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March–April 2022



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Cover: As a hot-air balloon uplifts us literally and figuratively, Judge Van Rooyen, in his State of the Courts message, commended the legal community for rising to the task of securing access to the courts during COVID-19 shutdowns. Photo courtesy of Tara Jacobi.

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President's MESSAGE



'Your One Wild and Precious Life'

by Kara Stein-Conaway

As I lay next to my five-year-old son Cameron tonight, he draped his little arm across me. I could feel his arm rise as I filled my lungs with air, and I could feel his arm gently lower as I exhaled. He nestled his sweet little face next to mine. I could feel his breath on my cheek.

As he drifted off to sleep, I felt his warm breath again and again on my cheek. Tears began to well in my eyes. I was feeling the full beauty of this moment, with my sleepy child and my overflowing heart. Opportunities for the deepest, heart-felt moments of bliss are right here in front of me every day. When I allow myself to be present enough, then I see them. Then, I feel them. Then, I am filled with overflowing love and gratitude. Then, I see these opportunities over and over, in all areas of my life.

In her poem "The Summer Day," Mary Oliver asks us, "*Tell me, what is it you plan to do with your one wild and precious life?*"

One of the lessons that has come through for all of us living

through the Covid-19 pandemic is that life is always shorter than we want it to be and it is most certainly precious. At the top of my list for what I plan to do with this one wild and precious life is that I want to continue to be more and more present to fully experience my life and all the moments that make up my life.

In the work context, this can include being present with a client going through a crisis, being present researching a new legal issue, or being present while supporting a member of my law firm team in problem-solving. Becoming more and more practiced at staying present in our lives allows us to then really feel and experience the beauty of the present moment that would otherwise pass us by unnoticed.

I also want to continue saying YES to things that are a YES *for me* and continuing saying NO to things that are a NO *for me*. The more I practice this, the more gratitude I feel about getting to live this life and to really experience the moments that make up living this life.

I encourage you to think about

the things you really love to do. What kinds of activities help you sink into the present moment and really feel your joy? How can you spend more time doing the things that bring you joy?

If working with other lawyers in our community toward a common goal that you're passionate about is something that's a YES for you, I am here to tell you that we would love to have you participate on a SLO Bar Association committee.

Why should you consider joining a SLO Bar committee?

Being on a committee is a wonderful way to contribute to our members and to have influence over the projects that we will take on this year. These times where we haven't seen one another as much in person can feel isolating. Also, if you have any interest in being on the SLO Bar Board in future years', being on a committee is a great way to learn about that opportunity too. Want to connect and collaborate with others who want to create something meaningful? If so, I hope you'll join a committee.

What is the time commitment?

The time commitment is up to the committee to decide. It could be as little as a few group emails and a meeting or two during the year, or it could be more involved if that's what the committee wants. If you have the desire to participate and a little bit of time, please email SLO Bar Executive Director Kerrin Hovarter at slobar@slobar.org to let her know which committee you're interested in. She'll get you connected with the SLO Bar Board member serving as the committee chair.

2022 SLO BAR COMMITTEES SEEKING NEW MEMBERS

Lawyer Referral & Information Service (LRIS)

- Are you passionate about helping people in our community have access to the legal advice they need? The LRIS committee would appreciate your help fundraising and sharing other ideas for improving the services we offer. For more information, go to www.slobarlr.org.

Fee Arbitration

- One of the services the SLO Bar provides is arbitration between clients and lawyers who have disputes about fees. Although our executive director does much of the work involved with this, attorney volunteers are important in this process. Please let us know if you'd like to help. For more information, go to www.slobar.org/arbitration-and-fee-dispute.

Bench Liaison

- Do you have an interest in improving communication

between the bench and the bar, or other similar issues? If so, this is the committee for you.

Bar Bulletin

- Do you love to write, or do you have ideas for what others could write articles about for the *Bar Bulletin*? If so, we encourage you to participate on this committee.

Community Outreach

- This committee works on Law Day, Mock Trial, Diversity & Inclusion efforts, and more.
- This committee also works on the SLO Bar Endowment to Assist Persons of Color in Pursuit of a Career in the Legal Profession. I want to appreciate and recognize Joe Benson, the 2021 SLO Bar President, who through his tremendous fundraising efforts brought this endowment to life.

If you want to work on Law Day, Mock Trial, Diversity & Inclusion efforts, or if you want to help keep the endowment growing, your participation is welcomed.

Technology

- Are you passionate about how technology can support the bar as an organization and also our members? If so, please sign up for this committee.

Social Events

- We are brainstorming ways to better connect with and support one another. If planning social gatherings sounds fun to you, this committee awaits your ideas. So that you know, by saying you want to participate, that does not mean you would have to plan all of the events!

I am a firm believer that when each of us does more of what we are uniquely talented to do, what we enjoy, and what we feel satisfied and inspired doing, that magic happens. I hope that if you're drawn to collaborate with us this year, you'll email Kerrin Hovarter, slobar@slobar.org to tell her of your interest.

MCLE PROGRAMS & BAR EVENTS – MARK YOUR CALENDARS

Please mark your calendars for the third Thursday of each month from noon to 1 p.m. for the amazing MCLE programs the SLO Bar will offer this year. We aim for them to be interesting, educational, inspiring and, of course, to get you those MCLE credits you need.

We plan to have our Summer Social in July and our Winter Social in December on dates still to be determined. Our social events committee will be announcing other social opportunities as well.

Each of us is leading through a challenging time to live in. I see how hard you're working, and I'll leave you with one of my favorite quotes from *Dare to Lead* by Brené Brown.

"If we want people to fully show up, to bring their whole selves including their unarmored, whole hearts—so that we can innovate, solve problems and serve people—we have to be vigilant about creating a culture in which people feel safe, seen, heard and respected."

I want each of you to know that I welcome each of your creative ideas and very much look forward to what we will create together this year and beyond. ■



Editor's Note

by Tara Jacobi

Spring signifies renewal. It signifies a rebirth. I tend to value experiences over material things. After my dad passed away, I drove his SUV Cadillac briefly before getting hit in the rear by a tow truck in some of the only regular traffic we have in the evenings on Broad Street by our airport. The tow truck totaled the car.

Some might argue that driving a luxury car is an experience. But I guess when I have the choice, I'd rather flow resources for, say, celebrating a milestone birthday into taking a balloon ride over the vineyards of Paso,* as I recently did. So, we begin anew in the first half of the new year; up and away we go!

I hope you didn't miss the annual presentation of the State of the Courts, given by Judge van Rooyen to keep us informed of the court's latest happenings. If you did, however, the highlights are here for your review. Judge van Rooyen commended our legal community for rising to the task of securing access to the courts during a dark time for our world. He outlined the court's focus for the year ahead without dwelling in sadness but rather

choosing a positive attitude to lift us up, as a balloon ascends.

Last year we heard from a number of nonprofits assisting people with legal issues. This year I plan to present a new series focused on environmental issues. Substantial happenings are taking place here on the Central Coast. The National Oceanic and Atmospheric Administration (NOAA) recently announced that the Chumash Heritage National Marine Sanctuary (CHNMS) will move from the nomination phase to the designation phase in hopes of securing recognition as a National Marine Sanctuary.

Attorney Margaret (PJ) Webb tells us all about her years toiling in the trenches to reach this point. I hope you enjoy learning about the history of the proposed sanctuary and what it takes to potentially protect it indefinitely. We are fortunate to have such an amazing attorney here locally laboring to protect our natural resources and benefit future generations.

The Women Lawyers Association announced that Sheryl Wolcott is the recipient of the Outstanding Woman Lawyer (OWL) Award for her work as a longtime board member for the former local domestic violence organization Stand Strong, which has merged with Rise to form Lumina Alliance, as well as for her leadership roles with both Women Lawyers and the San Luis

Obispo County Bar Association. Sheryl is at the pinnacle of promoting women in our community akin to Women Lawyers' mission statement. She is an inspiration. Readers can listen in to a conversation with one very active attorney who does the right thing in her day job and also promotes the advancement of women. If you have the chance, please congratulate Sheryl on this well-deserved recognition. Finally, the *Bar Bulletin* would love to have more contributing writers.

With six issues a year and around eight articles per issue, about 50 articles a year are needed to make a robust publication.

Did you recently give an MCLE presentation that you could easily turn into an article? Send it my way. Is there a recent development in your area of expertise that writing about it might assist you in mastering the nuances? Send it my way. Did you always want to research how Tesla can lawfully program a ticket-avoidance mode in their cars? Tell us and send it my way.

Diverse and thoughtful contributions are what makes this journal worth reading. In order to keep reading—let's keep writing. Please contribute your voices to my recently updated email at tarajacobi@icloud.com. ■

**I recommend taking a balloon adventure at Balloons Over Paso. Learn more at balloonsoverpaso.com*



State of the Courts

by Tara Jacobi

Photos via Zoom

On Tuesday, January 20, Presiding Judge Craig van Rooyen gave the annual address regarding the State of the Courts. He informed the legal community that while his focus has been in the criminal courts, he looks forward to expanding the sphere of people he knows. He also said that he is always open to suggestions and ideas about how things are working. He announced that Assistant Presiding Judge Rita Federman will work alongside him to facilitate the following court objectives.

Judge van Rooyen thanked Judge Jacquelyn Duffy for her previous service and said he will continue her work. He mentioned some of her numerous efforts to keep the courts operating during the previous two pandemic years: implementing emergency orders, keeping jury trials going, overseeing the creation of emergency bail schedules, working with the jail and ASH, and facilitating remote appearances in unprecedented times. He praised her humor and composure for carrying us through.

Judge van Rooyen laughed as he said that COVID is “not in the rearview mirror yet. In fact, it feels more like it’s in the back seat and we can’t get it out of the car.” He, however, did not harp on this fact, calling upon the legal community to celebrate that we have collectively kept the courts open for business and access to justice.

Next, he outlined four categories of challenges and opportunities: (1) court use of technology that includes providing for a hybrid approach to court appearances and fine-tuning remote appearances to keep them happening in a safe way; (2) turnover in judges with two to four new judges by next year, with little to no disruption in court services; (3) a fully staffed court prepared to tackle a backlog in the civil department; and (4) a potential opportunity to select a site for a new courthouse.

With regard to the judge turnover, Judge van Rooyen announced that Judge Dodie Harman

likely will retire July 1, 2022, Judge Linda Hurst will retire at the end of the year, and Judge Charles Crandall will not return from the Court of Appeals, with an official retirement date not yet set.

Judge van Rooyen thanked Judge Harman for her service with her criminal and civil assignments, and for her work in establishing an arraignment/early disposition court in the criminal assignment, wherein a high rate of cases (75 to 80 percent) have been settled and defendants are offered services if they are a good fit. He also thanked Judge Harman for her work leading the drug court, which has facilitated changing many lives.

He thanked Judge Hurst for her service with her criminal, civil and juvenile assignments, specifically for the legacy she leaves with her wealth of knowledge and service in the juvenile division. Finally, he acknowledged Judge Crandall as a gentleman and a scholar, and as his mentor, thanking him for his service as well.

With regard to current assignments, Judge van Rooyen announced that Judge Tana Coates leads the civil division team, with Judge Federman and Judge Hernaldo Baltodano recently rotating into this civil assignment to complete the civil team. Judge van Rooyen said he is committed to addressing the backlog of civil law and motion filings, with these filings up 50 percent in San Luis



Judge Craig van Rooyen

Continued on page 8

State of the Courts continued

Obispo and 300 percent in Paso Robles since 2020. The good news here is that there is money in the budget to add an attorney to the court team to assist with this uptake in civil filings. With regard to hearings, commencing this year, civil, family and juvenile hearings are now being conducted in person in the courthouse as well as remotely, but for now remote hearings are encouraged.

With regard to the family court, Judge Gayle Peron is the family team leader, Judge Matthew Guerrero rotated into a family law assignment in Paso Robles and Commissioner Childs completes the team. Judge Peron announced that the family court will offer a few slots for settlement conferences each month in the hope of settling cases to open up more trial slots for each department. Judge Hurst remains assigned to the juvenile division of the courts, with her pending vacancy to account for by the end of the year.

With regard to the criminal court, Judge Jesse Marino is the team leader, with Judge van Rooyen, Judge Duffy and Judge Harman on the criminal team. Since the start of the pandemic, 36 jury trials were completed, but the type of jury trials completed has changed with more serious cases a priority, a third being life-sentence cases. Judge van Rooyen noted the challenge of getting a misdemeanor jury trial, which is unfortunate, but is due to the lack of jury resources and backlog of serious in-custody cases in our community. He mentioned that this team is effectively absorbing the vacancies of Judge Garrett and Judge Crandall among the current team.

The specialty treatment courts will continue on Fridays, including drug court, veterans treatment court, mental health diversion court, behavioral health treatment court and adult treatment court collaborative. Commissioner Leslie Kraut, who Judge van Rooyen called a “Renaissance woman,” sitting for small claims, traffic and family treatment court, announced that she will conduct several trainings for pro tems to fill in for these roles with the court as needed.

Judge van Rooyen thanked court staff for their “can do” attitude and urged attorneys to be patient with court staff, acknowledging that they have been stretched but they are not going to break. Finally, Judge van Rooyen said that last week news was received

from the judicial council informing the court that money in the budget has been restored and San Luis Obispo is one of five counties slated to start a new capital project—construction of a new courthouse. Site selection is to take place this summer.



*Court Executive Officer
Michael Powell*

Judge van Rooyen concluded with a quote from poet Mary Oliver, “Someone I once loved gave me a box full of darkness. It took me years to understand that this, too, was a gift.” He acknowledged our dark times but praised the legal community for rising to the occasion to continue to be the guardians of our system of justice.

Court Executive Officer Michael Powell spoke next and extended thanks to the legal community for adapting to our current situation to continue equal and meaningful access to the courts.

With regard to services, he announced there is currently a civil and family walk-up window, open Monday through Friday from 8:30 a.m. to 12:30 p.m., that accepts papers from the public. The drop box is still available, but the window is now open in response to the community’s request. It appears that this service is working, so the plan is to stay with these hours. The self-help group is working remotely via phone and email to assist litigants and may continue with remote services for the time being.

With regard to staffing issues, Powell reported that the court is nearly at full staff, but there are staffing issues as a result of the current pandemic. The court has had to contend with

increased staff turnover as well as increased filings in this challenging time. New employees are being hired to add to the current staff.

Powell characterized this year as a rebuilding or a building-up year for the court. Additional positions have been created, with two focused on housing to help with this great need in our community. The court is also hiring another research attorney and a therapist within the family court to assist with a demand for services. In addition, the court has recently hired three new family law mediator evaluators and a probate investigator.

Finally, he noted that any changes in services are likely a direct result to public feedback, and he hopes to continue to provide our community with the best possible access to the courts. ■



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In Memoriam

R. Michael Devitt (March 20, 1940–November 26, 2021)

My Father

by Greg Devitt, Deputy District Attorney

Photos courtesy of the Devitt family and friends

My father was born in Washington, D.C., in 1940, the oldest of four children.

He was born into a legal family. His father was an attorney. His father's two brothers were both attorneys, with one appointed by President Eisenhower as a federal district court judge in Minnesota. His brother was an attorney, his cousins were attorneys and the generation after my dad contains a smattering of attorneys.

My dad began law school in 1962 right after graduating college from Santa Clara University. He graduated from Loyola Law School in Los Angeles in 1965, and moved to San Luis Obispo with his wife, Mary Jo, the day after he finished taking the bar exam.

He began working as a criminal defense attorney when Lloyd Somogyi had the criminal defense contract for the county. My dad tried several jury trials with great success obtaining acquittals in his first three jury trials. His prowess for gaining acquittals quickly came to an end in a murder case where his client gave a full confession to police after being arrested for murder; the *Miranda vs. Arizona* decision was issued by the United States Supreme Court the day after his client confessed.



Mike Devitt graduated from high school in Long Beach in 1958 and Santa Clara University in 1962.



Mike and Mary Jo (Calonico) married on August 10, 1963.



Mike graduated from Loyola Law School in Los Angeles in 1965.

My dad went out on his own in 1974 as a solo practitioner. He rented a small building on Higuera Street while a home he purchased on Palm Street that year was converted to his office. He was at the Palm Street location from 1975 to 2020.

Being a solo practitioner meant handling a variety of cases or serving in different legal capacities. A part of my dad's early practice was serving as the attorney for the Associated Student Inc. (ASI) for Cal Poly. He provided legal services in that capacity for 15 years. In addition to working as an attorney, my dad taught a business law class one night a week at Cuesta College. He taught there for 40 years and loved it. Although it was a business law class, he managed to skip the chapter in the textbook devoted to computers.

It's hard to pinpoint when my dad stopped handling criminal law cases. I think he dabbled in criminal defense until sometime in the 1980s. The bulk of his practice was family law—probably the biggest misnomer in the legal world given the practice revolves around getting people divorced.

My dad was never a big storyteller coming home with the latest tales from the practice. He believed people's private

lives should remain private. After all, handling people's cases in the criminal arena or in family court is a very sensitive undertaking that could be embarrassing to the client. What someone did in the past is not something my father felt should be shared with anyone who shouldn't be privy to the information.

Rather, my dad had observations about people's behavior and would share those. Regarding the difference between criminal law and family law, my dad often said, "In criminal law, you see bad people at their best. In family law, you see good people at their worst." In family law, at least one of the spouses, who may be a wonderful person who wouldn't hurt anyone under normal circumstances, either no longer wants to be married or doesn't want to have the marriage end; the dissolution coming after both people pledged to spend the rest of their lives together. Marriage dissolution can turn a good person's world upside down causing that good person to experience emotions from sadness to rage to revenge.

In those circumstances, my dad was at his best. He focused on what was best for his client, respecting the wishes of his client, but not always doing what the client wanted. As one of his legal clerks told me many years ago, "A client of your dad's, who is going through a divorce, may want to spend \$1,000 on attorney's fees so he can get back his \$250 skis. Your dad," the person went on, "will tell the client, 'Just buy a new pair of skis.'" Given the number of years my father practiced family law, the clients always seemed to listen.

My mom had certain experiences being married to a man who handled divorces over decades in a small town. When she introduced herself as "Mary Jo Devitt," the response would often be "Devitt? [long pause] Any relation to Mike Devitt?" My mom could immediately tell by the tone of the person's voice whether the person had a positive or a negative experience with my dad.

A few years ago, my mom was at a concert and was chatting with the woman sitting next to her. The woman asked my mom her name. When my mom replied, "Mary Jo Devitt," the woman took a long pause and then asked, "Devitt? Any relation to Mike Devitt?" When my mom told the woman that was her husband, the woman said, "He saved my life." The woman went on to explain years ago she had been in a horrible marriage suffering unspecified abuse from her husband. It was my



Above, Mike with grandson Truman. Right, Greg and Mike Devitt in New York, November 2000.



dad, the woman explained, who got her out of the abusive relationship, thereby saving her life. No one will ever know how many of those same situations my dad had representing people over the years.

Often attorneys are called upon to represent people who made significant errors in judgment resulting in a criminal charge, or the need to get out of a toxic and dangerous marriage before being hurt further. The assistance attorneys provide is often done without effusive praise from the client served or with the benefit of full compensation. However, the work is done with a singular focus—attempting to achieve the best outcome for that person as if the event requiring counsel never occurred. That's what my father did in his 55 years of practice, and he loved it.

Continued on page 12

R. Michael (Mike) Devitt

Attorney

by friends in the legal community

Martin Tangeman Justice Court of Appeals, Ventura

When I met Mike Devitt 40-some years ago, I was a young legal novice and he was an experienced practitioner. We met as adversaries, representing opposing parties in litigation. We eventually resolved the lawsuit, and along the way Mike taught me some valuable lessons. Like the value of kindness and courtesy, and the art of disagreement without being disagreeable.

For the next 40 years, I encountered Mike as an adversary, a colleague and an attorney in my courtroom. Mike consistently combined his extensive legal knowledge and dedication to his clients with his kindness and empathy. For good (and effective) measure, he mixed in his delightful sense of humor, which disarmed his opponents, lowered the tension, and focused attention on the facts and law.

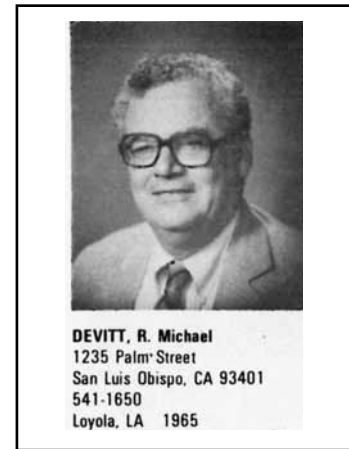
In his unique style, he succeeded not only in law but also in life: Mike was a good and decent man, honest, direct, equally ethical and effective. Mike acted always with integrity, and was reliable as an advocate, an adversary and as a friend. He did it with his ever-present smile, humility and warmth, with just the right touch of his trademark humor. He will be missed.

Barry Hammer Retired Superior Court Judge

I met R. Michael (Mike) Devitt about 1965 when he was hired as a deputy public defender. Up until then criminal appointments were made by just appointing a lawyer. If you were in Justice Court for an unlawful detainer when an indigent criminal defendant was arraigned, you might get appointed. Lloyd Somogyi got the bid for the first contract Public Defender. As I recall, it was \$27,000 for all five Justice Courts and both Superior Courts. Somogyi hired Warren Conklin and Mike Devitt as deputies. Mike had a great run of five or six acquittals before he lost a jury trial—I was a deputy District Attorney then and lost two of those to Mike.

Often in argument young attorneys will speak rapidly and try to cover everything. Mike would pause when he made a key point and let it sink in. Once in argument Mike made a key point and one of the jurors said out loud, "That sounds reasonable to me." I knew then I was in trouble.

When Lloyd Somogyi was underbid and lost the PD contract, Mike stayed with him for several years. Later Mike set up his own shop two blocks from the courthouse. Lawyers tend to specialize over time. Mike was something of an old-school general practitioner. He did mostly family law but other things as well. I remember trying



*Mike's listing in the 1985
SLO Bar Directory.*

some of his cases when I became a judge.

Mike probably did it all—workers compensation, bankruptcy, personal injury, family law, criminal law, forming corporations and drafting wills. He had the old style of treating opponents with dignity and respect. In 40-plus years I never saw Mike unprepared or doing anything to be ashamed of. We have lost a good lawyer, and I have lost a good friend.

Gerald T. Shea Retired District Attorney

First, in February of 1977, when I had just been hired into the District Attorney's Office, Mike and I tried (against each other) a DUI case in old Dept 1 located upstairs in the courthouse annex. It was a true learning experience for me as a new DDA in what exactly the "vigorous defense" of a client looked like. Mike left no stone unturned in his trial of that case!

Secondly, for more than 40 years Mike was the loyal and gracious host every March of our local St. Patrick's Day/Irish Bar Association luncheon at his office on Palm Street. (It was for all of

the Irish and “wanna be” Irish lawyers in the county.) Sure, Mike did a fine job, and it was a fine gatherin’!

May you rest in peace, Mike.

Matthew S. Kennedy Attorney, San Luis Obispo

I did not get to really know Mike until I was invited to the annual March 17 IBA luncheon in 1993—they needed an “inter-locular” to take over from retiring John Daly. I became acquainted with that darling man, Michael O’Devitt.

Mike was always the host and took great pride in his Hibernian ancestry. But most of all, Mike was a storyteller—and a grand one at that. Mind you, Mike did not tell made-up yarns, but tales of yore about what it was like to be a lawyer practicing law in the wild west of San Luis Obispo’s past. Mike’s stories of being a young lawyer, and the cast of collegial characters that practiced alongside him, were simply hilarious. I think I will miss that the most—those stories told in a way that only Mike could tell them.

Rest in peace dear friend.
Michael O’Devitt—you will be missed.

John Paul Daly Retired from County Counsel

In the old days, the presiding judge always started the week. Because the local bar was maybe 60 members, most who did any courtroom work were there. The calendars were called seriatim starting with priorities. At one point, Wick Woolpert called the law in motion matters.

Mike and Bob Wendt had a contested matter that had



Each year for St. Patrick’s Day, Mike hosted a gathering of the IBA (Irish Bar Association) at his office on Palm Street. The photo above was taken in 2004.



At an undated meeting of the IBA, those in attendance are, seated from left: John Paul Daly, Lee Cogan, Tim McNulty, Judge Roger Picquet; standing from left: Kevin Owens, Mike Devitt (with flowers), Jim Maguire, Judge Michael Duffy, Judge Barry Hammer, Orlan Donley, Dave Fitzpatrick, Matt Kennedy.

evidently been delayed and re-calendared a number of times. When it was called, Bob told Wick that his client was unavailable that day due to unavoidable circumstances and he honestly needed a continuance.

At that point, Mike gave Wick a letter signed by Bob

declaring that there would be no more delays or requests for continuances. The contents were read so everyone heard. Wick asked Bob what he had to say. The entire courtroom was bursting into silent cheers for Mike. Wendt gets credit for

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Mike Devitt—Attorney continued



Brothers Dennis and Michael Devitt played this round in 1993. Dennis, also an attorney, passed away in 2016.

chutzpah because he responded that it was probably a mistake to send the letter. So, for a while Mike was a real hero amongst us regular courtroom lawyers.

Michael L. Duffy Retired Superior Court Judge

I first became acquainted with Mike Devitt when he approached me in the courthouse and invited me to the next meeting of the County IBA. I asked Mike, "What's the IBA?" He explained that it was the Irish Bar Association, which meets just once every year for a BYO lunch at his law office library to celebrate St. Patrick's Day. I accepted and showed up at his office with my corned beef sandwich in hand, on St. Patrick's Day the following week. They were all lawyers or judges who were either of Irish descent, most with very Irish names, or who desperately wished they were of Irish descent.

Mike was a great host. He had a warm, merry sense of humor and was full of jokes and stories about the Irish, Ireland and, of course, his fellow IBA members. Mike always insured that our meetings ended with a group photograph which he shared with each of us. I expect to continue to do so once our annual IBA meetings begin again, which will remind each of us of Mike and what a wonderful friend he was to us all.

John Carsel Attorney, San Luis Obispo

I miss Mike Devitt. Mike's been an enduring legal presence in San Luis Obispo for more than 50 years and certainly was when

we first met in the mid '70s. In my early years, Mike was always available when I called with a "non-client matter"—code for "help." He was generous with his time and advice.

He was an honorable and sometimes fierce advocate. I recall one trial many years ago, toward the end of the first day of trial, right in the middle of Mike's withering cross-examination, my client stood up and asked me to open his briefcase and hold up the portrait of his deceased mother to give him strength to continue. While Judge Fredman immediately recessed the trial, we all knew the result was no longer in doubt.

Mike's word was his bond. He was overflowing with integrity at a time when many attorneys could not fill their cups. At a time when we said in court "my honorable opponent," with Mike we meant it. I enjoyed going to lunch with Mike. We settled world and personal affairs and occasionally clients.'

He was a good man and he helped a lot of people. I miss Mike Devitt.

J. Johnson Attorney, Grover Beach

I first met Mike Devitt when he cross-examined me as a police officer in the 1970s. He was an excellent defense attorney and always a gentleman. When I was a new attorney, Mike welcomed me into the profession and always answered any questions when asked for help. I will remember his good heart and dry sense of humor.



Kevin Owens presents Mike Devitt with the "traditional" IBA gathering bouquet.

**Robert H. "Hank" Mott
Attorney, San Luis Obispo**

Michael Devitt graduated from Santa Clara University in 1965 and was a loyal and proud Santa Clara "Bronco." Michael was very active in local Bronco alumni activities. He helped organize annual dinners with speakers from the Santa Clara faculty and athletic department. Michael was well respected by local attorneys and judges for his honesty, integrity and legal expertise.

Santa Clara University's vision is to educate citizens and leaders of competence, conscience and compassion, cultivate knowledge

and faith to build a more humane, just and sustainable world.

Michael's legal career, contributions to our community and the great family he helped raise with his wife, Mary Jo, clearly illustrate that he fulfilled Santa Clara University's vision. He is truly a great Bronco who will be missed. ■



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Protecting Our Planet



Chumash Heritage National Marine Sanctuary (CHNMS) Moves to the Next Phase

A Conversation with Margaret (PJ) Webb,
Advisor to the Northern Chumash Tribal Council
and Public Interest Attorney

by Tara Jacobi

Images in the public domain

In November 2021, the National Oceanic and Atmospheric Administration (NOAA) announced that the Chumash Heritage National Marine Sanctuary (CHNMS) will move from the nomination phase to the designation phase in hopes of securing recognition as a National Marine Sanctuary (NMS). According to the Sierra Club, this is the first tribal-nominated marine sanctuary in the nation.

The Chumash Tribe looks to protect 7,000 square miles of coastline, reaching 13 miles offshore between Monterey Bay National Marine Sanctuary and the Channel Islands Marine Sanctuary. NOAA federally designates and manages national marine sanctuaries, working to protect and promote sustainable access to oceanic resources. The designation phase can take up to two years before NOAA will decide whether the proposed CHNMS will be officially designated as a national marine sanctuary.

Attorney Margaret (PJ) Webb is an advisor to the Northern Chumash Tribal Council, working toward the goal of having the proposed CHNMS designated as an NMS.

When and how did this process begin?

For more than 40 years, Tribal elders and members of the local community have advocated for a national marine sanctuary to protect coastal waters off San Luis Obispo and Santa Barbara counties in California. There is a long history of this region seeking NMS protection for our Central Coast ocean waters. This current effort began in 2015 when the Northern Chumash Tribal Council submitted a formal nomination to NOAA to establish the Chumash Heritage National Marine Sanctuary. After several years of continued campaign effort, on November 9, 2021, NOAA released a notice of intent to designate the CHNMS, launching a formal public input and environmental

review process expected to be completed in 2023.

In 1977, the NMS program created the list of areas that could be considered. The U.S. Fish and Wildlife Service proposed Morro Bay and surrounding waters. NOAA assembled an expert panel to assess areas around the U.S. The Morro Bay proposal was suggested again and was accepted by NOAA as an NMS candidate site on the evaluation list in 1983.

The County of San Luis Obispo requested expansion of the 1983 proposal to include the county's offshore waters and northern Santa Barbara. Supporters included the cities of Morro Bay, Grover City, San Luis Obispo, Atascadero, Pismo Beach, Paso Robles; counties of San Luis Obispo and Santa Barbara; Pacific Fishery Management Council; Audubon Society; Sierra Club; and Friends of Morro Bay.

In 1990, Secretary Leon Panetta introduced H.R. 5973 to designate the waters of the Central Coast as



Proposed area for Chumash Heritage National Marine Sanctuary

an NMS. During subsequent management plans for the adjacent sanctuaries (Channel Islands National Marine Sanctuary and Monterey Bay National Marine Sanctuary), there were many public comments asking NOAA to expand the sanctuaries to include the Central Coast.

San Luis Obispo County updated their General Plan to include, "Make every effort to secure permanent protection and management of the County's ecologically and economically significant marine resources using the National Marine Sanctuary, National Estuary, or other programs and legislation as vehicles for protection and management." Support for national marine sanctuary protection ramped up in 2010 when seismic acoustic testing for Diablo Canyon was proposed. Marine Sanctuary COAST Alliance began as a grassroots movement that included Santa Lucia Sierra Club, San Luis Obispo Surfrider Foundation, Northern Chumash Tribal Council, and interested individuals. This was truly a grassroots community and tribal effort that continues to this day.

The CHNMS nomination was submitted by Northern Chumash Tribal Council and approved by NOAA in 2015. There was a required five-year review in 2020 completed by NOAA and generating an astounding 14,000 comments submitted by the public with overwhelming support. On November 9, 2021, NOAA filed an intent to designation and the scoping process started. NOAA is asking the public for input on potential boundaries, resources that could be protected and other relevant issues. The federal comment scoping process period ended January 31, 2022.

The next step requires NOAA to draft designation documents, a draft management plan, and an environmental impact statement analyzing a range of alternatives, proposed regulations and proposed boundaries. NOAA will publish these materials for more public input before preparing final documents. Our California Governor and U.S. Congress have opportunities to review the documents prior to designation.

When and how did you become involved?

I have represented our region's concerns to the Monterey Bay National Marine Sanctuary as a member and two-term chair of the Sanctuary Advisory Council since 2005. I keep in touch with local communities, officials and organizations to monitor issues in our communities. I communicate



the regional conservation and protection concerns to the sanctuary management and seek resources for our communities. When the Northern Chumash Tribal Council decided to submit a nomination to NOAA, I was asked by the Chumash Tribe to participate. Given my history with NOAA and the National Marine Sanctuaries, I enthusiastically joined the efforts. My long-term volunteer work with the agency was excellent preparation for navigating through the NOAA designation process. As a former Legal Aid attorney in the Four Corner's region, I practiced in several different tribal courts and represented many indigenous clients. It seemed like a good fit to be a part of this effort.

Why designate the proposed site as a National Marine Sanctuary?

An important reason for this effort is to honor Chumash heritage and carry on Chumash history of stewardship of Mother Earth and Grandmother Ocean. The Biden-Harris policy entitled "Conserving and Restoring America the Beautiful/30 x 30 policy" addressed climate change impacts alongside the importance of recognizing tribal sovereignty and tribal-led conservation efforts. The Chumash have been in constant occupancy of the Central California Coast and islands since time immemorial. They have a strong link to the ocean as maritime people. The White House honored our efforts and posted Tribal Chairwoman Violet Sage Walker's quote below regarding the policy.

"The Northern Chumash Tribal Council applauds the Biden Administration's initial 30x30 analysis and commitment not only to conservation, but to cooperative protection of our lands and ocean."

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CHNMS continued

We thank President Biden and his administration for making conservation, protection and the movement toward 30×30 a priority. The President is walking the talk when it comes to prioritizing Indigenous leadership, rights and knowledge in conservation. Each community of Indigenous People is the expert on the land and water where they live. This knowledge and history is critical to community-led conservation.

“As the Chumash people know well, Indigenous communities have always been a part of the ecosystem, not apart from it, and our historical memories and knowledge are key to conservation moving forward. The Northern Chumash Tribal Council and the Indigenous Communities around the world are working to provide solutions to assist Grandmother Oceans in the ever-expanding, troubling challenges that we face today.”

There are numerous reasons to designate the Central Coast region waters as an NMS. The proposed CHNMS would protect an offshore area along 156 miles of coastline from Gaviota Creek in Santa Barbara County to Santa Rosa Creek in Cambría. The area proposed for protection contains biologically productive and diverse ecosystems that include a submarine canyon and two subsea basins that converge just offshore of Point Conception, as well as large concentrations of kelp, wetlands and estuaries.

The region supports high marine mammal, seabird, fish and invertebrate biodiversity and abundance as well as extensive cultural Chumash sites, including more than 1,000 recorded archaeological sites. Point Conception (*Humqaaq*, or the “Western Gate”) is an internationally known sacred site. Oral history from many diverse Indigenous Peoples recognizes the role of the Chumash people as the Keepers of the Western Gate and honors its sacred waters (all souls travel through the Chumash Lands to *Humqaaq* and then on to the west, over

our Grandmother Ocean to the ancestors’ spiritual lands).

Scientific research shows that the area proposed for protection by the CHNMS is experiencing climate change impacts, such as ocean acidification, at a rate twice that of the world’s oceans. The area is an important oceanographic transition zone between the Oregonian and Californian marine biogeographic provinces resulting in high species biodiversity but also high risk to climate change impacts. Containing a rare persistent upwelling, the proposed CHNMS is critically important as a feeding hotspot for marine life migrating through all the West Coast National Marine Sanctuaries. The proposed sanctuary would enhance and expand efforts to understand climate impacts on the Transition Zone and develop strategies for building resilience along the West Coast and worldwide, including through application of Tribal Ecological Knowledge.

The area contained within the proposed CHNMS has historically been targeted for oil and gas extraction and represents prime real estate for future offshore energy development. The proposed sanctuary would prohibit offshore oil and gas exploration, development and drilling. The devastation of the 1969 Santa Barbara oil spill remains in our community’s memory and this designation would protect our coast and waters from that fate.

For me in particular, the requirement for active public input to the federal agency is vital. And in my experience, the public input requirement is not merely an empty promise. The National Marine Sanctuaries Act requires public involvement at every step of the process and carries that public input throughout time with an advisory council consisting of stakeholders and agencies that meet regularly. For an interesting read that compares various regulatory mechanisms for ocean governance, I recommend reading the article, “The

National Marine Sanctuary System: The Once and Future Promise of Comprehensive Ocean Governance.” The article concludes that the National Marine Sanctuaries Act, “Creates an open-sourced, grassroots approach to identifying special marine places that are important to local communities nationwide and that will fold



into a national framework for ocean governance through the NMS system.

This new approach has the potential to galvanize local communities and create a national movement for ocean stewardship that other programs and policies have not inspired. Indeed, we finally may see national marine sanctuaries fulfill the vision embodied in the National Marine Sanctuaries Act: “a comprehensive system of sanctuaries that both celebrates and conserves the best of the American ocean.” Since the publication of this article, there have been changes that include opening up new designations such as our efforts for an Indigenous-led nomination. This is truly an effort that celebrates and conserves the best of the American ocean.

From restaurants and hotels, to aquariums and kayak operators, the success of many businesses, millions of dollars in sales and thousands of jobs, directly depend on thriving national marine sanctuaries. Recreation and tourism thrive in the beautiful places that are designated as sanctuaries. National marine sanctuaries are a magnet for research and science, bringing jobs and education and research institutions to the Central Coast and enhancing the existing education facilities. More information about the socioeconomic benefits can be found online specifically at sanctuaries.noaa.gov.

What are the challenges in the designation process?

Lack of resources. The NMS process requires a strong community-based nomination that demonstrates a diverse base of support. For indigenous people and under-resourced communities, it can be difficult to develop outreach and momentum through a process that takes a long time without the resources that more wealthy communities and entities possess. The local grassroots community and the Northern Chumash Tribal Council worked very hard to draft a nomination that ultimately would be approved by NOAA. NOAA requires a nominator to demonstrate a strong base of support from business, education, tourism, recreation, researchers/scientists, environmental organizations, tribes and elected officials and others. Our volunteer grassroots community and Chumash Tribal team had no staff, very little money, and we had other jobs to provide subsistence.

The length of time for the process is another challenge. With a history of marine sanctuary protection efforts that go back to 1977, there has



been support, but it is hard to keep up momentum for that long of a run in a grassroots community effort. We are nearly 10 years into this current effort and we have to continually build personal and persistent relationships with our support base. When we used our original supporter database from 2015, most of the emails were no longer current. Using social media, we rebuilt a supporter list that we continue to nurture and expand.

Over such a long period of time, however, there are losses in the community. The length of time that it can take to get through the process inevitably sustains losses of volunteers through aging, illness, caregiving responsibilities, financial hardships and even death. The Chumash lost many elders in the last couple of years, including the original nominator, Chief Fred Collins. In 2020, it was encouraging when NOAA's required five-year nomination review received 14,000 stakeholder comments overwhelmingly in support of continuing the nomination into designation. All of this happened without substantial resources and non-governmental organizational support.

If people are interested in supporting the designation of the proposed site as a national marine sanctuary how might they do so?

Go to the website chumashsanctuary.org and sign up as a supporter. You can receive updates with information on how to weigh in to support the designation as the process progresses. This campaign is led by the Northern Chumash Tribal Council and is supported by many other tribal, civic, conservation, science and business organizations, as well as local, state and federal elected officials. This is the first Indigenous-led nomination, by the Chumash Tribe, in the history of the National Marine Sanctuary Program. ■

WLA Presents Sheryl Wolcott With the 2021 OWL Award

by Tara Jacobi



In 2012, the Women Lawyers Association of San Luis Obispo County created the Outstanding Woman Lawyer (OWL) Award to honor a female attorney in San Luis Obispo County who promotes the advancement of women within our community.

Promoting the advancement of women is the essential task of the Women Lawyers Association. If a female attorney focuses her energies, be it within her career or outside her career, to advance women, the association wants to honor that woman. The OWL Award is traditionally presented annually in March to coincide with Women's History Month. It acknowledges to our legal community that this attorney is deserving of our recognition, and she will be honored in our local history of women lawyers.

This March, Sheryl Wolcott is being honored as the recipient of the 2021 Outstanding Women Lawyer Award. During her 25-year career as a prosecutor at the San Luis Obispo County District Attorney's Office and previously at the San Mateo District Attorney's Office, she spent several years focusing on crimes of domestic violence. In 2013, Wolcott was the first woman appointed to the

attorney management team in the history of the San Luis Obispo District Attorney's Office, when she became Chief Deputy District Attorney.

Outside her demanding daily legal work, for half a dozen years she was an active member of the board of directors of Stand Strong, a local organization dedicated to assisting survivors of domestic violence. The board of directors worked to support the recent successful merger last year between the organizations Stand Strong and RISE, creating the new organization—Lumina Alliance.

Her efforts place her at the epitome of what it means to assist women. Her leadership within our legal community includes her longtime board membership with San Luis Obispo's Women Lawyers Association and past presidency with the San Luis Obispo County Bar Association. Please join WLA in congratulating Sheryl Wolcott.

Why support survivors of domestic violence? When and how did you initially get involved? What did that metamorphize into?

When I was in law school, I had a vague notion of wanting to help women in some way. I also

thought a practice of law that involved Constitutional law was intriguing. Once I took Criminal Law, I realized that *is* the practice of Constitutional law in many ways. I did internships at the Attorney General's Office doing criminal appeals, and at two District Attorney's Offices, and that shaped my path to being a prosecutor.

I just naturally gravitated to domestic violence caseloads because of who those cases serve—survivors who are victimized in their own home. I saw that it happens everywhere—every social class, every socioeconomic situation. And the effects tear across the entire family and beyond.

As a prosecutor, it is certainly a challenging caseload, because the victim is so often not able or willing to testify. But it calls upon you to always have a plan A, B and C about how you can put your case on. You must know the Evidence Code very well. If you can navigate a domestic violence caseload, you are prepared to handle any kind of case.

What are some of the challenges for our local organizations that support survivors? Tell us about the recent merger between two

local organizations. What role did you play in the merger?

Although we have a very supportive community, as with all nonprofits, funding and staffing is always a challenge. With the onset of the COVID pandemic, the organizations needed to think of other ways to continue to provide support to their clients, for example, making a quick switch to counseling online. That in itself can be a bit more difficult, because the survivor may have been trying to receive counseling right in the home with the abuser present. The pandemic also brought on greater concern that a survivor would not have the opportunity to report or flee from abuse. And with fewer community contacts during lockdown, there were fewer opportunities for others (friends, teachers, doctors, etc.) to recognize that abuse was happening.

Stand Strong and RISE had contemplated merging for years. While we always worked well together, there was confusion in the community about the difference between the organizations, and why there were two organizations. Stand Strong served intimate partner violence survivors in the middle and south end of the county. RISE served the north end of the county, and RISE also served sexual assault survivors for the whole county. RISE was the result of an earlier merger between two previous organizations. Stand Strong formerly was the Women's Shelter Program. You can see why the confusion! When the time was right for one of us to merge, it wasn't right for the other, and vice versa.

Finally, a few years ago, the time was right to explore a merger. The boards of both organizations were fully committed to vetting a merger, doing due diligence, and then seeing it through. It is gratifying to finally have one organization that serves all survivors



of intimate partner violence and sexual abuse, countywide.

I hit my six-year term limit right after the merger was finalized, which was a satisfying way to complete my board service. From the Stand Strong board, attorney Courtney Taylor deserves particular recognition for the hard work she did to make the merger a reality and a success. And I have to add that I love the new name, Lumina Alliance. A lot of thought went into creating a name for the new organization that is forward-looking, captures the spirit of the organization, and is multilingual as well.

In 1994, President Clinton signed the Violence Against Women Act. In 2024, 30 years later, what might you be hoping for women?

A female president. I'm hoping this for women, but more so, for the girls of today and tomorrow. When my daughter was young, she asked if it was "allowed" for a woman to be president, explaining that she was asking because she had never seen one. This was only about six or seven years ago. Only later did I hear the phrase that captures this so well: if you can see it, you can be it. If more than half of our

population doesn't think they can aspire to leadership, we're missing out on a huge amount of talent.

What is most rewarding about a career at the District Attorney's Office? Why?

That our job is to do the right thing. If we do not believe we can prove a case beyond a reasonable doubt, we don't go forward on that case. We also have some discretion to think globally about what a just resolution for a case might be.

What motivates you and why?

To be honest, the fear of failure motivates me. Who wants to let anyone down?

Who inspires you and why?

RGB [Ruth Bader Ginsberg], of course. In her own words, she wanted to be remembered as, "Someone who used whatever talent she had to do her work to the best of her ability. And to help repair tears in her society, to make things a little better through the use of whatever ability she has."

It is not an overstatement to say that she fostered improvements for every female in the country, which she might argue are improvements for every person in the country. I admire her quiet, focused way of speaking, and the fact that her friendships were not bounded by like-mindedness.

What guidance might you give to future women lawyers?

Show up like you belong. That's really not just for women, but for everyone. The law values every perspective, so everyone needs to be at the table. ■



Decide to Shine Your Light Brightly

by Kara Stein-Conaway

At the end of 2019, Raymond Allen, then-editor of the Bar Bulletin, asked me to write a series for 2020 where I would share my perspective about navigating the various important roles I was balancing in my life as a lawyer, law firm owner and mama of two young children. I loved writing that series of articles, and I was later drawn to create “The Business Mamas Podcast,” so that I could share my stories and tools for practicing more self-care and self-love with more people who I knew could benefit from hearing them. The article I’m sharing with you here is a blog post I created from the 28th episode of the podcast. Here’s to shining our lights brightly!

In Episode 9 of “The Business Mamas Podcast,” I introduced a “Framework for Enhanced Well-Being—Focus on Beliefs, Relationships and Making Heart-Guided Decisions.” By using this framework, I have been able to unlock the incredible peace that comes with being present in my work, with my kids and in other aspects of my life. I know you’re ready to welcome that peace into your life as well. **When you have empowering beliefs, and empowering relationships with yourself and others, you are setting yourself up to value yourself, to know your truth, and then to honor yourself and your truth by making heart-guided decisions.**

Today, I want to talk with you about making the heart-guided decision to shine your own light brightly.

I was raised by two very encouraging and supportive parents who told me that I could be whoever I wanted to be and do whatever I wanted to do. They taught me that my voice mattered, and that I could use my voice

to not only advocate for myself, but also to be an advocate for others. One of the ways they taught me this lesson was by listening to what I had to say as a child. As a parent now, I am very conscientious about the importance of having my children know that I am listening to them, their message, and that I’m conveying to them that what they feel, think and say, matters.

Even with receiving support and encouragement from my parents, as a young girl and into my adult life, on more than one occasion, I know that I’ve chosen not to speak up when I had value to share because I didn’t want to come across as bragging about something I was proud of figuring out or achieving. I stayed silent because I did not want to seem full of myself. On other occasions, I have stayed silent because I was worried about making someone else feel badly. Instead, I chose to dim my own light rather than risk hurting someone’s feelings.

I know that I’m not alone in this. In “Get over it: why you can’t afford to be shy about self-

promotion,” Kim Churches, the CEO of the American Association of University Women, a nonpartisan nonprofit that works to advance gender equity for women and girls, asserts:

“It’s not enough to merely know your value to advance in your career, you must also be able to show value. Yet, recent research shows that 7 in 10 women would rather minimize their success than share them with others. Even the words ‘self-promotion’ make many women uncomfortable, and it’s easy to see why. From a young age, women have been conditioned to be ‘good girls’ who keep their heads down, finish their work on time and pay attention to detail. But the same silent work ethic that won us A’s in school won’t get us the C-suite at work. To be recognized as leaders, we need to sing like a canary, not hide in the bushes.”

Even though I had very encouraging parents, I was still raised in our society that discourages girls and women from self-promoting. I can only imagine that if I’m struggling

with this having been raised by my parents that other women and girls whose parents were not their champions, must also feel this way.

Shortly before I started “The Business Mamas Podcast,” a younger lawyer who was a new mom asked me, “Kara, how are you managing work and family life in what seems to be such a beautiful balance? Although I tried to answer her question with some ideas that I thought would be helpful to her, if I’m being honest, I know that I also downplayed what I’ve been able to create in both my career and with my relationships with my children.

Why did I diminish my success?

First, I didn’t want to brag.

Second, I didn’t want something that I could say to her make her feel bad or worse, since I knew she was struggling.

The reality is that during the last eight years since I became a mother, I have focused on my mindset, on relationships with myself and others, and on practicing bravely making heart-guided decisions. I have read many books and I have developed systems and tools that have made such a big difference for me in navigating career and motherhood.

I realized that by diminishing what I have learned, I deprived myself of the joy of recognizing how far I’ve come, and I also deprived the young lawyer of the chance of learning from me. What I’ve learned is available to empower other moms to live more beautiful lives, knowing that they get to have amazing careers and also have the loving, connected relationships with

their kids that they desire.

Prompted by her question, and with a desire to answer her more honestly and more fully, I’m sharing my stories, and the tools I’ve used on this podcast, so that I can help my listeners live their most empowered lives as career women and as mamas.

In her book, “Girl on Fire,” Cara Alwill explains:

“Every time a woman rises up and celebrates herself, she shows another woman that it’s okay to do the same. Every time a woman showcases her wins, she shows another woman that it’s possible to achieve great things. When you choose that perspective, you owe it to the world to shout about your success from the rooftops!”

When we stay silent, it perpetuates a cycle of women feeling ashamed of their success, so I’m done. I’m done downplaying what I’ve learned, what I’ve accomplished, and who I am. There have been so many times when I’ve been enveloped by deep gratitude for the love and beauty I’m experiencing, but I’ve held back and not shared out of fear that people will think I’m bragging or because I’m worried that someone might think I’m trying to discourage them by sharing my joy. This is ridiculous. When I see another person experiencing joy, to me, it’s contagious. I take it as inspiration to create

more joy in my own life. And I appreciate it every time I experience it. I am not going to assume that me sharing my joy is going to harm others.

I’m ready to shout my success from the rooftops, and I hope you’ll join me in shouting your successes from the rooftops too. You never know who might really need to hear what you’ve got to say. ■



If you enjoyed this article and would like free resources to help you practice more self-care and self-love, visit www.karasteinconaway.com/linktree to listen to the podcast, receive a free Morning Routine Guide, or sign up to receive inspiring emails from Kara. You can also learn more about the podcast on Instagram @karasteinconaway.

For more information about the Stein-Conaway Law Firm, P.C., where attorneys Kara Stein-Conaway and Jeff Stein help adults accused of crimes in San Luis Obispo County protect themselves and their futures with their criminal defense practice, please visit www.steinconawaylaw.com.



A Conversation With Jennifer P. Thompson

by Tara Jacobi

A few years ago, Jennifer Thompson graduated from San Luis Obispo College of Law. Prior to this she was an experienced government professional with years of experience managing city programs. Now she is practicing public agency and education law at Lozano Smith. She is also teaching Legal Research and a first-year skills course. We had the opportunity to have a conversation.

Why teach legal research to law students?

Legal Research is one of the few law school courses that teaches practical skills students can use when they finish law school and become lawyers. The concepts such as precedent, understanding the types of legal authority, and reading and writing citations are fundamental. Understanding these concepts also helps students better understand the cases they are reading for their substantive courses.

What is challenging about conducting legal research? Are there certain legal software programs that you prefer using to conduct your research? Why?

One of the biggest challenges is what I call “the rabbit hole,” getting distracted from or even losing sight of the initial purpose of your research. I counsel students to keep track of their path and jot down authority that they stumble across and want to return to so that they don’t lose track of where they’ve been or forget about sources that might be important.

I don’t have a preference. I’ve used Lexis and Westlaw and they’re both essentially the same.

What are students taught about the Internet, if anything? Why?

The Internet is often a great place to start legal research because it can point you in the right direction. Many online articles include citations to cases and other legal authority that can get you started on your legal research. The Internet is also more receptive to common language searches than legal research programs. You cannot, for example, ask Lexis or Westlaw, “May general law cities pass emergency zoning ordinances?” (a question that I recently googled) and expect an answer.

Students are taught that they can use Internet searches but that they should verify that research with legitimate legal authority.

The prevalence of Google and other search engines have made research a more common skill for most people, and some elements of legal research, such as Boolean searches, are intuitive for students because they’ve been using search engines their entire lives.

Do law students today learn how to do any type of research outside of computer-based software? Do they learn how to Shepardize a case without consulting a computer?

Ideally, yes. When I took legal research, my professor held one class session at the law library and taught us how to conduct legal research “the old-fashioned way.” I found that lesson to be very valuable, if for nothing else than to understand how good we have it today with all the legal research available at our virtual fingertips. Unfortunately, all the law school courses have been remote the last couple of years so visiting the law library wasn’t an option. We do spend time discussing the parts of a citation so that students, at the minimum, understand that citations refer to actual volumes of cases. We discuss Shepardizing without a computer but unfortunately my students have not had the opportunity to try it.

What is the skills course about that you teach to first-year law students? How is it beneficial to students?

The skills course teaches students skills they need to succeed in law school. We focus on legal syntheses, essay writing, MBEs and study habits. These are skills that the students will use throughout law school and on the bar exam. Students take this course during their first semester as 1Ls, so it can be very beneficial if they take the class seriously and take the lessons to heart. The challenge is that during their first semester students are trying to learn how to prepare and study for their substantive courses, so they often make the skills course their last priority. I try to emphasize its importance and hopefully they remember some of the lessons.

What experience as a newly minted practitioner might you share most with your students? Is there something from your life experience that may play a

significant role in shaping you as a teacher?

I've always enjoyed teaching and tutoring, and I've had many opportunities to train employees throughout my career. As a newly minted practitioner, I am the student again. It's a humbling and rewarding experience. I think I would like to tell my students that the learning does not end when you finish law school and then pass the bar exam. In your first job as a lawyer, you will continue to learn every day.

What teaching techniques do you find most effective? What is important for you to share with your students? What have your students taught you?

Legal research and skills are both classes that really require practice. I can explain concepts and we can have in-class discussions but neither will be mastered without lots of practice.

San Luis Obispo College of Law is attended mostly by people who have many other life responsibilities. Most students

have full-time jobs, spouses and/or children. I think it's important that students, especially 1L students, know that law school is hard for everybody but especially for people like them with many competing priorities.

It's also important that they know that it's going to take them awhile to learn how to "do law school" because the teaching and testing methods are different than anything they've experienced in their previous schooling. I think it's important to share this with students and hope that they use this information to give themselves some grace when they feel overly challenged or frustrated.

What do you hope for your students when they leave your classroom?

I really hope that they leave feeling like they've learned something useful, whether its legal research skills that they'll be able to use throughout their law career or skills that will help them succeed in law school. ■

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Meet Joseph Belmont

**by Stephanie Barclay,
SLOLAF Legal Director**

What would you like people to know about you first and foremost?

The first thing that I'd like people to know about me is that being of service to my community is what defines me as a person. No matter where I am in my life, every opportunity is an opportunity to help another person. Whether it's a smile to help brighten someone's day or providing legal services to the underserved, we all have an opportunity to help another person at either a micro or macro level.

Next, I'd like people to know that I'm an avid gardener. I have a passion for roses and have a respectable collection of different varieties. Lastly, fitness and health are very important to me. I'm a strong believer that fitness starts with the food we consume, and good health starts with a balanced diet. I practiced isometric centered yoga for years, but as soon as the first round of COVID-19 stay-at-home-orders were issued I began strength training and have since developed a passion for it.

What inspired you to go into law?

Growing up monolingual, persons in my neighborhood always asked me to translate documents or explain documents they received simply because I read English. A lot of the time I'd be translating/explaining legal documents and

be astonished by what was going on. Knowing this person needed help and not being able to help them motivated me to pursue law. Also, the lack of LGBT attorneys in smaller cities has always motivated me. Experiencing first-hand the lack of LGBT resources for my community left me feeling hopeless at times and with all my privilege I knew I had to do something.

What were you doing before you started working at SLO Legal Assistance Foundation?

I graduated from Monterey College of Law. Before graduating I was working for them assisting with the legal clinics they were facilitating at the time. After graduating I was promoted to a director's position where I was able to further develop the existing clinics as well as implement several new ones. I also was director of the Monterey County Bar Association for a brief time.

What made you want work for SLOLAF?

Having worked for so many years in community-based access to justice created a strong drive for helping the underserved get access to legal resources. When I read the job announcement, I knew without a doubt that I'd be great at that job. The job posting was for the Landlord/Tenant Clinic that is currently held at the San Luis Obispo and Paso Robles courthouses. Since I had experience developing and implementing legal clinics, I felt this would be a great opportunity to put my skills to work and help provide a much-needed resource for the San Luis Obispo community.

What were housing resources like before the clinic?

COVID-19 shut down a lot of resources. Court-houses were closed, including court helpdesks, and a lot of organizations didn't survive the shutdowns. When I first started, I was meeting

people in the office. I felt super blessed to work at an organization that provided safety measures for employees and the public, and I therefore felt safe meeting participants while feeling ensured that everyone was practicing proper COVID protocol. So many legal resources were closed due to the pandemic, and it was great feeling to know SLOLAF was open and helping people.

Since first starting, the clinic has gone from by-appointment to walk-in services at the courthouse. I have a great boss who really advocated for the public and helped open the door to getting the clinic into the courthouse at a time when almost all resources were closed. Since housing laws were evolving so rapidly during the pandemic, I had pride in knowing I was helping my community navigate and understand their rights.

What's life like now that the Landlord-Tenant clinic is up and running?

It was a little ironic that after I helped get the clinic solidified and established, SLOLAF asked me to change directions and help with conservatorships and guardianships. Although I had prior housing experience, a large portion of my experience was with guardianships and limited conservatorships, and I again felt such a blessing to have another opportunity to apply my skills and experience as well as an opportunity to learn more about this area of the law.

With so many great organizations to support, what makes SLOLAF stand out?

I think it's a fair statement to say that the legal field does not have a history of diversity, and the diversity at SLOLAF was one of the first things that I noticed. From my boss to my colleagues, I feel very comfortable being myself. Being a POC who is also part of the LGBT community, I've often

encountered adversity in the workplace and have had legal jobs that were practically unbearable. Here at SLOLAF I've never had to face adversity in the workplace, and I'm very grateful to have landed here. I don't think many people understand what it feels like to have experience and skills overshadowed by others' personal views toward certain communities.

Also, every one of my colleagues are dedicated to helping low-income persons regardless of their backgrounds, and it's a great feeling to work with people dedicated to justice free of bias. SLOLAF's dedication to low-income persons is inspiring and rare in an industry that historically has only provided access to persons with resources.

What was most surprising to you about working for SLOLAF?

We're all a bunch of foodies, lol. We have a break room, and you can always find a treat that someone brought in to share.

Is there an achievement or contribution that you are most proud of?

I would say being by my sister's side during her fight with terminal cancer. As she began to lose her fight with cancer, there were times I was scared while witnessing her decline and fearful of what I knew was coming. However, being able to be by her side up until the end was a blessing considering how many people passed away alone during COVID-19 when hospitals weren't permitting anyone except for patients.

Where do you see yourself in five years?

I hope to be on the same path helping provide access to justice to underserved and always learning more and more about the areas of law I am helping with. ■



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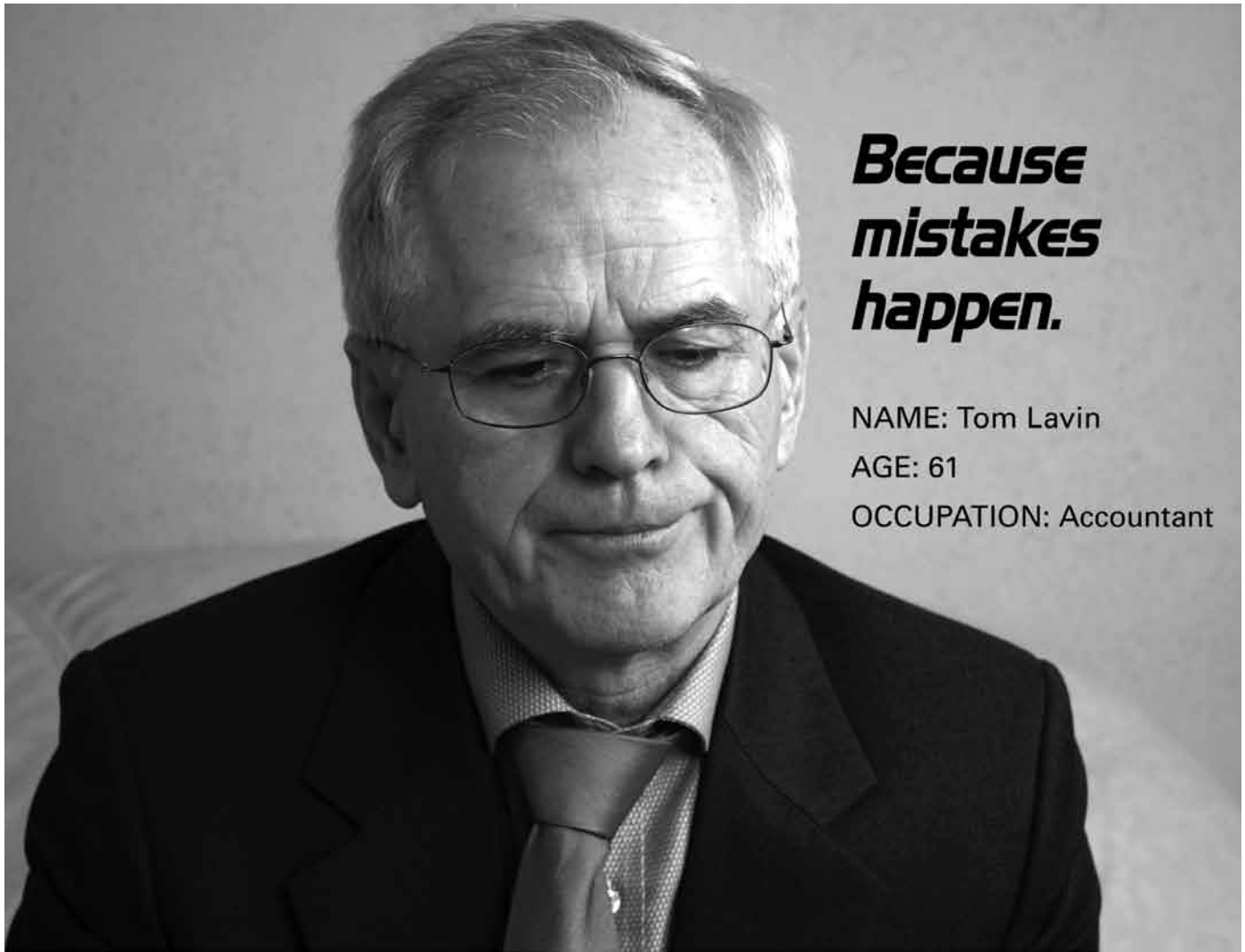
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- January–February
 - March–April
 - May–June
 - July–August
 - September–October
 - November–December

To ensure consideration for inclusion in the next scheduled edition, articles, advertisements and payments must be received by the deadlines noted at right.

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2022 Bar Bulletin
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