

November 2010

Nevada

County



Bar Association Journal

Post Office Box 1473 • Nevada City, CA 95959-1473 • www.nevadacountybar.com

PRESIDENT'S MESSAGE

By Peter Bronson



Invitations are now being mailed for the Nevada County Bar Association's annual Law Day Dinner, set for November 18th at the Miners Foundry.

The Association celebrates Law Day every year – albeit not on the “official” Law Day of May 1 established by the American Bar Association.

This year's event will feature a dual celebration. First, as always, we will honor the winners of our yearly Law Day high school essay contest. This year's topic was:

“The jury trial system, developed in medieval England, relies significantly on eyewitness testimony and the judgment of lay persons. While the system asks jurors to decide issues of fact, it prohibits jurors from conducting their own investigation. Does the jury trial system need to be modified for the Twenty-First Century? If so, how should it be modified? If not, why not?”

Total scholarship money of \$1,750 is being awarded for the three best essays, and the three winners will be honored on the 18th.

In addition, we will be celebrating the career of retiring Superior Court Judge C. Anders Holmer, who has graciously agreed to be our keynote speaker. The NCBA co-sponsored the Tahoe-Truckee Bar Association's recent dinner honoring Judge Holmer in Truckee, and we hope that many of our Tahoe-Truckee brethren will join us at the Miners Foundry on November 18th.

SAVE THE DATE!!

- **Sixth Grade Challenge** - November 5, 2010 at 6:30 p.m., Grass Valley Veterans Building, 255. S. Auburn St., Grass Valley
- **Law Day Dinner** - Celebrating the career of Honorable C. Anders Holmer. November 18, 2010. No Host Bar 5:00 p.m., Dinner 6:00 p.m. at the Miners Foundry

You are cordially invited to the

NCBA Annual Law Day Dinner and Award Ceremony

*With a Special Celebration
of the Career of
The Honorable C. Anders Holmer*

November 18, 2010

Miners Foundry
325 Spring Street, Nevada City

No Host Bar: 5:00 p.m.
Dinner: 6:00 p.m.

\$50.00 per person

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. 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.

Do you have an article or news of interest?

Submit to Helen Cavanaugh
Helen.cavanaugh@nevadacountycourts.com



LOCAL LAW FIRM ROLLS OUT WEB-ENABLED UNBUNDLED WEBSITE

Sacramento, Calif. — Individuals in need of legal help now have a new way to get it. Sacramento lawyer Matthew Crider announces his unbundled website located at Unbundledlegal.com.

Unbundledlegal.com uses interactive web technology to allow clients to purchase legal documents, which the client then completes online. "I review the completed client documents after the client submits them to me. It is similar to the San Mateo Superior Court's EZLegalFile (<http://www.ezlegalfile.org/>), with the value added benefit for clients that I review every legal document for completeness, and I can make recommendations to the client," said attorney Matthew Crider.

Clients click on the link to the document they need and seamlessly access the system. This presents them with an easy-to-complete questionnaire, specific to the document they are purchasing.

"As a client completes the questionnaire, answers are used to create the document automatically. When a client has completed an online questionnaire, he or she submits the document to me through their secure client space. I receive an email notifying me that the draft document is ready for my review. I can then access the first draft online, amend it as required, and send it to the client once I have approved it. The client retrieves the document by downloading it from his or her secure client space," Crider said.

Crider stated "of course I still offer the full service legal

representation for those clients who prefer it. But I am finding that with Unbundledlegal.com, I am able to serve clients who traditionally have been underserved by the legal community, or who have gone without legal representation all together. The client is getting valuable assistance at a price many find affordable."

Crider Law's Unbundled Legal website is Unbundledlegal.com. Matthew Crider can be contacted at 916-449-9977, matthew_crider@criderlaw.net, or admin@unbundledlegal.com.

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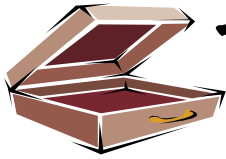
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Take Note

The roster is out for an advisory group working on the new Nevada City courthouse building project.

Judges, local court officials, members of the state Administrative Office of the Courts and community leaders are on the team.

The project advisory group will provide advice and input to the project, primarily during site selection and design. The proposed \$108 million courthouse project is currently in the earliest phase of site selection, a process that typically takes one to two years.

Currently, the group is evaluating a number of site options, with further research to come.

State officials noted that some members of the project advisory group also belong to the "Save Our Downtown Courthouse" committee, but the committee is considering a full range of locations because downtown site options are extremely limited.

Advisory group members:

- Nevada City Manager Gene Albaugh
- Capt. Jeff Powell, Nevada County Sheriff's Office
- Hon. Thomas M. Anderson, Presiding Judge of Nevada County Superior Court
- Hon. Candace S. Heidelberger, Assistant Presiding Judge, Superior Court of Nevada County
- Hon. Julie A. McManus, Judge, Superior Court of Nevada County
- Mr. Steve Monaghan, Chief Information Officer, Nevada County
- Mr. Sean Metroka, Court Executive Officer, Superior Court of Nevada County
- Mr. Stephen Baker, Nevada County Bar Association
- Ms. Theresa Dunn, Senior Real Estate Analyst, Administrative Office of the Courts
- Mr. Ted Kopecko, Project Manager, Design and Construction Services, Administrative Office of the Courts
- Mr. Rob Uvalle, Senior Project Manager, Design and Construction Services, Administrative Office of the Courts



Eastern District of California Local Rule 133

Pursuant to 28 U.S.C. § 2071(b), comments are invited on the proposed modification to Eastern District of California Local Rule 133. The proposed changes may be viewed, and comments may be submitted, at: <http://www.caed.uscourts.gov/LocalAmend>

Please provide comments no later than November 5, 2010.



SEQ CHAPTER 4, Article 1 Nevada County Attorney Appointed to California State Bar Trusts & Estates Committee

Jennifer L. Wilkerson, a Grass Valley attorney since 1985, joined the prestigious Trust & Estates Executive Committee (TEXCOM) at the State Bar annual meeting in Monterey.

The Committee, composed of 18 experienced attorneys statewide, addresses current issues in Trust and Estate law through legislation and education of attorneys and the public.

In representing District 1 of the State Bar, Ms. Wilkerson brings the perspective of small and rural Counties to the table.



Civil Filing Fees increased as of Tuesday, October 26, 2010. See Courtinfo.ca.gov or Nevadacountycourts for new fees.

ADR Section:

We are taking a break from meetings for now. Please contact Rosemary at (530) 265-3062 or rmetrailer@metrailer.com with any questions or suggestions for future programs.

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FROM THE COURT

Family Law Section

Mark your calendars! Our next meeting is scheduled for Monday, December 13th at noon in Dept. 3. The Honorable Julie A. McManus will be delivering a presentation on Collaborative Family Law Courts. She will be seeking input from YOU, the participants, regarding alternative approaches to contested family law trials. This will be a great opportunity to share ideas – you won't want to miss it!

LEGISLATIVE UPDATES

PLEASE NOTE:

AB 939: Comprehensive bill amending several sections of the Family Code and amend and add a section to the Welfare and Institutions Code relating to family law proceedings. This bill addresses many of the issues identified in the Elkins Family Law Task Force Final Report ranging from the role of minor's counsel to notice requirements of post-judgment motions and OSCs. This Bill was approved by the Governor on 9/25/10 and chaptered by the Secretary of State on 9/27/10.



AB 1050: Bill amending section 3042 of the Family Code relating to child custody. Effective 1/1/12, it requires the family court to consider and give due weight to the wishes of the child in custody and visitation proceeding if certain findings are made. It also requires the court to allow a child 14 years or older to address the court regarding custody or visitation unless it would not be in the child's best interest. If precluded from addressing the court, alternatives to obtain input from the child must be provided. This bill was approved by the Governor on 8/27/10 and chaptered by the Secretary of State on 8/27/10.



SB 1355: Bill adding section 4007.5 to the Family Code. This bill addresses suspension of current child support obligations by operation of law under certain circumstances. In general, current child support would be suspended automatically if the obligor becomes incarcerated or involuntarily institutionalized for a period exceeding 90 consecutive days. This new section only applies to support obligations being enforced by a local child support agency under Title IV-D of the Social Security Act. This Bill was approved by the Governor and chaptered by the Secretary of State on 9/29/10.



Check out MCLE materials or order inter library transfers.



SB 1482: Bill amending section 4326 of the Family Code relating to spousal support. It extends the existing repeal date from January 1, 2011 until January 1, 2014 and authorizes either party to a spousal support order to request the appointment of a vocational training counselor if a motion to modify spousal support on that basis is filed. It also enumerates instances wherein the termination of a child support order does not constitute a change of circumstances for purposes of modification of spousal support. This bill was approved by the Governor on 9/23/10 and chaptered by the Secretary of State on 9/24/10.



For bill and bill subscription information, please visit the California Legislature Bill Information website at: http://www.legislature.ca.gov/the_state_legislature/bill_information/bill_information.html



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Judicial Officers Nevada City Branch

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- Department VI: Presiding Judge Anderson

Truckee Branch

- Dept. A: Judge Anders Holmer
- Dept. B: Commissioner Thomsen



You can check out MCLE tapes at the law library.

SEQ CHAPTER 1
LRS Referrals bring Profits to Lawyers

Calls to the Lawyer Referral Service (LRS) office for referrals and information average 300 per month, resulting in nearly 30 referrals per month to our Panel Attorneys. Forwarding fees paid back to LRS average \$2,000 monthly- which translates to total profits to LRS Attorneys of \$20,000 per month on referred cases!

Litigation and PI referrals are up, along with the ever-needed Family Law and Bankruptcy attorneys. LRS Attorneys are doing a great job, according to our client satisfaction surveys.

Board Chair Bobbie Swanson and staff member John Lanham will attend the ABA national workshop for Lawyer Referral Services this month in Portland to learn current marketing tips. Revenues raised by the LRS are targeted for legal services in our communities, including a Nevada County grant to fund attorneys assisting with Guardianship matters.


Please call 530-272-5962 or email nclawyeraccess@gmail.com with any questions about the LRS, or to join as a Panel Attorney in any of the 19 northern California Counties served by our LRS.

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