

## MESSAGE FROM THE PRESIDENT

**DEAR CHAPTER MEMBERS:**

**It has been a very busy 2017 for the Orange County ABOTA Chapter! For those new to our Chapter, and those who may not be as involved, let me take this opportunity as the year comes to an end to share the many programs and activities of our Chapter during the past year. We started a few new programs, revamped a few old programs, and are always looking for new opportunities to create programs consistent with the tenets of ABOTA.**

**In 2017, we applied for Chapter of the Year, and even though we did not receive the award, I wanted to share with you our submitted application. I know you will be impressed, and perhaps even inspired to get involved in one or more of the Chapter's programs.**

**Wishes to all of our members for a wonderful holiday season, and thank you for your support this past year.**

**JUDGE LINDA S. MARKS,**

**ORANGE COUNTY ABOTA CHAPTER, PRESIDENT**

**Dear National Director,**

**In 2017, the Orange County Chapter has implemented new programs focused on building a diverse membership, and committed itself to forging relationships with the local judiciary, educators, and civic leaders in an effort to promote civics education in the classroom. These are just two examples in addition to a whole host of other projects and programs. I think the Chapter has had a stellar year, and for these reasons, the Chapter submits its application for consideration.**

### **Section 1: Growth in Membership**

**We are delighted to report that our Chapter added eight new confirmed members this year to date. We are currently vetting three more applicants and there are seven invitations to potential applicants outstanding. As interest in Chapter membership remains healthy we anticipate more invitations will be issued in the immediate future and that by year's end we**

will have added an even greater number of new members to an already robust membership roster, currently standing at 237 active members.

Our current membership chair, Jeff Braun and Eric Traut (responsible for Chapter communications), have together instituted a new element in the membership voting practice this year. Instead of simply submitting the name of the proposed member to the membership, we now send out a photograph as well as a brief resume so that the membership is fully informed in its evaluations of the candidates.

Not only was this a terrific year for the growth of our Chapter we are pleased to advise that we have instituted an exciting new program which we believe will promote increasing interest and membership in the OC ABOTA Chapter for years to come. This goal of this new program, entitled "Courthouse Steps", is to target upcoming local trial attorneys and educate them to the principles of ABOTA and the many benefits of membership in this distinguished Trial Lawyer organization. The seminal event took place in June of this Year, an "invitation only" reception, attended by twenty five rising trial lawyers. Distinguished chapter members were also in attendance to mingle with our "prospects". A short video about ABOTA was presented and former National, and local Chapter, President, Mark Robinson addressed the group. The invitees were recommended by our chapter attorneys and Judicial Officers from the Orange County Superior Court.

One of our board members created a handsomely bound "ABOTA Trial Log" to hand out to the invitees. The notebook provides a handy method for keeping track of trials and includes information about ABOTA and its membership requirements. We believe that this new program, which we plan to continue into the future, will yield very positive results, not the least of which is increasing diversity in the ranks of our membership. (A copy of the "ABOTA TRIAL LOG" will be transmitted by mail under separate cover).

A second new program was instituted this year which also focusses on membership. This is our Mentor Program. Each new Chapter member is now assigned a longstanding Chapter member as a mentor. The mentor is tasked with taking the new member to lunch to discuss the Chapter's events Chapter programs and other involvement opportunities. The mentor presents the new member with his or her plaque as well materials about ABOTA, and the Foundation. The new member is introduced to the Foundation, and encouraged to join. The mentor is also encouraged to connect with the new member at Chapter events so as to enable introductions and ensure that the new member feels welcome and engaged in the Chapter.

We are pleased to report that thus far our Mentor Program has resulted in early and increased ABOTA Foundation membership. Moreover, we have found that this immediate contact with our new members has had the added benefit of enabling identification of additional local trial lawyers who are either eligible for membership or likely become so in the near future.

### **Section 2: Growth in Pro-Bono and Scholarship Contributions**

For many years our Chapter has worked closely with the Orange County Constitutional Rights Foundation providing scholarship programs and monies to enhance and sponsor the great work of this important organization.

This year the tradition continues. In 2017 our members have participated in the various annual programs of the organization including Peer Court and Mock Trial.

As of this writing, our Chapter leaders are calling for volunteers from our membership for the fall 2017 Mock Trial Program, to serve as attorney coaches, scorekeepers and Mock Trial Judges. In the Mock Trial Program High school students, working in teams under the guidance of volunteer attorney coaches and teachers, present the trial of a hypothetical criminal court case in real courtrooms. Through this remarkable program students develop an understanding of and appreciation for the American judicial system, the rule of law and their rights and responsibilities as citizens.

### **Section 3: Diversity and Inclusion**

Our chapter continues to encourage diversity in our membership and on our board. As noted above, an important, and incentivizing goal, of our Courthouse Steps program is to increase diversity in our membership, now and into the future. Based on the composition of the participants in the "freshman class" of the Courthouse Steps program we believe the new program will indeed produce positive results.

As to our leadership, our 2017 President, is Judge Linda Marks, and current board member, Judge Nancy Zeltzer, is slated to assume the presidency in 2020. Our incoming Member at Large is a Japanese-American and we have recently elected a female member as newest National Representative.

In addition, our Chapter is dedicated to also creating balance on our board as to practice areas. The Chapter has decided to alternate our Member at Large board position between the plaintiff and defense bar.

#### **Section 4: Collegiality and Camaraderie**

The Orange County Chapter enjoys a reputation as one of the most active in the nation in terms of collegiality, camaraderie and just plain "good times"!

This year was no exception. The Chapter's 2017 social calendar kicked off with the Gala Installation Dinner Dance. Our incoming President selected a new and unique venue this year, The Balboa Bay Club, located on the water in beautiful Newport Beach. Spouses and partners were invited to attend the February Gala and a fee was charged. A record number of 125 attendees enjoyed a dazzling evening, which included a mystifying magician, a rockin' band and a sumptuous dinner. National President Dulin Kelly and his wife and Cal-ABOTA President Denise Taylor were in attendance as were a large complement of Judicial Officers. The evening included a Video presentation courtesy of the ABOTA Foundation. As the attendees danced their way into the wee hours there was no doubt that a good time was had by all!

The Chapter's Spring Dinner was held this May at a new location, the Red O, in Newport Beach. The change in venue was dictated by the growth of our membership as our previous, tropical-themed, restaurant simply could no longer accommodate our ever increasing size! In a nod to our history, Chapter members were encouraged to "Get their Pineapple On", and the attendees happily complied, arriving clad in their favorite "Cabo-Cool" gear as they settled in to enjoy icy cold margaritas, delicious Mexican food and the convivial company of their fellow Orange County "ABOTANs"!

The Annual OC ABOTA Chapter Golf Tournament held in May 2017 once again represented a highlight of our year, both in attendance and enthusiastic response from the crowd of attendees. The Santa Ana Country Club was the setting for this year's tournament. As testament to the popularity of this event, sponsorships for the 2017 tournament were at an all-time high. This year's tournament featured, for the first time, a "long drive" golf professional, who charged the golfers a fee to hit their tee shot. Half the proceeds went to the professional and the other half of the kitty, \$2500.00, we are pleased to report, was donated to ABOTA Foundation in honor of past Chapter President and current Foundation Trustee, Doug DeGrave. Past OC Chapter President, Gary Gregor, has organized this event for many years and

it remains not only a stand-out event of our year, but an event eliciting much admiration, and emulation, from local chapters across the nation.

October is the month in which we set aside an evening to honor our local Judiciary. The Chapter's annual "Judge's Night" will take place on October 18, 2017 at the Pacific Club in Newport Beach. An eagerly anticipated event, it is at Judge's Night we welcome and celebrate the Judicial Officers of the Orange County Superior Court as well as Justices from the Court of Appeal. Each year Judicial Officers are selected by the Board (with input from the membership) to receive the Chapter's prestigious Judge of the Year Award and the George Francis Judicial Civility award. The coveted Clerk of the Year award is also presented to a deserving Superior Court Clerk. At this event our members mingle with the civil judges in our county while they enjoy hosted cocktails, appetizers and a delectable multi-course dinner. The event provides a unique opportunity for the bench and bar to interact and socialize in a convivial atmosphere and a lovely setting.

Come December, the Chapter hosts the Annual Holiday Party in the always delightful Irish Pub, Muldoon's. The venue, decorated in Dickensian splendor, provides a fitting and festive backdrop for this much loved event. In the glow of twinkling holiday lights our members sip cocktails, tuck into a fabulous holiday feast and bask in the buoyant company of old friends and new. Of course, the evening is never complete until all assembled have raised a glass of good Irish whiskey in a toast to a happy, healthy and rewarding New Year!

This Chapter has traditionally honored the Chapter Trial Lawyer of the Year as well as the Joseph McNeil Civility award recipient at our Holiday Dinner. This year the decision was made to move the award ceremony to the Gala Installation Dinner as not only will this provide a more formal setting for these esteemed awards but will also allow the recipients' families to witness and celebrate the receipt of these honors.

In addition to the Membership events the OC Chapter holds monthly board meetings which are always well attended. Indeed, the Chapter prides itself on having a working board of active, dedicated members. Past Chapter Presidents regularly attend the board meeting, providing the board with the benefit of their experience and the opportunity to draw on their "institutional memory". Our National Representatives are encouraged to attend the board meetings. This provides the Chapter with consistency and strength as new projects are developed, and on-going programs are planned and executed.

**The Chapter has five National Representatives, Doug DeGrave, Eric Traut, Mark Poliquin, Chris Wesierski, and Sean Burke who have regularly attended the National board Meetings. Judges Marks and Strickroth as well as past presidents Tom Dillard and Rob Gibson have also attended National meetings, as well as the Leadership Conference, in 2017**

**Past Presidents Eric Traut, Tom Dillard, Chris Wesierski, Larry Willis, Doug DeGrave, Mike Maguire and Mark Poliquin as well as President Elect Judge Mike Strickroth, and new Chapter member Pam Liosi were happy to have sailed off on the exciting 2017 International ABOTA trip and were equally happy, on their return, to relate to one and all, the details of their amazing cruise on the glorious Rhine river.**

**The OC Chapter is proud to have so many members participating in National ABOTA and who are counted among the committed and important contributors to the national organization.**

**The OC Chapter leadership continues to keep the membership apprised, not only of the regularly scheduled annual events, but also regarding special functions and programs and opportunities for membership involvement, via the Presidents Newsletter.**

### **Section 5: Social Activities**

**As can be seen from the summary above, the Orange County chapter's annual social calendar is jam-packed and fun-filled.**

**In addition to the membership events we strive to foster conviviality among the members of the hardworking leadership board. The chapter's board meetings are held each month in the congenial atmosphere of a conference room perched above Muldoon's Irish Pub with refreshments provided!**

**In recent years, starting with past president Mark Robinson, an annual summer Chapter Board party is hosted by the current president. We have found that these events present a delightful opportunity for the board members, and their spouses and partners, to forge convivial bonds in a warm and relaxed setting.**

**This year was no exception. Our current president, Judge Linda Marks, hosted a "Night at the Ballgame" at Angel Stadium. The board had their own suite, and enjoyed a night of munching on peanuts, popcorn and Angel Dogs, while socializing with current, and past board members, and, of course, rooting the home team to victory!**

## **Section 6: ABOTA Foundation Fellows Participation**

**OC Chapter Past President, and current National Board Representative, Doug DeGrave, is now a trustee for the Foundation. Our Chapter just voted to provide the Foundation with \$2500.00 in the name of Doug DeGrave for his leadership and dedication to the Foundation.**

**We are also pleased to report that 55.7% of our ABOTA chapter members are fellows, which is better than all but 4 chapters in the entire nation. Moreover, the OC ABOTA Chapter has pledged and contributed to the Foundation higher than any other Chapter. We have pledged at the Legacy Delegate level (over \$50,000) and already contributed at the Legacy Drafter level over \$35,000! (\$35,887.50 to be exact). No other single Chapter has contributed or pledged at that level.**

**In 2014 the OC Chapter committed \$50,000.00 to the Foundation and every year since we have contributed \$5,000.00. towards our pledge. This year's installment has already been transmitted to the Foundation. As of 2017, the Foundation has now received \$20,000.00 from the Orange County Chapter pursuant to its 2014 pledge.**

**The commitment continues. At the Installation Dinner, guests were shown a video about the Foundation. The OC Chapter is very cognizant that work of the Foundation is extremely important, and as our Chapter grows, the Chapter has made a commitment that every new member should also join the Foundation. In 2017, to fulfill that goal, the Chapter created a "Mentor Program." Each new member is assigned a Chapter Mentor for the first year. The Mentor will take the new member out for lunch, give him/her their plaque, and talk about the Foundation. We have been very successful in getting new members to join the Foundation from the moment they become Chapter members**

## **Section 7: Collaboration**

**In 2017, the Orange County Chapter collaborated with the San Francisco Chapter in sponsoring the Loyola Journalist Law School. This program was created to assist journalists who cover the courts on national, regional or local levels. The Civil Justice Program at Loyola Law School, Los Angeles, has developed the journalist law program consisting of a four-day intensive seminar on the legal system. Lectures, lodging, and most meals are covered by the program. This year the Orange County Chapter donated \$2,000.00 toward the Law School. The San Francisco Chapter matched our donation,**

and selected the participating journalist. This commitment continues and in 2018, the OC Chapter will select the journalist participant.

### **Section 8: Community Involvement**

Our Chapter is involved with our local law schools, elementary, middle school, and high schools, and with programs such as the Constitutional Rights Foundation.

We have developed close relationships with the Orange County Department of Education, and our partnerships have resulted in collaborations involving civics education, and promoting civics in the classroom. Further details regarding the Chapter's involvement in providing and supporting civics education in the classroom is detailed in section 10, below.

### **Section 9: Professional Education**

The Orange County Chapter continues to bring the "Civility Matters" program to the law schools in Orange County. This year's programs were presented at Chapman Law School, Western State University, College of Law and Whittier Law School. California Court of Appeals Justice William Bedsworth, Bill Smith, and Doug DeGrave are bringing the program to Chapman Law School again on September 2nd for all first year students.

In the past two years teams composed of various combinations of Justice William Bedsworth, in-coming Cal-ABOTA president Bill Smith, OC Past President Doug DeGrave and John Blumberg have presented no less than 13 sessions of Civility Matters at our local law schools.

A group of Orange County ABOTA members also presented "Civility Matters-Beyond *Kim v. Westmoore Partners*," at the Association of Southern California Defense Counsel-56th Annual Seminar on February 24, 2017. The panelists included OC Chapter members Mike Maguire, Eric Traut, Pam Liosi, Chris Wesierski, and Doug DeGrave.

It should be recalled that it was Doug DeGrave, who worked tirelessly to obtain approval from the California Supreme to supplement the attorney oath for new lawyers to include the statement that the lawyer will strive to conduct himself or herself with dignity, courtesy, and integrity, otherwise known as the Civility Oath.

Our OC Chapter National Representative, Sean Burke, is the chair of the Civility Committee for our Chapter. This is a great program, both informative and fun, and provides an opportunity to educate as to one of the bedrock principles of ABOTA that, indeed, civility matters. The presentation of this valuable program helps to ensure that both current and future practitioners are committed to the practice of civility, professional integrity, respect, courtesy, candor and cooperation in the practice of law and the administration of justice.

### **Section 10: Civics Education**

Judge Marks attended the State of California Civics Summit organized by California Chief Justice Tani Cantil-Sakauye in February 2017 in Sacramento both on behalf of the OC ABOTA Chapter and the Orange County Superior Court. Judge Marks had an opportunity to meet with educational leaders from Orange County including the Superintendent of Orange County Department of Education, Al Mijares.

OC ABOTA Chapter has worked closely with various educators in Orange County over the years. In past years the Chapter has collaborated with the Constitutional Rights Foundation to sponsor an event educating teachers in the community on the importance of the 7<sup>th</sup> amendment.

This year, the OC ABOTA Chapter is collaborating with the Orange County Department of Education to host the first ever Teachers Law School in Orange County in October 2017. This was a one day event and we had 46 attending educators. The day started with a visit to the Orange County Superior Court where the teachers learned about the cases handled by the Superior Court. Then on to the Court of Appeal where they had an interactive session with the Justices on the Court of Appeal. Lunch was hosted at the Old County Courthouse, an historic building, and in the afternoon they were provided with lesson plans to take back to their classrooms. It was such a success that we are in the planning stages for 2018.

Of equal importance, is the work our Chapter started many years ago involving the Mendez Intermediate School. Each year, our Chapter members including Chris Wesierski, Mike Maguire and others have visited the Mendez school, and present to the eighth grade students, the Mendez case. The Mendez school was named after the Mendez family whose seminal case, *Mendez v Westminster Board of Education* eradicated discriminatory tactics against Hispanic students. This case was a precursor to *Brown v Board of Education*, and ahead of its time.

Following the presentation in the classroom, the students visit the courthouse. They are provided a tour of the Orange County Superior Court, and then visit Judge Marks' courtroom. The students learn about the 7<sup>th</sup> amendment, jury trials, and are invited to ask questions of all court staff. The Chapter covers the cost of transportation from the school to the courthouse.

Due to the success and value to the students, the school has requested two school visits to the courthouse in 2018 and transportation will be covered by the Chapter.

### **Section 11: Judicial Involvement**

The Chapter has benefited from having judicial officers on the board, currently Judges Marks, Strickroth, Zeltzer and Polos (ret.), strengthening the relationship between the Chapter and the local judiciary. Moreover, the membership roster of the Chapter includes many judges, both current and retired, the most recent addition being Judge Mary Schulte, long of the Civil Bench, and one of the most respected members of the local Judiciary. Judge Schulte has been a strong supporter of ABOTA during all her years on the bench and we were pleased to welcome her as a new member. Also please note as set forth below, the Chapter's coordination with California Chief Justice Tani Cantil-Sakauye in the implementation of one of her most important goals: civics education in the classroom.

Once a month, a representative of our Chapter attends the Orange County Superior Court's Round Table, the "Breakfast Bar" meetings with the Presiding Judge, and has a presence at the table. The Chapter leader has the opportunity to express issues of concern, and interest that impact our members, and the Presiding Judge provides valuable insight and information regarding the operations of the civil departments.

This year our President Elect, Mike Strickroth, was appointed to the Orange County Superior Court by Governor Brown. We believe that Judge Strickroth's long standing involvement in ABOTA, and his commitment to its ideals, was likely a factor in this well-deserved appointment

In addition, our Gala Installation held in 2017, had the largest turnout of judicial officers at an Installation in the Chapter's history. Approximately,

sixty members from our Superior, Appellate and Federal court were in attendance. Of course, as noted above, our October Judge's Night is a very popular event and is always well attended by the Judges of Orange County.

Finally, as noted throughout this document, numerous members of the Judiciary participate in many of the OC ABOTA Chapter programs including the Civility Matters presentations, Masters in Trial and the *Mendez* project.

## **Section 12: State and Regional Involvement**

Chapter President Judge Marks attended the Civics Summit in February 2017 in Sacramento. This Summit brought together state and regional community leaders, members of the bar, and judiciary. The Chapter met with the local educators in Orange County to work on developing a collaboration to promote civics education in the classroom. In these efforts the OC ABOTA Chapter, through Judge Linda Marks, is working closely with our Chief Justice in promoting and implementing her commitment to ensuring that a Civics curriculum is included in our classrooms.

We are also proud to report that our past president, Chris Wesierski, is currently the Treasurer of Cal-ABOTA and that our president and president-elect have made it a practice to attend the Cal-ABOTA Meetings and various functions. Indeed, a large complement of Orange County Chapter members are already anticipating enjoying their first Maui Mai Tai at the Cal-ABOTA Hawaii Conference in November!

## **Section 13: History**

The OC ABOTA Chapter was founded in 1967, a scant 10 years after the creation of ABOTA and a mere 35 miles or so from its birthplace. Even a cursory review of the 1967 OC Chapter Membership roster quickly reveals that our current organization owes its strength and longevity to the legal titans who founded this chapter. Arthur Hews, Vernon Hunt, Judge H. Warren Knight, Richard A. Madory (a recent recipient of our Chapter's Legends of ABOTA award), W. McCray, Donald Ruston, Gar Shallenberger, Judge Mark Soden, Judge Robert Todd, Justice John K. Trotter are just a few of the names from this veritable "who's who" in the pantheon of illustrious trial lawyers. The members of the OC ABOTA are forever indebted to the founders of our Chapter and are exceedingly proud to honor and carry on their traditions and principles.

#### **Section 14: Other Information**

**After much discussion and debate, and heeding the advice of National President Dulin Kelly, our Chapter has approved retaining an Executive Director starting in November of 2017. This is an important step for the Chapter as we had formerly organized and produced all Chapter events and activities relying exclusively on board members and committees. However, the Chapter has now grown, and has approximately 237 members. The utilization of an Executive Director to assist the Chapter will free the Board to concentrate on creating new programs and events. The selection of the Executive Director required an equal amount of research and analysis and the decision was not lightly made. Ultimately it was determined that Jennifer Blevins of California Advocates Management Services, who is also Executive Director to CAL-ABOTA, and the Los Angeles Chapter, would effectively serve the specific needs of our Chapter. We believe Ms. Blevins will be a great asset to the Chapter.**

**Finally, a matter of great excitement for our Chapter is that, once again, a National President will hail from the Orange County Chapter. In the tradition of Donald A. Ruston and Mark Robinson, Mike Maguire was elected National Vice President in 2017 and will serve as president in 2020. The Chapter is so proud that Mike, a Past OC Chapter President and Foundation President, will now add "National President" to his career-long history of service to our treasured Trial Lawyer Organization**

**We have one of the most active and enthusiastic Chapters in the country. Our membership is at an all-time high at 237, and we have a very high percentage of fellows of the Foundation.**

**It would be an honor for the Orange County Chapter to be selected as the 2017 Chapter of the Year. While we recognize that there are other great Chapters throughout the country, we believe that in 2017, the Orange County Chapter is most deserving of this award for the hard work and dedication of the board and members in fulfilling the mission statement of ABOTA.**