

Fighting for Justice Every Day

By Geoffrey Wells



We have much to be thankful for following our April 8, 2025, CAOC Justice Day in Sacramento. We had a tremendous turn out from all across the state to educate our legislators about pending legislation that would affect consumers in our state.

However, Justice Day also revealed that we have a lot of dangerous bills on the horizon, which will seek to limit our clients' rights in our state.

Last month I talked about the need for courage at times like this. I mentioned the lawyer and Russian activist, the late Alexis Navalny and his ultimate sacrifice of his life for the ideals of freedom, democracy and justice. We must all recommit to these ideals in our state and in our country.

This year on Justice Day we were supporting three very honorable bills:

SB 82 (Umberg) – the infinite arbitration clause that was overly broad and required unsuspecting consumers to sign arbitration indefinitely. These clauses extended beyond the immediate contract, covering all future disputes. These clauses resulted in the ridiculous situation where a woman died at Disneyland due to negligence and the defendant, Disney moved to have the case moved into arbitration because her husband had a Disney+ TV subscription.

This bill was received very favorably by many of the legislators we met with and ultimately did pass out of committee.

SB 29 (Laird) – this bill seeks to keep the pain and suffering viable in survival actions thereby removing the sunset provisions from SB 447 which was authored by Senator Laird in 2021. This bill would provide our citizens the permanent right to seek accountability for pain and suffering when their loved one died while the case was still pending. This bill was opposed by many groups, including the medical community, however it did pass out of committee. I had the honor of testifying along with Amy Martel, and one of her clients at the Senate judiciary committee hearing on this bill. It is a righteous and just bill that discourages the wrongdoer from merely waiting out and delaying the case until the plaintiff dies.

Finally, we supported **Assembly Bill 251(Kahlra)** which involves elder abuse and the intentional destruction of evidence. This bill would seek to help elderly victims seeking justice after they had been physically abused and or neglected in a nursing home – another very righteous bill that received a lot of positive feedback from the legislators we met with during Justice Day.

As many of you are aware, we were facing a very bad bill. SB 583 which would have severely restricted the rights of victims of sexual abuse. Many of these cases involve some of the most extreme acts of abuse against our children while at school or with teachers from school. Fortunately, a parallel bill authored by Senator (Laird) SB 577 was passed by the Senate judiciary to address the rights of these victims while balancing the financial realities of the various government entities in school districts. SB 583 was withdrawn.

I want to give a huge shout out and thanks to our CAOC staff for the amazing

job they did coordinating Justice Day: Samantha Helton, Natalie Robertson, Maria Jimenez, Katie Pebler, Caroline Andrews, Katy Aguirre, Liz Teves, Bev Johnson, Chris Weaver. We couldn't have done it without you.

A big thank you to our amazing guest speakers: Assm. Maggy Krell and Controller Malia Cohen (thank you Roger Dreyer and Lea-Ann Tratten). Finally, thank you to our incredible CAOC Advocates in action, Nancy Drabble, Nancy Peverini, Lea-Ann Tratten, Jaqueline Serna, and Saveena Takhar.

I think the battle to protect consumer rights while trying to manage financial impact on our cities, counties and government entities is going to be an ongoing concern for a number of years. I believe we will be judged as Californians based on our ability to navigate these situations while protecting our most vulnerable citizens, i.e. children and seniors, while figuring out a way to support the financial considerations of the various governmental entities that may be involved.

While these concerns are going on we are also living at a time of personal attacks against law firms and immigrants at an alarming rate from our highest office in America. I believe the civil justice system is under attack while our judges, clerks, and their staff and families are being threatened and called out for following the law. If you notice almost all media now refer to any judge with a preface by mentioning who appointed them to office i.e. this was a Bush judge, an Obama judge or a Trump judge. I believe this labeling and finger-pointing needs to stop. These judges are all American judges.

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Courageous Judges Enforcing the Rule of Law

By Sharon J. Arkin



We are all aware of the dystopian nightmare we've been living in since January 21.

It's been a blitzkrieg – described in Wikipedia as a “combined arms surprise attack, using a rapid, overwhelming force concentration The intent is to break through an opponent's lines of defense, dislocate the defenders, confuse the enemy by making it difficult to respond to the continuously changing front, and defeat them in a decisive *Vernichtungsschlacht*: a battle of annihilation.” (<https://en.wikipedia.org/wiki/Blitzkrieg>.) If that does not describe our current federal government operations, I don't know what does.

Of course, during a military blitzkrieg the “combined arms” consist of the weapons of war – infantry formations, tanks, artillery, air support and the like. Our current governmental blitzkrieg consists of executive orders, loyalist cabinet members and generals, threats and intimidation, political “spin” and “enforcers” who act like they have carte blanche.

Our entire federal governmental operations have been turned on their collective heads and the framers' “checks and balances” entirely disregarded.

Except by our court system – thankfully.

Various interest groups, including many states' attorneys general, have refused to “stand down” and instead have sought injunctions against the marauders attempting to circumvent the rule of law in our country.

It's like fighting a many-armed hydra. Cut off one arm and another appears even before the first one hits the ground. It's relentless and terrifying.

Courageous judges across the country, however, have stayed true to their oath to uphold the rule of law, refusing to be intimidated, browbeaten or cowed. They have invoked their legal authority to push back against the blatant violations of the rights enshrined in our Constitution.

Our judicial officers have been consistently strong, brave and valiant, refusing to back down. I've never been prouder of

our judicial system – and relieved that it is working like it's supposed to. Judges acting with calm consideration and purpose, upholding the rule of law, even in the face of personal attacks, arrests of judges, threats of violence and intransigent government refusals to comply with orders they issue. And they have consistently protected our constitutional rights irrespective of their personal political persuasions.

It is heartening to know that at least one arm of our government still stands as a bulwark against attack. And I sincerely honor and give thanks for each and every judge who continues to protect and enforce our rights. ■

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President's Message

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They have all sworn an oath to uphold the Constitution of the United States and the Constitution of the state or county in which they serve. I had the honor of attending the state of the courts proceeding at the California state capital last month and was able to hear our Chief Justice Patricia Guerrero articulate the importance of the independence and integrity of the judicial branch of government. I

think it is incumbent on all of us to show courtesy, deference and support for our judiciary at this important time. If you hear something or you see something, you need to say something.

We are also living through an unprecedented attack on our universities, law firms, nonprofits, scientific community, civil servants, and even our farmers. I believe that all of us as attorneys have an obligation to stand up as leaders in our communities, we need to support these groups. We need to fight back. It's on all

of us to stand up for what's right, the rule of law and we need to stand up for immigrants. We need to stand up for women and groups that may be disadvantage in our society. I recently saw a special on Pope Francis, who passed away this week, although not perfect, he emphasized the importance of humility and decency in society. I think it's important for all of us to reflect on those words and remember to practice our profession with honesty, integrity, and decency while fighting for the rights of others. ■