

# NON-SEQUITUR

The Publication of  
Stanislaus County Bar Association

<http://www.stanbar.org>

January 2013

## PRESIDENT'S MESSAGE



By Rebecca A. Roberson



Greetings and Happy New Year! Since it appears that we all survived the recent "end of the world," it's back to business as usual once again. I am looking forward to the opportunity of serving as the 2013 SCBA President this year (and to getting my name on that time-honored list of "Past Presidents" in December as well).

Last year, under Marlisa's leadership, the SCBA had a very good year, and I personally want to thank her for all of her hard work in that capacity. Under Marlisa's presidency, the Board worked very well together to have a successful year. Keric did an outstanding job on the Golf Tournament, working many long hours to ensure its success. Sally was the "go to" person in getting our new website up and running. I also want to especially thank Deana for her enthusiasm and hard work this year as our Executive Director.

In 2012, the Lawyer's Referral Service began operating in the black once again, serving many in our community who could not otherwise have afforded an initial consultation with an attorney. All too often, it is easy for attorneys to forget that so many in our community are under-served in the legal profession, and even having an attorney hear their story for the 30 minute consultation can be very helpful in pointing a person in the right direction. Our LRS panel of attorneys continues to grow, and I encourage each of you to consider being on this panel, even if you agree to meet with only one client per month. I personally consider it a service to the community, and even a privilege, to be able to assist in this capacity.

This year, I am also encouraging each of you to contribute to the SCBA scholarship fund, because one of my goals this year is to see our two scholarship recipients receive at least \$1,000.00 each, rather than the usual \$500.00 we have awarded in the past. If we all give just a little, we can reach this goal rather quickly. One of the best investments you will ever make is in the education of a young person, and the SCBA certainly wants to encourage the younger generation to enter into our profession.

In whatever capacity you choose to be involved, I sincerely encourage each of you to do your fair share of volunteer and/or pro bono work this year, whether volunteering at a community event, at Haven Women's Center, Family Justice Center, as an LRS panel member, CASA volunteer, or in one of the many other organizations in our community.

The 2013 SCBA Board is looking forward to serving you this year, and are planning many events that you will not want to miss!

**HAPPY NEW YEAR**

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## SCBA CALENDAR OF EVENTS

### JANUARY

- 11 MCLE:** 'ETHICS: Keeping Your Entire Staff Out of Hot Water,' by Diane Mecca, Fri-Jan. 11, 2013, Noon to 1:00 PM, Jury Room. 1 Hr MCLE Credit  
**(FREE registration with your paid 2013 SCBA Membership!)**
- 25 MCLE:** 'Substance Abuse – Detecting, Preventing & Treatment,' by Beth Lee, on Fri-Jan. 25, 2013, Noon to 1:00 PM, Jury Room.  
1 Hour MCLE Credit.

### FEBRUARY

- 1 MCLE:** 'Elimination of Bias,' by the Honorable Marie Silveira on Friday, Feb. 1, 2013, Noon to 1:00 PM, Jury Room. 1 Hr MCLE Credit.



## 2013 SCBA OFFICERS & BOARD OF DIRECTORS

### OFFICERS

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TREASURER	KERIC J. CUSHING

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KRISTINA M. SEWARD

### EX OFFICIO

MARLISA A. FERREIRA

## "AROUND THE OFFICES"



### COLAW & AUGUSTINE ASSOCIATION OF ATTORNEYS

*(New name & Additional Office)*

Rodney Augustine, Esq.  
528 14<sup>th</sup> Street  
Modesto, CA 95354  
(209) 572-5152

[ColawAugustine@aol.com](mailto:ColawAugustine@aol.com)

*(Curtis Colaw remains at original location\*)*

### BORTON PETRINI, LLP

*(Office moved – address change only)*

201 Needham Street  
Modesto, CA 95354  
576-1701 Fax 527-9753

[BortonPetrini.com](http://BortonPetrini.com)

*(Effective Dec. 26<sup>th</sup>)*





STANISLAUS COUNTY BAR ASSOCIATION'S  
**2013 HOLIDAY LUNCHEON**  
SCBA OFFICERS & BOARD OF DIRECTORS INSTALLATION





## JOB OPENINGS

Opening as of February 1, 2013, for a legal assistant with experience in estate planning/trust/probate and business/corporate/transactional law. Certified paralegal preferred but not required.

Please send resume to:

[mharrity@LeemodeLaw.com](mailto:mharrity@LeemodeLaw.com)

If your office/business is looking to fill a vacant position, please contact us to post it here!

[deana@stanbar.org](mailto:deana@stanbar.org) or (209) 571-5729

## A SPECIAL THANK YOU FOR THE FOLLOWING DONATIONS:

### C.A.S.A.

Celeste Wheeler  
Judge Ricardo Cordova  
Charles Brunn, Esq.  
Lindsey Robbins, Esq.  
Timothy Byrd, Esq.  
Ross Lee, Esq.  
Duane Nelson, Esq.



### SCBA Scholarships

Judge Loretta Begen  
Robert Farrace, Esq.  
Vernon Gant, Esq.  
Alan Cassidy, Esq.  
Naresh Channaveerappa, Esq.  
George Petrulakis, Esq.

## NON SEQUITUR

Ads, Articles, Letters and/or Pictures can be submitted to Deana Skelton at the SCBA Office (209) 571-5729 or [deana@stanbar.org](mailto:deana@stanbar.org)  
Feel free to contact us for more info.

## Estate Planning Attorney

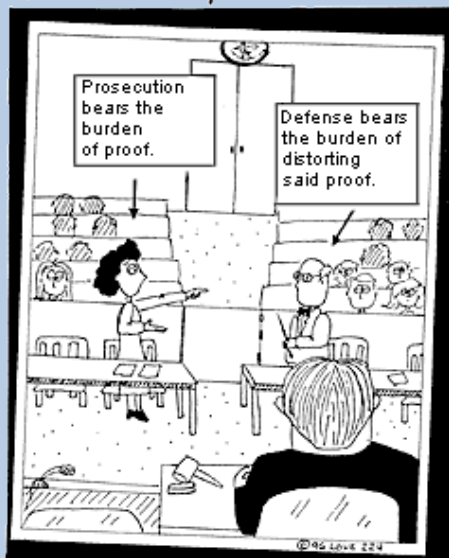
Prominent Bay Area Law firm with growing practice in the San Joaquin Valley (Merced office), has an immediate opening for an Estate Planning Attorney with 5+ years of solid trusts and estates experience. Experience should include personal and estate planning, the administration of estates and trusts, and in the tax implications inherent in the practice area. An LLM (Taxation) is preferred. The successful candidate will possess a proven track record of strong performance and measurable results with exceptional communication, analytical, and writing skills.

Berliner Cohen offers a congenial environment, competitive salary and employment benefits. Please submit your cover letter, resume and law school transcript in Word format, to:

[HR@berliner.com](mailto:HR@berliner.com)

## JUST FOR LAFFS

SNAPSHOTS by Jason Love





# 2013 BENCH-BAR DINNER

## "The Bench. The Bar & The Groove of the 70s"



## SCBA SCHOLARSHIP FUND



The SCBA office is now accepting contributions for the 2013 Scholarship Fund. Our goal for 2013 is to distribute at least two \$1,000 Scholarship Awards to Stanislaus County High School seniors at the Law Day Luncheon. Please send your contributions to the SCBA office at 804 14<sup>th</sup> St, Modesto CA 95354

The Stanislaus County Legal Professionals Assn (SCLPA) meets every second Wednesday of the month at Fuzio's at 6:00 PM. For more info, contact Deana Skelton at (209) 571-5729 or email at [deana@stanbar.org](mailto:deana@stanbar.org). 'Like' our Facebook page at:



[www.facebook.com/SCLPA](http://www.facebook.com/SCLPA)  
and follow us!



## Law Library News...

By Jan Schmidt

### Pardon our Pixel Dust, We're Under Construction!

This week, the Law Library took a big first step toward modernizing our virtual presence - we tore down our website. In its place, we launched a temporary portal that will give us a chance to rework the look, feel and function of our web presence. We already like the result. From the new shorter URL ([www.stanlaw.org](http://www.stanlaw.org)) to the unified online research portal, the site is more user friendly than previous versions.

We have also increased remote access for our patrons. Using the online research page from your home or office, you can find fillable judicial counsel forms, searchable databases for state and federal statutes, California Attorney General Opinions and state Legislative information and analysis. Remote users can also read a wide variety of Nolo press eBooks and download sample legal forms.

If you are at the Library, you can link to Westlaw and CEB OnLaw from your laptop or mobile device. We also offer online access to Lexis, Shepard's, Matthew Bender Practice Guides, a Law Journal Library, and many historical works including English reports dating back to the early 1200's. All of these materials are now just one easy to find click away.

In the coming weeks the site will offer connections to low-cost and free legal aid, feature redirects to local, state and federal courts, highlight local MCLE offerings, and provide "how to" presentations to assist with legal research. We also hope to expand payment options for fee based services such as remote document delivery and conference room rental.

One of our main goals in the website redesign is to streamline and simplify the process of finding legal information. StanLaw.org is designed to be a one-stop legal information portal for a diverse set of users - without a lot of clutter. To that end, we are working hard to identify reliable legal resources and bring them together in one easy to navigate location. The result: increased remote access and greater productivity for our patrons.

Have a favorite legal link? Share it on our Facebook page or drop us an email at [library@stanlaw.org](mailto:library@stanlaw.org). Have an idea for a service we don't provide? Call us or drop us a note. For more than 100 years the Law Library has worked to provide you with current and relevant legal information; we hope the new website will allow us to continue to do that in innovative ways. In the meantime, we hope you will visit the site, just pardon our pixel dust.....





## Stanislaus County Law Library

Jeffrey R. Olson, President ~ Honorable Marie Sovey Silveira, Secretary ~ Janice A. Schmidt, Director



Bringing You the Best of Both Worlds

### Don't Wait for February – We Didn't!

Just in time for State Bar compliance, your Law Library has new **MCLE** titles, including those hard to get Legal Ethics, Substance Abuse Prevention and Elimination of Bias topics.

Free for check-out to qualified borrowers.

### Did you know?

- You can now access Westlaw Next and CEB OnLAW for free from your own **wireless device** at the Law Library. No more waiting to use a public PC - research, print or download and take it with you. Stop in and we will show you how.
- If you are an active member of the State Bar and you practice in Stanislaus County you are likely qualified to set up **borrowing privileges** at the Law Library. We have a variety of updated reference materials available for your use.
- Qualified borrowers can apply for **after-hours access** which provides 24/7 access to the Law Library.
- Can't get to us? We might be able to pull cited material and fax or e-mail it to you. Ask about our **document-delivery** services.

Call, e-mail or stop by with any questions. We are open Mon through Fri 8am-5pm.

1101 13<sup>th</sup> Street, Modesto, CA 95354 Phone: (209)558-7759 Fax: (209)558-8284  
Email: library@stanlaw.org



## MINIMUM CONTINUING LEGAL EDUCATION (MCLE)

Attorneys are required to complete a total of 25 hours of approved credit every 3 years (12.5 hours may be self-study) with required units in Legal Ethics (4 hours), Detection/ Prevention of Substance Abuse (1 hour), and Elimination of Bias in the Legal Profession (1 hour). Compliance groups and periods:

**GROUP 1 (A-G, due 2/1/2013)**

**GROUP 2 (H-M, due 2/1/2015)**

**GROUP 3 (N-Z, due 2/1/2014)**

**Have you paid your 2013  
SCBA Membership Dues?**  
**You can register today**

**online at:**

[Stanbar.org](http://Stanbar.org)

## 2013 STANISLAUS SUPERIOR COURT HOLIDAYS

Tues-Jan. 1, 2013	New Year's Day
Mon-Jan. 21, 2013	Martin Luther King Jr.
Tues-Feb. 12, 2013	Lincoln Day
Mon-Feb. 18, 2013	President's Day
Mon-April 1, 2013	Cesar Chavez Day <sup>1</sup>
Mon-May 27, 2013	Memorial Day
Thurs-July 4, 2013	Independence Day
Mon-Sept. 2, 2013	Labor Day
Mon-Oct. 14, 2013	Columbus Day
Mon-Nov. 11, 2013	Veterans Day
Thurs-Nov. 28, 2013	Thanksgiving Day
Fri-Nov. 29, 2013	Day After Thanksgiving
Wed-Dec. 25, 2013	Christmas Day
Wed-Jan. 1, 2014	New Year's Day

<sup>1</sup>See CCP §§133-136, Government Code §§6700-6701

<sup>2</sup>See California Rules of Court, Rule 1.11

## UPSCALE OFFICE - 908 13<sup>th</sup> Street \$2,200 monthly rent

Located on one of downtown Modesto's nicest streets, close to courthouse, upgraded carpet, excellent curb appeal, lots of storage area, conference area, plenty of street parking, comes with four private parking stalls, executive style furnishings can be negotiated into monthly rent, approximately 2,000 square feet.

**Contact: Robert Eckert (209) 605-3909**



STANISLAUS COUNTY BAR ASSOCIATION  
804 14<sup>TH</sup> STREET, MODESTO CA 95354  
(209) 571-5729 ♦ FX (209) 529-6130  
[WWW.STANBAR.ORG](http://WWW.STANBAR.ORG)

## 2013 MEMBERSHIP INFORMATION

Name (Last, First, M.I.) \_\_\_\_\_

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

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

Mailing Address (if different from above) \_\_\_\_\_

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

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

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

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

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

### I am interested in serving on the following committees:

- |  |   |
|--|---|
| <input type="checkbox"/> Lawyers Referral Service Committee      | <input type="checkbox"/> Non Sequitur Committee |
| <input type="checkbox"/> Lawyers Referral Service Panel Attorney | <input type="checkbox"/> Golf Tourney Committee |
| <input type="checkbox"/> MCLE Committee                          | <input type="checkbox"/> Law Week Events        |

Regular Membership.....\$ 135.00

\*New Attorney Member.....\$ 110.00

Retired Attorney.....\$ 50.00

\*\*Associate Member.....\$ 30.00

### 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 IS FEBRUARY 1<sup>ST</sup>, 2013!!**

As a Paid SCBA Member you have the option to advertise Yourself, Office, Business, or Firm in the 'Attorney Directory' section of the Stanislaus County Bar Association's website at [STANBAR.ORG](http://STANBAR.ORG). Please complete an 'Attorney Directory' form and submit it along with this application to the address at the top of this page. For more information, go to: [STANBAR.ORG](http://STANBAR.ORG) or call (209) 571-5729.





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(209) 571-5729 ♦ FX (209) 529-6130  
[WWW.STANBAR.ORG](http://WWW.STANBAR.ORG)

## 2013 SCBA WEBSITE 'ATTORNEY DIRECTORY' FORM

Name (Last, First, M.I.) \_\_\_\_\_  
Firm Name \_\_\_\_\_  
Physical Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_  
E-Mail Address \_\_\_\_\_  
Website \_\_\_\_\_ LinkedIn profile: ☐ Yes ☐ No  
Cal. State Bar No. \_\_\_\_\_ Year Admitted \_\_\_\_\_  
Law School \_\_\_\_\_ Year Graduated \_\_\_\_\_

Standard headshot photographs can be posted alongside your Attorney Directory profile on the SCBA website, by e-mailing photo in a jpeg or gif format, to [deana@stanbar.org](mailto:deana@stanbar.org).

### Practice Areas:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Other States' Admissions:

(include states and bar numbers)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Reminder:** Attorney Directory submissions are FREE to paid SCBA Members and will expire and be removed from the website if membership is not renewed annually.

## REQUEST OF COUNSEL FOR PARTICIPATION IN PRO SE BANKRUPTCY ASSISTANCE PROGRAM

The Attorney Advisory Committee for the United States Bankruptcy Court, Eastern District of California ("Court") in cooperation with the Office of the United States Trustee and the Clerk of the Court are proposing to organize a Pro Se Bankruptcy Assistance Program for the Modesto Division of the Court. If this Assistance Program is to be successful, attorneys will be needed to participate in this Program on a volunteer basis.

On average, Pro Se cases constitute approximately 20% of the overall filings in the Modesto Division of the Court. Recognizing this statistic, the Assistance Program contemplates providing general legal information about procedures, form selection and the bankruptcy process to both pro se debtors and creditors. THE VOLUNTEER ATTORNEYS ARE NOT THERE TO GIVE LEGAL ADVICE. They will be available to guide pro se parties as to their rights and duties and to assist them in finding the proper forms and information.

The Clerk of the Court will provide space in the meeting rooms adjoining the Bankruptcy Courtroom and free access to PACER to assist in the implementation of the Assistance Program. It is contemplated that the Assistance Program hours of operation will be at least once a month for a 3 hour period, probably on a Friday morning. The attorney assistance to be provided is pro bono and no solicitation is permitted. The Assistance Program cannot guarantee privacy in the setting contemplated and the conversations of the pro se parties with the Assistance Program attorneys will not be confidential nor protected by attorney-client privilege. All pro se parties will agree to such waivers in writing as a condition to participation in the program. The Attorney Advisory Committee is seeking approval of CLE accreditation for the Assistance Program attorneys who participate.

The Attorney Advisory Committee is currently evaluating whether our local bar has sufficient interest so that the Pro Se Bankruptcy Assistance Program has a chance of success. Towards that end, we are attempting to obtain an accurate count of the attorneys willing to volunteer their time and expertise in the Program.

If you have an interest in participating in the Program please contact Carl W. Collins by phone at (209) 521-8100, or by e-mail at [prosebk@cwcollinslaw.com](mailto:prosebk@cwcollinslaw.com). Thank you very much for your support.



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### INVESTITURE CEREMONY

YOU ARE INVITED TO  
ATTEND AS

*Robert B. Westbrook*

IS SWORN IN AS A  
STANISLAUS COUNTY  
SUPERIOR COURT JUDGE

ON  
FRIDAY, JANUARY 11, 2013  
AT 4:00 P.M.

IN THE STANISLAUS COUNTY  
BOARD OF SUPERVISORS' CHAMBERS AT  
1010 10TH STREET,  
BASEMENT LEVEL  
MODESTO, CALIFORNIA

RECEPTION TO FOLLOW IN THE MEZZANINE

**NOTICE – The MCLE program for 'Ethics'**  
**on Fri, Jan. 11<sup>th</sup>, 2013, is "FREE" for the**  
**first 100 sign-ups that have paid their**  
**2013 SCBA Membership Dues!!**  
**This program fills up quick – so hurry!**

(REMINDER: The program is FREE; however lunches are \$5.00.  
Contact [deana@stanbar.org](mailto:deana@stanbar.org) for more info)

# JUDICIAL CALENDAR & NOMINATION LUNCHEON

The SOS Club ~ Friday, November 9, 2012





# NON SEQUITUR AD RATES

**Business Card - \$50**

**¼ Page - \$150**

**½ Page - \$300**

**Full Page - \$600**

*SBCA Member - 10% Discount  
(for each issue)*



## **STANISLAUS COUNTY BAR ASSOCIATION**

**804 14TH STREET, MODESTO CA 95354**

**(209) 571-5729 ♦ FAX (209) 529-6130**

**[www.stanbar.org](http://www.stanbar.org)**

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Marlisa A. Ferreira

### **EXECUTIVE DIRECTOR**

Deana Skelton

### **LAWYERS REFERRAL SERVICE**

Laura Robles

#### **ARE YOUR STATE BAR RECORDS CURRENT?**

BUSINESS & PROFESSIONS CODE  
§6002.1 REQUIRES ALL ATTORNEYS  
TO REPORT CHANGES TO THEIR  
ADDRESS & PHONE #s TO THE STATE  
BAR WITHIN 30 DAYS. YOU CAN  
CHECK YOUR CURRENT LISTING AT  
[www.calbar.org](http://www.calbar.org)

