

NCBA JOURNAL



May 2008

2008 Calendar of Events

Please mark your calendar for these upcoming NCBA events. Locations to be announced via the newsletter and website (www.nevadacountybar.com) unless otherwise noted.

- May 16** Allegations of Child Sexual Abuse in Child Custody Cases. Kevin Dugan, Ph.D.
Courthouse – Noon – 1:30
- MAY 16** Spring Bar Association Appreciation BBQ! 4:30 – 7:00
Pioneer Park, Nevada City
(Local winery pouring Reve D'or)
- MAY 16** Placer Co Bar Assoc Golf Tournament
530-823-7560x107 or placerbar.org
- MAY 30** MCLE SEMINAR: CONFLICT RESOLUTION
Noon – 1 30 Courthouse 1.5 MCLE
- JUNE 25** ADR – Kane's Restaurant Grass Valley
Noon

Save the Date
OCTOBER 2, 2008
Dinner & Essay Winners Announced

Essay Question:
"Has the Rule of Law Achieved Fairness & Opportunity in our Society?"*

INSIDE THIS ISSUE

- 1 Report from the Court & Calendar
- 2 New Research Tools; Debate Team Coach opportunity
LRS Update; Business Valuation; Note from Probation
- 3 Section Notes / State Bar Committees/
Mediation Training
- 4 Law Day; Darlington Scholarship
- 5 Advertising & Contacts

Next MCLE Luncheon

May 28, 2008

Where: Stonehouse Restaurant
107 Sacramento Street
Nevada City

When: May 28, 2008
11:00 a.m. Executive Committee
12:00 General Membership

Price: \$26 ea. Members with RSVP
\$30 ea. No RSVP

Program includes 1 hour of MCLE Credit:

Attendees should email jifordlaw@yahoo.com with their meal choice
Bistro Steak with red wine sauce or
Linguini Pasta with white wine sauce

Topic:

Death Penalty Cases
presented by Hon. Michael Smith; P.D. Donald Lown
& Asst. D.A. Anna Ferguson

REPORT from the COURT:

Greetings-
Judge Anderson has agreed to a 'brown bag lunch' meeting with the Probate Bar on JUNE 12 AT NOON in Department 6.

Notice has gone to professional fiduciaries, as one issue of concern is the fee range which the court will approve, in view of the significantly increased costs of the required education and licensing.

Please pass this Notice along to others you know who may be interested.

Thank you.

Spring Bar Association
Appreciation BBQ! 4:30 – 7:00
Pioneer Park, Nevada City
(Local winery pouring Reve D'or)
RSVP Message at 265-2918 or
law.library@nevadacourtscourts.com

Lawyer Referral Service Update

Nevada County's Lawyer Referral Service has expanded to Placer County, with an additional address (10556 Combie Road, PMB 6438, Auburn, CA 95602) and phone number (530-888-1836) in place. Lawyers in both Nevada and Placer Counties are encouraged to join the LRS panel, whether your motivation is to obtain paying case referrals, to perform pro bono work, or both.

The non-profit corporation under which LRS operates has officially changed its name from Nevada County Legal Assistance, Inc. to Northern California Lawyer Access, Inc. This name change recognizes the geographic expansion of LRS, as well as the commitment to provide quality pro bono services for those who need them. There is an urgent need for those services in counties north of Nevada County, and NCLA is working to fill that need.

Our new website (NorCalLawyer.org) will be in operation soon. Meanwhile, you may find out more about LRS and download an application for panel membership by visiting our sub-page of the Nevada County Bar Assn. website, nevadacountybar.com/lrs.htm. For additional information, please contact Matthew Crider, Attorney Retention and Recruitment Chair, at 272-3037, or matthew_crider@criderlaw.net.

Peter Bronson
LRS Public Relations Committee Chair

ADR Section: Next meeting June 25, Noon, for lunch at Kane's in Grass Valley (parking in back). Our June 25 meeting promises an unusually entertaining program as we conduct a roundtable discussion of the heuristics, fallacies, foibles and biases that often influence us when we think we are making sound judgments about risks, proposals, probabilities and predicted outcomes. Dave Finch is introducing the topic, which is based on highly regarded research of behavioral psychologists, and useful to mediators. Each Section member will be assigned a common fallacy, bias or "rule of thumb" to be researched and then reported on in rotation as we go around the table. Each will explain how that aspect of human nature might reveal itself in mediation, and what the mediator might do to mitigate its effect. Each will have one or more examples of experiments conducted by the researchers that demonstrate the topic under discussion. Many such experiments and their results offer amusing surprises. Join us for a stimulating and insightful discussion, and let Dave know by June 18 if you'd like an article and assignment.

Rosemary Metrailler

The Beyond the Basics: Business Valuation in Family Law Matters seminar series, led by Cindy Craig, CPA, ABV of Andersen & Company, LLP will be presented in six locations throughout California beginning April 28 in San Diego and concluding May 22 in San Jose. This is a fast-paced 3-hour seminar devoted to examining the business valuation techniques utilized by forensic experts. The seminar qualifies for 3.0 hours of MCLE/Legal Specialization credit. Cost is \$175/advance and \$200/at the door; seminar DVD/CD is also available for \$168.38.

Please visit <http://www.atybriefcase.com/attys/events/upcoming.htm> for more information on the program

CRIMINAL DEFENSE ATTORNEYS

Probation is now sending reports via e-mail – make sure they have your e-mail address correctly.

The Nevada Union Debate Team needs a lawyer with debate experience to assist them in preparing for their competition. Contact Jeff Dellis at Nevada Union 273-4431

The Nevada County Law Library has upgraded WESTLAW Patron Access – we have added all FEDERAL CASES, WITKIN and RUTTER ELECTRONIC RESEARCH TOOLS to our existing WESTLAW subscription.

New Federal case material will include cases contained in: Supreme Court Reporter, Federal Reporter, Federal Supplement cases for the Ninth Circuit, and United States Code Annotated. You will now also have electronic access to our currently held print RUTTER and WITKIN publications. Additional RUTTER titles that have been added on WESTLAW include - Business and Professions Code, Civil Trials and Evidence, Enforcing Judgments and Debts, Family Law, Federal Civil Procedure Before Trial, Federal Ninth Circuit Civil Appellate Practice, Federal Civil Trials and Evidence, Probate, Professional Responsibility, Real Property Transactions.

Section Notes

Criminal Law Section:

The criminal defense group is meeting on **2nd TUESDAY of the month** at 5:30 p.m. at the Stonehouse Restaurant (If you would like to receive the group's e-mail notices, call Anita at 265-8508). The meetings are kept to about one hour max, so as many as possible can attend. There are kudos each month for individual successes, and contributions to criminal defense - if you have a nomination, tell Steve or Anna at 265-8508. - Steve Munkelt

Family Law Section:

Monthly Seminars presented by local experts in the issues of Family Law are offered now through June.

MAY 16, 2008

ALLIGATIONS OF CHILD SEXUAL ABUSE IN CHILD CUSTODY CASES.

KEVIN DUGAN, Ph.D.

Come & learn while receiving MCLE.
Space is limited, please call (530) 265-1733 to RSVP.
A live interactive simulcast at the Truckee Courthouse, 10075 Levon Avenue, Truckee Ca, RSVP (530) 550-3000

ADR Section:

Whether you are interested in ADR as a provider or as a consumer of services, there is always a learning opportunity at ADR Section meetings, and the food is great. Please join us at our next meeting. RM

Rosemary Metrailler, Law Offices of Rosemary Metrailler
PO Box 215
Nevada City, CA 95959
Phone (530)265-3062
or (916)447-7258
Fax (530)265-0601
Contact Rosemary Metrailler: metrailler@metrailler.com

Gold Country Estate Planning Council:

The GOLD COUNTRY ESTATE PLANNING COUNCIL will hold the annual Dinner meeting on May 1st- call Rich Keene (477-2281) for details.

There will be NO further lunch meetings until September 2008

at which time The GOLD COUNTRY ESTATE PLANNING COUNCIL meets monthly at 11:45 am-1:15 pm, every first Wednesday.

CAN YOU HELP TO DIVERSIFY STATE BAR BOARDS, COMMITTEES & COMMISSIONS?

Commission on Judicial Nominees Evaluation:

The **JNE Commission** has openings for 2009. The **application deadline is June 2, 2008**. The JNE Commission, evaluates all candidates who are under consideration for a judicial appointment by the governor. It is composed of attorneys and public members (i.e.,

those who are not lawyers or who are not admitted to practice in California. Commissioners serve terms of approximately one-year and may serve up to three consecutive terms. The terms of the 2009 JNE Commission will commence February 1, 2009. Information is available at <http://calbar.ca.gov/state/calbar/calbar> and the application is online at <http://calbar.ca.gov/calbar/pdfs/comcom/Appt-Process-Summary.pdf>

Client Security Fund Commission

The **Client Security Fund Commission** oversees the Client Security Fund, and reimburses clients who have lost money or property due to theft or an equivalent dishonest act committed by a California lawyer acting in a professional capacity. The commission determines whether or not applications filed with the Client Security Fund should be paid or denied. **The application deadline is March 28, 2008**, and the appointment begins September 28.

State Bar of California Applications Office 415-538-2299

There are many more boards, committees and commissions at the State Bar of California (see list at calbar.ca.gov/state/calbar/calbar, and the deadline for application for most is February 1. Please consider applying for more than one in 2009!

WHAT IS CIVIL MEDIATION?

For those attorneys who don't spend a lot of time in Dept. 6, a lot of new services are available to litigants there -- earlier in the year, the Court invited the Conflict Resolution Center (CRC) to provide trained mediators for both the unlawful detainer and small claims calendars. The Conflict Resolution Center (CRC) is a private non profit organization providing, community based mediation services in the county, The CRC is also a recent recipient of DRPA funds from the County to enable this extension of services.

CRC mediators are available to meet with litigants, including those represented by attorneys, outside the court room. Almost all unlawful detainer (UD) cases have settled since the inception of CRC mediation services in late January, 2008. In addition, the mediation participants have given the CRC efforts high marks -- the vast majority have rated their mediation experience as 'very satisfied.'

All CRC mediators have taken a 25 hour mediation training course and had mediation experience prior to the inception of the court's program. If you would like to become a volunteer mediator with CRC, or just have questions about the new program, call Executive Director Liz Mantle at 470-9700.

Change of Address?
Dues Paid?

The Executive Committee met March 26, 2008 at the Stonehouse Restaurant. The Committee is updating the NCBA mailing list and the web site. If you have any additions or changes in address, phone numbers, email or area(s) of law, please relay them by email to Peter Bronson at pbronson@klmvlaw.com.

On a related matter, if you have not already paid your 2008 NCBA dues **please pay your 2008 dues right away**. This is the last call for 2008 Membership renewal before non-paying past members will be removed from the NCBA web site, and will no longer receive this Newsletter.

Check Out the Library...FREE MCLE!!!

MCLE Tapes & Materials are available to check out from the Nevada County Law Library. Get you hours in Bias, Substance Abuse & Ethics.

The Topic this year for Law Day is really inspiring.

It is the 50th Anniversary.

Check out this web site

<http://www.abanet.org/publiced/lawday/2008/home.shtml>

* If you're a high school graduate – you cannot enter the essay contest!! Have high school students contact their school scholarship counselor for more information on the NCBA essay scholarship.

**Conflict Resolution Center (CRC)
Welcome to new Executive Director Liz
Mantle, MFT!**

For more information CRC can be contacted at (530) 477-6517. The Center is located at 120 N. Auburn Street, Grass Valley, CA 95949. The web address is:
www.nevadacountyconflictresolution.org.

Center for Judicial Education & Research

The Governing Committee of the Education Division for Judicial Education and Research (CJER) is seeking qualified individuals to sit on education committees.

Applications available at
www.courtinfo.ca.gov/jc/apply.htm

Deadline: June 30, 2008

[Courts](#)



Darlington Educational Scholarship Announced

The Superior Court Judges of Nevada County are pleased to announce the availability of the John H. Darlington Scholarship award for students planning careers in alcohol and drug abuse counseling. This \$1,000.00 scholarship is available annually through a merit-based application process. Each interested applicant is required to write a one-page essay stating why he or she plans a career in alcohol and drug abuse counseling. For more information or an Application [click here](#).

There is such a thing as a Free Lunch!!

Interested in presenting at the Local Bar Association Lunch? Earn MCLE too.

Contact Bar President Debbi Sitzberger.

Dispute? Resolution !

Judge Albert P. Dover (ret)
Please call: 265 2235 or email at
al@adrwithdover.com

Visit the website for information on rates , fees ,
and services
at www.adrwithdover.com

**QUICK LIKE A BUNNY
COURIER SERVICE -
WE DELIVER!**

Speedy, Reliable, Economical, parcel or document
delivery. Serving the Grass Valley/Nevada City Area.

Two levels of service - Regular 4 hour, or RIGHT NOW
pick ups.

We specialize in legal filings. Save time and money
when you use our eco-friendly delivery service.

Call to schedule a pick-up or for more information: 530-
272-7556 www.quicklikeabunny.us

Attorney Office Space Available

Office Next to Courthouse – 2 room suite with View of
Banner Lava Cap Mts. Aprox. 360 sq. ft., shared
waiting room & Common Areas. Great Parking.
Wagonner Center 308 E. Main St. Ste. 5
\$600/mo. Call (530) 271-5730

=====
Nevada City Branch

Department I: Judge Heidelberg
Department II: Judge McManus
Department III: Presiding Judge Dowling
Department IV: Judge Tamietti
Department V: Commissioner Thomsen
Department VI: Judge Anderson effective October 22

Truckee Branch
Judge Anders Holmer

NCBA CONTACT INFORMATION

OFFICERS

Debra Sitzberger - President
274-1321, debbisitzberger@sbcglobal.net

Helen Cavanaugh Stauts - Vice President
470-2596, hstauts@nevadacountycourts.com

Judy Ford - Secretary
265-0154, jlfordlaw@yahoo.com

John Bilheimer -Treasurer
265-6357, hbjgb@jps.net

MEMEBERS AT LARGE:

Neil Dorfman: 274-0643
dorfman@goodfaithlaw.com

Peter Bronson: (916) 444-1110
pbronson@klmvlaw.com

SECTION & COMMITTEE CHAIRS

Rosemary Metraier - ADR Section Chair (530)
265-3062 rmetraier@metraier.com

Steve Munkelt - Criminal Law Section Chair
265-8508, smunk@gv.net

Chuck Eckerman - Family Law Section Chair
477-2440, eckerlaw@sbcglobal.net

Andy Harris - Fee Arbitration Program Admin.
272-4250, andy@scottbrowne.com

Kipp Wordell - MCLE Chair
470-0900, kippcharlton@sbcglobal.net

NCBA
P.O. Box 1473
Nevada City, CA 95959-1473
www.nevadacountybar.com

Nevada County Bar Association
Post Office Box 1473
Nevada City, CA 95959-1473

Nevada County Bar Association

SAVE THE DATE!

MCLE MAY 28th, 2008

Death Penalty Cases
presented by Hon. Michael Smith

RSVP jlfordlaw@yahoo.com
