Members of the Kern County Bar Association gathered on Friday, January 28, 2005, at Seven Oaks Country Club, for the 2005 Installation of Officers and Directors.

Following a social hour, 2004 President Richard J. Papst welcomed the crowd and gave brief remarks about his tenure as president of the KCBA. Barry Goldner of Klein DeNatale Goldner Cooper Rosenlieb & Kimball LLP then received an award presented by District Court Judge Anthony W. Ishii, U.S. District Court, Eastern District, in recognition of his service over the past three years as a Lawyer Representative for the Eastern District of California and the Ninth Circuit Judicial Conference.

The Honorable Gary T. Friedman of the Kern County Superior Court (1982 Past President) then installed the KCBA 2005 Officers:

President: Thomas S. Clark
President-Elect: Catherine E. Bennett
Vice-President: Steven M. Katz
Secretary-Treasurer: David A. Torres
Past President: Richard J. Papst

Judge Friedman also installed the following individuals on the KCBA 2005 Board of Directors:

John R. Brownlee
Frank Butkiewicz
Larry L. Fields
Susan M. Gill
Tony K. Heider
Gael G. Mueller
Robert J. Noriega
John R. Szewczyk
Jennifer L. Thurston
Paul A. Welchans

Officers and Directors of the Criminal Defense Section, the Family Law Section, the Probate & Estate Planning Section and the newly created Young Lawyers Section also were sworn in by Judge Friedman.

After receiving the gavel from Past President Papst, President Clark gave brief remarks regarding the future of the KCBA. Among other things, President Clark is looking to focus on "increasing membership and event participation, especially on a social level."

Brenda A. Enderle is an associate attorney at Clifford & Brown.
PRESIDENT'S MESSAGE
by Thomas S. Clark

This column is being written shortly after the January 28 Installation Dinner. I want to thank everyone who planned and participated in the dinner and made it such a success. I am gratified at the number of people who attended and hope that that is a sign of things to come. I particularly want to thank the sponsors.

I also want to thank Richard Papst, who turned over a well-organized and well-functioning organization to me.

The rest of this column will be a continuation of last month's column. If you felt that last month's column came to an abrupt and sudden end with no conclusion, I agree. That is what happens when I turn in a column that is twice the requested length. If I don't like the editing, I guess I need to live with the space limitations.

In last month's column, I discussed some of the history of the KCBA and the size and scope of the KCBA 30 years ago when I first joined in 1975. There were and are a number of obvious contrasts between then and now.

Now, back to the present:

Last year we had 468 members. We are no longer a bastion of white males; women and ethnic minorities now make up a much more significant portion of our membership and of the legal community at large. Paralegals are a well-recognized part of the practice of law, and have become our partners in discovering and utilizing methods to provide increased and more efficient legal services to our clientele. Legal secretaries are just as indispensable as they ever were but I believe they receive better recognition today. We have had for several years a professional and full-time Executive Director and staff. We have regular office quarters and office hours. These are all positives.

However, it appears that, as an Association, we must not be as relevant to the legal community as we once were, since a larger proportion of the practicing lawyers do not see the benefits of joining the Bar Association. If you have not already done so, please send your dues for this year in to the KCBA.

Last year I was thrilled to see the enthusiasm and participation displayed by the young lawyers and the energetic efforts of Dave Dixon, Dave Eron and others to form and organize the Young Lawyers' section. In recent years, we saw increased participation by members of the criminal defense bar (both through the IDP program and the formation of the Criminal Defense section). Maybe, creation of more special interest sections is one way of making the Bar Association more relevant to more practitioners.

President's Message continues on page 3
The Honorable Judge Turner Addressed the Impact of the California Domestic Partner Rights and Responsibilities Act


Judge Turner gave an overview of the criteria that must be met in order to qualify as a domestic partnership as set forth in Family Code section 297 et seq. Judge Turner said domestic partners must still be registered with the Secretary of State, but pointed out the differences between terminating a domestic partnerships prior to 01/01/05 and terminating a domestic partnership commencing 01/01/05.

Terminations before 01/01/05 were simpler, with fewer rules to be met before the parties could send a Notice of Termination to the Secretary of State.

Commencing 01/01/05 under amended Family Code section 299, uncontested terminations are still handled by the Secretary of State. Contested Terminations, however, must be filed with the Superior Court and address all the familiar family law issues such as child custody, visitation, child support, and property.

Judge Turner pointed out problem areas in the law for domestic partners such as partner support is not tax deductible under Federal Law as is spousal support; UCC-JEA applies; Marvin actions should be considered for unregistered partners; and QDRO’S may not be available for private pensions distribution.

Following Judge Turner’s presentation, Karen Houle, Family Law Supervising Clerk, discussed the Act's impact on the Judicial Council Forms. At one point during her presentation there was a lively discussion about the change to Code of Civil Procedure section 1005(b). Section 1005(b) now provides that "all moving and supporting papers shall be served and filed at least 16 court days before the hearing...if the notice is served by mail, the required 16-day period of notice before the hearing shall be increased by five calendar days.... All opposing papers shall be filed and served nine court days...." The debate centered around whether the 5 days were supposed to be added on the front or the end of the court days. Ms. Houle said the court clerks add the five calendar days to the end of the 16 court days.
Noriega Brings Experience, Inspiration to Role on Board of Directors of the Kern County Bar Association

By Brenda A. Enderle

Robert J. Noriega, a partner at Noriega & Bradshaw LLP, is one of the two newly-elected directors of the Kern County Bar Association, but he is not new to the position. Mr. Noriega served as a member of the Board 10 years ago.

Mr. Noriega was raised in Bakersfield and graduated from the Garces High School. He graduated from the University of San Diego magna cum laude with a B.A. in Political Science and then attended and graduated from UCLA School of Law. At UCLA, Mr. Noriega was elected Chief Justice of the UCLA Moot Court Honors Program and was recognized as a Distinguished Advocate in the UCLA Moot Court Honors Program. He is a member of the KCBA and the State Bar of California and practices in the area of business litigation and personal injury, among others.

Mr. Noriega was inspired to return to the Board of Directors, in part due to his desire "to improve attorney-client relations."

O

On February 2, 2005 the Honorable Magistrate Judge, Theresa Goldner spoke at the general luncheon meeting of the Kern County Women Lawyers. She advised the attendees they should seriously consider becoming a judge magistrate. Magistrate Judge Goldner pointed out the time was never better for becoming a judge in Kern County because seven new judgeships are opening up over the next three to five years. The Honorable Sharon Mettler, also spoke to the attendees, asking them to give serious consideration to becoming a judge. Karen Lynch, the Fifth District Governor of California Women Lawyers, added that Fresno has a unique opportunity for becoming a judge as well.

Marguerite Downing, the President of California Women Lawyers, announced that on Saturday February 26, 2005 there will be a "So, You Want To Be A Judge?" seminar on the Judicial Appointments and Elections Process. The location of this seminar is The Downtown Club, 2120 Kern Street, Fresno, California. Registration and Continental Breakfast begin at 8:15 a.m. The Program Judge continued on Page 8
THE VIEW FROM THE WATERSHED
By Jay C. Smith

"He was born with a gift of laughter and a sense that the world was mad."
- Scaramouche by Rafael Sabatini

"Stupidity marches on."

Last month I asserted: "A good thing about the practice of law is that you can benefit from almost any part of your personality or background-even stupidity. I think my readers will agree that some of the most successful lawyers out there can seem pretty stupid."

Upon reflection, I conclude that I was a bit right and a bit wrong. I still contend that stupidity can be useful for lawyers, but I don’t think I would still say that some of the most successful lawyers "seem" stupid. I think some of them are stupid, and it has helped them.

Part of my conviction in this regard is, of course, the product of my envy of those more successful than I. It is a distressingly widespread human trait, and one I share, to resent and unfairly criticize our betters. (I recall a case in which the deputy DA I was opposing was incensed at the stupidity of the judge’s rulings. "He just doesn’t understand the law on conspiracy!" said the DA. I nodded sympathetically, as if I knew that the judge’s rulings were wrong but I had to accept them since they benefited my client. It is only polite, when you are shellacking someone, to be sympathetic to his or her criticism of the judge. Additionally, I enjoy judge-bashing as much as anyone. The truth was, though, that as far as my research on the case had enlightened me, it was the DA who misunderstood the law, not the judge we were down grading.)

Successful folks are used to carping comments, I understand, and one of their rejoinders is "If you’re so smart, why aren’t you rich?" There is sometimes merit to their position, but let’s face it: there are plenty of times when the rest of us are justified in wondering "If you’re so rich, why aren’t you smart?"

It goes back to the value of stupidity to a lawyer. When mathematicians began analyzing the results of conflicts in what is sometimes called "games theory" a number of principles emerged. A few were pretty obvious; for example, it is a big mistake to underestimate your opponent.

Less obvious, but just as mathematically true, is the principle that it is a big mistake to overestimate your opponent. If you let yourself act as if your opponent is an all-knowing super man who will anticipate and block all your moves, you may end up giving up without trying. Big mistake. In the fog of war or litigation it’s not always the one who ought to win who does. Things happen.

Moreover, when you push on doggedly (even a bit stupidly) your smarter opponent may decide that it is better to settle with you than go through all the trouble of what is probably a winning fight but is surely one that will take up too much valuable time.

I suppose you could even say that stupidity can be another form of smartness. You could say it, but that would be stupid.

SOLO CORNER: COMFORTABLE STAFF ARE MORE PRODUCTIVE STAFF
By Gabriele Zeviar-Geese

Ensuring your staff is comfortable when they perform their tasks pays off in improved productivity and morale.

Office ergonomics are often an after-thought and staff comfort is sometimes treated as a perk rather than an investment in productivity. Go and look at the conditions your employees are working in. Is there lots of bright natural light? What is the situation with their work stations? Is the computer properly set up for your employee(s)? Is the type of chair provided considered a perk?

Computer monitors should be placed at least twenty inches away with the top of the screen at eye level or within twenty degrees below eye level so that the center of the screen comes approximately to the person’s shoulders. The computer screen and any document holder should be at the same distance from the eyes. Place reference materials close to the center of the work area provides easy access.

Computer keyboards should be placed at elbow height preferably with a keyboard tray that can be tilted away from the body and adjusted down allowing the most neutral position. The keyboard height should allow the person's elbows to be open and close to their sides. Choose a mouse that is broader and flatter than the traditional mouse; one that does not extend the wrist up too much.

Chairs are often skimped on for clerical or junior staff yet the physical discomfort associated with poorly designed furniture will impact on productivity over time. All chairs should have a breathable, padded seat, with height, back, and armrest adjustment features. The armrests should allow the person’s arms to stay close to their body. To protect the lower back there should be a foot rest or the feet should be able to be supported on the floor. The back crease of the knee should be slightly higher than the pan of the chair.

Investing in the physical comfort of employees will impact employee morale and productivity. When it comes to their comfort, less is not necessarily best.
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The mission of Greater Bakersfield Legal Assistance, Inc. is to promote social change and justice by providing high-quality legal services to the low-income community. We must act to increase the number of pro bono attorneys assisting indigent clients. The Volunteer Attorney Program of Kern County is administered by GBLA in partnership with the Kern County Bar Association. This month I would like to highlight a Thuy Dinh (T.D.) Pham, a volunteer attorney who recognizes that participating in a pro bono program benefits the community he serves.

T.D. is a Deputy Public Defender with the Kern County Public Defender. T.D. has volunteered with GBLA clients every Thursday night for the past 6 months in a housing clinic. When asked why he volunteers T.D. said, "The horrendous living conditions clients experience affect every aspect of their lives, including health, work and wellbeing. Helping them improve the condition of their homes makes them more productive members of society." T.D. also commented, "Although the State Bar of California encourages attorneys to do pro bono work, I believe ethically, as attorneys, we should honor that commitment which in turn makes our community a better place to live."

T.D. has practiced three years and graduated from Washburn School of Law. Not only has T.D. provided high quality legal services to the poor, but he has encouraged and recruited other members of the bar to volunteer with GBLA. Thank you, T.D., for your altruism and your continued commitment to the Volunteer Attorney Program of Kern County!

If you would like to volunteer, please give me a call: Jill Platt at (661) 321-3985, or send an email to: jplatt@gbla.org.
The newly formed Kern County Bar Association Young Lawyer Section ("YLS") is kicking off 2005 with a bang. On the last Thursday of every month the YLS hosts a social event for its members, fondly known as "Last Thursday." Thus far the events have been held at Tailgaters downtown and have included free refreshments for members who attend, as well as the opportunity to network and socialize with colleagues. The legal services community has been very generous in underwriting "Last Thursday." January's event was sponsored by local court reporters Wood & Randall and was a smashing success.

The YLS also is hosting bi-monthly MCLE series beginning in February which focus on problems common to newer practitioners. The first MCLE event was held on February 23, 2005, was presented by Superior Court Executive Officer Terry McNally. The topic, "How to Avoid the Ten Most Common Filing Errors Attorneys Make," proved to be a popular one. Upcoming series topics will include judicial ethics and the proper way to conduct yourself with a judge, both in and out of the courtroom, presented by Judge Sharon Mettler.

Judge continued from Page 4

runs from 9:00 A.M. to 3:30 P.M. and pre-registration is $175.00. You can contact CWL by telephone (916) 646-3114, e-mail info@cwl.org, or sign-up online at www.cwl.org. Ms. Downing's vision is to see more women get appointed to the bench.

Judge Goldner urged everyone to "give hard thought to becoming a judge; to be brave; to be strong, and go out of his or her comfort zone and apply."

MCLE CREDIT!!!!!
"The HIPPA Laws: Compliance for Employers and Plaintiff's Perspective on Privacy"

Attorneys Christopher W. Hine from the Law Offices of Werdel & Associates and Greg A. Muir from the Law Offices of Young Wooldridge will be the featured speakers at the Kern County Paralegal Association’s general meeting luncheon on Thursday, March 10, 2005. Mr. Hine and Mr. Muir will discuss the HIPPA laws as they pertain to employers and how to surmount them for discovery purposes.

The luncheon will be held at 12:00 noon at Coconut Joe's, 4000 Easton Drive, Suite B, Bakersfield, California. Coconut Joe's is located just west of the intersection of Easton Drive and Chester Lane. Park behind the old Mervyn's Plaza movie theater and walk across the street to the "club." Watch for the tiki torches!

The cost is $16.00 to KCPA members, and $20.00 to attorneys and non-members. Please RSVP by March 7, 2005, to Aneta Adams (KCPA Programs Director) at 328-1800 (Arrache, Clark & Potter), or Email her at aadams@acplaw.com.
Greater Bakersfield Legal Assistance has recently embarked on a fundraising strategy, Campaign 2005, to help diversify and strengthen its funding base. The campaign was launched on January 27th, 2005, at an early morning breakfast meeting. The event was very successful as several key attorneys and law firms turned out to pledge moral and financial support and to provide future access to their law firms for further campaigning by GBLA staff and its Board of Directors.

Speakers at the event included GBLA Board Chair and Klein, Denatale, Goldner, Cooper, Rosenlieb & Kimball, LLP Attorney Catherine E. Bennett; GBLA Executive Director Estela Casas; GBLA Board Treasurer and Young Wooldridge LLP Attorney Andrea Selvidge; GBLA Board Member and Kern County Deputy Public Defender Teryl Wakeman; Kern County Bar Association President and Arrache, Clark & Potter Partner Thomas S. Clark; and Klein, Denatale, Goldner, Cooper, Rosenlieb & Kimball, LLP Managing Partner David J. Cooper. A GBLA promotional video featuring speakers Senator Dean Florez; George F. Martin, Partner of Borton, Petroni & Conron, LLP; and Sheryl Barbich of Integrated Knowledge Group, Inc. and of Greater Bakersfield Vision 2020 talked about the importance of supporting GBLA for the health and well-being of our economy. Clients, who were helped by GBLA, were also featured in the video.

Dollars raised from the campaign will help support and retain current programs of GBLA. Historically, GBLA relied solely on grant dollars from a variety of federal, state, and local sources. These grants come with one, two, or three year expiration dates. As many of you know, refunding of grants is not predictable. Funders do not want to (nor do they) fund programs continuously – even when programs are hailed as “model” programs as in the case of GBLA.

Private, nonprofit and legal sectors have come to rely on GBLA to provide an array of free civil legal aid services to Kern County’s low-income and senior citizens. For example, GBLA helps battered women and their children escape violence and take first steps towards economic stability; assists senior citizens with obtaining medical benefits and maintaining affordable housing; moves homeless families from the streets to gainful employment and housing; secures guardianships for grandparents and other caregivers so children in their care can be enrolled in school and receive medical treatment; ensures that frail elderly residents of long-term care facilities live with dignity and respect in environments free from abuse and neglect; and assists hundreds of others with access to basic necessities of life such as health care, food and decent housing.

The goal of Campaign 2005 is to raise $175,000 a year for the next three years. These dollars will help cover the costs of programs such as the Legal and Social Services for Victims of Domestic Violence & Sexual Assault project and the Community Homeless Law Center project, in case they are not refunded. For example, GBLA does not want to face turning away victims of domestic violence (predominantly mothers and their children) and families experiencing homelessness. GBLA has been very successful in moving such clients from appalling conditions to conditions of self-sufficiency.

A huge and heartfelt thank you to all of the generous individual attorneys and law firms who have contributed to GBLA thus far. Your goodwill will help strengthen the health and well-being of our economy. I look forward to writing next month’s column where many donors will be acknowledged.

And last, but definitely not least, a very special thank you to GBLA’s Resource Development Committee. These volunteers have worked (and are still working) tirelessly in making this campaign successful. Committee members include: Catherine E. Bennett, Andrea Selvidge, Teryl Wakeman, and Suzan D. Hopper (Executive Director of the Kern County Bar Association).

If you would like to join your colleagues in serving on GBLA’s Resource Development Committee and/or in supporting the programs of GBLA please call Mary McCabe at (661) 334-4679 or e-mail mmccabe@gbla.org.
GBLA Photos continued from page 10
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Many of us were born and or raised in Kern County. We had parents, siblings, and friends here, and this was home. So, when we completed our education, we really exercised no choice about where we would practice law; we just came home. My law school friends viewed me sympathetically, because I had to return to the town which Johnny Carson so gleefully panned on The Tonight Show, while they were going to work for glamorous L.A. law firms. While I always wanted to practice law with my father, I confess there were times when I felt my friends' sympathy was justified.

Some Bakersfield natives practiced law in the big city before wising up and coming home. Jay Rosenlieb started out with a Century City firm before joining Klein, DeNatale, Goldner, et al., and United States Magistrate Judge Theresa Goldner began her legal career in the City by the Bay. I suspect both are glad they came home.

Many Kern County lawyers came here because they fell in love with Bakersfield natives while they were in school, and their spouse's desire to return home prevailed. Larry Cox was bedazzled by the lovely Joan Wooldridge when both attended the University of Arizona in Tucson. They married and returned to Larry's home state of South Carolina so Larry could attend law school. Larry clerked for the Chief Justice of the South Carolina State Supreme Court for two years, before they returned to Joan's home, where Larry joined Joan's father's firm, Young, Wooldridge, et al.

Kern County natives or spouses of Kern County natives probably account for the large majority of local lawyers. However, some local lawyers actually chose to come to Bakersfield to practice law. Jere Sullivan was raised in New York. After he was grown, his parents moved to Bakersfield to care for Jere's great aunt and uncle who had come here in 1909. Jere and his wife, Elsie, planned to move to Rochester, New York after Jere's graduation from Harvard Law School. However, Jere's father asked Jere to consider moving to Bakersfield. While dining at the elegant Betty Lou Tea Room on Truxtun (across from the present-day Holiday Inn Select), Jere's father met a young Bakersfield lawyer, Barney Gill. Mr. Sullivan told Barney about his son, and Barney offered to talk to the young man about a job, if he came out here. Jere and Elsie came here, Jere worked for Barney for awhile, and they stayed a lifetime. In fact, Jere's stories of this wonderful place persuaded his brother, Francis, and his wife, Sally, to move here, as well.

Many years ago, Retired Kern County Superior Court Judge Robert Baca - then a Kern County Public Defender - was in San Diego talking to a new lawyer named Bernie Barmann. Bernie inquired if there were any positions open in the Kern County Public Defender's Office. Baca told him there were not, but there were openings in other offices, including the Kern County Counsel's Office. And, the rest is history. Bernie applied, was hired, and eventually was elevated to the spot. And, he hired me, for which I now know I am grateful to both Bernie and Judge Baca.

The draw of family or a legal career did not lure us all to Bakersfield. Jessica Franzen's accent bespeaks of the Land of 10,000 Lakes from where she hails. Jessica and her husband moved to Bakersfield in 1997 because her husband was offered a teaching position. They almost changed their minds when they saw the orange haze their plane passed through on its descent into Meadows Field. Two years later they moved to San Francisco so Jessica could attend law school. However, they decided to return to Bakersfield after Jessica's graduation, even though neither yet had a firm job offer. Jessica said they had grown to love Bakersfield "for the beauty of the people, the affordability, and the location." It worked out well, as soon after they arrived Jessica began working for State Compensation Insurance Fund, and her husband resumed his career as a teacher.

Finally, some lawyers came to Bakersfield because it was not too big, and not too small, but just the right size. Bruce Bunker grew up just west of Porterville, although he spent five years of his youth in Kern County, while his father was a principal in Delano and then Buttonwillow. Bruce's wife, Betty, grew up in Bakersfield, but as a young adult she moved with her parents to Success Valley, above Porterville. Bruce and Betty met at Porterville College, and then went on to complete their education at USC and UCLA, respectively. Although each of them had some extended family here, Bruce said Bakersfield was just the right size for them, and they would have come here even if neither had family here. It turned out to be just the right place for them.

Although lawyers come to Bakersfield for different reasons, most who come here stay here, because it is a wonderful place to live and practice law.

ATTENTION: All nominations for the Bench and Bar Award will be considered if received by March 15th. Send nominations to Susan Gill at sgill@co.kern.ca.us or her office at 1115 Truxtun, 4th floor, BFL 93301.
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From the Circular File.....
By F. Lee Smedley, Legal Affairs Correspondent

It's springtime and as they say, "A young lawyer's thoughts turn to baseball." It's normally difficult enough for me to not daydream but during this time of year, when I have the radio on in the office and I'm listening to Grapefruit league ball, my thoughts stray like a wild pitch. I see myself lounging beneath a palm tree behind left field in Vero Beach. I think of things like great double-play combinations like...Klein to DeNatale to Goldner...opps, back to work.

***Take me out to the ballgame***

There's been a lot said about baseball and plenty of it applies to the practice of law. Satchel Paige set forth several rules for "good living." One of his rules said, "Avoid fried foods which anger up the blood." This is just plain good advice, but it is particularly apt and should be remembered by all trial lawyers before they have a 1:30 p.m. court appearance. It might be helpful if judges followed this advice as well. For the well-being of all those in court, I propose that judges post outside of their courtroom, next to the calendars, the menu of what they had for lunch. That way if the practitioner sees, "chimichanga, taquitos, and spicy pork rinds," he or she will know that the judge's blood is "angried up," and thus try to avoid making it worse.

*** Take me out with the crowd...***

Casey Stengel pointed out that, "The secret of successful managing is to keep the five guys that hate you away from the four guys who haven't made up their mind." Also, sound advice for office management. In my office I purposely have my administrative assistant work on Mondays, Wednesdays, and Fridays until noon, my paralegal works on Tuesdays and Thursdays in the afternoons only, and my bookkeeper is here when the other two aren't. We never have any inter-office squabbles. However, I have to reintroduce everyone at our holiday party each year.

***Buy me some peanuts and Cracker Jack...***

The busy, successful practitioner knows the value of a solid calendaring and case management system. We constantly have deadlines to meet and many places to be. That's why I live by the words of Yogi Berra: "If you don't know where you are you might end up someplace else." Sometimes, I have been known to show up in the wrong courtroom, or forget to return an important call in a timely fashion. I blame Yogi though because I keep his other maxim in mind: "When you come to a fork in the road, take it."

***I don't care if I never get back...***

"There is one word in America that says it all, and that one word is, 'You never know,'" said Joaquin Andujar. I have used Andujar's words many times when discussing the merits of cases with clients and witnesses. However, I have found it valuable to paraphrase: "There is one word in our Anglo-American jurisprudential system that says it all, and that one word is, 'You never know.'" I purposely throw in that line, "our Anglo-American jurisprudential system" to sound really smart but people still look at me funny when I say it. For some reason, I get the same reaction when I use Casey Stengel to calm people while awaiting a jury verdict: "Never make predictions, especially about the future."

***Let me root, root, root for the home team...***

Here are some quick takes from baseball that we can apply to our professional lives:

Dizzy Dean: "The doctors x-rayed my head and found nothing." - applicable at various times to anyone in the legal profession.

Yogi Berra: "I hit with a bat, not my face." - the attorney in the Brooks Brothers or Armani suit doesn't have any undue advantage. I've seen many attorneys wearing ill-fitting polyester who have faired quite well.

Casel Stengel: "Most games are lost, not won," - in any type of case you can never be over-prepared.

However, if you can't be prepared keep in mind what Vida Blue said: "Sometime in this game, it's as good to be lucky as it is to be good."

***If they don't win it's a shame...***

Lastly, I think Satchel Paige summed it up best when he said, "Work like you don't need the money. Love like you've never been hurt. Dance like nobody's watching." More solid advice for all aspects of life from Satchel but, it's especially helpful in the often stressful jobs that we have. Of course, Paige also reminded us, "Don't look back. Somebody might be gaining on you."

***For it's one, two, three strikes, you're out, at the old ball game.***
Dividend to be paid for 9th straight year!

Feel free to disagree, but we think you like it when we share. After all, isn’t that what we were all taught as kids?

“**It’s just nice to share**”

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- Contribute towards a child’s education?
- or —
- Forget what we say . . . do what you want!

**LMIC invites you to celebrate the fun things in life!**
President George W. Bush made an interesting point in his State of the Union address in early February. He announced a desire to fund training for attorneys involved in defending capital cases. It is important, he reasoned, for those accused of the most serious crimes to stand with a competent lawyer.

In recent years our population and public commentators have frequently labeled our politicians as liberal or conservative, left-wing or right-wing, or any number of polar positions. As lawyers, we should be quick to recognize that polarized views of important issues seldom lead to just results. A conservative President should be willing to advance the cause of proper defense of the most egregious wrongdoers.

Early in the last century, a young Bakersfield man became a lawyer, then became a hard-pushing, law-and-order District Attorney in Alameda County. Nevertheless, he campaigned for and obtained approval for the first Public Defender’s office in California to protect the defendants he charged. Later, Earl Warren built a reputation as a strong political conservative as Attorney General and Governor of California, and as a Vice-Presidential candidate. Even so, he was the first governor in America to propose mandatory, universal health insurance.

In his years as Chief Justice of the United States Supreme Court he was often called an extremist. The label was inaccurate. For example, his decision in Miranda v. Arizona requiring rights to be read to suspects was called extreme. At the time, however, the FBI and twenty-three states already required such.

As lawyers we often represent opposing sides. As citizens, we should look beyond the labels and support ideas that enhance justice in our legal system.
The Res Ipsa Loquitur Editorial Board always welcomes the submission of articles and letters to the editor from our readership.

To submit either an article or a letter to the editor for consideration for publication in an issue of the Res Ipsa Loquitur please send your submission in Office 95, Office 98, Office 2000 version of MS Word or WordPerfect formats to the Kern County Bar Association. You may e-mail your submission to cmerrifield@kernbar.org. You may send your submission via regular mail to: 1675 Chester Avenue, Suite 220, Bakersfield, California, 93301. If you send an article via regular mail, also send a copy of the submission on disc in addition to a hard copy. Articles should be no more than 750 words in length.

The party submitting any article or letter to the editor agrees that by submitting the same they expressly grant the Res Ipsa Loquitur Editorial Board the right to edit or alter the article in any manner deemed necessary by the Res Ipsa Loquitur Editorial Board reserves the right to refuse to publish the submitted article or letter.

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Save the Date!!

2005 Bench & Bar Award Dinner
May 5, 2005
Petroleum Club of Bakersfield

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SCHEDULE OF MEETINGS

MARCH

1  Executive Committee Meeting  
4  Res Ispa Loquitur Newsletter Deadline  
4  MCLE Committee Meeting  
8  Board of Directors Meeting  
18  Res Ispa Loquitur Committee Meeting  
23  IDP Roundtable

APRIL

5  Executive Committee Meeting  
5  Res Ispa Loquitur Newsletter Deadline  
12  Board of Directors Meeting  
15  Res Ispa Loquitur Committee Meeting  
27  IDP Roundtable