

Merced County Bar Association



Volume 2, Issue 9

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President's Column

Casey Aitchison
MCBA President

The Merced County Bar Association (MCBA) extends a huge "Thank you!" to Judge Shaver for his very informative presentation of The State of International Law during our September MCBA luncheon meeting. In 2006, Judge Shaver became the first American Judge to work with the International Criminal Court in The Hague. His presentation at our MCBA meeting enlightened the MCBA regarding the relevance of International Law to the everyday practice of law by many attorneys in Merced County. It was quite fascinating!

The MCBA is quickly growing and evolving. We have now established three Sections of the MCBA, including the Criminal Defense Section, Minor's Counsel Section, and Family Law Section. The Sections will be headed by individual Section Presidents who will schedule monthly Section meetings. There is no fee for joining a Section or attending a Section meeting, and all members are invited to participate. This is a great opportunity for attorneys practicing law in those areas to pool their knowledge, and for those who have an occasional cross-over issue to get their questions answered.

Please note that we will not be having a regular luncheon meeting in October. Instead, our next MCBA meeting is dinner at the Wool Growers Restaurant in Los Banos on Thursday, October 4, 2018 at 6:00 p.m. We invite all members, those considering membership, spouses, significant others, Judges, and Commissioners to join us. RSVPs are appreciated but not required.

JOIN US AT WOOL GROWERS RESTAURANT 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. Join us for a delicious dinner and a fun-filled evening! This dinner has long been an MCBA tradition, filled with great food, great wine and great company. This is a fantastic way to relax and unwind after work while conversing with the growing number of attorneys in Merced County as well as a few of the Judges.

We would like to provide the restaurant with an approximate number of attendees to expect, to make sure there is enough food and enough room. We are therefore requesting that you RSVP the number of expected attendees in your party by calling Aitchison & Emery (209) 725-0770, or emailing Casey Aitchison at Casey@MercedDivorce.com. We hope that everyone will join us!



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



Calendar of Events 2018

January 4 – MCBA Luncheon – Bella Luna Bistro – Judge Proietti’s discussion on Best Practices in Civil Law and Motion (1 MCLE credit)

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

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

April 5th at Noon – MCBA lunch at the Elks Lodge: Speaker: Judge Schechter-ETHICS (1 MCLE credit)

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 Hama, 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 (1 MCLE credit)

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

DOUGLAS FOSTER INSTALLED AS PRESIDENT OF THE MCBA CRIMINAL DEFENSE SECTION

The MCBA has established a Criminal Defense Section, with Douglas Foster as the new President of the Section!



Doug hails with impressive qualifications as the new President of the MCBA Criminal Defense Section. After obtaining a Bachelors Degree with honors in Political Science, Doug went on to obtain his Juris Doctor from the University of Iowa College of Law in 1999. He thereafter moved to California where he was admitted to practice in December 1999. Doug worked as an associate in a firm for approximately 18 months before taking a position as a criminal defense attorney at Hinkle, Jachimowicz, Pointer & Emanuel in June of 2001. While there, he was responsible for a variety of cases including misdemeanors, felonies, juvenile delinquency and juvenile dependency matters, trying approximately 15 cases to verdict. In 2004, Doug moved to Fresno and began working full-time at Ciummo & Associates. Over the last twelve years he has handled every conceivable type of criminal case. He has tried more than fifty cases including several homicides (some involving special circumstances), sex crimes, gang crimes, financial crimes and others. He spent six months as one of two attorneys assigned to handle juvenile delinquency cases. From 2008 – 2012, Doug was in charge of the felony trial team, responsible for assigning trial cases and supervising the trial attorneys. He has presented seminars on the subjects of gangs, eyewitness identification, and juvenile delinquency, and is death penalty qualified.

If you would like to participate in the MCBA Criminal Defense Section, contact Doug at (209) 691-7280 and email at dougcfoster.esq@gmail.com

DEBORAH BENNETT TO HEAD UP THE NEW MCBA MINOR'S COUNSEL SECTION

The MCBA is pleased to announce that Deborah Bennett is serving as President of the Minor's Counsel Section, and is uniquely qualified to do so.



For the last several years, Debbie has been Court Appointed to represent virtually every child in Merced County who is in a foster placement through the Juvenile Dependency Court, as well as children in the Guardianship and Family Law proceedings. Debbie established Central Valley Youth Legal Services, PC, where she interviews children in their own element and on their level, often sitting on the floor and playing silly children's games with them to establish a rapport.

Debbie was raised on the East Coast, in both New York and Maryland. After graduating from Virginia Tech with a BA in Political Science, she attended West Virginia University, College of Law. She started with the Merced County District Attorney's Office in 1990 and was instrumental in starting the Domestic Violence Unit. In 1997, Debbie went out on her own and focused her practice on Juvenile Dependency and Delinquency, Criminal Defense, and Minor's Counsel in Family and Probate Courts. In 2015, Debbie formed Central Valley Youth Legal Services, PC, which provides legal services to children and young adults in Family, Probate, and Dependency Court. She is a Member of the Merced County Blue Ribbon Commission; Foster Youth Services Coordinating Program Executive Council; Commercial Sexual Exploitation of Children (CSEC) Multidisciplinary Team; and the Juvenile Justice Task Force, through the Governor's Office of Emergency Services.

Contact Debbie at (209) 580-4910 for more information about the new Minor's Counsel Section.

CASEY AITCHISON ELECTED PRESIDENT OF THE MCBA FAMILY LAW SECTION

Congratulations to Casey Aitchison on being unanimously elected by the MCBA as the President of the Family Law Section! The first meeting of the Family Law Section will be held at noon on Tuesday, October 9, 2018 at Kings Asian Restaurant. There is no fee for joining the Section or attending the meetings. To learn more or to RSVP for the meeting, contact Casey at Casey@MercedDivorce.com or (209) 725-0770.



Casey received a number of scholarships, was Soroptimist Youth Citizen of the Year, and served as a Congressional Page before going on to receive her undergraduate degree in Business Management. In 1989, she earned a Juris Doctor from San Joaquin College of Law in Fresno, where she served as President of the Student Bar and was a member of the College Board of Trustees. She passed the California Bar exam in 1989 and worked for a law firm in Merced prior to founding her law practice in 1994. In 2018, Skye Emery became a partner in the law firm and together they established Aitchison & Emery.

Casey currently serves as President of both the Merced County and Mariposa County Bar Associations, President of the Board of Trustees for the Merced County Law Library, and is a member of the National Association of Counsel for Children, the Association of Family and Conciliation Courts, as well as the State Bar of California and the Family Law Section of the State Bar. Casey practices with an emphasis in family law, guardianships and adoptions, and is frequently appointed by the Superior Court to represent children in custody matters. Casey is also frequently appointed to serve as Judge Pro Tem in the Family Law Court.

After raising her children in Merced and seeing them off to college, Casey now resides in Catheys Valley, where she and her husband own and operate California's largest alpaca ranch, as well as a retail store for alpaca clothing and gifts in historic downtown Mariposa.

MERCED SUPERIOR COURT JUDGES REELECT PRESIDING JUDGE

The Merced Superior Court judges recently held their election and have reelected Judge Donald Proietti as the Presiding Judge.



This will be Judge Proietti's second two-year term as Presiding Judge. His new term formally begins Jan. 1, 2019 and ends Dec. 31, 2020. He also serves on various committees with the Judicial Council.

Judge Proietti was appointed to the bench in 2009 by Governor Arnold Schwarzenegger. The former civil attorney joined the bench as part of a 2006 legislative bill that created 50 more judge positions across the state.

The presiding judge has the authority and duties prescribed in the California Rules of Court, according to Linda Romero Soles, the court's chief executive officer.



Judge Mark Bacciarini was reelected to serve another two-year term as Assistant Presiding Judge. He is also the designated Criminal Presiding Judge. Judge Bacciarini was appointed to the bench in 2010 by Governor Schwarzenegger. Prior to his appointment he worked for the Merced District Attorney's office from 2000 – 2010. The assistant presiding judge is assigned duties as the presiding judge deems necessary and acts as presiding judge in Judge Proietti's absence, according to CEO Romero Soles. The Superior Court Judges hold the internal election every other year as stated in the Local Rules of the Court.

MERCED COUNTY SUPERIOR COURT NEWS

The Merced Superior Court will implement the use of videoconference technology as a result of an innovation grant the court received last year. The equipment has now been installed and is currently being tested. The designated courtrooms are 4, 8 in Merced; Courtroom 11 (Juvenile) and Courtroom 13 (Los Banos), for certain Criminal Preliminary Hearings and Civil Hearings. The purpose of this project is to provide the public, justice partners and case parties with a cost effective, innovative and sustainable service that helps streamline the justice process for both criminal defendants and civil respondents. Through the use of videoconference equipment, the court will help facilitate the availability of Judicial Officers to remotely hear cases, thus helping avoid prolonging case hearings due to Judicial Officer or Court Staff unavailability.

New Records Division- has been established in the Clerk's office. All requests for records or reproduction of any records are now being handled by this division rather than each division having responsibility. The division is located on the second floor near the Family Law Division. Revisions/updates to the Local Rules are currently being drafted at this time. Once completed, the draft will be posted for comments.

SIDEBAR

As everyone is no doubt aware, the State Bar is requiring attorneys to submit proof of compliance with the requirement for re-fingerprinting no later than April 30, 2019. During our September 2018 meeting, attorney Ralph Temple graciously volunteered and was unanimously elected to head up the effort to obtain a mobile vendor to accomplish the fingerprinting at a group rate! Thanks Ralph! 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. 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. Anyone interested in coordinating with Ralph Temple to have a mobile vendor conduct the livescan at a discounted price, contact Ralph at (209) 383-0720.

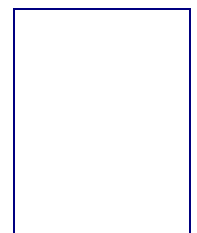
Thank you for your 2018 MCBA Membership!

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

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

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

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: _____