

# • BULLETIN •

of the San Bernardino County Bar Association

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"Our 130<sup>th</sup> Year"

April 2005



From the  
President's Desk

by  
Wilfred J. Schneider, Jr.

## The Honorable Christopher J. Warner

I am pleased and honored to announce that Judge Warner is our recipient of the 2005 Kaufman Campbell award. The award will be presented to Judge Warner at a special dinner in his honor at the Radisson Hotel on May 12, 2005 (see page 3). I encourage everyone to attend.

Judge Warner received more nominations than any other jurist. His selection by the nominating committee was unanimous. His confirmation by the Board of Directors was also unanimous.

I have personally known Judge Warner for over 20 years. He is among our most diligent jurists. Having matters in his courtroom is always a joy because you can count on him being fully prepared for the pending matter. He always engages you with the highest level of respect, civility, and professionalism. And, he always seems able to fashion a practical solution to the pending matter that is intellectually honest and works towards the overall resolution of the case.

He has been a long time member and supporter of our Joseph B. Campbell American Inn of Court. He always offers the most appropriate insights and reflections to the discussions at the monthly meetings.

Please join me in congratulating Judge Warner.

## Les Murad

My good friend and Secretary-Treasurer of the SBCBA Board of Directors has been elected to a Commissioner's seat by our Judges. He will sit in the Fontana Court. He will be missed by the Board. However, he takes one more step in his commitment to service to the citizens of our county. He takes with him a strong sense of self and a dedication to our system of justice. I wish him well.

## Bench Bar Coalition of California

On March 15<sup>th</sup> and 16<sup>th</sup> I flew to Sacramento as part of the Bench Bar Coalition of California's Day in Sacramento. I was part of the Inland Empire contingent consisting of Judge Peter Norell, Judge Douglas Miller, Tressa Kentner, our Chief Executive Officer of our Courts, and Irene Morales, Executive Director of Inland Counties Legal Services.

There were over 40 of us from all over the State, Judges and Bar Associations alike. Our purpose was to speak with our legislators to promote Bench Bar issues.

Among those issues are our need for new judgeships and secure court facilities.

(Continued on page 2)

## San Bernardino County Bar Association

### Upcoming Events

APRIL 2005

- 4 - NO Environmental Law Section Meeting this month.**
- 5 - Landlord-Tenant Section** 1.5 hours MCLE  
Featuring Judge Brian Saunders. 6:00 to 8:30 p.m. Nena's Restaurant. Order off menu. RSVP to SBCBA, 909/885-1986.
- 7 - Barrister's - Happy Hour**  
6:00 - 8:00pm Yard House at Victoria Gardens Shopping Center 12473 N. Mainstreet, Rancho Cucamonga. CA 91739 (909)646-7116.
- 20 - Barrister's** 1 hour MCLE  
Richard Marca "Managing Client Expectations" 12:00 noon. At the offices of Gresham/Savage, 550 E Hospitality Ln, #300 in San Bdn. Call Joe Ortiz 909/890-4499.
- 21 - Probate Bench-Bar Symposium** 1.5 hours MCLE  
Featuring Judge David Williams. 5:30 to 7:30 p.m. San Bdn Hilton. \$30 mbrs, \$40 non-mbrs. 909/885-1986. See page 11.
- 22 Construction Defect Symposium (Min) 1.0 hours MCLE**  
Joint SBCBA-RCBA Symposium featuring Judges from Riverside and San Bernardino Superior Courts. 12:00 to 2:00 p.m. at the San Bernardino Radisson, 295 N. E St. Buffet lunch. \$35 Members, \$45 non-members Call 909-885-1986 for reservations.
- 27 - Criminal Law Section** 1 hour MCLE  
12:00 noon to 1:30 p.m. at Law Offices of Michael Scafiddi.
- 28 - Family Law Section** 1 hour MCLE  
12:00 noon to 1:30 p.m. in Dept S-12. Brown bag.
- 29 - Chief Justice Ronald George** 1 hour MCLE  
A special Joint Meeting w/ RCBA. In the Galleria Room at Riverside's Mission Inn. Reservations 909/682.1015.
- 30 - Law Day at the Mall** See pages 12-13

MAY 2005

- 1 - Law Day at the Mall** See pages 12-13
- 3 - Environmental Law Section** 1 hour MCLE  
Featuring a speaker from the Center for Biological Diversity. At the Offices of Gresham/Savage, Hospitality Lane. 12:00 to 1:30 p.m.
- 12 - 6<sup>th</sup> Annual Kaufman-Campbell Awards Banquet.**  
5:30 to 8:30 p.m. at the Radisson. Cost: \$50 per person. See page 3.
- 19 - Estate Planning, Trust & Probate Section** 1 hour MCLE  
4:30 to 5:30 p.m. in Dept S-5.
- 25 - Criminal Law Section** 1 hour MCLE  
At the Law Offices of Michael Scafiddi. 12 noon to 1:30 p.m.
- 26 - Family Law Bench-Bar Symposium** 1.5 hrs MCLE  
Featuring Commissioner Michael Gassner. 5:30 to 7:30 p.m., San Bernardino Hilton. See page 11 for details.

**President's Desk***(from page 1)***New Judgeships**

We are all aware of how Riverside County has had to suspend their civil caseloads to hear criminal matters. We are aware of the horrible delays in processing civil cases. We are certainly aware that the Inland Empire is the fastest growing area in the State. This will only get worse without some relief.

In San Bernardino County our bench officers have 6,478 filings per judicial position. This is the highest in the state and is 2,304 filings higher than the statewide average.

Since 1980, the total number of new judges in the trial courts has grown by approximately 20% while the population in California has grown by 50%, in Riverside County by 150%, in San Bernardino County by 100%.

A detailed analysis of judicial workload identified a need for approximately 355 judges statewide. Considering the state's ongoing fiscal crisis, the Judicial Council is requesting only the most critically needed 150 judgeships over a three year period.

Senate Bill 56 is a spot bill that will be the vehicle for the legislature to authorize 150 new Judgeships statewide over a three year period. The Inland Empire is slated for the largest number of judges with 23 for San Bernardino County and 19 for Riverside County.

However, even with the addition of 23 judges, our filings would still be 4,958 which is 784 filings per judicial officer higher than the statewide average.

Our critical need is for 30 more criminal judges, 10 civil judges, 7 juvenile judges, 15 family law and domestic violence judges and 5 traffic judges.

**Court Facilities Security Bond**

As for our court facilities, does anyone need any convincing that we need some relief?

Our courthouses are to be a safe haven to all who have business there. Most of us feel like we should be given "combat pay" when we go there to do our business.

San Bernardino is not unique. 41% of California courts bring in-custody defendants through the public hallways past their victims, witnesses, and jurors. Over half of our courts are "seismically challenged." 75% of our courts do not have adequate access for people with disabilities. Most lack any facilities for the more than 300,000 children that come to our courts each year.

Additional facilities will be necessary to accommodate new judgeships 8 through 23 and the necessary staff. The solution will be to build the first phase of the new courthouse in downtown San Bernardino, part of our approved master Plan. The priority for this courthouse should be moved up into the first funded, as land is free and some capital construction money is available.

The 5 Billion Dollars we need to build our new secure facilities statewide will be facilitated by a bond. So, our friends and neighbors will have to ultimately decide this matter.

You can learn more about the Judicial Council's Trial Court Five-Year Capital Outlay Plan at: <http://www.courtinfo.ca.gov/reference/fiveyear.htm>.

Fortunately, we were able to either speak individually or as a group with Senator Bob Dutton, Senator Denise Moreno Ducheny, Assemblyman Russ Bogh, Assemblyman Bill Emmerson, and Assemblywoman Bonnie Garcia.

We also attended the State of the Judiciary Address of Chief Justice Ronald George which he gave to a Joint Session of the Legislature on March 15, 2005.

Following his address, I was privileged to speak with the Chief Justice. He reminded me that he will be attending our joint lunch with the Riverside Bar Association at the Mission Inn on April 29<sup>th</sup>. I now respectfully remind you.

I also respectfully would ask you to contact your State legislators and encourage him or her to support SB 56 and the Court Facilities Security Bond.

# The Resolution Experts

The highly respected mediators and arbitrators at JAMS are dedicated to finding flexible solutions to complex disputes. Our panel of Resolution Experts available in San Bernardino/Riverside includes:

Hon. William C. Beverly, Jr. (Ret.)

Hon. David H. Brickner (Ret.)

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Linda C. Fritz, Esq.

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