

Merced County Bar Association



Volume 3, Issue 6

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June 2019

President's Column

Thomas Min
MCBA President

Please join us on **Thursday June 6, 2019, noon at The Branding Iron**. Casey Aitchison will be our speaker: Best Practices in Family Law. Please see the next column for details. >>>

We want to thank each and everyone one of you who attended our Law Day event in May!

Central Calif. Legal Services presents: Champions of Justice – Call for Nominations.

Do you know someone who is dedicated to justice? Nominate your champion for Central California Legal Services (CCLS) 2019 Champions of Justice Reception. This annual event recognizes individuals and/or organizations who fight to bring justice to our community. Nominations are open from May 6, 2019 and will close Monday June 10, 2019. Awards will be presented at the Champions of Justice Reception (continued on page 3)

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Sara Rosenthal, Treasurer
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Join Us for MCLE Credit at June 6, 2019 Luncheon

Our next MCBA luncheon is noon, June 6, 2019, at the Branding Iron, in Merced. Our speaker is Casey Aitchison of the Merced and Mariposa law firm Aitchison & Emery. Ms. Aitchison's



presentation, Standards and Best Practices in Family Law, has been approved by the California State Bar for 1 hour of MCLE credit.

Family Law issues affect everyone in our society and all areas of the law, either directly or indirectly. As such, it is of interest to all law practitioners regardless of their area of practice, including Criminal Law. In her presentation, Ms. Aitchison will address any questions you have about Family Law cross-over issues and how they relate to your area of practice, such as Criminal Law.

Ms. Aitchison has been a family law attorney for 30 years. In addition to family law, she practices law in the related areas of guardianships, adoption, and juvenile dependency, and is frequently appointed by the Superior Court to represent children in custody matters. She was minor's counsel in the landmark case *In re Eric H.* (1997) 54 Cal.App.4th 955.

Ms. Aitchison currently serves as President of the Mariposa County Bar Association and President of the Family Law Section of the Merced County Bar Association. She is a member of the National Association of Counsel for Children, the Association of Family and Conciliation Courts, and the State Bar of California. She is appointed to serve on the Board of Trustees of the Merced County Law Library, and is 2018 Past-President of the Merced County Bar Association. Ms. Aitchison regularly serves as Judge Pro Tempore of the Merced County Superior Court and has served in that capacity for the Mariposa County Superior Court as well.

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Calendar of Events

June 6 MCBA Lunch, Branding Iron – Casey Aitchison on Best Practices in Family Law (1 MCLE credit).



July 4 – Enjoy Independence Day. No July meeting!

August 1 – MCBA Lunch, Branding Iron – Commissioner Shaver, subject TBA (1 MCLE credit).

September 5 - MCBA Lunch, Branding Iron – Lindsay Nako and David Nahmias on Legal Developments in LGBTQ Employment Discrimination (1 MCLE credit Elimination of Bias *REQUIRED SUBJECT*).

October 3 at 6 p.m. - Westside Dinner and at Wool Growers, 609 H Street, Los Banos.

November 7 - MCBA Lunch, Branding Iron - Annual Membership meeting and board elections.

December 5 at 6 p.m.- Holiday Party and Judges' Night at the Branding Iron in Merced.

Friendly Reminders

It is not too late to join the MCBA. Bar dues for 2019 are \$90 and \$60 for new members.

Anyone interested in joining can contact Tom Min at tmin1216@gmail.com for an application.

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

(June 6, 2019 MCBA Luncheon Continued from Page 1)

Prior to law school, Ms. Aitchison 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, California, where she served as President of the Student Bar. 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, attorney Skye Emery became a partner in the law firm and they established the family law firm Aitchison & Emery.

After raising her children in Merced and seeing them off to college, Ms. Aitchison now resides in Catheys Valley, where she and her husband own and operate California's largest alpaca ranch.

FAMILY LAW SECTION NEWS

by Casey Aitchison

At our May 2019 Family Law Section Meeting, we discussed the recent case of *Marriage of Martin* (2019) 32 Cal.App.5th 1195, and its impact upon the drafting of spousal support provisions in Marital Settlement Agreements.

As most attorneys are aware, Family Code Section 4337 provides that, absent an express waiver in writing, spousal support shall terminate upon remarriage of the supported spouse or the death of either party.

In *Martin*, the Appellate Court held that the parties expressed their agreement to waive the application of the Family Code Section 4337 provision for termination of spousal support on remarriage by failing to check a box on a local form.

The *Martin* holding is a reminder to all that we need to be sure to expressly state exactly what the parties intend in their Marital Settlement Agreement. The best practice is to clearly incorporate the wording of Family Code Section 4337 into the Marital Settlement Agreement to avoid an unintended interpretation by the Court in the event of a dispute.

The Family Law Section of the Merced County Bar Association meets on the second Tuesday of each month at King's Asian Cuisine located at 360 W. Main Street, Merced, CA.

We invite any interested persons to join us, whether you are a Family Law practitioner, have crossover questions, or just want to get together with friends for lunch. Our next meeting is as follows:

MCBA Family Law Section Meeting
Date: Tuesday, June 11, 2019 at noon
Location: King's Asian Cuisine

RSVPs are appreciated but not required. To RSVP or for more information, please email the Family Law Section President, Casey Aitchison at Casey@MercedDivorce.com.

(Champions of Justice Continued from page 1) which takes place on Wednesday evening, October 2, 2019 from 5pm to 7:30pm at the Bankers Ballroom at 1060 Fulton Street in downtown Fresno. You do not want to miss this inspiring event, please make plan to join us as we come together to celebrate a common cause. Nomination forms are available at the CCLS website, www.centralcallegal.org; click on the Champions of Justice tab.

Nominations are accepted in two categories:

1. The Ronald M. George Equal Justice

Award: This prestigious award is given to honor an individual or organization that exemplifies Justice Ronald M. George's commitment to a fair and accessible system of justice. Justice George, former Chief Justice of the California Supreme Court from 1996-2011, championed multiple initiatives to ensure true access to the justice system for indigent litigants. He worked hard to make our court system truly a *justice* system.

2. Special Recognition – Individual or

Organization: This category is reserved for those who bring their heart and soul to the pursuit of "justice for all." Their accomplishments reflect their commitment to a fair and just society. Past honorees are the faces of the fight for equal justice, reminding us all of the incredible efforts required to make legal advocacy accessible to all.

Sponsorship and advertising opportunities are available and can be viewed at our website. For additional information, you may contact Ms. Luisa Medina at (559) 570-1242 or luisa@centralcallegal.org or Kasey Madden (559) 570-1277 or kmadden@centralcallegal.org. Thank you to **CalViva Health** for their early sponsorship of our Champions of Justice Reception.

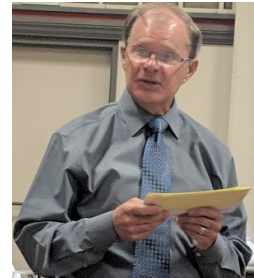
Law Day, May 2, 2019

Law Day 2019 was a very good time!

We started the day off with David Mann, from The Other Bar. It is always good to be reminded that we need to look out for our fellow lawyers to help them when they have competency issues.



David Mann



Commissioner Shaver

Next up, Commissioner Shaver gave us an entertaining review of constitutional trivia. Most of us discovered we had a lot to learn about many interesting facts about how our government developed over our relatively brief history.



Our keynote speaker was 5th District Court Justice Kathleen Meehan. Justice Meehan was accompanied by the esteemed Prof. Jeffrey Purvis, Constitutional Law professor from San Joaquin College of Law. They presented an interesting discussion 1st Amendment protections and issues in the social media age.



MCBA President Tom Min, center, presented a copy of the Immigration Law Practice Expediter to the Merced County Law Library. Law Library directors, Judge Slocum (left) and Judge Schechter (right), accepted the donation on behalf of the Law Library.

Thank you for your 2019 membership.

Casey Aitchison
Jenna M. Anderson
Vincent Andrade
Blake Asdorian
Geraldine Brown
(Honorary)
Corbett J. Browning
Aaron Castleton
Jeffrey C. Castleton
Thomas Curry
Betty L. Dawson
(Honorary)

Maile C. Dunlap
Thomas E. Ebersole
Skye Emery
James N. Fincher
Arthur F. Godwin
Jeff B. Grant
Janinda
Gunawardene
Melbourne Gwin
Emily J. Haden
Robert T. Haden
Kyle Hampton
Forrest W. Hansen

Bruce J. Hendricks
Raymond J. Isleib
Salpy
Kabaklian-Slantz
George B. Leavell
Kenneth R. Mackie
Michael Mason
Weldon "Buzz"
Mattos
Roger Matzkind
Jane McAllister
Kirk McAllister
Phillip McMurray
Derek Meyer
Victoria Miller
Thomas Min
Paul Carter Mullen

Leanna Rhodes
Kenneth M. Robbins
Sara Rosenthal
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