



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.

- June 5** **Family Law Luncheons.** The next meeting will be at noon in the Mediation Room adjacent to Dept. 3.
- June 10** **Criminal Law Section** – Stonehouse Restaurant. 5:30
- June 20** **MLCE Seminar: Collaborative Divorce.** Noon at the Nevada City Courthouse.
- June 25** **ADR Section** Noon, at Kane's in Grass Valley (parking in back).
- July 8** **Criminal Law Section** – Stonehouse Restaurant. 5:30
- July 17** **Family Law Meeting 12:00** at the Nevada City Courthouse

Our fee arbitration rule changes have been approved and are posted on the NCBA website.

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 10th Annual Family Law Update Seminar
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Next MCLE Luncheon

July 2008

**Where: Stonehouse Restaurant
107 Sacramento Street
Nevada City**

**When: July 30th Stonehouse—Lunch CLE
11:15 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:
Foreclosures

– see enclosed article -

Attendees should email jifordlaw@yahoo.com with their meal choice before **Fri. July 25, 2008** in order to receive advance pricing.
Menu choices to follow

PRESIDENT'S REPORT:

What's New:

We are trying a few new ideas and improving upon some of the NCBA traditions as well. The Executive Committee met May 28, 2008 at the Stonehouse Restaurant.

Combining Disciplines/Local Talent: Foreclosure/Tax Consequences:

All around us is the housing crises. We have invited local attorney, **Michael Ecker**, owner of Foreclosure Services and a prominent local CPA, **Zackary J. McSweeney, CPA/MBA**, of McSweeney and Associates to address our membership. They will tell us about the foreclosure process and some of the tax consequences of the various "deals" that lenders are now offering borrowers in trouble. This is good information for every practitioner in our County.

Out of Towner Coming to Our Town: William Korman:

We have decided to fly in a Boston attorney to present an entertaining CLE on **September 24th 2008**. Here's a little background: Mr. Korman is a criminal defense attorney practicing in Boston, Massachusetts. A little over a year ago, his firm received world wide notoriety when he attempted to hire an associate. She turned down the job via email and the ensuing exchange was forwarded to attorneys all over the world. Subsequently, several media outlets got hold of the exchange and published stories about it, for example, Massachusetts Lawyers Weekly and The Boston Globe (www.masslawyersweekly.com/break021506.cfm) (www.iht.com/articles/2006/02/16/business/email.php)

Take a look at these articles.

Mr. Korman has been invited to speak about the subject at the Louisiana Criminal Defense Lawyers annual conference in New Orleans and was invited to address the Orlando Public Defenders annual conference. Since then he has spoken before a number of state and local bar associations and his presentation was reportedly very well received.

I believe that this funny and poignant sixty minute power-point presentation regarding ethics and our profession is relevant throughout the country; even here in Nevada County!

Here Comes the Judge (Justice Actually)/ 50th Anniversary of Law Day:

We are honored that **Tani Cantil-Sakauye Associate Justice, Third District Court of Appeal** has agreed to come to Nevada City on October 2, 2008 to deliver the Keynote speech for our celebration of the 50th Anniversary of Law Day. This event will be held again at the Miners Foundry.

Please mark your calendar for these events, as the Executive Committee would like to see a great turn out for these speakers; one travelling across the country, one traveling across our state, and two local professionals supporting our local bar association:

- **July 30th Stonehouse—Lunch CLE**
- **September 24th Stonehouse—Lunch CLE**
- **October 2nd Miners Foundry--Dinner**

What's Better:

NCBA Is There /Bear River High School Awards Night:

This year Law Day Chairman, and Past President of NCBA, **Stephen Baker** will be congratulating graduating Bear River Seniors that were past winners of the NCBA Law Day Essay Contests. That ceremony will be held Monday June

2nd at Bear River High School. Each will be presented with a personal letter from the Nevada County Bar Association recognizing their accomplishment. Thanks for your extra efforts Stephen. I know the bar association's members appreciate this positive liaison with the community on behalf of the NCBA.

And they are off and running! More time/More Competition:

For the first time, the essay question is out and delivered to all the local high schools even before school is out for the year! The coverage is greater: the essay question has gone to Barbara Ross, District Scholarship Coordinator with the Nevada Joint Union High School District, and to Kathleen Johnson, Career Counselor at Truckee High School.

This means distribution to all NJUHSD high schools, which covers all public high schools in the county on this side of the mountain.

This year's essay question is: **"Has the Rule of Law achieved fairness and opportunity in our society?"**

A Great Presentation/Our Nevada County Public Officials are There for Us:

The NCBA wants to thank acting Judge **Hon. Michael Smith**, the Nevada County Assistant District Attorney, **Anna Ferguson** and the Nevada County Public Defender **Donald Lown** for speaking in panel at our CLE lunch on May 28th on the Death Penalty. The seminar was informative, the discussion was lively and, certainly spirited.

Please save the dates! Thank you for your participation and support of our association.

Debbi Sitzberger
President, NCBA

FROM THE BENCH:

Notice of Unavailability:

The recent case of *Carl v. Superior Court* (4th Dist, Div 3, Nov 21, 2007) concluded that a "notice of unavailability" is not a fileable document under the Rules of Court. The bench has discussed the implications of this case for this county. Despite the *Carl* decision, the clerk will continue to accept for filing notices of unavailability. However, the bench notes that such notices are advisory only as to any absence and once again reminds the bar, and particularly sole practitioners, of their obligation to provide coverage counsel during their absences.

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.

Taking on the system can be lonely work - so come by and get support from your peers!

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:

I have spoken to Kathy Hrepich Director of DCSS. She cleared . Meeting is :

**July 17 at 12:00
for the Family Law Meeting in the Mediation Room
of Department 3.**

Judge Dowling and Commissioner Thomsen will be attending to update the Family Law Section on recent matters that have occurred or may be relevant in the future. There will also be an opportunity to ask questions, as this has been requested by several members of the Bar. Please email or fax any additional questions you may have for Judge Dowling or Commissioner Thomsen to Chuck Eckerman at your earliest convenience so that they may be passed on ahead of time. We hope all will plan to attend this important meeting.

ADR Section:

June 25, Noon, at Kane's in Grass Valley (parking in back).

Our June meeting will be very entertaining and instructive. We're doing 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 at 477-6400 or drfinch@mediationserv.com if you'd like an article and assignment – they're going fast!

Contact Rosemary Metrailler: rmetrailer@metrailer.com

Gold Country Estate Planning Council:

The GOLD COUNTRY ESTATE PLANNING COUNCIL Will resume meetings in September. GCEPC meets monthly at 11:45 am–1:15 pm, every first Wednesday. The luncheon meetings are held at the Trolley Junction Café (at the Northern Queen Inn) in Nevada City.

All are welcome! Please call Terry Brown at 273-1323 to RSVP - Or check out the website: www.estateplanningcouncil.net.

Treasurer's Report

The Association's account balance is currently at \$11,236 as of May 1, 2008. During the first quarter of 2008, income was roughly \$7,500; received membership dues were \$6500; and the CLE and Annual Dinner brought in approximately \$1,000 after expenses. Since the Treasurer's 2007 year-end report, NCBA funded grants to 4 organizations: The Conflicts Resolution Center, Nevada County Legal Assistance, Inc., Nevada Union High School Debate Club, and the Nevada County Law Library, donating a total of \$9,000. Also since the Treasurer's 2007 year-end report, NCBA collected an additional \$1,000 for the Law Library.

Operating expenses from January 1, 2008, through the end of April, aside from those for fund-raising, stand at \$1063 , and include postage and printing, website hosting, bank service charges and office supplies.

There are 130 current members, and 4 associate members.

The State Bar of California:
Judicial Council Advisory Committee
Nominations

The Executive and Planning Committee of the California Judicial Council is currently soliciting nominations to fill vacancies on Judicial Council advisory committees.

The Chief Justice appoints advisory committee members according to positions or categories prescribed by the California Rules of Court and by statute. The 2008 advisory committee nomination form lists the positions for which nominations are being solicited in the cycles. Terms of service for those appointed in this nomination cycle will begin November 1, 2008.

Please share this information with your colleagues. Interested applicants should complete the attached nomination form, attach a biography or curriculum vitae no longer than 2 pages, and return by **June 30, 2008** to:

Administrative Office of the Courts
Office of the Secretariat
Attn: Roma K. Cheadle
455 Golden Gate Avenue
San Francisco, California 94102-3688
Fax: 415-865-4332

Nomination forms can be completed online or downloaded from the California Courts Web site at <http://www.courtinfo.ca.gov/jc/apply.htm>

Law Library

The Bar Association Appreciation BBQ was a hit. We had about 20 attendees, had the opportunity to recognize David Alkire and Rob Shulman for their years service to the board. Thank you to Judge Heidelberg for attending and speaking, and Judge Anderson for attending. Also Thank you to the President of the Nevada County Bar Association, Debbie Sitzberger, your presence gave us the opportunity to personally thank the organization for their generous support of the Law Library. Alex Szabo's donation of wine was most appreciated and helped to raise \$80.00 in donations for the library. Thanks to Jeff Guyton, Dee Murphy and Helen Cavanaugh-Stauts for their help in putting together this successful event.

Check Out the Library...

On order ... MCLE Tapes & Materials are available to check out from the Nevada County Law Library. Get you hours for free!

The Lawyer Referral Service

is seeking additional panel members, especially in the Family Law area. The LRS is a powerful tool to gain screened referrals in need of legal assistance. Furthermore, it provides attorneys inexpensive marketing, and it is a wonderful opportunity to provide pro bono services for a certified state bar program. The LRS panel membership also serves as an excellent organization to refer out matters to area attorneys who may be able to assist with a specialty service to your clients. Membership is a mere \$50 a year.

**Judge Albert Dover (Ret.) announces
The opening of his practice exclusively for
Mediation/ med-arb/ and arbitration
Beginning March 1st, 2008.**

**For further information, email
albertdover@yahoo.com.
Or call (530) 265-2235**

Attorney with inactive license seeks employment in Nevada
County area as Paralegal or ??? Anxious to relocate to
Grass Valley in near future. Fifteen years experience in
management within real estate development industry. For
resume please e-mail louiseoates@aol.com.

My name is Melissa Blackwell and I am an online paralegal
student at Chico State. In order to complete the certificate
program, I need to complete two internships of 120 hours
each, one in public law and one in private law. I have not had
any success finding a lawyer to work with.

I am an older person, I work full time and cannot quit my
'day' job since I am self supporting. I might be able to cut
back to 6 hours per day but I am not sure if that will be
agreeable to my current employer or not.

I would like to submit an appeal to your readership through
your newsletter to find an workable internship for myself.

I would also welcome any suggestions you might have to
help me accomplish this goal.

Melissa Blackwell, P O Box 3142
Grass Valley, CA 95945, 272-5099 (home/message)
everest03@netzero.net

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272-7556 www.quicklikeabunny.us

Nevada City Branch
Department I: Judge Heidelberger
Department II: Judge McManus
Department III: Presiding Judge Dowling
Department IV: Judge Tamietti
Department V: Commissioner Thomsen
Department VI: Judge Anderson
Truckee Branch
Judge Anders Holmer

NCBA CONTACT INFORMATION

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Steve Munkelt - Criminal Law Section Chair
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Chuck Eckerman - Family Law Section Chair
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Nevada County Bar Association

SAVE THE DATE!

***Associate Justice, Tani Cantil-Sakauye,
Third District Court of Appeal***

to deliver the Keynote speech for our celebration of the 50th Anniversary of Law Day.

This event will be held at the Miner's Foundry in Nevada City on October 2, 2008.
