



The State Bar of California

OPEN SESSION

AGENDA ITEM

54-111 NOVEMBER 2021

BOARD EXECUTIVE COMMITTEE II.A

DATE: November 18, 2021

TO: Members, Board Executive Committee
Members, Board of Trustees

FROM: Andrew Tuft, Supervising Attorney, Office of Professional Competence
Isabel Liou, Attorney, Office of Professional Competence

SUBJECT: Annual Recommendation for Appointment and Reappointment of Fee Arbitrators; Appointment of Presiding Arbitrator and Assistant Presiding Arbitrators

EXECUTIVE SUMMARY

The State Bar's Mandatory Fee Arbitration (MFA) program maintains a roster of volunteer fee arbitrators throughout the state to hear fee dispute matters administered by the State Bar. There are approximately 415 lawyer and nonlawyer arbitrators on the State Bar's panel. The Board of Trustees appoints the arbitrators to one-year terms of service, which are renewable by the Board.

This agenda item requests approval of the reappointment of the current roster of arbitrators and the appointment of nine new arbitrators. In addition, this item recommends the appointment of a new presiding arbitrator and assistant presiding arbitrator and the reappointment of a current assistant presiding arbitrator. Finally, this item requests the approval and implementation of a staff-driven recruitment process to fill future vacancies in the presiding arbitrator and assistant presiding arbitrator positions.

BACKGROUND

The State Bar's MFA program maintains a roster of volunteer attorney and lay arbitrators to hear attorney-client fee disputes. Although most fee arbitration cases are conducted by approved local bar associations, the State Bar's MFA program accepts fee arbitration requests in three instances: (1) when there is no local bar program; (2) when the local program lacks jurisdiction to hear the fee dispute; or (3) when a party asserts and it is determined that the party cannot obtain a fair hearing through the local bar association. The State Bar's fee arbitrators hold hearings in the county where substantial legal services were rendered. Therefore, the program must maintain a roster of qualified volunteer fee arbitrators for possible assignment of fee arbitration matters in every county throughout the state.

In addition to fee arbitrators, this program also has three volunteer positions held by MFA subject matter experts who advise and collaborate with staff on various program functions: the presiding arbitrator and two assistant presiding arbitrators.

DISCUSSION

REAPPOINTMENT OF CURRENT FEE ARBITRATORS

Currently, the MFA program consists of approximately 415 attorney and lay arbitrators from counties throughout the state. The Board of Trustees appoints these volunteer fee arbitrators to serve for one-year terms subject to annual reappointment. The list of current volunteer arbitrators, set forth in Attachment A, has been reviewed to remove the names of lawyer arbitrators who are not currently active licensees of the State Bar in good standing. In addition, current lawyer arbitrators were reviewed to ensure that they do not have any public record of discipline. The arbitrators on this list, sorted alphabetically by last name, are recommended for reappointment to the program, each for a one-year term commencing January 1, 2022, and expiring December 31, 2022.

APPOINTMENT OF NEW FEE ARBITRATORS

Attachment B is a list of nine applicants recommended by the State Bar program's staff and Presiding Arbitrator Kenneth Bacon for appointment as new fee arbitrators to the State Bar MFA program for a term effective November 18, 2021, and ending December 31, 2022. These applicants were reviewed to ensure that each meets the Guidelines & Minimum Qualifications of Arbitrators for the State Bar Fee Arbitration Program.¹ Attorney arbitrators must be licensed attorneys in California in good standing for a period of at least five years and have no public record of discipline; lay arbitrators must not be admitted to practice law in any jurisdiction or have worked regularly for a public or private law office, court of law, or attended law school for any period of time.

¹ A copy of the Guidelines & Minimum Qualifications of Arbitrators for the State Bar Fee Arbitration Program is provided as Attachment C.

In addition, the names of attorney applicants are submitted to the Office of Chief Trial Counsel to ascertain whether they have any disqualifying public reportable actions or criminal convictions. Public reportable actions include:

- Imposition of judicial sanctions, including contempt orders and nondiscovery sanctions in excess of \$1,000;
- Felony indictment, felony or misdemeanor charge, pleas or conviction;
- Reversal of judgment in a proceeding for professional misconduct;
- Filing of three or more civil suits for malpractice in 12 months;
- Discipline in another jurisdiction;
- Claims or actions for damages in a civil suit for professional misconduct, regardless of the outcomes (reported by professional liability insurance companies); and
- Judgments, settlements, or awards in a civil suit for professional misconduct.

For lay arbitrator applicants, web searches are conducted to determine whether there is any information readily available on the applicant that would suggest that appointment as a fee arbitrator would be inappropriate. No such information was uncovered concerning the lay arbitrator recommended for appointment.

Arbitrators who have not already attended a fee arbitrator training program will be required to attend a training program before a case is assigned to them, unless they have prior fee arbitration experience through a local bar program.

PRESIDING ARBITRATOR

The State Bar's presiding arbitrator is responsible for supervising the State Bar's fee arbitrators, providing guidance to staff on legal issues affecting cases, issuing decisions on issues that arise in the MFA program, and representing the State Bar before the State Bar Court in assisting clients with the enforcement of unpaid fee arbitration awards and judgments owed to them by their former attorney. In the past, the program's presiding arbitrator was selected from the membership of the Committee on Mandatory Fee Arbitration (CMFA) and typically resulted in the elevation of one of the two assistant presiding arbitrators to the position. The presiding arbitrator is appointed to a one-year term of service that is renewable by the Board. Current Presiding Arbitrator Kenneth Bacon will complete his current term on December 31, 2021, and is not seeking reappointment.

Because the presiding arbitrator position requires experience in and specialized knowledge of mandatory fee arbitration laws and rules, and to ensure continuity in the State Bar MFA program's operations, staff believes that one of the current assistant presiding arbitrators is best positioned to serve as the presiding arbitrator. Thus, staff inquired with the two current assistant presiding arbitrators, Clark Stone and Lee Straus, as to whether either of them would be interested in seeking appointment by the Board to serve as the presiding arbitrator. Clark Stone informed staff he would be interested in serving as the presiding arbitrator, while Lee Straus informed staff that he would like to continue serving as an assistant presiding arbitrator.

Accordingly, staff recommends the appointment of Clark Stone as presiding arbitrator for the 2022 calendar year.

Clark Stone

Clark Stone has served as a State Bar assistant presiding arbitrator since 2017 and was a member of the CMFA from 2015 to 2019. Mr. Stone has been a fee arbitrator for the State Bar program since 2005 and with the Santa Clara County Bar Association (SCCBA) program since 2001, serving in various roles including SCCBA presiding arbitrator and member of the Fee Arbitration Executive Committee. Earlier this year, Mr. Stone assisted in restarting the SCCBA MFA program after it was temporarily discontinued in 2020. He speaks regularly at fee arbitrator trainings throughout the state and is a sole practitioner in San Jose with an emphasis on general litigation in the technology industry relating to patents, trademarks, and trade secret misappropriation.

Mr. Stone brings significant institutional knowledge of mandatory fee arbitration to the State Bar program and is a frequent contributor to training programs that are vital to the recruitment of new arbitrators for local and State Bar MFA programs. Therefore, the program recommends the appointment of Mr. Stone as presiding arbitrator for a one-year term commencing January 1, 2022, and expiring December 31, 2022.

ASSISTANT PRESIDING ARBITRATORS

The State Bar's two assistant presiding arbitrators hear fee arbitrations involving less than \$1,000 in dispute and issue decisions on fee waiver requests for the fee arbitration program. In addition, the presiding arbitrator may request that an assistant presiding arbitrator step in as their designee when the presiding arbitrator is unavailable or unable to decide a matter due to a conflict. The MFA program strives to appoint one assistant presiding arbitrator from Northern California and the other from Southern California to ensure availability throughout the state.

Similar to the past practice for selecting a presiding arbitrator, the CMFA selected the two assistant presiding arbitrators from its membership. Following the sunset of the CMFA in 2019, the current presiding arbitrator and two assistant presiding arbitrators have continued serving in their respective roles and were each reappointed by the Board in 2020 and 2021. However, due to Presiding Arbitrator Kenneth Bacon's departure upon the completion of his current term at the end of this year and the anticipated appointment of Assistant Presiding Arbitrator Clark Stone to presiding arbitrator for the 2022 calendar year, the program now has a vacant assistant presiding arbitrator position for the first time following the CMFA's discontinuation. The second assistant presiding arbitrator position is currently held by Lee Straus and, as discussed in further detail below, staff recommends Mr. Straus's reappointment for 2022.

In order to publicize and recruit potential candidates for the assistant presiding arbitrator vacancy, staff sent an email to all current State Bar attorney arbitrators notifying them of the vacancy and invited interested arbitrators to submit their resume and a written statement of interest to be considered for appointment. Staff received responses from 10 interested

persons. After reviewing all of the responses received, staff recommends the appointment of Summer Nastich as assistant presiding arbitrator for the 2022 calendar year.

Summer Nastich

Summer Nastich was appointed as a State Bar fee arbitrator in May 2014. To date, Ms. Nastich has handled numerous fee disputes throughout Northern California, primarily in the East Bay area and as far north as Humboldt County, all as panel chair. Ms. Nastich is a sole shareholder at Nastich Law APC in Berkeley where she practices environmental and construction law. In addition to her legal background, Ms. Nastich is also an environmental engineer and a scientist. Her location in Northern California complements that of Assistant Presiding Arbitrator Lee Straus in Southern California and enhances the program's ability to handle arbitration matters throughout the state. Ms. Nastich is an experienced arbitrator, has a strong sense of public service, and brings a fresh perspective to the State Bar MFA program. If appointed, Ms. Nastich will be the program's first female assistant presiding arbitrator since 2015.

Reappointment of Assistant Presiding Arbitrator Lee Straus

Lee Straus has served as assistant presiding arbitrator since 2017. Mr. Straus currently provides legal services to production companies and talent in the television industry. Mr. Straus was previously executive vice president for Business Affairs at NBC Entertainment, Universal Television Alternative Studio and Universal Television Syndicated Distribution in Los Angeles, where he practiced transactional law at NBCUniversal for over 20 years. He has served as an arbitrator for the Los Angeles County Bar Association (LACBA) fee arbitration program for the past 22 years and currently is deputy chair for the program. He has also served on its executive committee for the past eight years. Mr. Straus teaches at Loyola Law School as an adjunct professor of law, where he has taught more than 600 students in more than 20 years. Mr. Straus also speaks regularly at fee arbitrator trainings for the State Bar and LACBA programs and currently serves as a subject matter expert in the development of the State Bar's fee arbitrator e-learning training course.

Both Ms. Nastich and Mr. Straus are experienced and dedicated fee arbitrators who strengthen the State Bar program with their extensive knowledge of mandatory fee arbitration matters. Thus, staff recommends the appointment of Ms. Nastich and the reappointment of Mr. Straus as assistant presiding arbitrators, each for a one-year term commencing January 1, 2022, and expiring December 31, 2022.

Alternate Assistant Presiding Arbitrator Appointment

In the event the Board Executive Committee or the Board do not agree with staff's recommended appointment of Summer Nastich to fill the vacant assistant presiding arbitrator position, or should a vacancy occur in 2022, staff recommends the following individuals as alternates: (1) Mark Schreiber; (2) Robert Sall; 3) Nicola Migliaccio.

APPROVAL OF PROCESS FOR APPOINTING THE PRESIDING ARBITRATOR AND ASSISTANT PRESIDING ARBITRATORS

As discussed above, after the CMFA sunset in 2019, staff cannot use the former procedure for recruiting volunteers from the CMFA to serve as presiding arbitrator or assistant presiding arbitrator when a vacancy arises. Accordingly, staff requests Board approval of the recruitment process described below as the process to fill any future vacancies in the presiding arbitrator and assistant presiding arbitrator positions. The proposed process is consistent with appointment procedures currently used by State Bar committees, as it is staff-driven and administered in consultation with the Board appointment liaisons.

Staff recommends approval of the following process to fill future vacancies in the presiding arbitrator or assistant presiding arbitrator positions:

To ensure continuity in the State Bar MFA program's operations, the presiding arbitrator should be selected for appointment from one of the two existing assistant presiding arbitrators. If necessary, a presiding arbitrator vacancy can be filled from the roster of currently appointed attorney arbitrators. A vacancy in one or both assistant presiding arbitrator positions will be filled from the roster of currently appointed attorney arbitrators.

Staff will publicize a vacant assistant presiding arbitrator position in a written communication to all currently appointed attorney arbitrators and request that interested persons complete an Application for Appointment to Serve on State Bar Committees or External Entities. Staff will review the applications received and make appointment recommendations to the Board of Trustees for approval.

FISCAL/PERSONNEL IMPACT

None

AMENDMENTS TO RULES

None

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None

STRATEGIC PLAN GOALS & OBJECTIVES

Goal: None – core business operations

RECOMMENDATIONS

Should the Board Executive Committee concur in the proposed action, passage of the following resolution is recommended:

RESOLVED, that the Board Executive Committee recommends that the Board of Trustees approve the reappointment of the fee arbitrators whose names appear on the list attached here as Attachment A to the State Bar Mandatory Fee Arbitration program, each for a one-year term commencing January 1, 2022, and expiring December 31, 2022; and it is

FURTHER RESOLVED, that the Board Executive Committee recommends that the Board of Trustees approve the appointment of the fee arbitrator applicants whose names appear on the list attached here as Attachment B to the State Bar Mandatory Fee Arbitration program, each for a term commencing November 18, 2021, and expiring December 31, 2022; and it is

FURTHER RESOLVED, that the Board Executive Committee recommends that the Board of Trustees approve the appointment of Clark Stone as the State Bar's presiding arbitrator, effective January 1, 2022, and expiring December 31, 2022; and it is

FURTHER RESOLVED, that the Board Executive Committee recommends that the Board of Trustees approve the appointment of Summer Nastich and the reappointment of Lee Straus as the State Bar's assistant presiding arbitrators, effective January 1, 2022, and expiring December 31, 2022; and it is

FURTHER RESOLVED, that the Board Executive Committee recommends that the Board of Trustees approve the appointment of Mark Schreiber, Robert Sall, and Nicola Migliaccio as alternates, effective January 1, 2022, and expiring December 31, 2022; and it is

FURTHER RESOLVED, that the Board Executive Committee recommends that the Board of Trustees approve staff's recommended procedure for filling vacant presiding arbitrator and assistant presiding arbitrator positions.

Should the Board of Trustees concur in the proposed action, passage of the following resolution is recommended:

RESOLVED, that the Board of Trustees, upon recommendation of the Board Executive Committee, approve the reappointment of the fee arbitrators whose names appear on the list attached here as Attachment A to the State Bar Mandatory Fee Arbitration program, each for a one-year term commencing January 1, 2022, and expiring December 31, 2022; and it is

FURTHER RESOLVED, that the Board of Trustees, upon recommendation of the Board Executive Committee, approve the appointment of the fee arbitrator applicants whose names appear on the list attached here as Attachment B to the State Bar Mandatory Fee Arbitration program, each for a term commencing November 18, 2021, and expiring December 31, 2022; and it is

FURTHER RESOLVED, that the Board of Trustees, upon recommendation of the Board Executive Committee, approve the appointment of Clark Stone as the State Bar's presiding arbitrator, effective January 1, 2022, and expiring December 31, 2022; and it is

FURTHER RESOLVED, that the Board of Trustees, upon recommendation of the Board Executive Committee, approve the appointment of Summer Nastich and the reappointment of Lee Straus as the State Bar's assistant presiding arbitrators, effective January 1, 2022, and expiring December 31, 2022; and it is

FURTHER RESOLVED, that the Board of Trustees, upon recommendation of the Board Executive Committee, approve the appointment of Mark Schreiber, Robert Sall, and Nicola Migliaccio as alternates, effective January 1, 2022, and expiring December 31, 2022; and it is

FURTHER RESOLVED, that the Board of Trustees, upon recommendation of the Board Executive Committee, approve staff's recommended procedure for filling vacant presiding arbitrator and assistant presiding arbitrator positions.

ATTACHMENTS LIST

- A.** Current Arbitrators for Reappointment to the State Bar Mandatory Fee Arbitration Program for 2022
- B.** November 2021 Arbitrator Applicants for Appointment to the State Bar Mandatory Fee Arbitration Program
- C.** Guidelines & Minimum Qualifications of Arbitrators for the State Bar Fee Arbitration Program

**CURRENT ARBITRATORS FOR REAPPOINTMENT TO THE
STATE BAR MANDATORY FEE ARBITRATION PROGRAM FOR 2022**

BAR NUMBER	LAST NAME	FIRST NAME	MIDDLE	CITY
135878	Abrams	Gregory	Mark	Oakland
78706	Adams	Mark	Stephen	Stockton
N/A	Adler	Hans	J.	Mill Valley
N/A	Alexander	Damon		San Bernardino
65061	Appelbaum	George	David	Shingle Springs
98861	Arruti	Mark	Edward	Roseville
167030	Azizi	Soheila	Sadighi	Rancho Cucamonga
104194	Bacon	Kenneth	Eric	Sacramento
258295	Bailey	Allan	Michael	Porterville
60488	Bainer	Roland	C.	Corona
224164	Bajracharya	Oliver	Swatantra	Glendale
83225	Bartelmie	Stanley	Lamont	San Jose
53126	Baumann	Helen	Brennan	Redwood City
N/A	Becker	Jody	Anne	Ross
111010	Becker	David	Charles	Placerville
96325	Bender	Martin	Raymond	Murrieta
216809	Berenson	Steven	Keith	San Marcos
102972	Berg	Michael	Stephen	San Diego
134621	Berg	Eric		Santa Barbara
102973	Berger	Harvey	Charles	San Diego
155091	Berry	Mark	Emmett	Stockton
60580	Bialack	Edward	Marc	Woodland Hills
188112	Blackler	Mia	S.	San Francisco
115450	Blank	Christopher	Lane	Newport Beach
104233	Bluhm	David	Marc	Oakland
139364	Bolden	Stephanie	Renee	Oakland
36641	Bosso	Robert	Edward	Santa Cruz
46562	Braun	Geoffrey	Alan	San Jose
N/A	Brown-Lee	Lynn		Rialto
183533	Bruno	Patricia	Christina	San Bruno
N/A	Budak	Mark	Daniel	San Francisco
178400	Burton	Mark	Etheredge	San Francisco
208894	Camarena	Carolyn		Elk Grove
242368	Campbell	Jennifer	Therese	Sacramento
154457	Carr	Frederick	James	San Rafael
N/A	Carr-Ruffino	Norma		San Mateo
251030	Caves	Michael	Arthur	Bakersfield
101449	Chamberlain	Suzanne	Viau	Newport Beach
47567	Chandler	James	Morgan	Grass Valley
234348	Chokshi	Komal		Oakland
60811	Clayton	William	Bernard	San Jose
171004	Clemmons	Penny		Santa Barbara
81694	Clowney	Frank	Sherman	San Diego

**CURRENT ARBITRATORS FOR REAPPOINTMENT TO THE
STATE BAR MANDATORY FEE ARBITRATION PROGRAM FOR 2022**

BAR NUMBER	LAST NAME	FIRST NAME	MIDDLE	CITY
254346	Cochran	Keith	Michael	San Diego
N/A	Coffin	Dana		San Bruno
269337	Cohan	Katherine	Rebecca	Beverly Hills
156131	Cole	James	Bradley	Ventura
122776	Cook	Larry	Edward	Walnut Creek
128131	Copple	Pamela	Worth	Newport Beach
157474	Cowan	Jeffrey	Wrubel	Beverly Hills
33783	Crane	Paul	Neal	Los Angeles
85490	Curl	Cathleen	Mary	Millbrae
125823	Daly	Michael	Mark	San Diego
188759	Dammeier	Dieter	C.	Rancho Cucamonga
N/A	Dandridge	Raymand		Vacaville
79017	Dankman	Linda		Sacramento
N/A	Davis	Louis	B.	Corona
242220	Delahanty	Colleen	Van Egmond	Modesto
190083	DeLangis	Mark	Keith	San Rafael
N/A	DeMartini	James	G. B.	Foster City
110384	Deming	Judith	Eileen	Orange
191953	Dench	Donald	Shawn	Rancho Cucamonga
99599	Deremigio	Thomas	Egan	Redwood City
128089	Diamond	Jacqueline	Barrie	Santa Monica
200566	Dornblaser	David	Webster	Saratoga
N/A	Dorsett	Daniel		Martinez
N/A	Dos Ramos	Anna		Petaluma
74334	Dresben	Fred	Charles	Sherman Oaks
N/A	Dresnick	David		Murrieta
47710	Dubow	Paul	Jay	San Francisco
95505	Duesdieker	George	Steven	Menlo Park
239497	Duval	Michelle	Therese	San Francisco
N/A	Easton	Bette		Santa Barbara
90897	Eley	Christopher	Kurtz	Stockton
46686	Elias	Charles	Alden	San Pedro
65728	Esensten	Robert	Lawrence	Los Angeles
104405	Evans	Robert	W.	San Jose
115598	Feeley	John	Edward	Newport Beach
149944	Feher	Thomas	P.	Bakersfield
N/A	Feirman	Diane		Woodside
93755	Felver	Lloyd	William	Tustin
N/A	Fernandez	Eldonna		Irvine
56990	Field	Douglas	Lasley	Ripon
N/A	Fink	Richard		San Francisco
98161	Fish	Michael	Jeffrey	Santa Rosa
65796	Fisher	Roland	James	Rohnert Park

**CURRENT ARBITRATORS FOR REAPPOINTMENT TO THE
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BAR NUMBER	LAST NAME	FIRST NAME	MIDDLE	CITY
40794	Fisher	George	Clark	Menlo Park
129979	Fitzpatrick	John	J.	Moraga
225624	Fong	Vivian	Yuen	San Leandro
195609	Forester	Alan		Santa Monica
206985	Forrest	Emma	Lynn	Rocklin
57045	Fredenburg	John	McDonald	Sacramento
31690	Fredrickson	Dennis		Rancho Santa Fe
264808	Freeman	Michael	Colby	San Francisco
212083	Freeman	Nanci		Oklahoma City
118288	Fried	Clifford	Edward	Oakland
N/A	Friedman	Marilyn		Oakland
N/A	Fuller	Edward		Santa Barbara
N/A	Gagyor	Melinda		Los Angeles
165829	Garland	Robert	Michael	San Diego
N/A	Garrett	Isaac		Santa Barbara
110498	Geddes	Roger	A.	Coronado
55000	Gengler	Robert	Michael	Yuba City
143334	Germain	Daniel	Lawrence	Encino
70941	Gershman	Stephen	Allen	Encino
37927	Gerstl	Hugo	Nathan	Carmel
61257	Giannini	Peter		Los Angeles
154987	Giordano	Eva		Pleasant Hill
N/A	Glass	Elaine		Beverly Hills
140819	Glass	Daniel	Scott	Sacramento
N/A	Gold	Carol	Sapin	Marina Del Rey
N/A	Goldfield	Eva-Lynn		Agoura Hills
149243	Golding	Jonathan	Frederick	Playa del Rey
175482	Goldman	Andrea	Barr	Berkeley
225293	Goldstein	Jonathan	Allan	Indio
95147	Gonsalves	Matthew	Joseph	San Leandro
155853	Goode	Robert	Dennis	Santa Ana
88475	Gordon	Shelley	Ann	Oakland
152367	Gorton	Jacquelyne	Gail	San Rafael
135027	Grabel	Morton	Joel	Temecula
41374	Grebow	Arthur	Jeffrey	Encino
89796	Green	Norman	Harry	Glendale
179936	Greer	Christine	Ann	Canyon Lake
182676	Grice Conner	Alana	Nicole	Oakland
85987	Grier	John	Cummings	San Diego
131969	Gronowski	Katy	M.	Walnut Creek
198205	Groven	Sandra	Ann	Downieville
107450	Guichard	Matthew	Plant	Walnut Creek
59452	Gyorkos	John	William	San Juan Capistrano

**CURRENT ARBITRATORS FOR REAPPOINTMENT TO THE
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BAR NUMBER	LAST NAME	FIRST NAME	MIDDLE	CITY
225215	Hackney	Edward	Theodore	San Marcos
123120	Haddad	Matthew		Marina Del Rey
N/A	Haft	Roberta	Lynn	Beverly Hills
176715	Halpern	Joni		San Diego
182866	Hamilton	Kelly	Jean	Redding
131747	Hannink	James	T.	La Jolla
174228	Hansen	Stephen	J.	Norco
58897	Hargarten	James	Phillip	San Francisco
160026	Harrington	Michael	John	Palm Desert
N/A	Harris	E.J.	Tim	Saratoga
66129	Harris	John	Martin	Stockton
111073	Harris	Leon	Rosseau	Bakersfield
132335	Haselton	Joseph	Gerard	Soquel
N/A	Hasson	Lou	J.	Los Angeles
61461	Healey	Carol	Lee	Emeryville
164815	Healy	Thomas	Richard	Vallejo
220907	Heare Amodio	Mary	Margaret	Lakeport
68996	Heiting	James	Otto	Riverside
61519	Hoefflin	Richard	Michael	Westlake Village
N/A	Hoffmeier	Julayne		Elk Grove
N/A	Hoh	Ronald		Sacramento
108401	Holben	Donald	R.	San Diego
133726	Hornstein	Val	Dawson	San Francisco
N/A	Houston	Jason	A.	Onyx
N/A	Howdeshell	Renee		Los Angeles
97633	Huckaby	Robert	P.	South Lake Tahoe
90576	Hulsy	James	Richard	Bakersfield
210313	Husen	James	Charles	Riverside
66272	Ide	Vivien	Cienfuegos	Fullerton
N/A	Isi	Tora	D.	San Rafael
41408	Jacobson	Lawrence	Howard	Beverly Hills
144181	Jargiello	David	Mark	Palo Alto
215757	Jasmine	Jason	H.	Sacramento
185409	Johnston	Roy	N.	Santa Rosa
90559	Jones	Mary	Stancene	Malibu
42897	Jorgensen	Norman	Eric	Menlo Park
80237	Kalisch	Mark		Beverly Hills
50859	Kaplan	Frank	M.	Calabasas
N/A	Kassouf	Janet	Karen	Hayward
79864	Kaufman	Elizabeth	Chabelski	Northridge
164166	Kempen	Bernie	Johannes	Castro Valley
61699	Kendrick	John	J.	Irvine
N/A	Kennedy	Irene	Lynch	Laguna Niguel

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STATE BAR MANDATORY FEE ARBITRATION PROGRAM FOR 2022**

BAR NUMBER	LAST NAME	FIRST NAME	MIDDLE	CITY
63673	Keough	Nancy	Wadley	Pacific Grove
171328	Kermani	Samira		Los Angeles
N/A	Kiers	J. Peter		Greenbrae
208184	Kim	Thomas	Tae	Santa Clara
231069	Kim	Angie	Hae-Yoon	Los Angeles
113606	Kim	Ryul		Irvine
N/A	Kimery	Jerry		Highland
N/A	Kinnaird	Helen		San Diego
125835	Knego	Thomas	Charles	Trabuco Canyon
N/A	Koondel	Robert		Encino
83537	Kral	Vivian	Laurie	Redwood City
N/A	Krasnow	Bernard		Los Angeles
57525	Kraushaar	Nicholas	Newton	La Quinta
84625	Kremer	Matthew	Markus	San Diego
211877	Kroll	Panda	Lynn	Camarillo
94461	Kulik	Annette	R.	Woodland Hills
147830	Lai	Edward	Mang-Tun	Oakland
175412	Lamothe	Rae		Los Angeles
128728	Landau	Karen	Lee	Moraga
220855	Lang	Craig	Curtis	Van Nuys
124812	Langford	Carol		Benicia
196838	Lapidus	Ryan	David	Beverly Hills
N/A	Lebental	Carole		Rancho Palos Verdes
39228	LeClerc	Raoul	J.	Oroville
210082	LeKander	Miranda	Lea	Sacramento
43504	Lenske	Stephen	Allan	Woodland Hills
246020	Leoni	Teresa	Rose	Walnut Creek
49594	L'Estrange	John	Harrison	San Diego
104632	Levine	B.	Scott	Oakland
85071	Levine	David	Stefan	Oakland
77174	Levine	Stephen	Paul	Redlands
N/A	Levy	Susan		Oakland
255790	Levy	Julie	Samantha	Santa Rosa
33510	Lewin	Henry		Los Angeles
144135	Lidl	Erich	Joseph	San Diego
95131	Lincoln	Thomas	James	San Diego
N/A	Lloyd	Kimball		Alamo
88773	Logan	Richard	Griffith	Walnut Creek
91357	Long	Cynthia	K.	San Francisco
158852	Lowe	Jeffrey	Allan	Beverly Hills
124723	Lowhurst	Daven	Gerald	Berkeley
34430	Lubarsky	Bruce	Marshal	San Mateo
N/A	Lucas	Mary Lou		Walnut Creek

**CURRENT ARBITRATORS FOR REAPPOINTMENT TO THE
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BAR NUMBER	LAST NAME	FIRST NAME	MIDDLE	CITY
79124	Lueders	Scott	William	Novato
N/A	Lukacs	Linda	A.	San Diego
246585	Lunde	Michelle	MacEachern	Willows
N/A	MacDougall	Maria		La Quinta
N/A	Madwin	Paul	M.	Playa Vista
244327	Main	Rebekah	Ryan	Rancho Cucamonga
69150	Malahowski	Roy	Francis	Bakersfield
45586	Malovos	Kenneth	Mark	Sacramento
54049	Mark	Joel		Palm Desert
66716	Marshall	Thomas	Leon	San Diego
N/A	Martin	William	H.	Carmichael
158480	Martin	Shaun	Patrick	San Diego
198876	Martinez	Diana	Lucia	Chino
199105	Mayhew	Kimberly	Lynn	Fresno
265974	Mayr	Charles	Anthony	Upland
172553	Mazzei	Michael	J.	Crescent City
119376	McCutchan	B.	Edward	Healdsburg
52591	McDougall	John	Ralph	Berkeley
93288	McGee	James	Francis	Newport Beach
233901	McIver	Bruce		Palo Alto
125408	McKinley	John	Howard	Stockton
166972	Medeiros	Joan	Mary	Gold River
167723	Middlebrook	Richard	Orville	Bakersfield
163522	Migliaccio	Nicola		Long Beach
196718	Millen	Mark	Paul	Los Gatos
66863	Miller	David	Daniel	San Diego
211848	Miller	Janet	Meri	San Jose
176886	Mok	Frannie	Sau-Ling	Oakland
94175	Monitz	Ronald	Myron	Calabasas
N/A	Morris	Katherine	Jane	San Diego
72020	Morris	Jackson	Andrew	Belmont
48365	Morris	James	Michael	Stockton
136729	Morrow	Wayne	L.	Palos Verdes Peninsula
164193	Moses	Carol	Ann	Fresno
133632	Mounteer	Carlyle	Albert	Pacific Grove
191649	Munoz	William	Angelo	Sacramento
114098	Murdock	Brenda	Dillon	Monterey
N/A	Myers	Janet		Petaluma
127712	Myles	Elliott	Andrew	Oakland
229985	Nastich	Summer	Lea	Berkeley
34755	Nayfach	Norman	Straus	San Rafael
100004	Nellessen	Robert	Alan	Santa Rosa
142606	Nerland	Gregory	Sterling	Walnut Creek

**CURRENT ARBITRATORS FOR REAPPOINTMENT TO THE
STATE BAR MANDATORY FEE ARBITRATION PROGRAM FOR 2022**

BAR NUMBER	LAST NAME	FIRST NAME	MIDDLE	CITY
89975	Newman	Brian	Allen	Torrance
91561	Nichols	Steve	Wilcox	Bakersfield
106112	Niederberg	Richard	David	Studio City
32255	Norman	Richard	Montgomery	Ventura
241007	Notaro	Michael	Ralph	Alameda
77603	Noya	Ronald	William	San Diego
83870	Nuris	Thomas	Arthur	Daly City
276714	Nwankwo	Emeka	Udochukwu	Los Angeles
166318	Offenbacher	Kimberly	Kaye	Oxnard
189548	Ogburn	Grace	Rosales	Santa Ana
109124	Olsen	Christopher	John	Westlake Village
N/A	O'Neil	Mary		Fullerton
N/A	Orgel	Norman		San Diego
77659	Osborn	Patrick	Jay	Bakersfield
185526	Oved	Shai	Shaul	Canoga Park
82599	Owens	James	Michael	Long Beach
90083	Pallack	David	Scott	Pacoima
77687	Pancer	Stefan	Robert	Redlands
51300	Paras	Helen		Sacramento
226257	Park	Ji	Y.	Beverly Hills
72192	Parker	David	Bruce	Los Angeles
129638	Parranto	Julia	Jeanne	Santa Rosa
103780	Pearlman	Barry	Scott	Encino
80517	Pechner	Freda	Donna	Garden Valley
131683	Perkins	David	Alexander	San Diego
135475	Peskoe	Anne	Terri	San Francisco
261863	Peters	Dorian	A.	Pleasanton
58007	Peterson	Richard	Thomas	Irvine
N/A	Petrovsky	Ladislav	P.	Agoura
72250	Phillips	Gary	Scott	Beverly Hills
105253	Pickering	Jerrald	Keith	Redding
N/A	Pillai	Pradeep	Kumar	Milpitas
77774	Pistone	Thomas	Anthony	Irvine
87592	Plaskett	Gregory	Charles	Benicia
69283	Plastiras	Basil	Nicholas	San Rafael
75407	Pokorny	James	Frank	San Diego
107091	Potter	Dirk	Deverne	Chico
N/A	Prahm	Ole		Rancho Santa Fe
N/A	Preminger	Patrick		Alameda
67197	Price	Brett	Lee	Ventura
96613	Ragland	Carroll	A.	Oroville
69305	Rand	Michael	Jay	Encino
31540	Reese	Thomas	D.	Palo Alto

**CURRENT ARBITRATORS FOR REAPPOINTMENT TO THE
STATE BAR MANDATORY FEE ARBITRATION PROGRAM FOR 2022**

BAR NUMBER	LAST NAME	FIRST NAME	MIDDLE	CITY
116118	Reich	Jonathan	Ian	Los Angeles
32998	Rhoades	Rufus	VonThulen	Pasadena
182617	Ribons	Michael	Paul	Woodland Hills
95915	Richmond	Charles	David	Del Mar
N/A	Rishwain	Jeff		Santa Barbara
126237	Rivard	Catherine	Leigh	Santa Clarita
152227	Rodriguez	Leigh		Monterey
N/A	Rosenbaum	Brent		Ventura
114569	Rossi	Bret	Rudell	Sacramento
45860	Rothschild	Toby	James	Westminster
180198	Rover	Michael	Bernard	Palm Desert
45862	Royce	Gene	Emery	San Diego
229947	Rubalcava	Michelle		Sacramento
162374	Rubin	Renee	Marsha	Los Angeles
153324	Runyon	Judith	Ann	Riverside
92425	Sack	Dana		Oakland
87677	Sagatelyan	Levon		Millbrae
92897	Saling	Daniel	Ray	Dana Point
83782	Sall	Robert	Kevin	Laguna Beach
110994	Saul-Olson	Randi	Susan	Visalia
90124	Saydah	Michael	Ferris	San Diego
72559	Schratz	James	Patrick	Sonoma
117545	Schreiber	Mark	Peyton	San Francisco
87025	Schwartz	Allan	Jay	San Francisco
148888	Schwarzkopf	Ronald	Craig	Sacramento
67466	Scott	Robert	Kennedy	La Quinta
67465	Scott	Robert	Earl	Riverside
141722	Seebach	Alice	Adele	Glendale
N/A	Seff	Zachery		Los Angeles
98245	Seidenfeld	Marc	Russell	Boise
168224	Seigel	Jonathan		San Rafael
N/A	Selditz	William		Encino
82796	Shabel	Scott	Lee	Los Angeles
48652	Shaby	John	Paul	Culver City
227194	Shapiro	Lara	Ruth	Marina Del Rey
187533	Shelton	Peter	Alan	Berkeley
72629	Sher	Malcolm		Danville
68494	Silberberg	Henry	J.	Los Angeles
211708	Silberman	David	Abraham	Redwood City
N/A	Sims	Alan	R.	Redlands
N/A	Slama	Milan		Winnetka
87746	Slater	Doris	Brigitte	Pleasanton
48701	Smith	Ronald	Stephen	Los Angeles

**CURRENT ARBITRATORS FOR REAPPOINTMENT TO THE
STATE BAR MANDATORY FEE ARBITRATION PROGRAM FOR 2022**

BAR NUMBER	LAST NAME	FIRST NAME	MIDDLE	CITY
127237	Smolowitz	Sindee	Meryle	Long Beach
43991	Sorem	Richard	Larry	Susanville
175629	Sparler	Chanler	MacLean	Greenbrae
112108	Speare	Allen	Charles	San Jose
78293	Staight	Lisa		Irvine
72792	Star	Robert	Rocky	Encino
151372	Steinberg	S	Keven	Encino
148918	Stevens	Clifford	Wade	Stockton
62906	Stevenson	Ivan	Kelly	Palos Verdes Peninsula
202123	Stone	Clark	Scott	San Jose
110035	Stryker	Dennis	James	San Diego
230589	Sullivan	Kevin	Samuel	San Francisco
131191	Swan	Barry	Richard	Riverside
101978	Sylvester	Jon	Howard	Oakland
187197	Szepesi	Judith	A.	San Jose
258096	Szucsko	Terry	A.	San Francisco
83045	Tady	Brandon	Keith	Los Angeles
35226	Tanenbaum	Jay	J.	Encino
N/A	Tanimoto	Geri		San Leandro
249700	Tarazizadeh	Mahshid		Santa Monica
54684	Theep	Raymond	Toufic	San Diego
83999	Thelen	Dennis	Raymond	Bakersfield
51096	Thomas	Joan	Mann	San Rafael
93022	Thompson	Robert	Embers	Oakland
63008	Thorman	Michael	Phillip	Pleasanton
211015	Topf	Ian	Spencer	San Diego
233905	Torri	Joseph		Riverside
N/A	Torsney, Sr.	Brian	B.	Palm Desert
88190	Townsend	Russell	Henry	Placerville
38876	Trudell	Paul	Robert	Bel Tiburon
136193	Tsu	Jeffrey	C.	San Mateo
101464	Tundis	Mark	John	Upland
N/A	Tzur	Barbara		Goleta
104988	Unsworth	Douglas	Aeldred	San Leandro
126452	Velasco	Valeria	Consuelo	Playa del Rey
67892	Vencill	William	Conrad	Lafayette
178694	Vo	Chinh	Trung	Oakland
69500	Vorsatz	Paul	Frederick	Burlingame
54738	Wade	Edmond	Dean	Ontario
258214	Wagner	Mark	Harrison	Santa Monica
73671	Wall	Thomas	Edward	Rancho Palos Verde
105310	Walsh	Lorraine	Marie	Walnut Creek
82838	Warren	David	Paul	Pismo Beach

**CURRENT ARBITRATORS FOR REAPPOINTMENT TO THE
STATE BAR MANDATORY FEE ARBITRATION PROGRAM FOR 2022**

BAR NUMBER	LAST NAME	FIRST NAME	MIDDLE	CITY
137075	Wasson	David	Bradley	Santa Ana
N/A	Watson	Stephen	W.	Carmichael
51772	Webb	Stephen	Phillip	Beverly Hills
121154	Wessels	Kai	Henrich	San Jose
189646	Whatley	Anne	Margaret	Martinez
42584	Wheatley	Robert	Mack	Folsom
51811	White	Michael	Howard	Claremont
82952	Whitney	Marshall	Craig	Fresno
N/A	Wicke	Thomas	James	Woodland Hills
152064	Wilkinson	Troy	Michael	Chico
95594	Williams	Michael	Edward	Encinitas
63200	Williams	Garry	Wayne	Canoga Park
N/A	Williams	Charlie		Burbank
213484	Windsor	Jeffrey	Ray	San Mateo
128394	Winter	Joseph		Pasadena
51846	Wold	W.	Bruce	Novato
68057	Wolf	Lawrence	Irwin	Los Angeles
114076	Wolfe	Andrew	McCreery	San Rafael
184011	Woodward	Adrian	T.	Long Beach
95654	Wunderli	Russ	John	Roseville
169441	Yanuck	Jeffrey	Scott	Sherman Oaks
96252	Yomtov	Nancie		San Jose
172016	Young	Jeffrey	Stephen	Santa Barbara
49031	Yzurdiaga	John		Playa del Rey
68408	Zeff	Timothy	Leonard	Sacramento
N/A	Zorbas	Andrew		Piedmont
44698	Zugsmith	George	S.	San Pedro
36249	Zukerman	Roy	C.	Fountain Valley

**STATE BAR MANDATORY FEE ARBITRATION PROGRAM
ARBITRATOR APPLICANTS FOR NOVEMBER 2021**

All attorney arbitrators listed are active licensees of the State Bar for at least five years with no disciplinary record and therefore meet the minimum qualifications for appointment.

Name	City	Bar Number	Discipline, Convictions, or Reportable Actions¹
Cha, Jean H.	Orange	228137	None
Gersten, William J.	San Diego	150591	None
Griffith, Lisa M.	Solana Beach	216640	None
Hellstrom, Charles R.	San Jose	294540	None
Kuhn, Steven H.	Oakland	278999	None
Lin, Wen-Ching	Sunnyvale	177348	None
Mehta, Vinod B.	San Jose	Lay	Not applicable
Shulman, Mary Ann	San Francisco	190164	None
Toyen, Sanford A.	Poway	177172	None

¹ Public Reportable Actions include the following reports to the State Bar:

- Imposition of judicial sanctions, including contempt orders and nondiscovery sanctions in excess of \$1000
- Felony indictment, felony or misdemeanor charge, pleas or conviction
- Reversal of judgment in a proceeding for professional misconduct
- Filing of three or more civil suits for malpractice in 12 months
- Discipline in another jurisdiction
- Claims or actions for damages in a civil suit for professional misconduct, regardless of the outcomes (reported by professional liability insurance companies)
- Judgments, settlements, or awards in a civil suit for professional misconduct



The State Bar of California

MANDATORY FEE ARBITRATION PROGRAM

GUIDELINES AND MINIMUM QUALIFICATIONS OF ARBITRATORS FOR THE STATE BAR OF CALIFORNIA FEE ARBITRATION PROGRAM

*(Adopted by the State Bar Committee on Mandatory Fee Arbitration 2001;
revised May 12, 2006; revised January 12, 2007; revised May 3, 2019.)*

I. ARBITRATOR APPOINTMENTS SELECTION COMMITTEE

The Appointments Selection Committee shall consist of the Presiding Arbitrator and at least one staff member from the State Bar's Mandatory Fee Arbitration Program. Recommendations for appointments of arbitrators are submitted to the appropriate State Bar board committee, which in turn forwards its recommendations to the full Board of Trustees for appointment.

II. GUIDELINES FOR MINIMUM QUALIFICATIONS OF ARBITRATORS

- A. The following guidelines are intended to set forth the minimum qualifications for lawyer and nonlawyer arbitrator appointments as well as the retention of appointees on the arbitrator panel. Any information provided by the applicant on their application form will be evaluated and could be used as grounds for exclusion from appointment. An applicant's failure to show, upon request of the Appointments Selection Committee, that they affirmatively meet these minimum qualifications may result in the rejection of an applicant or removal of an arbitrator from the Fee Arbitration Program.
- B. In addition, the Appointments Selection Committee may consider, within its sole discretion, any additional factors it may deem relevant in connection with any decision to accept or exclude any applicant.

III. APPOINTMENT TO THE MANDATORY FEE ARBITRATION PANEL

- A. Requirements of all State Bar Fee Arbitrators

Prior to assignment to a panel, arbitrators are required to attend at least one comprehensive training program for arbitrators on attorney fee arbitration through a local bar association or the State Bar of California.

B. Lawyer Arbitrators

To be qualified for appointment as a lawyer arbitrator, an applicant must:

1. be, and have been for at least five years, an active licensee in good standing with the State Bar of California; or
2. be a retired judge who is an active licensee of the State Bar of California; and
3. not have a pending professional disciplinary matter filed with the State Bar Court, any federal court or agency, or other state bar discipline authority. Conviction of a crime for any felony or misdemeanor required to be reported under Business and Professions Code section 6068(o)(5) may constitute grounds for rejection of the applicant. The imposition of any public discipline by the State Bar Court, or a federal court or agency or other state bar discipline authority authorized to impose comparable professional discipline against attorneys may also constitute grounds for rejection of an application.

C. Nonlawyer Arbitrators

To be qualified for appointment as a nonlawyer arbitrator an applicant must:

1. provide sufficient information to the Appointments Selection Committee to its satisfaction concerning their business, professional or volunteer experience, education, or other relevant qualifications to serve as an arbitrator; and
2. have never been an active or inactive licensee of the bar of any state or the District of Columbia; and
3. have never worked regularly for a public or private law office or practice, court of law or attended law school for any period of time; and
4. have never worked as a paralegal, law firm staff, or law clerk.
5. have never been convicted of a felony, or a misdemeanor involving dishonesty or other moral turpitude, or an attempt or a conspiracy or solicitation of another to commit a felony or a misdemeanor of any type.

IV. ONGOING REQUIREMENTS

- A. During the term of service, all lawyer arbitrators are required to report to the Fee Arbitration Program the existence of any professional disciplinary complaint filed with the State Bar Court or imposition of public professional discipline by the State Bar of California or by any federal court or agency authorized to impose comparable professional discipline against attorneys.

- B. During the term of service, all lawyer arbitrators are required to report to the Fee Arbitration Program the existence of any criminal conviction of a felony or misdemeanor required to be reported under Business and Professions Code section 6068(o)(5).
- C. During the term of service, all nonattorney arbitrators are required to report to the Fee Arbitration Program the existence of any criminal conviction of a felony, or a misdemeanor involving dishonesty or other moral turpitude, or an attempt or a conspiracy or solicitation of another to commit a felony or a misdemeanor of any type.
- D. Once appointed, all arbitrators shall attend a comprehensive training at least once every five years.