



Inter Alia

San Joaquin College of Law Quarterly Newsletter
Volume XXVII, Number 1

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To all of SJCL's Supporters, "Thank You!"

The smooth groove of the Fresno State Jazztet set the tone for a lovely evening of camaraderie and gratitude as Dean Jan Pearson thanked SJCL Lifetime Giving Society Donors for their continued support and stewardship at the 2016 Donor Wall Reception.

Nearly 70 invited guests, SJCL Board of Trustee members, faculty, staff, and students filled the great hallway to enjoy an irresistible mingle of music, delectable hors d'oeuvres, and Cru wine, which was generously donated by one of the winery's owners, Trustee Stephen Spencer.

As she thanked everyone for their steadfast support of SJCL, Dean Pearson noted how the past year saw a record

number of donors move into upper level categories. In addition to donors from our own alumni family, members of the legal community – including over a dozen judges – make up the extraordinary SJCL base of support. "Without all of you, there would be no law school," she told the crowd.

The evening ended with chocolate covered strawberries, hand dipped by our own Joyce Morodomi, and sent home

with guests as a sweet reminder of our enduring gratitude.

The next time you're on campus, take a moment to scan our ever expanding donor wall. Names next to triangles signify donors who have moved up, and those with stars signify new donors who have been added. There is always room for more!

Photos on page 8



Traynor Returns!

The Traynor Moot Court Competition returns to the Federal Courthouse in Fresno starting April 2nd. It is the second time San Joaquin College of Law has played host to the event. In 2013, fourteen law schools came to the Valley to compete, including teams from Berkeley, Hastings, McGeorge, and Davis. San Joaquin College of Law was thrilled to take the Roger J. Traynor trophy for Best Oral Argument.

Traynor Moot Court is a yearly event sponsored by the Witkin Institute and the Rutter Group. The issue is usually based upon state law and is generally taken from an actual case considered by the California Court of Appeals or California Supreme Court. The event rotates between law schools in the Bay Area, Los Angeles and Fresno (since 2013).



George Vasquez (Law '13), **Amanda DeHart** (Law '13), and **James Mugridge** (Law '13) proudly display their 2013 Traynor Moot Court Trophy.

Student Appreciation Day



Students returning to class on January 5th were greeted in the great hallway with a make-your-own-trail-mix-bar, courtesy of the SJCL Alumni Association.

Some 13 items, from the healthful and nutritious to the not-so-much, were available to be mixed and matched in any combination stu-

dents could dream up. On a day that dropped more rain on our heads than all of last winter, students were also treated to steamy cups of hot cocoa to warm their souls and help them gear up for the spring term.

Many thanks to the Alumni Association for the treats!

Board of Trustees

Douglas Noll, J.D., *Chair*, Ross Borba, Jr., *Vice Chair*, Melissa White, J.D., *Secretary/Treasurer*, Brande Gustafson, J.D., *Alumni Representative*, Richard Caglia, J.D., Hon. Jane Cardoza, Deborah Coe Hood, J.D., Greg Durbin, J.D., Jan L. Kahn, J.D., Anthony Mendes, J.D., Hon. Robert Oliver, Lisa Smittcamp, J.D., Steven Spencer, J.D., Dennis Veeh, CPA, David Weiland, J.D., Bob Whalen, J.D., and Nick Zinkin, J.D.

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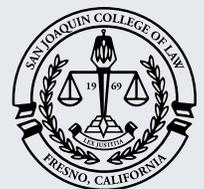
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Major Scholarships for Incoming Students

If you are in a position to advise a potential student, please let them know San Joaquin College of Law has two rather substantial first year scholarships for which they may want to apply.

Perhaps one of the greatest compliments we receive from our alumni comes in the form of new students. Some are what we call “The Legacies,” including the spouses, children, or other family members of alumni. Others are friends, associates, or just acquaintances. These are people who know and trust not just the opinion of an alumni, but also, their model of success.

We are grateful for the kind words, warm memories, and vision of alumni clearly reflected in many of the faces of the incoming class each year. If you are in a position to advise a potential student, please let them know San Joaquin College of Law has two rather substantial first year scholarships for which they may want to apply. Each is worth \$9,000.

Hugh Goodwin Bar Association Scholarship

This Scholarship is named after the Honorable Hugh W. Goodwin, the first African American to hold the position of Judge in Fresno County. The applicant must self-identify as a member of a racial or ethnic group which is underrepresented in the legal profession and have an established record of community service. Whitney Hendricks won the scholarship last year. Over the last five years, she has

worked at two prisons, two addiction treatment programs, and served as a Certified Alcohol and Drug Counselor at Madera County Behavioral Health Services. She has a Master’s Degree in Criminology from Fresno State.

The deadline to apply for the Goodwin Scholarship is June 30, 2016. For more information or to apply, visit sjcl.edu.

Educational Employees Credit Union Scholarships

This scholarship is the result of a partnership between SJCL and EECU in hopes of stemming the “Brain Drain,” where many of the brightest young minds in the Valley go away to school, never to return.

Applicants must be a member of EECU as of the February 15th prior to the intended enrollment at SJCL, show an established record of community service, and submit an essay explaining why they are interested in practicing law in the San Joaquin Valley.

Jodie Howard won last year’s Scholarship. 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 proper educational accommodations under Federal and State Special Education Rights laws led her to publish numerous articles.

The deadline to apply for the EECU Scholarship is May 15, 2016. For more information, or an application, visit sjcl.edu.

In addition to the \$9,000 scholarship for an incoming student, EECU also provides a \$4,500 scholarship for a second year student at SJCL. Both the Law School and EECU see the value of education as more than just a vehicle to personal enrichment; educated communities see enhancements ranging from economic growth to cultural enrichment, improved health, and decreased crime.

The partnership also enhances EECU’s ongoing outreach efforts, which include its Student Grant Program, sponsorship of Excellence in Education Awards for the Valley’s top educators, and support of Central Valley Honor Flight.

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

Thomas H. Armstrong, Lawrence M. Artenian, Arthur G. Baggett, Jr., Barry J. Bennett, Alyson A. Berg, Hon. Stanley A. Boone, Shawna Braun, David M. Camenson, Daniel E. Casas, Phillip H. Cherney, Hon. Erin M. Childs, Lisa B. Coffman, Hon. Jonathan B. Conklin, Hon. Mark E. Cullers, Niki Cunningham, Matthew R. Dardenne, Marc Days, Matthew Farmer, Peter Fashing, Mia Giacomazzi, Daniel Griffin, David J. Guy, Jason P. Hamm, Scott C. Hawkins, Rachel Hill, Philip Johnson, Paul Kerkorian, Kathi Kesselman, Stefanie J. Krause, Andrew S. Kucera, Michael R. Linden, Jeremy K. Lusk, Mark Masters, Kathleen McKenna, Steven McQuillan, Devon McTeer, Mark D. Miller, Hilda Cantú Montoy, David Mugridge, James Mugridge, John M. O’Connor, Nelson Richards, Christina A. Roberson, Dan Rogers, Gary W. Sawyers, Kathleen Servatius, Babak Shakoory, Hon. Michael Sheltzer, Shara Tirapelle, Anastasya Uskov, George J. Vasquez, Kaycie Wall, Hon. Oliver W. Wangner, and Melissa L. White

Message from Alumni Association President

As always, springtime brings new Board members and more opportunities for alumni involvement.

This year, the San Joaquin Alumni Association Board welcomes Nicea Bates (Law '12), Scott Darling (Law '10) and Kristina Garabedian (Law '14). They join previous Board Members Faith Lisle Driscoll (Law '13), Jonas Parr (Law '14), Brande Gustafson (Law '09), and myself, Kyle Roberson (Law '12).

The Alumni Board is busily preparing for the Thirteenth Annual Judy Wiseman Memorial Golf Tournament, which will take place on April 2 at Dragonfly Golf Club. If you or anyone you know is a golf enthusiast, don't miss this opportunity to enjoy a morning of golf, along with some excellent raffle prizes.

Our focus for 2016 is to increase the benefits that the Alumni Association provides to its members, and provide greater outreach to future members. We host events such as the Annual Bar Exam Survival talk for graduating students, and Got MCLE for alumni. The goal of these events is to provide the most value for students and alumni, and we welcome suggestions for topics that are beneficial.

Don't forget that your Alumni Association dues of \$30 allow you to attend Got MCLE and receive three hours of continuing legal education for FREE! If you are not a member and would like to take full advantage of this benefit, you can join the Alumni Association by simply going to www.sjcl.edu or by

dropping a check in the mail to SJCL Alumni Association, 901 5th Street, Clovis, CA 93612.

Other events to look out for are Hall of Fame and Senior Citizens Law Day in the fall. The year will wrap up with the annual Christmas party for the mothers and children of the Marjaree Mason Center. This event includes a fully decorated Christmas tree, presents, a choir, Santa, and Santa's helper Kopi Sotiropoulos from KMPH. Each year this event lights up the faces of children and mothers alike, thanks to the generous contributions of alumni and staff.

I am excited about the prospects for this year, and hope to see you at our events!

Sincerely,



Kyle R. Roberson (Law '12)
2016 Alumni Association President



Kyle R. Roberson (Law '12)
2016 Alumni Association President

Are You Paid Up?

Join your fellow law school alums and help grow SJCL's Alumni Association. Your \$30 annual dues help sponsor Senior Citizens Law Day, the Marjaree Mason Children's Party, Hall of Fame, and Student Appreciation Days. As a paid member, MCLE is free on campus. Let's join together, your input is highly valued!

Join by clicking on the Alumni link at sjcl.edu or send your \$30 dues to the law school in care of the SJCL Alumni Association.

Staff

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Erin Childs Named Court Commissioner

“This is a dream come true for me. I’ve wanted to be a judicial officer for years and am thrilled and honored that I have been chosen for this position.”



Erin Childs (Law '02) sworn in as Commissioner by the **Hon. D. Tyler Tharpe**, Superior Court of California, County of Fresno

Erin Childs has been hired by the Fresno County Superior Court as a Commissioner. Since her graduation from San Joaquin College of Law in 2002, she has spent over a decade as a family law litigator and collaborative law attorney. She is one of two Spanish-speaking female family law attorneys in the area. She feels both an affinity for the clients she serves at the Child’s Law Office and the courts that serve them.

“I’ve been practicing primarily family law for the last 12 years and have spent thousands of hours in these courtrooms for a myriad of legal proceedings. I know and love family law and will feel right at home in Department 301. We have an impressive bench in Fresno County. Our judges are smart, ethical, hard-working and come from a wide variety of back-

grounds. I am anxious to begin a long career of serving our community with these great people as examples.”

Childs has already served as a great example to students at SJCL, where she currently teaches Community Property. In addition, she is a Board Member of the California Women Lawyers. She becomes the eighth graduate of SJCL to serve as a commissioner, and the 41st alumni of SJCL to serve as a bench officer (the complete list to the right).

But in the end, Childs says it takes a little more than just a great education and talent. “I owe a lot of my success to my husband and children. They have been my biggest cheerleaders and the primary reason why I wake up every day and do what I do. I am truly blessed.”

San Joaquin College of Law’s Past and Present Alumni Bench Officers

United States Magistrate Judge

Hon. Gary S. Austin, U.S. District Court, Eastern District of California

United States Bankruptcy Court Judge

Hon. W. Richard Lee, Eastern District of California

Superior Court Judges

Hon. James Aaron, Fresno County
Hon. Brian Alvarez, Fresno County
Hon. Mark Bacciarini, Merced County
Hon. Glenda Doan, Kings County
Hon. Eric Helgesen, Riverside County
Hon. Efren N. Iglesia, Monterey County
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Hon. Kimberly Nystrom-Geist, Fresno County
Hon. Don Penner, Fresno County
Hon. James Petrucelli, Fresno County
Hon. R. L. “Chip” Putnam, Fresno County
Hon. Angus Saint-Evens, Glenn County
Hon. Houry Sanderson, Fresno County
Hon. Alan Simpson, Fresno County
Hon. Donna Tarter, Kings County
Hon. Charles Wieland, Madera County

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Hon. Catherine Benko
Hon. Eileen Deimerly
Hon. James Donabed
Hon. William Gunn
Hon. Walter Johnsen
Hon. Sharon Madsen
Hon. Elizabeth Parker
Hon. Debra Sandoval
Hon. Geoffrey Sims
Hon. Nancy Smith
Hon. Barbara St. Louis
Hon. Georgia York
Hon. Duane Young

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Hon. Robert Broughton, Contra Costa County
Hon. Erin Childs, Fresno County
Hon. Nancy Cisneros, Fresno County
Hon. Jeremias DeMelo, Jr., Kings County
Hon. Ronda Duncan, Fresno County
Hon. Diane Lushbough, Fresno County
Hon. Stephen Sefton, San Luis Obispo County
Hon. Charlotte Wittig, Tulare County

All SJCL Alumni Firm Opens Close to Home

There are many great things about attending SJCL events: tasty hors d'oeuvres and Cru beverages come to mind, but even more important is the camaraderie with those special people with whom you tackled the "best thing that you'd never want to do again...aka, law school."

SJCL Adjunct Faculty member and alum Andy Kucera (Law '13) knows all about that, as does his new firm partner, Charles Palmer. At SJCL's Donor Wall Reception recently, Charles talked about the new venture with his fellow alum.

Palmer Kucera LLP, took root six months ago in an office on Pollasky Avenue that is purposely within walking distance of SJCL. And it's a good thing too, because Andy says a good portion of his work week is taken up talking with students who drop by with questions about class assignments and law school in general.

Andy himself was a Dean's Scholar throughout law school, and says his intention was always to repay SJCL any way he could.

His high grade point average and LSAT score provided him with the opportunity to leave the Valley and go almost anywhere he chose, but he didn't want to. "The opportunity here (at SJCL) was incredible," Andy said. "We have everything we need right here, there's no reason to go anywhere else."

Valedictorian of his graduating class, Andy earned the Dean's Scholarship of Academic Excellence throughout law school, in addition to 17 Witkin Awards.

As the director of Valley Vista Properties, a real estate sales and property manage-



ment company located in the same office as the law firm, Andy specializes in and teaches what he knows: Real Property, Drafting, and Remedies. He received the 2014 SJCL Adjunct Faculty of the Year award.

Before joining forces with Andy, Charles specialized in estate planning, probate, and conservatorship, in a solo practice. Together, Palmer Kucera is a broad service firm. "Both real estate and business are underserved in the legal community right now," said Charles. "Our office is very busy, and we receive a lot of referrals from former classmates."

Both Andy and Charles do a lot of volunteer work with Central California Legal Services, in addition to legal clinics for veterans.

During law school, Charles served as Judicial Extern to Chief Judge Anthony

Ishii of the U.S. District Court for the Eastern District of California. He won the Best Brief award in the Hopper Moot Court Competition and the Witkin Award for Federal Courts.

In 2015, Charles received the Wiley W. Manuel Certificate for Pro Bono Legal Services for his work providing free legal services to veterans. Charles says a highlight of his career was the opportunity to accompany and assist a veteran on the first Honor Flight out of Castle Air Force Base to Washington D.C. "It was a fantastic experience," Charles said. "For many of the vets, [the trip] represents the homecoming they never received."

In their free time, when they have any, both Andy and Charles are active outside of the office as well. Family, outdoor activities with their kids, reading, and travel are just a few of the pursuits they each enjoy.

SJCL Alumni Association 22nd Annual Marjaree Mason Center Party

Thanks to everyone who took the Holiday wishes and dreams of children staying at the Marjaree Mason Center into their own hearts!



The SJCL Alumni Association was able to provide a special gift for each child (based on Moms' hints), ranging from Elsa dolls and board games to remote control cars, art supplies, and movie tickets. Each child also received a book, dinner, and a visit with Santa, and every guest left the party with a special handmade blanket and scarf, provided by ShoeBox Sharing.

Special thanks to the Clovis High Chamber Singers (under the direction of Mark Lanford), who serenaded the children with the sounds of the season, KMPH Great Day Host Kopi Sotiropoulos, who had a great time firing the kids up, the many SJCL students who served as helper elves, and Brian Baker, who took on the role (and suit) of Santa.

Luckily, no classes were in session at the Law School that night because the screams of delight and laughter of the kids could be heard in every corner of the building!

BACK ROW (L-R): Student **Michael Kuchar**, **Beth Waldow** (Law '09), **Roger Wilson** (Law '97), Student **Shannon Wallen**, **Kopi Sotiropulos**, **Jessica McClung** (Law 15), Student **Breanne Ruelas**, and Staff **Diane Steel**.

FRONT ROW (L-R): **Brande Gustafson** (Law '09), **Kristina Garabedian** (Law '14) and **Jonas Parr** (Law '14).

The Alumni Association Board of Directors would like to thank all who so generously donated to make this year's Marjaree Mason Party a huge and happy success.

| | |
|-------------------------------------|--|
| Ashley Allred (Law '11) | Kathy McKenna (Law '99) |
| Jessica Bobadilla, <i>Professor</i> | James Mele (Law '76) |
| Geraldine Brown (Law '79) | John Mesrobian (Law '79) |
| Hon. Nancy Cisneros (Law '80) | Sylvia Ochoa |
| Priscilla Craft (Law '94) | Jan Pearson, <i>Dean</i> |
| Donna Korotie | James Peel (Law '85) |
| Joanna Ebner (Law '05) | Beth Pitcock, <i>Staff</i> |
| Sheri Fisher (Law '91) | Kyle & Christina Roberson (Law '12) |
| Kristina Garabedian (Law '14) | Eddie Ruiz (Law '95) |
| Allison Gong (Law '96) | Hon. Angus Saint-Evens (Law '78) |
| Brande Gustafson (Law '09) | Steven Salazar (Law '84) |
| Douglas & Marcia Haas (Law '82) | Nancy Winston Silacci |
| Bill Hazen (Law '86) | Diane Skouti, <i>Staff</i> |
| Rhea Ikemiya (Law '09) | Marina Gonzales-Sorlie (Law '93) |
| Nicole Jacobsma, <i>Staff</i> | Bradley Stevens (Law '99) |
| Eloise Janzen (Law '94) | Kimberly Sweidy (Law '85) |
| Edward Johnson (Law '04) | James Witherow (Law '87) |
| Leanne Kent (Law '08) | Jane Woodcock (Law '92) |
| Jeannie Lewis, <i>Staff</i> | Alicia Diaz Wrest, <i>Law Library Director</i> |
| Hon. Diane Lushbough (Law '88) | Thomas Zynda (Law '93) |

Big thanks also to Johnny Gutierrez of "Party Bus for You" for donating a bus for transportation.

11th Annual Donor Wall Reception



Dean **Jan Pearson** and **Eddie Ruiz** (Law '95)



Daniel Sharma (2L), **Brittney Hines** (4L), and SBA President **Shannon Wallen** (4L)



Trustee **Ross Borba**, and **Nancy Flynn**



Shawn Kalemkarian with **Hon. David Kalemkarian**, **Patricia L. White**, and **Melissa L. White** (Law '96)



Hon. R.L. "Chip" (Law '75) and **Carol Putnam**



Staff members **Aracely Mota**, **Kenia Garcia**, and **Joyce Morodomi**



Charles Palmer (Law '13) and Law Professor **Rose Safarian**



Kathy Hart (Law '77) and Hon. Gary Austin (Law '76)



Adjunct Professor Mark Miller, Law Professor Jeffrey G. Purvis, and Michael Elder (Law '05)



The smooth groove of the **Fresno State Jazztet** set the tone.



Andrea and Dennis Bean, and Ron Henderson (Law '80)



Hon. Dale and Deborah Ikeda, and Trustee Greg Durbin



Dean Jan Pearson, Greg Hood and Trustee Deborah Coe Hood (Law '91)

Justice Run

Students, professors, elementary school kids, and runners of all ages streamed through the streets of Clovis for the 14th Annual Justice Run.

Race Coordinator Ray Keys-Bramlett said around 200 runners took part, with some reporting over pancakes afterward, they had beaten their personal record.

The Alumni Association, with the help of volunteers from Hope Lutheran Church flipping pancakes and cooking sausage, provided a pancake breakfast for runners after the race. Proceeds from the breakfast will help the Alumni Association purchase new classroom projectors for SJCL.

“Love in Action,” a running team from Turlock’s Wakefield Elementary School, were among the youngest runners competing in this year’s race. Kindergarten teacher Maria Montejano said the group began as a way to involve children who may not otherwise have the opportunity to participate in sports. Montejano said backing from her school’s principal and support from parents and community sponsors make it possible for the kids to compete, as well as purchase team shirts and tennis shoes for those who need them.



NALC Director and Professor **Jessica Smith Bobadilla** and staff member **Aracely Mota**



Adjunct Professor **Phillip Cherney** and SBA Co-Vice President **BreAnne Ruelas** (2L)



“Love in Action” running team from Wakefield Elementary School in Turlock with coordinator **Maria Montejano** (L).



SBA President Shannon Wallen (4L) presents gavel-shaped participant’s medals to law students John Soares (1L) and Daniel Sharma (2L).



Alumni Association Board President **Kyle Roberson** (Law ’12) flips pancakes for the Justice Run.

So, Cite Me!

This is a synopsis of a recent student comment featured in the *San Joaquin Agricultural Law Review*. 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. Professional articles are always welcome. Contact Volume 25 SJALR Executive Editor Jeffrey Castleton at Jeffrey.Castleton@student.SJCL.edu for more information.

You Can't Grow That Here: Obstacles to an Agrarian Renaissance

By **Ryan Petty**, *Articles Editor*
24 San Joaquin Agric. L. Rev. 277 (2015)
San Joaquin Agricultural Law Review

It is no secret that an adequate food supply is an essential element to the continued survival of the human species. Bearing this in mind, it is necessary to consider the risks inherent in the United States' increasing dependence on imported foods, population growth, and other environmental and industrial factors, such as sprawl and the emergence of the biofuel industry. Recognition of these risks has resulted in an increased interest in local foods and a heightened appreciation of the need to pursue sustainable agricultural practices.

To fully understand the precarious state of our current food system it is helpful

to compare current agricultural practices employed in the U.S. to those utilized by Cuba in the years prior to the food crisis experienced in that country. The Cuban system of producing and supplying food prior to 1990 was fraught with unrealized vulnerabilities. The problematic nature of the Cuban agricultural system in place prior to 1990 became apparent when the Cuban people experienced a food-shortage crisis and faced the real possibility of starvation had they not implemented a more self-sufficient means of producing food.

While there is ample evidence to substantiate the benefits of growing food for personal use, the opportunity to do so for those living in urban areas has not been given adequate consideration.

Two primary obstacles face homeowners wishing to make use of their land for agricultural purposes, the first of which is restrictive covenants that are enforced by a homeowner association. Zoning codes or ordinances implemented by local governments that designate what use may be made on land within a particular zone, also restrict.

Applying the standard of "enforceable unless... unreasonable" to instances where urban agriculture may run afoul of an existing restrictive covenant or of an amended declaration, requires that a determination be made as to whether the restriction "imposes burdens on the use of lands it effects that substantially outweigh the restriction's benefits to the developments residents." In other words, do the burdens imposed by restrictive covenants, which prohibit urban residents from growing food when as many as one-third of the residents in some communities suffer from "food insecurity" substantially outweigh the benefits to the development's residents of an aesthetically pleasing lawn, particularly in a time of drought?

While public health may have been the focus of early zoning codes, the emphasis of zoning today is primarily concerned with maintaining property values and

has had adverse effects on lower income communities. Research ties poverty, race, and environmental factors with the occurrence of chronic disease. Poverty stricken or minority neighborhoods tend to have less access to grocery stores than they do to fast food and liquor stores, which contributes to increased rates of disease associated with diet, such as diabetes. However, legislation has been introduced at the federal, state, and local level aimed at promoting urban agriculture and remedying these conditions.

Since courts typically show a high degree of deference to legislatures in enforcing restrictions on land use imposed by homeowner associations, it is necessary to pass legislation that will raise awareness of the problem with our current food system and facilitate the use of urban land for agricultural purposes. Given the objections of local governments to such legislation on a state level, the appropriate venue for such legislation would necessarily be at the local level by those who are better informed of the needs of their communities. Simply changing zoning ordinances that have been in place for the last century will not, in and of itself, bring about a change in state law regarding use restrictions imposed by homeowner associations. It will, however, have the effect of demonstrating a change in public policy and provide the courts with a viable argument against enforceability of restrictive covenants, which are prohibitive of home gardening.

This Comment addresses the manner in which current agricultural practices undermine the fragile state of our food system and the obstacles to home-based agriculture for members of homeowner associations and apartment tenants. It will also discuss the benefits of implementing policies that facilitate the growing of food at home for personal and community use.

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. KFCF, 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 drunk driving.

Dear Professors

I can't believe you Valley Views on the Law guys are doing another show about drunk drivers! There are so many critically important legal issues that the public should be educated about, and you're making it safe for incredibly selfish people to drink and drive, risking everyone's lives, without suffering the legal consequences they deserve. If you had any talent, Professor Purvis, I'd say this show was a waste of your time and talent, but let's just say it is a waste of your audience's time. Start addressing some meaningful topics or I and many others will be cancelling our subscription to Valley Views on the Law!

— Carlos Brito, Rio de Janeiro, Brazil

It appears to me that you have two objections to today’s show, Mr. Brito. One relates to how Valley Views on the Law selects topics, and the other relates to how our legal system treats persons accused of driving while under the influence of an intoxicant.

As to topic selection, we consider various factors, including whether the topic will be one of interest to our audience, whether we can provide information about the law that they might not already know, whether the topic is

currently at issue in the appellate courts or presents a timely matter of public policy, and whether it is of interest to us. The United States Supreme Court is considering the case of *Bernard v. Minnesota*, which involves the constitutionality of a regulation requiring drivers to submit to a blood alcohol test when stopped by the police. Because the Supreme Court is deciding the case, and because that court decides very few cases each year, a great deal of public and lawyerly interest is generated. The last time we covered this topic, about a year ago, the Supreme Court had just refused to hear a case involving a very similar issue, so we were very interested to follow up on our previous discussion. Driving while intoxicated is an issue of ongoing public importance, and as always at Valley View on the Law, we regard it as part of our public service to inform people of their rights under the law, especially for those who are innocent of charges that may be brought against them by the government.

With regard to the broader question about how the law processes drunk driving prosecutions, as I suggested during our previous show, I might agree that our legislatures have not effectively addressed the public policy issues at stake, but I am always skeptical that draconian punishments do anything other than making problems like this worse. We have only to consider America’s long, hideously expensive and completely failed “War on Drugs” to conclude that even where addictive behavior results in significant danger to others, believing that filling the prisons with drunk drivers will end the carnage on our roadways is foolish. If we could get one of our California legislators as a guest we would love to talk about better ways to reduce



deaths and injuries from intoxicated drivers, and if any of them are listening, give us a call at San Joaquin College of Law. We have invited a graduate of SJCL who has developed an expertise on the scientific and legal issues presented to talk to us about the pending Supreme Court decision and related matters, and as you know, we love to talk to our former students.

So please do not cancel your subscription—Dean Atkinson and I desperately need your money to supplement the paltry salaries we receive as law professors. I should mention to our listeners that, like so much of the Dear Professors segment, I completely fabricated the suggestion that VVOL has subscriptions or that we receive any money in connection with our show. We are volunteers, and we love being radio superstars and do it for sheer joy. However, everyone should make a donation to KFCF, 88.1FM, because it is a nonprofit entity bringing valuable radio programming to the people of the Central Valley and beyond!

Immigration Services and Clinic Expand

The New American Legal Clinic (NALC) at San Joaquin College of Law is pleased to announce the addition of two new staff members: Josh Longoria and Aracely Mota.

Mota replaces Kenia Garcia as Administrative Assistant following Garcia's promotion to Client Services Coordinator. Longoria, a 2014 graduate of SJCL who interned at the Clinic during his time as a law student, has been hired as Senior Client Services Coordinator.

NALC opened four years ago with a mission to provide legal immigrants with free information and counseling as they labor through the process to become citizens. The clinic also handles DACA, VAWA, T-Visa, U-Visa, and an occasional asylum case, while training budding lawyers attending San Joaquin College of Law in Clovis in the area of immigration law.

The expansion of NALC is an attempt to reach more of those eligible for service. A recent contract with the CA Department of Health and Human Services makes it possible for NALC to reach clients outside Fresno County, with an emphasis on rural areas. The Law School is actively seeking to partner with individuals, agencies or organizations outside Fresno County who may be connected to or working with groups of immigrants.



Joshua Longoria (Law '14), Senior Client Services Coordinator and **Aracely Mota**, Administrative Assistant.

Longoria says he is seeing an uptick in the number of clients hoping to become naturalized in time to vote, but he sees a lot more than that.

“One woman wanted to know how much she had to pay that day. When I told her ‘nothing,’ she wanted to know how much she would have to pay at her next appointment. When I told her it was all free, I could see the tears welling up in her eyes.”

Longoria is not the only SJCL alumni with heart strings still tied to NALC. Two of his former classmates are among the attorneys who have taken NALC clients to hearings pro bono: Ramon Nava is an Associate Attorney with Yarra, Kharazi & Clason, while Tanvir Joshi has opened the Joshi Law Firm, specializing in family and immigration law.

SJCL ON THE MOVE

Matthew Bowden (Law '11) is now an Associate Attorney at Laughlin, Falbo, Levy & Moresi's Oakland offices. He practices Workers' Compensation Defense with the Firm.

Richard Caglia (SLCL Board and Law '99) has been elected State Center Community College District President of the Board, presiding over Fresno City, Clovis Community, Reedley, Madera Community, and Oakhurst Community Colleges. He was first elected to the Board of Trustees in 2008. He is also a member of the San Joaquin College of Law Board of Trustees.

Henry Campa Jr. (Law '11) is now a Criminal Defense Attorney at California Justice League.

Erin Childs (Law '02) has been hired by the Fresno County Superior Court as a Commissioner.

Alicia Hinton (Law '09) has opened the Law Office of Alicia L. Hinton.

Faith Lisle Driscoll (Law '13) is now an Associate Attorney at Walter Wilhelm & Bauer.

Jessica McClung (Law '15) is now an Associate Attorney at Parker, Kern, Nard & Wenzel.

Suzanne McGuire (Law '99) is now an Associate Attorney at the Law Firm White Canepa, LLP.

Karen Ray (Law '10) is now an Associate Attorney at White Canepa, LLP.

Adam Stirrup (Law '08) is now a Partner of the law firm of Baradat & Paboojian, Inc.

Elizabeth Thomasian (Law '14) is now an Associate Attorney at Emerson Church Law.

Mary Thornton (Law '08) is now a Madera County Senior Deputy District Attorney.

In Memoriam

San Joaquin College of Law notes with sadness the passing of San Luis Obispo County Court Commissioner Stephen Sefton (Law '78).

Thank you for your support!

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