



## PRESIDENT'S PAGE

SCOTT B. GARNER

# 2020: The Vision Ahead

In reviewing the January President's Pages of some of my predecessors, I noted that many of them introduce themselves to the OCBA by writing about themselves. That seemed like a reasonable approach, but also one that made me a bit uncomfortable. Nonetheless, not wanting to buck the trend, here I go.

I grew up in Orange County (specifically, Fullerton), and, after leaving temporarily for college and law school, I returned in 1991 to start my legal career at Latham & Watkins in Costa Mesa. Fortunately for me, my early mentors and supervisors at Latham encouraged participation in professional associations, including the OCBA (and not just so they could fill tables). This included people like Peter Wilson and Glenda Sanders (both now "Honorable," although always honorable), Mark Erickson, Howard Privette, and Mike Ellison. When I joined Howard Rice's Orange County office, which later became Howrey's Orange County office, I continued this string of good luck working with people who encouraged Bar participation. This included Martha Gooding (also now Honorable) and Bob Gooding, both of whom not only led by example, but encouraged and facilitated my active participation in the OCBA, among other bar organizations.

When it came time to finally leave Big Law for the greener grass of a litigation boutique, I somehow managed to join up with the one person in Orange County who is second to none in terms of OCBA participation—Dean Zipser. And, of course, it didn't hurt that Umberg/Zipser's other founding partner, Tom Umberg, was one of the most public service-oriented people you will ever meet, having served both in the Army and in the California legislature (where he now serves again as a state senator), while keeping his day job as a prominent trial lawyer.

My first foray into actual service to the OCBA came when I received a call in 2004 from then-Assistant U.S. Attorney and future OCBA president John Hueston, asking me to join the OCBA Professionalism and Ethics Committee, which he chaired. I didn't know John at the time (this was pre-Enron), but I quickly learned who he was, and what it meant to have passion and commitment for a non-billable cause. I soon developed my own passion and commitment for the Professionalism and Ethics Committee, and then for the entire OCBA. Six years later, I received another call from John Hueston—this time in his capacity as OCBA President-Elect—encouraging me to run for a seat on the OCBA Board of Directors. Well, who can say no to John Hueston? So I ran. And I lost. But John then appointed me to the Board, where I remained a member for six years before becoming OCBA Secretary in 2017. Thank you, John.

One of my goals as president in 2020 is to be the Dean Zipser or John Hueston for younger lawyers interested in becoming OCBA

leaders. This follows the tradition not only of my own mentors, but of OCBA Past Presidents, including our two most recent presidents, Deirdre Kelly and Nikki Miliband. Nobody has worked harder to develop new OCBA leaders, both through relentless efforts and leading by example.

Another one of my priorities as president will be to foster the OCBA's evolution to appeal to the next generation of OCBA members. So much has been written about Generation Y—or Millennials—including the myth that they do not like to join associations. This is an excuse I have heard from leaders of other bar associations around the country to explain their declining membership numbers. I reject that explanation. Millennials are more than willing to join organizations that appeal to them. Thus, one goal this year will be to ensure the OCBA appeals not only to the Boomers and Gen-Xers, but also to the subsequent generations, who soon will constitute the majority of our membership. In Orange County, we are fortunate to have strong membership numbers across all generations of lawyers. But that doesn't mean we don't have work to do. We will form a task force to look at, and then implement, evolutionary changes that will allow us to be relevant to the next generation of members and leaders while continuing to be relevant to those of us who have been OCBA members for decades.

Yet another priority will be continuing to look out for our members' interests *vis-à-vis* the State Bar. So far, in the last year, the State Bar has nearly doubled our license fees, started calling us "licensees" rather than "lawyers" on its website, and proposed allowing non-lawyers to practice law. And they may just be warming up. The OCBA will continue to lead the charge and rally other bar associations around California to fight for our lawyer-members, whether those efforts are directed at the State Bar's leadership, or the legislature, or supreme court.

Finally, as someone who has dedicated a significant portion of his career to legal ethics, I would be remiss if I did not put a renewed focus on attorney ethics and civility. Our efforts will continue and rejuvenate those efforts started by Past President Todd Friedland when he formed a Civility Task Force.

In closing, I quote one of the true giants of the Orange County legal community, John Hurlbut of Rutan & Tucker: "To be continued . . ."



*Scott B. Garner is the 2020 President of the Orange County Bar Association. He is a partner at Umberg/Zipser LLP in Irvine, California, where he practices complex business litigation, with a focus on lawyer liability and legal ethics. He can be reached at [sgarner@umbergzipser.com](mailto:sgarner@umbergzipser.com).*