



Inter Alia

SAN JOAQUIN COLLEGE OF LAW • Volume 32, Issue 3



Dean of Students **Logan Tennerelli** addresses the masked and socially distanced incoming class.

Incoming and In-Person!

BY **MISSY MCKAI CARTIER**, PUBLIC INFORMATION OFFICER

Orientation is always a treat at SJCL. It's the first time incoming students get to share a little bit about themselves in front of their new classmates, not to mention their professors. Some know what to expect; they are the siblings or offspring of SJCL Alumni. Others bring their own cheering section, like the pair of sisters who are entering law school together or the two U.C. Berkeley buddies who decided to continue their educational comradery as incoming 1Ls. But even they were still nervous.

More than 50 incoming students brought degrees from a multitude of educational institutions. Ten came from U.C. campuses, including UCLA, Riverside,

Berkeley, Davis, Santa Barbara, and Santa Cruz. Forty percent arrived with degrees from Fresno State, while others came from CSU Stanislaus and CSU Long Beach. Still others brought degrees from distant institutions, ranging from Rhodes College in Memphis to Southern New Hampshire University.

They were asked about their families, including pets. Explaining family was easy compared to pets. One admitted to owning 8-9 pets, because she was unsure if they actually owned the ninth cat. Another was not so sure his cat was all there; he keeps running into walls, so now he wears a helmet. On the dog side, there is a puppy named "Pancakes," a poodle, a golden

retriever, and "Delta" the dog. And that's not counting the roosters and chickens.

So why head to law school?

"To change the world."

"I am passionate about the justice system."

"I worked for a Fresno defense attorney and fell in love with the field."

"I work in a law office and it's the best thing ever!"

"My spouse is a judge."

"I just can't imagine it being 20 years from now and not having done this."

"I want to help historically disadvantaged communities."

"I'm coming from an immigrant farm worker community."

"A couple weeks ago I was watching this movie, 'Legally Blonde...'"

Welcome to the SJCL incoming class. Welcome to our table. You're family now.

A Message From the Dean

From the year of pandemic (2020) to the year of accreditation reviews (2021)!

Law classes are back in person - much appreciated by most faculty and students. However, things remain exciting as 2021 is the year of accreditation reviews by both the Western Association of Schools and Colleges (WASC) and the Committee of Bar Examiners (COBE).

WASC is the same entity that evaluates and accredits institutions throughout California including the University of California and State College campuses. Through a variety of standards, it strives to motivate institutions toward constant improvement.

SJCL's last WASC site visit was in February of 2017. At that time SJCL's accreditation was reaffirmed for a period of eight years. The Commission issued commendations and recommendations for further improvement. WASC directed an Interim Report be submitted by March 1, 2021, to demonstrate SJCL's progress on those recommendations. The principal recommendation was that SJCL should finish a complete program review.

Program Review requires a statistical demonstration that SJCL evaluates its progress towards achievement of its Student Learning outcomes and identifies actions for improvement. SJCL extended this to evaluation of its co-curricular programs. SJCL provided data on student grades and bar performance, as well as data on delivery of services such as financial aid, information technology, and library. The surveys that students complete each year yield important information in this process.

In July, Deans Atkinson and Pearson participated in an online discussion with the reviewing WASC team. Although SJCL has yet to receive the formal report, the team indicated they were impressed with SJCL's Interim Report and felt SJCL had made progress on the recommendations. The next full Self Study is due in fall of 2024 with the accreditation site visit in spring of 2025.

The Committee of Bar Examiners does a site review of SJCL every five years, beginning with the submission of a detailed self-study report reviewing SJCL's compliance with all COBE regulations and guidelines. This year the report was submitted July 1. The visit will be entirely virtual on October 26 - 28, 2021. Between the original requirements for the report and subsequent requests, more than 4,000 pages of materials have been submitted including the syllabi for every course offered in the last five years and the final exams, with a selection of student answers, for every bar-tested course offered in the last two years.

A COBE site visit typically includes class visitations and group meetings with the Board of Trustees, the Faculty, the Faculty Committee, alumni, and students. All these meetings will be virtual this year on October 26 and 27. The Board and faculty meetings will be at noon and the alumni and student meetings at 5:30 p.m. We will be in touch with everyone with a detailed schedule and encourage you to attend.

These efforts take an enormous amount of time that sometimes feels like it distracts from teaching, but we do learn what we can do better through this self evaluation and reflection.

Sincerely,



Janice Pearson
Dean

Inter Alia

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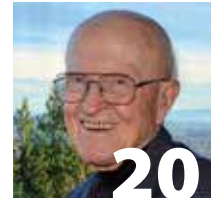
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Vision: To be the premier provider of legal education, scholarship, and service in the San Joaquin Valley.
Mission: To educate and develop individuals to become highly skilled attorneys and problem solvers who will benefit their communities through 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.

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Heroes & Villains in the Chauvin and Cosby Cases Prosecutors and Publicity on Trial

BY PHIL CHERNEY, ADJUNCT PROFESSOR

Students and practitioners aspiring to represent “a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all,” would do well to consider the aphorism from *Berger v. United States* (1935) 295 US 78, and to remember that the goal “in a criminal prosecution is not that it shall win a case, but that justice shall be done.” An inscription that embodies this ideal, and ABA Standards on Criminal Justice, adorns the walls at the Department of Justice: “The United States wins its point whenever Justice is done its citizens in the courts.”

Two cases in 2021 illustrate how critical the twin factors of the prosecutor’s conduct and media coverage are to fairness in our criminal justice system. Comparing how prosecutors in Minnesota handled the case against disgraced Minnesota police officer Derek Chauvin for the murder of George Floyd with the way Andrea Constand’s claims of sexual assault against Bill Cosby were manipulated in Pennsylvania are instructive for several reasons, the most important being how divergent approaches lead to dramatically different results.

As a defense attorney with experience in a few notorious cases, knowing that “the whole world is watching,” a phrase

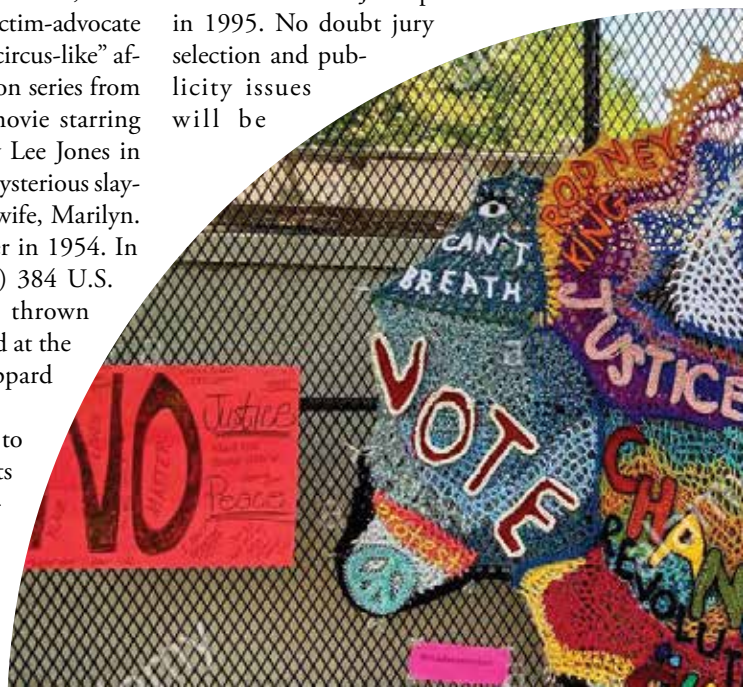
from the *Trial of the Chicago Seven* (1969), which re-emerged as a slogan in the aftermath of the murder of George Floyd last year, brings out the best and the worst in lawyers – and judges – and may impact the outcome of a trial. This does not mean that prosecutors are constrained by “Chesterfieldian politeness,” but as the court said in *Berger*, “while he may strike hard blows, he is not at liberty to strike foul ones.”

With media interest heightened by tough facts, such as in brutal murder and outrageous sexual assault cases, compounded by pressure from victim-advocate groups, trials may become “circus-like” affairs. *The Fugitive*, a television series from the 1970’s, made into a movie starring Harrison Ford and Tommy Lee Jones in 1993, was based upon the mysterious slaying of Dr. Sam Sheppard’s wife, Marilyn. He was tried for her murder in 1954. In *Sheppard v. Maxwell* (1966) 384 U.S. 333, his convictions were thrown out because “bedlam reigned at the courthouse.” Retried, Sheppard was acquitted.

The right of the public to know what is going on in its courtrooms retains constitutional free-press status and is vital to our democracy,

but judges face a delicate balancing of public access with a defendant’s right to a fair trial. To prove the point, Dzhokhar Tsarnaev, tried on “terrorism” charges for the “Boston Marathon Massacre” in federal district court for Massachusetts in 2015 is before the United States Supreme Court for argument on October 13, 2021. The Court of Appeals overturned Tsarnaev’s death sentence on grounds that the trial judge erred when he failed to allow “context-specific” questioning of prospective jurors.

The *Cosby* trial doesn’t present must grist for the mill on publicity grounds because it was not televised. But the play-by-play coverage of Chauvin’s trial provided the best that modern technology has to offer. State-of-the-art audio and video resources were marshaled to focus on witness testimony, and objections were muted from public scrutiny – a far cry from tedious “bench conferences” at OJ Simpson’s trial in 1995. No doubt jury selection and publicity issues will be



raised on appeal, but, as in Tsarnaev's case, it is unlikely that a corner of America could have been found where the video of Floyd's death throes had not been seen.

Despite intense pressure to obtain a conviction, Minnesota Attorney General Keith Ellison, who assembled the team of independent attorneys that prosecuted Chauvin, said in an interview before sentencing that he had never been interested in "revenge, but in accountability." To Ellison, an African-American, Chauvin is a "human being" deserving of the dignity he did not afford Floyd. Jerry Blackwell, lead trial lawyer for the team, echoed those sentiments. He accepted the appointment to do what he could as an African-American and skilled trial lawyer to rectify an injustice at the hands of a rogue cop.

While the prosecutors in the *Chauvin* case showed laudable restraint, the same cannot be said for the *Cosby* case. After an investigation of Andrea Constand's allegations by multiple agencies in 2005, Montgomery County District Attorney Bruce Castor, in consultation with chief assistant, Risa Vetri Ferman, declined to press criminal charges. Before announcing a decision, Castor suggested to the parties that the best avenue for Constand to receive some measure of justice would be in a civil action for damages. Cosby could not be compelled to answer deposition questions while a criminal investigation was pending because the right against self-incrimination insulated him. If Castor declared his intention not to file criminal charges the protection would no longer apply. And that is exactly what he did — before cameras and in writing.

Cosby made several statements against his interest in civil depositions. With eyes wide open,

Constand settled her lawsuit for \$3 million; depositions were sealed. Ten years later Castor's successor, Risa Ferman, convinced a federal judge to unseal them.

In 2015, Ferman decided immunity statutes did not bar a prosecution. Fifteen victim-witnesses had come forward after 2005, and if their "prior bad acts" were admitted at trial to show a *modus operandi*, along with Cosby's incriminating statements made in the civil case, she felt the government would prevail.

When Castor got wind of Ferman's intentions he reminded her in an email that she'd been involved "every step of the way" when "I decided to create the best possible environment for [Constand] to prevail and be compensated. By signing my name as District Attorney ..., I was 'signing off' on the Commonwealth not being able to use anything Cosby said in the civil case against him in a criminal prosecution ... in order to help [Constand] prevail in her civil action. Evidently, that strategy worked."

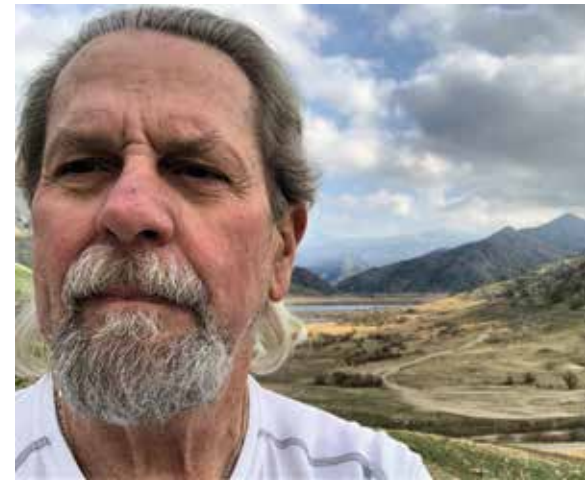
In a six-to-one decision, the Pennsylvania Supreme Court expressed disdain for Ferman's tactics, and took the unusual step of setting Cosby free after two years in prison on a three-to-ten sentence. All three of the women justices joined in the majority opinion.

The court did not exonerate Bill Cosby, weigh in on the evidence or the use of five "prior bad acts" at trial. It held that prosecutors violated Cosby's basic rights: "when a prosecutor [Cantor] makes an unconditional promise of non-prosecution, and when the defendant relies upon that guarantee to the detriment of his constitutional right not to testify, the principle of fundamental fairness that undergirds due process of law in our criminal justice system demands that the promise be enforced."

The *Cosby* case illustrates misconduct that beggars belief. The Fifth Amendment protects us all against governmental deprivations "of life, liberty, or property, without due process of law," and it remains the dominant weave throughout the fabric of our enumerated trial rights: "the history of American freedom is, in no small measure, the history of [criminal] procedure ...," as Justice Felix Frankfurter put it, and at the height of McCarthyism, Justice Robert Jackson reiterated, "fairness and

regularity are of the indispensable essence of liberty."

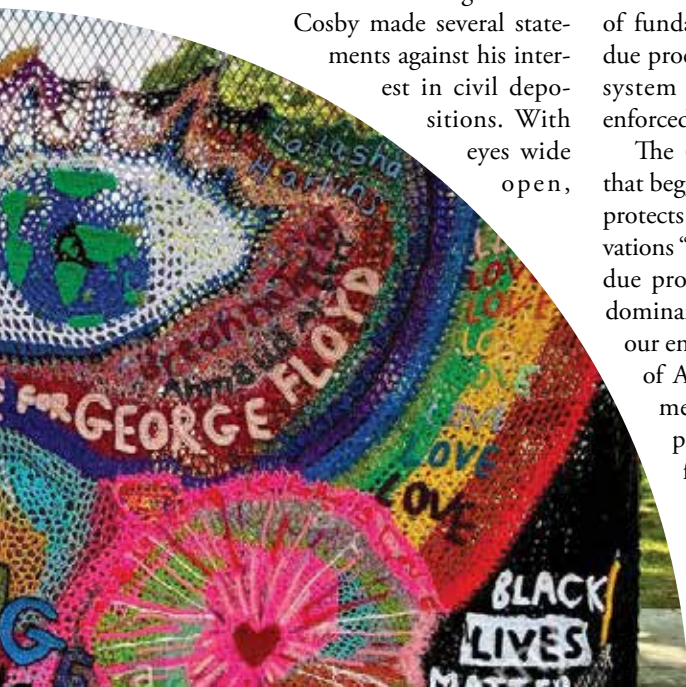
When "America's Dad" was accused of sexual assault, it stunned many of us who had grown up on Bill Cosby's humor and warmth. Cosby's mask of innocence came off to reveal the predator beneath, and the #MeToo movement burst the bubble on Jeffrey Epstein and Harvey Weinstein. New York Governor Andrew Cuomo's resignation on sexual harassment allegations suggests the #MeToo movement is alive and well. Cosby has no one to blame for his fall from grace but himself, but



Professor Phil Cherney has taught a variety of courses at SJCL, including criminal law, procedure, and evidence. He has over four decades of trial and appellate experience in State and Federal courts, and has tried multiple murder cases, capital cases, and death penalty appeals. He has also published scholarly articles on criminal law, as well as appeared as an expert witness on professional standards and practices for defense counsel in death penalty trials.

DA Ferman shares a portion of blame for pursuing a sleazy course that ended in more heartbreak for everyone.

In a country recently traumatized by an unrepentant demagogue and his sycophants who believe themselves above the law and determined to undermine the historic foundations and vital institutions of our democracy, it was encouraging to watch justice play out in court for George Floyd. Recognizing that vengeance has limited value, we should celebrate those heroes among us who honorably sought accountability and upheld due process of law.



Incubating Dreams from Clovis to Portugal

A passion for the plight of refugees and immigrants determined the career path Randy Ataide (Law'86) chose, and it began well before he enrolled in law school.

BY DIANE SKOUTI, ALUMNI LIAISON

Randy recalls leaning over the railing of the USS Bainbridge in May of 1978, as the ship came alongside a small, ramshackle boat adrift in the South China Sea. It was jammed with more than 150 Vietnamese refugees – babies, old people, and all ages in between - who were desperately trying to flee Vietnam. The US military had removed themselves from the Vietnam conflict about a year before, and the Communists were mounting vengeful retaliations against anyone who had assisted the Americans. Under cover of night the Vietnamese would slip away in whatever boats they could find, as the Viet Cong patrolled in gun boats with the goal of shooting and sinking as many as they could. When American ships came across escaping Vietnamese boats, the crew provided them food, water, ball caps, and medical treatment and supplies, which Randy says the people greatly appreciated. The American sailors repaired their engines, gave them fuel, and escorted them as far as they could, but the situation, Randy said, was heart-wrenching. Many of the fleeing boat people were caught or killed by the Viet Cong.

As harrowing as his military experiences were, Randy says he never shared much with his family. A photo posted recently by a crewmate showed one of the refugee boats they helped, which inspired Randy to share some of the details with his now-grown children. Randy's daughter Anna sent the following response:

"I had NO idea that not only did you serve during the Iranian Hostage Crisis (also aboard the USS Bainbridge), but right after Vietnam as well?! ... Thank you for your service, Dad. Words can't express just how proud I am to call you my Dad."

Randy says he has always felt passionate about the plight of refugees and immigrants. He explained that no amount of refugee or immigration reform can positively address the root causes of economic suffering that leads to the need or desire to



Friends of Portugal and A Ponte Co-Space Founders (L-R) **Otto & Marjorie Ekk** and **Ruth & Randy Ataide** ('86) in the lobby of A Ponte in Portugal.

immigrate. The solution, he says, is not a continuous exodus to other countries. "The solution is economic development in the countries that are struggling, so immigration can slow, and more focus can be placed on improving the living conditions where they are." Randy says the days of following greener pastures need to end. 'If no one stops to improve the health of their own pasture, there will never be contentment to stay put, and develop at home.'

In addition to attaining a JD degree from SJCL, Randy completed the Stanford Graduate School of Business Executive Management Program, and the Harvard Business School Owner-President Management Program. He is an expert on applying business solutions to real world problems like the lack of economic development leading to suffering. From 2005-2016 he served as Executive Director and later Associate Dean for Business and Economic Development at the Fermanian

School of Business at Point Loma Nazarene University in San Diego. He was named one of "San Diego's Top 50 Influentials" by the San Diego Daily Transcript. But more importantly, he has built numerous business ventures and startups (including



An escaping Vietnamese boat filled with refugees alongside the USS Bainbridge in Vietnam, 1978.



The building purchased by Friends of Portugal in Loures, Portugal for A Ponte and the incubator project.

his first, a vending machine business during law school), as well as serving on various boards and non-profits, including Friends of Portugal, the impetus behind the Portugal Incubator Project.

Randy walks the talk in a big way. As the second generation born in the US to immigrants from Portugal, he is tackling the immigration issue there, head on. He and his colleagues at the US based non-profit have created a Co-Space and Social Business Incubator project in the city of Loures, just north of Lisbon. During a recent Zoom call from Portugal he explained his goals.

For 500 years, the younger generations in Portugal, like in many economically troubled countries, have been immigrating to escape devastating unemployment and poverty. “During the economic downturn of 2008-09, the unemployment rate for college graduates in the US averaged around 5%. In Portugal during that time it was 55%,” Randy said.

Randy says the immigration tide has stemmed some in Portugal over the last 10-15 years, due in part to cuts in social security payments to seniors. Many of the younger people – in their 20’s and 30’s – are now staying put so they can help their aging parents, families, and communities. There is more interest in creating businesses now, in the homeland.

That’s where A Ponte (“the bridge” in Portuguese) comes in. “The name of our

co-space and incubator symbolizes a bridge between North America and Portugal, the old and the new, the haves and the have nots,” Randy says. “We’ve tried to create a community where thoughts and ideas can be freely exchanged,” in a way that is beneficial to all.

The program encourages both for-profit and non-profit startups whose aim is to provide training and mentorship to Portuguese people from all walks of life interested in social entrepreneurship. The program encourages startup, non-profit businesses whose aim is to provide entrepreneurial driven community service and support, apart from government services which are the norm throughout much of Europe.

In their large and beautifully remodeled building, the organization provides affordable rentals of everything from a single desk or cubicle to a small office with all the bells and whistles. In this way, both startups and existing companies wanting to expand can profit through collaboration. Randy says there are currently over 50 companies operating in their building, and their first group of 15 social entrepreneurs recently graduated from their training program. They will now begin the acceleration stage with a new class starting in early 2022.

Randy and his wife Ruth are working to inspire success here at home as well. They have generously created a \$1,000-a-year scholarship for SJCL students, to be called the Entrepreneurial Spirit Scholarship.

It will be awarded for each of 15 years. Eligibility includes the requirement that a student be a first-generation college graduate. The Ataiides also hope the scholarship will attract those students who have an interest in small business generation and/or entrepreneurship. “All of us are immigrants here: that’s the American experience. The immigration story to me is the most compelling story in America,” Randy says.

Randy notes that many of the successful large businesses, as well as the small “mom and pop businesses” here in the US and abroad are often founded by immigrants, who are motivated to succeed and willing to work extremely hard.

The goal of the new SJCL scholarship is the same as that of the Portugal Project: to assist anyone dreaming of success, to become empowered, self-employed, and self-reliant. “There is a symbiotic relationship between immigration and business startup,” Randy says. “The first and second generations of all the immigrant groups in the history of the American experience have been highly entrepreneurial, which is how they have gotten ahead.”

“I’m just a Clovis guy who barely made it through high school and joined the military to straighten my younger self out. Supported by a wonderful family and friends I am now able to do all sorts of things because of my education and my law degree!”

Focus on the Law

Alumni Perspectives on Practice

Laws of Nature vs the Nature of Law

Lawyers and law students are trained to see through a nebula of complex facts, isolate the most relevant facts, and connect problems to solutions in the law. However, the task becomes monumentally daunting when the problem at hand is nature itself.

BY JESSIE FIERRO (LAW '13), ADJUNCT PROFESSOR

Breaking concerns over the state of nature into specific issues and local impacts, there is much to be concerned about right now. For example:

- Wildfires throughout the Western United States are displacing residents directly impacted by flames and generating unhealthy air quality.¹
- California's severe and ongoing drought is leading to water shortages impacting residents as well as California agriculture.
- The Colorado River and Lake Mead are at historic low water levels, prompting cuts in water deliveries impacting the 40 million people in the American West (including California) that rely on the river for at least part of its water supply.²
- Many California communities lack reliable access to safe drinking water.³
- Harmful Algae Blooms (HABs) driven by low water levels and high air temperatures can lead to illness or death.^{4,5}
- Fresno was recently ranked 18th in the U.S. for urban heat island intensity (metropolitan places that are hotter than outlying areas due to pavement and buildings that retain heat and warm the surrounding air).⁶

- The recent United Nations' Intergovernmental Panel on Climate Change (IPCC) Report made public on August 9, 2021, should be taken as "...a code red for humanity. Global heating is affecting every region on Earth, with many of the changes becoming irreversible."⁷
- And more: plastic waste, polyfluoroalkyl substances (PFAS, or "forever chemicals"), hurricanes and other severe weather strengthened by climate change,⁸ and the list goes on...

It is tempting to turn our attention toward other priorities, issues that seem to have more immediate impact on our own lives and seem perhaps, more solvable. If we look at environmental issues with more purpose and attention, what analysis might follow? What rules can guide our thinking?

Many of today's applicable rules are born out of a framework created decades ago. Rachel Carson's *Silent Spring* (1962) presented a comprehensive science review of the threats of unregulated pesticide use, while warning people about our own nature: "This is an era of specialists, each



of whom sees his own problem and is unaware of or intolerant of the larger frame into which it fits... We urgently need an end to these false assurances, to the sugar coating of unpalatable facts. The public must decide whether it wishes to continue on the present road, and it can do so only when in full possession of the facts."⁹

The common law provided (and still provides) actions for nuisance, trespass, negligence, and strict liability for certain environmental harms. In 1970, legal scholar Joseph Sax proposed that certain natural resources are so important that they should be treated in the courts as a "public trust," and that citizens should have the right to sue to protect those resources against those who might threaten them.¹⁰ This concept continues to be utilized in cases like the

2018 *Environmental Law Foundation v. State Water Resources Control Board*.¹¹

Common law has been somewhat upstaged by statute and administrative agencies. President Nixon created the U.S. Environmental Protection Agency and the National Oceanic and Atmospheric Administration in 1970.¹² Congress enacted the National Environmental Policy Act (NEPA, 1970); the Clean Water Act (1972); the Endangered Species Act (1973); the Safe Drinking Water Act (1974); the Resource Conservation and Recovery Act (RCRA, 1976); and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, aka “Superfund,” 1980).

Meanwhile, California enacted the nation’s first mobile source tailpipe emissions standards (1966); the California Environmental Quality Act (1970); the Porter-Cologne Water Quality Control Act (1969); the California Hazardous Waste Control Act (1972); the Safe Drinking Water and Toxic Enforcement Act (1986, aka Proposition 65), and more. In addition, the State Water Resources Control Board (created in 1949), the California Air Resources Board (created in 1967), and various other state and regional boards monitor and regulate various aspects of California’s environment with respect to both California and federal law.

Each of the laws and agencies mentioned above has its critics, and most of these statutes have been amended along

the way. Yet these laws are still the basis of countless legal actions every year. There are documented, data-supported success stories of environmental improvements and public health protections achieved under each of these laws. We are fortunate that perfect was not the enemy of good when these laws were created.



Are we failing, however, to see the forest for the trees? After all, we still face the dire environmental concerns noted above. Furthermore, nature itself does not conform its actions into the neat topical areas of our statutes, nor does it respect our geographic and political boundaries. Perhaps a more holistic view of environmental issues would lead to greater protection and success.

Regional organizations like the California Climate & Agriculture Network (CALCAN) and River Partners work directly with impacted communities, coupling conservation with a range of win-wins to advocate for effective policy as well as improve practices on the ground.¹³

¹⁴ Environmental justice advocates work to protect communities that experience a disproportionate share of environmental pollution and public health hazards.^{15, 16, 17}

Another unified approach is “Earth Law,” which seeks to shore up the patchwork of regulations that currently exist, while addressing gap areas that are insufficient. Earth law takes a cue from the many countries that convey legal status to nature itself (just as laws in the U.S. convey legal status to corporations and other business entities).¹⁸

It is encouraging to see those looking at environmental challenges in proactive and creative ways, using the laws we have while advocating for better while achieving myriad benefits.

While it is normal to be discouraged by environmental issues, we do not have to dwell there. Environmental essayist Mary Heglar offers this encouragement:

“We don’t have to be Pollyanna-ish or fatalistic...we can learn the differences between hopelessness and helpless. We don’t know how this movie is going to end, because we’re in the writers’ room right now. We’re making the decisions right now. We don’t get to give up.”¹⁹

1. San Joaquin Valley Air Pollution Control District, Wildfire Information, <https://ww2.valleyair.org/air-quality-information/wildfire-information>
2. Henry Fountain, “In a First, U.S. Declares Shortage on Colorado River, Forcing Water Cuts,” *New York Times* (August 16, 2021), <https://www.nytimes.com/2021/08/16/climate/colorado-river-water-cuts.html>
3. Jesse Vad and Louis Henry, “California has been unable to address water problems in a number of towns. Here’s why,” *The Fresno Bee*, August 18, 2021, <https://www.fresnobee.com/fresnoland/article253370358.html>.
4. See, e.g., Water Education Foundation, Algae Blooms, <https://www.watereducation.org/aquapedia-background/algae-blooms>
5. Carmen Kohlruess, “Killer algae? California officials retesting river water after family found dead in Sierra,” *Fresno Bee*, August 20, 2021, <https://www.fresnobee.com/news/local/article253616898.html>
6. Climate Central, “Hot Zones: Urban Heat Islands,” pages 4-5, July 14, 2021, available at https://medialibrary.climatecentral.org/uploads/general/2021_UHI_Report.pdf
7. United Nations, “Secretary-General’s statement on the IPCC Working Group 1 Report on the Physical Science Basis of the Sixth Assessment,” August 9, 2021, <https://www.un.org/sg/en/content/secretary-generals-statement-the-ipcc-working-group-1-report-the-physical-science-basis-of-the-sixth-assessment>
8. Rebecca Hersher, “How climate change is fueling Hurricane Ida,” *NPR*, August 30, 2021, <https://www.npr.org/2021/08/30/1032442544/how-climate-change-is-fueling-hurricanes-like-ida>.
9. Rachel Carson (1962), *Silent Spring*. Page X
10. Joseph L. Sax, “The Public Trust Doctrine in Natural Resource Law: Effective Judicial Intervention,” 68 *Michigan Law Review* 471 (1970).
11. *Env’t L. Found. v. State Water Res. Control Bd.*, 26 Cal. App. 5th 844, 237 Cal. Rptr. 3d 393 (2018)
12. See, e.g., Richard J Lazarus (2004), *The Making of Environmental Law*, pages 75-79.
13. California Climate & Agriculture Network, “About CalCAN,” <https://calclimateag.org/about-calcan/>
14. River Partners, “About,” <https://riverpartners.org/about-us/>
15. California Department of Justice, “Environmental Justice,” <https://oag.ca.gov/environment/justice>
16. California Environmental Justice Alliance, “Mission and Vision,” <https://caleja.org/about-us/vision-and-history/>
17. Central California Environmental Justice Network, <https://ccejn.org/>
18. Earth Law Center, “What Is Earth Law?” <https://www.earthlawcenter.org/what-is-earth-law>
19. Mary Annaisa Heglar, “Hope is Always Worth It,” *All We Can Save: Truth, Courage, and Solutions for the Climate Crisis* (2020), pp. 282-283



Madera County Superior Court

SJCL Celebrates New Superior Court Judge

Governor Gavin Newsom has appointed 53-year-old Sosi Chitakian Vogt (Law '95) to serve as a Madera County Superior Court Judge, but she is not new to the role of bench officer; Vogt has served as a Court Commissioner at the Madera County Superior Court since 2020. Prior to that role, she was Appointed Counsel at Madera Alternate Defense in 2019 and an Associate at Wapner Jones PC from 2016 to 2018.

The Governor's Press Release adds "Vogt was an Associate at Sawl Law Group from 2009 to 2015 and a Contract Attor-

ney at the Fresno County Public Defender's Office from 2003 to 2009. She was Corporate Counsel and Corporate Secretary of the American Division at Anderson Clayton Queensland Cotton from 2001 to 2003, a Deputy District Attorney at the Fresno County District Attorney's Office from 1998 to 2001 and an Associate at Richard A. Ciummo and Associates from 1996 to 1998."

Vogt becomes the fifth person from the Class of '95 to achieve the role of bench officer; her classmates included Hon. F. Brian Alvarez, Hon. Edward Ruben Car-

rillo, Jr., Hon. Jeremias F. DeMelo, Jr., and Hon. Elizabeth Ann Kams Egan. She is the 25th SJCL alumni to attain the position of Superior Court Judge, and the 59th SJCL alumni to become a bench officer.

She fills the vacancy created by the retirement of Judge Joseph A. Soldani, who was appointed by former Governor Arnold Schwarzenegger in 2010. Soldani is a Democrat. Vogt is a Republican. Governor Newsom appointed 22 Superior Court Judges on Friday, September 3rd, but Vogt was the only one appointed in the Valley.



Prepare For Launch: Attorney-Student Mentorship Program

BY JOSHUA HERNANDEZ (LAW'18)

San Joaquin College of Law Alumni Association, along with partnerships with SJCL student organizations, is proud to announce the launch of a mentorship program that will empower law students to interact, learn, and grow professionally by forging relationships with practicing attorneys.

The goal is to match students with like-minded attorneys to share experiences and knowledge in their respective fields of law. Furthermore, the mentorship program aim is for students to find their passion, enhance their performance in law school, augment their knowledge in various fields of law, and to guide them through procedural rules and regulations not found in the classroom. The mentorship commitment can range from monthly coffee talks to weekly shadowing in the courtroom.

So, you the attorney may ask, what's in it for me? Besides the obvious altruistic good feeling of giving back to the community, the benefit is cultivating a more equipped legal community. For instance, the more prepared a law student is—either before or after obtaining a bar card—the better they will be as interns, law clerks, associates, colleagues, opposing counsels and partners. In other words, everyone benefits when we have a more competent and integrous legal community.

This program will thrive on strong participation from students and attorneys. We highly encourage all to participate in some capacity. Whether your availability ranges from two hours a month to two hours a week, this program is for you!

You can contact Joshua Hernandez at joshua@dohlaw.com for more information.



Mission Ambition

It's more than just creating attorneys. Part of the mission statement at SJCL is "To educate and develop individuals to become highly skilled attorneys and problem solvers who will benefit their communities through public and private service."

There are so many among the alumni rank who fulfill this mission every day, and it's nice to see this service is not limited to alumni with decades of experience. Raquel Busani is a 2018 grad. The Fresno City Council recently appointed her to a four-year term on the Fresno County Metropolitan Flood Control District Board of Directors.

It's a position that has nothing to do with her training. She notes "My day job continues to be that of an attorney for ERISA Law Center, located at Palm and Sierra (www.theerisalawgroup.com). My current case load is quite diverse: most of my cases are ERISA/employee benefits related (i.e., disability, life, health, and pension benefits), but I also have one lingering personal injury case, and a few soon to be filed cases, included a bad faith/breach of contract insurance case involving a trucking accident, and a prisoner civil rights/excessive force case."

So why would she want this seat? "First, I think for purposes of community engagement, it is extremely important for special districts such as the Fresno Metropolitan Flood Control District (FMFCD) to have a few "regular" people who do not necessarily have special knowledge on the matters that are dealt with by the specific district, serving as directors," she says. "So, for example, though I am attorney, I do not come with a background in engineering and development, nor flood control, so I believe I come with fresh questions and can offer a



perspective that is more akin to the general public's perspective on the matters that are being voted on by the FMFCD Board."

Secondly, she says it's about community. "The flood basins controlled by FMFCD take up a lot of space. So I am interested and look forward to supporting partnerships between the District and other Central Valley organizations, entities, and agencies, to encourage the expansion of multi-use water basins that serve the various needs of our community. One such multi-use is the use of portions of certain flood basins as recreational space, which is something that has already been done. Therefore, as an example, my hope is that contingent upon feasibility studies for each site (most of which have already been done), careful planning from the City of Fresno and its various departments –

including Fresno's Parks and Recreation Department – and with Measure P dollars coming in soon, Fresno's green space dreams will soon come true."

And thirdly, Raquel notes the community includes more than those who live in its houses: "It is difficult – if not impossible--to ignore the various homeless encampments throughout the city – including around many of the city flood basins and water canals. Therefore, the City, FMFCD, and the various other local water districts have to acknowledge the impact of these encampments on sanitation and water quality. I do not believe that the current approach of simply kicking people out of these encampments is the most reasonable or even most economical approach in the long run. It definitely is not the most humane approach. Therefore, I would also like to see collaborations with organizations like Lava Mae, as well as local community members and entities, who are currently working to bring mobile showers, restrooms, and other services that promote well-being to people experiencing homelessness. Water boards across California and particularly in the Central Valley (i.e. Stockton) and Central Coast have already started tackling this issue, recognizing that the issue of water quality and sanitation must be addressed with compassion to the unhoused. My hope is that the FMFCD District joins this effort."

Our congratulations to Raquel for her appointment!

Andres Diaz Special Education Scholarship

A Valley family who struggled to get the services their autistic son needed in his K-12 education is now trying to smooth the path for others facing the same battles.

Andrea and Thomas Diaz named the \$1,500 scholarship at SJCL after their son, who is in his final semester of earning a bachelor's degree from Fresno State.

The goal is to encourage more law students to become involved in Special Education law. The Diaz family feels the Valley needs more Special Education Attorneys who will advocate for children and their parents, rather than solely advocating for school districts. Andres' mother, Andrea, believes school districts often drive a wedge between parents and Special Education teachers, instead of encouraging collaboration for the betterment of the child. Andrea recalls the many times she and Thomas had to appear at various Individual Education Plan meetings to advocate for simple accommodations for their son. While members of their son's IEP team always asked for parent input as they are required to by law, Andrea says the district often disregarded their suggestions, which largely invalidated their service rights as members of the collaborative team.

In the end, she says, "for parents like us, there is an unspoken option to comply with the district's rules or end up in court." She was frustrated by the second option because she did not have the time, financial backing, or legal knowledge required to take on a large school district alone. Throughout Andres' K-12 school years, there was a lack of available legal information and resources for families that might have helped improve the obstacles Andres and his parents faced in the special education system if they had access to them.

Andrea recalls the defining moment their family decided no other child in special education, or their families, should experience what they had. As Andres approached high school graduation, he self-determined his future included Fresno State. The district disagreed, which resulted in a months-long battle. Ultimately, the Diaz family was successful in their advocacy on Andres' behalf, but they felt their son's situation exposed multiple systemic failures of the special education system



The Diaz family

— especially when the system is predetermined to limit even one child's future.

In an effort to drive changes that will have positive outcomes for children with disabilities through improvements in special education, Andrea enrolled in the Special Education Advocacy Course through the BREN Special Education Legal Clinic at SJCL. She was stunned by the resources and information offered to those currently in her previous situation, and she is excited for the forthcoming systemic change she had envisioned for her son's education. While she is years past her previous battles with the school district, she became a volunteer in the clinic. "We cannot go back to where we were," she says, reflecting on how much the resources BREN offers would have helped her family before, "but we can try to help other families and the future of special education through this scholarship in honor of Andres."

Perhaps SJCL Professor Jodie Howard, Director of the BREN Clinic, sums up the situation best: "This scholarship honors an amazing man who is prevailing in a society that often misconstrues the laws meant to help him succeed; a wrong the scholarship itself aims to help correct."



New Scholarship Celebrates First-Generation Students

A generous new scholarship has been donated by Randy (Law '86) and Ruth Ataide. The Entrepreneurial Spirit Scholarship was created with the purpose of supporting the entrepreneurial aspirations of first-generation law students with a \$1,000 award. The scholarship will be awarded to a different qualifying student during each of the next 15 years. Eligible students must be the first member of his/her immediate family to obtain a baccalaureate degree, demonstrate an interest in entrepreneurship by either owning or operating an existing business or aspiring to start their own law practice or other enterprise, and must be a 2nd, 3rd, 4th, or 5th-year student at SJCL.

SJCL Awards \$5K Hmong Language Scholarship

“Nyob Zoo! Kuv lub npe yog Blia Christy Her. Hello! My name is Blia Christy Her. I am a proud Hmong American woman, born and raised here in the Central Valley”

“Christy” has another reason to be proud: she is the winner of the San Joaquin College of Law 2021 Hmong Language Scholarship, meeting not only the language criteria of the \$5,000 tuition-reduction scholarship, but also the benchmarks of Community Service and Leadership.

She has acted as a Paraprofessional in Child Development for Fresno Unified, a law clerk for Lang, Richert & Patch, and most recently serves as a Judicial Assistant to the Hon. Gary Orozco. All along the way, she has served as an interpreter and voice for the Hmong Community.

“I have been employed with the Courts for over 6 years and have thoroughly enjoyed learning about the procedural aspects from within the courts,” she says. “On numerous occasions, I get to speak in Hmong to assist in translating to family members or individuals passing by, asking for directions; it does not occur as often as I would

like, but I truly enjoy being able to assist in any way possible. There is a significant amount of Hmong families who reside here in the central valley, and I know it is always reassuring to see a familiar and/or friendly face when one walks into the Courthouse for the first time.”

Her work experience, bachelor’s degree in Criminology from Fresno Pacific, and her desire to give back make her especially worthy of this award. She notes she won’t be the first to pursue this dream: “Although there is already a handful of Hmong attorneys practicing within the central valley, some who studied and graduated from San Joaquin College of Law, I am beyond excited to learn and to acquire the necessary tools and knowledge to be able to apply it in numerous areas assisting not just the Hmong community but the entire community!”

In the Valley, there is a strong need for attorneys who possess this language



skill; Fresno is home to the second-largest Hmong population in the United States. The Hmong Language Scholarship seeks to aid prospective attorneys who are proficient in the Hmong language so that this community may be better served.

Another Kharazi Scholarship is in the Books



Kharazi Scholarship winner **Hannah Ravizza** (1L)

Hannah Ravizza seems to be following in the footsteps of the founder of the Kharazi Book Scholarship. Following her graduation at Fresno State, she is on her own and feels she will make it that way. She points to her family background, completely devoid of law, saying “You don’t need a background of attorneys to make it.”

She has been working fulltime at the Fresno County District Attorney’s Office, saving every penny, knowing she’ll have to cut back to working a single day per week during law school. As she puts it, “it will be an expensive journey, but well worth it.” She has applied for numerous scholarships and was delighted to win this one. “Please know that I will put the Kharazi Book Scholarship to great use,” she adds.

Ty Kharazi, a 1996 SJCL grad and founder of the Scholarship, 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, the American Embassy in Tehran was overtaken, leaving him 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 from CSU Bakersfield, followed by his masters in Health Care Administration. He remembers the decades of tight budgeting and established this scholarship to help alleviate that burden for future students.

Not only has Hannah received inspiration as she prepares for this journey, but the ripple effect of that is already being felt; her mom is going back to school to become a nurse practitioner. Her dad passed away in 2009, but she says, “Although he is not here, I know he would be extremely proud of me.”

Holding on to That Which is Righteous

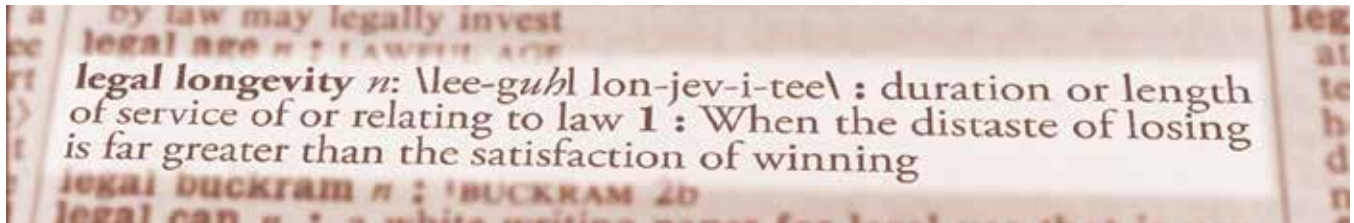
Who would expect a mild-mannered attorney, currently celebrating his 42nd year in the legal profession, has also tried his hand at calf roping and the intense Israeli defense training - Krav Maga?

BY DIANE SKOUTI, ALUMNI LIAISON

As one of SJCL's earlier graduates, Glen Gates (Law '78), is much more than a long-time bankruptcy attorney. Throughout his entire 42 years in law, the only constant has been his practice, the Glen Gates Law Group specializing in Bankruptcy, Family Law,

Because he focused on little else during those years, Glen graduated with an unremarkable GPA, an especially challenging hurdle during the Watergate years (look up Nixon, Watergate Scandal) when everyone and their cousin suddenly wanted to become the next Attorney Ehrlichman.

ing the night shift at a nearby Stop and Go market. More odd jobs followed until Glen was eventually hired to clerk at a few law firms (\$5 - \$10 an hour in those days). He also served internships in the U.S. Attorney and District Attorney's Office, which he says were invaluable. "That's how we did



and Civil Litigation.

Glen says since entering law school at the age of 21, law is the only career he has ever wanted.

"My brother was a big-time team roper. I once took some time off to go to Texas and take riding and roping lessons. I even bought a few horses! Eventually I realized I didn't have the time, or the talent."

With a demeanor reminiscent of the beloved comedian Bob Newhart: quiet, reflective, deadpan delivery, and an unexpected line thrown in that catches one off guard, Glen took some time to talk recently about his longevity in law and the career he loves. To wit: "My wife Maureen works with me in the office as the bookkeeper and accountant (please make sure to get her name in there), and she's the one who gives me my allowance!"

Growing up in Aurora, Colorado, the son of a construction worker, Glen gained his work ethic by carting around heavy stakes and 2x4s. Enough in fact that by age 12 he knew he wanted to do something else.

Glen admits that he didn't do much during his undergrad years at the University of Northern Colorado, until - that is - he joined the debate team. A pairing with a talented debate partner allowed Glen and his team to travel the country for competitions, even reaching the Nationals, he recalled.

It was a member of the Fresno State debate team, frequent competitors of Glen's team from Colorado, who first told him about a small law school in Fresno that had recently opened its doors. "The Fresno guys were friends with a guy named Gary Austin (ultimately the Hon. Gary Austin) who was attending SJCL." Glen flew out to California and set up a meeting with Judge Dan Eymann, who was one of three law school founders (John Loomis and Hon. Oliver Wanger were the other two) who determined admissions. Judge Eymann wanted assurance of Glen's commitment, and that he was prepared to make the required move from Colorado to Fresno if admitted. A phone call from the judge came the following day: "You're in!"

With their wedding just a few weeks away, Glen and his new wife moved to California, just days ahead of the fall term. They got jobs as apartment managers with Glen additionally work-

it," he recalled.

Glen's motivation throughout was his strong desire to assist the lower middle-class, like his family, whose legal needs weren't being met. "The poor had programs to help them and the rich had money, but there was very little available to the middle class."

Upon opening his first office, Glen says he wasn't tied to any one area of practice. "I literally sat watching the phone - hoping it would ring - and took any kind of case



Glen Gates (Law '78) with wife Maureen and rescue beagles Jackson and Cooper at Avila Beach in Pismo.

NALC receives donation from American Immigration Lawyers' Association

Congratulations to the New Americans Legal Clinic (NALC) team for being selected as a recipient of a \$2,000 donation from the American Immigration Lawyers' Association (AILA)! AILA is a national association of more than 15,000 attorneys and law professors who teach and practice immigration law. NALC was selected because of its work and contributions to the community. The money will be used to continue to provide services free of charge to under-resourced individuals needing assistance in immigration matters. Congratulations to NALC Director Linda Barreto and the entire NALC Team!



The New American Legal Clinic has helped many local residents become citizens

that walked through the door. Sometimes another firm from the offices next door would throw me a case for whatever reason, and I would run with it!"

Glen says most of his clients through the years have been "the average guy who needs help." In family law and bankruptcy there is a lot of need. Once that phone did start to ring, it never stopped.

After 42 years in any singular pursuit one might expect plans for retirement on the horizon. Glen says he doesn't see his work as a hindrance to leisure activities. His current pursuits are quite eclectic. In addition to golf, bike riding, and visits to the coast, Glen also tried the defensive martial art of Krav Maga – a type of defense training that was originally created for the Israeli Defense Force. And, he is a passionate supporter of the Beagle Freedom Project.

Founded by an attorney in LA., the organization purchases beagles, a breed known for being friendly and docile, which

have been bred and sold to large testing entities as lab subjects. Once purchased from the labs, the dogs are adopted out to loving homes so they can enjoy at least a semblance of a "normal" life. Glen and his wife have adopted three such dogs. He says animal testing is hateful and horrific and he looks forward to the day when strong enough legislation can be passed to put an end to it. (For more information search: Beagle Freedom Project)

As for advice to attorneys who are less seasoned, Glen says he recommends the National Institute of Trial Advocacy (NITA) as an invaluable training experience. Held annually in Colorado over an intensive two weeks, Glen is adamant about the program's acclaim. He attended the boot camp twice and recommended it to his daughter Kristin, who happens to have followed in her father's footsteps as an attorney and graduate of SJCL. "Kristin, who is a very talented lawyer (no bias here!)

attended the boot camp 13 years ago, and she still has friends she met there, it was that intense," he said.

In addition to his 42nd milestone year as an attorney, Glen is gearing up for his 51st high school reunion. He says he's been reflective of late about his life since high school, and what he might say to all those guys he hasn't seen in a long time.

"I'll tell them that my work is challenging, but I don't know what else I would do...I love the practice of law. It's satisfying when you see something that should be a righteous position, you hold onto it, and then it becomes a righteous position (when you win)."

During his career, Glen has additionally sat on the bench as a pro tem Judge, and argued appeals in the Fifth District Court of Appeals, the California State Supreme Court, the Federal Courts, and the 9th Circuit Court of Appeals. "There's a lot to it," Glen says, "and most of the time, it's fun!"

Future Attorneys Radiate Resilience

Throughout its 52-year history, SJCL has been known as an atypical law school. As a small graduate school unknown even by some locals, we have always radiated a positive energy of nurturing and collaborative support, rather than the customary fierce competition found in most law schools.



BY **DIANE SKOUTI**, ALUMNI LIAISON

This is especially true this year, as the new term begins and not one, but two first-time classes arrive on campus - in person. In “normal” years, a weeklong orientation is held for the 1Ls so they can get their bearings and complete all pre-term matters before instruction begins. This year we had double orientations, one for the 1Ls and another for the 2Ls who completed their first year of law school without ever having set foot on campus. These brave Juris Doctor candidates will be forever known as the COVID-Class, those who began their quest for an education in law during turbulent times.

It has been an inspiration to watch them arrive finally on campus and greet one another as cohorts they sort of know - from the neck up anyway - and the small video box on the Zoom screens they employed to attend their entire first year of law school, virtually.

As their first ever in-person orientation got underway with individual introductions, an infectious vibe of kinship, resiliency, and good humor permeated the room. As they spoke in turn about their families, reasons for choosing law, wildest first-year memories and pets, it became apparent that this group had something special. They expressed a deep appreciation for one another (even though they had never met in person) and the life-changing journey they had each undertaken. Their collective demeanor was upbeat and filled with excitement and anticipation. One would have expected their spirits to have been dampened somewhat, after the year they (we) have all been through. But they weren't.

These students, of all ages and backgrounds, embraced who they were and wanted to become. They wore none of the pretense that often accompanies would-be professionals at similar gatherings. No one wore a suit or spoke like an ambitious job applicant. No one was trying to impress anyone else. They were grounded, and honest, and real. One shared that she sometimes turned her Zoom camera off and cried during those insanely difficult first year classes, and another admitted the reason she has no pets: “I have barely been able to keep myself alive, let alone care for a pet!” One opted to attend the orientation via Zoom stating “I LOVE Zoom, I really do!” and another said that she now knows, after one year of law school: “The movie “Legally Blonde” is not an accurate representation!”

In a word, this class is filled with characters. Or better stated perhaps, those with character. They have survived a remote running of the gauntlet while navigating the crumbling world around them. If this class is representative of the future of the legal profession, we are in very good hands. Best wishes to you all COVID Class, you have already made us proud.



Marjaree Mason Center Honors Alumni

Two SJCL Alumni are among this year's winners of the Marjaree Mason Center's Top Ten Professional Women Awards; Sara Mirhadi (Law '00) and Sally Moreno (Law '95) will be feted at the Mason Center's 38th annual event.

Sara Mirhadi is the Chief Program Officer for the Poverello House, where she is responsible for the day-to-day operations of homeless services. This includes everything from budget development to staff coordination, federal, state, and local compliance review, and program development. She has been in the position for nearly a decade.

Her prior work includes being a Fresno Workforce Investment Board Researcher/Grant Writer and Housing and Community Development HOME Program Coordinator for the City of Fresno.

Sally Orme Moreno was elected Madera County District Attorney in 2018. During her undergraduate years at U.C Santa Barbara, she was involved in ROTC, and was commissioned an officer in the Army Military Police Corps. She is also a veteran, having been called up for service during Desert Storm.

After graduating UCSB, Moreno worked as a police officer for the Los Angeles Police Department and was activated as an Army Reservist in 1991. After realizing her favorite part of law enforcement was the law itself, she returned to the Valley and began attending San Joaquin College of Law.

Other recipients of this year's awards include: Rama Ambati, President, Ambati Properties; Colleen Curtis, President and CEO, United Health Centers of the San Joaquin Valley; Dr. Teresa Daniele, Chief of Cardiology, UCSF, Fresno; Shantay R. Davies-Balch, President & CEO, BLACK Wellness & Prosperity Center and Founding Director, African American Coalition, Fresno Economic Opportunities Commission; Valerie F. Davis, President, Fresno Unified School District Board of Trustees; Ivonne Der Torosian, Vice President, Community Health & Well-being, Saint Agnes Medical Center; Dr. Luz E. Gonzalez, Dean of the Fresno State Visalia Campus, California State University, Fresno; and Lorna Roush, Secretary/Treasurer, Schultz Ranch, Inc.

Meanwhile, Central California Food Bank, Co-CEO's, Kym Dildine and Natalie Caples have won the award for Leading Business.

The annual Top Ten Professional Women and Leading Business Awards will be held Tuesday, Oct. 14 from 11:15a.m. to 1:00p.m. at Chukchansi Park. Actress and public speaker April Hernandez-Castillo will be the keynote speaker. Individual tickets and tables of ten for the luncheon may be purchased at <https://mmcenter.org/top-ten>.



Poverello House Chief Program Officer
Sara Mirhadi (Law '00)



Madera County District Attorney **Sally Moreno** (Law '95)

WELCOME BACK

SBA Brings Life Back to Campus

BY ERIKA ESQUEDA, SBA PRESIDENT 2021-22

Hello new students, continuing students, and alumni! In my current role as SBA President, I want to welcome everyone back to campus! We are excited to have our SJCL community together again, for the most part, in-person. The new SBA board has been busy planning those annual events we know and love, that have been absent for the past two years, in addition to some new ones.

Before the start of the term, we hosted our first ever 1L workshop: “What I Wish I Knew Before Law School.” Useful information like how to outline, prepare case briefs, and create study schedules was shared with the 1Ls.

We also enjoyed participating in the 1L-2L orientations by providing goodie bags, a drawing for two \$25 Starbucks Gift cards, and some student assistance, in addition to Kona Ice Snow-Cones to fend off the 100+ degree heat.

The SBA is especially excited to bring back annual events like the Back-to-School party and Spring Banquet aka Barrister’s Ball. We chose “Superheroes Unite!” as the perfect back-to-school theme for this year and we plan to include a costume contest, food and drinks, and music in the Veteran’s Park. Other upcoming events include Starbucks and baked treats at mid-term, and Movie Night in the Park - complete with popcorn and hot chocolate – after finals. We are also extremely excited to host the Barristers’ Ball, which has been absent for two years due to COVID. The theme for the ball will be “A Night in Egypt.”

Please follow the SBA on [instagram.com @sjcl_sba](https://www.instagram.com/sjcl_sba) to stay up to date on additional plans. It is our aim to make all previous Student Bar Association Board Members and Representatives proud!



SBA OFFICERS – BACK ROW (L-R): **Ann-Marie Padilla**, 2L Class Representative; **Erika Esqueda**, President; MIDDLE ROW (L-R): **Cindy Arredondo**, 3L Class Representative; **Carragan Huerta**, 3L Class Representative; **Jennifer Gevorkyan**, 2L Class Representative; **Mandeep Sanghera**, Treasurer; FRONT ROW (L-R): **Diana Malcolm**, Vice President; **Leslie Miller**, 4L Class Representative; **Harmandeep Kaur**, Secretary; NOT PICTURED: **Allison “Liz” Rodriguez**, 4L Class Representative

LawSUIT Provides Resources and More

BY CINDY ARREDONDO, LAWSUIT PRESIDENT, 2021-22

The student group Law Student United in Tolerance (LawSUIT) was founded in 2007 by David Ibarra (Law '10). As a first-year student himself, Mr. Ibarra quickly realized the lack of resources for first generation college students and first-generation law students. Mr. Ibarra set out to create an organization focused on helping students survive law school, create fellowship among the student body, partner with faculty, and build a diverse community united in tolerance.

The resources LawSUIT provides to its members are as follows:

- A Mentorship Program: where first year law students are paired with an upper-level law student, who is also a LawSUIT member.
- Academic Workshops: taught by professors such as Professor Purvis and Professor Masters, just a few of the school's longstanding and well-respected professors.
- Outline Banks: from other LawSUIT members who have done remarkably well and have gone on to Witkin courses (that is, the student with the highest grade in the class).
- Guest Speakers: who are practicing attorneys and judges in different areas of law. These speakers are great examples of the diverse career paths available to those with law degrees. Take advantage of these networking opportunities!
- A Book Club: for those who enjoy reading and staying up to date on current hot topics or are just simply open to learning more about the struggles of distinct communities within the great salad bowl that is America.
- Monthly Newsletter: to keep you up to date on LawSUIT news.
- Scholarships: our LawSUIT members are also eligible to apply for scholarships that are open to LawSUIT members only.
- Social Events/Gatherings: to give our students a much-needed break in the semester. Remember to recharge, do not burn out!
- Graduation Cords: for graduating LawSUIT members!

Today, LawSUIT lives on through the dedication of students who share the same passion as Mr. Ibarra. LawSUIT's mission includes bringing attention to legal issues affecting underprivileged and underrepresented communities. LawSUIT aims to accomplish this mission through our pursuit of academic excellence, service to our school, and coordination of activities. Our objectives include the following:

- Providing support and encouragement to new students adjusting to their new workload
- Serving our school and community
- Promoting diversity on campus and throughout the Central San Joaquin Valley



LAWSUIT OFFICERS – BACK ROW (L-R): **Vanessa Martens**, *Secretary*; **James Proctor III**, *Treasurer*; FRONT ROW (L-R): **Brittany Hieng**, *Vice President*; **Cindy Arredondo**, *President*; **Heather Thomas**, *Book Club Chair*

In furtherance of these objectives, LawSUIT extends an invitation of membership to all interested parties.

This semester we have a ton of activities planned for our students which include an academic workshop on September 26, 2021, for our 1L members, our guest series speakers, and a mixer at the law offices of Goldberg & Ibarra (date TBA). Lastly, we want all students to know that we are all in the same struggle when it comes to obtaining our law degree, but we are here to support them through it. "If you help one, you help many."



Fresno County Superior Court Presiding Judge **Hon. Arlen Harrell** convenes the En Banc Memorial Session.

SJCL Founder, John E. Loomis, Fondly Remembered



Twenty judges, along with family and friends, gathered for the August 25th En Banc Memorial Session to honor Valley attorneys who passed away in 2020. San Joaquin College of Law Founder John Loomis was among those lost. SJCL Dean Janice Pearson and

retired SJCL Professor Sally Perring collaborated on the resolution on the resolution in memory of Mr. Loomis. Both had worked extensively with Mr. Loomis for years and reflected on his knowledge, experience, and many kindnesses that built SJCL.



Retired SJCL Dean of Academic Affairs **Sally Perring** reads the resolution honoring John Loomis

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE
COUNTY OF FRESNO
FRESNO, CALIFORNIA, AUGUST 25, 2021**

**COURT CONVENED. HON. ARLAN L. HARRELL, PRESIDING
MICHAEL L. ELLIOTT, CLERK OF THE COURT**

Court is convened for the purpose of paying tribute to the memory of the late JOHN E. LOOMIS, the Court sitting en banc. The following resolution of the Fresno County Bar Association is presented.

RESOLUTION IN MEMORY OF JOHN E. LOOMIS

John Elmer Loomis was born in Mauston, Wisconsin on April 25, 1924. His small-town roots, with the personal respect one had for their neighbors, infused his life and his practice of law.

He was introduced to public service at a young age. His father, a lawyer, Orland Steen Loomis, served as a Wisconsin State Assemblyman, State Senator, and State Attorney General. In 1942 his father ran for Governor on the Progressive Ticket. John, a high school senior, served as his chauffeur around the State during the campaign and resolved then and there never to be involved in politics. While John's father won the election, tragically he died before he could take office. His death was just days after the bombing of Pearl Harbor and John, feeling the call of duty, immediately joined the U.S. Army Reserve. He was called to active duty in April of 1943.

After training, John was sent to the front lines near Metz in France, assigned to push back the German forces. He spent nearly a month in combat, watching his "buddies" being injured or killed around him. In the process of fighting in the trenches, often in pouring rain, John developed trench foot. Ultimately, he could not walk, and was evacuated. Years later he would take his daughter, then later his grandson, to revisit the combat sites in France. In 2010, France made John a Chevalier of the French Legion of Honor, the equivalent of knighthood, at a ceremony in Clovis, honoring him for his service in liberating France during the War.

John spent a year recovering in a military hospital in Auburn, California, completing an A.A. degree while hospitalized. Upon his recovery and discharge, he was admitted to Stanford University. During his time at Stanford, he met his future wife, Sue Henderson. He describes that day as "the most auspicious event of my life." John graduated with his baccalaureate degree on June 12, 1946. Three days later he married Sue in Fresno, which marriage he describes as "65+ years of a wonderful adventure." He graduated from Stanford Law School in June of 1949.

John and Sue moved to Fresno in January of 1950. He worked first as a Deputy District Attorney, then a Deputy County Counsel, until he joined the firm of Staniford & Harris, handling mostly transactional matters. In 1951 their son, John Jr. was born, and in 1954 their daughter, Laurie, was born. While the partners in the law firm changed over time, it was his established long-term friendships with his clients, some lasting 40 years or more, that was the hallmark of his practice. He served with legal competence and the highest ethical standards, but more than that, with care for the well-being of his clients.

In spring of 1969, Judge Dan Eymann called a meeting of prominent Fresno lawyers to discuss opening a law school. Ultimately, only Judge Eymann, John, and now Judge Oliver Wanger answered the call. As Dean, Assistant Dean, and Assistant Administrative Dean they undertook the incredible commitment of personal time and energy involved in creating a law school - recruiting students and faculty, teaching, applying for approval to operate and accreditation, finding a suitable building. When Judge Eymann became ill, John took on the responsibilities of the deanship and was formally named the dean in March of 1977. In 1980 John stepped back from teaching and administration, though remained on the Board of Trustees of San Joaquin College of Law for another 35 years, offering wise counsel and generous financial support. The school founded by these three men has changed the face of the local legal community where it would be difficult to find an attorney who is not either a graduate, or has not practiced with, against or in front of an SJCL graduate.

John's law firm ultimately included SJCL graduates Joanne Sanoian and John Garland as partners. John retired from practice in 1990. He and Sue then travelled the world, visiting such places as China and Cuba. When Sue became extremely ill, John cared for her tenderly until her death.

John Elmer Loomis was among the greatest of the Greatest Generation and he is missed by all who had the privilege to know him.

BE IT THEREFORE RESOLVED that the members of the Fresno County Bar Association deeply lament the passing of JOHN E. LOOMIS. **BE IT FURTHER RESOLVED** that this memorial and this resolution be received in evidence and spread upon the minutes of the Court.

By:

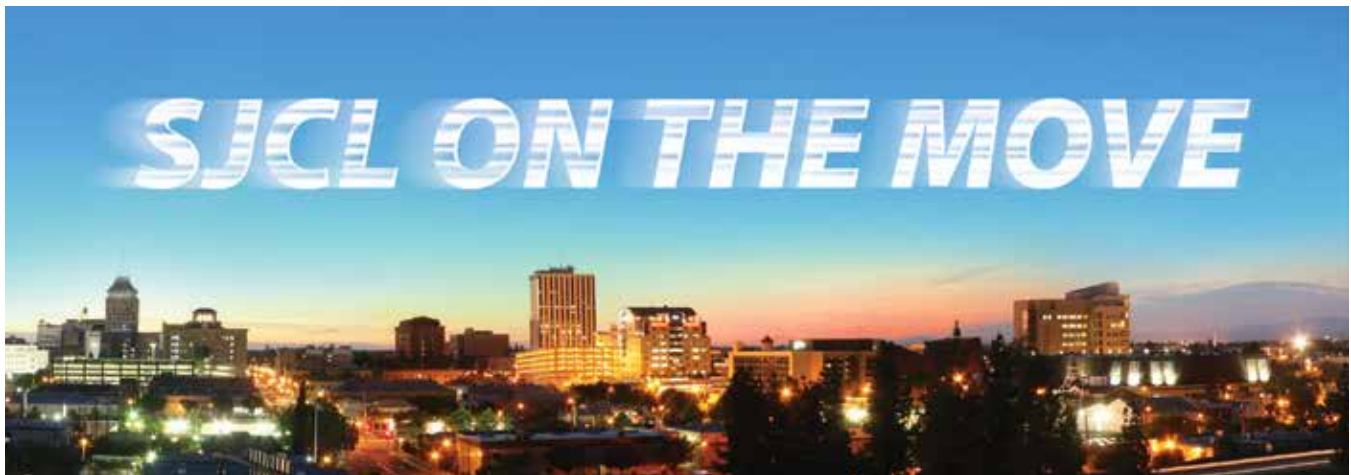
Sally A. Perring, Dean of Academic Affairs, Ret'd., San Joaquin College of Law

ORDER OF THE COURT

IT IS HEREBY ORDERED that the foregoing proclamation and Resolution of the Fresno County Bar Association, with respect to the memory of the late JOHN E. LOOMIS, be accepted, filed and spread upon the minutes of the Court.

Dated: August 25th, 2021

ARLAN L. HARRELL, Presiding
Judge of The Superior Court



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

Nathalia A. Aguirre (Law '20) is now an Associate Attorney at the Law Office of Jason Crockford in Madera.

Rachel Baskin (Law '19) is the newest prosecutor at the Fresno County district attorney's office.

Jordan A. Bennett (Law '20) is now an Associate Attorney at Pascuzzi Pascuzzi & Stoker.

Raquel M. Busani (Law '18) has been appointed to the Fresno County Metropolitan Flood Control District Board of Directors by the Fresno City Council. In addition to serving her four-year term on the Board, she continues her work as an attorney for the ERISA Law Center.

Amanda D. Busick (Law '19) is now an Associate Attorney at Gillett Law, APC in San Luis Obispo.

Monique Castruita Galvan (Law '16) has opened the Law Office of Monique Castruita Galvan in Bakersfield.

Andrea M. Chapman (Law '17) is now an Associate Attorney at Coleman & Horowitz LLP.

Heidi R. Falany (Law '17) is now a Research Analyst/Attorney for Granville Homes.

Jorge Gallegos Jr. (Law '18) is now an Associate Attorney at Borton Petrini, LLP.

Spencer L. Gong (Law '03) and Hon. **Jeremy K. Lusk** (Law '03) have opened The Law Offices of Lusk & Gong, Inc. Gong is continuing to provide representation with the same staff, while Lusk is back representing clients after spending 1-1/2 years as an Administrative Law Judge at the Workers' Compensation Appeals Board.

Feras M. Khoury (Law '12) is now the VP of Clinic Operations with Dignity Health on the Central Coast. As of January, he also became a Board Certified Fellow with the American College of Healthcare Executives.

Nichola G. Krebsbach (Law '16) has opened Krebsbach Law, APC in Visalia, practicing primarily estate planning, probate and trust administration, Medi-Cal asset protection planning, and special education law.

Virginia Madrid-Salazar (Law '16) is now a Dependency Attorney at Fitzgerald, Alvarez & Ciummo, where she works in their Fresno Dependency Office.

Syuzanna Martirosyan (Law '20) is now an Associate Attorney at the DeMaria Law Firm.

Adriana I. Mendoza-Gurrola (Law '20) is now an Associate Attorney at the Yarra Law Group.

Jesus Pereda Jr. (Law '20) is now an Associate Attorney at Mark A. Broughton, P.C.

Shannon N. Wallen (Law '16) is now an Associate Attorney at Pascuzzi, Pascuzzi & Stoker.

Cassandra K. Sheanh (Law '19) is now an Associate Attorney at Albert & Mackenzie.

Hon. Sosi Chitakian Vogt (Law '95) has been appointed as a Madera County Superior Court Judge. She had previously served as a Court Commissioner at the Madera County Superior Court since 2020. Vogt becomes the fifth person from the Class of '95 to achieve the role of bench officer, the 25th SJCL alumni to attain the position of Superior Court Judge, and the 59th SJCL alumni to become a bench officer.

Kayla L. Waters (Law '17) has opened Modern Legal Document Solutions, a registered & bonded legal document preparer, specializing in evictions, wills & trusts, business start-up, and more.

Mark Wilson (Law '10) has opened the Law Office of Mark Wilson.

Evan A. Wright (Law '20) is now an attorney with the Harris Law Firm, PC.

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.

Donations from June 1, 2021 - August 31, 2021

\$15,000+

American Endowment Foundation
Randolph ('86) & Ruth Ataide

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Leon S. Peters Foundation

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American Immigration Lawyers Association
Michael Condry ('80)
Laurie Dunn
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Christine Oyakawa

In-Kind-Gifts

Carlos Sueldo
Philip Tavlian ('80)

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.

In Memoriam

San Joaquin College of Law notes with sadness the passing of
Lawrence E. DeWitt (Law '98) on August 22, 2021.



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- You* Maintain the robust SJCL network among your peers
- You* Preserve the legacy of your alma mater with financial support
- You* Provide invaluable student scholarships
- You* Mentor fellow SJCL students and graduates, along with anyone interested in the legal profession

If you know of anyone who might like to follow in your footsteps, please have them contact Diane Steel, Director of Admissions: dsteel@sjcl.edu, 559-326-1455.



OCTOBER 19, 2021

LAW SCHOOL 101
INFORMATION FORUM

DECEMBER 3, 2021

LSAT REGISTRATION DEADLINE

JUNE 11, 2022

FINAL LSAT
FOR FALL 2022 ADMISSIONS

JUNE 30, 2022

APPLICATION DEADLINE
FOR ADMISSION