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EXTRAORDINARY RESULTS.
Community Service

The Polinsky Center, a modern, clean emergency shelter for abused children, sits on a 6-acre plot in central San Diego. But before Promises-2-Kids received generous help from San Diego’s philanthropic community to build the center, there was a much less modern facility in Hillcrest for abused or neglected children. In 1976, at six months old, I was in that center.

Shortly after I was placed in that center in Hillcrest, my biological mother became homeless here in San Diego. She grew up in the segregated South, deaf and unable to speak, and with significant mental health issues. She attended a segregated boarding school for the deaf in the 1950s and never received the type of mental health services that would have helped her be productive. She has been on her own since she was 13 years old. Rachel’s Women’s Center is a day center for homeless women in downtown San Diego that provides a safe place for women to prepare to get on their feet. They can get training, support or just a warm place to take a shower while they confront the challenges that life brings.

In the nine years that I’ve been back in San Diego since moving from the Washington, D.C. area, I have seen parts of my community in North Park flourish and other parts struggle to provide basic safe places for kids to play after school. I am fortunate to live in a portion of the community that is safe and clean.

These experiences, and many more I can’t list, have shaped my belief that one of the obligations of my success is to help others. No one needs to live in fear — whether from a spouse or partner, a parent or neighborhood violence. And if we have the ability to maintain sidewalks and parks in one community, we should find a way to do it in all communities. By virtue of a career in land use, public works and real estate-related issues, I am able to help my community develop in a way that will improve the lives of others. However, I’ve seen that there are limitations to neighborhood-level service, and I serve on the Leadership Council for the San Diego Foundation’s Center for Civic Engagement to help implement systemic improvements for the San Diego region.

A career in law has afforded me tremendous professional opportunities. More important, the plain truth is this career has also enabled me to make a meaningful difference in the lives of others.

Omar Passons (opassons@stutzartiano.com) is an attorney with Stutz Artiano Shinoff & Holtz APC.
Neutrals of ADR Services, Inc.
Congratulates

Cary Miller, Esq.  Michael Roberts, Esq.

For information and scheduling, please contact Genevieve Kenizwald at
Gen@adrservices.org or (619) 233-1323

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“You see, idealism detached from action, is just a dream. But idealism allied with pragmatism, with rolling up your sleeves and making the world bend a bit, is very exciting. It’s very real. It’s very strong.” — Bono
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Investing in the Future

USD continues to provide a range of hands-on learning opportunities for future lawyers

The call for law schools to offer students more hands-on practical training has not gone unheeded at USD. My previous articles have discussed the extensive clinical programs and the centers and institutes at our law school that have a public interest or legal market focus.

In this article, I will talk about two newer clinics sponsored by our Center for Intellectual Property Law and Markets, our Corporate Counsel Internship Program and other internship and externship opportunities that we offer.

**Intellectual Property Clinic.** Participating students work under the supervision of attorneys at leading IP firms, such as Duane Morris, Merchant & Gould, TechLaw and Wilson Sonsini, to provide pro bono legal services to individual entrepreneurs and companies in the areas of patent, trademark, copyright and trade secret law.

**Technology Entrepreneurship Clinic.** Participating students work under the supervision of attorneys at leading law firms such as Cooley, Knobbe Martens, Procopio, Stradling Yoça and Stewart Kolasch Birch, to assist startup and emerging companies on issues of corporate formation, financing, technology transfer, and mergers and acquisitions.

**Corporate Counsel Internship Program.** Participating students receive academic credit for working in the legal departments of companies or other business entities. Since the program was founded in 2010, students have gained valuable experience interning in technology and life science companies, insurance companies, sports teams and health care providers. For example, students have interned at Sony Electronics in areas such as intellectual property, antitrust, employment law and litigation.

**Washington, D.C. Externship Program.** In spring 2013, we launched a new program that allows students to do semester-long externships at a government or public interest agency in Washington, D.C. Currently, students have placements at the Securities and Exchange Commission (SEC), Environmental Protection Agency (EPA), the House Committee on Education and the Workforce, the Office of Solicitor General and the Center for Constitutional Rights.

**Entertainment, Sports and Intellectual Property Internship Program (ESIP).** This program gives students the opportunity to work in the law departments of companies in entertainment, sports or a related industry, or in talent guilds or trade associations doing intellectual property, contract or other types of legal work. Recent placements have included the Independent Voter Network, Encore Sports and Entertainment, New Media Rights, Anschutz Entertainment Group and Brillstein Entertainment Partners.

**Other internship/externship programs.** These programs provide hands-on practical training and academic credit to students working in public interest or government agencies. We regularly place students with the District Attorney, the Public Defender, the City Attorney, the Attorney General and the Department of Justice. Our Judicial Internship Program provides academic credit for our students working in state or federal trial or appellate courts. Recently, we have placed students in the California Courts of Appeal, U.S. District Courts and U.S. Bankruptcy Courts across the country and the U.S. Federal Court of Appeals, Ninth Circuit.

**International Internships.** Our internship opportunities are not limited to the United States; internships abroad are also an important component of our international legal program. Each summer, we place students in internships around the world, including the United Nations International Criminal Tribunal in The Hague, Advocacy Forum-Nepal in Kathmandu, the United Nations Working Group on Human Rights in India, the U.S. Department of State in China, Baker & McKenzie in Argentina, SK Telecom Strategic Legal Team in South Korea and U.S. Army Judge Advocate General (JAG) in Germany.

USD was a pioneer in legal study abroad. My next article will discuss our summer study abroad programs and our faculty-student exchange programs with leading global law schools.

Stephen Ferruolo is Dean of the University of San Diego School of Law.
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QUESTION: What volunteer work brings you the most joy, and why?

“San Diego is a wonderful military town, and I have always admired the dedication and patriotism of our veterans and active-duty servicemen. The Wounded Warrior Project provides an outstanding opportunity to give back to those brave men and women who have sacrificed so much in the service of our country.”

— Michael Hernandez, sole practitioner (michael@defenseattorneysd.com)

“I enjoy volunteering at the Family Justice Center, as I’m able to help battered women gain the strength and tenacity to break away from abusive relationships and start a new life.”

— Joshua Bonnici, Bonnici Law Group (josh@bonnicilawgroup.com)

“I serve on the Board of Directors for Girl Scouts San Diego. There are currently more than 30,000 girls ages 5 through 17 in San Diego who are Girl Scouts, and nearly one-third of them come from diverse backgrounds. The organization is committed to supporting young girls to become future leaders — and this group represents the start of a pipeline of future successful women. Look at any woman leader in America, and there is a strong chance she was once a Girl Scout.”

— Karen Hewitt, Jones Day, LLP (kphewitt@jonesday.com)

Jeremy Evans (Jeremy@CSLlegal.com) is the Managing Attorney/Owner of CSLlegal.

If you’re traveling on vacation or business, take a copy of San Diego Lawyer along and you could win a Starbucks gift card. Send a photo of yourself with the magazine to martin@kruming.com. Don’t forget to tell us where the photo was taken and who took it. Deadline for the July/August issue is May 15.
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On Writing

Avoid alphabet soup

BY MARTIN BUCHANAN

Minimize the use of unfamiliar acronyms. Using an alphabet soup of indecipherable letter combinations is a great way to obscure the meaning of your writing. Chief Judge Alex Kozinski once gave the following example from a Ninth Circuit brief: “LBE’s complaint more specifically alleges that NRB failed to make an appropriate determination of RTP and TIP conformity to SIP.” As Judge Kozinski observed, “Even if there was a winning argument buried in the midst of that gobbledygook, it was DOA.” [Alex Kozinski, “The Wrong Stuff,” 1992 BYU L. Rev. 325, 328 (1992)].

Judge Kozinski is not alone. The D.C. Circuit’s Handbook of Practice and Internal Procedures states: “[P]arties are strongly encouraged to limit the use of acronyms. While acronyms may be used for entities and statutes with widely recognized initials, such as FERC and FOIA, parties should avoid using acronyms that are not widely known.” [Handbook of Practice and Internal Procedures, United States Court of Appeals for the District of Columbia Circuit (as amended through Dec. 1, 2011), http://www.cadc.uscourts.gov].

Martin Buchanan (martinb@martinbuchanan.com) is with the Law Offices of Martin N. Buchanan.

On Marketing

BY TERESA WARREN

For its annual employment law seminar, Wilson Turner Kosmo produced a video takeoff of the MTV series Jersey Shore. Employment scenarios about religious discrimination, job accommodations for breast-feeding moms and disabled employees, among other topics, were played out by partners and associates donning Snooki wigs, fake tans and plenty of attitude. Seminar attendees learned about the law in a fun, creative way while the firm showcased its employment law expertise.

Teresa Warren (twarren@tw2marketing.com) is president of TW² Marketing, Inc.

On Technology

BY SHANNON CARTER AND LEAH STRICKLAND

Which would you prefer?

◆ Scenario 1. You pull up a video of the plaintiff’s deposition:

The jury sees the deponent with a copy of a memo he wrote, and on the back of each page, notes in the witness’s own hand. They contradict the statements in the memo. When you ask why he wrote those notes, he sits, flustered, turning the page over again and again, silent for almost 20 seconds. Then, in a deflated voice, he states, “I don’t know.”

◆ Scenario 2. You read from the transcript: “Q: ‘Why did you write those notes?’ A: ‘I don’t know.’”

The visual cues, pregnant pause and tone of voice are lost in a transcript.

Shannon Carter (scarter@arenapharm.com) of Arena Pharmaceuticals, Inc. and Leah Strickland (lstrickland@swslaw.com) of Solomon Ward Seidenwurm & Smith are co-chairs of the SDCBA’s Intellectual Property Law Section.
Lawyers new to using technology will often overuse it—for example, displaying PowerPoint slides for each point of the opening and closing statement, or entire contracts during witness exams. But the fact finder’s attention cannot be on two things at once—so think about nixing the tech presentation when you want the fact finder’s attention on you. Instead, use technology where the technology makes your case for you. An impeaching video depo clip is effective advocacy; the impeaching lawyer doesn’t have to say a word. Callouts on a document (instead of displaying the entire document) emphasizing a term or contradiction are effective as well. The fact finder’s attention will be on the thing presented—right where you want it to be.

---

Doug Glass started practicing law 30 years ago. He has been a successful full-time mediator for the past 12 years and has been honored in The Best Lawyers in America® for five years running since 2008.

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doug@glassmediations.com
Q&A: David Szekeres

How did you find your way to your current position?
I was working at Latham & Watkins in San Diego when I received a call from my brother, who was working at Invitrogen Corporation (the predecessor to Life Technologies) in mergers and acquisitions corporate development. He asked me whether I would be interested in “throwing my hat in the ring” for a position that was opening up. The position was for someone to work for the general counsel and lead mergers and acquisitions transactions, manage the securities filings, assist with corporate governance and assist with general corporate matters for Invitrogen. My brother and I went on to work very closely together for about five years executing a number of acquisitions, including the $6.7 billion purchase in 2008 by Invitrogen Corporation of Applied Biosystems, which created Life Technologies Corporation.

What is something that drives you?
My passion for the innovation that is going on right now in health care, which will increase the length of life for everyone and cure diseases that have historically killed millions. As many have predicted, in our lifetime we will likely cure many forms of cancer and other diseases because of technological leaps being made every year in this industry. It is exciting to be a small part of this revolution, particularly at one of the global companies leading the charge.

What would you say is one of the biggest challenges you deal with as in-house counsel?
The goal of our legal department is to be a partner to the business and assist in finding ways to solve thorny issues in order to grow the business without taking on unnecessary legal risk. In today’s heavily regulated and litigious environment, that is not always an easy task.

What practice areas do you typically find yourself engaged on a regular basis?
Each day is different and challenging in its own way. On any given day I could be focused on one or more acquisitions we are working on around the globe, or discussing strategy with the senior executive team at the company, or preparing for upcoming board meetings, or answering a variety of questions from various general managers and our legal team related to various contracts, securities questions and filings, compliance issues, etc.

What makes a good in-house attorney?
You can’t be a “no” person. You need to evaluate risk and really partner with the management team. You also need to be creative with regard to solutions. The day and age of in-house lawyers being there to merely provide legal advice is practically over.

Alidad Vakili (alidad.vakili@klgates.com) is with K&L Gates LLP.

Life Notes

Number of years in practice: 13
Undergrad (and year graduated): University of California, Irvine (1997)
Favorite quote: “Happiness is a moral obligation.” — Dennis Prager
Favorite book: Nurture Shock, by Po Bronson and Ashley Merryman
Hobbies: Running, spending time with my family, skiing, reading, food and wine

Quick Facts

Position: Vice President, Mergers and Acquisitions, Governance and Securities, and Assistant Secretary
Invitrogen Corporation was founded in 1987 in a California garage and went public in 1999.
Employees: Approximately 10,000
Legal Department: Approximately 135
Life Technologies Corporation (NASDAQ: LIFE) is a global biotechnology company with a market capitalization of ~$11 billion committed to providing the most innovative products and services to leading customers in the fields of scientific research, genetic analysis and applied sciences. With a presence in more than 180 countries, the company’s portfolio of 50,000 end-to-end solutions are secured by more than 5,000 patents and licenses that span the entire biological spectrum — scientific exploration, molecular diagnostics, 21st-century forensics, regenerative medicine and agricultural research.

On May 15, the SDCBA, along with the Legal Marketing Association and Association of Corporate Counsel – San Diego, is hosting “Corporate Counsel Panel: The Client Experience,” a CLE program featuring a panel of Corporate Counsels who will discuss what GCs really think about law firm performance. For details and to register, visit www.sdcba.org/GCPanel.
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- Employer Sanctions (I-9)
- Immigration Policy Development

Gary Perl, Partner
gperl@fragomen.com

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WHO'S WHO LEGAL
San Diego Lawyer congratulates all of the 2013 San Diego County Bar Association Service Award winners

The following questions were asked of the individual winners:

Why do you serve?
What advice would you give to others?
What is one random act of kindness you have done?
Which three noteworthy persons would you invite to dinner?
What is one item on your bucket list?

Organizations were asked about the impact of their service on the community.

Photos by Lauren Radack
By San Diego Superior Court Judge Peter Deddeh

Public service was in Judge George “Woody” Clarke’s DNA. His father, Samuel, was appointed the first postmaster of the Grossmont Post Office by President Franklin Delano Roosevelt, in 1944. His mother, Evelyn, was a tireless advocate for women’s rights. His brother, Peter, 14 years his senior, was a Harvard-trained lawyer who represented underprivileged clients accused of crimes.

Judge Clarke, however, followed his own unique path to public service. In 1982 he was hired by the San Diego County District Attorney, and soon became the office’s resident expert on the emerging science surrounding DNA.

Judge Clarke would ultimately become an internationally recognized expert on the use of DNA evidence in criminal cases. He did not confine his DNA expertise to criminal prosecution; he also used his skills and experience to help exonerate the wrongfully convicted.

In 2003 another chapter in Judge Clarke’s public service career began, when Governor Gray Davis appointed him to the Superior Court bench. While on the bench, Judge Clarke established a reputation as a fair, highly ethical and versatile bench officer, able to handle criminal, juvenile delinquency and juvenile dependency cases. He especially enjoyed his work in Juvenile Court, and distinguished himself as a caring and forceful advocate for abused children.

Hon. George “Woody” Clarke
Awarded Posthumously
San Diego Superior Court

OUTSTANDING JURIST

OUTSTANDING ATTORNEY OF THE YEAR
Gregory Knoll
CEO/Executive Director & Chief Counsel
Legal Aid Society of San Diego, Inc.

OUTSTANDING JURIST

Frank Barone
Deputy Public Defender
Office of the Primary Public Defender

By San Diego Superior Court Judge Peter Deddeh

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20 SAN DIEGO LAWYER May/June 2013

Cindy Marten
Superintendent
San Diego Unified School District

UNDERGRADUATE: University of Wisconsin, La Crosse

GRADUATE: University of California, San Diego

YEARS AS AN EDUCATOR: 25

WHY SERVE? I know no other way to live in this world but to serve.


RANDOM ACT OF KINDNESS: I find coins and keep them all in a Dream Jar on my nightstand. When I drop them in, I make a wish and say “Thank you for this symbol of abundance that has come into my life.” At the end of a year, on my birthday, I decide how to put the money to good use. One year I bought teddy bears and delivered them to the Children’s Hospital to bring comfort to children who were brought in an emergency who might not have a teddy bear for comfort.

DINNER GUESTS: Pope Francis, President Obama, Howard Shultz (Starbucks founder).

BUCKET LIST: Create a mural at Central Elementary to honor the life of Damareon Bracks, a second grade boy who died suddenly of untreated sickle-cell anemia. Damareon and I had the same dream: to meet President Obama. I would like to commission an artist to work with the schoolchildren to create a mural in his memory. Each child will paint his or her own ceramic star and write his or her “big dream” on it. The mural will also have children’s handprints reaching up toward the ceramic stars, and it will say, “Dream Big and Reach for the Stars.” When we dedicate the final mural, President Obama will be there with Damareon’s parents in the front row.

Rudy Hasl
Dean and President
Thomas Jefferson School of Law

UNDERGRADUATE: Xavier University

GRADUATE: Saint Louis University School of Law

LAW SCHOOL: New York University

YEARS AS DEAN: 32

WHY SERVE? Serving as dean of an academic institution is a privilege that enables one to shape the experience that the students, faculty and graduates have in dealing with the institution.

ADVICE TO SERVE: I often say that the opportunity that a deanship provides is the chance to make magical moments in the lives of others. One recent example is the identification of a student’s problem with anger management and giving that student the tools to resolve the issues and graduate with honors.

DINNER GUESTS: California Chief Justice Tani Cantil-Sakauye, Pope Francis and the 14th Dalai Lama, Tenzin Gyatso.

BUCKET LIST: Write a book about my upbringing in the Philippines.

Nory Pascua
Law Office of Nory R. Pascua

UNDERGRADUATE: University of Wisconsin, La Crosse

GRADUATE: University of California, San Diego

YEARS AS AN EDUCATOR: 25

WHY SERVE? I know no other way to live in this world but to serve.


RANDOM ACT OF KINDNESS: I find coins and keep them all in a Dream Jar on my nightstand. When I drop them in, I make a wish and say “Thank you for this symbol of abundance that has come into my life.” At the end of a year, on my birthday, I decide how to put the money to good use. One year I bought teddy bears and delivered them to the Children’s Hospital to bring comfort to children who were brought in an emergency who might not have a teddy bear for comfort.

DINNER GUESTS: Pope Francis, President Obama, Howard Shultz (Starbucks founder).

BUCKET LIST: Write a book about my upbringing in the Philippines.
George Loyd IV
Deputy District Attorney
San Diego District Attorney’s Office

UNDERGRADUATE: Indiana University
LAW SCHOOL: California Western School of Law
YEARS IN PRACTICE: 13
WHY SERVE? I think we all have some responsibility to help make this world a little better place.
ADVICE TO SERVE: It doesn’t matter how you serve or what you do, as long as you are working toward that goal. Most important, pick something you will enjoy doing, working with kids, giving to charity, serving in the military, it all counts. Finally, it is not a contest; some will want to give everything, others less — what matters is that you are giving something.
DINNER GUESTS: My father, Tony Gwynn and Winston Churchill.
BUCKET LIST: Sail from San Diego to Hawaii.

RENEE GALENTE
Galente Ganci APC

UNDERGRADUATE: Park University
LAW SCHOOL: Thomas Jefferson School of Law
YEARS IN PRACTICE: 4
WHY SERVE? There are so many issues out there that need to be given voice to, and each voice matters. The proverbial little guy out there needs to know someone will go to bat for him or her. Because each day I realize I am so lucky to live the life I do, while others struggle for basic necessities. Because one person can actually make a difference.
ADVICE TO SERVE: I think Dr. King said it best when he said, “Our lives begin to end the day we become silent about things that matter.” Service to the community is advocating with your actions.
RANDOM ACT OF KINDNESS: Recently I was walking downtown and saw an older homeless man with really infected sores on his arms and face. He had fallen down some steps. I went to the store and bought peroxide, Neosporin and Band-Aids. I also got him a couple of sandwiches, fruit, veggies, chips, coffee and cookies. I went back and cleaned and dressed his wounds and gave him the bag of food. It felt really good to be able to lend a hand. Only took 20 minutes of my time, but made a big difference to him.
DINNER GUESTS: Dr. Martin Luther King Jr., Walt Whitman and Coco Chanel.
BUCKET LIST: Work on an archaeological dig.
San Diego Volunteer Lawyer Program

**Established:** July 1983

**Executive Director:** Amy Fitzpatrick

**Impact:** SDVLP changes the lives of vulnerable people for the better. We address many of their most urgent and pressing needs, and make it possible for low-income, underserved and disadvantaged folks, who otherwise would have nowhere else to turn for help, to move on with their lives in a more positive way.

**Making a Difference:** We are passionate about our clients, our work and our mission, and we care about those who have the least in our community. We use our specialized skills to expand the scope and reach of our legal services by not only representing clients directly, but also mentoring attorneys and law students who want to help but don’t know how, finding and matching willing volunteers with needy clients, and training volunteer attorneys to handle matters with our help or on their own. It is this leveraging effect that is so effective in increasing our ability to help thousands of disadvantaged San Diegans each year.

**Inspiration:** With SDVLP’s help, volunteers very quickly understand that they can provide vital assistance to some of the county’s most vulnerable people (victims of domestic violence, foster children, those suffering with HIV/AIDS, the homeless, among others) and see the immediate positive impact that their assistance has on those clients’ lives. It is gratifying, satisfying, often life-changing work.

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**Managing Partner:** Madeline Cahill-Boley

**Attorneys:** 30

**Staff:** 30

**Why Serve?** At Sullivan Hill, our professionals are privileged to have had access to resources and opportunities to help them realize their professional career goals. We believe that with privilege comes the responsibility and unique opportunity to give back to those who are less fortunate in the community in which we live and work. Focusing on youth in San Diego is what gives us all, including our attorneys and staff, a chance to effect positive change. Our work with Washington Elementary has not only been rewarding for the students but for our entire staff as well. They really prove that doing good makes you feel good.

**Advice to Serve:** In the face of continued looming budget cuts to our educational institutions, our schools now more than ever need the support of businesses and law firms to enhance education for students at all levels. By donating time and resources, businesses can play a vital role in providing valuable educational experiences to students and help keep critical programs afloat. Through service to the community, businesses can play an active role in shaping our future leaders and workforce.

**Service to Others:** In addition to coordinating events such as mock trials, law firm visits and job shadow days, Sullivan Hill provides financial support to the Washington Elementary Foundation, sponsors and chaperones students for the San Diego Opera’s Student Night at the Opera, and has organized a free community resource fair on campus to assist Washington Elementary families.
exceptional service

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It’s what we do and we take it personally.
For most of us, doing a good deed brings a certain amount of pleasure, at least in the form of self-satisfaction. But when kids are involved, as with the SDCBA’s Children at Risk (CAR) programs, you have so much fun that the term “good deed” seems overstated. If there was ever a philanthropic win-win situation, this is it.

I was introduced to the CAR programs by volunteering to go to grade schools to show a video presentation of a mock trial in which students played the various roles. There were several breaks during which the volunteers discussed the issues with the children.

Next I participated in various programs where volunteer lawyers would read to classrooms full of kids. Actually, “reading to” is somewhat misleading. Kids will often rather talk than just listen to some story. They are full of questions, ranging from how much money lawyers make to how to get away with murder.

Now I chair the CAR’s Porter Readers program, which, like the mock trial program, was instigated by retired Magistrate Judge Leo Papas. CAR has partnered for many years with Porter School in southeast San Diego. Besides Porter Readers, the programs there also include the Peace Patrol and Literacy Day.

Literacy Day occurs twice a year, but Porter Reader volunteers form groups committed to having a volunteer in “their” classroom once a week. These readers come from all walks of legal life: judges, attorneys, paralegals and law students.

One teacher described how her class “enjoyed the personal story” of a law student from USD as much as they did his “rendition of Yertle the Turtle.” The children “absolutely loved him as he both shared and attentively listened to them.” And, he imparted to the students the importance of staying in school.

Another teacher described how her students “love the stories, and the lawyers are so great with the kids, such naturals.” (Who would have known?)

Some core groups of volunteers have gone to the same teachers for years, even through grade changes. One teacher said the enthusiastic and eager volunteers do not just read but also share their own experiences and their own feelings about reading.

Conversely, readers find their “experience at Porter to be energizing, inspiring and a guaranteed mood-changer.” Readers greet the beginning of a school year with joy, describing how they have missed the kids, who “just light up when [the reader walks] into the room, and rush over with hugs and high-fives.”

This program works for even very busy volunteers like court reporter Debra Henson, who despite her fears found she usually could get away from court to read, and if not, the group system came to her rescue with a substitute. Reading to kids is one of her favorite things to do.

The constant theme is the joy that comes out of these win-win encounters. The experience that both the readers and the students have is nicely encapsulated by U.S. District Judge Jeffrey Miller: “As a relatively new Porter reader, I can honestly say there is no better feeling than to have 25 or so grade-school kids greet you by your first name, excitedly gather around your chair and listen attentively as you read to them. They enthusiastically guess at the meaning of (and often define) new words. We often digress into personal stories and experiences triggered by the reading. I always leave the students feeling really good, that something truly worthwhile has just happened for everyone.”

Group leader Britton Lacy asked a new team member how things went, and the volunteer responded simply, “I want to go every day.” Group leader Angela Titus also sums it up well when she says there is “no better medicine than a group hug from 20 grateful students,” and highly recommends the program to “anyone looking to have a positive impact on the kids of San Diego.”

Richard Pray (richardpray@sbcglobal.net) is a sole practitioner.

To volunteer for Porter Readers, contact Richard Pray at richardpray@sbcglobal.net or 619-296-5005. To volunteer for Literacy Day, contact Dino Paraskevopoulos at dino.paraskevopoulos@sdcda.org or 619-531-4249. Another Literacy Day will be scheduled this year, with the date posted on SDCBA’s website.
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For me, few things these days rival the sense of accomplishment gained from winning a motion or trial — though the experience of serving a hot lunch to a grateful senior comes close. I have done a variety of volunteer work in my life, but this is the first time I did this event. I hope it is not my last.

Usually I work through my lunches or, if I’m lucky, I take a walk outside to get some exercise. But when the invitation came to volunteer by serving lunch to seniors, I thought I’d give it a try.

I met up with a small group of judges and attorneys at the Gary and May West Senior Center. We donned our plastic aprons and gloves, and were ready for our assignments. They gave us our instructions, and then in came the seniors and our work began. It seemed funny to me that earlier in the morning I was at my desk focusing on trying to put the right words into a brief and now I was focusing on trying to put the right condiments on the food trays and then delivering them as I was directed. It certainly used a different part of my brain. I am pleased to say I lived up to the challenge and did not drop any trays.

As for the seniors we served, they were wonderful. When we were all assembled and introduced they applauded us before we even started. They were so gracious and thanked us each time we placed or removed a tray. I could tell that for many of them it was going to be the best meal of their day and maybe the only hot one.

As I traversed the room doing my assignment I was impressed with the variety of ethnicities I observed and languages I heard. The years of experience I saw in their faces made me feel humble — a feeling that can be uncommon for an attorney. I was very proud to serve them.

It was a very meaningful experience because it brought me pleasure to be able to help someone in such a basic way. I highly recommend it — and not just because I got to see male judges wearing hairnets. It was extremely rewarding and invigorating. When I returned to my desk that afternoon I knew that, even if I had not finished a winning brief, I had accomplished something even more valuable that day.

Carra Lassman Rhamy (carra.rhamy@sdcounty.ca.gov) is a Senior Deputy County Counsel.
WHY I SERVE

BY HON. WILLIAM NEVITT

There are more than several good reasons why I, and perhaps others, participate in the Bench Bar Outreach Program that involves serving lunch to seniors. Why do we contribute one of our most precious resources, time?

One reason is that it feels good during and after one does it. There’s camaraderie among the servers that springs from a shared purpose and common goal. There are very positive interactions between the servers and the seniors being served. The seniors seem to enjoy having members of the legal profession serve lunch to them, and the volunteer servers definitely enjoy doing the serving.

Another reason for participating in the program is that it is an opportunity, albeit modest, for those of us who have earned the privilege to practice law to show that our profession is willing to help others in additional ways to offering legal advice and counsel. Our efforts as volunteers may, in a small way, help burnish the reputation of our profession and add a thread to the fabric of our society.

Volunteering also provides an opportunity to learn about places, events and groups of persons with which one might not otherwise come in contact. That’s a continuing education that may benefit every attorney and judge who participates.

This list of reasons is not meant to be exhaustive, but merely thought-provoking and, perhaps, catalytic.

Going back to volunteers feeling good while they serve lunch to seniors, why is that? Is it because they are helping others satisfy two of the most basic of human needs — the need for social interaction and for food? Or is that only part of it?

No man is an island, Entire of itself. Every man is a piece of the continent, A part of the main. If a clod be washed away by the sea, Europe is the less. As well as if a promontory were. As well as if a manor of thy friend’s Or of thine friend’s were. Any man’s death diminishes me, Because I am involved in mankind. And therefore never send to know For whom the bell tolls; It tolls for thee.

— From John Donne’s Meditation XVI, Devotions Upon Emergent Occasions, 1624 (revised to use modern spelling)

Hon. William Nevitt is a Superior Court Judge.
In early 1993, former San Diego County Deputy District Attorney Jim Sweeney recruited a group of lawyers to form a San Diego chapter of the Federalist Society.

On April 12, the chapter celebrated its 20th anniversary with a dinner at the University Club featuring Chief Judge Alex Kozinski of the Ninth Circuit Court of Appeals, who received the Bernie Siegan Award, named in honor of former USD Law Professor Bernie Siegan. Previous recipients included Ed Meese, Ken Starr, Judge J. Clifford Wallace, Jan Goldsmith and Judge Jim Rogan.

The Federalist Society for Law and Public Policy Studies was founded in 1982 on the principles that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is emphatically the province and duty of the judiciary to say what the law is, not what it should be.

Thus, the first program of the San Diego chapter on April 12, 1993, was “The Proper Mission of the Federal Judiciary and the Future Structure of the Federal Court System,” featuring a lecture by former Chief Judge of the Ninth Circuit Court of Appeals J. Clifford Wallace. From the chapter’s inception, it has hosted more than 120 events featuring local members of the bench and bar, and judges of the California Supreme Court, United States Court of Appeals and United States Supreme Court.

Beginning in 1996, the San Diego Federalist Society leadership joined other West Coast chapters in annual Western Leadership retreats. The Federalist Society brings together those who are interested in shaping the development of the legal profession. The Society also seeks to integrate law students in the profession early, opening educational programs to law students and hosting networking events to connect them with lawyers. More recently, the San Diego chapter started monthly hikes to get members together in a way that promotes healthy living.

For more information, visit sdfederalists.googlepages.com.

Bob Gaglione (gaglione@pacbell.net) is with the Gaglione Law Group and is President of the San Diego chapter of the Federalist Society. Paul McGuire (pmdmcguire@gmail.com) is a sole practitioner and the chapter’s Publicity and Social Media Chair.
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The pearl, which is often thought to have the power to heal or protect from harm, is the traditional gift to commemorate a 30th anniversary. For the past 30 years, San Diego Volunteer Lawyer Program (SDVLP) has been protecting and helping to heal more than 5,000 San Diegans annually who are experiencing significant, life-changing events.

By providing these individuals with free civil legal representation, SDVLP is fulfilling its vision that all people in San Diego County enjoy equal justice and access to legal services without regard to economic status.

SDVLP was established in 1983 after the federal government required private attorney involvement in the local legal aid programs it funded. Retired Federal Magistrate Elmer Enstrom was the organization’s first coordinator, with Craig Higgs as the initial board chair. With a budget just shy of $52,000, Enstrom’s first priority was volunteer recruitment. By the end of its first year, SDVLP had 100 attorney volunteers providing pro bono legal services in family law, landlord/tenant disputes and consumer issues.

In 1986, Carl Poirot joined SDVLP as the organization’s first executive director and stayed for 19 years, during which he and SDVLP received numerous awards for their public service.

In 1986, Congress passed the Immigration Reform and Control Act, affecting hundreds of thousands of undocumented immigrants. The following year, SDVLP established an immigration law panel to assist San Diego residents to apply for relief under the new law. A program to assist the homeless was also initiated. With the
expansion of services came the need for more pro bono attorneys. In 1988, Poirot turned to SDCBA President Ned Huntington to assist in volunteer recruitment, especially with the larger law firms. At that time, most of SDVLP’s volunteers were in sole practices or from the smaller firms. Huntington’s outreach to the major law firms resulted in a dramatic increase in volunteers.

Over the years, as crucial unmet legal needs in the San Diego community have been identified, SDVLP has stepped up to help meet the new demands. The organization was active in the first AIDS legal clinic in San Diego and to this day continues to be the designated provider of legal services to those with HIV and AIDS in San Diego County. More than 25 years ago, SDVLP was at the forefront in providing domestic violence prevention legal services. Satellite offices were established in the Madge Bradley, Vista and El Cajon courthouses for domestic violence restraining order clinics. These court-sited legal clinics pioneered the effort to address the problems of unrepresented litigants who flood the courts. For years SDVLP has been assisting with the legal issues of foster children and of the caregivers who work to keep children out of foster care. SDVLP has also been able to increase the organization’s capacity to serve more people by utilizing law students to assist with representation.

In 2005, Amy Fitzpatrick assumed the role of SDVLP’s executive director. In the eight years she has led the organization, the number of active volunteer lawyers, law students and paralegals has grown to more than 500 per year, supported by a staff of 25. Because of the extensive pro bono hours offered, SDVLP is able to provide $5.5 million worth of legal services on a $1.5 million budget. As government funding for free legal assistance continues to endure painful cuts, the need for monetary and in-kind support grows.

While the requirements of the San Diego community will undoubtedly change in the next 30 years, SDVLP is well-positioned, with the help of the local bar and law schools, to realize its mission of serving as a bridge between the disadvantaged and pro bono lawyers who generously give their time.

*Teresa Warren (twarren@tw2marketing.com) is President of TW² Marketing, Inc.*
in a show of unity and commitment to cultivating a relationship that will encourage economic growth and cultural respect. The office space will be utilized for addressing cross-border issues and strengthening ties between the two cities.

The economic changes in Mexico and the initiatives on a local level promise to present unique opportunities for business and investment as the communities of San Diego and Tijuana become further entwined. The SDCBA’s International Law Section hopes to continue to support attorneys whose practice is affected by the growing economic and cultural ties between the two cities. Many members of the International Law Section with practices in the areas of business, corporate, family law, tax and estate planning already service the community of bicultural clients with businesses and property that cross the border between San Diego and Tijuana. From business planning for ventures expanding south, to families planning for care of elderly parents with assets abroad, these practices will only continue to grow in conjunction with the economy in Mexico and relations between the two regions.

Among the goals of the International Law Section is supporting attorneys with practices that expand to Mexico and other jurisdictions.

Future CLEs planned will cover topics related to international litigation and other topics that are becoming increasingly important in our global economy and our border region.

The SDCBA’s Mexican Bar Liaison Committee also provides support and resources for attorneys with practices that cross the border. Margarita Haugaard (mhaugaard@hkcf-law.com) of Horton, Knox, Carter & Foote has served as chair of the Mexican Bar Liaison Committee for 14 years, and has overseen and planned at least one CLE program each year. The CLEs range in their subject matter and are aimed toward serving attorneys that practice in Mexico or California. Last year, the CLE focused on the recent changes to the laws on class-action lawsuits in Mexico. Other programs have covered topics related to cross-border contracts, family law, commerce, real property and others. The Committee aims to have presenters at the CLEs include both Mexican and California attorneys, and typically more than half of the attendees are attorneys licensed in Mexico.

Together with the Mexican Bar Liaison Committee, the International Law Section hopes to continue to coordinate with Mexican attorneys and further strengthen ties between the legal community in San Diego and Tijuana.

Among the goals of the International Law Section is supporting attorneys with practices that expand to Mexico and other jurisdictions. The section recently held a CLE covering the basics of the Foreign Account Tax Compliance Act, an important development in U.S. efforts to improve tax compliance involving foreign financial assets and offshore accounts.

Angela Gonzales (angie@crossborderlegal.net) is with Cross Border Law Group, P.C., and co-chair of the SDCBA’s International Law Section.
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Our high school English teachers’ “tisk, tisk”ing notwithstanding, blogging is here to stay. Like every other facet of digital technology, it can be a potent adjunct to our practices.

Blogs abound: for research (SCOTUSblog, Constitutional Daily, China Law Blog), marketing (Car Accident Lawyer, Lawyerist, Whistleblower Law Blog), career (Above the Law, The Careerist, The Law Insider) and personal quests (Startup Lawyer, BitterLawyer, myShingle). There are, however, rules — not just blogging etiquette rules, but the Rules of Professional Conduct.

Role of the Rules of Professional Conduct
The Rules of Professional Conduct, the State Bar Act and the opinions of California courts interpreting them bind us and can form the basis for professional discipline.1 Equally important, however, the Rules factor heavily in civil malpractice and breach of fiduciary duty claims. The Rules, “together with statutes and general principles relating to other fiduciary relationships, all help define the duty component of the fiduciary duty which the attorney owes to his or her client.”2

Duty of Confidentiality
Section 6068(e)(1) requires each of us “to maintain inviolate the confidence, and at
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SAN DIEGO COUNTY BAR FOUNDATION

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Blogging can be a powerful tool to let fellow professionals, or even the broader public, know who we are, what we know and what we do.

Duty of Competence

Until recently, the duty of competence focused primarily on our knowledge of the areas of substantive law and the experience necessary to represent the client in the particular engagement. Technology has now made that insufficient.

In August 2012 the ABA amended Model Rule 1.1 to address the evaluation of technology: “To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice including the benefits and risks associated with technology, engage in continuing study and education and comply with all continuing legal education requirements to which the lawyer is subject.”

Even more recently, the San Diego County Bar Association published Formal Opinion 2012-1, which addressed the duty of competence in relation to ESI discovery.

As a consequence, before we launch new social media, especially where they implicate our obligations of client confidentiality and other ethical duties, we now have the ethical duty to understand the technology, not only its benefits but also its risks, and to be able to assess whether we must take special precaution to meet our obligations under the Rules.

The Advertising Rules

We are allowed to advertise. Blogging can be a powerful tool to let fellow professionals, or even the broader public, know who we are, what we know and what we do. We do it, however, with restrictions spelled out in Rule 1-400 and, in particular, the 15 “standards” the State Bar adopted that identify forms of advertising that presumptively violate Rule 1-400.

Trial Rules

The 500 series of the Rules addresses trial conduct, from candor to trial publicity and communication with witnesses and jurors. Although written long before blogs, Twitter or Facebook, and initially intended for an analog and face-to-face world, the rules apply nonetheless to digital technology, blogging in particular. If I blog favorably about my side of a case about to go to trial, am I trying to influence — however indirectly — the jury pool? The sitting jurors? Is the standard judicial admonition, which experience shows sometimes incites juror curiosity, sufficient to shift the burden away from us to the court and the jurors themselves? Do I not also have to weigh the impact of one-sided blogging on third-party witnesses?

Conclusion — of Sorts

There are few bright lines. Ethics guidance is only now beginning to evolve through formal ethics opinions and less formal articles and lectures. Yet those who blog do it daily. They must do more than try not to cross the line; they must not even come so close that they get chalk on their shoes. Admittedly not easy. So keep calm and carry on — but carefully, with a copy of the Rules close at hand.

Edward J. McIntyre (emcintyre@swsflaw.com) is a partner at Solomon Ward Seidenwurm & Smith. Leah Strickland (lstrickland@swsflaw.com) is an associate with Solomon Ward Seidenwurm & Smith.
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**Blogging 101**

BY ERIC GANCI

Some helpful advice on launching your own blog

I’ve talked to tons of lawyers — some who want to get into blogging, and some who simply want to validate why they will never touch it. The truth is, it can be fun and rewarding, but it can also be very, very dangerous if done improperly and unethically.

**What is a blog?**

Think of a blog as an article, like a newspaper column. It’s general information you can draft and post on the Internet, so it’s just the same as if you wrote an article for *San Diego Lawyer* magazine. There’s also a fun twist on “blog” for the legal world: “blawg.” Get it? Well, you can call it what you want.

**Why blog?**

It’s easier to answer the “why” with a “why not?” As lawyers, we are educators (usually very opinionated educators). We spend most of our days teaching

reading your website (who see fresh new content) and to the search engines that rank or find websites when they search certain terms. Doing a general Google search is much like doing an online Lexis or Westlaw search. Those searches find the cases/laws most relevant to your search terms and keywords. Internet searches are the same: The more relevant a website, the higher the search is ranked.

**What to blog?**

News, thoughts on the news and law, new trends in law, case approaches and outcomes (as long as you’re giving the appropriate disclaimers). Here’s an easy way to think about it: You’re sitting around with your family on a Sunday morning sipping coffee and reading the paper. Someone reads an article or headline, and blurts out their gut reaction. Then another gives their gut reaction on your reaction. This spurs a little conversation. Well, there you go — that’s easily what a blog can be. Put some legal meat on it, and that could be your blog.

**Who blogs?**

You can hire people to write blog content for you, but that just makes my skin crawl. If you’re giving your thoughts, it’s most credible coming from you, or someone intimately related to you and your law practice. Blogging can be related to setting automatic updates to a Twitter account, where you automatically publish certain news related to keywords, but no one likes a robot (not to mention copyright issues). People like to deal with people, and online search monitors (Google “spiders,” etc.), may actually punish you if you’re trying to beat the system and just copy and paste material.

**How to blog?**

There are many, many different ways to set up and maintain a

On the Internet side, blogging is a great way to increase online presence, credibility and relevance.
blog page, or add a blog to your website. Sites www.wordpress.com and www.blogger.com provide you with templates and are usually fairly user-friendly.

As an example, for my blog called #DUIdata, I simply log into our WordPress account, and draft the blog. Just draft and post. I can add pictures and video, and it really is easy to do. If you suffer from computerphobia, you can have someone show you or hire a web person to help get you started.

When to blog?
This is probably the biggest question I get asked: When do you find the time to blog? Aren’t you busy running a practice? Answer: You don’t find the time, you make the time. Many lawyers fear malpractice with posting a blog, and doing something wrong or unethical because they sped through the blog. Again, easy answer: Don’t. If you’re posting a blog for Earth to see, take the time.

On days I blog, I usually start the day with it. Early in the morning before the phones ring and emails come in. The peace and quiet allows time to think and craft before posting. Or do it on the weekend. You don’t need to blog every day or even every week, and blogs don’t need to be long.

Eric Ganci (eric@gandgtriallawyers.com) is with Galente Ganci, APC.

NAME THAT BUILDING
Please submit answers by May 15 to martin@kruming.com. Your name will be entered in a drawing to win lunch for two at Dobson’s Bar & Restaurant in downtown San Diego. Congratulations to Pete Fagan of the Law Office of Peter L. Fagan, whose name was drawn from those who correctly identified the Metropolitan Correctional Center in downtown San Diego.

Photo by Barry Carlton

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**Distinctions**

◆ **THOMAS GUERNSEY** was recently appointed the next Dean and President of Thomas Jefferson School of Law, effective July 1. From 2002 to 2011, Thomas served as Dean of Albany Law School and previously also served as Dean of Southern Illinois University and Associate Dean at University of Richmond. He will replace current TJSL Dean Rudy Hasl, who will step down after serving as Dean since 2005.

◆ **KEN TUREK**, founding member of Endeman Lincoln Turek & Heater, won the San Diego Volunteer Lawyer Program’s LAF-Off (Lawyers Are Funny) competition on March 21. Ken’s comedy routine won a perfect 10 score from all three of the competition’s judges. He also won the competition in 2009.

◆ **CALIFORNIA WESTERN SCHOOL OF LAW** was recently named to the Corporation for National Community Service 2013 President’s Higher Education Community Service Honor Roll for service performed by students, faculty and staff during the 2011-12 academic year. More than 350 students contributed more than 52,000 hours of service, and more than 50 faculty members contributed more than 5,000 service hours in the 2011-12 academic year.

**On the Shelves**

By John Adkins

Professor William Slomanson of Thomas Jefferson School of Law has authored or co-authored 19 books, including *O’Connor’s California Practice: Civil Pre-Trial 2012* (Jones McClure Publishing, 2012), *California Civil Procedure in a Nutshell* (West, 2012) and *Fundamental Perspectives on International Law* (Wadsworth Publishing, 2010), which is currently used in 211 universities in 23 countries.


**Passings**

David Hopkins, attorney with Sullivan Hill, passed away on April 6 after a career as a business trial attorney for more than 30 years. David was admitted to practice in California, Ohio, the District of Columbia and before the U.S. Tax Court and Court of International Trade. He was well-known for his professionalism and sense of humor.

To submit information regarding honors of a community or civic nature, or passings in the legal community, email bar@sdcba.org.

**Plates with Personality**

Q&A with **Dante Pride** of The Pride Law Firm, a graduate of Morehouse College and University of San Diego Law School, whose license plate is DTP ESQ.

When and why did you get the plate? After I got the new car in 2012. The plate was a gift to myself after years of sacrifice and dedication in getting my practice up, running and profitable.

Have you ever gotten any business from the plate? Yes. I pulled up to a hookah lounge, and the owner happened to be standing outside and he saw my plates. When I walked up, he asked if I was a lawyer. I told him yes and asked him how he knew. He told me that he saw my plates. He became my client shortly thereafter.

Anyone ever ask you about the plate (waiting at a light, gas station, etc.) or started a conversation because of it? Yes. At the gas station and downtown on weekend nights mostly. Usually starts with the car, then they see the plates and say, “I knew you were a lawyer or something. Do you have a card?”

Other possibilities you thought of besides your initials? Something using the name of my firm. Problem is that my last name is five letters.

Any interesting stories about the plate? Sometimes people ask me what “ESQ” means. It reminds me how sometimes we take knowledge for granted. In my own little world I just assumed everyone knew what ESQ means. But I get asked enough that I now realize I was wrong.

Other unique ways you and the firm market? I’m a grassroots marketer. I like to get out and go to the places where the populations I serve go. Get some face time with those potential clients. It’s been pretty effective. I tend to stay away from too many lawyer events. I try to do only a few of those per year.

**Q&A with Dante Pride of The Pride Law Firm, a graduate of Morehouse College and University of San Diego Law School, whose license plate is DTP ESQ.**
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ANNUAL GOLF TOURNAMENT

On March 22, the SDCBA hosted its Annual Golf Tournament at the Rancho Bernardo Inn Golf Course. Thank you to sponsors Dependency Legal Group of San Diego, Geico, Knox Services, Manuel & Manny Valdez of Ringler Associates, Millennium Settlements, Peterson Reporting, PROVEN Staffing, RGL Forensics, TERIS, Thomson Reuters Westlaw, Thorsnes Litigation Services and Torrey Pines Bank.

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Tournament winners Adrian Reyes, Hal Wilson, Howard Lindzon (not pictured: Dan Kehr)

Jeremy Chenow, Norman Keeler, Brenna Zamani, Warren Lempin

Annie Fried, Val Link, Dan Link, James Smith, Brian Erickson

Gail King, Ryan McCraffy
PHOTO GALLERY

JUDICIAL RECEPTION
PHOTOS BY LAUREN RADACK
Members of the bench and bar gathered at the Bar Center at 401 on April 3 to recognize judges and commissioners who recently joined the bench at the SDCBA’s Annual Judicial Reception sponsored by Westlaw and TERIS.

Hon. Robert Longstreth, Joanna Schawela, Hon. Carlos Armour, Hon. Laura Higgen, Hon. Peter Deddeh

Howard Franco, Sujata Shah, Thomas Hughes

Sasha Kamfrooge, Jessica Michlane

Onell Soto, Alex Landon, Hon. Maureen Hallahan, Hon. Dana Sabraw
ERDC SPRING MIXER
PHOTOS BY DANIELLE HICKMAN
Colleagues mingled at the SDCBA’s Ethnic Relations & Diversity Committee (ERDC) Spring Mixer at the offices of Higgs Fletcher & Mack LLP on April 11.

LAF-OFF
PHOTOS BY MARISA RASTETTER
The San Diego Volunteer Lawyer Program held its annual LAF-OFF (Lawyers Are Funny) competition, which featured the comedic talents of the San Diego legal community, on March 21 at the House of Blues.

20TH ANNIVERSARY CELEBRATION
PHOTOS BY BARRY CARLTON
The Federalist Society’s San Diego chapter celebrated its 20th anniversary at the University Club on April 1, featuring Judge Alex Kozinski of the Ninth Circuit Court of Appeals.
CAUSE FOR CELEBRATION

Colleagues enjoyed refreshments and conversation on the third-floor terrace of the SDCBA’s new home at 401 West A Street during the Annual Judicial Reception.

Photo by Lauren Radack
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