



# A YEAR IN REVIEW

A publication of the Alameda County Bar Association

DECEMBER 2019



*What can your local bar  
do for you?*

*Promoting Excellence — Seeking Justice*  
ALAMEDA COUNTY BAR ASSOCIATION

# A YEAR IN REVIEW

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## About the ACBA

The Alameda County Bar Association (ACBA) was established in 1877 and has a membership of approximately 1,500 attorneys, judges, law students, and other legal professionals. The ACBA administers numerous programs and activities to benefit attorneys and the community.

## Mission Statement

Our mission is to promote excellence in the legal profession and to facilitate equal access to justice.



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# A MESSAGE FROM *the President*



*Cheryl Poncini,  
2019 ACBA President*

*"Where has the year gone?"* Sound familiar? Many of us ask that question in our personal or professional lives and struggle to recall what happened in the previous twelve months. The Year in Review provides a great opportunity to look back at what we, in the ACBA, have accomplished this year and what lies ahead.

The theme for my year as ACBA president has been The Many Paths to Public Service. My goal was to increase awareness of public service, whether that service is in government (where I have worked since 1975) or in the non-profit sector. To that end, the ACBA has hosted CLE's on various aspects of public service. Attorneys from the public sector continue to join, and actively participate in, the ACBA. Notably, in 2020, four attorneys on the ACBA Board work for government agencies while two board members work for non-profit organizations.

Another of my goals for 2019 was to

increase communication between ACBA and the community as well as within ACBA. Ongoing efforts to increase communication include the bar's preparing to launch podcasts for ACBA members and the public. In addition, we are in the pilot stage of a new joint Alameda County Superior Court and ACBA Bench/Bar outreach program to fifth and eighth grade classes throughout the county, using fun mock trials to talk with students about the importance of the Bill of Rights and the Rule of Law as well as encouraging their interest in making the legal profession a career goal. Stay tuned for more information about the podcasts and the "Bench/Bar in Classrooms" program. Communication has also increased this year between the ACBA Board and sections with the return of a board member assigned to each section. Both the sections and the Board benefit from the resulting open-communication link.

Increasing awareness about wellness has been another important goal of

my term. ACBA began a Wellness Section this year. That section has held successful CLE's and other events such as a yoga class and is planning more events for 2020. (For more information about this and our other Sections, including the Public Service section, visit the ACBA website.)

I am very proud of the many clinics and programs run by ACBA's 501(c)(3) non-profit, Legal Access Alameda, and particularly the CLASP (Community Legal Assistance Saturday Program) Clinic. It is not unusual that this first Saturday-of-the-month clinic attracts over 100 clients each month, each seeking free legal services from volunteer attorneys to help them resolve their legal issues. Contact Christina Wiellette at Legal Access for more information if you would like to volunteer at this clinic.

In addition, in 2019 ACBA (through Legal Access) was asked to once again manage the Lawyers in the





## 2020 ACBA MEMBERSHIP JOIN US



Library (LIL) program. After seeing how much this program means to the community, the local libraries and the volunteer attorneys who provide free legal services through LIL, Legal Access now administers the program. Attorney volunteers are always needed. Please contact Beth Litwin for more information.

We have also had excellent free socials this year, including the Spring Open House held at ACBA, the Summer Social held at The Terrace Room and socials for various sections. About the time you are reading this letter, ACBA will be hosting its

Holiday Reception which will be in downtown Oakland. In addition, I am particularly pleased that, this year, ACBA hosted a social in Hayward for members in central and south county as well as a social in Pleasanton for members in east county. If you would like to see more events scheduled in those areas of the county, please let ACBA staff know.

In short, ACBA is a dynamic bar association for the legal profession in Alameda County because it continues to offer many programs and services to the bench and bar as well as to the community. It has a strong and

dedicated staff that works diligently to promote ACBA and Legal Access Alameda.

I thank each of you for your support in my year as president of ACBA and hope that you will continue your support of ACBA which works daily to promote excellence in the legal profession and to facilitate equal access to justice. Thank you for the opportunity to serve you and the Alameda County community.

# 2018 ACBA HOLIDAY RECEPTION

Another wonderful evening at the Marriott City Center! The ACBA Holiday Reception is one of our favorite events of the year, the perfect opportunity to network and socialize over a celebratory glass of sparkling wine. Thank you to everyone who came out to recognize the excellent work of our volunteer Executive Committees and to toast another successful year.



Jani Matsui and Ruby Kennedy



Alexander Van Broek, Malcolm Sher,  
and Judge John True (Ret.)



ACBA 2019 President Cheryl Poncini and  
ACBA Board Member Pamela Ross



Bree Antenucci, Harold Smith,  
and Darien Myer



Manuel Ugarte, Ana Flores, and  
Josue Aparacio



Presley Aranda, Angela Bryant,  
Norah Alyami, Hazel Bradshaw, and  
Lauren Powe



Jason Leong and Eileen Eib



Eric Davidson, Todd Galde,  
and David George



Jessica Notini and Charles Bomner





ACBA Photo booth



Jani Matsui and Ruby Kennedy



Judge Dorothy Proudfoot, Cynthia Chandler and Comm. Bentrish Satarzadeh



Judge George Hernandez (Ret.), Joyce Hicks, and Eric Behrens



Judge Jo-Lynne Lee, Judge Stephen Kaus and Comm. Bentrish Satarzadeh



Judge Margaret Fujioka and Judge Tara Desautels



Judge Wynne Carvill, Judge George Hernandez (Ret.), and Chad Finke



Judges Noel Wise, Barbara Dickinson, Tom Stevens, and Delia Treviño



ACBA 2018 President Michael Johnson and Judge Winifred Smith



Justice Ojo, Judge Jason Clay, and Ann Kariuki



Otis McGee and Valerie Lewis



Renee Ross, Malcolm Sher, Judge Richard Flier (Ret.), and Judge Dorothy Proudfoot



Sophia Ahmad, Eileen Eib, and Monica Porter



Tiela Chalmers, Spencer Strellis, Robert Schock, Barbara Schaaf, and Judy Strellis



William Walraven, Quynh Chen, Carrie Ng, and Anne Shaiu

# ACBA LAWYER REFERRAL SERVICE



For more than fifty years, the Lawyer Referral Service (LRS) has been helping attorneys in Alameda County grow their practice while giving back to the community. We advance both prongs of the ACBA mission: to **PROMOTE EXCELLENCE** in the legal profession and to facilitate **EQUAL ACCESS TO JUSTICE**

The ACBA LRS staff carefully screen calls and online requests from people seeking legal assistance. Staff determine which requests may be appropriate for a private attorney and which may need a referral to a legal services agency, another nonprofit service agency, or a governmental agency. Staff then determine the area of law the potential client's case falls in, identify important facts, and flag possible problems before referring the case to our panel attorneys.

Attorneys who are members of the Lawyer Referral Service are asked to provide LRS referred callers with a free 20 to 30 minute brief consultation, often over the telephone. Based on this brief consultation, the attorney then decides whether to offer to retain the potential client. Attorneys provide LRS with a referral or forwarding fee of 15% of attorney's fees collected — this is significantly lower than most fee splitting arrangements. LRS attorneys must carry malpractice insurance and have experience in the relevant areas of the law.

The Lawyer Referral Service refers cases in many areas of law, including:

- Real Estate
- Personal Injury
- Administrative law
- Probate, Wills, Trust and Estates
- Family law
- Employment and Labor
- Bankruptcy
- Landlord/Tenant
- Business (litigation and transactional)
- Criminal
- Immigration

The LRS is looking for new panel attorneys! If you are interested in joining the LRS, please contact Rachel Shigekane, Program Director, [rachel@acbanet.org](mailto:rachel@acbanet.org) or 510.302.2210.

## 2019 LRS Governing Committee

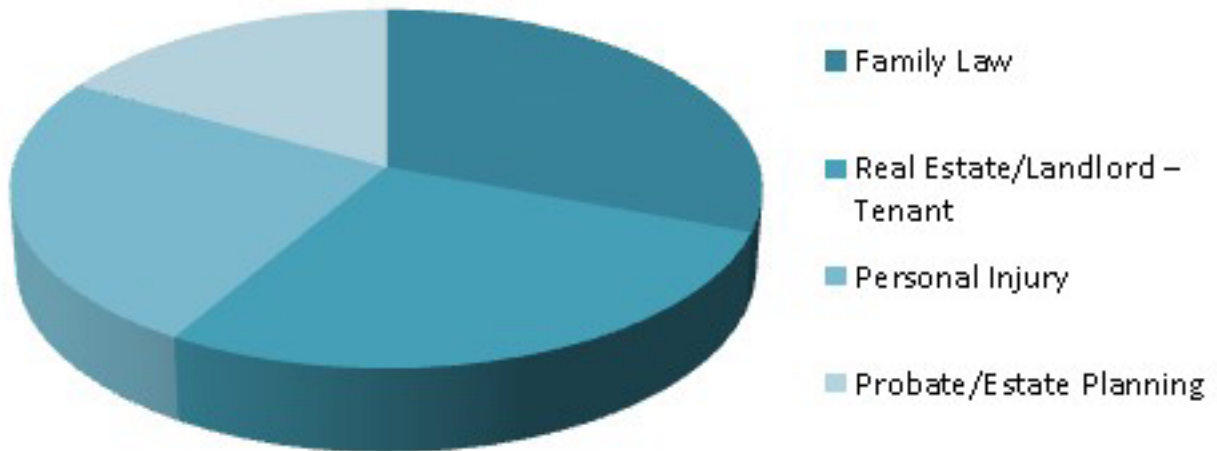
Maria Bee, Chair  
Matthew Quiring, Co-Chair  
Anna Bednarczyk

Jeff Fettner  
Stephen Henry  
Phil Hong

David Kleczek  
Amadis Sotelo  
Alexcis Wichtowski



# Top 4 Areas of Law for LRS Referrals



This past year, the LRS referred 2463 cases to attorneys! Twenty-one percent of those cases were Family Law cases; 18% were Real Estate/Landlord Tenant cases; 16% were Personal Injury cases and 11% were Probate/Estate Planning cases.

## CAN'T HELP THAT CLIENT?

## THE ACBA LAWYER REFERRAL SERVICE CAN

When you refer them to the ACBA Lawyer Referral Service (LRS), you do not have any liability for a negligent referral. Our LRS has attorneys specializing in the following areas of law:

Family  
Probate, Wills, Trusts and  
Estate Planning  
Bankruptcy  
Immigration  
Real Estate  
Business  
SSDI

Criminal  
Landlord/Tenant  
Taxation  
Legal Malpractice  
Medical Malpractice  
Workers' Compensation  
Employment  
Personal Injury



**(510) 302-ACBA (2222), Option 4**  
**[www.acbanet.org](http://www.acbanet.org)**

## LRS PANEL MEMBER SPOTLIGHT

*Mark Homen has been practicing law in California since 1983 and an ACBA LRS panel member since 1993. He first joined the LRS to increase the volume of his practice and to become more involved in the community. Over the years, he has made some great contacts and met memorable clients through LRS referrals, some of which have resulted in lifelong friendships. His practice consists of probate, trusts, wills and estates and representing injured workers in worker's compensation cases. The case described below is one of many that has been referred to Mark from the LRS.*

Mark recently settled a trust contest matter, that came from the ACBA LRS, in which he represented a caretaker of an elderly couple to whom they had generously bequeathed their residence in Castro Valley after she had taken care of them for twelve years. Although the couple had an adult daughter, Francesca, living in the Central Valley, they had little contact with her over the last thirty years of their lives. The daughter had challenged the trust, which specifically disinherited her in favor of the caretaker.

After the passing of her employers, caretaker Antonia came home to a note tacked on the front door stating "Get out of this house by order of the daughter!" Frightened and unsure of her legal rights, Antonia called the ACBA Lawyer Referral Service, who referred her to Mark.

Mark accepted Antonia's case. He discovered that Dante, the deceased husband, had indeed carried through with his plan to leave the most valuable asset of his estate to his caretaker, Antonia. Unfortunately, rather than contacting an attorney to prepare his estate plan, he had gone through his financial advisor, who may or may not have been aware of California Probate Code Section 21350. This statute creates a rebuttable presumption that testamentary gifts made by an elder to individuals who provided health and social services to the elder are invalid.

Since Antonia's relationship to Dante arguably included the providing of such services, the disinherited daughter Francesca hired an attorney who filed a contest seeking to set aside the trust to Antonia, claiming that the entire estate, worth over \$1.2 million, should pass to her as the sole heir at law. Francesca alleged undue influence and fraud by Antonia.

During discovery, it was revealed that a month or so after creating his estate plan, Dante visited a different attorney and disclosed to the attorney that he had no relationship with his estranged daughter and that it was his express desire that Antonia inherit the home. The attorney then prepared a written Certificate of Independent Review.

Prior to trial, the parties and counsel mediated the matter before the Honorable Mark L. Eaton, retired Judge of the Superior Court. Judge Eaton was able to guide them into a settlement wherein the daughter received a cash payment from the trust and Antonia retained 70% of the value of the decedents' residence. He pointed out to Francesca that her lack of communication with the family for so many years significantly weakened her assertion that her father had been unduly influenced. Faced with the anticipated strong testimony of the previous attorney and others, the daughter made the wise decision to settle, rather than risk the uncertainties of trial.

Antonia was very satisfied with the result of the case and with Mark. When she was advised that 15% of the attorney fee would be returned to the Lawyer Referral Service to help others needing legal assistance, she exclaimed, "Making that phone call to LRS was the best thing I could have done!"

*Fictitious names have been used in this article to protect the confidentiality of the parties while the real names of attorneys and judges mentioned are with their express permission.*



# LEGAL ACCESS

ALAMEDA

## GIVE THE GIFT OF JUSTICE THIS HOLIDAY SEASON!



Legal Access Alameda (formerly VLSC) provides free legal services to low income litigants in Alameda County. Your donation helps us provide legal help to those in need.

**We can't do it without you!**

Legal Access works to bridge the justice gap in Alameda County. Through a strong community of dedicated volunteers, we provide legal services in many areas of law and partner with other community legal organizations to reach as many people in need as possible.

Make your year end gift online at [legalaccess.org/donate](https://legalaccess.org/donate)  
or call William Strom at (510) 302-2209.

\* Donations to Legal Access, a 501(c)(3) corporation, are tax-deductible to the extent allowed by law

# AN INTERVIEW WITH THE

## *Presiding Judge*



*Judge Wynne Carvill,  
Superior Court of California, County of Alameda*

*Judge Wynne Carvill is in his final month of his two-year term as Presiding Judge of the Alameda County Superior Court. He has recently announced that, as he ends his term as PJ, he will also be retiring from the Court. Judge Carvill was a partner at the law firm of Thelen, Reid and Priest when he was appointed to the bench in 2003 by Governor Gray Davis. Since then, he has sat in virtually every role in the Court, and was elected Assistant Presiding Judge in 2015, and Presiding Judge in 2017.*

*ACBA CEO Tiela Chalmers sat down to lunch with Judge Carvill (at the newly reopened Tribune Tavern!) to look back on his time with the Court.*

### **How has the Court's budget and budget struggles changed over the years you've been leadership?**

We have had a progression in funding issues with the Court over the years. While I was the APJ, we were struggling with significant budget cuts from the Legislature, and we had to have a staff hiring freeze. That left us with many fewer Court Clerks than we needed, and courtrooms had to close on a rolling basis. Then, the funding crisis eased, but the Judicial Council imposed new restrictions on when courts can use Assigned Judges (retired judges assigned and paid by the Judicial Council to cover for judicial vacancies due to illness, vacation, or retirement). With quite a few judicial vacancies, suddenly we had enough courtroom staff, but not enough judicial officers.

The restrictions are still in place, but with Governor Brown's many last-minute appointments, we currently

have only one vacancy and so at the moment at least, we have enough judicial resources. But now, sadly, we are struggling with the fact that each year we have fewer and fewer Sheriff's Deputies assigned to the Court, and now is causing courtroom closures.

### **How could that be?**

The funding from the Department of Finance to the County for courtroom deputies has not grown with the cost of providing those deputies, and yet the County is contractually obligated to provide a specific level of staffing. For some time now the County has not met that obligation because it claims that the funding shortfall excuses its performance.

To be clear, the deputies we do have are terrific – we just need more of them. Virtually every day, we have to have a courtroom go dark because there is no deputy to staff it.

### **What are you most proud of in your time as PJ?**

Beyond the fact that we successfully negotiated the various funding challenges, we also opened a branch of the Self Help Center (formerly located only in the Hayward Courthouse) in Wiley Manuel, as well. This has been a terrific resource for litigants in North County who need assistance. We also opened a dedicated, county-wide DV department in Hayward and been able to attract the various ancillary service providers to be present in that courtroom so as to be able to address the counselling, housing and other needs unique to that calendar.



**What are some of the changes you've observed in courtrooms in recent times?**

I have noticed that the tension between prosecutors and defense attorneys has increased, particularly over discovery issues. Things used to be more collegial and cooperative between the two groups. I think perhaps newer attorneys may need more mentoring on the importance of collegiality. In addition, though, I think both groups are struggling with the dramatic uptick in the sheer volume of discovery now, in light of cell phone towers and body cameras. That puts a much greater strain on both sides of the case, which can be corrosive.

**What challenges do you see coming as you hand over the reins to Judge Desautels?**

Clearly, the big issue she's already immersed in is the Pretrial Risk Assessment Pilot for which the Judicial Council has selected us as one of the counties it will fund. We're delighted that we have been able to hire Retired Judge Jerome Nadler, formerly of the Santa Clara Superior Court, to be the project manager of the pilot project. He not only knows the court processes and challenges well, he also led Santa Clara's adoption of its unique risk assessment program over a decade ago.

**What do you picture for your retirement?**

I plan to continue working full time – I'm not yet ready to stop. I hope to do some mediation and arbitration work. In addition, I will become a (volunteer) Judge Pro Tem for this Court! I'm about to approve my own application. Besides that, I hope to do some more fly fishing.

**Well, Judge – we'll miss you! I hope we'll see you at ACBA events.**

You bet.

## ACBA JUDICIAL APPOINTMENTS EVALUATION COMMITTEE

The ACBA's Judicial Appointments Evaluation Committee ("JAEC") is composed of a group of volunteer lawyers tasked with vetting judicial candidates who have applied for the Superior Court of Alameda County or California Court of Appeals, and making recommendations to the Governor and his Judicial Appointments Secretary. The committee currently has eighteen members from a diverse practice background – both civil and criminal practitioners from firms (of all sizes), nonprofits, and government entities.

### 2019 COMMITTEE

Chair, David Goldman	Krista S. Johnson
Vice-Chair, Jo-Anna Nieves	H. Glenn Kim
Secretary, Jeffrey S. Tachiki	Suizi Lin
Jason M. Allen	Christina Lum
Arezou Bakhtjou	Mujdah Rahim
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Vincent L. Brown	Erin C. Smith
Monique Farris	Jocelyn Sperling
	James Treggiari
	Loren M. Williams

Interested in joining the ACBA JAEC?  
Contact Beth Litwin at [beth@acbanet.org](mailto:beth@acbanet.org).

# 2019 Installation and Distinguished Service Awards Dinner

We enjoyed a sophisticated art deco dinner at the Bellevue Club on Lake Merritt on January 25, 2019. We installed our 2019 Board of Directors and enjoyed hearing from Keynote Speaker Judge Lowell Jensen (Ret.).



The 2019 ACBA Board of Directors



Keynote Speaker Judge Lowell Jensen (Ret.)



2019 ACBA Board President Cheryl Poncini

## 2019 DISTINGUISHED SERVICE AWARD RECIPIENTS:

**Judge**—Judge Delia Treviño

**Lawyer**—Heather Chang

**New Lawyer**—WookSun Hong

**Law Firm**—Wendel Rosen LLP

**Community Organization**—Legal Assistance for Seniors

**Government Attorney**—Judge Colin Bowen





ACBA 2019 Board President Cheryl Poncini and Judge Lowell Jensen (Ret.)



Gregg Ankenman, Wendel Rosen LLP, Law Firm of the Year



Judge Colin Bowen, Government Attorney of the Year



Judge Delia Treviño, Judge of the Year



Heather Chang, Attorney of the Year



WookSun Hong, New Attorney of the Year



Legal Assistance for Seniors, Community Organization of the Year



Cheryl Poncini, Kevin Dunleavy, Judge Lowell Jensen (Ret.), Michael O'Connor, and Judge Terrence Bruiniers



Doryanna Moreno, Shayonda Early, Jamie Smith, Comm. Pelayo Llamas, Selia Warren, and Celso Ortiz



Gloria Bragg, Patricia Walker, and Elaine Kawasaki



Judge Wynne Carvill and Chad Finke



Judge Scott Jackson and Judge Eumi Lee



Judge Victoria Kolakowski, Judge Gregory Syren, Judge Tara Desautels, Judge Lupe Garcia, and Judge Stephen Kaus



Suizi Lin, Autumn Paine, Lauren Powe, Michael Johnson, and Alice Cheng



Comm. Pelayo Llamas, Greg Brown, and Judge George Hernandez (Ret.)





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**Celebrating 25 Years as Your Partner in Resolution**



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Hon. George Hernandez (Ret.)



Hon. Everett Hewlett (Ret.)



Hon. Richard Hodge (Ret.)



Hon. Maria-Elena James (Ret.)



Hon. Laurence Kay (Ret.)



Hon. Margaret Kemp (Ret.)



Hon. James Lambden (Ret.)



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Hon. Kevin Murphy (Ret.)



Hon. Leslie C. Nichols (Ret.)



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Hon. William Stein (Ret.)



Hon. Julie Tang (Ret.)



Hon. James Trembath (Ret.)



Hon. John True (Ret.)



Hon. Nandor Vadas (Ret.)



Hon. Thomas Warriner (Ret.)



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Claudia Long, Esq.



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Richard Roggia, Esq.



William R. Strickland, Esq.



Irene Takahashi, Esq.



Harris E. Weinberg, Esq.

THE ACBA INVITES YOU TO OUR 2020

# INSTALLATION AND DISTINGUISHED SERVICE AWARDS DINNER

January 23, 2020, 5:30 PM  
Rotunda Building, Oakland

BUY TICKETS ONLINE AT  
[WWW.ACBANET.ORG/CALENDAR](http://WWW.ACBANET.ORG/CALENDAR)

Please join the Alameda County legal community as we welcome the 2020 Alameda County Bar Association's Board of Directors and celebrate the accomplishments of the Distinguished Service Award recipients.

We're excited to announce that **Justice Martin Jenkins**, Governor Newsom's new Appointments Secretary, will be our 2020 featured speaker!

## Congratulations to our 2020 Distinguished Service Award Recipients

Judge Charles Smiley, Superior Court of California, County of Alameda - Judge  
Jonathan Wong, Donahue Fitzgerald LLP - Attorney  
Fried & Williams LLP - Law Firm  
Sophia Ahmad, Sophia Ahmad Law, A.P.C. - New Attorney  
Women Lawyers of Alameda County - Community Organization  
Maria Bee, Oakland City Attorney's Office - Government Attorney





# ACBA SPRING OPEN HOUSE

## AND NEW BENCH OFFICER RECEPTION

We moved into our new office space last year, but were proud to show off how we've settled into the space at our 2019 Spring Open House.

With Governor Jerry Brown leaving office, it was a banner year for judicial appointments. We welcomed new bench officers: Comm. Michael Bishay, Judge Clifford Blakely, Judge Colin Bowen, Judge Jason Chin, Judge Patrick McKinney, Judge Eumi Lee, Comm. Pelayo Llamas, Justice Ioana Petrou, Comm. Bentrish Satarzadeh, Judge Richard Seabolt, Judge Karin Schwartz, Comm. Ruben Sundeen, Justice Alison Tucher, and Judge Jenna Whitman.



Anne Shiao, Alice Cheng, Cheryl Poncini, and Richard Flanders



Dale Ratner and David Ratner



Cheryl Poncini, Louis Goodman, and Robyn Ginney



Comm. Bentrish Satarzadeh, Joceyln Sperling, and Peter Caldwell



Comm. Michael Bishay, Comm. Nikki Clark, Renee Ross, Darien Myer, and Bree Anteucchi



Darya Drutch and Michael Chyette



Pamela Ross and Judge Leonard Marquez



Judges Eumi Lee, Trina Thompson, Jason Chin, Thomas Nixon, and Dorothy Proudfoot



Judge Greg Syren and Judge Clifford Blakely



Judge George Hernandez (Ret.), Judge Tara Desautels, Judge Paul Beeman, Judge Noel Wise, and Judge Trina Thompson



Judges Eumi Lee, Brad Seligman, and Karin Schwartz



Paul Leahy, WookSun Hong, and Olga Dombrovskaya



Robyn Ginney, Lauren Powe, Peter Shelton, and Teresa Green



Adrieannette Ciccone, Alice Cheng, and Jason Leong



Peter Shelton, Vincent Tong, and Sophia Ahmad



ACBA President Cheryl Poncini



Suizi Lin and Alice Cheng



Celina Dobee and Nicole Antonopoulos



# A MESSAGE FROM *the CEO*



*Tiela Chalmers,  
ACBA CEO and General Counsel*

In some ways, 2020 seems to threaten a great deal of uncertainty. The looming election (and the efforts at impeachment now underway), and an economy that seems to be headed downward, may give many pause. But there are certainly bright spots, and here at the ACBA and Legal Access Alameda, we hope to offer you one such bright spot.

This next year will bring continued free quality MCLEs, fun and productive social and networking events, and many opportunities to rise to professional and community leadership. In addition, here are some of the new things you can expect from your ACBA this coming year:

## **SECTION-SPECIFIC LISTSERVS/ FORUMS**

Starting in January, members of our Sections will be able to

engage in online dialogue with each other. This resource will offer you access to others in your field, and a chance to ask questions, offer help, and make connections. This will be a terrific place to ask, if anyone has appeared before Judge X, could you email me? Or, does anyone know the status of the proposed new legislation in our area? Or, I'm looking to refer a case in this subspecialty - is anyone working in that arena?

## **ONLINE CLE**

We've had online CLE this year, but it has been on-demand only, and it has taken us quite a while to post new programs. Coming in January, we are moving to a new platform, and will offer quick and easy on-demand programs (still free to members). In addition, we will be able to live-stream some of our CLE programs for a small fee.

Can't attend in person, but really want to hear the program? This is your chance!

## **CLE PROGRAMS ON CURRENT EVENTS, AND MORE INTERACTION**

We will continue to provide thought-provoking CLEs on issues of current interest, including immigration, climate change, women's rights, and other issues in the news. We are also moving to ensure that most or all of our CLEs have some interactive component, to make them even more engaging.

## **MORE COMMUNITY BUILDING**

In 2020 we hope to continue to expand opportunities to build your community. From large events to smaller ones, we know that one of the major benefits



our members appreciate is the chance to enjoy and develop that community, which in turn leads to expanded professional opportunities, greater collegiality, and a sense of belonging. This year we will also be launching a multi-year effort to build bridges with law students from local schools.

#### ATTENTION TO NEW LAWS

There are some paradigm shifts coming in the legal profession. While the proposals to modify the Rules of Professional Conduct may sound obscure, the next 5 years could see many people getting their legal advice through online platforms, perhaps run by Amazon or Google – with brief answers provided by attorneys working with those platforms, or perhaps by the platform itself, using artificial intelligence. Contracts, wills, leases – all available for clients to construct on their own.

What effect would those changes have on your practice? How might you jump on the bandwagon – or speak up against it?

#### LEADERSHIP, PRACTICE, AND VOLUNTEER OPPORTUNITIES

The ACBA has always prided itself on offering many different paths to professional development, and to giving back to your community.

This year, Legal Access Alameda will be expanding opportunities for attorneys to learn new fields (particularly family law) and help those in greatest need.

For many, domestic violence, custody, and divorce are the first steps into a spiral of poverty. We will train you on how to staff our clinics and offer help to slow or reverse that spiral.

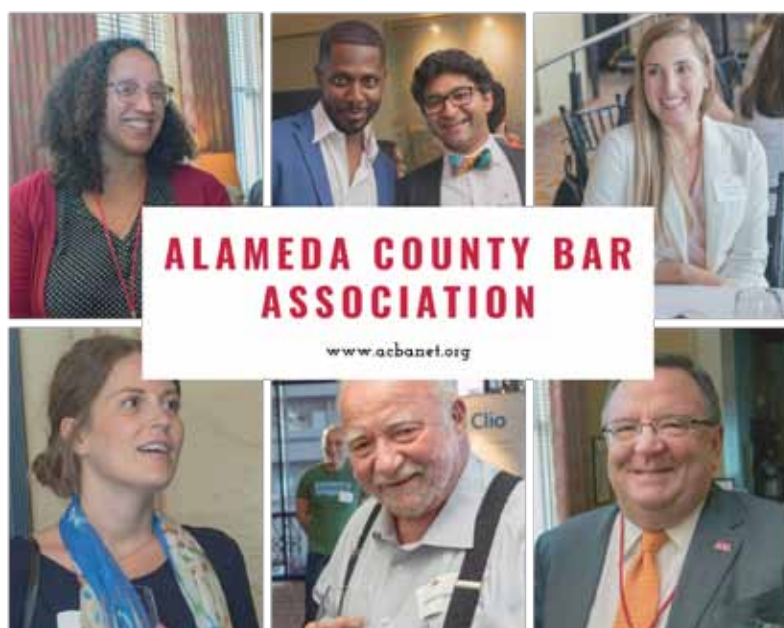
The ACBA is also working with the Alameda County Superior

Court to launch a program to present programs on the law to elementary, middle, and high schools in Alameda County.

We've just taken on the Lawyers in the Library program, and are hoping to expand it. And, of course, we have many opportunities for leadership roles, on boards and committees, so you can give back, raise your profile, and build your resume.

There's a lot going on, and a niche for everyone. We hope you'll find your place here – and I'd be thrilled to talk with you about where that might be. Reach out to me – let's talk. If nothing else, I may be able to introduce you to some new connections. To a new year!

You can contact me at tiela@acbanet.org.



*In a world full  
of no, we're a  
bar full of yes*



# AN INTERVIEW WITH

## *the Incoming Presiding Judge*



*Judge Tara Desautels, Superior Court of California, County of Alameda*

*Judge Desautels began her legal career in the Alameda County District Attorney's Office, first as a volunteer law clerk, and then as an attorney for over seven years. From there she moved to the law firm of Pillsbury, Winthrop, Shaw, Pittman, where she handled civil litigation and white collar criminal defense until she was appointed to the bench by Governor Schwarzenegger in April of 2010.*

*As a judge, she has sat in Family Law, Juvenile Delinquency, Criminal (at Wiley Manuel (including as Supervising Judge) and RCD), and General Civil. In 2018 she began a two year term as Assistant Presiding Judge, and in that capacity has floated on assignment throughout the Court, wherever needed. In*

*January 2020, Judge Desautels will begin a two year term as Presiding Judge of Alameda County Superior Court.*

*ACBA CEO Tiela Chalmers had the chance to chat with Judge Desautels about these next two years.*

### **What are some of the challenges and opportunities facing the Court right now?**

We face the perpetual challenges of all California courts – doing as much as we can with the limited resources that we have. While we have benefitted from additional funding in recent years, we operated under a deficit for so long that those new funds – largely earmarked – have not yet brought us to our prior, already

lean, funding levels. There are many things we would like to do, if we had an abundance of resources.

For example, we don't have the level of technological modernization that we would like. We don't have working AV equipment in all the courtrooms, and we have not yet been able to implement e-filing. Our current civil case management system, which is quite old, is unable to work with any current e-filing platforms, so we still offer fax filing (in an era when few offices even have fax machines). But we have the opportunity to begin to work on these issues. We recently concluded a bidding process for a new case management

system with e-filing for all civil case types (including Family and Probate), and we look forward to implementation of that system within the next few years.

**What are some of your plans for your term as PJ?**

I have three priorities for my term: First, implementing the Court's new Strategic Plan. With thanks to Judge Carvill, I chaired the committee that developed this plan after obtaining substantial community input. The final plan has just been released and will go into effect in January. This plan identifies Court priorities over the next 10 years, and will enable our Court to align our operations and our committee work with the plan.

Second – and tied in to that Strategic Plan – is the roll-out of the new case management system.

And third is the Court's implementation of the Court's new Pretrial Risk Assessment Pilot Project. As you may know, Senate Bill 10, as enacted, originally mandated the elimination of bail by October 2019, and its replacement with validated risk assessment tools and related procedures. But an intervening state referendum put the measure on hold until November of 2020. In the meantime, the Governor provided funding to the Judicial Council to establish a pretrial risk assessment pilot program that would operate within existing law and the current bail system. With the cooperation and support of the Alameda County Probation Department and Information Technology Department and our justice partners, our Court successfully bid to be one of those pilot courts.

**Can you tell me a bit more about the pilot project?**

Well, we will still use our current bail schedule, but this pilot offers an alternative. Those detained who choose not to bail out – or are unable to do so – will be referred to the Probation Department, which will conduct a risk assessment for each detained individual. Probation will assign a score reflecting their evaluation of the risk of nonappearance and the risk the person may pose to the community if released. The assessment is forwarded to the judge for review pre-arraignment, and the judge determines whether to order release, release with specified conditions of supervision (like AA, reporting to Probation, etc.), or detain pending arraignment. Alameda is one of three large courts selected to participate in this pilot program. Most of the funding goes to Probation for the work they will do performing assessments and the related supervision; additional funding goes to the County's Information Technology Department, to build electronic integrations for the Probation referral and judicial remote review process.

**What excites you about being a PJ? And what challenges do you expect?**

I'm excited to work with all the members of the Court to move the Court forward in a positive direction. I am very focused on community outreach and civics education, and we have a very motivated, excited, new bench. (Over 55% of our current judges were elected or appointed during the Brown years.) We have lots of

people with different backgrounds and perspectives on the bench – I'm looking forward to working with all of them!

I want to focus on building positivism around the Court and its role in the community, helping people to understand that the courts are here to protect everyone's rights under the law, regardless of background. As to challenges, I understand the toughest thing about being the PJ is the unknown. The future is likely to bring unforeseen circumstances and emergencies, and I hope we can address them in the best way possible.

**What are some good ways for attorneys to get to know judges?**

It's really important for attorneys to come to court and observe the judge in action. Many judges have different approaches and preferences, so I understand attorneys not always knowing what judges expect. Watching the judge gives you new information, as well as the opportunity to watch and learn from other attorneys. I also really encourage attorneys to talk to judges. Most judges welcome the opportunity to meet a lawyer, and many will invite the lawyer up for a sidebar or a few words in chambers – not related to the case at hand.

Getting involved with the ACBA is also a good way to chat informally with judges. We are very fortunate to have such a strong local bar, and we collaborate and communicate well, and I look forward to more of that. We are happy to work with the ACBA to meet the needs of the community and preserve people's rights within the scope of our laws.



## SECTIONS

### ADR

The 2019 ACBA ADR Section Executive Committee: Co-Chairs Mattie Robertson and Tom Crosby Vice-Chair Irene Takahashi, Secretary Bob Jacobs, Roger Allen, Yvette Durazo, Joseph Maurer, Alice Shikina, and Ilona Turner.

### BANKRUPTCY

The 2019 ACBA Bankruptcy Section Executive Committee: Chair Nathan Borris, Vice-Chair Greg Hartman, Mark Bostick, Andrew Christensen, Connie Tche and Jen Lee, Leo Spanos, and Lawrence L. Szabo.

### BUSINESS

The 2019 ACBA Business Section Executive Committee: Chair Elaine Betts, Vice-Chair Donald Lancaster, Secretary Rafael Pacquing, Jonathan Levine, Thomas Maier, Richard Poulson, and Brian Ripley.

### CANNABIS

The 2019 ACBA Cannabis Section Executive Committee: Chair Dominic Ripoli, Vice-Chair Laura Altieri, Secretary Shay Aaron Gilmore, Sylvia Chi, Daniel Dellafosse, Richard Poulson, and Natalia Ventsko.

### CRIMINAL LAW

The 2019 ACBA Criminal Law Section Executive Committee: Chair Sergio Benavides, Vice-Chair Chitra Ramanathan, Secretary Jason Leong, and members Andrew Briggs, Sharon Ceasar, Manjula Martin, Judge Margaret Fujioka, Judge Delia Treviño, and Judge Gregory Syren.

### ENVIRONMENTAL

The 2019 ACBA Environmental Law Section Executive Committee: Chair Summer Nastich, Vice Chair Philip H. Babich, Secretary Patrick Hubbard, Gwen Caviness, Lydia Dorrance, Jason Holder, Wendy Manley, and Adam Regele.

### FAMILY LAW

The 2019 ACBA Family Law Section Executive Committee: Chair Laura Owen, Vice-Chair Yishai Boyarin, Secretary Jenifer F. Frudden, and members Pamela Ross and Hazel Bradshaw.

### IMMIGRATION

The 2019 ACBA Immigration Section Executive Committee: Chair Elisabeth Pellegrin, Vice Chair Carly Stadum-Liang, Secretary Scott A. Mossman, Camiel Becker, Cecily Clements, and Jesse Lloyd.





## BARRISTERS

The ACBA Barristers Section is designed for attorneys who have been practicing for ten years or less to help build their skills and professional network. The Barristers are one of the ACBA's most active sections, producing multiple CLEs, socials and other events each year.

### BARRISTERS MENTORSHIP PROGRAM

The Barristers Mentorship Program was created to link new attorneys (mentees) with seasoned attorneys (mentors) in Alameda County, so that mentees may gain support and guidance as they transition from the study to the practice of law.

### SOCIALS

Throughout the year, the Barristers gather to socialize and network. Regardless of the theme or the venue, each social is designed to create opportunities to network and develop

friendships as well as to relax and have some fun. We went to sports games, battled at trivia, and played board games.

### DINE WITH A JUDGE

The ACBA and Barristers are committed to building a stronger relationship between the bench and bar in Alameda County. The Barristers Dine with a Judge program provides young attorneys the unique chance to enjoy a delicious lunch or dinner and casual conversation with some of the area's best judges.

The 2019 Executive Committee: Chair Sophia Ahmad, Vice-Chair, Adriannette Ciccone, Secretary Shannon Clawson, Members Allegra Anvari, James Cook, Eileen Eib, David George, Jason Leong, and alternate members Alice Cheng, Phil (Wooksun) Hong, Paul G. Leahy, and Alice Shikina.



Battle of the Bay: A's vs Giants



Warriors Watch Party



Golf 101



Dine with Judge Syren



Barristers Halloween Game Night



2019 Barristers Executive Committee



# 15th Annual Barristers Golf Classic

Friday, August 2 • Chuck Corica Golf Course



Justin Aguilera, Senh Duong, Matthew Turetzky and Casey Kaufman  
**WINNING TEAM**

**PUTT WITH A  
GAVEL**  
Dan Preddy

**CLOSEST TO  
THE PIN  
(Men)**  
Craig Jorgensen

**CLOSEST TO  
THE PIN  
(Women)**  
Linda Carlson

**LONGEST  
DRIVE  
(Men)**  
Senh Duong

**LONGEST  
DRIVE  
(Women)**  
Valerie Padilla

## THANK YOU TO OUR EVENT SPONSORS!

Mutual of Omaha, Clapp Moroney | Vucinich | Beeman Scheley, Bad Boys  
Bail Bonds, Aiken Welch Court Reporters, Bond Services of California



## IP

The 2019 ACBA IP Section Executive Committee: Chair Amir V. Adibi, Vice Chair Quynh Chen, Secretary Foster Dobry, Katherine Alphonso, Marine Cabour, Seday Akay-Onur, Lauren Konrai, and Andrew Palmer.

## PUBLIC LAW

The 2019 ACBA Public Law Section Executive Committee: Maria Bee, Ana Flores, Rhonda Goldstein, Aimee Hamoy, Lauren Powe, Cynthia B. Stein, and Byron Toma.

## REAL ESTATE

The 2019 ACBA Real Estate Section Executive Committee: Chair Kevin Martin, Vice-Chair Jonathan Madison, Secretary Daniel Dellafosse, David Austin, Yvette Davis, Steven Edrington, Clifford Fried, Jim Hildreth, and Matthew Quiring.

## TRUSTS & ESTATES

The 2019 ACBA Trusts and Estates Section Executive Committee: Alex Bowman, Beth Hodess, Allysia Holland, Daniel Leahy, and John Moore.

## LABOR & EMPLOYMENT

The 2019 ACBA Labor and Employment Section Executive Committee: Chair Matthew Bainer, Vice Chair Glicel Sumagaysay, Secretary Krista Sonya Smallets, Molly DeSario, Rebecca Peterson Fisher, Todd Feldman, Krista Johnson, Robert Nuddleman, and Sarah Robertson.

## TRIAL PRACTICE

The 2019 ACBA Trial Practice Section Executive Committee: Chair Michael Reynolds, Vice Chair Kevin Mintz, David Goldman, Marjorie Heinrich, Maria Lampasona, Kevin McLaughlin, David Roth, Robert Schwartz, and James Treggiari.

## WELLNESS

The 2019 ACBA Wellness Section Executive Committee: Sophia Ahmad, Emily Duskow, Judge Tara Flanagan, Chair Robert Frassetto, Margaret Grover, Mas Morimoto, Cheryl Poncini, and Monica Porter.



# JUSTICE FOR ALL

*celebrating pro bono*

5.16.19

help bridge the justice gap in alameda county



LEGAL ACCESS

Legal Access held its annual Justice for All event on May 16th at in Oakland. We had a fun-filled evening with a silent and live auction. This year's event raised over \$39,000! A big thank you to our Justice for All sponsors, Guardians of Justice, and wonderful donors who made the evening a night to remember!



Judges Colin Bowen, Clifford Blakely, and Marshall Whitely



Anne Davies and Lara Loeck



Rachel Dodson, Sophia Johnson, and Agnieszka Adams



Hilarie Atkisson and Gordon Williams, our volunteer auctioneer



Wortham Briscoe, Andrew Wolff, and Marshall Wallace



Judges George Hernandez (Ret.), Stephen Kaus, Tara Desautels, Barbara Dickinson, and Thomas Nixon

## THANK YOU TO OUR SPONSORS

### ADVOCATE LEVEL

Justice James Lambden  
Keker Van Nest & Peters  
Dentons

### COUNSELOR LEVEL

Aiken Welch Court Reporters  
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ADR Services  
Reed Smith  
Wendel Rosen Black & Dean  
Blum Gibbs Davies & Owen

### ASSOCIATE LEVEL

Bonjour Thorman Burns & Dahm  
Law Office of Janice Cho  
Fenwick & West  
Gwilliam Ivary Chiosso Cavalli & Brewer  
Frudden & Padilla Family Law  
Frassetto Law  
Jen Lee Law  
Robert Half Legal  
Kathi Pugh  
Spanos Przetak  
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Susan Markovich  
The Nieves Law Firm  
Allen Matkins Leck Gamble Mallory & Natsis



# CALIFORNIA STATE BAR REFORM

## **PROPOSED CHANGES IN 2020: STATE BAR ATTORNEY PROFILE INFO**

The State Bar is considering proposed rule changes that are intended to clarify what information is allowed on an attorney's public State Bar record.

The proposed rules would allow attorneys to list practice areas and specialties, and make those practice area searchable to the public, with no checks on whether the attorney indeed does have experience in those areas of law. But attorneys would not have to list whether they have malpractice insurance — an important public protection tool.

### **IMPACT ON LOCAL LAWYER REFERRAL SERVICES**

This proposed rule will likely have a huge impact on State Bar regulated and certified Lawyer Referral Service (LRS) providers. Using the ACBA's LRS as an example, all LRS attorneys are pre-screened by our Governing Committee for their experience, knowledge, and professionalism. All ACBA LRS attorneys are required to carry malpractice insurance, allowing them to focus on what is important—resolving legal problems.

The proposed new rule would create a well funded competitor to the LRS, without these layers of public protection. (Irony because the State Bar regulates all LRS's and requires these elements.)

### **IMPACT ON THE PUBLIC**

Members of the public rely on certified LRS providers to do the heavy lifting to ensure that the attorney they are being referred to has the experience to effectively resolve their legal issues.

Many of people who call in to the ACBA LRS do not need an attorney. Our referral specialists provide them with contact information for local and state agencies. If LRS's were to close, the public would not only miss out on pre-screened attorneys, but also this important resource.

## **NEW IN 2020: INCREASED LICENSING FEES**

Following up on the 2018 fee bill which instituted far reaching reforms that split off the attorney trade association functions from the Bar into the California Lawyers Association, the 2020 fee bill increases licensing fees for California attorneys.

### **THE BOTTOM LINE**

Fees will be \$544 for active attorneys and \$108 for inactive attorneys.

### **BACKGROUND**

This is the first time in 20 years that fees were increased for California's more than 266,000 attorneys, including 190,000 lawyers who are actively practicing.

The State Bar completed a five-year forecast for its general fund, reflecting a comprehensive assessment of the State Bar's funding needs. The five-year forecast reflects an overall deficit of \$31.9 million in 2020, and recommended several technology and capital improvement projects.

State Bar Executive Director Leah T. Wilson said, "The increase will enable the State Bar to add an additional 19 positions the Office of the Chief Trial Counsel, to begin making needed investments in technology and building maintenance, and perhaps most significantly, to extend a fair and equitable retiree health benefit to all staff for the first time in the State Bar's history. The law provides for future phasing in of technology and capital improvements, enabling us to continue making much-needed infrastructure improvements."

### **PARTIAL FEE WAIVER**

Attorneys that make less than \$60,478.35 annually qualify for a waiver of 25%.





# ACBA SUMMER RECEPTION

We had a terrific time enjoying the beautiful views out the Terrace Room's expansive windows at the 2019 ACBA Summer Reception! The Alameda County legal community was out in force mingling, socializing, and enjoying fabulous appetizers.



Cheryl Poncini



Andrew Billingsley and Mahal Montoya



Christine Noma and Judge Delbert Gee



Comm. Bentrish Satarzadeh, Judge Dorothy Proudfoot, and Jocelyn Sperling



Cammila Valerio and Ania Bednarczyk



Comm. Nikki Clark and Judge Gregory Syren



Cynthia Chandler, Judge Scott Jackson, and Judge Dorothy Proudfoot



Judges Colin Bowen, Clifford Blakely, and Jason Clay



Law students and Cheryl Poncini





Justice Ojo, Adriannette Ciccone,  
and Amir Adibi



Christopher Eickson, Pamela Ross,  
and Olga Dombrovskaya



Vincent Tong, Steve Kazan, Judge Frank  
Roesch, and Judge Brad Seligman



Comm. Bentrish Satzardeh and Chad Finke



Tiela Chalmers, Anna Chopova,  
and Rachel Erlich



Anuar Ramirez-Medina and  
Sandhya Khandavalli

# LEGAL ACCESS

## ALAMEDA

New name, same commitment to access to justice

The Alameda County Bar Association Volunteer Legal Services Corporation ("VLSC") struggled for years with a long and unwieldy name. Some parts like "corporation" were off-putting to grantors. Our Board started the process to change our name in 2018. Lead by Ruben Sundeen, the Board struggled with getting the wording just right. We thank our Board for all their hard work!

Legal Access Alameda (formerly VLSC) provides free legal assistance to Alameda County's low-income communities by mobilizing volunteer attorneys to provide pro bono service. A 501c3 tax-exempt charitable corporation, Legal Access is governed by an independent board of directors.

*Please note: Due to timing of this publication, and the nature of our fiscal cycle, this information is provided for the previous year.*

**Help us keep this momentum going!** Your donation is tax-deductible to the extent allowed by law. The gift of justice is the perfect stocking stuffer.

Every year, Legal Access is audited by an independent auditor to ensure transparency and compliance with proper accounting principles. The complete 2018 audit report, including the accompanying notes, is available by contacting Christina WIELLETTE at [christina@acbanet.org](mailto:christina@acbanet.org).

**We received financial support in 2018 through grants from:**

- American College of Bankruptcy Foundation
- Walter & Elise Haas Fund
- State Bar of California Equal Access Fund
- State Bar of California Legal Services Trust Fund (IOLTA)
- State Bar of California Bank of America Grant
- State Bar of California Partnership Grants
- Sidney Stern Memorial Trust
- Thomas J. Long Foundation
- vanLoben Sels/Rembe Rock Foundation
- Bernard and Alba Witkin Foundation
- Wells Fargo Foundation

In 2018,

LEGAL ACCESS  
ALAMEDA

**237**  
volunteers  
logged

**3,116** hours of  
pro bono  
legal services

helping  
**3130**  
Clients!



# LEGAL ACCESS GUARDIANS OF JUSTICE



## INDIVIDUAL GUARDIANS OF JUSTICE:

Justice James Lambden  
Cheryl Poncini



As lawyers, we have an ethical responsibility to help ensure equal access to justice for all.

The *Guardians of Justice* campaign enables large firms, small firms, businesses and individuals to partner with Legal Access Alameda (formerly VLSC) to bridge the justice gap in our community. Participating firms and businesses make a commitment to support Legal Access on an annual basis.

Thanks to the generous support of these *Guardians of Justice* firms, Legal Access is able to help over 3,000 clients each year obtain the access to justice they need and deserve. To learn more about becoming a *Guardian of Justice* in 2020, please contact Legal Access Director Christina Wiellette at (510) 302-2216 or [christina@acbanet.org](mailto:christina@acbanet.org).

## BAY AREA LEGAL INCUBATOR - BALI

BALI is a program of Legal Access Alameda in partnership with the ACBA, Golden Gate University School of Law, Hastings College of the Law, and UC Berkeley School of Law.

BALI is an incubator community that helps attorneys accelerate the launch of successful solo practices serving low-and middle income clients in a wide spectrum of practice areas. Communities benefit from innovative, affordable legal services; BALI attorneys benefit from a shared, resourced community where they receive training and coaching to succeed.

BALI is an exciting center of innovation in the Bay Area legal community. Current members are launching groundbreaking cannabis practices; supporting the community-annexation of a city building in SF for community-based entrepreneurs; running a weekly legal clinic out of the Women's Building in the Mission; and providing affordable representation in family law, tax, wage and hour disputes, trusts and estates, immigration, education access for children with disabilities, and eviction defense and affirmative habitability cases. BALI demonstrates that a modest means practice can be financially viable and rewarding.

### Want to help make an impact?

Training and supporting a new generation of solos would be impossible if it were not for engaged members of the ACBA. BALI is always looking for attorneys to co-counsel with, coach, refer cases to, and contract with BALI attorneys.

To get involved, contact BALI Director Cynthia Chandler at [cynthia@acbanet.org](mailto:cynthia@acbanet.org).

# EXCITING NEW LEGAL ACCESS PROGRAMS IN 2019

## FAMILY LAW STATUS CONFERENCE CLINIC



In February 2019, Legal Access officially launched a new clinic to assist Self-Represented Litigants at Family Law Status Conferences in the Hayward Hall of Justice. This new clinic is a Legal Access staff has worked closely with the Court to rework and refine the operation of the clinic throughout 2019.

At the clinic, staff and volunteer attorneys assist litigants with all the steps in their dissolution and parentage cases, from amending the petition on through to judgment. In nine months the clinic has assisted over 750 people and completed over 100 judgments.

The program will continue in 2020 and is actively recruiting experienced family law attorney volunteers. Email Christine Knowles at [christine@acbanet.org](mailto:christine@acbanet.org) for more information about volunteering.

## LAWYERS IN THE LIBRARY

Legal Access again expanded legal services to the community in July 2019 with assuming coordination of the Lawyers in the Library program in partnership with Alameda County public libraries. In 28 different library locations throughout the county on nearly every weekday of the month, you will find volunteer attorneys helping residents at their local libraries with a wide range of issues, including bankruptcy, personal injury, and real estate matters.



Volunteers provide free, brief one-on-one consultations as well as referrals and information. The sessions are generally in the evening, so busy residents don't have to miss work. Many of the 34 volunteers have been part of the program for many years, and the libraries and patrons have come to rely on the program's continuity.

If you'd like to be part of this network of volunteers in the community, email Beth Litwin at [beth@acbanet.org](mailto:beth@acbanet.org) for more information and to get started.

## START SMALL BAY AREA

*Legal Access Alameda and Start Small Think Big partnered in 2017 to create: START SMALL BAY AREA, a community and business resiliency project where pro bono attorneys offer to help low and middle income entrepreneurs. Here is one client story*



Kirk Pearson is the founder of Dogbotic, a creative audio studio based in Berkeley that crafts music and sound for all types of media. The projects that Dogbotic has worked on range from inventing a new ensemble of instruments for a film score to developing new software for an interactive museum installation. After years of doing freelance work, Kirk decided to start his business so that he can focus on the kinds of projects he enjoys most and to use sound to tell stories in new ways. Now Kirk is able to select clients and projects regardless of their budgets, making his work creatively fulfilling while also attracting new clients.

Kirk came to Start Small Think Big a few months after starting his business. Kirk says, "I really can't express how much of a help Start Small has been. In under a year, Start Small's services really did help me turn a bit of an oddball hobby into a profitable business."

Most recently, Dogbotic has been developing narrative audio-only experiences for smart speakers. "Building stories that don't inherently involve a screen has let our imaginations really run wild. We've been writing music that reacts to your voice, adding soundscapes to read-aloud picture books, and crafting 'choose your own adventure' style games that you advance by speaking to your device with natural language," Kirk says, "I love finding new ways to tell stories through sound, and we're lucky to be living in a very sonically interesting era."

With the help of Start Small's legal program, Kirk has received assistance with entity formation, contract drafting, and trademark registration. He is currently working with volunteer attorneys on additional contracts, as well as terms for his website.

For more information on the Start Small Bay Area (SSBA) project, please contact Mauna Minegar, Start Small Bay Area Program Manager at [mauna@acbanet.org](mailto:mauna@acbanet.org).

## LEGAL ACCESS ALAMEDA



## DINE AROUND FOR JUSTICE

At Legal Access, we rounded out the summer with our annual Dine Around for Justice. We celebrated at two of our favorite restaurants in Oakland: Doña Tomás and À Côté. Each establishment graciously donated 15% of that evening's revenue to support legal services in our community.



Thank you to everyone who enjoyed a delicious meal in support of Legal Access, and a special thanks to the owners and staff at all the participating restaurants for their exceptional service, generosity, and financial support of Legal Access!





# COURT APPOINTED ATTORNEYS PROGRAM

The Court Appointed Attorney Program (CAAP) is a program within the ACBA. The ACBA has contracted with the County for over 40 years to provide indigent criminal defendants with legal representation when the Public Defender has a legal conflict.

## JOIN US

Our attorneys come to us from many paths, including former public defenders, former district attorneys, and private attorneys looking for pro bono or litigation opportunities. The experience is rewarding personally but also has many professional rewards, such as gaining more litigation experience and raising your profile with the bench and your colleagues. The ACBA is always seeking talented and dedicated attorneys with a true passion for representing indigent defendants. If you are interested in applying to CAAP, please contact Andrea Zambrana, Director at [andrea@acbanet.org](mailto:andrea@acbanet.org).

### CAAP SOCIAL WORKER PROGRAM

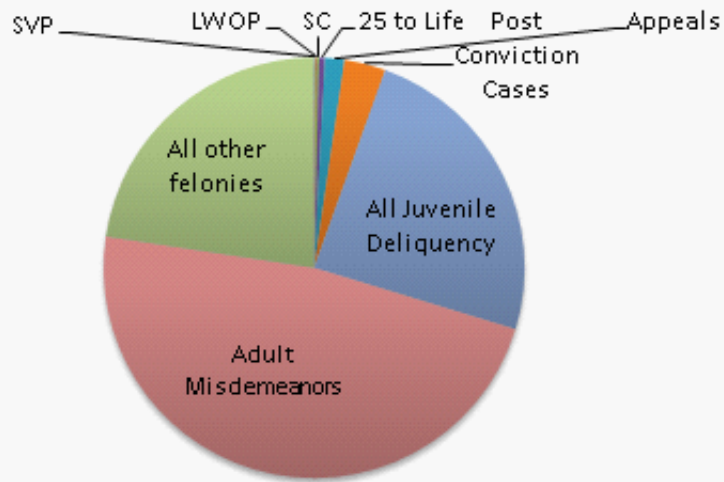
The CAAP Social Worker program is entering into its fourth year and we are proud that the program continues to be hugely successful. The CAAP Social Worker Program helps CAAP panel attorneys achieve appropriate and rehabilitative outcomes for their juvenile clients by providing social histories, mitigation and recommendations for programs. CAAP is the only conflict program in the nation that provides panel attorneys with in-house forensic social workers.

CAAP is committed to the promotion of justice and high standards of professionalism, competency, diligence, and integrity among members of the criminal defense bar in Alameda County.

# CAAP appoints qualified private counsel who are dedicated to providing the highest quality of representation to eligible low-income criminal defendants.

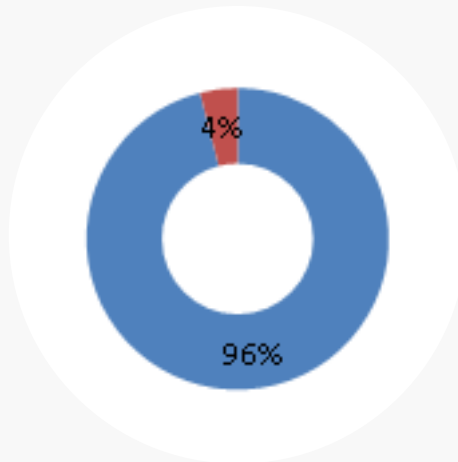
## REFERRAL DISTRIBUTION

This chart shows the distribution of cases referred to our panel attorneys by class. A case is classified based on the maximum exposure the defendant is facing. As you can see, a majority of the cases CAAP attorneys are handling are adult misdemeanors. This is a shift from years past, and is a reflection of the criminal justice reform our state is currently undergoing.



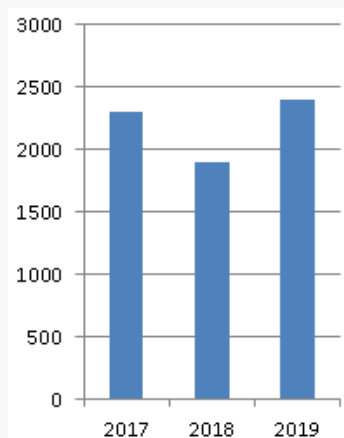
## ANCILLARY SERVICE PROVIDER EXPENSES

Panel attorneys must seek the Program's approval before incurring any extra services in connection with representing their CAAP referred client. These expenses include work for investigation and experts. In 2019, the Program approved 96% of the funds requested by the panel attorneys. This figure has remained consistent over the last several years. It is a testament to the Program's commitment to supporting the panel attorneys to provide zealous legal representation to their clients regardless of the defendant's financial abilities.



## REFERRALS OVER THE YEARS

This chart shows the number of referrals we've received over the last three years. In 2018, we saw a decrease in referrals from 2017. In 2019, we have seen an uptick. This increase is largely due to a change in the "felony-murder" rule. The changes allows individuals who have been convicted of murder to return to the trial court for resentencing if they can show they did not fire the fatal shot.



**2019**

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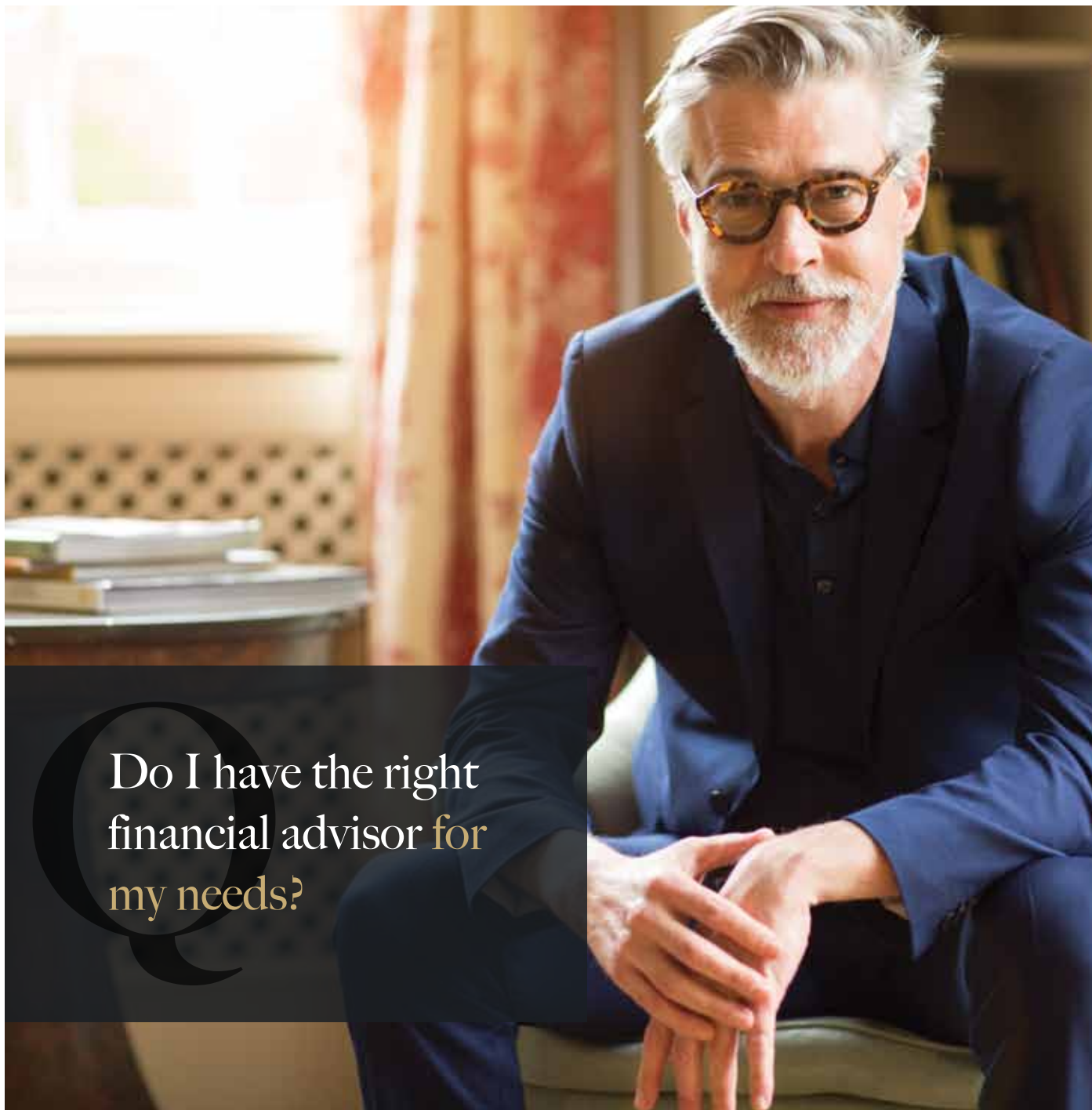
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Find the full list of ACBA Member Benefits online at: [www.acbanet.org/membership/benefits/](http://www.acbanet.org/membership/benefits/)

## Why pay for online legal research (like Lexis or Westlaw) when ACBA members get it free?

The ACBA and Fastcase have expanded their relationship to offer nationwide legal research! ACBA members have access to all 50 states and federal materials within the Fastcase platform. Log in to your ACBA member account on our website and click on Fastcase to get started today.



**\$995 value**

### Free CLEs

Every attorney is required to take 25 hours of classes every three years; generally you will have to pay for those classes. But all our on-site CLEs are FREE for ACBA Members, and include lunch!

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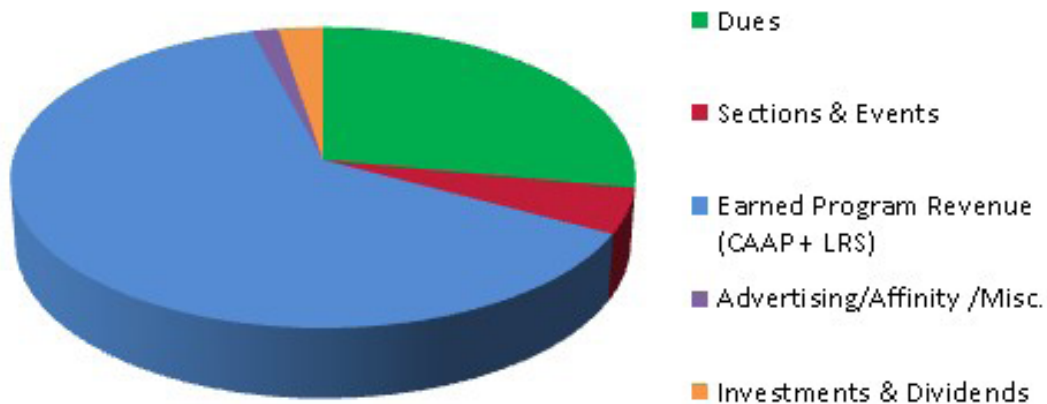


# ACBA FINANCIAL INFO

Established in 1877, the Alameda County Bar Association (ACBA) is the second-oldest bar in the state of California. The ACBA has a membership of approximately 1,500 attorneys, judges, paralegals, law students, and other legal professionals, and administers numerous programs and activities to serve its diverse membership, as well as the community at large.

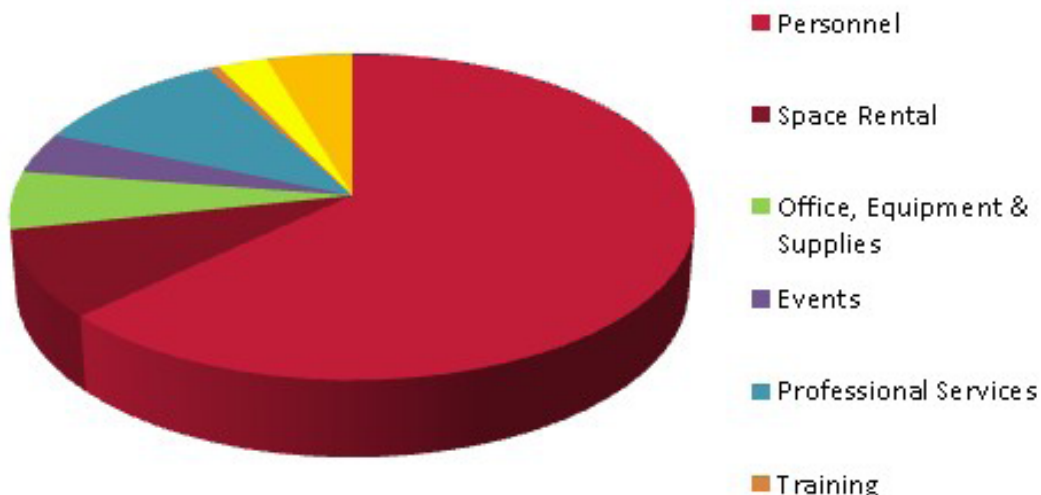
ACBA's financial statements are audited every other year, in even years only. For more information about the ACBA's financial position, or to obtain a copy of the ACBA's 2018 information return (Form 990), please contact Zeba Shariff at (510) 302-2213 or by email at [zeba@acbanet.org](mailto:zeba@acbanet.org).

## REVENUE (2018)\*



\*Excludes pass through CAAP attorneys' fees.

## EXPENSES (2018)



*Due to the timing of this publication, and the nature of our fiscal cycle, financial information is provided for the previous year.*





## IT'S THE DAWN OF A NEW ERA.

**We're evolving to serve our increasing member base of lawyers** with professional liability coverage, continuing legal education and member benefits. We've rebranded our Company with an informative website, CLE portal and reduced our rates by an average of 17.5%.

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**Whiting, Fallon, Ross & Abel** devotes its practice exclusively to matrimonial matters, providing representation in all aspects of sophisticated and complex family law and domestic conflicts. We approach each case with knowledge and experience, compassion and attention to detail, recognizing that our clients are facing some of the most important decisions of their lives. The firm enjoys recognition as a leader in the field of matrimonial law in the San Francisco Bay Area. Since the firm was founded in 1981, our attorneys have earned a reputation as conscientious, skilled and ethical advocates.

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# ACBA LEADERSHIP FIRMS

The Alameda County Bar Association is proud of the relationships it has built with law firms throughout the county. Working together, we have the opportunity to enhance the practice of law and the administration of justice in Alameda County.

The Leadership Firms Program recognizes and rewards those law firms of ten or more attorneys that have 100% membership in the ACBA (i.e., every one of the firm's Alameda County attorneys is a member of the ACBA). Thank you for your support!

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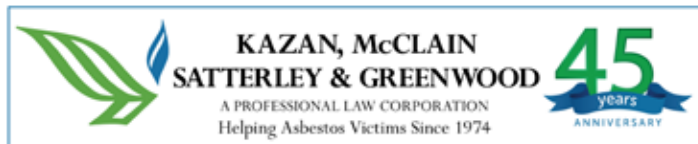
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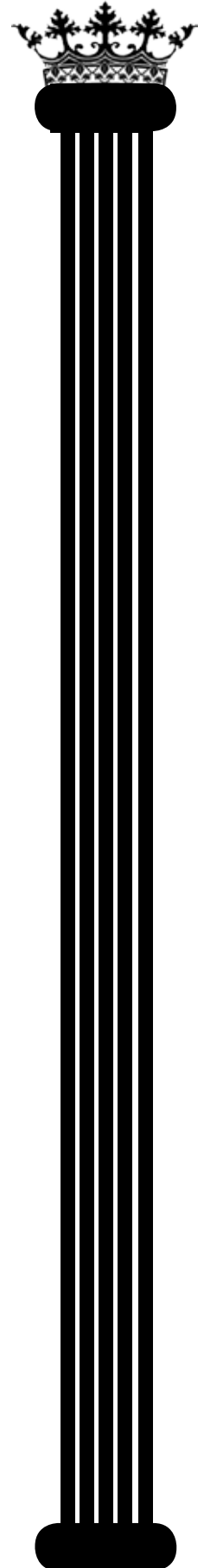
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For more information about Leadership Firms, or to join this august group,  
please contact Hadassah Hayashi, Deputy Director,  
at 510-302-2200 or [hadassah@acbanet.org](mailto:hadassah@acbanet.org).



# Renew Today!

## ACBA 2020 Membership no fees for cles. welcome to inclusive membership.

### There are three easy ways to renew your membership for 2020:

1. Renew online at [www.acbanet.org/member-login/](http://www.acbanet.org/member-login/). Be sure to complete your profile while you're there.
2. Call (510) 302-2201 to renew your dues over the phone.
3. Mail the renewal invoice you received with payment for your membership dues to:

ACBA, Attn: Membership | 1000 Broadway, Suite 290, Oakland, CA 94607

### The New Membership rates for 2020 are:

New Admittee/Law	Year 8 – \$330
Students – \$25	Year 9 – \$340
Year 1 – \$50	Year 10 – 350
Year 2 – \$75	Years 11+ – \$370
Year 3 – \$125	Nonprofit, Judicial,
Year 4 – \$220	Government Attorney,
Year 5 – \$250	Nonpracticing Attorney
Year 6 – \$275	– \$150
Year 7 – \$305	Affiliate – \$370

### WE NOW HAVE THREE NEW WAYS TO PAY!

**AUTO RENEWAL** – Manage your bar membership just like your Netflix subscription. You can sign-up or unenroll at any time through your member portal.

**INSTALLMENT OPTION** – Pay dues in 3 month installments (total of 4 payments). We understand lump payments can be tough to carry on tight budgets!

**PREMIERE MEMBERSHIP** – Save time and grief! Premiere Annual Membership means ACBA Staff take care of signing you up for your favorite ACBA events with an option to include a plus one, and we'll remind you before the event! We'll also list your name and firm on our website, e-Newsletter, and annual magazine as a Premier Member.

### REMEMBER TO RENEW YOUR SECTION MEMBERSHIPS!

Section Members receive invitations to social networking events and get the opportunity to make their voices and opinions heard. We're offering exclusive access to our new **Section Forums** for section members, Section membership is \$35 per section, except for the Barristers Section, which is free for attorney members who have been practicing for less than 10 years.

If you need assistance renewing your CAAP or LRS panel fees, please call (510) 302-2201.