

Merced County Bar Association



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August 2018

President's Column

Casey Aitchison
MCBA President

At our last luncheon meeting our speaker, Cory Hamma of Calforensics, provided a presentation on Ethics and Electronically Stored Information.

With a background in the practical application of data security, Mr. Hamma analyzes networks and advises clients on the implementation of the latest security best practices. The presentation was very informative, and many of our members particularly enjoyed learning about the logistics and technicalities of storing, obtaining and analyzing cell phone data.

We invite you to join us for our next meeting on Thursday, September 6, 2018 at 12:00 p.m at the Elks Lodge, 1910 M Street, Merced, for great food, great company, and 1 hour of MCLE credit. Judge Donald Shaver will be our speaker, with a presentation on The State of International Law. Judge Shaver was the first American Judge to work with the International Criminal Court in The Hague, and has been very involved with the European Court of Human Rights. This presentation promises to provide a fascinating look into international law.

We are also fast approaching our elections for 2019 MCBA Officers. We have nominees for all of the officer positions. However, if anyone else is interested in running for an office, please contact the MCBA so that we may add your name to the list of proposed nominees. Elections will be held during our November luncheon meeting.

2018 MCBA OFFICERS

Casey Aitchison, President
casey@merceddivorce.com

Tom Min, VP
tmin1216@gmail.com

George Leavell, Secretary
george@georgeleavell.com

Skye Emery, Treasurer
skye@merceddivorce.com



Judge Shaver to Speak at the MCBA September 6, 2018 Luncheon

The MCBA is excited to have Judge Shaver as our speaker at our September 6, 2018 luncheon with a presentation on The State of International Law, for 1 hour of MCLE credit.



Judge Shaver began his legal career in private practice in 1981, and later entered into the Stanislaus County District Attorney's Office as a homicide attorney where he remained for 7 years. He was initially appointed Judge of the Stanislaus County Municipal Court of California in 1990, and was later elevated to the Stanislaus County Superior Court. Since his retirement in 2011, Judge Shaver has served by appointment as a Judge in several counties, including Merced.

Judge Shaver has served as section liaison to the ABA Coalition for Justice and co-chair of the International Criminal Law Committee for the ABA Section of International Law. In 2006, Judge Shaver became the first American Judge to work with the International Criminal Court in The Hague, on paid sabbatical as a visiting professional sponsored by the California Judicial Council. Judge Shaver has also been very active in the European Court of Human Rights (ECHR), which is essentially a civil-rights Supreme Court for the European member countries.

Judge Shaver is highly respected by a broad segment of the justice system based upon his honesty, integrity and sense of fair play.

Calendar of Events 2018

January 4 – MCBA Luncheon – Bella Luna Bistro – Judge Proietti’s discussion on Best Practices in Civil Law and Motion

February 1 – MCBA lunch at Elks Lodge Merced: Matthew Serratto on criminal law updates

March 1 – MCBA lunch at Elks Lodge Merced: Judge Bacciarini’s discussion of Elimination of Bias

April 5th at Noon – MCBA lunch at the Elks Lodge: Speaker: Judge Schechter-ETHICS

(1 MCLE credit *REQUIRED SUBJECT*)

May 3rd - MCBA Law Day at the Italo-American Lodge: Speaker: Justice Poochigian, 5th District Court of Appeal, on Separation of Powers *and MCLE classes 10AM and 11AM*



June 7th at Noon - MCBA Lunch at the Elks Lodge; Speaker: Kirk McAllister – Recent developments in Brady v. Maryland (1 MCLE credit)

July 5th - MCBA Summer Social at 5 p.m., Branding Iron in Merced (hosted beer and wine bar)

August 2nd at noon – MCBA Lunch at the Elks Lodge: speaker: Cory Hamma, Calforensics – Ethics and Electronically Stored Information (1 MCLE ETHICS credit *REQUIRED SUBJECT*)

September 6th at Noon - MCBA Lunch at the Elks Lodge: Speaker: Judge Shaver will be presenting on The State of International Law (1 MCLE credit)

October 4th at 6 p.m. - Westside Dinner and at Wool Growers, 609 H Street, Los Banos

November 1st at Noon - MCBA Lunch at the Elks Lodge: Speaker: Dave Elgin – Cross-examination

December 6th at 6 p.m.- Holiday Party and Judge’s Night at the Branding Iron in Merced

MATTHEW SERRATTO SELECTED AS 2018 PROSECUTOR OF THE YEAR!

Please join us in congratulating Matthew Serratto for being named 2018 Prosecutor of the Year by the California District Attorneys Association Board of Directors!

Matt has tried 57 cases to verdict since joining the Merced County District Attorney’s Office in 2007. In 2017, Matt secured guilty verdicts in three murder cases and an attempted homicide case. He was the lead prosecutor for Operation Scrapbook, a multi-agency investigation that resulted in the arrest of 74 gang members and associates. Matt was also promoted to supervising deputy district attorney in February 2018. Matt also serves on the Merced City Council. Matt received his bachelor’s degree from UC Davis in 2002 and graduated with a law degree from UCLA.

MARK YOUR CALENDARS FOR OUR WESTSIDE DINNER ON OCTOBER 4, 2018!

Our annual Westside dinner will take place at the Wool Growers Restaurant in Los Banos on October 4, 2018, at 6:00 p.m. Mark your calendars for a delicious dinner and a fun-filled evening! This dinner has long been an MCBA tradition, filled with great food, wine and company. This is a great way to relax and unwind after work, and to get to know the growing number of new attorneys in Merced County, as well as a Judge or two. We hope that everyone will join us!



ATTORNEY RE-FINGERPRINTING REQUIRED BY APRIL 30, 2019

On May 23, 2018, the Supreme Court issued California Rules of Court, Rule 9.9.5, requiring the re-fingerprinting of most active attorneys licensed in California. The deadline to submit proof that you have been fingerprinted is April 30, 2019. Failure to comply with the California State Bar Fingerprinting Rule Requirements may subject attorneys to penalties.



To obtain the form for your livescan fingerprinting, you must log into your My State Bar Profile account and download the form. Each attorney's form will contain a unique identification number assigned by the DOJ. Once you have downloaded your form, you must have your livescan performed by an authorized vendor, which includes the Merced County Sheriff's Department. Complete and detailed instructions for the Fingerprinting Rule Requirements may be found at the following State Bar web site:
<http://www.calbar.ca.gov/Attorneys/Attorney-Regulation/Fingerprinting-Rule-Requirements/For-In-State-Attorneys>.

The livescan vendor will collect the \$49 fee for the FBI and DOJ background checks. Each vendor charges an additional "rolling" fee for conducting the scan, which ranges from \$5 to \$75. If anyone is interested in organizing a live-scan fingerprinting session for MCBA members to receive a discounted rolling fee from a mobile vendor, please contact MCBA Vice President Tom Min by email at tmin1216@gmail.com.

MERCED COUNTY SUPERIOR COURT NEWS

News from the Court:

Updated Standing Order: **AUTHORIZED RATE FOR MENTAL HEALTH EVALUATIONS**

Effective July 20, 2018, the Court authorizes a flat rate fee of \$600.00 per evaluation for the following evaluation types:

Penal Code §1368

Penal Code §1369

Penal Code §1370

The Video Remote Interpreting pilot project has concluded. The Judicial Council who oversaw the pilot project contracted with San Diego State University Research Department who is currently reviewing all data and preparing the final report on the project. As you recall the three California Superior Courts that were selected to participate in the project were Merced, Sacramento and Ventura.

CCLS CHAMPIONS OF JUSTICE AWARDS OCTOBER 4, 2018

Make plans to join Central California Legal Services (CCLS) as we recognize those in our community who demonstrate an exceptional devotion to justice. The Champions of Justice Reception celebrates what can be accomplished when ordinary people take a stand against injustice and exploitation.

We will be lifting up three remarkable honorees at our 2018 Champions of Justice reception in October. Please make plans to celebrate the recipient of the Ronald M. George Equal Justice award, and two recipients who we'll specially recognize, on Wednesday, October 4, 2018 from 5pm – 8pm at The Grand on Ten at 1401 Fulton Street, 10th Floor, in downtown Fresno.

The Ronald M. George Equal Justice Award was established in 2006 and named for then Chief Justice George of the California Supreme Court who served from 1996 to 2011. The Chief Justice was the first recipient; this is the highest award given by CCLS to honor an individual, organization or project that exemplifies Justice George's commitment to a fair and accessible system of justice. The Special Recognition Award is for individuals or organizations who bring their heart and soul to the pursuit of "justice for all." Past honorees are the faces of the fight for equal justice, and remind us of how much effort is required to make legal advocacy accessible to all. Nominations are still open and will close on Friday, August 17th at 12 noon.

Don't miss this exceptional event! Additional information including sponsorship and advertising opportunities and tickets are available at our website www.centralcallegal.org and click on the Champions of Justice tab or you may contact Ms. Luisa Medina at (559) 570-1242 or luisa@centralcallegal.org.

SIDEBAR

In years gone by, the MCBA used to host an annual Judges' Night dinner to honor and recognize our local Judges. The Judges, in turn, hosted an annual dinner at their homes, attended by the local attorneys. Of course there were far fewer attorneys back then, and only three Judges, who would take turns hosting the event.

This year, the MCBA will be reinstating the Judges' Night portion of our time-honored tradition by combining our December 6, 2018 Holiday Dinner with Judges' Night. We have reserved the Banquet Room of the Branding Iron for this auspicious event, and invite all attorneys and judicial officers to join us for a festive night of celebrating the holiday, recognizing our judicial officers who have gone above and beyond, and installing the new MCBA officers for 2019.

PROPOSAL FOR A JUDICIAL RECALL AMENDMENT

The MCBA was asked to notify members of a proposal calling for a State Constitutional Amendment limiting judicial recall to only cases of proven judicial misconduct as determined by the Commission on Judicial Performance. Per the proposal, California voters would be able to vote to elect a Judge, but would not be able to vote for a judicial recall unless the Commission on Judicial Performance first determined there has been misconduct. The proposal is entitled Statement for the Independence of the Judiciary. Anyone interested in learning more about the proposal may do so at this link: https://docs.google.com/document/d/1qxm5COs1HDcxXL0L19AcJ_0Uff6SouRptu8iA8Q4d0I/edit?usp=sharing

McCORMICK BARSTOW IS HIRING IN MODESTO!



McCormick Barstow's Modesto Office has an immediate need for attorneys with 3-10 years of experience for our Business Litigation, Employment, Family Law, and Insurance Defense/Specialty (Governmental Entity) practice groups. We offer a collegial work environment where attorneys are given hands-on experience and meaningful responsibility, competitive salary, significant bonus opportunities, and generous benefits. We encourage motivated, ambitious individuals who are not afraid of the courtroom to submit a resume and cover letter to Ben Nicholson, Hiring Partner c/o McCormick Barstow LLP, 1125 I Street, Suite 1, Modesto, CA 95354 or via email to ben.nicholson@mccormickbarstow.com. **All submissions are kept confidential.** Visit www.mccormickbarstow.com/careers

Friendly Reminders

If you have not done so already, please pay your MCBA dues of \$110 for 2018.

Merced County Bar dues this year are \$110 and anyone interested in joining can contact MCBA at mercedbar@gmail.com for an application.

Download a Member Application on the member's resources page of our website: www.mercedbar.org/member-resources/

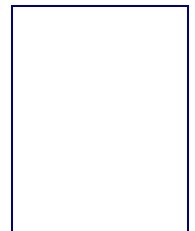
Thank you for your 2018 MCBA Membership!

Please invite a non-MCBA member to the next luncheon!

Casey Aitchison	Scott Drexel	Sean Howard	Michael Noguera
Tabasum Akbari	Maile C. Dunlap	Bruce J. Hendricks	James P. Padron
Edward M. Amaral	Thomas E. Ebersole	Raymond J. Isleib	Deanne Peterson
Jenna M. Anderson	Skye Emery	J. Scott Jordan	Diane Van Atta Rathmann
Vincent Andrade	James N. Fincher	Jeffrey S. Kaufman	Kenneth M. Robbins
Eric S. Beiswanger	Kelly C. Fincher	Kevin F. Kelley	Sara Rosenthal
Deborah Bennett	Kimberly G. Flores	Cyril L. Lawrence	Monika Saini
Mason L. Brawley	David A. Foster	George B. Leavell	Lisette M. Silva
Geraldine Brown (Honorary)	Arthur F. Godwin	Kenneth R. Mackie	Shane G. Smith
Marvin J. Brown	Christopher Goodness	Richard T. Marchini	Bruce B. Sousa
Corbett J. Browning	Jeff B. Grant	Weldon J. Mattos, Jr.	Stuart B. Spencer
Aaron N. Castleton	Janinda Gunawardene	Roger S. Matzkind	Karen R. Spinardi
Jeffrey C. Castleton	Melbourne Gwin	C. Logan McKechnie	James E. Stone
Julie Collura	Emily J. Haden	Phillip McMurray	Ralph S. Temple, Jr.
Beau C. Correia	Robert T. Haden	Derek Meyer	Jennifer Tran
Thomas Curry	Kyle Hampton	Rachel Miller	Rickey D. Wallace
Betty L. Dawson (Honorary)	Forrest W. Hansen	Thomas Min	Alfred L. Whitehurst
Anthony De Jager	Ann M. Hanson	Paul Carter Mullen	Darryl Young
Gabriel A. Delgado	David D. Haycraft	Michael W. Murphy	

If you haven't already paid your 2018 dues, please bring your dues payment to the next luncheon, or mail it in to MCBA, PO Box 2982, Merced, CA 95344.

Merced County Bar Association
P.O. Box 2982
Merced, California 95344



MERCED COUNTY BAR ASSOCIATION



MEMBERSHIP APPLICATION – 2018

Annual Dues
Active: **\$110**
Retired: Honorary

Please mail the completed the application and dues payable to:
MCBA
P.O. Box No. 2982
Merced, CA 95344

The following data will be used for your Member Information of the MCBA records and MCBA website member directory page: <http://mercedbar.org/members/>

Please **DO NOT** include a website entry on <http://mercedbar.org/members/> for me.

Name: _____

Bar#: _____

Firm Name: _____

Address: _____

Phone: _____

Fax: _____

Email: _____

Website: _____

Areas Of
Practice: _____

Law School: _____

Languages: _____

Dues
Enclosed: _____