were seeing something of what had befallen Jamal, as they approached the stop at Interstate 15 and El Cajon Boulevard. As recorded on the bus’ security camera, Jamal lay on the sidewalk, dying. Matthews would eventually hear numerous bystanders describe what they witnessed in the darkness just a minute before: a man and a woman standing at the bus stop, a second man walking up to them, gunshots—BOOM! BOOM! BOOM! BOOM!—and the first man falling down to the ground, the bus arriving and the second man running off.

After countless conversations with police and hours of observation at the trial of her son’s killer—Terrence “Mack Vicious” Stamps—Matthews’ understanding of the reason for her son’s murder, while not entirely complete, is fairly well established. As she summarized for this writer, that evening Jamal had innocently befriended a prostitute at the bus stop. Stamps, the woman’s pimp, drove past repeatedly,
suspicious of Jamal’s interest in her. Jamal looked straight at Stamps each time, which in Stamps’ mind—Matthews believes—signified a challenge and caused Stamps to park his car and approach on foot, to pump four bullets into Jamal’s young body.

Matthews considers her pastor to have delivered the perfect message at Jamal’s memorial service, at a time when Stamps had not yet been identified or captured. As she recalls, “He saw all those young people sitting there. He told them to talk amongst themselves about what had happened and to understand it, and to not take on the anger. He really relaxed everybody, and we needed that.” She took comfort from the large number of people who attended the service. “I think almost every teacher from my school came, several of whom had been Jamal’s teachers. His Job Corps counselor and music teacher were there too. I could see that he was well loved.”

As she observed Stamps’ murder trial, Matthews felt encouraged. “The D.A., George Modlin, was absolutely ferocious!” she remembers. “And I was proud of all the witnesses who came forward. They knew that Jamal was innocent—that he had no gun, that he was not a gang member.”

She also studied Stamps himself. “At the trial, I looked at him from the point of view of a mother and an educator. I had an idea of what a killer looked like, but he didn’t match it. He was only 25. I asked myself, ‘What really happened in this young man’s life to make him hate so much?’”

A sad sense of seriousness permeated the courtroom throughout the proceedings. “When we all heard ‘Guilty,’” everybody just sat there quietly. Judge Rogers commended everybody for their calm demeanor,” remembers Matthews. At the sentencing hearing, she and Jamal’s father expressed their grief in different ways.

“Jamal’s father told Stamps, ‘I forgive you,’ then shouted Jamal’s name four times, for the four bullets that Stamps put into Jamal,” she says. “But it never came to my mind to forgive him. I hated that he killed my son, but I also hated that he brought all that ugliness down on Jamal. I know I’ll forgive him someday, because I’m a Christian.”

As time went on, Matthews found help in organizations. “I found Parents of Murdered Children on the Web. I went to one of their conferences in 2008 and was given the circumstances of the shooting began to emerge. Matthews began to face a new challenge: the false idea in people’s minds that Jamal must have been a gang member, somehow culpable in his own death. Throughout her ordeal, Matthews—as someone whose life was focused on education, occupation and devotion to her children—fought fiercely against that idea, whether it was argued by a defense attorney, hinted at during conversation with a well-meaning friend or brought on by media coverage. “My son’s character was being destroyed,” she explains. “I felt I had to fight for him.”

Within 10 days, authorities had Stamps in custody, and
poem ‘Remembering’ by Elizabeth Dent; it really helped me. Chapter president Bonnie Howell talked to me for a long time about what to expect,” she recalls. “I needed to be around people who understood that this was not an accident or illness. This was murder, and murder is especially ugly. People in my everyday life don’t want to talk about this. They don’t want to mention Jamal’s name, because it reminds them of the incident. But I will always speak his name.”

She also drew on resources that grew out of the 1986 murder of San Diegan Cara Knott, especially the oak-tree garden devoted to her memory. And Matthews’ face flushes with gratitude and affection whenever she speaks of the rock-solid support she has continually gotten from family, friends, church and her Delta Sigma Theta sorority sisters.

A year and a half after her son’s murder, Matthews has a better understanding of the scope of its impact. “I think about what this guy has brought into everyone’s lives,” she summarizes. “I have seen a billboard that says, ‘A bullet kills more than one. It kills many.’ That’s what happened when Jamal was murdered. I saw how it affected everybody. It was devastating to so many people.”

Dean Schiffman (deanschiffman@gmail.com) is a San Diego criminal defense attorney.

Remembering
BY ELIZABETH DENT

Go ahead and mention my child,
The one that died, you know.
Don’t worry about hurting me further,
The depth of my pain doesn’t show.
Don’t worry about making me cry.
I’m already crying inside.
Help me to heal by releasing
The tears that I try to hide.
I’m hurt when you must keep silent,
Pretending he didn’t exist.
I’d rather you mention my child,
Knowing that he has been missed.
You asked me how I was doing,
I say “pretty good” or “fine”
But healing is something ongoing.
I feel it will take a lifetime.

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San Diego sends another representative to the State Bar Board of Governors  

BY LAURA SHINGLES

With the State Bar of California meeting in San Diego this fall, we welcome a new District 9 representative to the State Bar Board of Governors: former SDCBA President Wells Lyman. Lyman succeeds District Attorney Bonnie Dumanis, who previously served a three-year term on the 23-member board.

The upcoming Board of Governors three-year term representing San Diego and Imperial counties marks Lyman’s return to Bar service, following his presidency in 2005. (Coincidentally, 2005 is also the last time the annual meeting came to San Diego; the meeting rotates among San Francisco, Los Angeles, Monterey, Long Beach, Anaheim and San Diego, according to Diane Curtis, public information officer for the State Bar.) Before beginning his presidency, Lyman spent three years on the SDCBA Board of Directors. He also presided over the Foothills Bar Association in 2001.

As president of the local bar association, membership and involvement topped Lyman’s agenda. He focused on connecting East County courts to the local bar and on increasing attorney and law student membership, he says, noting that he wanted to change the way students interacted with the County Bar. About 1,000 new members joined during his presidency, he says. He now chairs the SDCBA’s Law School Relations Committee, spearheading various pipeline projects on behalf of the association.

But Lyman expects a different experience on the state board. To ease the transition, he has already received words of encouragement from past District 9 representatives Ned Huntington, Judith Copeland and Raymond Aragon.

Despite his position on the Law School Relations Committee, his solo practice (focusing on bankruptcy and family law) and his new obligation to attend eight board meetings yearly, Lyman is only slightly worried about overextending himself. If things get too stressful, his son, Drew, partner and president of Lyman & Potente, will help with the workload.

“He’s smarter than I am anyway,” Lyman jokes. Years of legal experience also lend themselves well to time management, he says.

Lyman worked as a sole practitioner since graduating from California Western School of Law in 1972, the year before the school moved from Point Loma to downtown. Born and raised in Cleveland, he moved to San Diego on a whim after two years in the Army, he says. He enlisted because he knew he would be drafted. That, and Lyman lives by the
philosophy that the scariest option is often the right one.
"There is no blueprint," he says. "Use fear as a map." He was a forward observer in Vietnam and received a Purple Heart for his service during the Tet Offensive. He also received two Bronze Star Medals.

David Casey Jr. says, “For my father, it was the pinnacle of his career to be elected to the board.”

Lyman looks forward to the annual meeting. “It’s part fun, part business,” he says. Once installed on September 12, he becomes another link in the chain connecting the local legal community to the State Bar.
San Diego and Imperial Counties share one representative to the State Bar Board of Governors, and attorneys vote on a new Board of Governors representative every three years. Since the State Bar’s inception in 1927, five State Bar presidents have been San Diego representatives. The first was Dewitt Higgs in 1954, followed by David Casey in 1975. His son, David Casey Jr., says, “For my father, it was the pinnacle of his career to be elected to the board.”

After Casey, the next San Diegan elected was Colin Wied, in 1988. Then it was John Seitman in 1991, who remembers keeping a packed travel bag in his office so he could board a plane at any moment. “You have absolutely no control over your calendar,” Seitman says. “It’s the wildest job in the world.”

Marc Adelman still has frequent-flier miles saved from his term in 1997. When Governor Pete Wilson vetoed the fee authorization bill, forcing the Bar to collect only nominal dues, the Bar’s disciplinary actions nearly halted, and many employees lost their jobs. Adelman’s endless trips to Sacramento and San Francisco to meet with lawmakers distracted him from his planned agenda, special-needs education.
“That isn’t where I wanted to be,” he says. However, he adds, “It made me a better lawyer and a better advocate. It thickened my skin.”

Adelman’s presidency began in San Diego at the annual meeting, just as Lyman’s term will this month. This year’s gathering occurred on the same weekend as both the California Judges Association and the Conference of Delegates annual meetings. For more information on the State Bar of California 82nd annual meeting, visit www.calbar.org.

Laura Shingles (lmshingles@gmail.com) is a 2L at California Western School of Law.
In office about seven months at the writing of this article, San Diego City Attorney Jan Goldsmith has fundamentally altered the tone, attitude and direction of the city attorney’s office. Order emanates from the man and his surroundings. During the campaign, he said his attraction to the job was to refocus efforts on the law at a time when the city’s problems were mounting.

Public service has always appealed to Goldsmith, but he also claimed, more than once during our interview, “I don’t really like politics. What I do like, however, is the intersection of law and politics.” Accordingly, his approach to “rebuilding” the city attorney’s office is to treat it like a large law firm.

Even before election day, Goldsmith began researching what his initial steps should be. The first task to tackle, he decided, was the office’s structure. He met with past city attorneys, present and former employees and the office’s clients—city officials—and determined that divisions, much like a large law firm’s practice group structure, would work best. He split the office into four divisions and appointed a seasoned lawyer to head each: Mary Jo Lanzafame, Advisory Division; Andrew Jones, Civil Litigation Division; David Greenberg, Criminal Division; and Tricia Pummill, Community Justice Division. Goldsmith calls the division heads his senior partners and views them as his equals. He and the division heads are on an executive committee that runs the office along with three non-lawyers: Goldsmith’s executive assistant, the office administrator and the communications director.

Almost immediately after his election, Goldsmith began interviewing each and every attorney in the office who was interested in staying. He and a division head met with all of these attorneys; the interviews went straight through to New Year’s Eve and “uncovered a lot of gems” in the office,
he says. He referred to a “crackerjack civil litigator who was in the criminal division,” for instance, and a lot of talent and particular interests among the attorneys not being utilized.

On his first day in office, Goldsmith received three letters. The first, from the city’s financial services department, advised that the office had a $1.6 million budget deficit that needed to be dealt with immediately. The second letter said he needed to cut next year’s budget by another 15 percent. And the third letter informed him he had been summoned to jury duty. It was an auspicious beginning.

When he took office, there were 152 attorneys, 125 of whom had been hired during his predecessor’s term. Goldsmith was surprised by the number of new hires and just how much institutional memory and experience the organization had lost in four years. A number of attorneys who had left during the prior administration had returned, and Goldsmith took advantage of the downturn in the legal market to do some lateral hiring of former private-firm attorneys. He reduced the number of attorneys substantially, which helped address the budget deficit. As the budget has come into balance, the number of attorneys has risen to the current 136 lawyers.

With his envisioned structure coming together, Goldsmith began the work of changing the office’s tone and culture. He has often been quoted as saying that the job of the city attorney should be similar to that of a judge: Figure out what the law is and then apply the law to the facts presented. In his view, the city attorney is not a policy maker but rather an advisor to the city’s policy makers. To this end, his staff has been instructed to not take policy positions on the various proposals made by the mayor and council. Instead, the city attorneys’ office is to give policy makers and the public the office’s interpretation of the law and what it allows and does not allow. In a recent speech, Goldsmith said, “The city attorney cannot end recession or create a foreclosure sanctuary. All we can do is do our best to help our client through a tough time.”

To reinforce his view of the office’s role, Goldsmith required all attorneys to attend an all-day ethics seminar within days of being sworn in. One of the first topics of discussion: Who is the city attorney’s client? Press accounts around the time of the training quote Goldsmith: “We are accountable to the public, because they vote me in, they can vote me out. I must be accountable to them on the way I do business, and our attorneys are accountable. But we’re hired to represent the city. I’ve been saying that for a year. I do understand that basic legal principle. It is not unclear, it is very clear.” In a recent speech, he jokingly said, “The ambiguity of the role of the city attorney is clarified by reading the city charter.”

Goldsmith perhaps best sums up his view of his role: “We are responsible to the public to be independent in our work, accurate and not driven by politics or personality. I don’t go off on frolic and detour. I don’t have a view on DROP or the [La Jolla] seals . . . If city officials want to do something that is legal, I will advocate for them. If they want to do something that is illegal, I will stop them. That is where my independence comes in.”

Two other fundamental changes Goldsmith has tried to make in the office relate to the office’s use of outside counsel and the way the criminal division works. First, he began retrieving cases from outside counsel (outsourcing legal work to private law firms had become a common practice under the prior administration). Under Goldsmith, the office took back “what we thought we could handle.” In essence, he wanted to utilize the talent within the office whenever possible, but he recognized that for certain cases or transactions — those involving specialized areas of law, for instance — the office would still retain outside counsel.

One of the biggest cases Goldsmith reclaimed from outside counsel (in this instance, Latham & Watkins) was the Sunroad litigation involving an office building near Montgomery Field that was originally built too high per the FAA, in which Sunroad was seeking $40 million from the city. Shortly after the office took over, the city prevailed on summary judgment. As part of this reclamation effort, Goldsmith also renegotiated the rates with all of the office’s outside counsel, reducing rates from as high as $750 per hour to a now-high rate of $565 per hour.

With regard to the city attorney’s criminal prosecutions, Goldsmith’s top priority was to “reestablish” the sep-
Agree, for the law is costly.”  
-William Camden

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Goldsmith believes that in many ways San Diego is more political than Sacramento was when he was an assemblyman. And he has done everything in his power to lower the office’s political profile. He commented that the city attorney is one of the few lawyers who practices law in public. “Most lawyers,” he said, “do not have to deal with that in their legal research and advice giving.”

Perhaps most troubling to Goldsmith is the media’s tendency to “sound bite” his legal opinions in a way he believes undermines the careful consideration that went into his opinions. For this reason, he does not actively seek media attention. In fact, part of the office’s reduction in force included the elimination of most of the communication and media department, leaving only one communications person to handle all the office’s public relations.

While he enjoys the political process, and in particular the interaction between law and politics, Goldsmith has no interest in being an elected official long term. He says he still sticks to his campaign pledge not to run for a second term. He says he often misses being a judge and plans a career as a private attorney once this first, and only, term is up.

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Distinguished Lawyer Memorial
PHOTOGRAPHS BY LAUREN RADACK
The San Diego County Bar Foundation honored the lives and careers of distinguished lawyers and judges during a reception on June 10 at The Bar Center. To learn more about giving to the San Diego County Bar Foundation, the charitable arm of the SDCBA, visit www.sdcbf.org.
State Bar President Reception

PHOTOGRAPHS BY LAUREN RADACK

SDCBA members had an opportunity to meet State Bar President Holly Fujie during a reception on July 9 at The Bar Center.

Correction

Enrique Muñoz was incorrectly identified in a photo (left) that appeared in the July/August 2009 issue on page 39 (Bar Night at the Opera). San Diego Lawyer regrets the error.
You may have unknowingly stumbled upon a milestone in San Diego history while walking around Horton Plaza. The white marble marker is the Pacific Milestone, the western terminus of the Lee Highway, and designates the end of one of the first two transcontinental highways across the United States. (The first was the Lincoln Highway, effectively through the center of the country.)

The zero milestone for this highway is in front of the White House in Washington, D.C. It traveled through Virginia, Tennessee, Alabama, Mississippi, Arkansas, Oklahoma, Texas, New Mexico and Arizona before ending in San Diego. When completed, the highway connected Washington, D.C. to San Diego and, from San Diego, to Los Angeles and San Francisco via El Camino Real.

The Lee Highway was named for Confederate General Robert E. Lee, son of the Revolutionary War hero and later governor of Virginia, “Lighthorse” Harry Lee. It was part of a National Highway System that was promoted by Dr. S.M. Johnson, who coined the slogan “A Paved United States in Our Day.” The National Highway System was commissioned by President Warren Harding. When completed, it was only a small part of the 200,000 miles of improved and paved roadways that then existed throughout the United States.

As a contribution to this effort, San Diego spent millions of dollars of state and county monies to build a road across the desert between San Diego and Yuma, Arizona. This road was incorporated into the Lee Highway.

The dedication of the milestone was done by telegraph between President Calvin Coolidge in Washington, D.C. and Colonel Ed Fletcher (vice president of the Lee Highway Association) in San Diego on November 17, 1923. Fletcher, a land developer, was a member of many highway associations recognizing that since Los Angeles had become the railroad terminus, only an effective roadway system would sustain San Diego’s commerce and growth.

According to the San Diego Union, it was quite an event: “The final link will be welded into a 3,000-mile transcontinental chain today when President Calvin Coolidge, at 1:25 p.m. San Diego time, touches an electric button in the White House officially dedicating the Pacific Milestone of the Lee Highway. Simultaneously with the ring of the gong by the president at Washington the Sciots’ massed band will strike up the strains of the ‘Star Spangled Banner,’ while Colonel Ed Fletcher unveils the monument.”

Among the principals dedicating the marker were Senator E.P. Sample, Brigadier General Joseph Pendleton (for whom Camp Pendleton would later be named) and Mayor John Bacon. Colonel Fletcher read President Coolidge’s message, which included, “The monument may well be dedicated to the purpose of marking the meeting place of this splendid highway with the waters of the Pacific, in the hope that it may hasten the coming day of a perfected system of highway communications throughout the entire nation.”

The interstate highway system we know today wasn’t begun until 1956, when it was championed by President Eisenhower. Much of the Lee Highway has been incorporated into our present system.

Hon. William Howatt Jr., who retired as presiding judge of Family Court, currently works for JAMS.
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Who is this prominent member of San Diego’s legal community?
Please submit answers by October 2 to mkruming@aol.com. Your name will be entered to win a luncheon for two at Dobson’s Bar & Restaurant in downtown San Diego. Congratulations to Myrna Pascual of the U.S. Department of Housing & Urban Development. Thanks to everyone who participated.

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STAND DOWN: Lawyers helped homeless veterans with their legal cases during this summer’s Stand Down event at San Diego High School. Pictured: Brian Barletto.
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