



## 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](http://www.nevadacountybar.com)) unless otherwise noted.

- April 18**      **MLCE Seminar:**  
**The effects of Domestic Violence** and  
Anger on Children of Divorce and  
Separation, Rich McCutchan, Ph.D. MFT
- MAY 3**        **USF Ethics Symposium (calbar.org)**
- MAY 7**        **Gold Country Estate Planning Lunch**  
See Page 3
- MAY 9**        **SEMINAR CONFLICT RESOLUTION**  
Noon – 1 30 Courthouse 1.5 MCLE
- MAY 10**      **Judicial Council Nominations Deadline**
- MAY 16**      **Spring Bar Association**  
**Appreciation BBQ! 4:30 – 7:00**  
**Pioneer Park, Nevada City**
- MAY 16**      **Placer Co Bar Assoc Golf Tournament**  
530-823-7560x107 or [placerbar.org](http://placerbar.org)

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

## Next MCLE Luncheon

**May 28, 2008**

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- 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:  
– see enclosed article -

Attendees should email [jlfordlaw@yahoo.com](mailto:jlfordlaw@yahoo.com) with their meal choice

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\$26.00 for NCBA members and \$30.00 for non-members.

*Topic:*  
Death Penalty Cases presented by Hon. Michael Smith

## PRESIDENT'S REPORT:

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](mailto: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. The web site is a fantastic resource for referrals. Many community members and attorneys frequently use our web site to find a lawyer practicing in a particular area of law. Current membership in the NCBA is a pre-requisite to your listing on the web site. Please renew now and support your local bar association, and take advantage of the many benefits of membership.

The Executive Committee is off to a head start on planning for Law Day, which we plan to hold in the fall. Tentatively, we are planning for the Law Day dinner on October 2, 2008. Save the date. This year is the 50<sup>th</sup> Anniversary of Law Day. It was fifty years ago that President Eisenhower proclaimed the first Law Day a "day of national dedication to the principle of

## INSIDE THIS ISSUE

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- 2 Big Changes for LRS
- 3 Section Notes / State Bar Committees
- 4 What is new in Civil Mediation
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government under law." Law Day 2008 will explore the meaning of the rule of law, fostering public understanding of the rule of law through discussions of its role in a free society. The theme of Law Day 2008 is "The Rule of Law: Foundations for Communities of Opportunity and Equity." Once again we will be holding an essay contest for high school students with scholarship awards for first, second and third places. Steve Baker, head of the Law Day Committee, will be generating an essay question shortly. Let your eloquent high school students know of this opportunity.

The NCBA wants to thank Cliff Newell, the Nevada County District Attorney, for speaking at our CLE lunch on March 26<sup>th</sup> on Elder Abuse. The seminar was informative, with regard to both criminal and civil elder abuse matters. It is important for the legal and law enforcement communities to come together for the benefit of our local aging population and be aware of the elder abuse phenomenon. The next two CLE lunches are planned for May 28<sup>th</sup>, the topic is Death Penalty Cases, and July 30<sup>th</sup>, the topic is Foreclosure. Please save the dates as these both promise to be quite interesting and pertinent.

Debbi Sitzberger  
President, NCBA  
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### **Big Changes at LRS!!! Start with the *New Name* Northern California Legal Access**

March was an action packed month for LRS. Thank you to the Nevada County Bar for their wonderful grant of \$2,500. Those funds are going to be used to provide a two-fold impact in our legal services programs. We purchased a malpractice insurance policy which will provides expanded benefits for LRS panel applicants that will allow Bar members without malpractice insurance to join LRS and receive e&o coverage for referrals we make to them. Additionally, this policy was a critical component to launching our direct services projects which will provide insurance coverage for those providing pro bono legal assistance to low income persons in our community and will help reduce bottlenecks at the courthouse. For additional information to join LRS, please contact the Attorney Retention and Recruitment Chair, Michael Colantuono at 432-7359. If you are interested in the direct services projects, please contact Molly Stafford Crider at 742-5192 x304.

NCLA/LRS held our annual board meeting at Posh Nosh on March 20. It was a fun-filled event with a great turnout by the bench and bar. Our guest speaker was Justice Kathleen Butz. As expected, she presented a unique insight to the diversity of legal challenges in California and the efforts needed to entice more attorneys to elect a career in public service. I was personally surprised to learn that fewer than 900 attorneys are serving in a non-paid full time pro bono capacity in California and that our system of justice is further challenged with the use of 220 different languages in this state. It was the perfect speech for our audience as she painted the obvious need for organizations like ours to plan for the future.

The meeting agenda was packed with a multitude of action

items. During the past year, the board of directors participated in two retreats. During one of those events, representatives for the state bar attended and asked that we expand our Certified LRS program into 12 other Northern Counties. That triggered many internal projects, one of which was a complete review and update of our articles of incorporation and bylaws. Although our organizational founders did a great job of getting us started, I pointed out to Judge Dowling (co-founder) that I was a mere 16-year-old when this organization was filed with the Secretary of State. For the record, His Honor still has that youthful look from 31 years ago. Thanks to the many months of work by Michael Colantuono, Joe Bell and myself, the membership voted to incorporate the updates and modifications needed to move our LRS beyond Western Nevada County.

These changes also included a name change from Nevada County Legal Assistance, Inc. to Northern California Lawyer Access, Inc. Our new web site will be called NorCalLawyer.org. Other marketing aspects will incorporate that name change, but our service as LRS will remain the same. We also moved from a membership corporation to a non-membership corporation which is a common practice today and more cost efficient. Of course, participation in the work of LRS by all members of our legal community remains welcome.

Finally, please remember Northern California Lawyer Access, Inc. in your Will or Trust. Your charitable gift, whether current or future, Also present at this meeting was the President of the Placer County Bar, Levin. He presented LRS a \$400 grant to initiate a post office box and dedicated phone line to start our first expansion of LRS service and membership to Placer County. That grant will pay for an entire year of phone and mail service.

Elections for our new board of directors were completed with the following persons accepting service. Joe Bell, Peter Bronson, Michael Colantuono, Matt Crider, Molly Stafford Crider, Chuck Eckerman, Jim Purcell, Jennifer Wilkerson, and Joyce Wilson. Stepping down from many years of dedicated service were Gretchen Serrata, Helen Cavanaugh-Stauts, and Edward Cotney. There is one vacancy on the board so if you are interested in serving, call Mike Colantuono (432-7359).

A note from the out-going president: I want to express my sincere appreciation to the LRS board. I can attest that all of your board members and volunteers have given far more than eight hours a month to the management and operation of NCLA/LRS at a critical moment in our history. I was truly blessed to simply "be the servant leader" to an outstanding board focused on promoting access to our justice system and legal representation. I also wish to thank my wife Laura and my employer Kipp Wordell for their support, patience, and most of would be greatly appreciated and will help LRS do good work in our community.

Edward W. Cotney  
Wordell Law Group

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## 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.

April 18, 2008

#### The effects of Domestic Violence and Anger on Children of Divorce & Separation.

Rich McCutchan, Ph.D., MFT

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](mailto:metrailler@metrailler.com)

### Gold Country Estate Planning Council:

The GOLD COUNTRY ESTATE PLANNING COUNCIL 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.

The next meeting  
MAY 7  
All are welcome!

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

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*Feeling Under appreciated?*

**May 16, 4:30 – 7:00 pm**

Mary Kirby, The Nevada County Law Librarian  
See Additional Attachment

## 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.

### Board of Governors

Five seats on the **State Bar's Board of Governors** will be up for election. Districts 4, 6, and 8 will each have one open seat; District 7 will have two open seats. **Nominating petitions are due April 1.**

**District 4** : Marin and San Francisco counties

**District 6** : Riverside, San Bernardino, San Luis Obispo, Santa Barbara & Ventura counties

**District 7** : Los Angeles county (Office #1, Office #2)

**District 8** : Orange county

Any active member of the State Bar who maintains his or her principal office for the practice of law within the State Bar district in which there is a vacancy is eligible to run for a seat on the board. Lawyer members are elected for three-year terms and will assume their offices at the conclusion of the 2008 Annual Meeting.

For additional information contact Michelle Pierce at [michelle.pierce@calbar.ca.gov](mailto:michelle.pierce@calbar.ca.gov) , phone 415-538-2053 or go to <http://calbar.ca.gov/state/calbar/calbar>

### 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](http://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!

IT'S MEDIATION WEEK: VOLUNTEER  
MEDIATORS SALUTED

The Conflict Resolution Center of Nevada County recently recognized and awarded a \$2,000 grant by the Nevada County Bar Association has initiated a Superior Court mediation program for tenant/landlord disputes and small claims cases. Public Law Center Director Helen Cavanaugh Stauts had this to say: "Mediation services in the courthouse have greatly assisted self represented parties gain greater access to Justice. CRC is providing a much needed and valuable service in our community. We are fortunate to live in an area where we have this quality of service providers."

The California government website echoes those sentiments: "On February 22, 2008, the Judicial Council adopted a resolution recognizing March 16-22, 2008 as "Mediation Week." The resolution signed by Chief Justice Ronald M. George and Administrative Director of the Courts William C. Vickrey recognizes the benefits and success of court mediation programs, commends the efforts of all those who make mediation and mediation programs available to the citizens of California, and encourages the courts to recognize those individuals and to publicize their mediation programs during Mediation Week."

CRC is available to all Nevada County Residents for affordable mediation solutions to virtually all forms of conflict or disputes. Volunteer mediators meet with the parties for a session of up to three hours, which may be extended or continued by agreement of the parties, and facilitate a process of cooperative

communication in which the interests of the parties are explored and alternative ways of fostering those interests are evaluated. Experience shows that the vast majority of disputes and controversies can be resolved in this manner, saving the disputants the expenses, inconveniences and stresses that occur when the parties take their cases to court, or when they just try to live with an unwanted situation. 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](http://www.nevadacountyconflictresolution.org).

Submitted on behalf of CRC by Dave Finch  
Telephone: (800) 411-3300 Fax: (530) 274-2239  
Web address: [www.mediationserv.com](http://www.mediationserv.com)

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Change of Address?  
Dues Paid?

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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.

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The Topic this year for Law Day is really inspiring. It is the 50<sup>th</sup> Anniversary. Check out this web site <http://www.abanet.org/publiced/lawday/2008/home.shtml>

**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](http://www.adrwithdover.com)

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**ART FOR THE HEART –**  
Hospitality House Fundraiser  
April 30 6-9 p.m.  
The Center for the Arts, Grass Valley

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*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](mailto:debbisitzberger@sbcglobal.net)

**Helen Cavanaugh Stauts** - Vice President  
470-2596, [hstauts@nevadacountycourts.com](mailto:hstauts@nevadacountycourts.com)

**Judy Ford** - Secretary  
265-0154, [jlfordlaw@yahoo.com](mailto:jlfordlaw@yahoo.com)

**John Bilheimer** -Treasurer  
265-6357, [hbjgb@jps.net](mailto:hbjgb@jps.net)

***MEMEBERS AT LARGE:***

**Neil Dorfman:** 274-0643  
[dorfman@goodfaithlaw.com](mailto:dorfman@goodfaithlaw.com)

**Peter Bronson:** (916) 444-1110  
[pbronson@klmvlaw.com](mailto:pbronson@klmvlaw.com)

***SECTION & COMMITTEE CHAIRS***

**Rosemary Metraier** - ADR Section Chair (530)  
265-3062 [rmetraier@metraier.com](mailto:rmetraier@metraier.com)

**Steve Munkelt** - Criminal Law Section Chair  
265-8508, [smunk@gv.net](mailto:smunk@gv.net)

**Chuck Eckerman** - Family Law Section Chair  
477-2440, [eckerlaw@sbcglobal.net](mailto:eckerlaw@sbcglobal.net)

**Andy Harris** - Fee Arbitration Program Admin.  
272-4250, [andy@scottbrowne.com](mailto:andy@scottbrowne.com)

**Kipp Wordell** - MCLE Chair  
470-0900, [kippcharlton@sbcglobal.net](mailto:kippcharlton@sbcglobal.net)

**NCBA**  
**P.O. Box 1473**  
**Nevada City, CA 95959-1473**  
[www.nevadacountybar.com](http://www.nevadacountybar.com)

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

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## **Nevada County Bar Association**

SAVE THE DATE!

MCLE MAY 28<sup>th</sup>, 2008

Death Penalty Cases  
presented by Hon. Michael Smith

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