# 1015EQUITUR

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

November 2018

Volume No. 5





Well, my humble readers, it's November and the year is starting to wind down. When I started my reign as President, I knew we were building something special. Although still under construction, (but much further along than that urban myth we call our new courthouse), through the hard work of our Board, our Executive Director, Deana Skelton, and everyone who has volunteered their time, like Renee Brush, our organization is proudly moving into the future.

At the beginning of the year, the SCBA's Board was at a transition point, made up of people who, like me, were once the fresh faces in town. Although still young, we had all reached the point where we wanted to give back to the legal community that had shaped us. It's sort of like when you think you see someone through a window and say, "Who is that old person," and then realize it's not a window, it's a mirror. That is us. We have the energy of youth, but the wisdom of experience, i.e., something special.

For those of you who still wonder why you should join the SCBA, first, stop asking silly questions. Although there are no stupid questions, there are stupid people who ask questions. Second, this year alone our members witnessed a lively debate between the candidates for District Attorney; became better attorneys through a vast array of MCLE programs covering everything from Laura's Law to the new e-filing requirements; cemented professional alliances at social events hosted by three of the finest law firms in town (Arata, Swingle, Van Egmond & Goodwin; Rodarakis & Sousa; and Damrell, Nelson, Schrimp, Pallios, Pacher & Silva), and gave back to the community by successfully eradicating the gophers from Dryden Golf Course during our annual golf tournament. (Thank you, Colleen for your tireless work putting it together). Also, let's not forget Law Day held at the Gallo Center, where we honored John and June Rogers with the Liberty Bell Award, learned from our speaker, Associate Justice Ronald Robie of the Third DCA, and insured our future by giving away scholarships. I feel like I should be yelling from the arena floor, "Are you not entertained!"

To put it into even greater perspective, my MCLE compliance group is this coming February. Over the past three years, I have done not anything besides attend programs put on by the SCBA and the Wray Ladine American Inn of Court. Currently, I have over double the required hours, in every subject. At the programs, I sat with my peers and learned from my mentors, regarding subjects I was actually interested in, irregardless of my practice areas. This is far better than sitting in front of your computer pretending to pay attention to a video, learning nothing about a subject you don't care about, and missing out on the opportunity to learn from the brightest minds in the Central Valley.

And to think, the year's still not over. On December 14<sup>th</sup>, the SCBA's Holiday-Judicial Calendar Luncheon will take place. Betty Julian is in charge, so you know it will be excellent. For those of you who are delinquent in paying your tribute to the foot of my throne, this will be your final opportunity because the SCBA will also be conducting its election for next year's Board. If you're tired of being average, want to rise up, and want your name on the ballot, give us a call.

Once I'm off the Board, I guess I'll finally have the time to resubmit my finger prints to the State Bar per the new requirements. Then, once they have my prints, they will most likely have the evidence to finally solve American's oldest cold case:

Who stole the hearts of the Stanislaus County legal community?

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# CBA Calendar of Events

 $^{**}$  You may also view all Bar Association events and register online at STANBAR.ORG  $^{**}$ 

### **DECEMBER**

Fri/7<sup>th</sup> – MCLE: E-FILING IN STANISLAUS COUNTY, by Kim Ringer (Research Attorney), Michelle Warren (Civil Division Supervisor), and Stephanie Prudhel (Family Law Supervisor). 12-1 PM, in the Jury Room, for 1 hour of general credit. Do not miss the LAST presentation of the year and learn how to e-file in Modesto Courts, before it is mandatory on Jan. 1<sup>st</sup>! 12-1 PM, in the Jury Room, for 1 hour of general credit.

https://www.stanbar.org/mcle/fridec-7-e-filing-in-stanislaus-court-by-kim-ringer-michelle-warrenstephanie-prudhel-12-1-pm-in-jury-room-last-e-filing-class-before-it-is-mandatory-1119/

Fri/14<sup>h</sup> – Annual JUDICIAL CALENDAR-HOLIDAY Luncheon – 12-1 PM. Join us and earn MCLE credit whilst 2019 Court announcements are made and vote/witness the installation of the 2019 SCBA Officers & Board of Directors. See flyer on page 8.

#### **IANUARY**

Fri/1<sup>st</sup> – MCLE: BIAS (topic title TBD), by Judge Marie Silveira, 12-1 PM, in the Jury Room. Worth 1 hour BIAS credit. Flyer with details coming soon!

### **FEBRUARY**

Fri/1<sup>st</sup> – MCLE: ETHICS (topic title TBD), by Judge Linda McFadden, 12-1 PM, in the Jury Room. Worth 1 hour ETHICS credit. Flyer with details coming soon!

## ID THE OF

### YOULET OVRAHIM, Esq.

(formerly with Scenic Funding) Has joined Seyfarth Shaw LLP 560 Mission St. Ste 3100 San Francisco CA 94105-2930 Ph (415) 544-1055 www.seyfarth.com

BEN JOHNSON, ESQ.

Has joined **Berliner Cohen LLP** 1601 "I" St, Ste 150, Modesto CA 95354 Ph (209) 576-0111 benjamin.johnson@berliner.com

**1ST CLASS LE GALS Document Preparation Service** 

(new location/address only) 429 13th Street, Modesto CA 95354 Ph (209) 529-7254

Linda Brown, LDA Diane Mecca, LDA

MATTHEW O. PACHER, Esq.

(formerly with The Damrell Firm) Has joined Rodarakis & Sousa, APC

100 Sycamore Ave, Ste 101 Modesto CA 95354 Ph (209) 554-5232

www.rodsoulaw.com

(New PHYSICAL Address ONLY)

LAW OFFICE OF FRANK M. LIMA

Frank M. Lima, SBN 151287 Edalina M. Mendonca, SBN 02478

1001 N Palm St, Turlock CA 95380

Ph (209) 669-4800 / Fx (209) 669-9343 Same mailing address:

PO Box 1825, Turlock CA 95381-1825

If you are working for a different firm now or your office/firm has moved, share your new address and contact information with the legal community by notifying SCBA and it will be posted here.

### 2018 GOLF TOURNAMENT

### Saturday, September 15th at Dryden Golf Park Course, Modesto

A SINCERE THANK YOU TO ALL OF OUR TOURNAMENT SPONSORS!

Without these generous firms and businesses support, we would not be able to throw such a fun and successful event each year.

They are as follows:

### Arata, Swingle, Van Egmond & Goodwin ASVG

Damrell, Nelson, Schrimp, Pallios, Pacher & Silva

Goss & Goss, APC

DiBenedetto & Lapcevic

**Borton Petrini, LLP** 

E. & J. Gallo Winery

McCormick Barstow, LLP

Rodarakis & Sousa, APC

1<sup>st</sup> Class LeGals

Al Cala & Associates

Crabtree Schmidt

Crystal Swanson, Attorney at Law

Curtis Legal Group

Fores Macko

Gary Davis, Esq. / JAMS

Gianelli & Associates, APC

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Johnson & Associates, CPA's, Inc.

**Judge Hurl Johnson Mediations** 

Media Smack

Law Office of Mark S. Nelson

Palermo Reporting Services

Renee Brush & Associates

Ross W. Lee, Inc., APC

Ronald W. Hillberg

Seyfarth Shaw / Nicole Baarts

And a huge shout out to Colleen Van Egmond, Golf Chair, and ALL her helpers, who did a fantastic job!

### **2018 GOLF TOURNAMENT**

### Saturday, September 15th at Dryden Golf Park Course, Modesto

The bar association would not be able to throw a tournament every year without the donations and support of our local businesses.

In Appreciation:

Arata, Swingle, Van Egmond & McHenry Bowl
Goodwin Michael Dennis
Bank of Stockton Michelle Maines
Bayou Bar & Grill Mike's Grill House

Bistro-234 Mike Tozzi

BJ's Restaurant & Brewhouse MOCSE Credit Union

Blooming Success Modesto Nuts

Buffalo Wild Wings Outback Steakhouse

Camp 4 Oakdale Golf & Country Club

Cheesecake Kitchen Prime Shine

Cold Stone Pro-10

Concetta Salon Salon

DBI Beverage Sam & Dave's Market

DiBenedetto & Lapcevic Skewers

Gallo Center for the Arts Spring Creek Golf & Country Club

Greens State Theatre

Harvest Moon Stewart & Jasper

Intercept Texas Roadhouse

Jamba Juice Tom Michael Insurance Agency, Inc.

Jeff Mangar Tresetti's Johnny Carino's U.S. Bank

Law Office of Keric J. Cushing Villager's Catering

Law Offices of Sonya Bouma, PLC Visit Modesto

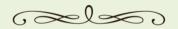
MB2 Raceway Vito's Ristorante

### 2018 SCBA GOLF COMMITTEE

Chairperson: Colleen Van Egmond

Committee Members: Betty Julian, Andrea Leavy, Mike Dennis,

Crystal Swanson, Tamie Cummins and Sonya Bouma



## 2018 Golf Tournament WINNERS

2018 Prizes	<u> 2018 Prize</u>	<u>Winner</u>
1st place gross	\$50 Bistro GC	Tom Nelson Foursome
2nd place gross	\$25 Cold Stone GC	Richard Moths Foursome
3rd place gross	\$15 Jamba Juice GC	Judge Johnson Threesome
1st place net	\$50 Bistro GC	Tom Nelson Foursome
2nd place net	\$25 Cold Stone GC	Judge Johnson Threesome
3rd place net	\$15 Jamba Juice GC	Eric Sousa Foursome
Long drive men	\$50 Vito's GC	Toby Wells
Long drive women	\$50 Vito's GC	Jessica Dorn
Close to pin 9	\$50 Vito's GC	Brandon Dunn
Close to pin 10	\$50 Vito's GC	Ron Poirier
	\$10 GC to	
	Starbucks per	
	Team - Grand	
Close to pin 17	Prize TV	Ben Johnson
Putting Contest	\$100 Angelini's	Bob Smith

CONGRATULATIONS!















A special thank you to Linda Brown for taking the tournament photos and the volunteers of the Stanislaus County Legal Professionals Association, for helping SCBA to throw a fun and successful event each year!





#### STANISLAUS COUNTY BAR ASSOCIATION

Cordially invites you & your staff to the annual

2018 Judicial

Stanislaus County Court Judges & Staff To Speak CALENDAR -HOLIDAY LUNCHEON

- ANNUAL COURT ANNOUNCEMENTS
- ♦ 2019 JUDICIAL BUDGET
- ♦ NEW COURTHOUSE STATUS
- CASE MANAGEMENT SYSTEM REVIEW
- ♦ 2019 BAR BOARD INSTALLATION



### Friday, December 14, 2018 – Noon to 1:00 PM "GREENS ON TENTH" – 953 Tenth Street,

\*\* YOU MAY ALSO REGISTER AND PAY ONLINE AT STANBAR.ORG \*\*

1 H	OUR OF GENERAL MCLE CREDIT FOR JUDICIAL CALENDAR PRESENTATION	: Stanislaus County Bar Association is a State	of
	California MCLE approved provider. Certified activity approved for	MCLE credit by the State Bar of California.	
-			

Return this portion with your payment by December 7, 2018 to: SCBA - 802 14th St, Ste O - Modesto CA 95354

### 2018 JUDICIAL CALENDAR - HOLIDAY LUNCHEON

Friday, December 14, 2018 ~ 12:00-1:00 PM at GREENS ON TENTH – 953 Tenth Street, Modesto

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

Luncheon Buffet by GREENS on Tenth

Bench/Bar Members and Guests/Non Bar-Mems \$55

FOR MORE INFO, CONTACT SCBA AT (209) 571-5729 or DEANA@STANBAR.ORG

AMOUNT ENCLOSED: \$\_\_\_\_\_ No refunds after December 7, 2018



### JOB OPENINGS

### **LITIGATION SECRETARY:** Temp basis.

Contact Mike Dini at (209) 667-2300

or mdini@turlocklaw.net

TRIEBSCH & FRAMPTON, APC

ATTORNEYS AT LAW

Advertise here for any open positions your office may need to fill. Simply contact SCBA to submit job information, at (209) 571-5729.

### "SUITE AVAILABLE IN THE GRACEADA MANSION"

950 s.f.

100 Sycamore Avenue, Modesto, California.

Contact Susan at 209-554-5232

### STANISLAUS COUNTY LEGAL PROFESSIONALS ASSOCIATION...

...meets the 2nd Wednesday of each month at Noon. Meetings are open to anyone and our goal is to provide continuing education for those in the legal field as well as scholarship opportunities for those studying to become support staff in the legal field. For more information you can contact SCLPA's President, Linda Fischer, CCLS, at:

PRESIDENT@SCLPA.COM

### MINIMUM CONTINUING LEGAL EDUCATION

**GROUP 1** 

**GROUP 2** 

**GROUP 3** 



Compliance period: 2/1/16 - 1/31/19 Deadline to report: Feb. 1, 2019



Compliance period: 2/1/15 - 1/31/18
Deadline to report: Feb. 1, 2018



Compliance period: 2/1/17 - 1/31/20
Deadline to report: Feb. 1, 2020

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

20 years with the Stanislaus County Superior Court

Mediation and Arbitration Services

Civil Cases: Contract & Commercial Disputes, Employment,
Personal Injury, Insurance, Professional Malpractice,
Probate and Family Law.

Pepperdine University School of Law trained mediator (209) 809-2014 or (209) 524-1100

Stu's Views

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I have a Constitutional right to represent myself. And I have a Constitutional duty to advise you that exercising that right makes you an idiot.





#### **CHANGE IN APPLICABLE EVIDENCE CODE SECTIONS 1122 AND 1129**

by Hon. Hurl Johnson, Ret.

As of January 2, 2019, attorneys who are preparing for mediation and participating in mediation will be required to obtain their client's signature on a separate printed disclosure form in preferred language of client. The form must use 12 point font or larger.

The required form must advise client of mediation confidentiality and **Evidence Code Section 1129** provides a sample form. The required form is not the same as the "Confidentially Agreement." (I have parties sign prior to the mediation and presume other mediations have signed as well).

The form includes a section advising the client that what occurs during mediation cannot be used in a malpractice lawsuit against the client's attorney or for an ethical violation of the Rules of Professional Responsibility.

Please review the sample form and prepare an appropriate form for your client's signature prior to attending a mediation.

Failure to comply with Evidence Code Section 1129 may be subject to disciplinary action per Evidence Code Section 1122(a)(e) which states failure to provide client with 1129 a basis for disciplinary action.

### LAWYER'S REFERRAL SERVICE

- ° Are you willing to support your local Bar Association?
- ° Are you looking for new clients?
- ° Are you willing to provide some pro bono time?

### If you answer "YES" to the above, please consider serving on the LRS panel.

As an SCBA member, you only pay a \$50 annual LRS panel fee!

Simple appointment process: LRS representative will schedule appointments with your office at your convenience with clients who have a matter in your area(s) of expertise. The client pays a \$50.00 administrative fee to us over the phone, for a 30-minute consultation. Each month you will receive a statement from the LRS listing your appointments for that month. All you do is indicate the LRS clients who kept their appointments and those that did not, and send it back to the LRS Office.

### **LOOKING FOR A NEW OFFICE?**

I have just what you need!

1124 11<sup>th</sup> Street Modesto, California 95354

Attn: Bruce Ramsey (209) 529-7777 X102

RamseyLaw@sbcglobal.net



#### "MEMBERSHIP APPLICATION



STANISLAUS COUNTY BAR ASSOCIATION 802 14th Street, Suite O. Modesto CA 95354 (209) 571-5729 \$\phi\$ FAX (209) 529-6130

☐ INFORMATION IS THE SAME: Check here to duplicate prior year's information.
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☐ FREE ATTORNEY DIRECTORY AD FOR PAID SCBA MEMBERS

2013	Please contact the Bar Association to update any changes necessary.	
Name (Last, First)		
Full firm Name		
Physical Address		
Mailing address if different from	above	
City	StateZip	
Telephone ( )	Fax(	
E-Mail Address	Website	
California State Bar No	Year Admitted	
Law School	Year Graduated	
□ Law Day Luncheon Cor □ Bar Membership Com □ MCLE Program Comm  REGULAR Bar Member *FIRST TIME Attorney Memb RETIRED Attorney *ASSOCIATE Member	Golf Tournament Committee	
INCLUDES: Admission to Bar Mer  **Associate Member: Not admitte Law Students, Paralegals, Legal  ***Scholarship Fund: Support Bar S	torney who has <b>not</b> been a bar member anytime during the last 5 <b>years</b> .  mbers Only "Mixers"  ed to practice law in California or another jurisdiction, such as: Law Clerks, Assistants, Legal Secretaries, Court Personnel, and Legal Administrators.  icholarships presented annually at Law Day Luncheons, to local Senior High ers in the legal field. Easily contribute today with your membership dues.	
	in to advertise their firm/self, on our websites ATTDRNEY DIRECTORY section at STANBAR DRS. to be checked to renew annually, for more information contact us STANBAR DRS or (209) 571-5729.	

THE STANISLAUS COUNTY SUPERIOR COURT & BAR ASSOCIATION INVITES YOU TO ATTEND the LAST E-filing program of the year!

### "E-FILING IN STANISLAUS"

by Kim Ringer (Research Attorney), Michelle Warren (Civil Division Supervisor), and Stephanie Prudhel (Family Law Supervisor)

MATERIAL COVERED: Local Rule changes as it relates to mandatory e-filing, exempt filings, etc., and research attorney perspective as far as logistics of the research attorney/judge access and answer questions on courtesy copies.

### FRIDAY, DECEMBER 7, 2018 12:00 PM TO 1:00 PM

Jury Assembly Room, Main Courthouse 800 11th Street, Modesto

E-FILLING WILL BE WANDATO	JKT IN STANISLAUS COUNTT BEGINNING JAN. 1, 2019
	(Except Traffic and Juvenile)

COST:

Bar & Bench Members (with FREE lunch)......\$45 \*

The Stanislaus County Bar Association certifies that this

activity has been approved for MCLE credit by the State
Bar of California for:

(\$40 without lunch for Bar Members) 1 Hour GENERAL Credit 2018 DUES PAID = Bar Member Rate laus County Bar Association is a State of California MCLE approved provider No. 1894. Non-Members.... (\$10 to add a lunch for Non Members) >>> REGISTER AND PAY ONLINE FOR THIS MCLE AT STANBAR.ORG --- FOR MORE INFO, PLEASE CALL THE SCBA AT 571-5729 < < <

Return this portion with payment by **November 30, 2018** to: SCBA • 802 14<sup>th</sup> Street, Suite O, Modesto CA 95354

### "E-FILING IN STANISLAUS"

Friday /	December	7, 2018	
-			

		, , , , , , , , , , , , , , , , , , ,	
Name:		Firm:	□ NO LUNCH
	SANDWICH	CHIPS	DRINK
	☐ Turkey	□ Potato Chips	☐ Diet Coke ☐ Coke
	□ Roast Beef	■ Doritos	☐ Diet 7-Up ☐ 7-Up
	☐ Veggie	□ Baked Lays	□ Bottle Water

### **CONGRATULATIONS** Sonny Sandhu!

The Governor made the following appointment:

Stanislaus County Superior Court

Sonny Sandhu, 40, was one of 33 new judges in California, to be appointed by Jerry Brown. Two new judges were appointed in Merced County, and one in San Joaquin County.

Sandhu served for the Public Defender's Office for 15 years, as deputy public defender and chief deputy public defender. He also headed the office last year and hopes to stay there through the fall and assist with the transition.

Sandhu was born and raised in Modesto and will be filling a vacancy created by retiring Judge Timothy Salter.

### ARE YOU INTERESTED IN SERVING ON THE STANISLAUS COUNTY **BAR ASSOCATION BOARD?**

PLEASE CONTACT SCBA AT (209) 571-5729 OR EMAIL DEANA SKELTON AT DEANA@STANBAR.ORG.

THE BOARD MEETS ONCE A MONTH, THE SECOND WEDNESDAY, AND WE HAVE SEVERAL COMMITTEES TO VOMUNTEER FOR. EACH COMMITTEE PUTS TOGETHER BAR EVENTS (SPEAKER, VENUE, CATERER, TICKETS, ETC.)

YOUR ASSISTANCE AND ENTHUSIASM WOULD BE WELCOMED! EACH YEAR THE BAR ASSOCIATION NEEDS A NEW MEMBER TO JOIN THE BOARD.

WHY NOT THROW YOUR HAT IN THE RING?

HELP US HELP YOU, TO CREATE THE TYPE OF BAR ASSOCIATION THAT BEST SERVES YOU AND REPRESENTS STANISLAUS COUNTY!

THE 2019 BOARD INSTALLATION WILL BE AT THE HOLIDAY LUNCHEON ON DECEMBER 14<sup>TH</sup>. PLEASE CONTACT US BEFORE THEN TO BE CONSIDERED.

### 2018 SCBA OFFICER'S & BOARD OF DIRECTOR'S

#### **OFFICERS**

President, Michael R. Dennis of Crabtree Schmidt
Vice President, Jeffrey W. Mangar of the District Attorney's Office
Secretary, Duane L. Nelson of Damrell, Nelson, Schrimp,
Pallios, Pacher & Silva
Treasurer, George P. Rodarakis of Rodarakis & Sousa, APC

### **BOARD OF DIRECTORS**

Sonya A. Bouma of the Law Office of Sonya A. Bouma, PLC
Colleen F. Van Egmond of Arata, Swingle, Van Egmond & Goodwin
Betty L. Julian of McCormick Barstow, LLP
Tamie L. Cummins of Borton Petrini LLP
Andrea M. Leavy of Goss & Goss, APC
Crystal S. Swanson, of the Law Office of Crystal S. Swanson

### **EXECUTIVE DIRECTOR**

Deana Skelton

### **SCBA**

Stanislaus County Bar Association 802 14<sup>th</sup> Street, Suite O Modesto CA 95354