

Federal Bar Association

Los Angeles Chapter

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National Federal Bar Association Honors the Hon. Barry Russell with Earl W. Kintner Award for Distinguished Service

The Federal Bar Association awarded the Honorable Barry Russell, United States Bankruptcy Judge for the Central District, the Earl W. Kintner Award for Distinguished Service at the FBA's Annual Meeting and Convention, held September 13 through 15.

The Kintner Award is presented to an FBA member who has displayed long-term outstanding achievement, distinguished leadership, and participation in the activities of the Association's chapters, sections and divisions nationwide. Judge Russell's many significant contributions throughout his career exemplify the highest standards of dedicated service that the Kintner Award was established to recognize.

Judge Russell has been an active contributing member of the Los Angeles Chapter for over forty years. He served as Chapter President from 1977-1978 and has continuously served on the Board of Directors since the 1970s. He also served as FBA National President during the 1990-1991 year.

One example of his many contributions took place in early 1980 when Judge Russell and other FBA members were looking for ways to encourage local law school students to become active in FBA programs. Judge Russell suggested that the Chapter honor one student from each of the local law schools as a way to introduce the students to the FBA.

As a result in 1982, the Los Angeles Chapter initiated the Judge Barry Russell Federal Practice Award, given to law students chosen by each of the five local ABA accredited law schools who have achieved excellence in the study of federal practice and procedure. Since 1994, Erwin Chemerinsky, the nationally recognized constitutional law scholar and Dean of the University of California at Berkeley Law School, has presented his constitutional law update as part of the program. To date, over 140 students have received the Judge Barry Russell Award, including many who went on to become active members of the Chapter.

For a number of years, Judge Russell was Chair of the National Conference of Bankruptcy Judges' Federal Bar Association Liaison Committee, which fosters cooperation between the two organizations including encouraging judges to participate in the activities of the FBA and its Chapters. Judge Russell and the committee members are all active members of the FBA. On September 27, 2013, Judge Russell and two other Bankruptcy Judges presented a panel at the Annual Convention in San Juan, Puerto Rico commemorating the 100th anniversary of the FBA.

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UPCOMING EVENTS:

- Reception Honoring Newly Appointed and Reappointed Magistrate Judges
February 20, 2019
- State of the District and the Circuit Luncheon
March 14, 2019
- Reception Honoring the Federal Judiciary
May 30, 2019

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PRESIDENT'S MESSAGE

Lane Dilg
FBA CHAPTER PRESIDENT

Welcome to the Federal Bar Association of Los Angeles (FBA-LA). Since 1937, the FBA-LA has provided a forum for all in the federal legal community – federal judges, civil practitioners, prosecutors, criminal defense attorneys, transactional lawyers, administrative agency lawyers, federal court administrators, and academics with a wide array of interests – to join together to advance the shared mission of strengthening the federal legal system and promoting the administration of justice.

Our broadly attended events invite members of the bench and the bar to converse candidly about ways to improve legal practice in federal courtrooms, and we share key developments in the law through panels featuring esteemed attorneys in our community and often moderated by the judges before whom they practice. Our mentorship program includes those new to federal practice by pairing them with experienced practitioners able to offer guidance on how to succeed in federal court.

Uniquely, the FBA-LA supports not only the adjudicatory function of the court but also the federal judiciary as a public entity. The scale and scope of the organization that is the federal courts often escapes public notice, even as chief judges and court administrators daily manage a multi-billion-dollar government agency, tens of thousands of employees, large public facilities, and a virtual mountain of filed cases. The FBA-LA provides an opportunity for the bar to assist in this portion of the Central District's work, whether the opening of the new First Street Courthouse, the integration of new technology, the securing of needed facilities and judicial officers, or communication about new rules and procedures.

As an association, we also work to advance legal and civic education in our broader community. FBA-LA volunteers provide legal advice at the Central District's Pro Se Clinic; we create self-help videos available to the public at the Los Angeles Law Library; and we engage in broad outreach to the students who are our future to encourage participation in civics events such as the Central District's Law Day and the Ninth Circuit Civics Contest.

The FBA-LA is a community dedicated to preserving and promoting our democracy's commitments to independent adjudication and justice under the rule of law. If you are not yet a member, we hope that you will join us.

Warmest regards,

Lane Dilg

President, Federal Bar Association-Los Angeles



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Association**

From the Clerk's Office

By Kiry K. Gray

The end of 2018 and the start of 2019 has brought several challenges and uncertainty for the Judiciary. As you have seen and heard in the news, the partial government shutdown began on December 22, 2018, and the U.S. District Court for the Central District of California continued operating by using court fee balances and other funds.

In continuing support of workplace environment improvements, the Ninth Circuit has hired a Director of Workplace Relations, the Federal Judicial Center has revised its Law Clerk Handbook, and the Court's confidentiality policy has been revised to make it clear that reporting workplace misconduct is permissible and not barred by the confidentiality policy.

The Central District has eight District Judge vacancies. On October 10, 2018, the White House nominated Stanley Blumenfeld, Jeremy Rosen, and Mark Scarsi to the Central District, but no action was taken on the three nominations before the end of Congress' term.

In addition, we have some new local rules and court procedures that we wanted to highlight.

- As of December 1, 2018, consent to service of documents through the Court's CM/ECF System will no longer be required, and registered CM/ECF users who previously opted out of electronic service will no longer receive paper copies of court documents served by the CM/ECF System.
- As of December 1, 2018, the Local Rules regarding Bill of Costs were revised to provide greater explanation about what costs are taxable and the deadline to file objections to the application to tax costs will be expanded to account for a new meet and confer requirement that is imposed on the parties after the application to tax costs has been filed.
- As of December 17, 2018, parties can consent to proceed before a magistrate judge from the voluntary consent list in class actions.

- Effective February 4, 2019, the Court is expanding the Criminal Duty Matters Electronic Filing Pilot Project for documents in certain types of criminal duty matters referred to magistrate judges in General Order 19-01.



Author Kiry K. Gray is the District Court Executive for the United States District Court, Central District of California

What is the FBA? The FBA represents the federal legal profession. We consist of more than 18,000 federal lawyers, including 1,500 federal judges, who work together to promote the sound administration of justice and integrity, quality and independence of the judiciary. The FBA also provides opportunities for scholarship and for judges and lawyers to professionally and socially interact.

Why is the FBA Relevant? The FBA is relevant because it: monitors and often advocates on federal issues that impact the practice of federal lawyers and the courts; keeps its members abreast of current federal issues; provides opportunities for scholarship and education to the profession; provides opportunities for judges and attorneys to professionally and socially interact; and promotes high standards of professional competence and ethical conduct.

To find out more, visit www.fedbar.org

Dean Chemerinsky's Annual Supreme Court Review for the 2017 and 2018 October Terms

By Kelly McDonnell

On October 4, 2018, the Los Angeles Chapter of the Federal Bar Association hosted its annual Supreme Court Review and Judge Barry Russell Federal Practice Award luncheon at the Biltmore Hotel in downtown Los Angeles. After local law students were honored and the new board of the FBA LA Chapter was sworn in, Dean Erwin Chemerinsky gave his annual review of the most important decisions from the October 2017 United States Supreme Court term, offered his thoughts on the upcoming October 2018 term, and reflected on why this is such a pivotal time for the Supreme Court.

SWEARING IN THE NEW BOARD

The Honorable Virginia A. Phillips swore in the new officers and directors for the Los Angeles Chapter. Outgoing President Hilary Potashner, Federal Public Defender for the Central District of California, has been succeeded by Lane Dilg, City Attorney for the City of Santa Monica, for the 2018–2019 year. President Dilg is joined on the board by President-Elect Honorable Michael W. Fitzgerald of the Central District of California, Treasurer Ronald Wood of Brown White & Osborn LLP, and Secretary Yuri Mikulka of Manatt, Phelps & Phillips LLP.

JUDGE BARRY RUSSELL FEDERAL PRACTICE AWARD

Bankruptcy Judge Barry Russell then presented the annual Judge Barry Russell Scholarship Awards to five students from local law schools for their exceptional achievements in their federal courts and practice courses. Each recipient received a signed copy of Judge Russell's book, a \$400 check, and a plaque recognizing their achievement.

DEAN CHERMERINSKY'S ANNUAL REVIEW

Entering an Era without a Swing Vote

Dean Chemerinsky began by

highlighting how Justice Brett Kavanaugh's confirmation signaled a new era in SCOTUS history—an era without a swing justice. Dean Chemerinsky explained that from 1969 to February 13, 2016, the date of Justice Antonin Scalia's passing, there had always been five or more justices appointed by Republican presidents, but there had also always been a swing justice that would at times side with liberals on controversial issues. During Justice Kennedy's over thirty years on the Court, he sided with conservatives 75% of the time, and with liberals the other 25%. But last year, Chemerinsky said, Kennedy did not "swing" at all. And because the newer justices are much younger than previous appointees, there is unlikely to be a swing justice in the foreseeable future.

Blockbusters That Weren't

Dean Chemerinsky opened up his "blockbusters that weren't" theme by discussing *Gill v. Whitford*, 138 S.Ct. 1916 (2018), involving a challenge to partisan gerrymandering in Wisconsin. He said that gerrymandering can be executed with precision due to sophisticated technology and as a result poses a graver threat to the democratic process than ever before. The Court failed to resolve the issue presented and held that the plaintiffs failed to prove they had standing.

In *Masterpiece Cakeshop Ltd. v. Colorado Civil Rights Commission*, 138 S.Ct. 1719 (2018), the Supreme Court held that the Colorado Civil Rights Commission's actions in assessing a cake shop owner's reasons for declining to make a cake for a same-sex couple's wedding celebration violated the free exercise clause because of its expression of hostility to religion. Dean Chemerinsky believes that this decision raises profoundly important questions about the bounds of free speech. Thus far, stopping discrimination has been more

important than the freedom to discriminate, but this may be changing.

Blockbusters

Dean Chemerinsky recounted the journey of President Trump's travel ban through the federal court system. In *Trump v. Hawaii*, 138 S.Ct. 2392 (2017), the Supreme Court held that President Trump's proclamation limiting immigration from eight designated countries is consistent with federal law and does not violate the Establishment Clause of the First Amendment. Dean Chemerinsky explained that the Court used rational basis review for presidential decisions related to immigration, and held that national security fulfilled the conceivable legitimate purpose required to uphold the ban. He noted that Justice Sotomayor's dissent was "blistering." She compared the case with *Korematsu v. United States*, citing a lack of proof of a threat to national security and the government's presumption that a person is more likely to be dangerous based only on their ethnicity or national origin.

Next, Dean Chemerinsky described the unusual manner in which the Supreme Court overruled *Abood v. Detroit Board of Education* in *Janus v. American Federation*, 138 S.Ct. 2448 (2018). It held that that non-union members could not be forced to pay the share of union dues that supports the collective bargaining activities of the union. He explained that the case had no record, yet none of the five conservative justices asked a question or made a comment during oral argument. The question now is whether exclusive bargaining—the basis of the National Labor Relations Act—and other mandatory spending is constitutional.

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15th Annual Bankruptcy Ethics Symposium

By Emma Samyan and Joseph Boufadel

On November 16, 2018, the Los Angeles Chapter of the Federal Bar Association hosted its 15th Annual Bankruptcy Ethics Symposium at the Roybal Federal Building in Los Angeles, California. The yearly symposium provides valuable insight on ethical issues faced by practitioners in today's highly progressive technological era, serves as a convenient and cost-effective way for attorneys to earn MCLE ethics credits (importantly, bagels, pastries, and coffee are provided).

The first morning program led by J. Scott Bovitz was entertaining and engaging. The Honorable Martin R. Barash and Daniel M. Cislo joined Mr. Bovitz to discuss "The Ethical Lawyer's Dilemma: Information Technology in the Era of the iPhone, Software as a Service, and the Internet of Things." The panel discussed many areas of interest to bankruptcy practitioners, including specific potential issues to practitioners with the new California Rules of Professional Conduct, mandatory fingerprinting requirement, the duty of confidentiality in the era of cloud computing (and Amazon's "Alexa"), the duties owed to former and prospective clients, conflicts of interest, and the cybersecurity responsibilities of attorneys in this technological era. Of particular interest was discussion concerning technological intrusion on client confidentiality. For instance, software, such as iPhone's "Siri" and Amazon's "Alexa," have raised concern regarding the involuntary disclosure of client confidences.

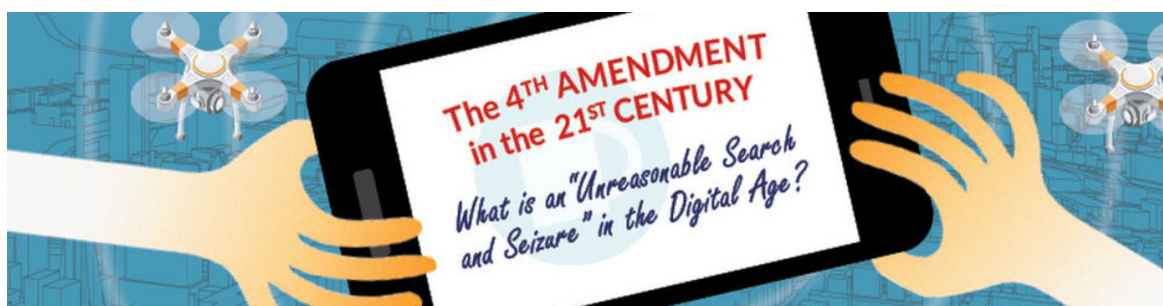
Kristin L. Ritsema—Senior Trial Counsel in the Office of Chief Trial Counsel for the State Bar of California—and Ron Maroko—Trial Attorney for the U.S. Department of Justice, Office of the U.S. Trustee—led the second morning panel entitled, "Outsourcing, Delegating, and Abdicating: What Are Your Professional Responsibilities?"

Their panel provided valuable insight into the issues they see with respect to attorney misconduct, potential and actual ethical violations in abdicating/delegating attorney work to office staff, failure to properly supervise staff and attorneys and the problems it generates, and the potential pitfalls from the increasing use of appearance counsel. Their engaging presentation raised many interesting issues and invoked thoughtful questions from the attendees.

The third ethics panel consisted of the Honorable Robert N. Kwan, Jolene Tanner—Assistant U.S. Attorney—and Elmer Dean Martin III. This panel addressed issues on how to avoid being befuddled by bankruptcy tax. The speakers discussed tax-related issues that arise in bankruptcy cases from their three unique perspectives: the bench, the government, and private practice. Their insightful presentation addressed many of the fundamental tax issues. Attendees came away with a strong sense that a basic understanding of tax issues in bankruptcy cases, and how the IRS and CA FTB perceive them, goes a long way to successfully navigating these tax issues before the court. Attendees also came away with practical advice and recommended references to aid in any future bankruptcy tax-related issues, such as the IRS' Publication 908, Bankruptcy Tax Guide (free publication explaining basic tax concepts in plain English, a good refresher); Mather and Weisman, Bloomberg Tax Management Portfolio 638, Federal Tax Collection Procedure- Defensive Measures (detailed and practical guide on bankruptcy tax collection procedures with current legal citations); and Collier on Bankruptcy, Bankruptcy Taxation volume (extensive coverage of bankruptcy tax issues).

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2019 Ninth Circuit Civics Contest



For more information, visit <https://www.ca9.uscourts.gov/civicscontest/>

National Federal Bar Association Honors the Hon. Barry Russell

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Judge Russell has repeatedly demonstrated exceptional leadership to the Los Angeles and national legal community. He served as Chief Bankruptcy Judge for the Central District from 2003 through 2006. In March 1988, he was appointed to the Bankruptcy Appellate Panel and served as its Chief from September 1999 to December 2001. He is the longest sitting Bankruptcy Judge in the country.

He has written and published extensively, and in 1987, his *Bankruptcy Evidence Manual* was first published by West Publishing Company with an updated edition published each year. As a result, Judge Russell is the recognized expert in this country in the application of the Federal Rules of Evidence in bankruptcy litigation. Judge Russell epitomizes the best of the Federal Bar Association, every year and throughout his career.



The Hon. Barry Russell with former National FBA President Mark K. Vincent after receiving Kintner Award

15th Annual Bankruptcy Ethics Symposium

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Lastly, but surely not least, the Honorable Barry Russell and Ellen Pansky led the final panel. Their presentation examined how the new California Rules of Professional Conduct would affect bankruptcy practice in general. Their discussion tied in with the previous panel's discussion on bankruptcy tax related issues. For example, in *Miller v. United States*, 253 B.R. 455 (Bankr. N.D. Cal. 2000), the issue was whether the debtor could bar taxing authorities from collecting otherwise nondischargeable debt on the basis that his chapter 11 plan provides for their discharge and that principles of res judicata require all plan terms to be fully disclosed. The court held that the requested relief was denied because the plan did not adequately provide for the discharge of nondischargeable debts. Judge Russell and Ms. Pansky discussed what it meant for a plan to be ambiguous as to whether it discharges claims for postpetition interest that would ordinarily be nondischargeable.

Overall, the Symposium provided a great way to address the many ethical issues that emerge in practice. It touched upon the critical impact of technology in

practice, especially when it comes to protecting client confidentiality, and maybe your own. In addition, the Symposium always provides a great opportunity to network and interact with fellow colleagues and practitioners in the community. It is also an affordable and convenient way to obtain at least 3.5 hours of ethics MCLE credit before the end of the year.



Emma Samyan and Joseph Boufadel are attorneys at Salvato Law Offices. Mr. Boufadel is also member of the Board of Directors for the Los Angeles Chapter of the Federal Bar Association.

Los Angeles FBA Chapter Holds *Pro Se* “Teach-Ins”

By Ronald E. Wood

The Los Angeles chapter recently concluded a second round of teach-ins” at the Los Angeles County Law Library. These were a series of presentations on topics frequently encountered by unrepresented, or *pro se*, litigants.

The original idea for the teach-ins came from a comment by retired federal judge Howard Matz. He encouraged LA chapter board members to help lighten the burden on the Central District *Pro Se* Clinic by undertaking or sponsoring events to better educate and orient *pro se* litigants about litigation in federal court. That way, *pro se* litigants could better represent themselves. The LA chapter undertook two initiatives in this regard. One was to encourage board members’

firms to invite associates periodically to volunteer a few hours at the Central District Clinic, answering questions and working with *pro se* litigants to identify and prepare the proper forms and papers.

The second was to help educate *pro se* litigants on different aspects of civil litigation, hence the teach-ins. The teach-ins covered such basic topics as pleadings and civil discovery, as well as a few substantive topics, such as criminal justice, employment discrimination and trademarks and copyrights, topics identified as those most frequently encountered by *pro se* litigants, whether appearing as plaintiff or defendant. The first round of teach-ins occurred during the fall of 2016 and spring of 2017,

and were so popular that a second round was arranged. The recent lectures were recorded for future viewing and distribution.



Author Ronald E. Wood is a partner of Brown White & Osborn LLP and the Los Angeles Chapter’s Treasurer

FBA-LA Honors Courtroom Deputy and Court Staff Person of the Year

Our Chapter once again hosted its annual reception for the new judicial law clerks. During the program, FBA-LA recognized Isabel Martinez, Courtroom Deputy Clerk to the Honorable Patrick J. Walsh, Chief Magistrate Judge, as the Clerk of the Year for the Central District. And for the second time, FBA-LA recognized a Bankruptcy Court Staff Person of the Year for the District. The award went to José A. Fuentes, Jr., Courtroom Technology Specialist, U.S. Bankruptcy Court, who was praised for his many contributions to the efficient administration of justice.



Supreme Court Review with Dean Chemerinsky

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In *United States v. Carpenter*, 138 S.Ct. 2206 (2018), the Supreme Court held that the warrantless search and seizure of historical cellphone records revealing the location and movements of a cellphone user over the course of 127 days is not permitted by the Fourth Amendment. Reversing the Sixth Circuit's decision based on the third party doctrine, Justice Roberts discussed privacy interests and what can be learned from someone's location over 127 days. Dean Chemerinsky noted that while the Court asserted that it was not reconsidering third party doctrine, this decision puts it in clear tension.

The October 2018 Term: Overruling Precedent?

With two-thirds of all of the cases to be considered for this term before them now, the Supreme Court has no case involving high profile controversial issues like abortion, affirmative action, gun rights, or gerrymandering. Dean Chemerinsky pointed out that there are, however, a number of cases about whether long standing precedent should be overruled.

First, Dean Chemerinsky explained that the Court's review of *Gamble v. United States*, 694 F. App'x. 750 (11th Cir. 2017), *cert. granted*, 138 S.Ct. 2707 (2018)—a case about whether the Supreme Court should overrule the "separate sovereigns" exception to the double jeopardy clause decided sixty years ago—shows us the attitude of the Roberts Court towards *stare decisis*.

Second, Dean Chemerinsky discussed *Knick v. Township of Scott, Pennsylvania*, 862 F.3d 310 (3d Cir. 2017), *cert. granted*, 138 S. Ct. 1262 (2018), in which the Supreme Court

granted review about whether to overrule *Williamson County Regional Planning Commission v. Hamilton Bank*, which could profoundly change land use laws in the United States.

Third on the list is *Franchise Tax Board of California v. Hyatt*, 407 P.3d 717 (Nev. 2017), *cert. granted*, 138 S.Ct. 2710 (2018), about whether a state may be sued in another state's courts without its consent, potentially overruling its 1979 *Nevada v. Hall* decision.

Finally, Dean Chemerinsky discussed *Gundy v. United States*, 695 F. App'x. 639 (2d Cir. 2017), *cert. granted*, 138 S. Ct. 1260 (2018), a case about whether the Sex Offender Registration and Notification Act is an unconstitutional delegation of power to the executive branch. This decision, he says, could open the door to challenges for countless federal statutes under the nondelegation doctrine.

Replacing Justice Kennedy

Next, Dean Chemerinsky reflected on the impact Justice Kennedy's replacement will have on the Court: it will not likely change the results in a large number of cases such as those involving the Second Amendment and campaign finance laws, but it may change the outcome of cases about abortion rights (*Roe v. Wade* is more likely to be overruled), affirmative action (Justice Roberts wants to eliminate affirmative action entirely), LGBTQ+ rights (all of the opinions affirming these rights were decided by Justice Kennedy's fifth vote); punishment in criminal cases; and disparate impact liability.

The Legitimacy of the Court

Closing his remarks, Dean Chemerinsky

reflected on the Kavanaugh hearings and their impact on the legitimacy of Court. He noted that for the first time in history, the ideology of the justices entirely corresponds with the ideology of the presidents who appointed them.

Dean Chemerinsky also asked whether the circumstances of the justices' appointments raise questions as to their legitimacy individually. Justice Thomas was confirmed by a razor-thin margin in the shadow of Anita Hill's testimony. Justices Alito and Roberts were appointed to the Court as a result of its decision in *Bush v. Gore*. And Merrick Garland's appointment was blocked in a historically unprecedented way—never before has a Senate majority refused to hold a vote, even a hearing, in case their party wins the next election. Now, Justice Kavanaugh's confirmation has taken place entirely on party lines after contentious hearings.

Concluding that we cannot know how all of this will impact the Court's legitimacy, Dean Chemerinsky asked, will Democrats try to expand the Court? Much remains unclear during this pivotal time.



Author Kelly McDonnell is an associate with O'Melveny & Myers, LLP.

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What Observing a Naturalization Ceremony Meant to Me

By Steven Belyanskiy, Joseph Osgood and Andrea Steffan, Externs to the Hon. Sandra R. Klein

As judicial externs to the Honorable Sandra R. Klein, we were privileged to observe the moment when 2,605 individuals from diverse backgrounds and countries became United States citizens. It was early morning on September 18, 2018, as throngs of soon-to-be citizens arrived at the Los Angeles Convention Center and stood in long lines to pick up their naturalization certificates. The joy in their eyes was evident as they realized that their dreams of becoming U.S. citizens were finally being realized. While waiting for the Naturalization Ceremony to commence, we discussed our families' immigrant heritages and what being an American means to us.

Steven, a first-generation American, shared that his parents and grandparents emigrated from Ukraine in 1994, and in 2004, they participated in a similar ceremony in New York and were naturalized. When his parents first arrived in the United States, his mother was only 20 years old and seven months pregnant with him. His grandparents were in their fifties and left their established nursing and engineering careers behind in Ukraine. With no money, no understanding of the English language, and no one to turn to for help, Steven's family remained hopeful and excited for the opportunities that would be afforded to them and their children. Excited they were free to practice their Jewish faith without fear of persecution, free to voice their beliefs, and free to participate in a democracy. They worked odd jobs to make ends meet, and they each attended night classes at a local community college to learn English. Today, Steven's father owns and manages several physical rehabilitation centers, and his family is very involved in their local community. Often, it is easy to take the rights afforded to us for granted, but it is vital that we remember where our families came from and the immense sacrifices they made to provide us with the greatest gift of all: American citizenship.

Andrea wondered whether her great-grandparents participated in a similar ceremony with her grandfather. Andrea's relatives immigrated to America from Prague, in what was then Czechoslovakia, after the assassination of Archduke Franz Ferdinand. Andrea's great-grandmother was college-educated and was the first woman to have a regular byline in the Prague newspaper. She longed, however, for freedom and safety more than a career, so she brought her family to America where she spent the rest of her working life cleaning houses and taking in laundry.

When Andrea's relatives arrived in America, they were shepherded into different lines at Ellis Island and ended up with new American last names. The family's last name, Stepan, was changed to "Steffan" for some and "Staffen" for others.

As he watched the new citizens prepare to pledge their allegiance to the United States of America, Joe thought that each of the 2,605 individuals had earned every right associated with their citizenship. Each of them made sacrifices, overcame obstacles, and fought their way to earn their rights and freedoms. Joe reflected that he was fortunate to have been born with these rights.

His family has lived in the United States since before the Revolutionary War, and he did not have to fight for his freedoms. He will never know the weight of the sacrifices that his distant relatives made, and he will never know the sacrifices that each of the 2,605 new citizens made. But he has the utmost respect and admiration for their commendable resolve, and he welcomes the new citizens to the American family.

Judge Klein began the ceremony by leading the applicants in their Oath of Allegiance. As she declared them officially U.S. citizens, their faces lit with smiles as they waved their American flags proudly, and the whole crowd erupted with applause. Judge Klein then addressed the crowd, relaying that two of her grandparents emigrated from Lithuania and England and how proud they were to pledge their allegiance to the United States of America. In fact, Judge Klein mentioned that one of her family's proudest possessions is the flag that her grandmother received when she was naturalized in 1939. Judge Klein applauded each of the new U.S. citizens for their hard work, commitment, and sacrifice in the journey toward becoming citizens of this great nation. Judge Klein reminded each of them that America is a melting pot of many different ideas, cultures, and beliefs. As John F. Kennedy once said, "immigrants have enriched and strengthened the fabric of American life." Judge Klein reiterated that regardless of where they came from or what their ethnicity may be, the opportunities available to them and future generations are limitless if they work hard and persevere.

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Celebrating New Citizens on Constitution Day



The Honorable Sandra R. Klein swears in new citizens at the Los Angeles Convention Center, including U.S. military service members.



What Observing a Naturalization Ceremony Meant to Me

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Judge Klein concluded her speech with a quote from John Quincy Adams: “You will never know how much it cost my generation to preserve your freedom. I hope you will make good use of it.” As a part of that generation, one of Joe’s distant ancestors fought for independence and against tyranny in the Battle of Yorktown. Judge Klein urged the new citizens to take good care of our country and to make good use of the freedoms that they were granted as U.S. citizens.

A representative from the Immigration and Naturalization Service congratulated all 2,605 newly naturalized citizens. He commended them for all their hard work and immense sacrifices. Many of them had traveled great distances from their homelands, leaving family and possessions behind in search of citizenship and the rights that come with it. To those who had sacrificed so much, this was an amazing accomplishment worth celebrating.

Next, four U.S. military service members from American Samoa, Korea and the Philippines who have been serving this country, with no guarantee of citizenship, were honored for their service. Throughout U.S. history, there is a long tradition of immigrants fighting for freedoms which they were not themselves guaranteed. Judge Klein’s grandfather fled Lithuania to avoid persecution and then enlisted in the U.S. Army as a teenager. Andrea’s great-grandparents left Europe to escape World War I and then sent their sons to fight fascism in World War II. Both of her grandfathers and her father served in the U.S. Army. And Steven’s great-grandfathers both fought shoulder to shoulder with U.S. troops in World War II. The four service members who were naturalized on September 18, and many more like them, were willing to fight and die for our country without even having the right to vote.

Soon after honoring the troops, the new citizens viewed two videos. The first was a congratulatory message from the President, while the second was a slideshow including images of U.S. citizens of all different backgrounds and ethnicities, with “God Bless the U.S.A.” by Lee Greenwood playing in the background. Throughout the slideshow, the crowd’s emotion was palpable, as the newly minted U.S. citizens reflected on their journey to citizenship and the rights and freedoms they could now enjoy.

After the videos, Leanna Martinez, a sixth grader and Girl Scout from Girl Scouts of San Gorgonio, Troop 125, joined Judge Klein to lead the Pledge of Allegiance. The new citizens were beaming with pride at the opportunity to pledge their allegiance to their new flag for the first time.

Following the ceremony, Judge Klein swore in a group of about a dozen people who had arrived late and missed that portion of the ceremony. This second group included a young boy who looked about eight years old. We wondered how he would remember this day. Would he really understand the rights and privileges that come with his new citizenship? Or, would he, like we have, grow up with his “Americanness” in the background and take many of the rights provided to him for granted?

The ceremony was joyful and moving, yet it somehow left an odd feeling of a combination of being uplifted and bereft. It made us yearn to question our immigrant forebears about what their citizenship meant to them because they had to work for it in ways that we did not. At the same time, we were filled with hope. America may be imperfect and there may be turmoil, but being an American and the rights that come with it, are still something worth striving for.

As we returned to court and our normal activities, we continued to share with each other our stories and the stories of our ancestors. Among the four of us we ran the gamut of immigration experiences. Joe’s ancestors fought for independence in the Revolutionary War, Andrea’s great-grandparents emigrated from Greece and Czechoslovakia in the early twentieth century, and Steven’s parents emigrated from Ukraine merely 25 years ago. All of our forebears sacrificed so much to ensure that we could enjoy the rights and liberties provided to all U.S. citizens. No matter where we came from, or how long our families have been here, we realized that we are all part of the fabric of America. Today, the fabric of American life, referenced by John F. Kennedy, is 2,605 threads stronger.

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