

San Bernardino County Bar Association

BULLETIN

Vol. 49, No. 11

Our 146th Year

September 2021

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Official Publication of the San Bernardino County Bar Association

THE SAN BERNARDINO COUNTY BAR ASSOCIATION

IS PLEASED TO ANNOUNCE

MICHAEL A. SCAFIDDI

HAS BEEN SELECTED TO RECEIVE

THE JOHN B. SURR AWARD

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INSTALLATION OF THE 2021-2022 OFFICERS AND DIRECTORS

OF THE SAN BERNARDINO COUNTY BAR ASSOCIATION
AND CELEBRATION OF OUR 147TH YEAR

OFFICIATING: PRESIDING JUDGE MICHAEL A. SACHS

OFFICERS

PRESIDENT: JOHN W. SHORT

PRESIDENT-ELECT: MICHAEL R. ABACHERLI

VICE PRESIDENT: JUSTIN H. KING

SECRETARY-TREASURER: DIANA J. CARLONI

IMMEDIATE PAST PRESIDENT: BARBARA A. KEOUGH

DIRECTORS-AT-LARGE

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MICHAEL A. SCAFIDDI

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ROBERT VINES

This event was originally scheduled for October 28, 2021, however, given the recent surge in coronavirus cases in the Inland Empire, the SBCBA Board of Directors has decided to defer its annual installation to a later date (to be determined). Details will be available in the October and November Bulletins.



From the President's Desk

by Barbara A. Keough

A CHALLENGE TO OUR MEMBERSHIP

The only thing worse than being blind is having sight but no vision. HELEN KELLER

What a profound statement from a person who was blind from birth. A blind person, without sight but with vision, leads a life with hope, purpose, and direction. Vision is the end result, the destination we aspire to achieve.

One cannot achieve the vision without a goal, and a goal without a vision is counter-productive – merely a perpetual exercise in futility. Goals are short term little checkpoints towards the vision and bring us closer to that vision. Once a goal is reached, another is created for the purpose of reaching the vision.

The key to reaching the vision is setting realistic and achievable goals. A goal is a small steppingstone, the first step, so to speak. Martin Luther King, Jr. put it this way, “You don’t have to see the whole staircase, just take the first step.”

In his “I have a dream” speech, Martin Luther King, Jr.’s vision, embedded within the poignant inspirational words was that “...all of God’s children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual: Free at last. Free at last. Thank God almighty, we are free at last.” Dr. King’s vision is still alive today, and we have achieved many goals as we make our way to reaching that vision. Keep your eyes on the goal, no matter how long the race, do not give up, do not look back, but keep running, keep pressing, keep striving to cross that finish line.

The mission of the San Bernardino County Bar Association is this: To serve our members and the community and to improve the system of justice. One of our goals to achieve that vision is to provide our courts with a means by which the public it serves may access justice. Yes, I’m talking about the Vision 2020 and Beyond project. Vision 2020 and Beyond is a campaign to purchase hardware and software for the 97 courtrooms within the San Bernardino County courts which will allow video access to hearings, trials, and other court appearances.

If we learned anything at all from the Covid pandemic, it is this: Remote video access to the courts is here to stay. Our vision is to video remote access in our San Bernadino County Courts. Our goal is to purchase the equipment. We can reach that goal, as long as we focus on the vision. As Dr. King stated, we don’t need to see the entire staircase – just that first step. I challenge each one to take that first step.

Click on logo to see details on Vision2020 and Beyond

VISION 2020
→ and beyond

Announcing the 2021-22 SBCBA Board of Directors

The SBCBA 2021-22 Nominating Committee was appointed in March of 2021 and a request for names of potential board members was disseminated to the membership.

As only one name was submitted for potential inclusion on the board – Shelby Shelton – she will be deemed elected* and begin her term on November 1, 2021. She will also act as Board liaison to the High Desert Bar Association.

John W. Short will succeed automatically to the office of the President; Barbara Keough will assume the office of Immediate Past President. The following have been elevated to the following positions: Michael Abacherli will move to the office of President-Elect, Justin King to the office of Vice-President, and Diana Carloni to the office of Secretary-Treasurer.

(*According to the bylaws of the SBCBA, each Officer and Director shall be deemed duly and properly elected if such person was the only person nominated for the position.)



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FROM THE DESK OF THE PRESIDENT OF THE HON. JOSEPH B. CAMPBELL AMERICAN INN OF COURT

By Amar M. Hatti



This year, the Joseph B. Campbell Inn of Court celebrates its 30th anniversary. As we look forward to celebrating this happy occasion, a look back at both the recent and more distant history of the Campbell Inn provides us with some perspective on the year ahead.

As we all unfortunately know, this past year was a very challenging one. It was more reminiscent, in many ways, of a Hollywood film or a Twilight Zone episode than anything most of us had ever experienced: a global pandemic, with millions dead; ongoing during this period, numerous bellwether political and social developments; and for many of us, a forced, sudden, and unprecedented experiment in working from home, full time.

The Campbell Inn, of course, was not spared from the impact of these events. The unique nature of the pandemic made it impossible for the Inn to proceed as it had in the past. We could no longer meet in person to build our community of legal professionals. Instead, we had to rely on technology to build a virtual community.

Fortunately, most of us were able join the Inn as it conducted its monthly meetings virtually through videoconferencing software. While there were hitches, and we all missed the familiarity and camaraderie of our in-person meetings, it's fair to say, I think, that the virtual meetings went better than anyone had hoped.

One of the major reasons for this was the ingenuity of our Inn program directors, Jill Gregory and Sam Price. They used the virtual program format to the Inn's advantage and took us on a journey across the globe. We had the opportunity to learn about legal practice throughout the world via presentations made by an international cast of legal professionals appearing at our meetings from their home countries using videoconferencing software. This included statutory and case law presentations, questions, and discussions regarding what it's like to practice law in Costa Rica, Dubai, France, India, Turkey, and the United Kingdom.

As we look back at the difficulties of the past year, we can also look with hope toward the future of the Inns of Court this year. We all want to get back to meetings in person. One of the most unique aspects of the Inns is that it presents opportunities for judges, lawyers, and law students to meet and develop community ties in person. While our initial Inn meetings for the upcoming year will continue to be virtual for now, we are planning to begin in-person meetings as soon as possible.

This year's slate of programs should be fascinating. In keeping with the Campbell Inn's 30th anniversary, our program theme this year is "San Bernardino County, Past, Present and Future." Our programs will include a look at historic cases in San Bernardino County, the current practice of law in the pandemic era, and future changes to practice within the County during the next few years.

We are also planning an end-of-the-year meeting to be remembered. This includes a journey to the Kemper Campbell Ranch in Victorville, California, to celebrate in person at the longtime home of the chapter's namesake, the Honorable Joseph B. Campbell, former Presiding Justice of the Fourth Appellate District, Division Two, one of the most distinguished jurists from San Bernardino County. The program will focus on the history of the Campbell Inn, the ranch, and Justice Campbell's legacy, as described by those who knew him.

In closing, we look forward to seeing all of you at the Campbell Inn's events – at first remotely, and then in person as circumstances permit. Regardless of how we gather this year, we are committed to continuing the American Inns of Court's collective goal of advancing the rule of law by achieving the highest level of professionalism, civility, and ethics.

The San Bernardino County Bar Association's Lawyer Referral Service...

...needs additional panel members!

We have a need for qualified panel members practicing in Landlord-Tenant Law (commercial & residential), and Juvenile Dependency Law.

We also need attorneys located in the **High Desert** areas who practice Criminal Defense and Family Law. Please call the SBCBA office at (909)885-1986 or send an email to claire@sbcb.org or lisa@sbcb.org.



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Jackson (Ret.)**

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– 2018 Daily Journal Profile

Judge Lucky served for 13 years on the Riverside County Superior Court, including four years as supervising judge of the family law division. He presided over and settled thousands of family law and unlimited civil cases, and developed successful ADR programs for the court during both his civil and family assignments. A passionate technologist with an ability to explain complex legal and technical issues in plain language, Judge Lucky has built and programmed computers and is a sought-after instructor in virtual ADR. He is available in person or remotely as a mediator, arbitrator, special master/referee and temporary judge in **business/commercial, employment, family law, personal injury, professional liability and real property** matters.

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San Bernardino Superior Court Welcomes Two New Judges

Aruna P. Rodrigo, 40, of Riverside, has been appointed to serve as a Judge in the San Bernardino County Superior Court. Rodrigo has been a Sole Practitioner since 2010. He was Senior Attorney and Of Counsel at CKB Vienna LLP from 2015 to 2018 and served as a Volunteer Deputy District Attorney at the San Bernardino County District Attorney's Office in 2015. Rodrigo was Managing Attorney at Macey & Aleman/Legal Helpers in 2010. He was an Associate at the Law Offices of Vincent B. Garcia & Associates from 2008 to 2010. Rodrigo earned a Juris Doctor degree from the University of La Verne College of Law and a Master of Public Administration degree from the University of La Verne. He fills the vacancy created by the retirement of Judge Raymond L. Haight.



Kawika Smith, 61, of Redlands, has been appointed to serve as a Judge in the San Bernardino County Superior Court. Smith has served as Supervising Deputy Public Defender at the San Bernardino County Public Defender's Office since 2014, where he has served as a Deputy Public Defender since 1995. He earned a Juris Doctor degree from the Western State University, College of Law. Smith fills the vacancy created by the retirement of Judge Keith D. Davis.

SBCBA October General Membership Meeting

The following MCLE program will be presented online:

Tuesday, October 12, 2021 • 12 noon to 1:15p

"Moore Marsden Calculations and the Sale of Real Estate During a Marital Dissolution"

Calculating the separate and community interests in real estate in a marital dissolution; selling real estate pursuant to a marital dissolution.

Howard Friedman, CPA

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Expert in Forensic Accounting & Real Estate,
Court-Appointed Expert, Special Master, Receiver*

David Friedman

Bachelors in Marketing, Real Estate Broker

Jasmine Cunningham

Bachelors in Accounting, Forensic Accountant

To RSVP, send name, SBN (and 10-12 in the subject line) to: web-events@sbcbba.org

Zoom information will be sent to attendees the day prior to the event.

MCLE: San Bernardino County Bar Association, California State Bar-approved MCLE provider #2813, certifies that this activity is approved for 1.0 hour of California MCLE general credit by the Calif. State Bar.

Mark Your Calendar: November General Membership Meeting

Tuesday, November 9, 2021 • 12 noon to 1:15p

"Civility Matters" presented by ABOTA

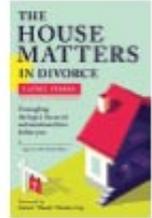
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Luis E. Lopez



IN MEMORIAM

Steven J. Pope

May 1940 - July 2021

Steven J. Pope, a long time resident of the High Desert, and an icon of the High Desert Legal Community, passed away July 7, 2021 at Lake Havasu, California. Steven is survived by his wife, Susan, Children Whitney, Jeffrey and Todd, eight grandchildren and five great grandchildren.

He was born in Boise, Idaho, on May 6, 1940. He moved to Yuma, Arizona, at a young age and after graduating from high school, joined the Navy where he took part in the Trieste Bathyscaphe deep-submergence tests in the Pacific Ocean.

After five years in the Navy, Steven continued his education, secured a California Real Estate Broker's license in 1976 and graduated from law school in 1978. After passing the California Bar Exam the same year, he established a real property and contract law firm in

Hesperia, California, where he practiced for 34 years. He was well-known and highly regarded for his strong advocacy on behalf of the contractor community. His great love was teaching construction technology law classes at Victor Valley College, which he did for several years.

Steven was a member of the San Bernardino County Bar Association, the High Desert Bar Association and periodically served the people and the courts as a Judge Pro Tem.

Steven's health forced his retirement in 2012 after more than three decades of practicing law. He relocated to Lake Havasu City, Arizona, where he lived for the remainder of his life.

He will be greatly missed by many.

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SBCBA's
ESTATE PLANNING &
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SEPTEMBER MCLE MEETING

"Perspectives from the Probate Bench"

Guest Speaker: Hon. Cynthia A. Ludvigsen (Ret.)

Wednesday, September 22, 2021

12 noon to 1:15p

MCLE: San Bernardino County Bar Association, California State Bar-approved MCLE provider #2813, certifies that this activity is approved for 1.0 hour of California MCLE general credit by the Calif. State Bar.

At the time shown above, click [HERE](#) to join by Zoom

Mark Your Calendar!

**SBCBA BENCH BAR SYMPOSIUM:
ESTATE PLANNING, TRUST & PROBATE PRACTICE**

Thursday, November 18, 2021

MCLE: 3:00 to 5:00 pm

Cocktail Social Hour: 5:00 to 6:00 pm

Dinner Program: 6:00 - 8:00 pm

Featuring:

**Supervising Probate Judge Tara Reilly on
- State of the Probate Court -**

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<http://www.sbcba.org/probate-law-section>



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Lawyers Addicted to Technology: Cutting the Cord

by Sharon D. Nelson, Esq. and John W. Simek

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Not exactly a new subject, is it? And yet the pandemic has brought a new focus to technology addiction as way too many lawyers worked longer hours at home than they ever did at the office, their overtired, burning eyes fixed on their monitors.

As the pandemic receded and lawyers ventured out, we heard a regular theme about technology – “I can’t let go.” Finally, a chance to take a vacation emerged in the summer of 2021 and we proved to be pretty terrible at relaxing sans technology.

Technology Itself Gives You Tools to Cut the Cord

Your phone is your worst nemesis because you can’t stop “checking in”, right?

Put on “Do Not Disturb” (DND) and let your cares fly away. Of course, to do that, you need to let any critical folks at work know – and for the sake of those trying to reach you by email, make sure your “away” message is on. You also have the option to program DND exceptions to allow a specific caller which may be critical if you have elderly parents, grown children who may need you, etc.

Instructions to do that here:

<https://itigic.com/configure-android-do-not-disturb-mode-to-add-exceptions/>

<https://www.theverge.com/2019/9/26/20883331/iphone-do-not-disturb-mode-exceptions-how-to>

We’ll state the obvious: Don’t look at the phone when “Do Not Disturb” is on – those emails and notifications will show up if you do and your blood pressure will skyrocket!

Put your phone in a hotel safe and go to the pool or dinner. You can’t check what you don’t have. No safe? Another way to enforce your relaxation is to give your phone to your spouse or other travelling companion with orders about when to return it. Don’t get mad when they obey your orders – play fair!

As for laptops, do what needs doing once or twice a day. Maybe before breakfast and dinner? That’s our routine. And **power them down** in between. Your devices sing silent siren songs to you if you can bring them to life in a flash.

Advice From Friends

Our friend Reid Trautz recommends using technology pre-vacation to immerse yourself in your dreams of what you want to do. Envision your fun so that you are in a frame of mind to do everything you really want to do and not be sidetracked by technology.

Juda Strawczynsk has some excellent tips for unplugging on vacation:

Attack your “to-do” list with a vengeance – clear the deck as much as possible so that no deadlines are hanging over your head when you leave. Let your colleagues know you are “really” on vacation, so they don’t pester you and tell them who to contact in case of an emergency. If you must connect, set strict rules.

We follow that advice religiously. It took us years to succeed, so if you stumble at first, you are in good company.

The funniest advice shared with us came from our friend (and fellow technologist) Tom Lambotte. On vacation, his team was told that if they needed him, to text his wife. According to Tom, this allowed his more rational half to serve as a gatekeeper!

Our Average Day and Digital Downtime

Like everyone else, we struggle to keep our devices at bay. Workdays are the hardest for everyone, but we do religiously carve out after dinner time for a movie – the only permitted interruptions are the occasional texts from our six children.

We are pretty strict on weekends. Generally, we consult our devices 2-3 times a day. It feels quite restful after the workweek. You can truly get yourself into the habit of limiting screen time – and it gets much easier to maintain that kind of schedule once you’ve determined that you are going to be in charge of your devices rather than your devices being in charge of you!

 Sharon D. Nelson, Esq. is a practicing attorney and the president of Sensei Enterprises, Inc. She is a past president of the Virginia State Bar, the Fairfax Bar Association and the Fairfax Law Foundation. She is a co-author of 18 books published by the ABA. snelson@senseient.com.

John W. Simek is vice president of Sensei Enterprises, Inc. He is a Certified Information Systems Security Professional, Certified Ethical Hacker and a nationally known expert in the area of digital forensics. He and Sharon provide legal technology, cybersecurity and digital forensics services from their Fairfax, Virginia firm. jsimek@senseient.com



Stronger Together

JUDICIAL DIVERSITY SUMMIT 2021



The Judicial Diversity Summit has been held every five years since 2006 to assess the efforts to increase judicial diversity in California, and to make recommendations for future activities and initiatives to diversify the judiciary. This year, the summit is titled Stronger Together: Judicial Diversity Summit 2021, and will be held remotely on three Tuesday evenings on September 14, 21 and 28.



Leading up to the summit, we will be hosting a series of events planned by affinity associations in August and September, including a kickoff event and five lunchtime 1-hour educational sessions:

- 8/4 – 5:00 PM **Judicial Diversity Yesterday**
- 8/11 – 12:00 PM **Judicial Mentoring: Inside and Out**
- 8/18 – 12:00 PM **Affinity Judicial Associations**
- 8/25 – 12:00 PM **From the Cafeteria to the Courtroom**
- 9/1 – 12:00 PM **Increasing Diversity in Underrepresented Courts**
- 9/8 – 12:00 PM **Barriers to the Bench**

9/14 - SUMMIT DAY 1

JUDICIAL DIVERSITY TODAY

Opening remarks by Hon. Tani G. Cantil-Sakauye, Chief Justice of California

4:30 PM - 6:00 PM

9/21 - SUMMIT DAY 2

SHARING WHAT IS WORKING - "SIDE BARS"

4:30 PM - 6:00 PM

9/28 - SUMMIT DAY 3

JUDICIAL DIVERSITY TOMORROW

4:30 PM - 6:30 PM

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Please contact us at JDS@calawyers.org or (916) 516-1721 if you seek accommodations or have questions about this event.

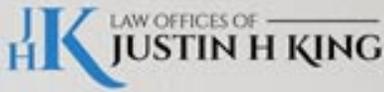


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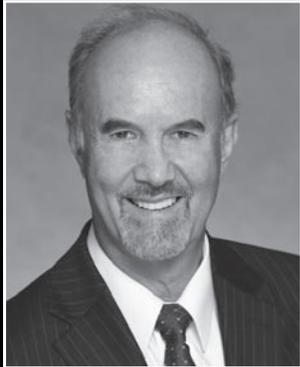
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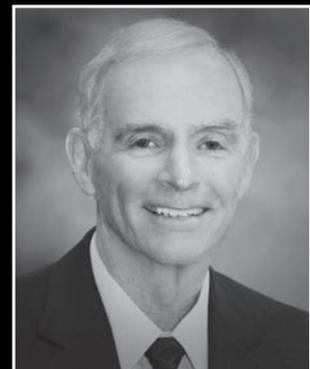
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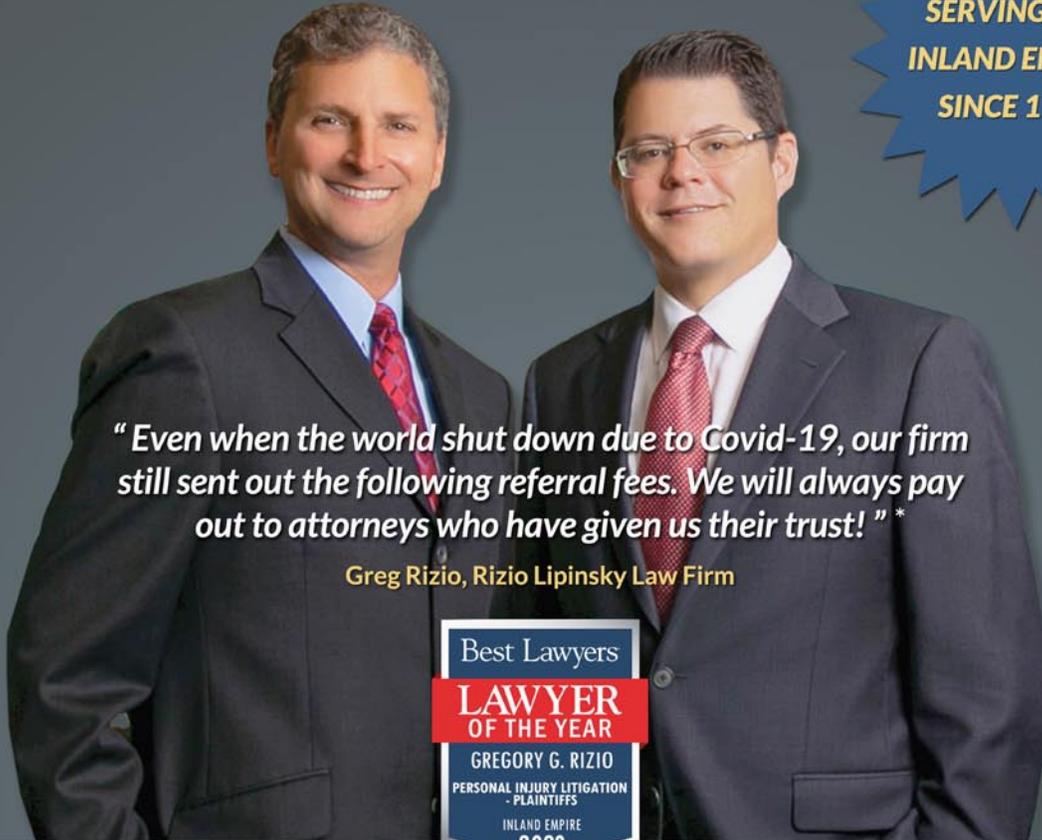
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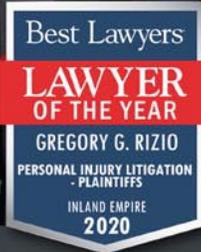
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