



CAL-ABOTA

California Chapters of the
American Board of Trial Advocates

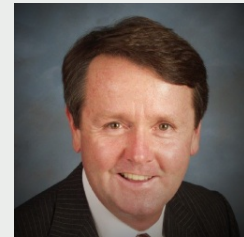
CAL-ABOTA e-NEWS

AUGUST 2018

Civil Discourse in an Increasingly Uncivil Society

Civil discourse is showing respect for others and their views even when we vehemently disagree. I emphasize "showing" because civil discourse requires some polite restraint with a willingness to actively listen to the views of the other side.

In the law we are trained to do this and we must always remember what Michelle Obama advised us: "When they go low, we go high." We can never take the bait or we will be no better than those who choose to insult and denigrate others with shouting and name calling. The rule of law and our democracy require civil discourse.



ABOTA is in a unique position to share its views with non-lawyers on the topic of civil discourse. We are naturally divided between plaintiffs and defendants, yet we use our standards (ABOTA's Code of Professionalism and Principles of Civility, Integrity and Professionalism) and training to accomplish civil justice. Most cases are resolved by compromise, and there can be no compromise without civil discourse.

CAL-ABOTA has focused on youth education and I am delighted that National ABOTA has announced its desire to educate high school students about civility and civil discourse. CAL-ABOTA is the perennial leader in teaching Civility Matters programs to lawyers and law students and we will broaden the scope of our program to reach high school students who are now required to take civic education courses. This is a natural progression for CAL-ABOTA and I sincerely hope that each chapter will start planning to do this.

William B. Smith
CAL-ABOTA President

[BE SURE TO READ 'WHAT WE DO' AND 'CAL-ABOTA BY THE NUMBERS' BELOW]

THE CAL-ABOTA BOARD MEETS AT TAHOE

On August 25, 2018, the Board met at the Resort at Squaw Creek in Tahoe City.

The Board unanimously elected Don Carlson of the San Francisco Chapter as Treasurer and Dave Cohn of the San Joaquin Chapter as our third Member at Large. Congratulations to both of them!

We were honored to have our own Cynthia McGuinn, ABOTA National President, present.

One of the highlights of the meeting was the Board's adoption of the Civil Justice Committee's pioneering work on our Rapid Response Program to deal with unfair criticism of our judges and justices. Chairman Frank Pitre deserves a lot of credit for his persistent leadership on this subject.



Bryan and Sue Reid, Lisa Jaye & Bill Smith,
Denise Taylor & Doug McDowall

Frank and his Committee created a Model Form Response To Unfair Judicial Criticism and a Model Letter to the Presiding Judge of the jurisdiction where the unfair criticism arises.

The Board unanimously adopted Frank's model forms and it is now up to each of our 8 chapters to implement the program when needed. This is just another example of how CAL-ABOTA is contributing to the promotion of the independence of the judiciary in California.



New At Large Board member Dave Cohn & new Treasurer Don Carlson



CAL-ABOTA Board meeting



Frank Pitre and National President Cynthia McGuinn



Board dinner at Sunnyside Tahoe City

FORMER CAL-ABOTA PRESIDENT IS PERMANENTLY HONORED IN SANTA ROSA

On March 26, 2018, the San Francisco Chapter honored its former chapter President, Jack DeMeo, by dedicating a bench to him in the main courtyard of the Sonoma County Hall of Justice in Santa Rosa. Jack was CAL-ABOTA President in 2008.

Jack died in October 2016 and was beloved in Santa Rosa where he was the embodiment of everything ABOTA stands for and particularly civility and professionalism.

Jack loved CAL-ABOTA. He became a member in January 1981 and was a member for 35 years. He tried to make all of the Hawaii Trial Lawyer of the Year celebrations and usually stayed over for another week in Maui with his wife, Judy. Jack particularly enjoyed a good mai tai and dancing.

There has never been a CAL-ABOTAN more generous, kind and fun than Jack DeMeo.



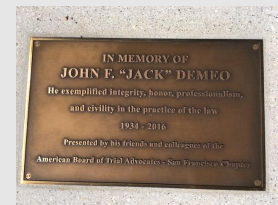
Former SF ABOTA President, Ralph Lombardi organized



Members of the San Francisco ABOTA Chapter with Judy DeMeo and



Judy DeMeo sits on the bench honoring her husband



Bench plaque honoring Jack DeMeo

ABOTA CHAPTER EVENTS

SAN BERNARDINO/RIVERSIDE'S DINNER MEETING REVEALS THE HIGH ENERGY OF THE CHAPTER

On Thursday, April 19, the San Bernardino/Riverside Chapter had a dinner meeting in Ontario at Rossa Cucina Enoteca. President, Andre Rekte ran a good meeting and acknowledged that his chapter is #1 in the nation for percentage of giving to the Foundation.

Many of the stalwarts of the chapter were in attendance including former CAL-ABOTA President, Jeff Raines, Rich Scott and Bill Shapiro. President Elect, Bryan Reid, encouraged everyone to attend the November 5-10, 2018 Trial Lawyer of The Year celebration at the Mauna Kea. Bryan and Sue Reid are making a special effort to make the week the best ever!

SAN JOAQUIN CHAPTER GIVES 2018 CIVILITY AWARD TO RETIRED FEDERAL JUDGE OLLIE WANGER

On Saturday, April 21st the San Joaquin Chapter, led by President Andy Weiss, had its annual dinner at Visalia's The Vintage Press which is halfway between Fresno and Bakersfield. Their 2018 Civility Award was given to retired Federal Judge Ollie Wanger.

Judge Wanger became an ABOTA member in 1978 and is now back to practicing as a trial lawyer. Judge Rosie McGuire of Fresno introduced Judge Wanger and honored him as a mentor to many including herself.

2017 Trial Lawyer of the Year, Warren Poboogian, was present with several great bottles of wine which he shared with his fellow ABOTANS as they continued to celebrate his election. The chapter also followed its tradition of having a good number of raffle prizes and even visiting CAL-ABOTA President, Bill Smith, won one.

The San Joaquin Chapter has a strong relationship with the local judiciary and many judges were present and appreciative of ABOTA.

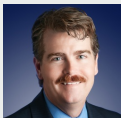


Civility Award Recipient, Judge Ollie Wanger



CAL-ABOTA ON THE GO!

Each year we endeavor to personally visit TEX-ABOTA, SEABOTA and FLABOTA to show our interest and support. This year we did the same and following is a brief report of what happened:



SEABOTA:

President Elect, Bryan Reid traveled to Charleston, South Carolina May 17-19, 2018 to participate in a meeting SEABOTA put on there. Outgoing president Clint Kelly attended our San Diego meeting this year and welcomed Bryan at the historic Mills House. Clint and his fellow Board members graciously showed Bryan around Charleston including a local distillery which Bryan especially enjoyed! Bryan also witnessed the swearing in of the new SEABOTA president, David M. Duke.





TEX-ABOTA:

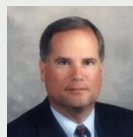
CAL-ABOTA President, Bill Smith and Lisa Jaye attended TEX-ABOTA's annual CLE Gala in Santa Fe, New Mexico on June 7-9, 2018 at the Inn at Laredo. Dicky Griggs of Austin put on a great show and included CAL-ABOTANS Cynthia McGuinn and Jim Brosnahan. CAL-ABOTA was well-represented with an LA Chapter

contingent including Jake Courtney, Andre Rekte and Bob Packer.

A highlight of the weekend was a spectacular outside dinner sponsored by TEX-ABOTA President, Curt Fenley, at a restaurant near Santa Fe. The evening was made even more special because California's Golden State Warriors won the Championship during dessert. Bill Smith stood up to announce this and to thank the Texans for the Houston Rockets and for developing Kevin Durant at the University of Texas!

FLABOTA:

Vice President, Chris Wesierski, and his wife, Maureen, went all the way back to Boca Raton, Florida July 19-21 to attend a meeting and CLE event. President Bill Clayton welcomed them along with incoming President Mike Mullen. Of course, former National Presidents, John Holcombe, Mick Callahan and Chuck Baumgarner were present.



At the banquet they honored Jurist of the Year, Pamela Campbell (who was responsible for a \$100,000 cypres award to the Tampa Chapter to be used for Civility Matters programs), and Howard Hunter, Florida Trial Lawyer of the Year.



Charleston, South Carolina



Boca Raton, Florida

TWO PROMINENT CAL-ABOTANS SHARE A PASSION FOR MUSIC AND THEIR SONS

Bill Shapiro of the San Bernardino/Riverside Chapter is not only a past CAL-ABOTA Trial Lawyer of the Year, but he is also an accomplished musician. In the recent past he shared lead guitar duties and played banjo and pedal steel for Austin Law in Las Vegas. He is working on a new gig at Treasure Island. In the meantime he is practicing law with his son, Brian, who is the next Shapiro all-star and future ABOTA member. His son Matt is finishing law school and will be joining them soon.

Zach Zwerdling of Eureka (San Francisco Chapter) is also "practicing" with his son, Nate, not in the law but with his band called *The Rachel Beccaria Band*.

Like Bill Shapiro, Zach is an accomplished guitarist and he just released the band's first CD called *Songbird*. If you need a good band for an ABOTA event, call Zach.



Bill Shapiro (right) and his son Brian



Nate Zwerdling (3rd from left standing) and Zach Zwerdling (sitting with guitar in hand)

CAL-ABOTANS LEADING ON THE NATIONAL

STAGE

On August 2-4, 2018 ABOTA's National Board met in Avon, Colorado at the Ritz Carlton Bachelor Gulch. As always, CAL-ABOTA was well represented as the oldest and largest regional ABOTA group. In fact, we can be very proud that Cynthia McGuinn (SF) is our current National President and will be followed in 2019 by Mike Maguire of Orange County.

The Foundation is the engine of ABOTA and CAL-ABOTA is well represented there too, by Trustees Doug DeGrave (OC) and Chris Beeman (SF).

ABOTA has 4 Standing Committees and 15 Special Committees in addition to the Foundation's 2 Committees. These committees do the heavy lifting for ABOTA and many are led by CAL-ABOTANS.

Three of the four Standing Committees are led or co-led by CAL-ABOTANS:

Long Range Planning (Mike Maguire, OC), Membership (Ralph Lombardi, SF), Professionalism, Ethics and Civility (Wilma Gray SF, Doug Degrave, OC).

The majority of the Special Committees (8:15) are led or co-led by CAL-ABOTANS: ABOTA TIPS National Trial Academy (Bill Callahan, SACTO), American Civil Trial Bar Round Table (Ralph Lombardi, SF), Awards (Bill Shapiro, SB/R); Chapter Relations (Denise Taylor, LA); Financial Accountability and Responsibility (Gil Jones, LA); Judicial Independence (Hon David Brown, SACTO, Hon Rosie McGuire, SJ VALLEY), Presidential Task Force (Denise Taylor, LA, Bryan Reid, SB/R), Save Our Juries (Mark Robinson, OC, Craig Peters, SF).

Each of the two Foundation Committees is led or co-led by CAL-ABOTANS:

Professional Education (Doug DeGrave, OC); Civic Education (Dominique Pollara, SACTO)

It is obvious that CAL-ABOTA is helping lead the way in ABOTA's efforts to preserve the Seventh Amendment's right to a civil jury trial and insisting that we conduct ourselves with dignity and civility.

We hope that each chapter will elect National Board representatives who have the loyalty and energy to participate at the national level to maintain CAL-ABOTA's high standards of national leadership.



Ritz Carlton Bachelor Gulch



Getting business done



Cynthia McGuinn and Mike Maguire

CAL-ABOTA TEACHERS' LAW SCHOOL COMING UP

For the second year in a row, CAL-ABOTA will host the Teacher's Law School program on September 28-29, 2018 in Downtown Los Angeles. This year's TLS is co-hosted with the Los Angeles Chapter and the ABOTA Foundation, and promises to be an outstanding program. Guest speakers include Justice William Bedsworth, Justice Art Scotland, Judge Kevin Brazile, Mike Maguire, plus a host of others. ABOTA members are encouraged to pass this information on to teachers, school administrators, and curriculum professionals.

[MORE INFO & REGISTER HERE](#)



IT'S NOT TOO LATE TO REGISTER FOR HAWAII CONFERENCE 2018

CAL-ABOTA will be back at the legendary Mauna Kea Beach Hotel on the golden Kohala Coast of the Big Island for the Hawaii Conference this year from November 5-10, 2018. Join us for a week of professional exchange, adventure, and relaxation. [REGISTER HERE](#)

SPOTLIGHT ON OUR SPONSORS



Alan Brutman, Rosemarie Chiusano and Var Fox



CELEBRATING JUDICATE WEST'S 25TH ANNIVERSARY WITH ALL OUR CAL-ABOTA FRIENDS

By Alan Brutman, Var Fox and Rosemarie Chiusano Drohan

Thank you for allowing us this wonderful opportunity to share heartfelt sentiments about CAL-ABOTA. It comes at a milestone time for us as we celebrate Judicate West's 25th anniversary. For more than two decades, we've gotten to know many of you through local chapters and annual ABOTA events. We feel confident saying there is no other group so well balanced with successful lawyers of all disciplines, who are smart, talented and so great to network with; we deeply appreciate every chance to connect with all of you.

Our introduction to the group came from the late, great trial lawyer turned neutral John Peter "Jack" Daniels, who was very fond of the organization and often told us, "You have to get to know these fine people." Jack was right! And as we grew over the years, we have sought – and continue to seek – prospective neutrals who are active ABOTA members. We are proud to say that well over a dozen of our current neutrals are ABOTA members, and many are former presidents and "Trial Judge of the Year" award recipients.

Out of the hundreds of conferences we have attended, the annual meeting is a very special time for us. It's hard to select just a few highlights from our many cherished experiences, but there are some that will forever remain ingrained in our collective Judicate West memories. We absolutely love witnessing the camaraderie amongst the attorneys from both sides, many of whom have tried cases against each other, and now are bonding and elevating each other's trial skills while drinking Mai Tais. This truly

speaks to who you are as people. Additional highlights include a heart-warming and pride-filled ceremony on Veterans Day honoring our nation and veterans, and the many annual dinners, sunset cocktail parties and live entertainment experiences cannot be outdone. The amazing Halloween costume party and Blues Brothers act were unforgettable. The active excursions, like mountain biking and skeet shooting, also allow us to laugh and spend quality time with you and your significant others.

The “work hard, play hard” balance exhibited by ABOTA members and the efforts aimed at giving back to the legal community are just a few reasons we feel so connected to all of you. We also want to thank you for the opportunity to fund and support the jury video, which remains on the Los Angeles Superior Court website.

“Civility” is not just a theme for ABOTA – it’s a way of life. Based on our observations and experiences with you, we view ABOTA as one big family. Your commitment to civility and relationships – as well as work ethic, passion and dedication to the craft – are what ABOTA is all about. It is a mission to which our Judicate West team remains devoted as well.

For 25 years, we have fostered a similar culture, operating like a family, conducting ourselves with absolute integrity and putting our clients’ needs above our own. Our partnership with CAL-ABOTA has helped us strengthen this culture and evolve and grow as a company. We look forward to seeing you all at the Mauna Kea Beach Hotel this November and continuing to support this wonderful organization for years to come.



CAL-ABOTA BY THE NUMBERS

1

CAL-ABOTA is the largest state-regional ABOTA organization

1

Cal-ABOTA is the oldest regional ABOTA organization starting in 1979 but meeting informally since 1962 and selecting the California Trial Lawyer of the Year

1

CAL-ABOTA is the #1 regional supporter of the ABOTA Foundation, having the highest percentage of donors and 4 of the top 6 ABOTA Chapters nationally with the highest % of contributors

\$75

Your annual dues to CAL-ABOTA

24%

WHAT WE DO...

Educational programs for law students, lawyers and educators:

Masters in Trial
James Otis Lecture Series
Teachers' Law Schools
Civility Matters Program
Civility Mentorship Program
Support for Loyola's Journalist Law School
Support for California's new Civics Education Program for grades K-12
Support for the California Council of Social Studies conference
Support for California's Mock Trial Program

Protecting Judicial Independence:

Rapid Response Program for unfair judicial criticism (examples of responses on CAL-ABOTA website)

Recognition of California Judges, Justices and Lawyers:

Selection of California Trial Lawyer of the Year
Selection of recipient of William W. Bedsworth

CAL-ABOTA makes up nearly one quarter of all ABOTA members

34

This is the number of CAL-ABOTA Board members. It is also the number of National ABOTA presidents from CAL-ABOTA to date. 34/60 or 57% CAL-ABOTA members

6

The number of ABOTA Chapter of the Year awards awarded to CAL-ABOTA chapters

6

The number of ABOTA National Lifetime Achievement Awards that have been given to CAL-ABOTA members

Judicial Civility Award

California's New Civility Oath: California Rules of Court, Rule 9.4

Creation of jury service video for California courts

Amicus Committee to address important statewide legal issues

[Visit our website](#)