



Nevada County Bar Association Journal

Post Office Box 1473 • Nevada City, CA 95959-1473



Avenues of Help

PRESIDENT'S MESSAGE

- By Dave Finch

Wondering what would be of interest to you, the member, and whether anyone ever reads this column anyway, and being bereft of any imaginative ideas to spring on you, I turned to the latest State Bar Journal for inspiration, though I have never found that mundane magazine a source of any great supply of that commodity. Yet, the Bar president, Holly Fujie, had some useful things to say. It is not news that practitioners all over the State, not excluding our happily bucolic and spring flowered corner, are suffering from the economic downturn. With but few exceptions, we are all thinking about whether we might need to start filling in our far greater than spare time with such alternative occupations as landscape maintenance and pizza delivery.

But Holly mentions some avenues of help for the small firm and solo practitioner, which, though not barn burner inflection pointers to send us all on tangents toward affluence, might stimulate some useful ideas. She notes that the Solo and Small Firm Section of the State Bar has some useful publications and has an "amazing" Lawyer to Lawyer Network which you can tap in to for referrals and practice ideas.

There is also what she describes as a 602 page (604 counting the inside covers) book published by the Bar titled: "The California Guide to Opening and Managing a Law Office". There you can find some criteria for determining whether you ought even to be trying to do this punishing vocation on your own, but, if so, some helpful administrative tips aimed at making it less punishing.

There is more in Holly's article, but you can search that out for yourself.

The point I have been trying to get to is that the NCBA is here to help you become more visible to, respected and employed by the consumers of Nevada County. Our seedling website is a start, and we are discussing ways to improve it for your benefit, including the inclusion of practice area categories in which you could list yourself. Other ideas to benefit you will be under discussion.

So here's a suggestion: Think about new ways a local bar association might help local attorneys increase their business volume. The LRS is doing a splendid job, but there must be many other ideas for us to consider. Let's put our heads together.



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Treasurer's Report - First Quarter 2009

The Association's account balance was approximately \$13,275 as of April 1, 2008. Income for the first quarter was \$8,643. Paid membership dues contributed \$5,700 and the remainder from CLE attendance, advertising, and donations for the Law Library. Donations to the Law Library fund total \$500 for the year to-date. Operating and fund raising expenses for the quarter stand at approximately \$2,930. Operating expenses include postage and printing, website maintenance and hosting, insurance, bank charges and supplies, and fund raising expenses, including costs for the CLE lunches and Annual Meeting.

As of April 1, there were 112 paid members, and 4 paid associate members.

- John G. Bilbeimer, Treasurer

Tidbits

Amador County Superior Court announced proposed changes to Local Rules. These changes are posted for comment at

www.amadorcourt.org

The Commission on Judicial Performance will make its Annual Report detailing Commission activities and statistics available on their website at

www.cjp.ca.gov

Yuba County Superior Court announced it's proposed changes to Local Rules. These changes are posted for comment at

www.yubacourts.org

Placer County Superior Court has also just completed an update of its Local Rules of Court to be effective as of July 1, 2009. You may view the draft on their website at

www.placer.courts.ca.gov

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➔ latest area news



MCLE Luncheon

Where: Holbrooke Hotel, Grass Valley
When: Wednesday May 27

Loan Resolution Strategies for Troubled Mortgages

11:15 a.m. Executive Committee
12:00 p.m. General Membership

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

Program includes 1 hour of MCLE Credit.

Menu Choices: Buffet with Vegetarian and non-Vegetarian Options.

CRIMINAL LAW SECTION

Regular meetings of the criminal defense group

**2nd FRIDAY of the month at noon
 at Fred's in Nevada City.**

Some meetings will be in the evening for special speakers or programs. (If you would like to receive the group's e-mail notices, call Shari at 265-8508). The meetings are kept to one hour, 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,
 call Steve Munkelt or Shari at 265-8508.*

Judicial Council Sponsored Conference **Canceled**

In response to the unprecedented financial uncertainty within our nation, state, and judicial branch, the Judicial Council, in consultation with court leaders, has voted to cancel the council-sponsored portion of this year's conference scheduled for Sept. 9–11 in San Diego. More details in the [memo](#) to court leadership. Contact: [Dr. Diane E. Cowdrey](#), AOC Education Division/CJER, 415-865-7795

FAMILY LAW SECTION

The Family Law Attorneys Meeting

May 12, 2009 at 12:00 p.m. KARE Crisis Nursery Lunch will be provided at no extra cost.

Program Director, Lynn Warner, will be giving the tour and informing us of the services KARE Crisis Nursery offers. This includes but is not limited to supervised visitation, safe exchanges, emergency day care and 24 hour respite care. The nursery is located at 15649 Ridge Estates Road, which is off Ridge Road near Nevada Union High School. In order to **plan for lunch, please RSVP via email to Chuck Eckerman at eckerlaw@sbcglobal.net asap** if you plan to attend this interesting and informative meeting.

Effective March 1, 2009, due to budgetary short falls; Family Court Services will now offer one (1) voluntary mediation appointment per year. If the parties agree upon having a custody evaluation, drug assessment/testing etc. the follow up appointment will be included in the one (1) voluntary mediation appointment per year policy.

LAWYER REFERRAL is expanding!

Lawyer Referral Service, a project of Northern California Legal Access, has begun its planned expansion in Northern California.

In addition to serving Western Nevada County and Placer County, we started outreach with the Shasta/Trinity Bar through a letter to all attorneys and a short program at their recent Bar Association meeting.

Past NCLA President Michael Colantuono, Judge Al Dover and Executive Director Michele Drier met with Bar members, Shasta County Judge Wilson Curle, Shasta County Commissioner Jennifer Dollard and Family Law Facilitator Lizabeth Robison. We then drove to Weaverville to meet with retired Judge John Letton and Trinity Superior Court Judge Anthony Edwards.

As the LRS gains panel attorney members in these counties, we will also be contacting attorneys in Yuba, Sutter and Butte counties. NCLA is certified by the California State Bar to provide Lawyer Referral Services in 18 Northern California counties.

Last year, our panel attorneys billed \$250,000 in fees from referrals from LRS. Although we're expanding to other counties, we still have openings on our panels for Nevada County attorneys.

Applications are available by email from nclawyeraccess@gmail.com. Dues for 2009 are \$100 for three areas of law plus family law. Each additional area is an additional \$25.

**Future MCLE Lunch Dates:
May 27 • July 22 • Sept. 23**

ADR

We'll meet Wednesday, June 24, 12:00 p.m. at Chuck Farrar's office, Suite 200, 140 Litton Drive, Grass Valley (near the new Natural Foods Coop). Bring your brown bag lunch and a topic from a recent ADR experience of something that worked, or something that didn't work, for our skills-sharing discussion. Please also calendar the rest of our meetings for the year: 8/26 and 10/28, all at Chuck's office. Thank you.

Contact Rosemary Metrailler:
rmetrailler@metrailler.com (530)265-3062

GOLD COUNTRY ESTATE PLANNING COUNCIL

The
GOLD COUNTRY ESTATE PLANNING COUNCIL

meets monthly at 11:45 am–1:15 p.m.,
every first Wednesday.

Next meeting: June 3, 2009

The luncheon meetings are held at the Trolley Junction Café (at the Northern Queen Inn) in Nevada City. All are welcome! To RSVP for the next meeting, please call Terry Brown at 530-273-1323, or check out the website: www.estateplanningcouncil.net.

Due to limited resources, effective Friday, May 1, 2009 Family Court Services will not be providing orientation at 9:00 a.m. on Mon., Tues., Thurs., and Fri. Parties will receive an orientation at the beginning of their mediation appointment, if needed.

Check Out the Library...

There is a new Attorney Shelf – MCLE and other professional info.

MANY treatises on line as part of the new Westlaw subscription.

American Association of Law Libraries

President Obama also released two important Memoranda: the Memorandum on the Freedom of Information Act, which re-establishes a presumption of openness under FOIA and orders the Office of Management and Budget to “update guidance to the agencies to increase and improve information dissemination to the public,” and the Memorandum on Transparency and Open Government, which lays out several ways in which the new Administration will “work together to ensure the public trust and establish a system of transparency, public participation, and collaboration.”

This is an issue that AALL has been following for many years, and this new Executive Order on Presidential Records is indeed great news. To read the new Executive Order, you can visit the new [White House Web site](http://www.whitehouse.gov) and click on “Executive Orders” under the “the Briefing Room” tab at the top, or, go directly to http://www.whitehouse.gov/the_press_office/ExecutiveOrderPresidentialRecords.

Emily Feldman
Advocacy Communications Assistant
American Association of Law Libraries



The Memorandum on Transparency and Open

Government, lays out several ways in which the new Administration will “work together to ensure the public trust and establish a system of transparency, public participation, and collaboration.”



Judicial Council of California *Distinguished Service Awards* AWARDS CRITERIA AND NOMINATIONS

The Judicial Council invites nominations for three Distinguished Service Awards, presented annually by the Chief Justice to recognize individuals who exemplify the strengths of leadership that have improved the administration of justice statewide.

* Jurist of the Year - Honoring members of the judiciary for their extraordinary dedication to the highest principles of the administration of justice statewide

* Judicial Administration Award - Honoring individuals in judicial administration for significant contributions to and leadership in their profession statewide

* Bernard E. Witkin Amicus Curiae Award - Honoring individuals other than members of the judiciary for outstanding contributions to the courts of California

Honorees are recognized for contributions to leadership, advancement of Judicial Council goals: access, fairness, and diversity, personal dedication and/or a willingness to take risks to achieve goals, and overcoming challenges or limitations.

Current Judicial Council members are not eligible to receive Distinguished Service Awards. A maximum of two awards per category may be given each year.

June 1, 2009 is the deadline for nominations. <http://www.courtinfo.ca.gov/jc/dsa-critnom.htm>

NEWS FROM THE STATE BAR

NEW AFFINITY PARTNERS --- A new group of affinity partners who provide tools and services to assist attorneys with marketing their practices have joined *CalBar Connect*, the State Bar's members-only Web site.

Confidential Hotline: (800) 222-0767

Free Confidential Assistance to those in the legal community with substance abuse problems.

Weekly Other Bar Recovery Meetings are held in many areas and others are being established.

For times and locations or to start a program in your area contact the website above.

The **State Bar Board of Governors** approved the request to release the proposed resolution for public comment on **Limited Scope Legal Assistance** (also known as **Unbundling**). The Resolution can be found at:

http://calbar.ca.gov/state/calbar/calbar_generic.jsp?cid=10145&n=95211

Because Limited Scope Legal Assistance is such a valuable tool for the delivery of legal services to all Californians but especially low and moderate income clients, we urge you to share this item with all bar association boards, bar association members, pro bono attorneys, the judiciary, law students and faculty, and other members of the legal community interested in this topic. **All comments are due by April 23, 2009.** Comments or a request for a hard copy of the resolution should be submitted to Rodney Low, telephone 415-538-2219, email:

rodney.low@calbar.ca.gov

Rodney Low

Program Developer

Office of Legal Services, Access & Fairness Programs

The State Bar of California

180 Howard Street

San Francisco, CA 94105-1639

Telephone: 415-538-2219

Fax: 415-538-2552

E-mail: rodney.low@calbar.ca.gov

Website: www.calbar.ca.gov

Miscellaneous & Sundry!

*Have you moved, added an associate, etc?
Let me know hsttauts@nevadacountycourts.com
& I'll put it in the newsletter!*

TAKE NOTICE

Calaveras Superior Court is amending the local rules of court. The proposed amendments are effective July 1, 2009.

The proposed changes are available for viewing at the court's internet website located at "www.calaveras.courts.ca.gov."

The proposed changes are also available in written form at the clerk's filing window or by submitting a written request accompanied by a postage-prepaid self-addressed envelope.

Comments on the proposed changes and suggestions for future revisions to the local rules of court are appreciated.

Any comments on the proposed changes should be submitted to the Court Executive Officer no later than May 15, 2009.

Asset Planning Seminars

Donlevy-Rosen & Rosen

are now scheduling speaking engagements on hot topics such as:

- "The Use of Offshore Trusts in Asset Protection Planning"
- "Protecting Your Client's Liquid Assets From the Real Estate Market Crash"
- "Safeguarding the Equity in Real Estate (and other Non-liquid Assets)"
- "The Use of Offshore Trusts in Estate Freeze & Pre-Immigration Planning"

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Retired police detective and licensed CA Private Investigator, I had a twenty-three year career and a great deal of valuable training (including FBI homicide investigation, hostage negotiation, crime scene investigation and interviewing techniques) and practical experience. I'm interested in any type of criminal case, missing persons, heir location, birth parent location, insurance and civil cases.

NCBA CONTACT INFORMATION

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Steve Munkelt - Criminal Law Section Chair
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Chuck Eckerman - Family Law Section Chair
 (530) 477-2440, eckerlaw@sbcglobal.net
Andy Harris - Fee Arbitration Program Admin.
 (530) 272-4250, andy@scottbrowne.com
Kipp Wordell - MCLE Chair
 (530) 470-0900, kippcharlton@sbcglobal.net

Judicial Officers Nevada City Branch

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

Truckee Branch

Dept. A Judge Anders Holmer
 Dept. B Commissioner Thomsen

Attorney Volunteer Needed

Legal Services of No. Cal. seeking an attorney to volunteer 1/2 day a week in Grass Valley office, advising mostly low-income seniors on general civil elder law matters.
 - Thanks again, Bob Lobell, Staff Paralegal

(274-3554)

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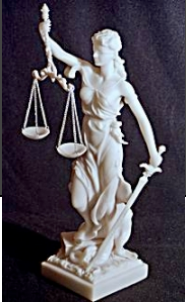
Judge Albert P. Dover (ret.)

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MCLE Luncheon

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When: Wednesday May 27

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