

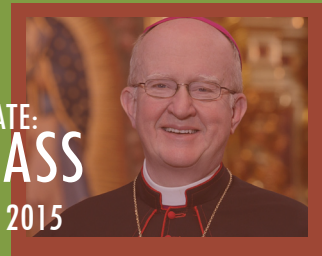
ad. veritatem

ST. THOMAS MORE SOCIETY OF ORANGE COUNTY

AUGUST 2015

VOLUME 20 ISSUE 7

SAVE THE DATE:
RED MASS
OCTOBER 5, 2015



The Mandate for
Civil Behavior
DAVID L. BELZ



"I Didn't Know
He Was
Catholic"
GREGORY WEILER



You are invited.

RED MASS

Join us
October 5, 2015



We are honored to welcome Bishop Kevin Vann to his third Red Mass in Orange County and seek his blessing on the dedication and mission of our local legal community.

Red Mass begins at 6:00 p.m.
The complimentary dinner reception is at 7:00 p.m.

Holy Family Cathedral
566 S. Glassell St
Orange, CA 92866
(714) 639-2900

Questions about Red Mass should be directed to Bill Malecki at bmalecki@yahoo.com

Sponsorship opportunities for Red Mass should be directed to Fabio Cabezas at fabiocabezas@cox.net

ad.
veritatem

The St. Thomas More Society of Orange County is an independent organization sponsored by lawyers and judges who are practicing members of the Roman Catholic Church.

ST. THOMAS MORE SOCIETY BOARD OF DIRECTORS

PRESIDENT Fabio Cabezas BURKE, WILLIAMS & SORESENSEN, LLP	PAST PRESIDENT Donald A. Hunsberger THE LAW OFFICES OF DONALD A. HUNSBERGER	Anne N. Lanphar ALESHERE & WYNDER LLP
TREASURER Michael Murphy, CPA THE ACCOUNTANCY FIRM OF MURPHY, MURPHY & MURPHY, INC.	WEBMASTER James P. Doan DOAN LAW GROUP	Prof. Mario Mainero CHAPMAN UNIVERSITY
CHAPLAIN Rev. Hugh C. Barbour, O. Praem, Ph.D. ST. MICHAEL'S ABBEY	Michael J. Alti THE ALTI LAW FIRM	William Malecki STATE COMPENSATION INSURANCE FUND
PAST PRESIDENT Hon. David Belz O.C. SUPERIOR COURT	William J. Brown, Jr. BROWN, WEGNER & BERLINER LLP	Alma L. Murray HYUNDAI MOTOR AMERICA
PAST PRESIDENT Gregory N. Weiler PALMIERI, TYLER, WIENER, WILHELM & WALDRON, LLP	Carlos X. Colorado EAGAN AVENATTI, LLP	Sean Murray KNOBBE MARTENS OLSON & BEAR LLP
	Steven Cotugno CONSULTING SOFTWARE ENGINEER	Michael J. Offenheiser BROWN & STREZA, LLP
	Kathya M. Firlik JONES MAYER	Julie A. Palafox PALAFOX LAW CORPORATION
	John J. Flynn III NOSSAMAN LLP	David Werner LAW OFFICE OF DAVID WERNER, LLP
		Patrick E. Whalen LAW OFFICE OF PATRICK E. WHALEN

ADVISORY BOARD

Hon. Michael Brenner, Retired • Hon. David T. McEachen • Bishop Kevin Vann
Dean John Eastman • Hon. Andrew J. Guilford • Robert J. Spitzer, S.J.

IDEALS OF ST. THOMAS MORE

The legal profession is a high calling with corresponding responsibilities to society. The principal objective of every lawyer is to promote and seek justice. Catholic Lawyers pursue the truth in both their spiritual and professional lives. The duty of a Catholic lawyer is to remain faithful to Jesus Christ, His Church and its teachings at all times despite the personal consequences.

THE OBJECTIVES OF STMS

- encouraging its members to live a Christian life and apply the principles and ideals exemplified by St. Thomas More in their lives and encourage same in the legal profession.
- promoting and foster high ethical principals in the legal profession generally and, in particular, in the community of Catholic lawyers.
- assisting in the spiritual growth of its members.
- encouraging interfaith understanding and brotherhood.
- sponsoring the annual Red Mass for elected and appointed officials and members of the legal profession.

MEMBERSHIP IN STMS

Each member of the Society is committed to:

- strive to live an exemplary Christian life and apply the principles and ideals exemplified by St. Thomas More in their daily lives and encourage same in the legal profession.
- attend monthly meeting of the Society and provide personal support to the St. Thomas More Society.
- attend and support the Red Mass.

LAWYER'S PRAYER

Give me the grace, Good Lord,
to set the world at naught;
to set my mind fast upon thee
and not to hang upon the blast of men's
mouths;
to be content to be solitary;
not to long for worldly company
but utterly to cast off the world
and rid my mind of the business
thereof.
- ST. THOMAS MORE

EDITOR@STTHOMASMORE.NET

Become a Red Mass Sponsor
by either printing this page
and mailing it to the address
below, or clicking anywhere
on this page to be taken
to the Red Mass
Sponsorship webpage.



Yes, I'd like to support the 2015 Red Mass as a Red Mass Sponsor!

Sponsorship Level:

- Traditional ☐ Diamond \$5000
- ☐ Emerald \$2500
- ☐ Platinum \$1500
- ☐ Gold \$1000
- ☐ Silver \$500
- ☐ Bronze \$250
- Event ☐ Buffet Dinner \$8000
- ☐ Music \$3000
- ☐ Honoraria \$1500
- ☐ Worship Aids \$1000
- ☐ Ad - OCBA \$1750
- ☐ Ad - OC Catholic \$1000
- ☐ Invitations \$1500
- ☐ Reception Hall \$1000
- ☐ Photography \$1000
- ☐ Cathedral \$750
- ☐ Awards \$500
- ☐ Beverages \$500

Sponsor Information:

Name:

Address:

Phone:

Email:

Please indicate your listing preference. You may list your name(s) alone, firm or company name alone or both name(s) and firm or company name

Please mail your check made out to STMSOC to:

Murphy, Murphy & Murphy, CPA's
5665 Plaza Drive, Suite 350
Cypress, CA 90630

Please direct any questions to:

Fabio Cabezas, President
fcabezas@bwslaw.com

Bill Malecki, Red Mass Chairperson
bemalecki@yahoo.com

In this issue of *Ad Veritatem*, we begin a short series of articles on civility and professionalism in the practice of law. Indeed, there are professional standards to consider, but as Catholics we must also consider our duties as disciples of Jesus Christ.

In the gospel of Matthew at chapter 5, beginning at verse 13, our Lord admonished us as his followers:

¹⁴ *'You are light for the world. A city built on a hill-top cannot be hidden.*

¹⁵ *No one lights a lamp to put it under a tub; they put it on the lamp-stand where it shines for everyone in the house.*

¹⁶ *In the same way your light must shine in people's sight, so that, seeing your good works, they may give praise*

to your Father in heaven.

On the one hand, as members of the State Bar, we must be "zealous advocates" of our clients' interests. On the other hand, the State Bar in 2009 adopted Civility Guidelines. The two are not irreconcilable! Judges, jurors and adversaries respect zealous but even tempered advocates.

If we are to assist others toward eternal salvation, we must heed the advice of Jesus in the above scripture. If we are to avoid public condemnation as hypocrites in our faith for failing to act in all aspects of our lives as Catholics, then we must be authentic Catholic lawyers. As St. Francis said, preach the gospel at all times and when necessary use words.

THE MANDATE

FOR CIVIL BEHAVIOR

HONORABLE DAVID L. BELZ

"CA Supreme Court - 11" by shatencalboun is licensed under CC BY 2.0

WE have heard a lot in the news about bullying in recent times.

We have also heard a lot about domestic violence which, under the law, has a broad definition.

California Family Code Section 6203 tells us that abuse is not limited to actual infliction of physical injury. Abuse is defined as any behavior that

has been or could be enjoined pursuant to *Family Code* Section 6320. The scope of the behavior subject to a restraining order is quite broad. A restraining order can be issued for battery on one end of the spectrum down to harassing emails on the other end. There is no argument that we as a culture have too much conflict. So, what can we as members of the legal profession do on a daily basis

to mitigate this problem? The answer is simple. Practice our profession with the highest level of civility.

The State Bar of California in 2009 promulgated standards for civil conduct by attorneys. The process

(CONTINUED ON PAGE 5)

THE MANDATE FOR CIVIL BEHAVIOR

(CONTINUED FROM PAGE 4)

to establish the civility standards was stimulated in part by a ruling that invalidated prior standards. The prior *Business and Professions Code* 6068(f) admonished attorneys “to abstain from all offensive personality”. This provision was challenged in Federal Court in the case of *United States v Wunsch* (1996 9th Circuit) 84 F. 3d 1110. The attorney Wunsch was admonished and sanctioned for writing a letter that expressed an unsuppressed offensive personality. The matter was taken up to the 9th Circuit Court of Appeal. The 9th Circuit found that *B&P* Section 6068(f) was unconstitutionally vague.

The irony in this decision is that no one could seriously contest that the letter sent by the lawyer to the female federal prosecutor did not express an offensive personality. The 9th Circuit found that *B&P* 6068(f) was void for vagueness, because it did not

sufficiently identify the conduct that was prohibited.

Following the *Wunsch* case, and the elimination of *B&P* 6068(f) as an enforceable standard, the State Bar assembled a task force to establish standards that could be promoted and followed by its members. Meetings and comment periods were set. Uniform standards were established. The State Bar adopted those standards. The void created by the ruling in *Wunsch* was partially filled in 2009 with the **Attorney Guidelines of Civility and Professionalism** (Civility Toolbox). With the acceptance of the civility standards, it would be up to the bench and the bar to promote those standards and to follow the new standards of civility.

The State Bar standards of civility should be understood and followed by every lawyer who practices in this state. But equally, if not more so, the standards should be at the fingertips of every Catholic lawyer who strives to practice in shadow of our patron, St. Thomas More. Sir Thomas, the greatest lawyer in the last 1000 years in England,

epitomized these standards in every way in his professional legal life. His reputation as a lawyer was enhanced by his reputation for ethical and civil practice. He was a very successful lawyer.

The California State Bar Civility Guidelines are voluntary. The need for civility in all matters of life as a Catholic cannot be denied. As members of the legal profession, Catholic lawyers have a unique obligation and opportunity to follow the highest civility standards in their personal life as well as in their professional life. There is no better time to start than now. There is no better roadmap to success in the profession. It goes without saying, if bullying in our society has no place, then neither does bullying have a place in the legal profession.

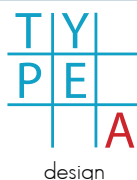
The standards can be found on the State Bar website at cacalbar.ca.gov. Go to ethics. Then go to attorneycivilityandprofessionalism.com. ♦

The Law Offices of Deborah Pernice Knefel

- Labor and Employment Law
- Municipal and Admin. Law
- Tort/Business Litigation

333 City Blvd. West,
17th Floor
Orange, Calif. 92868
(714) 937-2035
dpknefelesq@gmail.com

programs
invitations
booklets
business cards
logos
advertisements
and the
Ad Veritatem



15% discount for St. Thomas
More Society Members

Mary Harrell
mary.mendenharrell@gmail.com

MAMMOTH REAL ESTATE

COLDWELL BANKER

*Fly fishing, golf, skiing,
back packing, property sales*

MIKE S. MARTIN

949.292.3447

Advertise in
**ad.
veritatem**

~ Affordable
advertising at \$150
per year ~



editor@stthomasmore.net

"I DIDN'T KNOW HE WAS CATHOLIC"

GREGORY N. WEILER

In a recent discussion regarding a prominent well-respected attorney who had recently died (not "passed away" – nobody just passes away), I was struck by a judge who said about the deceased: "I didn't know he was Catholic."

WOW. To live one's entire life—school, family, legal career—and have the community not know of your animating force?

If I die today, what will people say? What will Our Dear Lord say? "Good and faithful servant" or "I didn't know he was Catholic"?

There is the old cliché: If you were arrested for being Christian would there be enough evidence to convict you? Most of us have plenty of evidence for conviction of sinning (our spouses are probably prime witnesses). Therein is our challenge, to bear witness to the goodness of a personal God, to a relationship with Him that makes us quicker repenters, quicker forgivers and consistent lovers of our brothers and sisters.



To be known as a Catholic, and to be public about it in a quietly authentic way, should be our goal, the object of our prayers. Once again, only possible by the Grace attendant to a sacramental life, steeped in the Word, a life of prayer and service. I pray that on our deaths we hear:

"I knew him/her to BE a strong Catholic." ♦

This column originally ran in the August 2014 Ad Veritatem. It is still a timely complement to our current series on Civility and Professionalism.

SEPTEMBER MEETING



Speaker: Ira Liston
Topic: Human Trafficking in Southern California
Day: Wednesday, September 16
Time: 12:00 p.m.
Location: Advanced Depositions
 17752 Sky Park Circle, Ste. 100
 Irvine, CA 92614

Ira Liston works in the **Public Law Center's** Immigration Unit, where he represents survivors of human trafficking. Mr. Liston's work focuses on providing direct legal representation, advocacy,

and educating the public about human trafficking in and outside of Orange County.

To read more about Mr. Liston, please [click here](#).

IMMACULATE HEART RADIO



Immaculate Heart Radio has launched AM 1000 to reach all of Orange County and continue the expansion of the Christ Cathedral Campus. In January, 2015, Bishop Kevin Vann flipped the switch alongside Doug Sherman, President of Immaculate Heart Radio at a luncheon dedicated to the launch.

This is an opportunity for the diocese

potentially to reach over 6 million people with the message of Christ's love. The launch of the station was well received with parishioners from across the diocese tuning in daily. Much of the station's programming has emphasized the universal Catholic Church while focusing on local parishes as well. ♦