

# • BULLETIN •

of the San Bernardino County Bar Association

Vol. 42, No. 5

Our 139th Year

March 2014



From the  
President's Desk

By  
John R. Zitny

## *The Fight to Be the County Seat: The Winner Gets a Courthouse.*

The town that was the county seat usually received the honor of accommodating the county courthouse. The City of San Bernardino has consistently been the seat for the county. However, the City of Riverside and Colton both made a power play to relieve San Bernardino of that distinction.

In 1893, the County of Riverside was formed by breaking away from the County of San Bernardino. The City of San Bernardino was known as a lively community with saloons and gambling houses. The town provided supplies for miners and outfitters who were travelling to the desert, mountains and the East. San Bernardino would have been known as a "party town." It was also the county seat. But the tame and more conservative City of Riverside was jealous and felt that the City of San Bernardino was not a fitting place that would honor our fair county.

The first county courthouse was in use until 1856. It was housed in the Mormon Council House, which was at the corner of Court Street and Arrowhead Avenue. Unfortunately, the building developed huge cracks running throughout the building. Logs were needed to shore up the walls and support the flooring. Everything leaked. After a particularly nasty rain, the building started to disintegrate. It was condemned and destroyed, leaving the judiciary homeless.

Court officers and staff became transient. The court and government business moved amongst shops and residences in order to conduct their affairs. However, in 1874, a two story brick courthouse was finally built on the corner of E Street and Court Street. The courthouse was small and quickly became inadequate during the expansion in the 1880's. Two bond issues, one for \$175,000 and a second for \$75,000 failed to get the required 2/3 vote to expand the facility. The vote failed because the residents near the City of Riverside wanted to prevent the courthouse in the city of

(Continued on page 2)

## Presiding Judge to Receive Kaufman-Campbell Award in May

by J'Amy Pacheco

Described as "dedicated," "creative" and a "very obvious choice," Presiding Judge Marsha Slough has been tapped to receive the San Bernardino County Bar Association's prestigious Kaufman-Campbell Award in May.

"She absolutely deserves it," said John Zitny, the association's president. "She was unanimously selected, without any hesitation."

The periodic award is named for former state Supreme Court Justice Marcus Kaufman and former Fourth District Court of Appeal Justice Joseph B. Campbell, both of whom served on the bench in San Bernardino. 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.

Zitny described Slough as "extremely intelligent" and "dedicated to making our court system the best it can be."

"We think of people as being a creative person or an action person, but she's both," he observed. "She's a person who thinks of new ideas and solutions; who takes those creative thoughts and puts them into action."

Slough said that while she never had the opportunity to appear before the namesake jurists, she recognizes that the award comes with an obligation to never forget what they stood for.

"I don't know that I have ever been more moved by any honor or recognition I've ever been honored with in my life," she said.

Attorney Jim Heiting said it is "wonderful" that Slough was selected to receive the award.

"She highly deserves it," he opined. "I believe her efforts and her leadership were absolutely instrumental in getting the attention of the Judicial Council and state legislators in bringing funding to the courts in general, and increased attention to the Inland Empire, and our need for judges specifically.

"She's doing really a bang-up job," he added. "She's vocal, upfront, and connected to people in the right places. She's advocated with legislators; she's been an activist - that's what we needed. I commend her very highly, and I really appreciate her efforts. I think she's doing a great job. She really deserves every recognition for her efforts."

After earning her undergraduate degree from Ottawa University, Slough earned her law degree from Whittier College School of Law in 1986. While in law school, she clerked for MacLachlan, Burford & Arias, and after the bar, practiced law there handling civil litigation and insurance defense.

She subsequently practiced with several other law firms before her appointment to the bench in 2003. Her 18 years in practice included seven with Jeffrey King, whom she ultimately replaced on the bench upon his elevation to the Fourth District Court of Appeal, Div. Two.

King described Slough as "the most capable person I know."

"As a lawyer she had the ability to discern and develop the heart of a case, be it from a plaintiff's or defendant's perspective," he said. "Every case she dealt with was immaculately prepared both legally and factually. The results she obtained for her clients reflected both her work ethic and her ability.



(Continued)

## Presiding Judge to Receive Kaufman-Campbell Award....

*(Continued from page 1)*

“As a judge, she brings to the bench a calmness and sense of fairness, which are hard to match,” he added. “While on the Court of Appeal I have reviewed a number of records in which she was involved as the trial judge. She has a deep knowledge of the law and a clear understanding of fairness and judicial discretion; her decisions clearly reflect these attributes. From a personal point of view she’s a great person.”

Attorney Michael Bidart said he “can’t say enough good things about Marsha Slough.”

“I adore Marsha Slough,” he said. “She has a great balance about her. She’s smart, honest and loyal.”

“She was an exceptional and well-respected lawyer,” he added, recalling meeting Slough when both were members of the American Board of Trial Advocates. “She has handled herself on the bench in the same way.”

Bidart said Slough has had an “extremely tough job” during the financial crisis plaguing the state’s courts.

“I wouldn’t want her job, that’s for sure,” he stated. “She has handled the job with great balance and great dignity. I’m the self-appointed president of her fan club. But it’s not just me that thinks that - I’ve never met a person who had a negative thing to say about Marsha Slough.”

Judge John Pacheco described Slough as “a genuine, no-nonsense, intelligent, hardworking judge who never makes anyone feel intimidated or fearful when they appear before her.”

“Marsha’s reputation and leadership have spread throughout the state where she has successfully convinced the judiciary and legislature that San Bernardino County is in dire need of more funding and judges,” he observed. “Her relentless pleas for help have put us in the forefront and had it not been for Marsha we most certainly would have had to close more courthouses, courtrooms and services, thereby denying further access to justice to our court users.

“We could not have asked for a better leader and presiding judge during these crucial economically-starved times,” he continued. “I am truly honored and privileged to call Marsha my colleague, and better, yet friend. She is most deserving of this year’s Kaufman-Campbell Award.”

Attorney William Shapiro explained that the Kaufman-Campbell Award is “the most treasured honor a judge or justice can receive,” and is “awarded to the judge who demonstrates, ‘the highest standards of judicial excellence in the pursuit of justice while exemplifying courtesy, integrity, wisdom and impartiality.’”

“If there was ever a statement that describes Judge Marsha Slough, that’s it,” he said. “Along with many in the Inland Empire who have known Judge Slough for many years, I celebrate this recognition which was truly just a matter of time. A more dedicated, hardworking and sincere person could not be found anywhere in the world.”

Slough’s appointment to the bench followed an “exceptional career as a trial lawyer on both sides of the bar,” Shapiro pointed out.

“Not only is she a bright and astute judge, she possesses the judicial qualities lawyers, litigants, staff and citizens could only dream a judge would have,” he said. “Integrity, compassion, civility and impartiality not only define the award, these terms have long defined Marsha Slough. It was not surprising that after years demonstrating model judicial temperament and ability, Marsha would be selected by her peers in becoming our presiding judge. Holding that position now for some time, her leadership

qualities have become known state wide.

“While no doubt, great leaders are known for what they’ve done, the jewel of a great leader is the impact they have on others,” Shapiro continued. “Marsha Slough has it all covered. She’s done so much as a lawyer, trial judge, a presiding judge and as a champion for the courts and judicial system. Working and traveling tirelessly in an effort to work out the statewide and county budgetary issues that exist in the courts of all counties, she’s put forth a nonstop effort to guarantee all citizens access to justice. I join droves who treasure what she has done, is doing and will continue to do.”

Slough took the helm of San Bernardino’s courts at a time when state budget cuts resulted in the local courts facing a \$23 million budget shortfall, threatening layoffs, freezes and court closures. When the distant Barstow and Needles courthouses had to be shuttered and the communities protested, Slough faced the matter head-on.

“When you make decisions like that, you had better explain yourself,” Slough stated. She traveled to the desert and stood before a “packed” room full of citizens who were “not happy.” But Slough took the time to explain the state’s budget cuts and the impact they had on the courts’ ability to do business.

“You can’t cut more than 20 percent of your income and not change where and how you do business,” she told the crowd. By the end of the meeting, attendees recognized that the Third Branch was being cut deeply, and were fired up enough to travel en masse to Sacramento to testify before budget panels for the Senate and Assembly. The group included 10 mayors, representatives from the Sheriff’s Department, employee groups and “every quarter in the High Desert region,” Slough recalled.

“And boy, did that group make an impact,” she added. “That day is credited as the turnaround. It began to open the eyes of the people in Sacramento as to how the branch is being strangled.”

High Desert Bar Association President Brandon Wood attended those meetings, and said he was struck by Slough’s “level of commitment and willingness to go the extra mile for our county, our courts and the staff.”

“The truth is, she is in a tough spot,” he observed. “Imagine being the person forced to be the figurehead at a time that people are being laid off, and not given raises. You’re the only person fighting like crazy to save the courts, to get funding back - how horrible would that be?”

At the budget meeting, Wood recalled, Slough was one of only two presiding judges present.

“This was the one meeting where legislators discuss this year’s budget, and there were only two presiding judges there,” he recalled. “Where was everybody else? The budget is crippling every court in the state.” Wood said either the state’s remaining presiding judges are slackers, “or we have one pretty freaking amazing presiding judge.”

“Someone needs to stand up and take notice -- somebody needs to say, ‘Thank you,’” he opined. “Right there at the tip of the spear was Marsha Slough. It’s inspiring to be able to say that my PJ was one of only two who were there fighting like hell for every position, every dollar.

“She doesn’t have to do that,” he added. “...I think people need to know what she does, all she’s doing for all of us, because she busts her ass. She is so deserving of every bit of publicity, of positive thanks. Every court in the county owes her a debt of gratitude for going above and beyond. She’s a hero.”

In addition to being dedicated professionally, Zitny said Slough is also “very likeable and personable,” and “very approachable.”

"You feel at ease talking to her," he said. "Everybody enjoys her company."

Bidart described her as having a "good, dry sense of humor."

"She's a good sport, and super smart," he added. "Nobody could be more deserving of this award."

Pacheco said that while there are several excellent bench officers in the county, "there are none as gracious, non-pretentious, unassuming and sincere as Judge Slough."

"Marsha is, and always has been a giver," Shapiro said. "She is warm, gracious and kind with a heart of gold which is her compass. She treasures family and her appreciation of the past is topped only by her anticipation and excitement for the future. That is how she lives today and that's how she has always lived for the over three decades I have known her. I join her family and so many who celebrate Judge Marsha Slough for receiving this honored distinction as the recipient of the coveted Kaufman/Campbell Award. Judge/Justice Joseph Campbell and Justice Marcus Kaufman are beaming down at this selection."

Slough will receive the award during a dinner ceremony slated for May 15, 2014 at 6 p.m. at the San Bernardino Hilton.

Past recipients of the Kaufman Campbell Award include 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. She may be reached by email, at [jamy.pacheco@verizon.net](mailto:jamy.pacheco@verizon.net).*