

# NON-SEQUITUR

The Publication of  
Stanislaus County Bar Association  
<http://www.stanbar.org>

November 2015  
Volume No. 3

## President's Message

*By Sally K. Chenaault*



It seems like I blinked and nearly a year has passed. A year ago in October the Stanislaus County Bar Association ("SCBA") hosted one of the original members of the Little Rock Nine, Carlotta Walls LaNier, as our keynote speaker for the Bench-Bar Dinner. This year, on October 22, 2015, we hosted Dr. Bennet Omalu, the man who identified as a disease the cumulative effect of repeated impacts to the head, Chronic Traumatic Encephalopathy or CTE. The NFL has not taken kindly to this identification of CTE and rained a legal and professional assault against Dr. Omalu personally. Despite the now documented potential damage to the brains of young men all over this country, the NFL still maintains that repeated impacts to the brain are inconsequential to its players. Dr. Omalu's story is so compelling that it will be appearing on the big screen this December, with Will Smith playing Dr. Omalu.

The Stanislaus County Bar Association is dedicated to bringing its members opportunities to learn about and to grow from speakers who have made or will make a difference to each of our lives. Generous sponsorships from Union Bank, Arata, Swingle, Sodhi & Van Edmond, E. & J. Gallo Winery, McCormick Barstow LLP, Nicole A. Bolson Baarts and Seyfarth Shaw LLP, Berliner Cohen LLP, Rodarakis & Sousa, APLC, Cash-Dudley, Speiller & Torres, APLC, Chenaault Law, and the Law Office of Keric J. Cushing made Dr. Omalu's presentation a financial success for the SCBA. Greens Restaurant donated the desserts and Cash-Dudley, Speiller & Torres, APLC donated the flowers. Thank you sponsors. Thank you also to Deana Skelton for being the glue for our organization and to Jeff Mangar for heading the Bench-Bar Committee this year. These events make our lives richer.

On Friday November 13, 2015 the SCBA will host its annual Judicial Calendar luncheon. It is held at the SOS Club and one hour general MCLE credit will be offered for attendance. We are fortunate that our judges and court offer to provide the SCBA with this service each year. Thank you. I'd also like to take this opportunity to thank the Honorable Nan Jacobs for her years of service as a Stanislaus County Superior Court Judge. Her retirement reception will be held in the Jury Room of the Main Court House on November 19, 2015 at 3:00 p.m. Judge Jacobs will be sorely missed.

The annual Holiday Luncheon will be held at the SOS Club on December 11, 2015. We will have the some special holiday entertainment and this is usually a well-attended event. The 2016 SCBA Board Installation will take place and a local charity will receive the association's annual donation. This is a great chance to network with your fellow bar members.

Finally, I would like to encourage our bar association members to invite their lawyer friends and associates who are not SCBA members to join the SCBA in 2016. With your unwavering support, the Stanislaus County Bar Association will continue to build our membership, enhance the legal profession and empower the community at large.



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# SCBA Calendar of Events

\*\* You may also view all Bar Association events at [STANBAR.ORG](http://STANBAR.ORG) \*\*

## NOVEMBER

**13 Judicial Calendar Luncheon:** The SOS Club in Modesto, from Noon to 1:00 p.m., with Presiding Judge Marie Silveira to announce 2016 Court Updates & Budget and review new courthouse status. Enjoy a lunch buffet and while earning 1 hour of general MCLE credit.

## DECEMBER

**4 MCLE: 3 Critical Things You Need To Do To Build a Winning Law Firm**, by Nancy Clark, President of Leadership Dynamics. Hang on to key staff! Noon to 1:00 PM in the Jury Room.

**11 Holiday Luncheon:** The SOS Club in Modesto, from Noon to 1:00 PM. Vote & Installation of the 2016 SCBA Officers & Board of Directors Installation, Holiday Entertainment, local Charity donations and a lunch buffet. Guests welcome!

## AMENDMENTS TO THE CALIFORNIA RULES OF COURT

Effective on January 1, 2016

<http://www.courts.ca.gov/documents/2016-01-01-2015-04-17mtg.pdf>. This is a link to short summaries of rule amendments recently adopted but the Judicial Council. Please refer to the history legend of each rule for its effective date.



### What we do

Myfloc.com is the online legal community for court appearances. Our ecosystem gets you coverage when you need it and lets you appear for others when convenient. We want you to grow your business by taking more local and out-of-town cases without having to appear for general pre-trial hearings; let your colleagues help! Better connect and support your legal community.

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—receive requests for courts near you.

### Why we do it

We are improving the legal economy through peer connections. We want you to grow your client base, save time, make money, get experience, and overall, have freedom!

## “AROUND THE OFFICES”

### Law Office of Patrick Kolasinski

(formerly at 1100 14<sup>th</sup> Street)  
621 14<sup>th</sup> St, Modesto CA 95354  
Ph: (209) 408-0104  
[patrick@kolasinski-law.com](mailto:patrick@kolasinski-law.com)

### Terry Campbell Wallace Attorney at Law

PO Box 57851, Modesto CA 95357  
Ph: (209) 404-4840  
[terrycampbellwallace@gmail.com](mailto:terrycampbellwallace@gmail.com)

### Brian Davis, Esq.

Law Office of Brian C. Davis  
Retiring at the end of the year.  
“CONGRATS BRIAN!”

### Vince L. Jamison, Esq. The Jamison Firm, APLC

1100 14<sup>th</sup> St, Ste E, Modesto 95354  
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(formerly with Tom Hogan's Office)  
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### Nicole M. Edington, Esq. Edington Law Firm, Inc.

(formerly of Cousins & Edington)  
1022 14<sup>th</sup> St, Modesto CA 95354  
Ph: (209) 215-4173  
[terrycellwallace@gmail.com](mailto:terrycellwallace@gmail.com)



## JOBS

**Goss & Goss**, An A-V rated law firm in Modesto, California has an immediate opening for an experienced Family Law Paralegal with the ability to perform delegated supervised substantive legal work. The ideal candidate is a self-starter with the ability to (1) efficiently prioritize multiple assignments in a timely manner, (2) draft family law pleadings and documents, (3) analyze detailed financial documents, and (4) participate in case planning, development and management. Must be familiar with legal calendaring time lines and local court rules. Strong writing skills and the ability to effectively communicate with clients and opposing counsel is required. To apply, please send applications/requests to [Mike@goss-law.com](mailto:Mike@goss-law.com).

**Law Office Wylie P. Cashman** is looking for a legal secretary to start immediately. Please contact Wylie at (209) 523-6795 or [lawcashman@sbcglobal.net](mailto:lawcashman@sbcglobal.net)

### The Honorable Hurl W. Johnson (Ret.)

20 years with the Stanislaus County Superior Court

#### Mediation and Arbitration Services

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Pepperdine University School of Law trained mediator

(209) 809-2014 or (209) 524-1100



### "BABY NEWS"

*Delaney Marie*

Arrived 12 days early, on July 24<sup>th</sup>

Weighing 7 lbs 11 oz, 19 inches long

Proud Momma, Kristina Vaz (Seward)

CONGRATULATIONS!

### SCBA SCHOLARSHIP FUND

The SCBA continues to accept contributions for the 2016 Scholarship Fund. Our goal for 2016 is to provide two \$1,000 Scholarship Awards to Stanislaus County High School seniors at the Law Day Lunch in May 2016.

Please send contributions to:

**SCBA, 804 14<sup>th</sup> St, Modesto, CA 95354**

### RETIREMENT RECEPTION FOR

#### The Honorable Nan Jacobs

Jury Assembly Room of  
Stanislaus County Court in Modesto

Thursday, November 19<sup>th</sup>

3:00-5:00 PM



"CONGRATULATIONS JUDGE JACOBS!"

## THIRD APPELLATE DISTRICT -- MANDATORY E-FILING FOR ATTORNEYS TO BEGIN IN THIRD APPELLATE DISTRICT

SACRAMENTO—The California Court of Appeal for the Third Appellate District will require attorneys to comply with mandatory e-filing in all case types beginning September 14, 2015. Attorneys will e-file documents using TrueFiling, an e-filing portal developed by ImageSoft, Inc. Optional e-filing through the TrueFiling system may begin as early as August 24, 2015. Self-represented litigants will be permitted, but will not be required, to e-file documents using TrueFiling. "Our transition to e-filing will improve access to justice by allowing members of the public to conveniently file and serve court documents," said Presiding Justice Vance Raye. "We very much appreciate the assistance we have received from court users in helping us prepare for this important enhancement to our services." The Third Appellate District has adopted a new Local Rule 5 governing e-filing in the Court of Appeal. A copy of the rule is available on the Court's website at [www.courts.ca.gov/3dca.htm](http://www.courts.ca.gov/3dca.htm), or in the California Official Reports (Number 20 dated July 30, 2015). Preregistration for e-filing is now open on the TrueFiling website. To register, go to [www.truefiling.com](http://www.truefiling.com).

URL to article: <http://www.lsi.org/thirdappellatedistrictmandatoryefilingforattorneystobegininthirdappeallatedistrict/>

## PENDING CHANGES IN BANKRUPTCY FEDERAL FILING FORMS

Most Official Bankruptcy Forms will be replaced with substantially revised, reformatted and renumbered versions effective December 1, 2015. The revised forms were approved by the Judicial Conference on September 17, 2015 and are in a book-marked PDF file below.

These new forms are part of a forms modernization project that was begun by the Advisory Committee on Bankruptcy Rules in 2008. Among other things, the new forms introduce different versions of case opening forms for individual debtors and non-individual debtors. The new forms are easier for debtors to understand and complete and are designed to work with scheduled enhancements to the federal courts' case opening and electronic case management system.

Some of the modernized forms are already in effect and will simply be renumbered on December 1, 2015. Other forms were published for public comment in August 2013 or 2014 and have been approved by the Bankruptcy Rules Advisory Committee and the Standing Rules Committee. All but six existing official forms are on track to be replaced by modernized versions:

The following official forms are on track to be replaced: 1, 2, 3A, 3B, 4, 5, 6 Summary, 6 Declaration, 6A-J, 8, 9A-I, 10, 10A, 10S1, 10S2, 11A, 11B, 12, 13, 14, 15, 16A, 16B, 16D, 17, 18, 19, 22A1 through 22C2, 23 and 27. The following six official forms will be revised in 2016 or later: 20A, 20B, 25A, 25B, 25C, and 26. Virtually all director's bankruptcy forms (current forms 13S thorough 283) will also be replaced by updated and renumbered versions on December 1, 2015. The renumbered forms are in a book-marked PDF file below.

October 2, 2015 update

At its meeting on October 1, 2015, the Advisory Committee on Bankruptcy Rules reviewed and recommended that the Director of the Administrative Office introduce two new Director's Forms ([Form 4100N](#) and [Form 4100R](#)) that may be used by chapter 13 trustees and claim holders to comply with the requirements of Bankruptcy Rule 3002.1(f), and (g).

<http://www.uscourts.gov/rules-policies/pending-rules-amendments/pending-changes-bankruptcy-forms>

### ADVICE IN INTELLECTUAL PROPERTY *within your reach*



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Founded in 2011, the  
attorneys at Sierra IP Law  
have 35 years of combined  
experience in intellectual  
property law.

CARL W. COLLINS,  
Commercial Bankruptcy Attorney,  
joined as a partner at  
**MACDONALD | FERNANDEZ LLP**

Turnaround ♦ Bankruptcy ♦ Insolvency ♦ Litigation  
1127 12<sup>th</sup> Street, Suite 106 ♦ Modesto, CA 95354  
Tel: (209) 521-8100 | Fax: (209) 524-8461

### SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA

Recently received approval from the Chair of the Judicial Council to adopt a new local form, ALA-TR-310.1, effective August 1, 2015. A copy of the order authorizing the off-cycle adoption of the form is attached, as is a copy of ALA-TR-310.1. The new form, which is authorized under Vehicle Code section 42007 and patterned after Judicial Council form TR-310, allows defendants who have been ordered to traffic school after plea or trial to agree to pay their traffic school fees in installments.

Please feel free to contact me with any questions.

Thank you, Chad Finke

General Counsel  
Superior Court of California, County of Alameda  
1225 Fallon Street Room 209  
Oakland, CA 94612  
510-891-6273 phone; 510-891-6276 fax  
[www.alameda.courts.ca.gov](http://www.alameda.courts.ca.gov)

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Stanislaus County Bar Association  
recognizes and thanks the following 2015 Bench-Bar Dinner Sponsors

**Union Bank**

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**E. & J. Gallo Winery**

**McCormick Barstow LLP**

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**Rodarakis & Sousa, APLC**

**Cash-Dudley, Speiller & Torres, APLC**

**Law Office of Keric J. Cushing**

**Chenault Law**

SPECIAL EVENTS SUCH AS THIS WOULD NOT BE POSSIBLE WITHOUT YOUR GENEROUS DONATIONS!

## **SCBA's 2015 BENCH-BAR DINNER**

The Seasons • October 22 • Keynote Speaker Dr. Bennet Omalu



## COUNTY OF SAN FRANCISCO, SUPERIOR COURT OF CALIFORNIA

Proposed changes to local rules Court Effective January 1, 2016

The Court is seeking public comment on the proposed Local Rules- Effective Date January 1, 2016. The public comment period is September 16, 2015 through October 30, 2015. Comments must be submitted in writing and directed to: T. Michael Yuen, Court Executive Officer, San Francisco Superior Court, 400 McAllister Street, Room 205, San Francisco, CA 94102. Comments must be received by October 30, 2015.


<http://www.sfsuperiorcourt.org/general-info/local-rules>

## The Senior Advocacy Network - Senior Law Project



is looking for donations of gently used, **non-clothing** items, including furniture, housewares and knick-knacks for its new store, Two Old Bags, Collectibles and Kitsch located at 1009 McHenry. Drop off or pick-up of items is available. All proceeds benefit this 501(c)3, non-profit organization and are tax deductible. They also accept items from probate estates. Please call the store (209) 544-BAGS or the Senior Law Project (209) 577-3814 for more information.

**3 Offices Suites avail 1/1/16, at 509 13th St, Modesto 95354.** 1) 409 sf / \$250; 2) 333sf / \$240; 3) 534sf / \$385. MID, Phone & Security not included. 2 Suites adjoin w/reception area in middle Off-street parking. This is newer bldg. on 13th Street. Please call (209) 577-3814 for more information.




STANISLAUS COUNTY BAR ASSOCIATION  
Cordially invites you & your staff to the annual

# 2016 JUDICIAL CALENDAR LUNCHEON

Stanislaus County Superior  
Court Presiding Judge  
Marie Silveira and  
Judge Ricardo Cordova

**ANNOUNCEMENTS:**

- Upcoming Court Changes
- 2016 Judicial Budget
- New Courthouse Status



Friday, November 13, 2015 ~ Noon to 1:00 PM  
Sportsmen of Stanislaus (The SOS Club)  
819 SUNSET BLVD, MODESTO CA 95351

**MCLE CREDIT: 1 HOUR FOR JUDICIAL CALENDAR PRESENTATION:** The Stanislaus County Bar Association is a State of California MCLE approved provider, and certifies that this activity has been approved for MCLE credit by the State Bar of California.

Return this portion with your payment by November 6, 2015 to: SCBA • 804 14th St • Modesto CA 95354

## 2015 JUDICIAL CALENDAR LUNCHEON

Friday, November 13, 2015 ~ 12:00-1:00 p.m.

NAME: \_\_\_\_\_ FIRM: \_\_\_\_\_

**Buffet lunch includes:**  
Lasagna and Chicken Asiago  
Tossed Salad, Dinner Rolls, Roasted Garlic Potatoes,  
Green Beans, Iced Tea/Water/Coffee, & Dessert

Bench/SCBA Mem.....\$50  
Non-Members.....\$75

AMOUNT ENCLOSED: \$ \_\_\_\_\_

FOR MORE INFO, PLEASE CALL THE SCBA AT (209) 571-5729


No refunds after November 6, 2015

THE STANISLAUS COUNTY BAR ASSOCIATION CORDIALLY INVITES YOU AND YOUR STAFF TO OUR ANNUAL

# HOLIDAY LUNCHEON

The Sportsmen of Stanislaus (SOS) Club  
819 Sunset Ave, Modesto CA 95351

Friday, December 11, 2015  
Noon to 1:00 PM



**2016 SCBA  
Officers & Directors  
Installation**

**Donations for a  
deserving local charity**

**Christmas carols sung by  
a High School Choir**

Bench & SCBA Members.....\$ 50      Non-Members.....\$ 75  
Must be a 2014 Paid SCBA Member for Member Rate

Return this portion with your payment by December 4, 2015, to the SCBA • 804 14th St • Modesto CA 95354


## HOLIDAY LUNCHEON

Friday, December 11, 2015

Name: \_\_\_\_\_ Firm Name: \_\_\_\_\_

**Buffet lunch to include:**  
CHICKEN JERUSALEM & CHEESE CANNELLONI (in White Parmesan Sauce)  
Green Salad, Dinner Rolls, Vegetables, Water/Coffee/Tea & Dessert

AMOUNT ENCLOSED \$ \_\_\_\_\_



Bench & SCBA Members.....\$ 50.00  
Non Members.....\$ 75.00

No refunds after December 4, 2015

For more info, please call the SCBA at 571-5729



THE STANISLAUS COUNTY BAR ASSOCIATION PROUDLY PRESENTS

# 3 Critical Things You Need To Do To Build a Winning Law Firm

**Guest Speaker: Nancy Clark, President Leadership Dynamics**



TOPIC: covers employee retention and how employers can best accommodate staff needs while getting their full potential and run your business at 100%!



**Friday, December 4, 2015 – 12-1 p.m.**  
Stanislaus Court Jury Room  
800 Eleventh Street, Modesto

## MCLE CREDIT

The Stanislaus County Bar Association certifies that this activity has been approved for MCLE credit by the State Bar of California for:

**1 HOUR MCLE CREDIT**

The Stanislaus County Bar Association is a State of California MCLE approved provider (No. 1894)

SCBA & Bench Members:.....\$40\*

Non-Members:.....\$65\*

(\$5 less without a lunch)

**\* 2015 DUES PAID = Member Rate**

FOR MORE INFO, PLEASE CALL THE SCBA AT 571-5729

Return this portion with payment by **November 27, 2015** to: SCBA • 804 14th St, Modesto CA 95354

# 3 Critical Things You Need To Do To Build a Winning Law Firm

**Friday ~ December 4, 2015**

Name: \_\_\_\_\_

Firm: \_\_\_\_\_

☐ **NO LUNCH**

Lunch choices:

**SANDWICH**

- ☐ Turkey
- ☐ Roast Beef
- ☐ Veggie

**CHIPS**

- ☐ Potato Chips
- ☐ Doritos
- ☐ Baked Lays

**DRINK**

- ☐ Diet Coke ☐ Coke
- ☐ Diet 7-Up ☐ 7-Up
- ☐ Bottle Water

AMOUNT ENCLOSED: \$ \_\_\_\_\_

No refunds after November 27, 2015

## "MEMBERSHIP APPLICATION"

STANISLAUS COUNTY BAR ASSOCIATION  
804 14th Street, Modesto CA 95354  
(209) 571-5729 ♦ FAX (209) 529-6130  
[WWW.STANBAR.ORG](http://WWW.STANBAR.ORG)



2016

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☐ **FREE ATTORNEY DIRECTORY AD FOR PAID SCBA MEMBERS**  
Check box to remain or be added to our website's directory with no charges.  
If a change to your information is needed, please contact the Bar Association to update.

Name (Last, First) \_\_\_\_\_

Full firm Name \_\_\_\_\_

Physical Address \_\_\_\_\_

Mailing address if different from above \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

E-Mail Address \_\_\_\_\_

California State Bar No. \_\_\_\_\_ Year Admitted \_\_\_\_\_

Law School \_\_\_\_\_ Year Graduated \_\_\_\_\_

I am interested in serving on the following committees:

- ☐ Lawyers Referral Service Committee
- ☐ Lawyers Referral Service Panel Attorney
- ☐ MCLE Committee
- ☐ Non-Security Committee
- ☐ Golf Tournament Committee
- ☐ Law Week Events

Regular Membership.....\$ 150.00

\*New Attorney Member.....\$ 125.00

Retired Attorney.....\$ 75.00

\*\*Associate Member.....\$ 35.00

**AMOUNT ENCLOSED:**

Dues.....\$ \_\_\_\_\_

\*\*\*Scholarship Contribution.....\$ \_\_\_\_\_

Total.....\$ \_\_\_\_\_

\*New Attorney Member: Person who has not been a member of the SCBA for the last consecutive 3 years.

\*\*Associate Member requirements: (if not admitted to practice law in California or another jurisdiction) are: Law Clerks, Law Students, Paralegals, Legal Assistants, Legal Secretaries, Court Personnel, and Legal Administrators. Other jurisdictions: Same.

\*\*\*Scholarship Fund: Please join us in supporting the Scholarships we present annually towards local area high school students futures in the legal field, by contributing today along with your membership dues.

**\*\*\* DEADLINE FEBRUARY 1, 2016 \*\*\***

Paid SCBA Members have the option to advertise their firm/self, on our website's ATTORNEY DIRECTORY section at STANBAR.ORG.  
Paid SCBA Members require the box above to be checked to renew annually. For more information contact us STANBAR.ORG or (209) 571-5729.



**STANISLAUS COUNTY BAR ASSOCIATION**  
**804 14TH STREET, MODESTO CA 95354**  
**(209) 571-5729 ♦ FAX (209) 529-6130**

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