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From the President's Desk

*by
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California Courts Still In Crisis

On March 23, 2015, during her annual State of the Judiciary speech to the California legislature, Chief Justice Tani Cantil-Sakauye confirmed what we already know in San Bernardino County: "A three-hour drive to the nearest courthouse can't be fair in anyone's book." While Governor Brown has proposed an overall increase in court funding next year by \$105 million, the Chief Justice stated that the justice system needs \$266 million more "just to tread water," \$612 million more to fully serve the public and \$1.2 billion over a three year period to fully repair the damage from the dramatic cuts to court funding during the past several years.

It is now "budget cycle" in Sacramento, and San Bernardino County Judges and Bar leaders are joining others to travel to Sacramento to meet legislators to press the need for increased court funding. While the legislature may be sympathetic, individual members are concerned by issues raised in a late 2014 independent state audit of the court's fiscal practices. The audit cited the Administrative Office of the Courts (now blended into the Judicial Council of California) for questionable compensation and business practices, and a failure to disclose expenditures to the public. Managers of the eight court subdivisions are all paid salaries between \$179,000 to nearly \$182,000 which is more than Governor Brown. The audit questioned "whether the AOC's salary levels are justified. For example, AOC office directors manage a range of 12 to 111 employees. In contrast, the director of the California Department of General Services receives a lesser salary of \$167,000 yet manages a state department with more than 3,600 employees." The audit also questioned whether Court administration needs to be spread out over offices in Sacramento, San Francisco and Burbank necessitating the payment of an extra stipend to employees living in the Bay Area or Los Angeles. It was estimated that more than \$5 million in rent alone could be saved by centralizing all offices in Sacramento. In summary, the audit questioned about \$30 million in spending by Administrative Office of the Courts over the past four years.

In response, the Chief Justice welcomed the audit, and immediately created a commission to explore implementation of the recommendations. While the amount questioned represents a small percentage of the Court's budget, it still is a concern to the Chief, and already there has been a 30 percent reduction in staff at headquarters. Judicial Council meetings are now open to

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Justice Jeffrey King to Receive Kaufman-Campbell Award

By J' Amy Pacheco

Described as "intense," "passionate" and "deserving," Associate Justice Jeffrey King has been selected to receive the Kaufman-Campbell Award from the San Bernardino County Bar Association. King, who sits on the bench at the Fourth District Court of Appeal, Div. Two, in Riverside, will be honored during a dinner ceremony on May 14.



King said he was "very surprised and extremely pleased" to learn he would receive the periodic award, which is named for former state Supreme Court Justice Marcus Kaufman and former Fourth District Court of Appeal Justice Joseph B. Campbell. It honors jurists designated as having served on the bench with distinction and having made substantial contributions to the community as well as the practice of law.

San Bernardino County Presiding Judge Marsha Slough said King is "clearly deserving of this award."

"He has more of a true passion for the law than anybody I know; a commitment to the rule of law, and assuring the rule of law is followed," she said. "He is honorable, honest, and an indefatigable worker."

Slough, who received the Kaufman-Campbell Award in 2014, said she and King practiced together for eight years before King became a judge. Whether serving as an attorney, a Superior Court judge or on the Appellate bench, Slough said King demonstrates his commitment to the issues before him by "just rolling up his sleeves and doing the work himself, as opposed to delegating it to someone else."

"The clearest evidence of his commitment to justice is the fact that he's married to a woman who is a judge, and all three of his sons are lawyers," she pointed out. "It's in his DNA, and it's now in theirs."

That DNA started with King's father. King is the son of the late San Bernardino trial lawyer John Lewis King, who is the namesake for the SBCBA's John Lewis King Memorial Scholarship. The senior king, who has been described by some as the most outstanding trial lawyer produced in San Bernardino County and one of the best in the state, died in 1967.

Justice King said he "grew up in the law," going to court and watching trials.

"It just kind of permeated my childhood," he recalled. "But [my father] died when I was 17, so it wasn't as if in any way he said, 'You need to become a lawyer.' He truly has given me

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Justice Jeffrey King...**(from page 1)**

somebody, not to emulate, but given me the motivation to try to accomplish as much as I can accomplish; to try to be as good as I can be, whatever my legal endeavors are.”

Presiding Justice Manuel Ramirez of the Fourth District Court of Appeal, Div. Two, described King as “an interesting fellow on the Court of Appeal.”

“We have a number of different personalities,” he explained. “His personality is by far and away the most unique in our court.”

Ramirez said King’s most impressive quality is his ability to say, “I do not agree with this tentative opinion,” or, “I agree, but not for the reasons mentioned.”

“We’ll talk about it,” Ramirez continued. “I’ll sit back and watch this amazing process unfold in front of my eyes. ...He’s very vocal and definitive about his opinions.”

King, he said, is “very expressive,” and “works well with others, but knows when he needs to depart from others.” But when he does depart, if after discussion he joins the majority, King doesn’t hesitate to say, “I didn’t agree, but now I do. I was wrong.”

“It’s an impressive quality,” Ramirez said.

“In the woven fabric of the Court of Appeal, we have some very strong personalities,” he said. “His works for him, and it works for the court. It improves the process of looking at cases, and refining the thought process.”

Attorney William Shapiro said that when King was on the trial bench, he was “never influenced by outside pressures.”

“Before Judge King decided cases, he gave all parties every opportunity to present everything they wanted within the realm of reasonableness,” he explained. “Judge King was about as straight down the middle as a judge can get -- precisely what a lawyer, litigant and community want in a trial judge.”

Shapiro, who has known King for more than 40 years, said he has known King as “an eager trial lawyer, an exceptional husband, father and friend, a fantastic trial judge and a dedicated justice of the Court of Appeal.”

“While my initial memories are of two young lawyers talking cases and trials, we quickly became good friends outside the office and courtroom,” Shapiro said. “I loved his intensity, passion and commitment. He was, and to this day is, so dedicated to do what he believes is right. Jeff was always uninfluenced by others. He is his own person, his own man. You want him on your side because you’ll get nothing less than 100 percent, and that goes for everything. Whether he was standing at the plate in one of our old ball games; representing a family in a wrongful death case, defending a public entity or deciding a critical issue as a bench officer, you always get the same thing: intensity, consistency and conviction.”

Riverside Attorney James Heiting, a former president of the State Bar of California, described King as “a great choice for the Kaufman-Campbell Award.”

“Justice King has always been, in my experience and in all my observations of him with others, a thoughtful, patient jurist,” Heiting stated. “He always focuses complete attention on the issue at hand, always listens carefully, studies the arguments, and asks questions until the points are fully illuminated. He then spends time to thoroughly research and analyze the law, and to decide any factual issues.

“He is courteous and gives full respect to each party and each position no matter how imaginative or ‘creative,’” he added. “He comes to conclusions that are decisive and well-conceived; and he fully explains his reasoning and analyses in reaching his decisions. Justice King’s actions on the bench have always demonstrated his unwavering commitment to integrity and impartiality, in the processes of the courts and in his decisions. Justice King takes justice very seriously. We are grateful for it.”

A native of San Bernardino County, King earned his undergraduate degree from the University of Redlands, majoring in political science and government. He earned his law degree from McGeorge School of Law, and was admitted to practice in 1976.

He began his legal practice with the Law Office of Herbert Hafif, concluding it nearly 20 years later as a partner with Markman, Arczynski, Hanson & King. His practice consisted primarily of plaintiff’s personal injury, and representing government entities on dangerous condition of public property cases.

In 1994, King was nominated for and accepted into the American Board of Trial Advocates. The following year, he was appointed to the San Bernardino Superior Court. In 2003, he was appointed to the Court of Appeal.

In addition to his legal activities, King served on the Planning Commission for the city of Rancho Cucamonga from 1981-84, and served as its chair from 1982-84. He served on the Rancho Cucamonga City Council from 1984-88, and became mayor of the city in 1986.

Attorney Dennis R. Stout said he met King while both practiced in Rancho Cucamonga, and the two became friends who played softball together for more than a decade.

“Our kids grew up together,” he said. He credited King with helping him change firms when he needed to, and with sharing office space with him in the interim.

“From my perspective, spending time with him socially, personally and also professionally, he’s definitely intense,” Stout said. “He’s tenacious. He’s always aggressive, and he wants to get it right. It’s a good quality for whatever we did. He’s not quite a perfectionist, but he’s awful close to that.”

“I’m very appreciative of him,” he added. “I’m thankful; obviously he’s one of my best friends in practice. I think he was probably long overdue for the award. He’s very deserving.”

Attorney Eugene Kim described King as “extremely intelligent, extraordinarily thoughtful, and very caring in terms of what happens in the legal community.” Kim, founder and current president of Asian Pacific American Lawyers of the Inland Empire, said King was instrumental in helping the organization when it was founded.

“He and Justice Ramirez were so instrumental in really helping us get our name out, and providing guidance and support for our new organization,” he recalled. “Justice King did an MCLE program for us on appellate practice. He’s always been somebody we can go to and rely on.”

Kim is also a member of the SBCBA Board of Directors, and said King has been a big supporter of the organization as well.

“He always strives to improve and to make the legal community better,” Kim observed. “He’s intelligent, and a very caring person. He’s always doing his best to help.”

Attorney Daren Hengesbach recalled that King gave him his first job as a young lawyer.

“There is no question that he’s a worthy candidate,” he said.

“Jeff’s passion for all aspects of lawyering has few parallels. His entire life has been devoted to the practice of law, probing the law, discussing the law -- every aspect of it. It shows in the way he deals with litigants, and his colleagues. He was a great mentor to me, and he taught me how to practice law ethically and with an eye toward justice.”

One of King’s sons, attorney Justin King, said he became enthralled with the practice of law while watching trials in his father’s courtroom.

“He truly cares about doing the right thing,” he said. “He cares about his work product; what comes out of his chambers in terms of written opinion. He is always thorough, and always intends to be extremely fair to litigants.”

“He is always very personally invested in the decisions he puts out, and takes great pride to make sure he puts out something he can be proud of,” he added.

Justin King also described Jeffrey King as “a great father.”

“He is always there for us,” he said. “We’re all different, and he wears different hats with each of us. We each have a strong personal, individual bond with him. He’s a great mentor, and sets a great example, instilling in us the importance of being a good father.

“I’m very pleased and very proud of him. I think this award means a lot to him. He’s been here his entire career. Our family has been here since the late 1800s, so he knows the significance of this award. To receive it, knowing the judges who came before, gives him a great sense of pride. And that makes me very happy.”

Sharon Granowitz, daughter of Marcus Kaufman, said King appears to be “a perfect selection” to receive the award.

“His achievements and professional recognition are a great tribute to the memory of his esteemed father, John Lewis King, who many have described as the “trial lawyer of the 20th century,”” she said. “I am so pleased that this year’s honoree is a native of Southern California, and who has spent most of his life in our area, including earning his undergraduate degree

from the University of Redlands. It is gratifying that he has also devoted his entire legal career to the Inland Empire. It is also impressive that he is married to Judge Pamela Preston King, of the San Bernardino Superior Court.”

Shapiro said King has “never lost his love and hunger for the law.”

“Always wanting to make things right, he has dedicated his life to seeing to it people are treated fairly,” Shapiro said. “That has been in his blood since the day I met him. It is that quality that our SBCBA wanted to honor and celebrate.

“The Kaufman Campbell Award is presented to judges ‘who have demonstrated the highest standards of judicial excellence in the pursuit of justice while exemplifying courtesy, integrity, wisdom and impartiality,’” Shapiro pointed out. “So many judges in the Inland Empire strive and do meet these qualities, which is why the selection process is so strenuous. But there is no guesswork as to Justice Jeffrey King. These are not qualifications, these are the very adjectives that describe the man, the lawyer, the judge and Justice Jeffrey King is.”

The dinner will be held Thursday, May 14 at 6 pm at The Hotel, 285 E. Hospitality Lane, San Bernardino.

Past recipients of the Kaufman Campbell Award include Presiding Judge Marsha Slough in 2014; Judge Larry Allen in 2013; Judge Tara Reilly in 2012; Fourth District Court of Appeal Presiding Justice Manuel Ramirez in 2011; Judges James McGuire and J. Michael Welch in 2010; Margaret Powers in 2009; Michael Dest in 2008; Brian McCarville, 2007; A. Rex Victor, 2006; Christopher Warner, 2005; Bob Krug, 2004; Patrick Morris, 2003; Michael Smith, Jules Fleuret and Dennis Cole, 2002; LeRoy Simmons, Betty Richli and Joseph Johnston, 2001 and Rufus Yent, Frederick Mandabach and John Ingro in 2000.

J’Amy Pacheco is a free-lance journalist and the former editor of the San Bernardino Bulletin, published by Metropolitan News Company. J’Amy has graciously provided her writing talents to our Bulletin, once or twice a year, since 2004. She may be reached by email, at jamy.pacheco@verizon.net.

EDUCATION ADVOCACY PANEL

Attorneys Needed To Assist and Represent Minors In the Educational Arena

The San Bernardino Superior Court and the San Bernardino County Bar Association are working together to establish a pro bono panel of attorneys to assist and advocate for minors who are experiencing difficulties in the school setting.

It has been noted that minors appearing in juvenile court are having difficulties with the school districts in getting their educational needs met. A child may need an individual education plan (IEP) which the school has not provided.

Parents of some of the minors who are facing pending charges, have shared their concerns with both the juvenile court and the probation department about how the schools have mishandled matters. For example, parents of one special needs child reported that the child was being bullied at school - no one in authority handled the situation except to tell the minor to learn to deal with it. Thereafter, the minor in defending himself, was charged with battery on school grounds.

For more information, or to sign up for this important panel, please contact the San Bernardino County Bar Association at 909/885-1986 or bar@sbcbba.org.