



PRESIDENT'S PAGE

NIKKI PRESLEY MILIBAND

Law and Sausage

We've all heard various iterations of the quote about laws and sausages. It goes something like this: "Laws are like sausages; it is better not to see them being made" or "If you like laws and sausages, you should never watch either one being made." This quote is often attributed to Otto Von Bismarck in the 1930's, however, it was actually first uttered by lawyer/poet John Godfrey Saxe. As lawyers, we typically focus our energy and time on applying existing law to the facts of our clients' cases. But, wouldn't it be rewarding to actually have involvement in the creation of these laws? That is exactly what the OCBA Legislative Resolutions Committee does.

My first involvement with the OCBA was through the Legislative Resolutions Committee (formerly Resolutions Committee, "Res Com" for short), when I was an alternate delegate for the OCBA at the annual California State Bar Conference in 1995. Historically, many of the OCBA past leaders and presidents were active on Res Com or found their way to an OCBA leadership position through Res Com, with more than fifteen OCBA Past Presidents actively participating in the committee. Since 1993, five went on to chair the committee, including my husband, Joel Miliband; Hon. Kimberly Hubbard; Lei Lei Wang Ekvall; Danni Murphy; and me.

Res Com members propose modifications to existing law or the enactment of new laws that are typically unique to the practice of law, sometimes through discussions with other lawyers and bench officers. For example, if you have worked on a case and found that a statute failed to address certain issues or circumstances, as a member of Res Com

you can propose a resolution to the full committee to amend the statute or rule or to propose a new statute or rule. Oftentimes, when they recognize a problem with the application of an existing law, members of our own Orange County judiciary suggest changes.

If the committee agrees to sponsor the resolution, it then goes to the OCBA Board of Directors for approval. If approved, it is then included with other resolutions from throughout the state and circulated to the other local and specialty bar associations and various state-wide sections in California. Res Com then reviews the resolutions being proposed by the other bar associations and participants (including resolutions that may be sponsored by ten or more state bar members as individuals) to determine if Res Com approves or disapproves of the proposed resolutions. If disapproved, Res Com then determines whether it so strongly opposes the resolution that it wants to write a counter-argument. The California Conference of Bar Asso-

ciations (CCBA)—which became the successor organization to continue the Conference of Delegates when it was required to separate from the state bar a number of years ago—has an annual conference of all of its constituent members (primarily local and specialty bar associations) to engage in two days of lively debate over the resolutions. The resolutions that are passed at the annual conference are placed with the CCBA lobbyist, Larry Doyle.

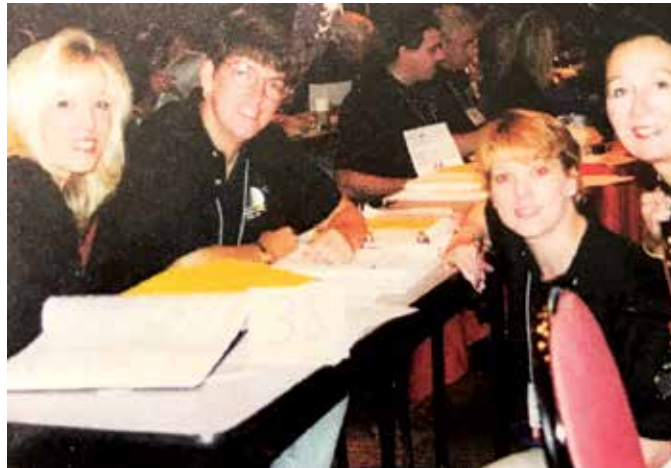
The CCBA lobbyist then attempts to locate a legislator to author and sponsor the legislation. Mr. Doyle may also work closely with proponent organizations to assist them in locating a legislator to author and sponsor legislation. Many of the resolutions proposed by the CCBA, including several OCBA resolutions, have been passed and signed into legislation, thus improving the law and addressing important legal issues in our community.

Since 2010, the CCBA has had over 100 chaptered bills originating from resolutions submitted by the participating bar associations. The lobbying success of the CCBA is unparalleled for any single lobbying group in Sacramento. In fact, just this past year, the Orange County Bar Association's Legislative Resolutions Committee had three resolutions signed into law, including two relating to human trafficking and one regarding intervention in civil actions.

While the CCBA as an organization has morphed over the last few decades, the goal of the OCBA Legislative Resolutions Committee and the CCBA remains the same: to bring together attorney volunteers from around the state representing

diverse backgrounds, experience, and expertise to seek, debate, and promote creative, non-partisan solutions to law-related issues.

The Legislative Resolutions Committee is open to all members of the OCBA. All you have to do is reach out to me, the OCBA staff, or to this year's chair, Elaine Alston. The annual conference will be held in San Diego from September 13-16, in coordination with the California Lawyers Association, California Judges Association, and California Women Lawyers annual conferences. Hope to see you there!



(L-R): Nikki Presley Miliband, Elaine Alston, Vivian Alston, and Paige Baker.



Nikki Presley Miliband is the OCBA's 2018 President. Nikki is also a probate and trust litigation partner at Good Wildman in Irvine. She can be reached at nikki@ocbar.org.