



# Inter Alia

San Joaquin College of Law Quarterly Newsletter

Volume XXVI, Number 3

## Fall 2015

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## Judge Rosemary McGuire and Rene Sample Inducted into the SJCL Hall of Fame

*Two women, described by Master of Ceremonies the Hon. Robert Oliver as trail-blazing, hard-working, well-respected, “real” trial attorneys who give back their time and talent to the community and the profession, were inducted into the San Joaquin College of Law Alumni Hall of Fame.*

An audience including at least eight judges applauded the accomplishments of the Honorable Rosemary McGuire (Law '94) and attorney Rene Sample (Law '88) at the ninth annual induction ceremony at the Robert E. Coyle United States Courthouse on September 3rd.

The Hon. Rosemary McGuire also began as a trial attorney, starting as an associate at Eldridge, Anderson and Weakley before making partner in 2001. James Weakley (Law '78) is also an SJCL Hall of Fame member and was in attendance to cheer her induction.

Judge McGuire has served in the Fresno County Superior Court since her appointment to the bench in 2010, and is currently assigned to the Family Law Division.

“I love being a judge,” she says. “It was not something I originally planned, but it’s where I am supposed to be. It all began at San Joaquin College of Law.”

As a lawyer, Judge McGuire served on the Board of Directors of the San Joaquin Chapter of the Federal Bar Association, and is a past president. She also served



**Hon. Rosemary McGuire** (Law '94) and attorney **Rene Sample** (Law '88) at the Ninth Annual induction ceremony at the Robert E. Coyle United States Courthouse.

See **Hall of Fame** Page 8

# A Message from SBA President

*Welcome to the 2015-2016 school year!*

How about that Fiesta!?! Attendance this year at Back to School Night wildly surpassed all of our expectations. Thank you for helping make it a success. I would like to give extra appreciation to my Vice Presidents Michael Kuchar and Bre Ruelas, who went above and beyond to make things happen - you two deserve all the kudos I possess! Thank you! Thank you to the whole SBA team!

Students old and new, congratulations! Whether this will be your first year or your last, going to law school is a fantastic accomplishment. Remember to be proud of yourselves, and never take for granted this opportunity to make your dreams come true.

We have a great year ahead of us. SBA will offer a variety of opportunities for students to volunteer at community and school events, including the past Hall of Fame ceremony, Senior Law Day, and others. We will also



Students enjoying the SBA's "Taco Fiesta Night."

offer an exciting and new take on the Spring Banquet, and we hope to offer opportunities to give back to the community through charity events as never done before.

Lastly, I would like to thank you for making me your president. I hope to help you all have a great year, to make you feel welcome, and to continue to make you proud to be a part of this wonderful law school. Please feel free to contact me with questions, ideas, or concerns.

Have a great year!

Shannon Wallen,  
*Student Bar Association President*

## Dean's Reception



Ty Kharazi (Law '96) and Dean Janice Pearson

*Thanks* to everyone who joined us for this year's Dean's Reception welcoming our incoming Class!

Special thanks to SJCL Alumnus Ty Kharazi (Law '96) who agreed to give a quick welcome talk to the future attorneys. He zipped in on his way home from work, adding simply "There's always time to squeeze in some giving back."

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# Inter Alia

Volume XXVI, Number 3

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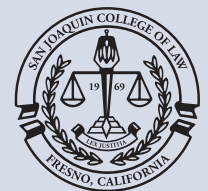
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## EECU Awards \$9,000 Scholarship

**C**ongratulations to Jodie Howard, the winner of the \$9,000 Educational Employees Credit Union Scholarship for an incoming student at San Joaquin College of Law.

She has a Bachelor's Degree in Recreation Management from Brigham Young University, but her path to Law School began a decade ago, when developmental specialists were unable to diagnose her son's disability. The ensuing years of battling for resources and proper educational accommodations under Federal and State Special Education

Rights laws led her to publish numerous articles. She has also been an invited or keynote speaker for gatherings including an Autism Forum at Fresno State. She is currently Director of Community Relations and Family Resources for the California Autism Center and Learning Group and sits on the Board of Directors of Fresno/Madera Chapter of Families for Effective Autism Treatment.

Howard believes the Valley is severely lacking in advocates for individuals with disabilities and hopes as an attorney to better serve in that capacity.



## Mother of Seven Wins EECU Scholarship



**T**he day starts busy for Jacquelin Curry and it stays that way. Her oldest son has moved out and is attending college, but that still leaves the single mother with six children at home, ages three to 16. After the usual cacophony of breakfast, dressing, and packing for the day, she sets out to drop them off. The stops include an elementary school, middle school, high school, and day care for the three-year-old.

Then it's off to her half-time job as Director of the Gazarian Real Estate Center at Fresno State, followed by some truly heavy lifting; Jacqui is a fulltime student at San Joaquin College of Law.

Why pursue a law degree when she already has a daunting schedule, her BS in Business Administration, her Real Estate License, and a job? "My purpose in life is to help someone," she says.

Jacqui has been a helping hand in her community for years, including volunteering in her children's classrooms and serving as President of the Madera Sk8 Park Committee, which built the first skate park in Madera County. She believes her opportunity for impact will increase when she becomes an attorney. She has already had a taste of that impact while working in the New American Legal Clinic at SJCL, helping people who otherwise would not be able to afford

representation for immigration issues. She talks about attending the Citizenship Swearing in Ceremony where their gratitude and joy was overwhelming, "like you lifted a 50 pound weight off their chests."

Jacqui is the recipient of this year's Educational Employees Credit Union Scholarship for a Second Year Law Student. "I am so super appreciative, I can't even say it enough," she says, adding the \$4,500.00 "paid for a chunk" of her expenses for the coming year.

As for Law School, she freely admits "It's hard. It's a lot harder than I thought it would be. There are days when I think 'What was I thinking?'" Then she remembers telling her children "you can do anything you try." She has to complete that lesson, and "show my kids that I could finish it."

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### Full-Time Faculty

Justin B. Atkinson, Jessica Smith Bobadilla, Andreas Borgeas, Christine A. Goodrich, Denise M. Kerner, Gregory Olson, Janice L. Pearson, Jeffrey G. Purvis, Rose Safarian, and Alicia Diaz Wrest

### Adjunct Faculty

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# Exciting New Year for LawSUIT

By **Leila Alamri-Kassim**, *LawSUIT President*

**L**aw Students United In Tolerance (LawSUIT), is a student organization that exists to build a sense of unity between members and to promote appreciation of diversity issues within the student body and the community through our pursuit of academic excellence and service to our school and community. The organization's goal is to create a welcoming atmosphere for new law students as they go through their daunting and challenging first year of law school. We achieve this through fun student activities, informational lectures, and philanthropic activities.

LawSUIT is designed to encourage and help new students pass their first year of law school. This is accomplished through outlining sessions, review sessions held before finals, and the mentorship program. The outlining sessions are geared towards helping students understand how to condense their notes into an effective outline which can be later used as a study tool before

finals. Towards the end of the semester LawSUIT holds review sessions for 1L courses. Not only is this an opportunity to discuss the material, but we also help students with their exam writing skills. Lastly, through our mentorship program LawSUIT pairs up first year students with upperclassmen. The role of the mentors is to provide encouragement, guidance and advice.

This year, LawSUIT plans to fundraise \$2,000 in order to sponsor the training of a CASA advocate. Court Appointed Special Advocates (CASA) of Fresno and Madera Counties work on behalf of the judicial system to serve over 2,000 local foster children. Advocates work to ensure the child's best interest is represented in court. Advocates also work with the child to ensure their health, educational and mental health needs are addressed.

We will hold two tri-tip dinner fundraisers throughout the year to reach

our goal. LawSUIT will also hold its annual food and coat drive that benefits the Poverello House. This event gives the SJCL community an opportunity to make donations of food, coats and blankets to the Poverello House during the holidays.

In the spring, LawSUIT will fund a scholarship that is awarded to a student who is committed to promoting diversity through civic and community involvement, and will continue this commitment when entering the legal profession.

LawSUIT's current board includes: Leila Alamri-Kassim, President; Jennifer Nguyen-Bui, Vice President; Veronica Pena, Secretary; and Corina Aguirre, Treasurer. For more information about LawSUIT, or to make a donation, please contact Leila Alamri-Kassim at [leila.alamri.kassim@gmail.com](mailto:leila.alamri.kassim@gmail.com).

## Hugh Goodwin Bar Scholarship Winner



**W**hitney Hendricks is the winner of the \$9,000 Hugh Goodwin Bar Scholarship to San Joaquin College of Law. Over the last five years, she has worked at two prisons, two addiction treatment programs, and is currently a Certified Alcohol and Drug Counselor at Madera County Behavioral Health Services. Hendricks was born and raised in the Fresno/Madera area, and sees her future here. She has a Master's Degree in Criminology from Fresno State, and

believes that, as an attorney, she can finally reach her full professional capabilities while also having a deep and positive impact within the community she calls home.

The Hugh Goodwin Bar Association is named after the Honorable Hugh W. Goodwin, the first African American to hold the position of Judge in Fresno County. The scholarship's criteria include the applicant's record of community service.

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# So, Cite Me!

This synopsis of a recent student comment featured in the *San Joaquin Agricultural Law Review* is part of an ongoing series for the Fresno County Bar Association's Bar Bulletin. The *San Joaquin Agricultural Law Review*, founded in 1991, is the oldest agricultural law review in the nation. It is published annually by students of San Joaquin College of Law, and presents student and scholar works on legal topics of current interest to those in agriculture, government, business and law. Its articles and comments have been cited by the United States District Court for the Eastern District of California, the United States District Court for the Middle District of Tennessee, the California Supreme Court, the Minnesota Supreme Court, the Court of Appeal for the Fifth District of California and the New Mexico Court of Appeals among others. The complete comment is available online, along with the entire 24th volume and the previous 23 volumes at [www.sjcl.edu/index.php/law-review](http://www.sjcl.edu/index.php/law-review). Professional articles are always welcome. Contact Volume 25 SJALR Executive Editor Jeffrey Castleton at [jeffrey.castleton@student.sjcl.edu](mailto:jeffrey.castleton@student.sjcl.edu) for more information.

## Feeding the World Has Left Our Water Contaminated: Will California's Human Right to Water Act Fix the Problem?

By **Virginia Madrid-Salazar**  
*Editor-in-Chief*

24 *San Joaquin Agric. L. Rev.* 1 (2015)  
*San Joaquin Agricultural Law Review*

Some of the most common pleasures in life are not easily realized for millions of Californians. Not every Californian can enjoy the simple satisfaction of opening the tap to drink a glass of water to quench their thirst. Little boys and girls running in from recess are simply unable to drink from their school drinking fountain because its water is contaminated. This is a stark reality for some California communities.

Unfortunately, for them, the relief of a drink of water only comes after gallons of bottled water are purchased to avoid the unwanted health risks of consuming contaminated water.

Over twenty-one million Californians rely on contaminated water, and of those, over an estimated 4.1 million rely on 100 percent contaminated groundwater. The State of California does not require regulation of every domestic water source. Small service providers and private well owners are the two types of domestic water providers not regulated. The failure to regulate these water providers has left whole communities such as Seville, in Tulare County, to suffer the result of nitrate that permeates the groundwater feeding their wells. In this rural community, where most families are employed as farmworkers, the water in their homes and schools is contaminated. The children at the local school are warned not to drink from the fountains.

Seville is just one community suffering the reality of contaminated water with no recourse or hope for a sustained solution because small public water service providers and private wells are not protected by California's Safe Drinking Water Act or the California State Water Resource Board's ("State Water Resource Board") funding mechanisms. The State is only required to regulate public water systems, the smallest of which serve at least five service connections. Without financing, small public water service providers cannot maintain or properly regulate the water they serve to consumers. Overall the expensive nature of operating and maintaining water infrastructure makes it difficult to maintain water affordability at a rate that the primarily low-income households can afford.

California's Human Right to Water Act was introduced in hopes of solving the water contamination problem. After the bill passed through the Assembly and Senate in 2009, Governor Arnold

Schwarzenegger vetoed it, rationalizing it would result in "costly and continuous litigation" that would take resources from drinking water improvements. In his veto letter, Governor Schwarzenegger said, "the most pressing barrier to achieving the goal is not desire, it is funding." The legislation resurfaced as AB 685 during the 2011-2012 Legislature and made its way to Governor Edmond G. Brown, Jr.'s desk. On September 25, 2012, Governor Brown signed AB 685, which statutorily recognized that "every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes." As part of the legislation, all relevant State agencies have an ongoing obligation to consider the human right to water in executing policy, budgetary, and programmatic duties.

This Comment will show that AB 685 does not create a duty by the State to provide clean and affordable water to all residents; therefore, there can be no claim against the State for its failure to provide contamination-free water. The Comment will discuss the State's regulatory and water management efforts and will explore California's history of contaminated water use and how it persists. There will be an analysis of both AB 685's abilities and inabilities to create a legal duty. This Comment will recommend that small water systems and private well owners be included in the State's regulatory framework, that legislation be amended to create a legal duty providing citizens the right to force the State to ensure water quality, and that a water public goods charge be implemented to meet the needs of the most vulnerable and to engage all Californians in the improvement of water quality. The Comment will conclude that if California does not implement changes similar to those recommended, too many Californians will continue to be left thirsty in fear of consuming contaminated water.

# Professor Borgeas Publishes Article in Cornell Journal

*SJCL Professor of International Law Andreas Borgeas recently had a scholarly article published on international security policy in Central Asia in the prestigious Cornell International Affairs Review.*

Surveying the Challenges and Opportunities of America's Foreign Policy Toward Central Asia examines America's engagements in Central Asia and surveys a select number of challenges and opportunities ahead for US policymakers amidst the managed withdrawal from Afghanistan and the region.

Borgeas' article selectively examines America's record of investment and particular interests worth monitoring in individual Central Asian states, regional and state specific challenges and tools that can help promote more regional stability. The article provides focused policy recommendations: that to promote greater stability in Central Asia, US policymakers should continue to emphasize economic development through greater regional and global market integration, support regional cooperation alongside evolving notions of state sovereignty, and encourage policies to address the political, social and religious grievances that give rise to Islamic extremism. The article concludes that for lasting stability the US must remain actively engaged in Central Asia, and can accomplish this goal by incorporating the republics (especially Kazakhstan, Kyrgyzstan & Uzbekistan) as the western flank of America's pivot policy toward Asia.

Having previously been a Policy Specialist Fellow at the US Embassy in the Republic of Kazakhstan, Professor Borgeas has a long history of scholarship on Central Asia (including publications in international journals from Columbia University and Yale University), and in coordination with the US Department of State he conducted research in the Re-

publics of Kyrgyzstan and Uzbekistan. Borgeas devoted particular attention in his research to the Fergana Valley, their volatile border region known as Central Asia's Islamic heartland.

"With America's withdrawal from Afghanistan and our more recent Asia-oriented strategy, competing powers will be aggressively maneuvering in the vacuum for greater regional influence," Borgeas said. "It remains vital, therefore, for the US to restrain the mounting momentum for disengagement... failure to do so would, at best, undermine the stabilizing achievements the US has earned to date, or, at worst, render our investments worthless and further destabilize a strategically important region of the world."

Professor Borgeas, based upon his expertise in international law, was also honored with an invitation to serve as an official Political Observer in the national elections of Nagorno Karabagh. The Republic of Nagorno Karabagh (NKR), also known as Artsakh, is a declared independent republic situated between Armenia and Azerbaijan in the Caucasus. Ethnic Armenian and Azeri forces fought a six year war that ended in a 1994 ceasefire while peace negotiations remain ongoing through the Minsk Group sponsored by Russia, France and the United States.

Professor Borgeas was invited by the Chairman of the NKR National Assembly to examine the election process and report on the country's adherence to standards promulgated by the United Nations. He was part of an "Americas Delegation," which included the Director of UC Berkeley's Election Adminis-



tration Center and other professionals from the United States, Mexico and Brazil. In total there were approximately one hundred election observers from approximately thirty countries as well as members of the European Parliament.

While in country Professor Borgeas was also able to have a private conversation with NKR President Bako Sahakian. Their conversation included discussions on a number of security issues, including the sporadic military engagements with Azerbaijan, US-Russia relations over Ukraine and the political implications of Armenia's accession to the Eurasian Economic Union. It was described as a very candid conversation with President Sahakian, and it left Professor Borgeas with a better appreciation of the security challenges the country continues to face.

"As I look back on the experience," Borgeas said, "I feel extremely fortunate to have observed this pursuit of self-determination. Tens of thousands of people died in the war over Nagorno Karabagh, and that makes the right to vote a profoundly moving event for all present. It reminded me how easy it is to take our freedoms and liberties in America for granted."

# Summer 2015 Moot Court Sizzles

“The statute is clear,” asserted Petitioner Veronica Pena from a podium facing the judges. “No interpretation is needed to satisfy the requirements of the Hobbs Act.” Pena stood firm on her final round declaration, even after Judges Anthony Ishii and Jonathan Conklin dissected and disagreed with portions of her argument. In the end, Pena, an SJCL 4L this fall, triumphed as Best Oral Advocate for the 2015 summer session of Moot Court.

Round one began on a Wednesday with 27 student attorneys taking their turn before panels of judges. By Friday only four Oral Advocate Finalists remained: Monique Galvan – 4th Amendment Respondent, Amanda Moran – 4th Amendment Petitioner, Brandon Hinton – Hobbs Act Respondent, and Veronica Pena – Hobbs Act Petitioner.

The finalists took a verbal battering from the judges, who are - in fact - actual judges. Judge Conklin - Presiding California Superior Court Judge for Fresno County, U.S. Federal Court Judge Anthony Ishii, and Judge Francine Zepeda of the Fresno County Superior Court, took every opportunity to throw the students off their game. Their questions were incessant. “Why were we so mean?” asked Judge Conklin during the final critique. “Because we thought you could handle it. The most enjoyable arguments were the most active.” he said.

“We were nicer than they are!” added Judge Zepeda, referring to the real life 9th Circuit Court. All three judges complimented Moot Court instructors Shannon Harding and Kathy McKenna on their students’ solid case knowledge and poise.

Judge Ishii has assisted with SJCL’s Moot Court Competition for over a decade. In spite of his hectic schedule as a real Judge, he takes his commitment to volunteer as a pretend judge, very seriously. “Every year he comes on campus a day or two before his round to observe the semi-finals and take notes,” says Pat Smith, SJCL Law Coordinator and Moot Court Organizer.

“It’s the students and faculty who really put in the extra time, so I have always felt that ...I would give them the courtesy of being as prepared as I could in order to help give them a meaningful experience,” Judge Ishii said.

In his final critique, Judge Ishii told the students, “Your role is to answer the judges’ questions – that’s real life. When I ask a question it’s because I think it’s important.”



*Congratulations* to the winners of the 2015 Moot Court Competition

- Best Oral Advocate**..... Veronica Pena
- Oral Advocate Finalists** ..... Amanda Moran  
Brandon Hinton  
Monique Galvan
- Oral Advocate** .....Michelle Errecart
- Semi-Finalists**           Virginia Madrid-Salazar  
Chris Matthes  
Shannon Wallen
- Best Brief**..... Christopher Garcez  
Sandra Garcia
- Best Brief Finalists** .....Diego Andrade  
Brandon Hinton  
Sandra Gutierrez  
Mao Lee

*Thank you* to all who served as judges for the 2015 Moot Court Competition

- Robert Abrams (Law '08)
- Hon. Brian Arax
- Academic Dean Justin Atkinson
- Shawna Braun
- Gabriel Brickey (Law '04)
- Mark Broughton
- Connie Broussard
- Hon. Jonathan Conklin
- Gregory Fox (Law '05)
- Daniel Griffin
- Hon. Jeffrey Hamilton
- Kevin Hansen (Law '85)
- Hon. Anthony Ishii
- Kevin Kalajian (Law '08)
- Hon. James Kelley
- Hon. Leanne LeMon
- Ann McGlenon
- James Miller (Law '07)
- James Mugridge (Law '13)
- Marianne Pansa
- Connie Parker (Law '07)
- Hon. Rosendo Pena Jr.
- Heather Phillips (Law '08)
- Jonathan Rooker (Law '09)
- Melody Walcott
- Peter Wall (Law '08)
- Jody Winter (Law '06)

# Hall of Fame (FROM PAGE 1)

on the Board of Directors for the San Joaquin Valley Chapter of American Board of Trial Advocates. She served on the planning committee for the Eastern District of California District Conference for six years, and served for five years as a lawyer representative from the Eastern District of California for the Ninth Circuit. She also spent four years on the Eastern District Judicial Advisory Committee.

Judge McGuire continues to serve on the Board of the San Joaquin Valley Chapter of American Board of Trial Advocates and is a past president. She also serves the Board of the Association of Business Trial Lawyers and on the Fresno County Law Library Board of Trustees.

She's quick to add "This doesn't happen on its own. Your friends, family, and colleagues are there to assist." Choking up, she pointed to her husband. "He was the one who took the kids to their dance lessons and events, which gave me the ability to go to class."

Sample, described by Oliver as "an unabashed cheerleader for San Joaquin," admitted she had wanted to be an attorney since she was very young.

"When I was 12, my Dad introduced me to a female judge, and my path was set," she explained, adding it narrowed her to just two career goals. "One was to be a judge, the other was to be a go-go dancer." She chose trial attorney, adding "I think that's a pretty good compromise."

She reflected fondly on her time at SJCL, where "real lawyers and sitting judges" enabled her to learn "how to think from the best" and "how to be part of a legal community." She believes much of the congeniality of the local bar is a direct reflection of SJCL, which she believes "is the heart and soul of our legal community."

Following her graduation, Sample spent eight years as a litigator at McCormick, Barstow, Sheppard, Wayte & Carruth. In 2000, she opened a plaintiff's civil litigation firm with Stephen Cornwell. She has tried over 50 jury trials to verdict, and is the only female plaintiff's lawyer to have two personal injury jury verdicts in excess of one million dollars.

Sample has served as an adjunct faculty member at SJCL for 15 years. She has also served as a Judge Pro Tem in Fresno County Superior Court since 1988, and as a judicially appointed arbitrator for the Fresno County Superior Courts since 1993.

Sample was the first female member of the San Joaquin Valley Chapter of the American Board of Trial Advocates, is a past president of the Central California Trial Lawyers Association and has served as a board member of the Consumer Attorneys of California, Fresno County Young Lawyers, and Fresno/Merced County Legal Services.

Along with Judge McGuire and Judge Oliver, other members of the bench in attendance included Hon. Sheila Oberto, the Hon. Barbara McAuliffe, the Hon. Richard Lee (Law '85), the Hon. Houry Sanderson (Law '87), the Hon. Mark Snauffer, the Hon Gary Austin (Law '76), and the Hon. Don Penner (Law '74).

Judge Penner and Judge Austin are already members of the SJCL Hall of Fame, as are James Weakley, Lisa Sondergaard Smittcamp (Law '95) and retired Tulare County District Attorney Phil Cline (Law '78), who were also in attendance.

In closing, Cline turned to the two newest Hall of Fame Members, saying simply "Your excellence sustains this Law School."



**Rene Sample** (Hall of Fame Inductee and Law '88) with her family.



**Evert Craft, Jim Weakley** (Hall of Fame Member and Law '78), and **Erica Camarena** (Law '02)



**Jody Winter** (Law '06), and **Brande Gustafson** (Alumni Board President and Law '09)





**Phillip Cline** (Hall of Fame Member and Law '78)



The room was packed for the Ninth Annual Hall of Fame induction ceremony.



**Hon. Richard Lee** (Law '85), Dean **Janice Pearson**, and **Hon. Gary Austin** (Law '76)



**Hon. Robert Oliver** (Board Member)



**Hon. Houry Sanderson** (Law '87)  
and **Roger Wilson** (Law '97)



**Hon. Rosemary McGuire** (Hall of Fame Inductee and Law '94) with her family and supporters.

# Dear Faux Amici

By Jeffrey G. Purvis, Professor of Law

There are write-in advice and answer columns in hundreds of newspapers, magazines, and blogs, addressing every conceivable topic. But how many of these openly address fabricated e-mails from “audience” members who are admittedly imaginary? Only one! “Valley Views on the Law,” San Joaquin College of Law’s monthly legal information radio show on FM 88.1. KFCE, in Fresno, does just that. In the “Dear Professors” segment, I answer the pressing and topical legal questions generated by my own perfervid imagination (along with one actual e-mail from an actual listener) every month, for the edification of the audience. You can also send me an e-mail to JPurvis@SJCL.edu. Here is a recent one preceding a discussion of the ACLU.

## Dear Professors

*When I was younger I ran away from my home in Guatemala because of the violence and abuse I suffered there. I had relatives living in the United States, but when I tried to come to America, at age 12, I was seized by the immigration authorities and held in a government facility in Ohio. Eventually I was released to live with my relatives, but my status as an undocumented immigrant meant I could be deported at any time. My family was told that we should go to the New American Legal Clinic at San Joaquin College of Law, where Professors Bobadilla and Olson helped me to file an application for asylum, and I may become a permanent legal resident of the United States. I was recently at church talking with a boy who fled gang violence in Mexico, and I suggested he could go to the New American Legal Clinic. A priest said that he might also get help from the American Civil Liberties Union. The priest said it was a wonderful organization that helps everyone to be protected by the Constitution, including people like us who came to America to escape violence. An older priest overheard us talking, and became very angry. He said that the ACLU does Satan’s work, trying to separate children from God and forcing everyone to accept abominations*

*such as men marrying other men. After the older priest left, I asked the priest if it was true about the ACLU serving Satan, and he said I should get information about the ACLU and decide for myself. Because Professors Bobadilla and Olson of the New American Legal Clinic at San Joaquin College of Law helped me so much, I was going to ask them, but then I learned that the founder of the immigration clinic, Dean Justin B. Atkinson, was one of the hosts of Valley Views on the Law, so I am sending this e-mail to you. Is the ACLU good, or is it evil?*

*— Name withheld because the writer is a minor, living in Central CA.*

My answer to your question, NAME WITHHELD, is that the ACLU is a very good organization, but because you are looking for information I will give you one of my usual, long-winded answers to a very short question. Although every human being is unique, we often describe groups of people as though they were all the same. This is sometimes useful to understand what those groups have in common. As in most countries of the world, some Americans are politically conservative, and others are politically liberal, or progressive, as current terminology has it. The Constitution of the United States sought to create a society of ordered liberty, but conservatives tend to favor order over liberty, and progressives tend to favor liberty over order. In my view, conservatives like things generally as they are, and want a powerful government that will keep things from changing. So when people who have historically been treated very badly by the government and those in charge of it try to end that wrongful treatment and obtain the equal rights that the Constitution promised them, conservatives use their power over government to resist those who seek justice. For example, when African-Americans and other people of color, women, and homosexuals demanded that they be afforded the same rights formerly reserved for white, heterosexual males, conservatives fought, and continue to

fight, against such changes. Even white people can be oppressed when they oppose the policies of government—they can be imprisoned for communicating their views to the public, or for taking action to frustrate the government policies that they think are harmful. Progressives generally support changes that recognize equal rights for groups previously denied equality, and argue that the Constitution should protect anyone who is denied justice or who wants to communicate political and other ideas to the public. These are generalizations; not every conservative opposes change of this nature, and not every progressive supports it.

It is my understanding that the ACLU was organized primarily to support the free speech rights of persons opposed to US military action against the Bolsheviks, or Communists, who sought to take power in Russia following World War I, a great conflict that occurred early in the 20th Century. Over the years since, the ACLU has expanded its efforts to support other “civil liberties,” including equal rights, protection from police misconduct, and maintaining the separation of religion and government. The ACLU describes itself as a nonpartisan organization, but because supporting civil rights generally is congruent with a progressive political view, many conservatives revile it when it succeeds. When the ACLU supports the civil rights of persons with a conservative political viewpoint, which probably hasn’t happened that often, it has been criticized harshly by some progressives. The greatest loss of ACLU membership, about 25%, occurred when the organization supported the free speech rights of American Nazi’s to hold a parade in a city where many of the residents were Jewish holocaust survivors.

I find it particularly admirable that the ACLU seems to offer aid to those who are extremely unpopular, marginal, and usually lack the power to protect themselves when the majority, that

See [Faux Amici Page 13](#)

# Alumni of the Fresno District Attorney's Office

*SJCL Visits the Fresno District Attorney's Offices*



(L-R) **Karnig Panosian** (Law '08), **Kendall Reynolds** (Law '12), **Robert Romanacce** (Law '94), **Monica Diaz** (Law '98), **Steve Wright** (Law '96), **Gabriel Brickey** (Law '04), **Lisa Smittcamp** (Law '95), and **Autumn Goodrich** (Law '06)  
NOT PICTURED: **Jon Paul Avent** (Law '98), **Jarrett Cline** (Law '02), **Amy Freeman** (Law ' ), **Traci Fritzler** (Law '97), **Esmeralda Garcia** (Law '94), **Doug Haas** (Law '82), **Jim Sanderson** (Law '80), **Heather Spurling** (Law '14), **Darla Sterios** (Law ' ), **John Tully** (Law '06), and **Charlotte Zylka** (Law '85)

Some 19 SJCL graduates work among the winding corridors of the Fresno County District Attorney's Office, including the District Attorney herself, Lisa Sondergaard Smittcamp. On a recent sweltering summer day, we popped in to say hello, hand out Hungry Bear cookies, and catch up with our busy alumni.

Those who were not in court or with clients during our visit assembled in Lisa Smittcamp's 10th floor office. While posing for an Alumni photo and reflecting on their careers in law, the group reminisced about all the great attorneys who also happen to be SJCL alumni. They also remembered an infamous brick wall at the old Shields campus next to a strip mall.

"You ought to rent the old parking lot for a night and have an SJCL reunion out there," Robert Romanacce ('94) suggested. "I bet you'd get a huge turnout of early grads who attended when the law school was across from the donut shop!"



## Gabriel Brickey

Gabriel (Law '04) wanted to be a prosecutor since his last year of law school, when he was hired at the U.S. Attorney's Office. In his ten plus years with the DA, Gabriel has served in many different areas and with Homicide for the past year.



## Autumn Goodrich

Autumn (Law '06) became interested in criminal law while working as a teacher at the juvenile justice center. She has been with the DA's office for nine years. "So many great attorneys have come out of SJCL," Autumn says. "I'm always impressed with my colleagues who have come from SJCL."



## Karnig Panosian

Karnig (Law '08) has been with the DA's office since he clerked as a law student. He is currently assigned to the felony trial team. Karnig says the DA's office is a terrific work environment with a lot of gifted and conscientious people.



## Steve Wright

Steve (Law '96) says he never thought he would have this much fun practicing law. His specialty area is Homicide because, "It's such an interesting area of criminal law." Steve has been with the DA's office for 18 years.

# Alumni Profiles

*This year we want to thank and congratulate four classes as we celebrate anniversaries of 10, 20, 30 and 40 years.*

## 1985

### David Mugridge

During Law School, David Mugridge served as a law clerk at Nuttall, Berman & Magill. Upon graduating, he was hired as a research attorney for Presiding Justice George Brown at the 5th District Court of Appeal. He then returned to Nuttall et al for a year before opening his own office on the Fulton Mall. He also worked part-time for the Madera Public Defender's office. He eventually established a solo practice handling writs and appeals, criminal trials and personal injury.

In the meantime, he additionally pursued a career as a teacher at Fresno City College, Pacific University, and San Joaquin College of Law where he is currently an adjunct professor for Advanced Legal Research and Writing. In his spare time (!) David co-authored the 1991 California Edition of Practical Real Estate Law (J. Hinkel-West Publications, 2nd Ed.)

David says he has had the good fortune as a solo practitioner to be able to provide SJCL student interns with a variety of experiences in the legal field. He has hosted students from Fresno State University, Fresno City College, Fresno Pacific University, SJCL and Duncan Polytechnic High School. "It keeps me young to work with all these eager young kids who want to learn about the law. It's a real honor to pass it (the knowledge) on."

David's son, James (Law '14) is in his second year as a research attorney for Presiding Judge Ishii at the Federal Court, and his daughter is finishing a year abroad at the University of Kent in Canterbury, England. She will return to UCSC to finish her B.A. with the rest of the "colonists," as she now calls the U.S. populace.

David says he is grateful to his wife for taking over bookkeeping and office management matters at his office, which has freed him to concentrate more on his practice. "We travel together anyplace I can find CEB units," David says.

He notes that he learned a great deal about teaching from professors like Judge Best and Judge Wanger. "SJCL has helped me to do more than I thought I ever would or could, both personally and professionally," says David. Some of his accomplishments include State Bar certification in Criminal Law, a Martindale-Hubbell rating, six years as a California Super Lawyer, and a "Top 100" listing by the National Trial Lawyers Association.

David says he looks around with great pride at the numerous judges and fine attorneys that SJCL has produced. "We (SJCL Alumni) now own the Valley," he says.

### Warren Paboojian

Warren Paboojian began as a prosecutor at the District Attorney's office from 1987 – 1990. After working for Marderosian, Swanson & Oren for five years, he was named partner. Warren left the firm in 1999 to practice plaintiff's personal injury, his current area of specialty at Baradat & Paboojian. Warren's illustrious career has included many highlights, among them his selection in 2008 as Trial Lawyer of the Year by the Consumer Attorneys of California. He remains the only attorney from the San Joaquin Valley to have been honored with the award. In addition, Warren was inducted into the SJCL Hall of Fame in 2011, and has been named to Super Lawyers' Top 100 in California for seven consecutive years. He is AV rated by Martindale-Hubbell, and has obtained eight jury verdicts in excess of \$1,000,000 in the last 10 years, including the largest employment verdict against a public entity in the United States, at \$19.1 million.

In addition to providing pro bono services, Warren founded a non-profit organization called "Departed Angels" which provides financial assistance for funerals of children who have died tragically.

Warren has been married to his wife, Lesa, for over 25 years. They have "three great kids," two of whom are in college, with the youngest in high school. His hobbies include playing golf and traveling with his family.

Of SJCL Warren says "the law professors that taught (during my years at the law school): Don Fischbach, Oliver Wanger, and Dennis Caeton, all made my education at SJCL a great experience." Warren says that taking classes from these professors helped prepare him for the real world.

## 1995

### Diana Dooley

Diana Dooley, the current Secretary of the California Health and Human Services Agency and Chair of the Board of Covered California, oversees 14 state departments and numerous other boards and commissions in her highly demanding role. Her career began as a young analyst working for the State of California. She received an "extraordinary opportunity" when she was assigned to the staff of Governor Jerry Brown in the first year of his first term in office. She worked for him until the early 80's, when his term ended, and she and her husband moved back to their home community of Hanford. Several years later, at the age of 41, Diana enrolled in law school. She served as the staff attorney for the Tulare County Superior Court and then in private practice in Visalia. She spent five years as the General Counsel and Vice President at Valley Children's Hospital, after which she was recruited by the California Children's Hospital Association to be its President and CEO.

Diana and husband Dan have been married for 43 years, and they have two adult daughters, a granddaughter,

and a grandson. While her hobbies: visiting friends and family, reading, puzzles, and knitting, have taken a back seat to her demanding job, she is also involved in a number of community organizations. Diana is active in the Rotary Club, Planned Parenthood, the Maddy Institute, the Central California Futures Institute, UC Merced Board, Blood Source, and many others. Diana says her SJCL experience reflected her appreciation of the “engagement with excellent faculty and motivated student peers in learning to think like a lawyer.” “I enjoyed the academic rigor of the curriculum, but I really appreciated the pragmatic approach to using the law to solve problems,” she says. Diana said she found the atmosphere at SJCL to be welcoming, encouraging and supportive.

## Joan Levie

Joan Levie spent three years working at other law firms before starting her own practice. For 13 years she specialized in federal and state criminal defense, civil rights litigation, tort law, and federal appellate practice with published cases. Since her retirement in 2012, Joan has been relaxed and enjoying life without deadlines. She has, however, remained quite active. Joan volunteers and serves on the Board of Directors for the Eco Village Project of Fresno and the Dakota EcoGarden. The organization is dedicated to providing transitional housing for the homeless, as well as providing assistance and services to enable residents to go forward with their lives.

In addition, Joan assists retired Judge Oliver Wanger in auditing the Fresno Police Department video policing unit.

Her main source of enjoyment, however, is world travel, for which Joan still finds time in spite of her busy schedule. “I’ve been to Tanzania, Israel, Thailand, Costa Rica, Mexico, Netherlands, Belgium, Hungary, Croatia, Serbia, Romania, and the Caribbean,” Joan says. She plans to visit Western Canada this summer, and hopes to visit Cuba with her family next year.

Joan has an adult son, a daughter-in-law, and a 14-year-old granddaughter who live in Marin. She spends occasional weekends with them and they take a major family trip together each year.

“When I’m not traveling or volunteering, I work on remodeling projects for my house,” Joan says.

Joan’s SJCL memories include traveling to Seton Hall University, New Jersey, with Gayle DeLapp and Dave Rendahl for a moot court competition. “After the last round of competition we headed to Atlantic City with Coach Kevin O’Casey for an all-nighter before our return flight,” she says. “Gay and I were not the gamblers, but those that were shall remain nameless!”

## Dennis Nard

The elements of problem solving and strategy are what Dennis Nard loves most about practicing workers compensation law. Although he had not planned on a career in law, Dennis enrolled in law school five years after obtaining his Bachelor’s Degree in Social Science, and a Masters of Business Administration from Fresno State. Originally an insurance claims adjuster, Dennis worked as a paralegal for five years “doing most of the work for the attorneys” at his company. He graduated from law school at the age of 42. Since Dennis continued working full time as a paralegal while attending SJCL at night, he had a guaranteed job waiting for him upon passing the bar exam. Dennis saw SJCL as the perfect vehicle to get him where he needed to go. “I already knew what I was going to do and where I wanted to be,” he said. “I had seen other individuals go to SJCL, graduate, and become lawyers, and I decided that’s what I wanted to do as well.” Dennis has fond memories of his years at SJCL. During his first year there were 100 students in Judge Wanger’s Civil Procedures class. “We couldn’t all fit at the old Shields campus so the class was held in the church across the street. I was greatly impressed by the sight of Judge Wanger in his striped suit teaching Civil Procedure from the pulpit!”

FROM PAGE 10

## Faux Amici

is to say, the government, violates their constitutional rights. The organization appears to recognize that curtailment of our freedom begins when the government targets persons or groups that almost everyone despises, then uses the precedent established to gradually encroach on everyone’s constitutional rights. First we silence the Nazi’s, then the jihadis, then the peaceniks whose weakness saps America’s will to resist foreign threats, then the bleeding hearts who condone illegal immigration, then anyone who dares to criticize the government during our eternal war on terrorism. Before we know it, the NSA can read all of our emails, tap all our phone calls and text messages, and any American can be seized without due process as an unlawful enemy combatant. Wait--those last things aren’t future dangers; they have already happened. What I mean to say is that the price of freedom is constant vigilance against government overreach, and the ACLU patrols the borderland between liberty and tyranny so that we can live our safe hobbit lives without constant fear.

I know that you have overcome many terrible difficulties to reach America, NAME WITHHELD, as have millions before you. Your struggles to find peace and safety may not be over. I hope that you can remain with your family, and that you will one day choose to become an American citizen. Whatever your future, the ACLU, and others like them, will be fighting to insure that your rights, and the rights of everyone, are protected from illegal government action. And that is very good.

# Thank you for your support!

*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.*

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**Fiscal Year 2014-2015**

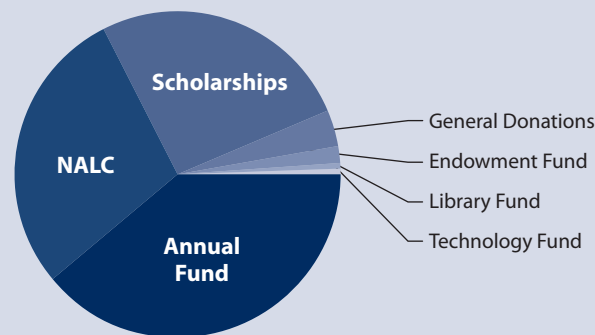
Total Contributions ..... \$82,204  
 Total Alumni Donors ..... 98  
 Total Alumni Participation Rate.....7.12%

**Total Giving Report**

**Fiscal Year 2014-2015**

Total Contributions to all Fund Categories .....\$210,131  
 Total Percentage of Funds Contributed by Alumni..... 28%

**Total Giving**



**August 1, 2014 – July 31, 2015**

**Amount Percentage**

Fund Category	Amount	Percentage
Annual Fund	\$82,204	39.1%
New American Legal Clinic	\$60,100	28.6%
Scholarships	\$54,833	26.1%
General Donation	\$7,659	3.6%
Endowment Fund	\$3,300	1.6%
Library Fund	\$1,204	0.6%
Technology Fund	\$830	0.4%

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# How to Generate Clients using Google AdWords

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*Director, Fresno State Small Business Development Center*

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*\*Continental breakfast provided. Laptop recommended.*

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8:30AM - 9:30AM

# Understanding the Legal Implications of Building an Online Business Presence

**Dan Rogers, J.D.**

*Attorney, Law Offices of Dan Lee Rogers  
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Businesses now operate in an international, digital universe, and their attorneys and owners need to recognize the liabilities they face as a result. In this one-hour presentation, we'll consider several of the more important intellectual property, privacy, and contract issues that arise in the creation and management of a business website and email system.

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