



# The Legal Light

The J. Reuben Clark Law Society, Orange County Chapter  
October 2006

## EXCITING TIMES FOR THE J. REUBEN CLARK LAW SOCIETY

By Jeff Robinson  
Chair, Orange County Chapter of the JRCLS

These are exciting times for the J. Reuben Clark Law Society. Our September Annual Dinner was an uplifting occasion. More than 230 of our members and guests--our largest attendance for any meeting--heard Sister Chieko Okazaki speak on "The Warrior Heart" every lawyer should have



The Society was started in 1987 with four chapters. Since then, we have grown to more than 6,000 members in 66 chapters--51 in the US and 15 international chapters, from Moscow, Russia, to Sao Paolo, Brazil, to Australia. Together, we share the goal of promoting fairness, virtue, and the rule of law through professional excellence and public service, guided and motivated by personal religious conviction.

I have been actively participating in our chapter for more than 10 years. We live and work in a competitive legal environment. I find that our chapter activities are the best tonic for the minor irritations of law practice. There's nothing so professionally refreshing as taking a break from a busy day to attend a chapter luncheon. It is an opportunity to meet with old friends and make new ones--and hear a speaker that gives a unique and uplifting perspective on the practice of law, often with MCLE credit.

The Chapter leadership is planning great opportunities for fellowship, professional development, and service in the coming year. Please join us on November 16; Professor Scott Loveless will address the "culture wars" from a legal perspective. In January, we will hear an MCLE presentation on "Substance Abuse Issues Facing Attorneys." Later, we will have several Women's Breakfasts; participate in February at the J. Reuben Clark international conference at Pepperdine University, and sponsor our chapter's Third Annual Religion and Law Seminar in March. I look forward to participating with you in helping our chapter make a positive contribution to the law and our community.

## 2006 ANNUAL DINNER AND PROGRAM A HUGE SUCCESS

By Paul A. Hoffman

On September 22, 2006, the Orange County Chapter of the J. Reuben Clark Law Society held its annual dinner program and awards ceremony at the Westin South Coast Plaza Hotel, attended by over 220 members of the Chapter and their guests. The incoming Chapter Chair, Jeffrey A. Robinson, presented the winner of the 2006 J. Reuben Clark Award, Harmon G. Scoville, who was ill. Scott Scoville, his son, received the honor and spoke on his behalf. Jeffrey W. Shields was also honored for his service as Chapter Chair for this past year, as were all of the outgoing Board members: Jim Carter, Craig Griffin, Brent North, Glen Nuttall, and Keith Wilford.

The new Executive Committee for 2006-2007 was announced: Jeffrey A. Robinson, Chair; Mark D. Watkins, Chair-Elect; Donna R. Bashaw, Treasurer; and Glen Nuttall, Secretary. Additionally, the incoming Board members were also recognized: Gene Clark, Aggie Dolinska, Catherine Evans, Eric Kennedy, and Eric Olson.

Joseph Bentley, the Chair of the JRCLS International Board, provided an update on the growth of the JRCLS internationally and details regarding upcoming conferences (see Calendar section).



Sister Chieko N. Okazaki,  
Keynote Speaker at Annual Dinner

Bruce Haglund introduced the 2006 keynote speaker, Sister Chieko N. Okazaki, a member of the General Relief Society Presidency of the LDS Church from 1990 to 1997. Sister Okazaki's speech was both original and thought-provoking. Although she is 80 years old, she displayed great vibrancy and enthusiasm.

Sister Okazaki spoke about the need for lawyers to have a warrior's heart, providing heart-warming stories and anecdotes and

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### EXECUTIVE BOARD

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L to R: Scott Scoville (with award to father, Harmon Scoville), Judith Scoville, Freda Otto, Doug Otto, Robert Smith and Kristine Smith – all members of Harmon G Scoville family

sage advice. First, she said, a lawyer should take his or her activities personally, namely, working for justice and against oppression and resolving client's problems in both a passionate and compassionate way.

Second, she said, don't handicap yourselves. Be totally prepared, don't be unfit physically, mentally, educationally, socially, etc., and especially do not engage in bias or prejudice towards groups or individuals who are outcast or who need our support.

Third, she said, be enthusiastic and avoid burnout. We all need to allow ourselves some slack and cannot expect ourselves to always perform at our top level. We must permit ourselves to "bounce back" from disappointments and the daily grind. We can do that by scheduling regular rest and recuperation to get perspective and reorient our priorities. Sister Okazaki received a standing ovation at the end of the program.



L to R: Joe Chairez, President, Orange County Bar Association. Sister Chieko N. Okazaki, 2005-06 Chapter Chair



L to R: Buffy Hagland, Chieko Okazaki and Bruce Hagland



L to R: Incoming 2006-07 Chapter Chair, Jeff Robinson, presenting award to Outgoing Chapter, Jeff Shields



L to R: Outgoing directors Craig Griffin, Jim Carter, Glen Nuttall, Brent North and Keith Wilford

## SOME TIPS REGARDING PRE-NUPTIAL AGREEMENTS

By E. Gary Smith, Certified Family Law Specialist



A "ten foot pole" has been a frequent measure used by many of my attorney friends who discuss the distance they wish to keep from family law. A wise decision for anyone who does not do it full-time, and who does not stay constantly updated on its ever-changing and complex milieu. But even with attempts to keep a distance, some estate planners and transactional lawyers prepare pre-marital agreements. Here are some random practice tips for those who do not practice family law:

Should the bride and groom get a Pre-Nup? If in their twenties, first marriage, no children, no property, then no need. But more and more we see second and third marriages with existing offspring and substantial assets or debt. In those cases it should not be insulting, but rather sound judgment, to have a pre-marital agreement.

7-day waiting period for Pre-marital Agreements is now mandated per Fam. Code, § 1616. Count seven days from the date the last draft of the agreement was delivered to the other party before obtaining signatures. Sign no sooner than the eighth day. Failure to do this will invalidate the agreement (and may involve your malpractice insurer down the line).

Attorneys for both sides in Pre-Marital Agreements. While waivers may be allowed if you cross all t's and dot all i's, don't do it. Make sure both parties have their own counsel, of their own choosing, and have the proponent party pay for the other party's attorney. This helps avoid undue influence or unconscionability.

Finish the Pre-Marital Agreement before the wedding invitations go out. Again, this avoids the pitfalls of undue influence and unconscionability.

May I go out of business because marriages stay healthy and last forever.

## Many Thanks to our 2006 Sponsors:

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### JULY LUNCHEON

On July 13, 2006, our Chapter luncheon featured Judge Jay S. Bybee of the Ninth Circuit Court of Appeals, who traveled from his office in Las Vegas to speak to us. Judge Bybee was formerly Assistant Attorney General for the Office of Legal Counsel and Associate Counsel to President George W. Bush. He is also an author and a Constitutional Law and Biblical scholar.



Judge Bybee shared several humorous anecdotes regarding grading law school exams. He then spoke about models of dispute resolution, using both Biblical and modern-day examples. First, there is the rights-based model of dispute resolution, employed in various forms in today's world. This is a standards-based model. It is essentially narcissistic in nature, having as a goal to require others to serve our self-centered notions of what others may owe us. It depends on coercive measures for enforcement and, consequently, is quite contentious in nature.

Second, there is the duty-based model of dispute resolution. It is focused on what our own duties are toward others. This is a rules-based model. A good example of this is Jewish law in biblical times. The rabbi would declare what the law was and the parties willingly accepted the judgment as part of their religious duty.

Third, there is the reconciliation model of dispute resolution. An example of this is the story of the prodigal son in the Book of Luke, chapter 15. That story can be contrasted with the story of Jacob and Esau in the Book of Genesis, chapters 27 through 33, which was a domestic dispute involving birthrights. There is parallel language and a fight over food in both cases. Like the prodigal son and his family, Jacob and Esau eventually reconciled with each other.

Judge Bybee reminded us that many disputes can be reconciled rather than litigated. Often, an agreement of resolution is more rewarding than a judgment. Asserting rights is not always the best way to resolve disputes.

# J. REUBEN CLARK LAW SOCIETY ORANGE COUNTY CHAPTER

## 2006-2007 Events Calendar

November 16, 2006 (Thurs)	Luncheon 12:00-1:30 p.m. Location: Knobbe, Martens, Olson & Bear 2040 Main St., Ground Floor Conf. Room, Irvine Speaker: Prof. A. Scott Loveless J. Reuben Clark Law School "Law and Family Policy Culture Wars"	February 16-17, 2007 (F-S)	J. Reuben Clark Law Society National Conference Location: Pepperdine University Go to <a href="http://www.jrclsconference.org">www.jrclsconference.org</a> for details
January 18, 2007 (Thurs)	Luncheon 12:00-1:30 p.m. Location: Knobbe, Martens, Olson & Bear Speaker: Todd Huisken/LDS Social Services "Substance Abuse Issues for Attorneys"	March 14, 2007 (Wed)	Luncheon (Speaker and Topic TBA)
January 19, 2007 (Fri)	Satellite Broadcast Devotional Speaker: TBA/Special Presentation	March 29, 2007 (Thurs)	Third Annual Law & Religion Seminar
February 2, 2007 (Fri)	Women Lawyers Breakfast 8:30-10:00 am Location: Mimi's Café, 22651 Lake Forest Drive, Lake Forest, Topic TBA	May 17, 2007 (Thurs)	Luncheon (Speaker and Topic TBA)
		June 1, 2007 (Fri)	Women Lawyers Breakfast
		July 19, 2007 (Thurs)	Luncheon (Speaker and Topic TBA)
		September 21, 2007 (Fri)	Orange County Chapter Annual Dinner
		November 15, 2007 (Thurs)	Luncheon (Panel: "Balancing Life & Law")

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