



The Legacy of Justice Ruth Bader Ginsburg

BY JOHN O'CONNOR, ADJUNCT PROFESSOR

Had Justice Ruth Bader Ginsburg never served on the Court of Appeals for the District of Columbia or on the United States Supreme Court, her legacy in legal history would have been firmly secure. Had she never been a meme or cast as a superhero over the last decade (in a remarkable turn of events even she probably did not see coming), she would have been seen as a legal giant and inspiration for all lawyers, no matter their political or philosophical inclinations. Whatever the historical or political consequences are for her passing (and there are many), we should all take a moment to reflect on her astonishing career and influence, which flourished despite the systemic gender discrimination she was instrumental in dismantling.

She began her legal schooling at Harvard, where, because of her gender, she was not allowed to use certain facilities. She recalled a dinner with the Harvard Dean where the first-year women were made to stand up and explain why they were taking positions at the law school from men.

*In *Shelby County v. Holder*, Ginsberg wrote regarding the majority's decision to scuttle the protections under the Voting Rights Act:

"Throwing out preclearance when it has worked and is continuing to work to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet."

She transferred to Columbia Law School and, despite graduating top of her class at Columbia, found it difficult to find a job (something her future fellow Justice, Sandra Day O'Connor, also found to be true upon graduating third in her class from Stanford). She found a job teaching Civil Procedure at Rutgers where



she joined, and won, a class action lawsuit against the school for gender discrimination for unequal pay.

She volunteered at the ACLU, writing the brief for *Reed v. Reed*, in which the Supreme Court struck down an Idaho law that automatically appointed the father, instead of the mother, as executor when their child passed away. It was the first time the Supreme Court had struck down a law for treating men and women differently.

Ginsburg subsequently was instrumental in heading the Women's Rights Project at the ACLU, where she formulated the

A Message From the Dean



San Joaquin College of Law classes have been online now for nine months. Staff and faculty have been working remotely as well. The school feels like a ghost town. The vast majority of us – students and faculty – long for in-person classes. We miss students and each other. Students have hung in on Zoom classes heroically. Faculty have attended training on Zoom and other aspects of teaching and constantly try new approaches to make virtual classes more engaging. We are all forging ahead to ensure students remain on track to graduate.

Students face incredible challenges – lost jobs, home-schooling children, threatened evictions, loneliness, threatened car repossessions, overdue bills. Thankfully, SJCL was able to apply for and received an

award under the Coronavirus Aid, Relief, and Economic Security Act that enabled us to give a \$1300 grant to every eligible student. This gave students the funds they needed to upgrade their technology and meet some of the financial and personal challenges they faced.

Given the rising number of COVID-19 cases in the area, SJCL's classes will remain online through the end of December and, realistically, probably through the spring semester. There are many complications to a decision to resume in-person classes. We always put the health and safety of students, faculty, and staff as the top priority. We continue to plan for the time when we can all be back on campus.

With the County's approval, we are planning on bringing a limited number of students on campus. Every step in this process takes tremendous thought, collaboration, planning and execution. Nineteen graduates came on campus to take the October 5th and 6th bar exam with no problems with COVID, but each of them had a private room, not something practical on a larger scale. This was possible through the hard work and planning by the Facilities Team – Rick Rodriguez and Matt Dillard – and Director of Human Resources and Compliance Beth Pitcock and Law Coordinator Pat Smith.

The Library team – Library Director Mark Masters, Technical Services Librarian Cyndee Robinson, and Public Services Librarian Kerry Hanson – implemented a plan beginning November 16th to bring a limited number of students to the Library to study for finals for four weeks. Follow-

ing County recommendations there are two cohorts of students who can access the Library only at specified times for their cohort. This facilitates contact tracing if it became necessary. They must satisfy all CDC guidelines including temperature checks, health screenings, and wearing masks.

Two classes scheduled for the spring semester will be in-person classes only, assuming that a more stringent shutdown is not imposed because of rising COVID-19 cases. Given the skills taught in those classes, it makes sense that Civil Trial Practice and Criminal Trial Practice be in-person. The classes are limited to 12 students each and will be held in our largest classroom, leaving ample room for social distancing. Again, all CDC guidelines will be followed.

Everyone at SJCL continues to meet the challenges of the coronavirus as best as possible while sustaining academic rigor. As we wrap up a year -2020 – like no year we have ever endured before - we all hope you have healthy and happy holiday. Have fun with your family. It will be a year and holidays we will never forget.

I would like to close the year by thanking the Board, staff, and faculty for the incredibly difficult work they have done in 2020 to support SJCL students.

Sincerely,

A handwritten signature in cursive script that reads "Janice Pearson".

Janice Pearson

Dean

San Joaquin College of Law

Editorial Staff
 Janice Pearson
 Missy Mckai Cartier
 Mark Enns
 Lonzetta Hightower
 Joyce Morodomi
 Diane Skouti

Contributing Writers
 Missy Mckai Cartier
 Megan Lerma
 Diane Skouti

Design & Production
 Mark Enns

Photography
 Missy Mckai Cartier
 Megan Lerma
 Kenny Gilman Photography
 Diane Skouti

Inter Alia Online
sjcl.edu/interalia

San Joaquin College of Law
 Information: 559/323-2100
 Alumni: 559/326-1463
 Website: sjcl.edu

Get Social with SJCL



Inter Alia

Volume 31, Issue 3 • Winter 2020

Contents



Features

- | | |
|--|--------------------------------------|
| 4 Death, Taxes, and Change? | 12 Diverse Student Population |
| 5 Constitution Day | 13 Bankruptcy Seminar |
| 6 New Student Scholarships | 14 Historical Court Rulings |
| 7 Alumni Association | 16 SJCL on the Move |
| 8 Fighting Poverty | 17 Student Scholarships |
| 10 Welcome First Year Students! | 18 Giving Back |

Vision: *To be the premier provider of legal education, scholarship, and service in the San Joaquin Valley.*
Mission: *To educate and develop individuals to become highly skilled attorneys and problem solvers who will benefit their communities through public and private service. In seeking this vision and attaining this mission, SJCL shall embody the values of civility, excellence, integrity, intellectual inquiry, and service.*

Board of Trustees

Douglas Noll, J.D., *Chair*; Ross Borba, Jr., *Vice Chair*; Melissa White, J.D., *Secretary/Treasurer*; Hon. James Petrucelli (retired), *Alumni Representative*; Ligia Bernardo, J.D.; Richard Caglia, J.D.; Hon. Jane Cardoza; Deborah Coe, J.D.; Kevin Hansen, J.D.; David Hogue, J.D.; Jan Kahn, J.D.; Anthony Mendes, J.D.; Jesse Molina, J.D.; Vong Mouanoutoua, J.D.; Hon. Robert Oliver (Retired); Eddie Ruiz, J.D.; Lisa Smittcamp, J.D.; Steven Spencer, J.D.; Dennis Veeh, CPA; David Weiland, J.D.; Bob Whalen, J.D.; and Nick Zinkin, J.D.

Full-Time Faculty

Linda Barreto, J.D.; Andreas Borgeas, J.D.; Christine Goodrich, J.D.; Denise Kerner, J.D.; Mark Masters, J.D.; Janice Pearson, J.D.; Jeffrey Purvis, J.D., and Logan Tennerelli, J.D.

Administration

Janice Pearson, *Dean*; Logan Tennerelli, *Dean of Students*; Mark Masters, *Law Library Director*; Linda Barreto, *NALC Director*; Susie Aguilar, *Staff Accountant*; Missy Mckai Cartier, *Public Information Officer*; Victoria Denny, *Administrative Assistant to the Deans*; Matthew Dillard, *Maintenance Assistant*; Mark Enns, *Senior Designer & Web Developer*; Esmeralda Felix, *Administrative Assistant/Receptionist*; Kenia Garcia, *NALC Senior Client Service Coordinator*; Kerry Hanson, *Head of Public Services (Library)*; Debi Hernandez, *Administrative Assistant/Receptionist*; Lonzetta Hightower, *Student Services Assistant*; Jodie Howard, *Program Director, BREN Clinic*; Jaspreet Klar Jauregui, *NALC Staff Attorney*; Sabina Johal, *Assistant to CFO*; Joyce Morodomi, *Director of Student Services*; Aracely Mota, *NALC Client Services Coordinator*; Jared Nelson, *Senior Network Systems Engineer*; Lisa Nilmeier, *Director of Financial Aid*; Miriam Ochoa, *NALC Administrative Assistant/Receptionist*; Beth Pitcock, *Director of Human Resources & Compliance*; Cyndee Robinson, *Technical Services Librarian*; Rick Rodriguez, *Facilities Manager*; Francisco "Javier" Rosas, *Assistant Director, Admissions & Student Engagement*; Diane Skouti, *Alumni Coordinator*; Patricia Smith, *Law Coordinator*; Diane Steel, *Director of Admissions*; Jill Waller-Randles, *Chief Financial Officer*; and Derron Wilkinson, *Chief Information Officer*

Adjunct Faculty

Robert C. Abrams, J.D.; Dede J. Agrava, J.D.; Miiko Anderson, J.D.; Thomas H. Armstrong, J.D.; Lawrence M. Artenian, J.D.; Justin B. Atkinson, J.D.; Arthur G. Baggett, Jr., J.D.; Marsha Baum, J.D.; Hon. Thomas L. Bender, J.D.; Barry J. Bennett, J.D.; Alyson A. Berg, J.D.; Hon. Stanley A. Boone, J.D.; David M. Camenson, J.D.; Amanda D. Cary, J.D.; Daniel E. Casas, J.D.; Phillip H. Cherney, J.D.; David P. Chiappetta, J.D.; Lisa B. Coffman, J.D.; Hon. Jonathan B. Conklin, J.D.; Hon. Mark E. Cullers, J.D.; Matthew Farmer, J.D.; Jessica E. Hafer Fierro, J.D.; Robert A. Fuentes, J.D.; Hon. Erica Grosjean, J.D.; David J. Guy, J.D.; Jason P. Hamm, J.D.; Ray Horng, J.D.; Paul Kerkorian, J.D.; Kathi Kesselman, J.D.; Stefanie J. Krause, J.D.; Andrew S. Kucera, J.D.; Cary Levitt, J.D.; Michael R. Linden, J.D.; John Malmo, J.D.; Devon McTeer, J.D.; Seth Mehrten, J.D.; Mark D. Miller, J.D.; Jesse Molina, J.D.; Sally O. Moreno, J.D.; James Mugridge, J.D.; John M. O'Connor, J.D.; Jennifer Oleksa, J.D.; Paul M. Parvianian, J.D.; Dan Rogers, J.D.; Katherine Englander Schuh, J.D.; Hon. Michael Sheltzer, J.D.; Michael E. Smith, J.D.; Vincente Tennerelli, J.D.; Amelia Thompson, J.D.; Douglas O. Treisman, J.D.; George J. Vasquez, J.D.; Alicia Diaz Wrest, J.D.



*The only things of
certainty are Death
and Taxes.*

—Benjamin Franklin

Death, Taxes, and Change?

As we stumble ever closer to the end of this suckiest of sucky years, a period in time which will be noted in the ether of modern history as infamous for sure, I find myself reflecting on some things I have always wished to explore, but never urgently enough to spend precious vacation hours to do so.

BY DIANE SKOUTI, ALUMNI LIAISON

Now, like the silver lining in the handbasket to Hell we have all inhabited, I am thrilled to circle back and dig into a few “some-day” items I never took the time for, P.L. (previous life), before – all of it.

One example is a renewed commitment to walking and jogging (sort of) around my neighborhood. On a recent Sunday, my granddaughter, who was learning to skateboard, and I went for a four-mile walk. It was one of those unseasonably hot fall days (sucky weather) and I was wilting fast, wishing I hadn’t ventured quite so far from home. That’s when a big truck rumbled past us, a large American flag fluttering from a pole that had been jammed into the tailgate with obvious passion. This sparked an odd thought-chain (perhaps due to the heat) that ended with a reflection on Benjamin Franklin, of all things, and his well-worn quote about death and taxes.

For whatever reason, it occurred to me that Mr. Franklin, one of the brilliant architects of our beloved country, had perhaps missed something when writing about the short list of things in life that

are certain. (Research says that Franklin was not the original author of the quote, but he was the one who made it famous.)

When Julia and I got home, sweaty and sun burned, I looked it up. I was surprised to learn that the musing: “Nothing is certain except death and taxes” (note the order in which they appear – death the seemingly lesser feared of the two?) did not come from a newspaper commentary intended to commiserate with Franklin’s fellow Americans. Instead, the observation was made in a letter to a French scientist, Jean-Baptiste Leroy, a long-time friend with whom he had much in common (Franklin’s experiments with electricity had endeared him among French scientists, and he had served as an ambassador to France for many years).

In his letter to Leroy, which was written in fluent French, Franklin shared his thoughts on the French Revolution, and included greetings to King Louis XVI, who had caused widespread discontent among his subjects by imposing heavy taxes, spending extravagantly, and generating enough resentment toward his regime

that rioting, looting and strikes became the fodder for the war. By this time, the French people had already endured 20 years of miseries not unlike those from 2020: poor harvests, drought, disease among their cattle, and skyrocketing bread prices. Ultimately, the king’s ouster did not include a peaceful transfer of power (nor cake for his wife, Marie Antoinette).

In his letter, Franklin also shared his fears with his friend, about the recent approval of the U.S. Constitution. He said he hoped the fledgling government and its upholding of the charter would stand the test of time, but he worried about the prospects. Nothing in the world, Franklin noted, was truly durable. Which brings me to my revelation about those two assurances: death and taxes. Isn’t there another obvious certainty that could have perhaps been added to his observation, as well as to the spirit of our young country’s charter, that would provide the dynamic needed to ensure the document’s durability into the future? In my humble, non-expert, opinion, Franklin could have added one more certainty: CHANGE. Is not change after all, equally as certain as death? It is change that has brought us to where we are now, with the inequity and contention that will define this moment in history. Change is what so many are fighting for, and so many others fighting to prevent. The current pestilence, environmental loss, hostile weather, fires, earthquakes, political discord, protests, killings, and ugliness that is ravaging society and the planet, are all due to change.

Can the Constitution Save us from a Dictatorship?

The short answer to this question is “no,” according to Constitutional Law Professor Jeffrey G. Purvis.

During his annual Constitution Day Lecture in September, Professor Purvis shared his thoughts with some 70 attendees on the various situations and circumstances that led to this topic, prior to the November 2020 election. In his Constitution Law classes, Professor Purvis tells his students that the constitution is not a machine which, once set in motion, operates automatically to protect our freedom. Rather, it is the people who must operate the machine, and do so in good faith, rather than “gaming” its instruction for their own personal purposes.

The professor lamented what he sees as the ineffectiveness of the “checks and balances” among the three branches of government, with the Republican Administration controlling the Executive Branch, the Senate, and slowly overtaking the Judicial



Branch by fast-tracking its own choices to sit on the bench.

Professor Purvis pointed to not only the admiration of dictators expressed by the President, but also his mirroring of their pattern of portraying opponents as criminals and traitors, along with selecting the judges who would decide the fate of those opponents. Indeed, just days before the Constitution Day presentation, Attorney General William Barr asked federal prosecutors to consider charging protestors with sedition. As usual, the presentation began with the Professor's disclaimer that the opinions about to be expressed were his alone, and not those of the Law School. And as in previous Constitution Day events, the presentation ended with a series of questions from the audience.

One participant questioned whether the President's current “audacious statements” weren't just more than the same campaign

rhetoric which won him the White House in 2016. Purvis replied that the Administration's move to disrupt mail service, for example, shows Trump's statements are not just bluster. Others wanted to know what would happen if the President lost reelection and refused to leave. The Professor said he hoped Republicans and the military would back the Constitution rather than the party, but it's not assured.

Still another participant wanted to know if people still believe the President was fraudulently elected and the 2016 victory actually belonged to Hillary Clinton. Professor Purvis pointed out that while Clinton had won the popular vote, Donald Trump was legally put into the White House by the Electoral College, which he called “an anti-democratic anachronism,” and expressed his belief that it should be discarded.



Professor Jeffrey G. Purvis

This led me to wonder if our Constitution was prepared with the certainty that societal changes could render some of its components antiquated at some point. Is there a non-negotiable commitment to what is morally and ethically right as the true American founding principles?

Since well before our earliest ancestors arrived on the evolutionary scene, change has been recognized as one of the few

constants in the natural world and beyond. My walk around the neighborhood that day was enabled by change, the extra time we've been given during this period of limbo to search both within and without, and perhaps reevaluate who we are and what we truly stand for. That is what I've been doing, and it feels like I am aligned with something important.

The desperation and resentment that brought about the French Revolution

and the eventual downfall of Louis XVI, though not entirely successful, ushered in the Age of Enlightenment, with new ways of thinking and addressing the issues of the time. Perhaps this current year-o'-chaos is a precursor to an American Age of Enlightenment, when the suckiness will give way to change that is at once positive, productive, and most importantly liberating and just for all.



James (Law '87) and **Piti Witherow** created a \$2,500 annual scholarship for first generation students.



In memory of Justice Ruth Bader Ginsburg, Francine and Murray Farber teamed up with the League of Women Voters of Fresno to create a \$1,000 annual scholarship.

First Generation

San Joaquin College of Law is thrilled to announce the creation of a \$2,500 scholarship which will be awarded annually to a second, third, fourth, or fifth year student who has demonstrated financial need and good academic standing, and is the first member of his or her immediate family to obtain a baccalaureate degree.

Alumnus James Witherow (Law '87) and his wife, Piti, are the ones behind the effort. "Jim," who is now retired, says he has lived in the Valley for decades and loves the region. He says he knows it has its challenges, but it also has great strength, including its incredible diversity. He points to both SJCL and Fresno State as "transformative" institutions, giving those in the area a chance to improve and move up the socio-economic ladder while also staying local.

"You have these people coming along, perhaps of limited means, trying to advance themselves, their family, and ultimately, their community," Jim adds that many have "limited opportunities but possess a strong desire to work."

The Witherows hope their effort helps smooth the path through law school for some students, and the field of potential candidates for the scholarship is none too tiny; roughly half of incoming SJCL students identify as First Generation. As for their successes, one need look no farther than this year's Valedictorian, Leticia Guzman, a First Generation mother of two. Along with numerous Witkin Awards, she was also a Best Brief Finalist for Moot Court, won the Founders' Scholarship, and served as a judicial intern for the Honorable Justice Rosendo Pena at the 5th District Court of Appeals. Leticia is now a research clerk with the 5th District, as she awaits Bar results.

Notorious RBG

It will be awarded to a woman student in good academic standing with financial need, who demonstrates a commitment to social justice in gender equity, women's rights and/or civil rights.

The Farbers have donated \$10,000 in order to establish the Notorious RBG scholarship, with the League contributing to the scholarship through donations from members and friends. No money from the League's budget will be used toward the fund.

The Farbers, who are both members of the League, decided to make a "living bequest" to LWVF rather than wait for money to pass through their estate. "We wanted to have the pleasure of seeing our efforts help someone who needs support after accumulating college debts," they said. "When Ruth Bader Ginsburg died, it gave us motivation to develop a scholarship for someone who upholds her ideals."

"Establishing a scholarship for a student who will ultimately work at making our community a better place to live is a perfect fit for the League," LWVF President Marianne Kast noted. "In past years we were honored to award the Bette Peterson scholarships, and similarly, this scholarship will honor the League as well as outstanding students."

SJCL has its own scholarship committee which solicits scholarship applicants and selects winners. Donors are not allowed to participate in the selection in order to avoid conflicts of interest, but are invited to the awards ceremony each spring.

If you are interested in making a donation now, you can do so by making out a check to LWVF with RBG Fund in the memo line and sending it to LWVF, 1345 Bulldog Lane, Fresno CA 93710; it will be forwarded to the college.

SJCL Alumni Association News

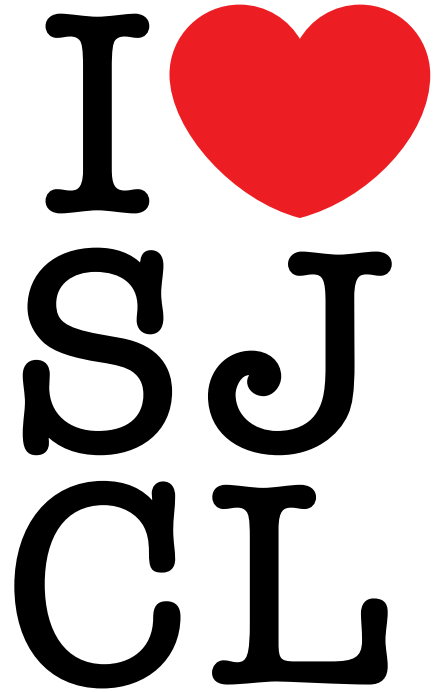
BY STEFANIE KRAUSE (LAW '00), ALUMNI ASSOCIATION PRESIDENT

Due to the limitations imposed by COVID-19, the SJCL Alumni Association has had to postpone many of the annual events and programs. We have, however, made every effort to adjust when possible, so a few events are still a go! The 27th Annual Marjaree Mason Children's Christmas party will be different this year but will still bring holiday cheer to the residents of both centers. Working with MMC representatives it was decided the alumni association would purchase personalized family baskets geared toward the needs and wishes of each family. Donations to the SJCL Alumni Association are greatly appreciated as usual this year, so items and goodies can be delivered to the centers by alumni volunteers. Donations will be accepted through December 20th (\$75 will purchase one family basket, \$150 for two and so on) with checks made out to the

SJCL Alumni Association. Because the law school campus is still closed, please send all donations to: Alumni Association, 2603 E. Powers Avenue, Fresno, CA 93720.

The Annual Got MCLE? will be presented on Saturday, January 9, 2021, via Zoom. Every effort is made to include MCLE credits in at least a few of the required categories of Ethics, Elimination of Bias, and Competency. Schedule and session information should be available soon. For more information/registration, send your current email address to: dsk-outi@sjcl.edu.

Now is the perfect time to join your Alumni Association. The robust SJCL Alumni Network can provide you with useful information and support. Join online in the Alumni section of the sjcl.edu website, only \$40 per year. We're waiting to hear from you!



“We Knew There Would be Risks”

(Our Adventurous Alumni)

BY MISSY MCKAI CARTIER, PUBLIC INFORMATION OFFICER

Jim Bell and Judy Lund-Bell (Law '78) — who had never flown outside the US and Mexico — responded to an ad in *Flying* magazine and joined sixteen other pilots — knowing there would be risks — but the potential engine failure over China wasn't on the manifest.

Their month-long adventure took them to exotic airports in foreign lands with fuel stops in between, while dodging headwinds, mountains, sandstorms, and hail — and sometimes navigating with just a wristwatch and a compass.

Heart-stopping moments with two impending engine failures were tempered by the heart-warming welcomes they received in tiny airports from curious townspeople,

a special award from the King of Jordan, and their ever-present companion, La Girafe, who brought joy and fund-raising for a worthy children's hospital. Not to mention Judy's hilarious bathroom (mis) adventures.

History was made as Judy became the first American female private pilot to land an aircraft in the People's Republic of China.

Judy writes:

“In 1987, my husband and I flew a single-engine plane in an air race from Paris to Beijing, China and back. This spring seemed to be a good time to write a book about our adventures, *Flying With a Dragon on our Tail*.”



Kristin Sweitzer's CASA volunteers in Virginia Beach conduct a poverty simulation to better serve those in need.

CASA Fights the Effects of Poverty

The Central Valley's high concentration of people living in poverty is the result of many factors, but chief among them are high unemployment, low wages, and costs of living that are not in sync with the local economy.

BY DIANE SKOUTI, ALUMNI LIAISON

The California Poverty Measure (CPM) is an annual survey that takes into account each of these factors in addition to the prevalence of social safety net programs designed to assist with the challenges of poverty. In 2018, the CPM determined that 4 out of 10 Californians live either below, or just barely above the poverty line. And that's not exclusive to the Valley. Certain areas on the coast have even higher poverty rates due to the dispar-

ity between income and costs of living.

On our nation's east coast, states like Virginia are facing similar struggles. In an area called Hampton Roads, Virginia, SJCL alumna Kristin Sweitzer (Law '06) is taking action against these challenges.

In her role as Advocate Manager at CASA (Court Appointed Special Advocates) in Virginia Beach, Virginia, Kristin supervises 25 CASA volunteers appointed to cases of child abuse or neglect. She is responsible for the recruitment, selection, training, case assignment, supervision and retention of CASA volunteers, who are on the front lines against the damaging effects of poverty. In addition, Kristin is a member of the State CASA Training Committee and served as Secretary for the Virginia Beach Juvenile Detention Alternatives Initiatives Committee.

After graduating from SJCL, Kristin began her law career at Ciummo & Associates, where she spent five years working in criminal defense. It was her husband's assignment (he is active duty Navy) to Washington State, and later Virginia Beach, that moved them to the East Coast, and encouraged Kristin to take up this cause in earnest. As a private, non-profit organization, CASA assists many who are impacted by poverty. Kristin saw a need for the CASA volunteers to gain a better understanding of the struggles faced by those they work to

support. With more awareness of what the families experience, CASA advocates could provide more thorough and successful support. Partnering with seven area CASA programs, Kristin coordinated a Regional Community Action Poverty Simulation during the summer of 2019.

Originally conceived in Missouri, facilitator training for the simulation exercise provided one of Kristin's CASA team members with the know-how to bring it to Virginia Beach. During the Simulation, participants role-play the lives of low-income families. Various scenarios are represented, from single parents trying to care for their children, to senior citizens trying to maintain their self-sufficiency on Social Security. Kristin describes the exercise this way:

"The simulation is set up with participants placed in a family group while volunteers serve as staff community vendors. The members of the family group have roles within the family and are given tasks to complete within each of the 4 "week" periods, which (during the exercise) is roughly 15 minutes per week. As an adult within a family group, you may be tasked with finding out how to work your full time job, get to the grocery store, take the child to the doctor and pay your bills with no transportation or child care. Many would return home to find they had been



Kristin Sweitzer (Law '06) heads up the poverty simulation in Virginia.

On Breathing

BY **GEORGE HARRIS (4L)**, PRESIDENT, LAW STUDENTS FOR COMMUNITY ADVANCEMENT

Roughly speaking, a person who lives to the age of eighty will take 672 million breaths during their lifetime. This is an extraordinary number in terms of the life potential of every human being. Unfortunately, not every person will live to see the age of eighty. Too often lives are cut short, precious breath denied, by the inherent inequalities and systematic prejudices lingering in our institutional systems.

The last few months I have thought a lot about the importance of breathing. I take a deep breath, as deep as I can, until I feel my ribs expand and a slight pressure build in my chest. I find the best time to breathe is early morning when the air is still damp, crisp and cool. Even better is the air I breathe when I am backpacking in the High Sierra. At elevations above 10,000 feet, I take big lungfuls of air and hold my breath as long as I can.

It is not, however, because of my wilderness excursions that I began to think about breathing. From the tragic and unfortunate loss of thousands of lives due to Covid-19, a disease that makes it impossible to breathe, to the fires raging across the western United States, plumes of smoke visible from satellites high above now filling our lungs, and, yes, to the murder of George Floyd, his last breath witnessed by the entire world—these events have constrained our ability to breathe freely. They have revealed disparities and inequalities beyond acknowledgment. They have demonstrated

that there is still progress to be made and work to be done.

In the last weeks of June, my wife and I traveled along the Eastern Sierra, backpacking and car camping along U.S. Route 395. I knew part of the trip would be physically demanding. This would be especially true on the days we planned to hike because of the high altitude and thin air, not to mention our heavy packs. In preparation, we spent several weeks running and taking long walks.

During that trip, after three straight days of hiking, we drove to Yosemite Valley from Tioga Pass. If you are familiar with this less traveled entrance to the Valley you know that there is a long tunnel as you enter. As we approached the tunnel, I held my breath and miraculously I made it to the other side without the need for more air.

Feeling confident that my lungs had acclimated to my new surroundings, I asked my wife to time me using her phone. I held my breath again until I couldn't anymore. I expected her to say that it had been an astonishing amount of time. Instead, she said it was less than two minutes. I was disappointed because part of me wished I could have held on a little longer. In my moment of wishful thinking, I felt if I could just hold on to the air in my lungs, if I only had the capacity to take in more air, then, perhaps, George Floyd too might have had a chance.

I started the summer knowing this would be my last year as President of Law



George Harris (4L) with his wife **Alisia**

Students for Community Advancement—a law student organization that engages students and the community in social justice issues—because I will graduate in the Spring of 2021. I thought this final year would be easy. Instead it has turned out to be difficult, not personally, but in the lives of the people I see around me. I see the weight that people carry and the exhaustion they must feel. New students always ask me about the purpose of our organization. I haven't always given the same answer, but I would like to think that it is to help lift the weight off people's shoulders, to make them feel heard, to make them feel a little less exhausted...to help them breathe a little easier.

evicted due to not paying their rent for the month, their child was removed from their home for lack of supervision, or their belongings were stolen.”

Kristin says simulation participants noted feeling very high levels of stress, despite the fact that this was “just” a simulation. Many said it was eye opening to the type of challenges many families face and commented on how, within the exercise, they had to “think outside the box” to

complete the tasks, which sometimes led to illegal activities.

“We had parents resorting to leaving children at home unattended, pawning personal items to afford rent, and stealing other participants’ bus tickets” during the exercise, Kristin said.

The results of the simulation provided valuable insight to the barriers and challenges poverty brings to court appointed services. The Virginia Beach CASA volun-

teers came away with a better understanding of how to advocate for services that may help alleviate those barriers. Kristin said the response from participants in the simulation was so great, they hope to offer it again. As much as Kristin enjoys her role with CASA, her husband has only 3 years left before he retires. She says their plan then, is to move one final time to his home state of Michigan, where she hopes to resume practicing criminal law.

Welcome First Year Students!

Orientation at SJCL is usually a time where students mingle with each other for the first time, where those commuting from the same area form car pools, where many form their first study groups, and where life-long friendships, if not marriages, set down initial roots.

COVID-19 changed many of these traditions, but could not extinguish the excitement and nervousness of 79 incoming students who participated in orientation on Zoom. SJCL Dean of Students Logan Tennerelli welcomed and guided the new students through the process.

They came bearing degrees from two dozen universities, representing six California State University campuses and six U. C. campuses. Some came from as far away as Missouri and Utah, while another half dozen traveled less than ten miles from Fresno Pacific University. Roughly half graduated from Fresno State. Their degrees

included everything from Political Science and Criminology to Mechanical Engineering, Business Administration, English, Anthropology, Vulcanology, Cinematic Arts, and more.

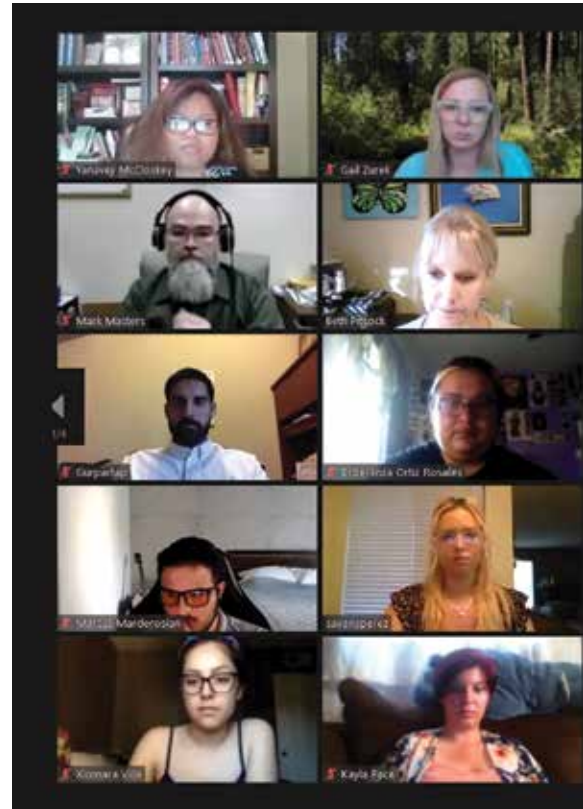
Many hope to combine their undergraduate degrees and interests with a Juris Doctor to enhance their field. One is a Registered Nurse who says she wants to “help people the way I haven’t been able to.” Another has a degree in Kinesiology and wants to practice medical law, while a Mechanical Engineer says she’s hoping to become a patent attorney.

A woman who has worked for years in marketing and says she “spends all day fighting for local businesses” feels a J.D. would make her “a better advocate.”

Another says she acquired a Bachelor’s Degree and two Masters Degrees, but has always wanted to go to law school. Now that her three kids are a little older, she says “I finally have time to do something really scary.”

Professor Jessi Fierro gave the students tips for making things a little less scary, with tools ranging from headphones to a second computer monitor.

Professor Justin Atkinson told the incoming class that while the world lacks people who are able to think through



problems and come to solutions, they are destined to be the new problem solvers. Some have already embarked on that path, coming up with creative ways to home school their children while attending law school. About a third of the class has children. Many see becoming an attorney as the best way to problem solve, whether it means increasing income, being the voice for someone who is not heard, giving back to the community, seeking justice for others, or just pursuing a life-long dream, including one who said she “couldn’t ignore it any more.”

Some were influenced by family members who faced unfortunate court situations, such as arrests, ugly custody battles, or immigration issues. Many are first generation students, including one who was the first in his family to graduate high school. Rather than letting their situations drag them down, they feel they are lighting the way for their relatives, or “breaking the cycle” as one student said.

On the other side of the aisle, one new student comes from a long line of law enforcement officers including a dad who



Professor **Justin Atkinson** told students they needed to prepare to step up and fix problems as attorneys.



Professor **Jessi Molina** (Law '13 & Board Member) encouraged students to find ways to make their studies more fun and engaging.



U. S. Magistrate Judge **Erica Grosjean** offered closing thoughts.



is a correctional officer while another says he “was a cop for 15 years.”

Others have relatives that have served as attorney mentors. One says she just about grew up in her grandfather’s law office, and now he’s “so excited he thinks he’s going to school with me.” One from Hanford says his dad has a law firm in that town, while another says her sister just graduated from SJCL this year, so now it’s her turn. Speaking of siblings, a pair of brothers is part of



Laura Higuera (3L) encouraged students to join “Law Students United in Tolerance (LawSUIT).”

the incoming class. Both their father and a grandfather are attorneys.

The Law School’s clinics attracted a lot of attention from the new class. The New American Legal Clinic appealed to those hoping to work in Immigration Law, including one who immigrated from Soviet Armenia and wants to become an attorney because of her “deep appreciation for this country.” Another incoming student is very interested in the BREN clinic, which helps individuals with Intellectual and Developmental Disabilities obtain the services they need. The student is already an activist in the autistic community and feels this is the next step.

Professor Jesse Molina encouraged the students to take that next step, adding that they are poised to become a critical voice for their various communities. For example, Hispanics make up about 40% of the population in California, but they only account for seven percent of the state’s attorneys. More than 60 percent of the incoming class are people of color.

What else can be said about this class? Collectively, they own at least 66 dogs, 38 cats, a couple rats, and a bearded dragon. There were some chickens but the coyotes got them. At least three play the trumpet and another plays guitar.

Some are sure where they want law school to take them, like the woman who said “I belong in the courtroom.”

Others are open to many options. As one put it, being an attorney is “the single key to open many doors.”

We are thrilled to help them open those new doors.



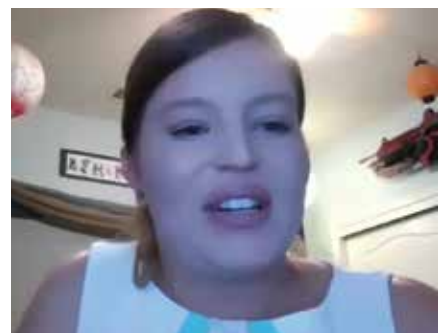
Dustin Gallegos (4L) spoke about the support students receive by joining the Christian Legal Society.



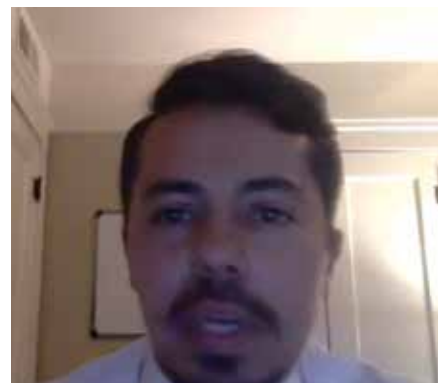
Dean **Jan Pearson** offered opening advice on the second night of Orientation.



Student Bar President **Kelsey Schulteis (4L)** talked about the Student Bar Association.



Ashley Emmerson (4L) explained the national reach of Delta Theta Phi.



George Harris (4L) spoke about Law Students for Community Advancement.

Highlights of a diverse student population

SJCL conducted two anonymous surveys last spring to check in with our students: one about the academic program and one about co-curricular services.

BY **LOGAN TENNERELLI**, DEAN OF STUDENTS

In obvious ways, this fall semester has been different than any other in SJCL's 50-year history. Despite the challenge of virtual learning and the stress of 2020, I am struck by the student body's excitement, relationship building, late nights of studying, and intellectual curiosity. Students have shown tremendous resilience in adapting to new technology, attending virtual office hours and events, creating study groups, and joining student organizations. Some students partnered with CCLS to offer an MCLE lecture on Criminal Record Expungement Training. Others formed a book club focused on equity for alumni and students. This semester required faculty and students alike to find new ways to connect and to make our traditional curriculum come alive. I have been truly amazed by all of your efforts and grit.

Outside the law school, 2020 has been unimaginable for so many reasons – both good and bad. Justice Ginsburg's death in September reminded me of the importance of our longstanding mission at SJCL to provide a legal education to every qualified person who wishes to become a lawyer, including non-traditional students, parents, and first-generation college students.

On that note, we conducted two anonymous surveys last spring to check in with our students: one about the academic program and one about co-curricular services. The surveys were completed by 124 student respondents and 115, respectively. We are grateful to those who took the time to share their thoughts; their responses enable us to truly assess and improve the school.

I wanted to share some of the results of these surveys with you.

Demographically, English is a second language for 34% of SJCL students. Moreover, 59% of survey respondents were female. 51% were Latinx; 37% were Non-Hispanic White; and 11% Asian. Our student body is diverse in other ways, as well. Seventy-seven percent of students

were employed; 47% of those full time; and 53% in the legal industry. SJCL prides itself on the diversity of the student body and the exchange of ideas from students of different backgrounds in the classroom.

We asked students to rate the level of service received from multiple departments on a 5-point scale, with 5 being "Excellent." As one department with whom virtually

every student interacts (at least pre-quarantine), our Front Desk received the highest rating at 4.23. The library department (4.18), Information Technology (4.12), and Financial Aid (4.10) were also highly rated.

With respect to Recruitment and Admissions, over 99% of students who attended Law School 101 Night and over 96% who attended LSAT Prep Night said they were either useful or extremely useful. These results came as no surprise given the tremendous efforts of Diane Steel, Director of Admissions, and Francisco Rosas, Assistant Director, Admissions & Student Engagement. Despite several spring 2020 LSAT exams being cancelled due to the pandemic, SJCL has 74 1Ls!

Our Admissions team is finding creative ways to reach out to prospective students for Fall 2021. To expand our visibility on social media, please consider following San Joaquin College of Law and sharing our posts. If you're willing to speak at one of our Law Forums, please contact Diane Steel (dsteel@sjcl.edu). Through your net-



Logan Tennerelli, Dean of Students

work, we can open the door to SJCL and the legal profession even wider. Our alumni and local community are the single greatest asset we and our students have.

One advantage of SJCL remains the accessibility of our faculty. Full-time faculty received a 4.36 weighted average on a 5-point scale (5 being "Very Accessible"), with 55% saying very accessible. We thank all SJCL faculty for their hard work and for being the face of the school to students while they learn virtually.

Students have enjoyed recent elective offerings. Last summer, we had classes on Environmental Law, Administrative Law, Special Education Law, Homicide, Copyrights and Trademarks, and Immigration Law through the New American Legal Clinic (NALC). This semester, in addition to the NALC and BREN clinics, we had electives focused on the Death Penalty and Juvenile Justice.

Regarding their classes as a whole, 96% of students indicated they sometimes (3-6 times) or frequently (more than 6 times) asked questions in class over the past year.

Bankruptcy Seminar Prepares Practitioners for What's Next

BY **PETER SAUER**, ESQ., PRESIDENT, CENTRAL CALIFORNIA BANKRUPTCY ASSOCIATION

Each year, the Central California Bankruptcy Association (CCBA) presents a program in conjunction with the San Joaquin College of Law to provide timely content to insolvency professionals. The annual program traditionally kicks off with a golfing excursion, allowing insolvency professionals to socialize outside the courthouse, and is then followed by an intensive two-day conference called the CCBA Institute.

The impacts of the COVID-19 pandemic and the attendant lockdowns across California deeply impacted each of us in the Valley, and beyond. In response to the health and social shifts wrought in 2020, the CCBA adapted its Institute to focus on the unique challenges insolvency professionals and debtors now face.

This year's Institute was a stripped-down and golf-less affair. Held on-line via Zoom, the 2020 Institute expanded from its traditional reach in the Central Valley to Sacramento, the Bay Area, and the Central Coast, attracting over 90 insolvency professionals.

One of the annual highlights is the State of the District and the Judges Panel. The CCBA wishes to thank Chief Judge Ronald Sargis, The Hon. Rene Lastreto, II, and the Hon. Jennifer Niemann, for providing insight into how traditional courtroom practice is changing to meet



CCBA president and seminar chair **Peter Sauer**, ESQ., of Fear Waddell, P.C., hosts the Virtual Bankruptcy Seminar.

social distancing mandates. The jurists also graciously answered practitioners' questions, operating in a panel format that permitted broader questions and answers than is usually available in a courtroom setting. The Clerk's office and the Office of the United States Trustee shared how they have been handling bankruptcy operations in light of COVID-19. Incredibly, bankruptcy court operations in the Eastern District of California are operating at nearly 100% capacity despite the lockdowns. The CCBA is deeply grateful to the staffs who tireless work behind the scenes to keep operations going.

The 2020 Institute also hosted a roundtable discussion with Greg Powell of the United States Trustee's office and Joe Rodrigues of the State Long-term Ombudsmen. They shared some of the impacts COVID-19 has had on long-term care facilities and how they coordinate care despite these trying times.

Several Fresno Chapter 7 Panel Trustees, Peter Fear, Irma Edmonds, and James Salven, along with Michael Meyer, the local Chapter 12 and Chapter 13 Trustee, presented a panel educating the attendees on the challenges presented to both debtors and practitioners alike from COVID-19. A soup-to-nuts on how to educate debtors preparing for virtual proceedings was greatly appreciated.

Also on the schedule was up-to-the-minute instruction on the changes in the law from the newly-enacted CARES Act. Alana Gabrielson and Pregati Desai of Bean Hunt Harris, shared their insight into the complexities awaiting insolvency professionals arising from the new law. Given that "you don't know what you don't know", the session reminded bankruptcy attorneys of the critical need to liaise with a knowledgeable tax professional, especially with the increasing frequency with which laws are changing to respond to COVID-19.

California attorneys are required to undergo regular continuing education aimed



O. Max Gardner of North Carolina, one of the nation's leading Predatory Mortgage Servicing attorneys, shares tidbits from his Consumer Defense Academy and Bankruptcy Boot Camp during the bankruptcy seminar.

at elimination of bias. Often these required courses can seem archaic or forced. This year, given the renewed examination of race relations in the United States, the issue could not have been more timely. The Institute was fortunate this year to benefit from a program produced by the Civic Education Center. Race Dialog, presented by Daniel Jameson of Dowling Aaron and local businesswoman, entrepreneur, and civic leader Clinay Wills, provided a forum for an essential, and lively, discussion addressing the lasting impacts of racial injustice and its current effect in our legal community. It also provided insights into areas where insolvency professionals can serve in their local communities to encourage civil engagement.

The Institute closed with two headline presentations. O. Max Gardner, perhaps the best-known bankruptcy practitioner in the nation, presented a session to help debtor attorneys address creditors' evolving tactics in a post-COVID world. The Institute closed with a panel on Recent Developments in Chapter 13 practice. This engaging, humorous, and delightfully witty panel discussion hosted by Hon. Keith Lundin, The Hon. Rene Lastreto, II, and Hank Hildbrand, addressed a slew of newly decided cases from the Ninth Circuit Court of Appeals and its Bankruptcy Appellate Panel.

The CCBA wishes to extend its sincere gratitude to each of the presenters for their exceptional work, and offer its specific thanks to San Joaquin College of Law, and newly-elected board member Lisa Holder for her tireless work with the web page."

Historical Court Rulings

AND THEIR IMPACT ON RACISM IN AMERICA

Between 1865 and 1875, the nation enacted Constitutional amendments and far reaching civil rights laws to protect the rights of Black slaves freed as a result of the Emancipation Proclamation issued during the Civil War.

BY DANIEL O. JAMISON, ESQ., FENNEMORE DOWLING AARON

Those protections were weakened by a series of Supreme Court rulings issued over 24 years. The early actions taken were as follows:

The 13th Amendment outlawed slavery in 1865.

Congress in 1866 provided that all persons were entitled to make and enforce contracts to sue and give evidence, and to equal benefit of the law for the security of persons and property.

In 1868, the 14th Amendment provided, “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

and gave citizens a right to recover damages against anyone who under the color of state law deprived the citizen of any right guaranteed by the Constitution or federal law.

Then in 1875 Congress made it a federal crime for anyone to discriminate on the basis of race or color in accommodations at inns, theaters, other public amusements, and public conveyances.

Equal rights were now guaranteed for all. So what happened? First, between 1872 and 1896 the Supreme Court emasculated these laws:

In 1872 the court ruled that because the 14th Amendment stated that all persons born in the U.S. were citizens of the United States and of the state in which they reside, state citizenship was distinct from U.S. citizenship. The states could regulate their own citizens as they saw fit

so long as state laws applied equally and the limited privileges and immunities of citizens of the United States, such as freedom from slavery, were not abridged.

In 1883, noting the 14th Amendment only proscribed acts by a state, the court ruled that the 1870, 1871, and

1875 Acts were unconstitutional in making the acts of state citizens a federal crime and in outlawing discrimination by private citizens.

Plessy v. Ferguson in 1896 held that a state could legally require “separate but equal” facilities for Blacks. Justice John



Marshall Harlan in dissent wrote: “The destinies of the two races, in this country, are indissolubly linked together ... What can more certainly arouse race hate, what more certainly create and perpetuate a feeling of distrust between these races, than state enactments which ... proceed on the ground that colored citizens are so inferior and degraded that they cannot be allowed to sit in public coaches occupied by white citizens?”

Second, the 44.9% of the north who voted against Lincoln in 1864 were likely at best indifferent to slavery; the rest, haunted by the ghastly violence of the Civil War, sought reconciliation with Southern whites, even to the point of forgiving the vice president of the Confederacy and allowing him to serve as a post-war congressman. Civil War battles also left painful memories that caused northerners to want to leave the South alone. The Wilderness battle of Gen. Ulysses S. Grant’s 1864 Overland Campaign to smash Confederate Gen. Robert E. Lee had seared Northern hearts when the forest Union troops were fighting in caught fire, and screaming, wounded men were roasted alive.

At Cold Harbor, Union soldiers were mowed down in Grant’s assault on Lee’s



In 1870, the 15th Amendment provided that the right to vote could not be denied on the basis of race.

In 1870 and 1871, the Ku Klux Klan Acts made it a federal felony for two or more persons to conspire to deprive any person of the equal protection of the laws,

defensive line, leaving countless wounded soldiers lying in the no-man's land, screaming in pain for water... probably for mother. Grant sought to bring them in, but Lee for four days insisted on an unacceptable white flag of surrender. The men's dying screams ever-after haunted Grant and his soldiers while the wails of their loved ones haunted the North.

Savage Klansmen, dressed as the ghosts of Confederate soldiers, and other white southerners, signaled that unless the South were left alone, violence would keep Union bayonets in the South indefinitely. Union troops withdrew in 1817.

As much as they counseled peace, the ghosts of Cold Harbor haunt us still because their horrific sacrifice to free a people has not been well honored. Justice Harlan wrote in Plessy: "The thin disguise of 'equal' accommodations... will not... atone for the wrong this day done."

We must atone now. Atonement starts with truth. The white majority is not responsible for what our forebearers did, but we are responsible to know the consequences of what they did, to know that those consequences are severe and still with us, and to deal responsibly with them. There were reasons for our history. We should address each other in the same spirit that Adams reached out Jefferson in 1813 after years of estrangement: "You and I ought not to die, before we have explained ourselves to each other." In 1788, the highly vulnerable new nation had just defeated the world's foremost military power with the help of France. The North and South had to hold together in a dangerous world, but in stating at that time the nation's ideals, the Founders laid the groundwork for the vicious Civil War that followed to promote those ideals. Who can say what extraordinary violence could have attended a different outcome in Plessy? From truth and the right spirit, reconciliation and repair can follow. Repair necessarily must include a newly enlightened public policy that effectively promotes equal treatment for all.



Three Apply for Equal Justice Fellowship

One 2019 graduate and two 2020 graduates have submitted applications to Equal Justice Works (EJW) for the 2021-2023 Fellowship Class with SJCL as a host organization.

BY LINDA BARRETO, NALC DIRECTOR

Each of the graduate's proposals targeted a specific population to bring equal access to justice among some of the most vulnerable members in our community. One proposal targets Laotian immigrants seeking to help educate the Laotian community on the importance of becoming a U.S. Citizen, and how to seek help through the immigration court system.

The second proposal seeks to help victims of domestic violence, violent crimes, and human trafficking to apply for immigration relief. If selected, the fellow will partner with local women and homeless shelters to provide services and outreach.

The third project proposes a partnership with Fresno County Office of Education's Migrant Program. The proposal seeks to educate and provide resources to immigrant parents through SJCL's New American Legal Clinic.

EJW receives hundreds of applications for a limited number of fellowships each

year. If selected, each host organization will only receive one fellow per application cycle. If awarded the fellowship, the fellow will serve as a legal advocate in the New American Legal Clinic under direct supervision of myself, Linda Barreto, as clinic director and professor of law.

The New American Legal Clinic has been a part of SJCL for nearly 10 years. NALC serves over 700 clients each year completely free of charge. Currently NALC's team includes 2 attorneys, 2 DOJ accredited representatives, an administrative coordinator, a research assistant and several student advocates.

Being awarded an EJW fellow would be an incredible opportunity for both the fellow and SJCL. Having an EJW fellow will allow us to increase capacity to help meet the vast need in our community. SJCL would be honored to host one of our own graduates in the start of their legal career.

The selection process runs through April 2021. Good luck to all applicants!

SJCL ON THE MOVE

New job? Big promotion? Special honor? Send your info to mcartier@sjcl.edu and be part of the "SJCL on the Move!"

Ingrid V. Caero (Law '17) is now an Associate Attorney for Quall & Cardot, where she represents creditors in state and federal courts throughout California to obtain and enforce judgments on outstanding debts.

Brittaney L. Contreras (Law '17) is now an Associate Attorney at Emerzian, Shanker, Legal Inc. where she represents schools, colleges & universities in Title IX, student conduct and special education law, along with helping clients in all sectors with H.R. law compliance and day to day business matters.

Morgan D. Day (Law '19) is now an Associate Attorney with McCormick Barstow, where he specializes in Insurance Coverage and Bad Faith Litigation.

Alison De Young (Law '15) is now an Associate Attorney at Wright & Wright Attorneys at Law, Inc.

Anthony E. DeJager (Law '13) has opened the DeJager Law Corporation in Merced.

Katwyn T. DeLaRosa (Law '09) is now an attorney for Fresno County Counsel.

Karen K. Gill (Law '13) has opened the law firm Gill Estate Law, P.C., specializing in estate planning.

Rena M. Harrison (Law '19) is now an Associate Attorney with the Hammerschmidt Law Corporation.

Joshua E. Hernandez (Law '18) is now an Associate Attorney at the Hernandez Law Offices, where he specializes in Workers Compensation, Personal Injury, and Criminal Defense.

Stephanie T. Kokka (Law '16) is now an Associate Attorney at the Backowski Law Group, PC, where she focuses her practice on civil litigation, with an emphasis on real estate and business disputes.

Michael J. Kuchar (Law '17) is now a Tulare County Public Defender.

Eric J. LiCalsi (Law '13) is now a Fresno County Deputy District Attorney.

Tejumola M. Olubeko (Law '18) is now a Madera County Deputy District Attorney.

Tiffany A. Pack (Law '18) is now an Attorney for Ciummo & Assoc.

Jonas N. Parr (Law '14) is now a Senior Associate Attorney at Karlin, Hiura & LaSota, LLP.

Joshua K. Roberts (Law '18) is now a Fresno County Public Defender.

Joy C. Rodriguez (Law '16) is now a Fresno County Public Defender.

Jarrett W. Rogers (Law '15) is now a staff attorney at the Kings County Superior Court.

Anneka G. Sweeney (Law '15) is now an Associate Attorney at the Sherwood Law Offices in Visalia.

Monica E. Thissen (Law '10) is now a Senior Associate Attorney at Albert & Mackenzie.

Maritza Uribe (Law '19) is now an Associate Attorney at Perez, Williams, Medina & Rodriguez LLP.

Ann E. Walker (Law '13) is now an Associate Attorney in the Yruegui & Roberts' Fresno office, where her practice focuses on Workers' Compensation defense.

David J. Weiland (Law '92) has been selected as a Fellow of the Construction Lawyers Society of America. CLSA is an invitation-only construction lawyer honorary society with membership limited to 1,200 practicing Fellows from the United States and internationally. Fellows are selected based on effectiveness and accomplishment in construction law, along with ethical reputation. David is a partner in the Firm of Coleman & Horowitz LLP and is the head of the litigation department.

Diversity FROM PAGE 12

Additionally, we asked students if the following key skills were sometimes or frequently emphasized in their coursework:

- 99% said yes with respect to both identifying key issues in a factual situation and applying legal rules to the relevant facts
- 98% said yes with respect to reading applicable critical authority including identifying relevant legal rules and underlying policy

- 94% said yes with respect to synthesizing rules of law into a logical framework for analysis
- 93% said yes with respect to analogizing facts and distinguishing a set of facts from other cases

Through surveys and other tools, SJCL constantly evaluates methods to sustain and hone our academic program to ensure student success. Some of the recent changes we've made include making our moot court

class a two-semester course, with one semester focused on appellate advocacy and one focused on oral advocacy. We have also increased the required GPA for first-year students in the fall semester, hired many wonderful new adjunct professors, and joined a Student Assistance Program that offers all students and their families free, confidential short-term counseling and other mental wellness tools.

Kharazi Book Scholarship

Congratulations to Marisol Cruz Rodriguez, the winner of this year's Scholarship.

As the daughter of immigrants, Marisol became the first in her family to graduate college, obtaining her BA Degree in Philosophy with an emphasis in pre-law, and a minor in criminology from Fresno State. She is currently a legal assistant at Pascuzzi, Pascuzzi & Stoker, although she intends to shift to part-time status as she enters the Fall Semester at SJCL.

Marisol says "My desire to succeed in law school stems from my dream to become a practicing immigration attorney. The immigration system is currently outdated and an immigration legal practice will allow me to guide people towards a path to U.S. Citizenship. People living undocumented across the United States are more than just 'illegal immigrants,' they are students, teachers, business owners, medical field employees, and much more.

"Working towards a law degree will allow me to be on the path to push for reform for people throughout the United States.

The immigration clinic at San Joaquin College of Law is a stepping stone to dedicate my career towards helping immigrants like myself. Having an attorney who personally understands your need and situation can be helpful because there is a sense that someone is fighting for you."

She is grateful for the help of Ty Kharazi, a 1996 SJCL grad and the founder of the Kharazi Book Scholarship. Kharazi was a 16-year-old college student in 1977, studying in the Los Angeles area on a scholarship from his home country of Iran. Six months after he arrived, so did the embassy takeover in Tehran. Ty found himself without finances and family. He managed to land several fast food jobs while trying to take at least one college course at night every semester. Ten years later, he achieved his Bachelor's degree in Biology from CSU Bakersfield, followed by his Masters in Health Care Administration. Kharazi has established both the Kharazi Bar Study Support Scholarship to offset the



cost of a bar review course and this book scholarship, recalling those two expenses were outside the very tight budget which he lived by during law school.

"There is always a way when you set your mind to do something," Marisol says, adding "I am certain that my desire to help people who find themselves in my same situation will propel me to be a successful law student."

Hugh Goodwin Bar Scholarship

Congratulations to Raquel Chavez, the winner of this year's Scholarship.



Raquel Chavez admits many labels apply to her: "First-generation college graduate, Latina, African American, and single mother to name a few." She does not fit the traditional profile of an attorney, but remembers meeting one.

"My first memory of an attorney was my father's immigration lawyer, who was helping him 'arreglas sus papeles,' or 'fix his

papers.' Lawyers have the power to do those kinds of things. I was in awe of this man. This is why I choose to study law, to have the ability to make momentous changes in the lives of people like my father."

Unfortunately, her family's experience ended dimly as her father was deported to Mexico during her first semester of college. It drove her to work even harder, attending Fresno City College full-time while holding down two jobs and earning a 4.0 GPA. She became a tutor, a designated note-taker for the Disabled Students Program and Services, and served two semesters as President of the Student Paralegal Association. She eventually transitioned to Fresno State where she earned a Bachelor's Degree in Political Science.

Raquel has interned at the Fresno County Public Defender's Office and hopes to return there someday as an attorney. She says "Fresno has the potential for change

and overcoming inequities. I want to dismantle the misconception and dehumanization of indigent clients. Society must understand that they are people deserving of zealous representation and a fair trial."

She reflects on the legacy of the Scholarship's namesake: "Although Judge Goodwin broke the glass ceiling as the first African American attorney in Fresno, the number of African Americans in the legal field remains small. I seek to broaden the path paved by my predecessors and inspire more underrepresented students to seek a career in the legal field."

Raquel expresses her appreciation for the \$5,000 tuition reduction the Goodwin Scholarship brings, adding "The negative implication of student loan debt has made me apprehensive in pursuing a graduate degree. However, the effects of going to law school are tenfold for my son and future generations."

Thank you for your support March 1 – October 31, 2020

San Joaquin College of Law thanks the following individuals and organizations for their gifts. Their generosity helps SJCL deliver an outstanding academic program to students.

\$100,000+

GRAND, Inc.

\$10,000 - \$25,000

The Borba Families
Ross Borba (Board)
John Loomis
James Witherow ('87)

\$5,000 - \$9,999

Laurie Dunn
Fidelity Charitable
Leon S. Peters Foundation
John Loomis, Jr.

\$2,500 - \$4,999

Hon. Nancy Cisneros ('80)
Michael Condry ('80)

\$1000 - \$2,499

Baker, Manock & Jensen
Ligia Bernardo
Hal & Debora Bolen

Central Valley Community
Foundation
Deborah Coe (Board & '91)
Anthony Mendes (Board)
Laurie Renton Mendes Foundation
Eduardo Ruiz ('95)
Kimberly Sweidy ('85)
Dennis Veeh (Board)

\$500 - \$999

California Change Lawyers
Richard & Missy (Staff) Cartier
Central California Bankruptcy Assn.
Gregory Gross ('99)
William Hazen
Arti Nayyar
Hon. Robert Oliver (Board)
David ('92) & Lillian ('02) Weiland

\$100 - \$499

Gregory Brumfield
Richard Caglia (Board & '99)
Denise Cahill ('04)

Phillip Cherney (Faculty)
Peter Cowper ('88)
Victoria Denny (Staff)
Kristina Garabedian ('14)
Bret Grove ('06)
Judith Hall (91)
D. Muriel Hayes
Sharon Jones
Kenneth Jorgensen('02)
Francisco Martinez
Jared Nelson (Staff)
Network for Good
Jean Ormson
William Parry ('98)
William Parry Law Firm
Janice Pearson (Dean) & Jackson
Grode
Vernon Reynolds ('10)
Vaughan Rios ('19)
Margaret Singleton ('98)
Valerie Swalef
Philip Tavlian ('80)
Sue Vang

Margaret Wedoff
Wells Fargo Foundation
Kyle Zimmer ('18)
Thomas Zynda ('93)

Other

Amazon Smile Foundation
Celina de Jesus Garcia de Gamboa
Donna Dunlap
Dr. Nicholas Gideonse
Maribel Hernandez ('04)
Raymond Isleib ('08)
Stephen Malm ('08)
Ian Marty ('99)
Minerva Mendoza
Carolyn Savage
Diane Skouti (Staff)
Lisa Smittcamp (Board & '95)
Jill Waller-Randles (Staff)

In-Kind Gifts

Howard Watkins

You deserve to be properly recognized for your contributions, and we strive for 100 percent accuracy. If we have made an error, please contact Lonsetta Hightower at 559/323-2100 or lhightower@sjcl.edu.

Justice Ginsburg FROM PAGE 1

legal strategy—based in large part on the NAACP's strategy targeting segregation—to guide the Supreme Court to recognize gender-based discrimination in laws as suspect under the Equal Protection clause of the Fourteenth Amendment.

Towards this end, the Project pursued several cases in front of the Supreme Court, including work cases such as *Frontiero v. Richardson* 411 U.S. 677 (1973) (women in the military allowed to claim husbands as dependents to same extent men were able to claim wives as dependents); *Weinberger v. Wiesenfeld* 420 U.S. 636 (1975) (see below), *Califano v. Goldfarb* 430 U.S. 199 (1977) (unconstitutional to require widowers to show they were receiving half their support from their wives in order to receive benefits); and *Duren v. Missouri* 439 U.S. 357 (1979) (systemic exclusion of women from the jury pool was unconstitutional). Prior to this line of cases (as well as other cases), in many states, women were unable to procure credit, land, or em-

ployment on equal terms with men. These laws provided the legal underpinnings to strike them down.

It's important to note that the strategy didn't just target areas where women were on disadvantaged terms. Many of the cases Ginsburg's unit at the ACLU pursued included cases where men were disadvantaged for no other reason than their gender. For example, in *Wienberger*, the Court considered a case where Social Security denied widowers certain death benefits solely because of their gender. Ginsburg briefed and argued the case before the Supreme Court, which rendered a unanimous verdict overturning the Social Security regulations.

She also wrote an amicus brief and sat with counsel for the petitioners in *Craig v. Boren* 429 U.S. 190 (1976), the case in which the Supreme Court formally adopted the "intermediate" standard of review for gender-based distinctions in the law.

President Carter appointed her to the D.C. Circuit in 1980. While on the Circuit, she established a reputation as a moderating influence, crafting rulings with the conservative members of that court, including Robert Bork and Antonin Scalia. (Indeed, she shared a close, life-long friendship with Scalia).

Ginsburg was appointed to the Supreme Court by President Clinton to replace retiring Justice Byron White. She was apparently suggested by Utah Senator Orrin Hatch for the seat and confirmed by an overwhelming vote of 96-3.

On the Court, she was renowned for her majority rulings in cases such as *United States v. Virginia* 518 U.S. 515 (1996), which invalidated the Virginia Military Institute's male-only admission policy under the Fourteenth Amendment. She also crafted well-regarded dissents in cases such as *Ledbetter v. Goodyear Tire and Rubber Co.* 550 U.S. 618 (2007).

Milestone Anniversaries

THANK YOU ALL FOR YOUR YEARS OF DEVOTION

It takes a talented and committed team to operate San Joaquin College of Law. On behalf of the entire SJCL community, I want to recognize the major anniversaries that occurred in 2020.

– Jan Pearson, *Dean*

Jill Waller-Randles , Chief Financial Officer.....	35 TH
Lonzetta Hightower , Student Services Assistant....	30 TH
Denise Kerner , Professor of Law.....	30 TH
Joyce Morodomi , Director of Student Services.....	28 TH
Jeffrey G. Purvis , Professor of Law.....	27 TH
Patricia Smith , Law Coordinator.....	26 TH
Rick Rodriquez , Facilities Manager.....	23 RD
Mark Enns , Sr. Designer & Web Developer.....	20 TH
Matthew Dillard , Maintenance Assistant.....	15 TH
Diane Steel , Director of Admissions.....	14 TH
Cyndee Robinson , Technical Services Librarian.....	12 TH
Missy Cartier , Public Information Officer.....	11 TH
Derron Wilkinson , Chief Information Officer.....	11 TH
Christine Goodrich , Professor of Law.....	10 TH
Kerry Hanson , Head of Public Services.....	10 TH
Lisa Nilmeier , Director of Financial Aid.....	10 TH

What is worth focusing on, however, in addition to the substance of her opinions, is the way they are crafted. Ginsburg had a keen appreciation for the fact that opinions should be read—and understood—by the general public. She tried to keep her opinions under twenty pages and demanded clarity from her clerks, especially in the draft opinion’s opening lines. According to her clerks, Ginsburg’s mantra was “Get it right and keep it tight.”

Reading her opinions today gives the impression of someone who not only cared passionately about law and justice, but also about how to communicate it to the common citizen. For example, the opening words to her majority opinion in *United States v. Virginia* state simply: “Virginia’s public institutions of higher learning include an incomparable military college, Virginia Military Institute (VMI). The United States maintains that the Constitution’s equal protection guarantee precludes Virginia from reserving exclusively to men

the unique educational opportunities VMI affords. We agree.” In about forty words, Ginsburg sets out the facts, the stakes, and why the case comes out the way it does. This is a marvel of legal and linguistic precision.

Her dissenting opinions were extraordinarily influential. She is quoted as regarding dissents as “letters to the future.” In *Ledbetter v. Goodyear* she took the majority to task for finding that, in determining the statute of limitations for challenging gender-based pay discrepancies, the time began running from each instance (each pay period) rather than treating the claims as part of a single continuing violation. In her dissent, after setting out the legal and policy-based bases for her position, she invited Congress to rectify the situation, which Congress promptly did by passing the Lilly Ledbetter Fair Pay Act of 2009, ensuring that the statute of limitations would not pose a similar obstacle in the future (among other reforms).

Ginsburg’s legal career can probably be understood best as a lifelong commitment not only to justice, but of access and accessibility to justice. It was a cause she dedicated her life to, overcoming not only gender discrimination early in life, but years of surviving and thriving despite of multiple cancers and health issues. She is unreservedly an inspiration for lawyers of all legal and political philosophies for her tireless perseverance and dedication.

In the Jewish tradition, someone who dies, as Justice Ginsburg did, on the cusp Rosh Hashanah, is said to be a zaddik (or zaddika), a righteous person. It’s fair to say that, given her life’s work in ensuring equal rights for all Americans regardless of gender (or race), and by making her writings accessible for all readers, few would begrudge Justice Ruth Bader Ginsburg that title. May her memory be a blessing.

* Thank you to Jason Crockford (Law ’18) for sharing his favorite RBG quote.



SAN JOAQUIN
COLLEGE OF LAW

901 5TH Street
Clovis, CA 93612

RETURN SERVICE REQUESTED

Non-Profit Org.
U. S. Postage
PAID
Fresno, CA
Permit No. 394

*Wishing You a Joyous Holiday Season
and a Prosperous New Year!*

SAVE THE DATE

got mcle?

Saturday, January 9, 2021 via Zoom

CLE CREDITS IN AT LEAST TWO OF THE REQUIRED AREAS OF ETHICS,
ELIMINATION OF BIAS, AND COMPETENCY.

FREE FOR SJCL ALUMNI ASSOCIATION MEMBERS.