CONTRACOSTA LAMAS ER

Volume 36, Number 4 | July 2023

"There 's nothing stronger than the heart of a volunteer"

–Lt. Col. Jimmy Doolittle

>>>>>>>>>

Pro Bono & Non Profits



Results Beyond DisputeSM

THE GOLD STANDARD

in Private Dispute Resolution –

Judicate West is proud to feature our Northern California neutrals.



Hon. David W. Abbott, Ret.



Melissa Blair Aliotti, Esq.



Alan R. Berkowitz, Esq.



Sarah F. Burke, Esq.



Hon. David De Alba, Ret.



Douglas deVries, Esq.



Rachel K. Ehrlich, Esq.



Susan G. Feder, Esq.



Rebecca Grey, Esq.



Jeffrey A. Harper, Esq.



Hon. Judy Hersher, Ret.



Hon. Russell L. Hom, Ret.



Diana B. Kruze, Esq.



David J. Meadows, Esq.



Robert J. O'Hair, Esq.



Jeffery Owensby, Esq.



David L. Perrault, Esq.



Daniel I. Spector, Esq.



Hon. Donald J. Sullivan, Ret.



Lauren E. Tate, Esq.



Bradley S. Thomas, Esq.



Peter Thompson, Esq.



Hon. Emily E. Vasquez, Ret.



Russ J. Wunderli, Esq.

OPTIMAL RESULTS NATIONWIDE SINCE 1993

- Best-in-Class Neutrals
- Comfortable, Convenient Offices, and Proven Virtual Solutions
- Dedicated Team of Experienced ADR Professionals

Learn More About Our Experienced Neutrals



JudicateWest.com (800) 488-8805

Your Court Connection for Effing

- Personalized service on location at the Contra Costa and Alameda Superior Courthouses
- Advanced technology for the upcoming efiling system
- eFile on our website for all California approved courts
- Long lasting relationships with court clerks and supervisors

Paul and Kristy Thornton and the team at Bay Area File helps bridge the gap in a transforming legal landscape by bringing you the best of technology, while still offering personal, physical connections to the court. Whether you are looking to use our efile system and submit your filing yourself or utilize our concierge services and let us do all the work, we have it all available for you online.

Most of the mega companies have gone completely virtual and don't have offices across the street from the courthouse, like we do. They have the technology, but their service is lacking. We have an office next to the Contra Costa Superior Court and the Alameda County Superior Court. We are thrilled to offer you advanced online filing technology AND the hard-to-find service that caters to your individual business needs.



Sign Up Now! www.bayareafile.com



Contra Costa County Bar Association

2023 BOARD OF DIRECTORS

Sutter Selleck Secretary Michael Pierson Treasurer Ericka McKenna Past President

David Erb President David Pearson President-Elect

Punita Bhasin Jonathan Lee Ariel Brownell Lee Terry Leoni Dean Christopherson Dorian Peters Patanisha Davis Pierson Ray Robinson Ann Harding Battin Marta Vanegas

CCCBA EXECUTIVE DIRECTOR

Jody lorns | 925.370.2548 | jiorns@cccba.org CCCBA main office 925.686.6900 | www.cccba.org

Barbara Arsedo Drew Iorns LRIS & Moderate Means Director Admin. Assistant

Jennifer Comages Carole Lucido Membership Director Communications Director

Emily Day Systems and Operations Director

Sarah Marin Program Coordinator

Anne K. Wolf Education & Events Director

CONTRA COSTA LAWYER

CO-EDITORS EDITORIAL BOARD Alice Cheng Corrine Bielejeski

Lorraine Walsh

Rachel Margolis Chapman

BOARD LIAISON

Marta Vanegas Dorian Peters

COURTLIAISON

Ray Robinson

Kate Bieker

James Wu

DESIGN Carole Lucido 925.370.2542

ADVERTISING Carole Lucido 925.370.2542

The Contra Costa Lawyer (ISSN 1063-4444) is published six times in 2023 by the Contra Costa County Bar Association (CCCBA), 2300 Clayton Road, Suite 520, Concord, CA 94520. Annual subscription of \$25 is included in the membership dues. Periodical postage paid at Concord, CA and additional mailing offices. POSTMASTER: send address change to the Contra Costa Lawyer, 2300 Clayton Road, Suite 520, Concord, CA 94520. The Lawyer welcomes and encourages articles and letters from readers. Please send them to contracostalawyer@cccba.org.

The CCCBA reserves the right to edit articles and letters sent in for publication. All editorial material, including editorial comment, appearing herein represents the views of the respective authors and does not necessarily carry the endorsement of the CCCBA or the Board of Directors. Likewise, the publication of any advertisement is not to be construed as an endorsement of the product or service offered unless it is specifically stated in the ad that there is such approval or endorsement.



Volume 37, Number 4 - July 2023

The official publication of the Contra Costa County Bar Association

FEATURES

INSIDE: My Heartfelt Letter to Judge Arnason and Ways You Can Volunteer, by Ray Robinson, Guest Editor5
Ethics vs. Morals: Do Layers Have an Obligation to Help the Poor? by Carol Langford
Volunteer Opportunities with the Court, by Matt J. Malone \ldots I I
Contra Costa Pulic Law Library: 130 Years of Serving the Public and the Bar, by Joshua Klein
Mock Trial: A Short Program with a Long-Term Impact, by Nancy Schiff
Volunteer your time to help youth in our Community: My Story on the Value of Pro Bono Activities, by Jonathan Lee
To C3 or not to C3?, by Jody lorns28
On the Side of Angels: The Need for Minor's Counsel, an interview with Nicolas Vaca and Ray Robinson
NEWS & UPDATES
10 PHOTOS: Women's Scholarship Fundraiser
12 UPCOMING EVENT: Everyone is Lisenting: The Core of Your Profession is Civility
14 PHOTOS: Solo Summit
15 UPCOMING EVENT: Hot August Night: Talent/No Talent Show
15 UPCOMING EVENT: Member Information Day - Social Security, Medicare, Mentoring and More!
26 Nominations are Open for Justice James J. Marchiano Distinguished Service Award and Pro Bono Honnor Roll
27 PHOTOS: Juneteenth Induction of Judge Ayana K. Young
32 Calendar of Events
34 Classified Advertising
34 Advertiser Index

36. . . UPCOMING EVENT: Bar Fund Benefit

INSIDE:

My Heartfelt Letter to Judge Arnason and Ways You Can Volunteer



by Ray Robinson, **Guest Editor**

Dear Judge Arnason:

Although it was over 25 years ago, it seems like yesterday. You said to me:

"Sir, you're still a young man. Don't get discouraged. Come back with some vigor. Come back with some desire. You'll learn from this. And in the long run, you're going to be a better man because of this."

You were right. You recognized something in me that I failed to recognize in myself. And because you did not give up on me, I did not give up on myself. You encouraged me. You mentored me. You emphasized how important it is for me to give back to the community. I listened. I am giving back. Since we last spoke, I have volunteered thousands of hours in the community and continue to do so. You would be proud of me.

You told me that I would have to work hard if I wanted to become an attorney and that the path would be difficult. You were right about that too. But I made it. My only regret, you were not here to swear me in. You warned me that you were on a time clock and that time might run out to swear me in if I did not work fast enough. Trust me, I tried. And even though time ran out, you were in my thoughts when I was finally sworn in; and you are in my thoughts with every day, every hour, every minute of the time I donate to the community and to the bar association.

I will never forget you. I became a better man because of you. I honor you and I thank you.

Sincerely,

Ray Robinson

Fast forward to today

I am excited to be your guest editor in this edition of Contra Costa Lawyer. I dedicate this edition in honor of the late Judge Richard Arnason. Judge Arnason mentored me and reminded me of the importance of giving back to the community. As lawyers, giving back traditionally includes providing pro bono legal services. "It has been the tradition of those learned in the law and licensed to practice law in this state to provide voluntary pro bono legal services to those who cannot afford the help of a lawyer. Every lawyer authorized and privileged to practice law in California is expected to make a contribution." Cal. Bus. Prof. Code § 6073.

There are ample opportunities to volunteer time. Here are some: volunteering to help improve the lives of our youth; volunteering with the annual high school mock trial competitions; volunteering in the law library; or participating in the Minor's Counsel program. There are also volunteer opportunities with the court. As lawyers, I believe we have the ethical and moral obligation to give back to our community.

Continued on page 6



Inside Continued from page 5

I Practice What I Preach

I am honored that I was named as the first recipient of the Justice James J. Marchiano Distinguished Service Award for my commitment to giving back to the community going back decades. I have donated thousands of hours, including volunteering for the California Department of Corrections and Rehabilitation for over 20 years as a mentor to thousands of offenders re-entering society after serving a term of incarceration. I have volunteered for the CC Department of Education serving as a scorer/judge in high school mock trial competitions and as a mock trial team coach for John F. Kennedy High School in Richmond (my high school alma mater). I also volunteer by serving on various CCCBA committees, including the Board of Directors, Barrister's Section. Charitable Contributions Committee, C3 Task Force, Contra Costa Lawyer Editorial Board, and Pro Bono Committee. Enough about me. I want this inside article to be more about you.

Query: How strong is your heart?

"There's nothing stronger than the heart of a volunteer."

-Lt. Col. Jimmy Doolittle

From time to time, we should perform a self-assessment test on our performance, whether it be as a judge, lawyer, parent, significant other, or the like. But what about our performance as a volunteer. If there's nothing stronger than the heart of a volunteer, shouldn't we self-assess the strength of our heart?

Query: What is the depth of your commitment to make a difference in the lives of others?

"The heart of a volunteer is not measured in size, but by the depth of the commitment to make a difference in the lives of others."

-DeAnn Hollis

Let's be honest. As lawyers, we strive to be the best at what we do. We spend a great deal of time, perhaps even an obsession, with preparation: whether we're preparing to meet with a client, appearing at a deposition or hearing, or preparing for an upcoming trial. Using our best effort with preparation is key to winning. But is that enough? Shouldn't we spend "a great deal of time" preparing to make a difference in the lives of others by giving back to our community?

The community needs you

The benefits of volunteer service to our community cannot be underestimated or overstated. While donations play a significant role in the success of non-profit organizations, without volunteers, many non-



Senior/Retired Attorneys and Retired Judges - Interested in Giving Back to the Community and CCCBA?

Your help is needed on CCCBA's Lawyer Referral & Information Service (LRIS) We are looking for members who can spare 3 or 4 hours per month to match potential clients with attorneys for 30-minute consultations. CCCBA will provide everything you need - the training, the work space, computer and telephone.

Take one 3 or 4 hour shift per month and use our system to match callers with LRIS attorneys and set appointments.

CCCBA's LRIS receives over 9,000 calls each year and connects over 4,000 clients each year with qualified attorneys as part of this 40+ year, State Bar of California certified, American Bar Association-approved public service.

Your service will help community members and the CCCBA at the same time!

Contact CCCBA LRIS Director Barbara Arsedo for more information at barsedo@cccba.org or 925-370-2544.

profits could not survive. There are also many benefits to volunteering in the community: it provides you with a sense of purpose (being a part of something bigger than you); and it provides a sense of community (feeling connected to those who need your help).

The CCCBA needs you

While many of our members volunteer in the community, we cannot forget that our bar association needs volunteers, too. There are numerous CCCBA committees, subcommittees, and sections that rely on member volunteers. Volunteering in the CCCBA is as easy as a pointand-click of your computer curser. On the CCCBA website homepage, point your computer curser to the first drop down on the top banner "Give Back." Everything you need is right there: free legal workshops, pro bono pledge, pro bono recognition; special events & community service opportunities, temporary judge & discovery facilitator programs, and other pro bono opportunities.

The court needs you

With the retirement of several judges and elevation of commissioners, there is a need for temporary judges and discovery facilitators. For a moment, we were teased with the prospect of having a designated "discovery commissioner" (a reflection of the Commissioner Judith Sanders era) to alleviate the need for judges to hear discovery disputes. It was shortlived. The designated discovery commissioner was recently elevated to fill a judicial vacancy. With the expiration of the informal discovery conference prerequisite to filing a discovery motion, there is now a great need for volunteer temporary judges and discovery facilitators.

Finally, there is a strong need for court-appointed Minor's Counsel. As the eyes and ears of the court, the judge relies on Minor's Counsel when it determines what actions it should take. Although participating

as court-appointed Minor's Counsel is not necessarily pro bono work, Judge George recently described it as: "pro bono, plus a tip" since these attorneys devote countless hours to this court appointment, often for little or no compensation.

We hope that this edition sparks your interest to provide volunteer service to one of the many programs highlighted with the goal that your service will strenghen and expand your heart.

Ray Robinson is solo general practitioner. He was a trial/litigation paralegal for 30 years prior to his admission to practice. He serves on the CCCBA Board of Directors, is the Chair of the CCCBA Pro Bono Committee, and serves on various CCCBA sections. He can be reached at: ray@rayrobinson.attorney.



CCCBA's Wellness Committee is Bringing Back the Fun!

Check the CCCBA online events calendar for activities ranging from a hike in July to the CCCBA Talent/No Talent Show on August 17! www.cccba.org/attorney-events

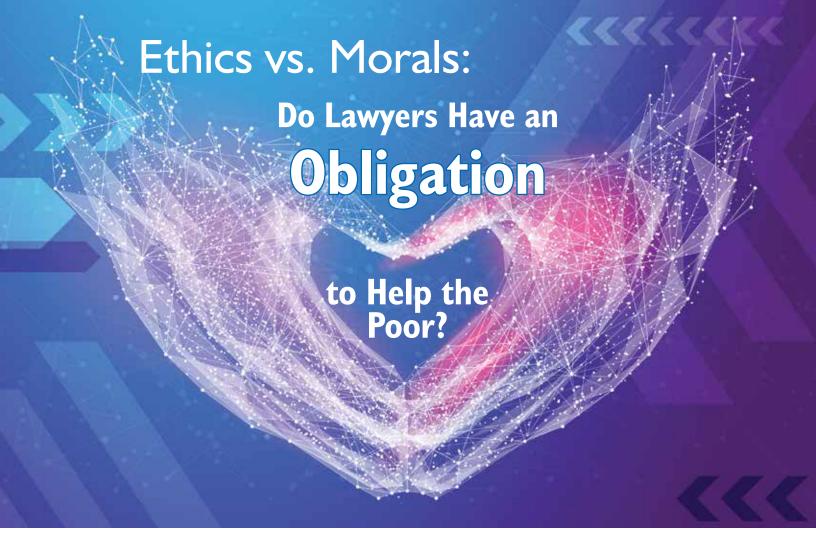
Create Joy!

If you have an idea for a wellness activity, email CCCBA Program Coordinator Sarah Marin at smarin@cccba.org.

CCCBA Celebrates 90 Years with a Gala Event

Saturday, April 13, 2024 Blackhawk Museum Danville

Save the Date! CCCBA will celebrate its 90th anniversary in 2024. If you would like to join our party planning committee, please contact CCCBA Executive Director, Jody lorns at jiorns@cccba.org.



By Carol M. Langford

It is clear that we live in a world that is increasingly becoming economically polarized, for many socio-economic reasons. This has been true since time began, because people have different intelligences, different skill sets and grow up under different circumstances. As lawyers, our education usually ensures we sit close to the top of the economic food chain. Does this mean that we have an ethical duty to help those less fortunate? A moral duty? And are these questions different or the same?

Early in the history of common-law countries, lawyers – or their precursors – worked without compensation. Today of course things are much different. Lawyers expect clients to pay for their services. But look around you – how many poten-

tial clients can afford to pay a lawyer \$500 an hour? Or even \$150?

There are what I call "ethical guidelines" in California that exhort lawyers to help the poor and disadvantaged. For example, Comment 5 to the California Rule of Professional Conduct 1.0 states that a lawyer "(...) should be aware of deficiencies in the administration of justice and of the fact that the poor, and sometimes persons who are not poor; cannot afford adequate legal assistance. Therefore, all lawyers are encouraged to devote professional time and resources and use civic influence to ensure equal access to the system of justice for those who because of economic or social barriers cannot afford or secure adequate legal counsel. In meeting this responsibility of the profession, every lawyer should aspire to render at least 50 hours of pro bono public legal services per year. The lawyer should aim to provide a substantial majority of such hours to indigent individuals or to nonprofit organizations..."

I sat on the Commission that drafted the current Rules and this language. I remember how badly I wanted to have a Rule that did more than provide a recommendation but instead compelled pro bono work. We did draft such a rule. But any mandatory pro bono rule is an electrical third rail, or at least it was in the past as lawyers fought any disciplinable obligation to help the poor. Lawyers argued it was a "taking" and unconstitutional. They argued it was yet another obligation like MCLE when they had little time

left over after their working days. The California Supreme Court was likely concerned too and sent our Rule back to us because they could see the very real problems with enforcing non-compensated work. The aspirational language above became the final result.

This language is in contrast to California Business & Professions Code section 6068 (h) which seems to compel pro bono work, at least in the narrow circumstances where someone cannot find a lawyer willing to take that client. That legislatively mandated Code section states that it is the duty of every lawyer, "never to reject, for any consideration personal to himself or herself, the cause of the defenseless or the oppressed." This is very broad language, and it reads more like a "moral" obligation vs. an "ethical rule-based" obligation. It seems interesting that the public would clearly see a strong obligation to provide pro bono services while our Rules, written by lawyers, would reflect only an aspirational obligation without the stick of discipline behind it.

Statistics in the past decade show that legal services organizations cannot meet the public needs. The ratio of free legal services attorneys available to the number of low-income Americans who need one is 1-6,415. Yes, you read those figures right. And the number of low-income Americans qualifying for free legal help over ten years ago was 63 million. One third of them were children. Think of what the figures must be now. One has to assume these figures have not gone down, especially with inflation pressing in from all sides. These figures and many others on the unmet need for low-income legal services can be found in David Liu, Civil Legal Aid By the Numbers, Center for American Progress.

It would be ideal if volunteer lawyers could fill the gap. But I recently read

an article by Glen Gamboa in the Santa Fe New Mexican on volunteerism. He says that while there are a lot of young people who want to volunteer for all kinds of causes, a lot of organizations do not have the processes, the tools or the projects to harness that desire. He also opines that because people are on the move now since the pandemic, they tend not to commit to a community and its needs. He opines that volunteerism is tied to long ties to a community, and even though volunteerism is an American value from back when our county was formed, it erodes when citizens are not stakeholders in a city.

Our Rules of Professional Conduct have not entirely left the poor in the lurch. Recently, language was added to Rule 5.4 to allow a civil litigation lawyer who handles a case for a non-profit to share a courtawarded legal fee with non-profit legal aid, mutual benefit or advocacy group as long as they are not engaged in the unauthorized practice of law and employed, retained or recommended employment of the litigation lawyer. The Rule gives, as an example, a non-profit organization's operation of a law practice incubator program. In the past, this would have been an unlawful fee arrangement, because it would be the sharing of fees with a nonlawyer.

But there are other important Rules that give a leg up to the lawyer wanting to help the poor. Rule 6.3 is a tweak on our conflicts Rule 1.7 that gives more leeway to a lawyer in fighting for a poor client even if the case might tangentially be adverse to a current client of the firm. Rule 6.5 allows a lawyer to provide "one stop quick advice" where there is no expectation that the lawyer will provide further services. An example of this is Law Day at your local bar association where you sit with a lot of good-hearted lawyers and help out whomever sits down in front of you (this is one of the most rewarding and fun things a lawyer can do). Rule 6.5 does require the client's informed consent, and that is easily obtained when the client signs a form before the advice is given. In addition, the lawyer ordinarily does not have to run a conflicts check.

While there is still no actual enforceable obligation to provide pro bono services, I think there is a moral one. Why? Well, it is hard to put into words, but I think we have a monopoly on legal services with barriers to entry, so few can provide legal services to the poor. Larger barriers exist too, like law school, burdensome student loans and the Bar exam. In addition, you have to be intelligent and hard-working to be a lawyer. Not everyone has these qualities.

We can prevent injustices, and devote a little time every year to a cause we believe in, or write a check if we are time constrained. I think we should aspire to be more than just 40-hour-a-week lawyers. We should be "Renaissance" men and women – well-rounded and balanced and lift people to their higher ground.

Carol M. Langford is a lawyer specializing in State Bar defense, admissions and ethics advice and counsel. She is an adjunct professor in professional responsibility and was appointed to the Commission on the Rules of Professional uct. She also assisted in

Conduct. She also assisted in drafting the disciplinary standards and the ethics rules for court personnel.

Women's Scholarship Fundraiser





On April 26, the CCCBA Women's Section hosted its annual scholarship fundraiser at Roundhill Country Club.





VOLUNTEER OPPORTUNITIES with the Court

by Matt J. Malone, Chief Counsel

One of the benefits of my role at the court is connecting with the many attorney volunteers who graciously give of their time as part of the court's long-standing partnership with the CCCBA. These attorneys roundly describe their service as both personally and professionally fulfilling. Service not only provides support for the public but can also aid attorneys in developing a particular legal skill set or in strengthening their knowledge in an existing practice area. Whether it is providing someone the opportunity to "have their day in court" for their small claims matter, assisting parties in resolving discovery disputes, or mediating tense unlawful detainer cases where a person's home is at stake, volunteer attorneys are an invaluable resource for the public and the court. Here are a few of the opportunities the court offers for attorneys who wish to volunteer their time and talent for the public's benefit.

Temporary Judges

Temporary judges are attorneys appointed by the court to help resolve a backlog of cases by covering calendars for judges or commissioners who are unavailable. Volunteer temporary judges typically support the commissioners in unlawful detainer, traffic, civil harassment, and small claims matters. The court also utilizes temporary judges in its probate departments and offers specialized training in probate law for those individuals. The temporary judge program is particularly beneficial for those who may consider a judicial appointment. In Contra Costa, most current commissioners and many current judges previously served as temporary judges here or in other counties.

An attorney must have at least 10 years of active membership with the State Bar of California and must complete training in bench conduct/judicial demeanor, ethics, and additional courses related to the specific subject matter in which the temporary judge will hear cases. For all current application and training information, including upcoming training classes, the court maintains a dedicated temporary judge webpage.1

The service of these volunteer attorneys is essential to court operations, as without them, litigants throughout the county would

Contra Costa County Bar Association

Presents:



Wednesday, August 16 | Noon - 1:30 pm | On Zoom | 1.5 hours Legal Ethics MCLE Credit \$15 CCCBA members, \$45 non members

Speakers:



Hon. Steven K. Austin (Ret.) ADR Services, Inc.



Hon. Barry Baskin (Ret.) JAMS



Hon. Winifred Y. Smith (Ret.) ADR Services, Inc.



Randall 'Randy' Choy, Esq. JAMS



Audrey Gee, Brown, Gee & Wenger, LLP

Thank you to our Sponsors





Make your reservations at www.cccba.org/attorney-events

The Contra Costa County Bar Association certifies that this activity has been approved for 1.5 hours of Legal Ethics MCLE credit by the State Bar of California, Provider #393.

Volunteer Opportunities with the Court

Continued from page 13

experience inconvenience and significant delays in resolving their matters. And many times, the only judicial officer an individual will encounter in their case is a temporary judge. Temporary judges not only serve the court itself, but for those who appear before them, they also represent the court's core ideals of the fair and impartial administration of justice in the public interest.

Discovery Facilitators

The court also relies on volunteer attorneys in its Discovery Facilitator Program to assist parties in resolving discovery disputes without the full cost and risk of a motion. This program is particularly close to me, as I volunteered as a facilitator several times when I was still in private practice. While the process is not mediation and therefore not privileged, discovery facilitators can assist parties toward negotiated resolution where possible, and if not, they ultimately provide a recommendation to the court on the merits of the dispute. In a recent review of two sample months of program requests, the court determined that more than half of the disputes were resolved through this process and without the need for a full motion. Volunteer discovery facilitators assist the parties in resolving disputes in a more economical fashion and help clear crowded discovery calendars.

Case Evaluators and Settlement Mentors / Congress of Neutrals

The court also relies on volunteer attorneys to serve as mediators, settlement mentors, and case evaluators as part of its Alternative

Dispute Resolution Program. More information about the court's ADR services, including application materials for service on the court's ADR panels, many be found on the court's website.2 Attorneys may also serve with the Congress of Neutrals, a nonprofit organization that trains mediators to assist in resolving many cases, including unlawful detainer, small claims, and civil harassment matters. Please visit the Congress of Neutrals website for more information on that program.3 These volunteers are invaluable to the court as the attorneys are particularly successful at guiding the parties to a negotiated, satisfactory resolution, thereby alleviating these particularly impacted court calendars.

Court Appointed Special Advocates (CASA)

CASA volunteers are appointed by the court to advocate for the best interests of children who are involved in the child welfare system. Attorneys, particularly those with experience in family law or child advocacy, can be valuable advocates for children and provide recommendations to the court regarding their placement and care. Volunteers are typically appointed in cases where a child has been removed from their home due to abuse or neglect and is in protective custody. The role of a CASA volunteer is to gather information about the child's situation and provide recommendations to the court regarding the child's placement, medical care and education. CASA volunteers work closely with professionals who are involved in the child welfare system, including attorneys and social workers, to ensure that the child's needs are being met. Beyond support through the process, CASA volunteers provide a consistent presence and emotional support for the child. The dedication of CASA volunteers to children in need makes a significant difference in their lives

and their communities. More infor-

mation about becoming a CASA volunteer may be found at the Contra Costa County CASA website.⁴

The court is fortunate to work in partnership with the many volunteer attorneys who have graciously dedicated their efforts to these services. On behalf of the court, I encourage each of you to consider offering your time and service to these programs.

- $1. \ https://www.cc-courts.org/general/temporary-judge.aspx$
- 2. https://www.cc-courts.org/civil/alternative-dispute-resolution.aspx
- 3. https://congressofneutrals.org/
- 4. https://www.cccocasa.org/menus/become-a-volunteer.html

Matt J. Malone is
Chief Counsel
for the Contra
Costa Superior
Court. He
was previously
a litigation
partner representing parties
in consumer class
actions, appeals, and

real estate disputes. He may be reached at (925) 608-2700 or mmalo1@contracosta.courts.ca.gov.

Solo/Small Firm Summit:

Working Smarter, Not Harder!





On May 12, the Solo/Small Firm Section hosted it's first Solo Small Firm Section Summit: Working Smarter not Harder at the Lafayette Library Conference Center. This half-day event started off with Hon. Ayana K. Young and Heidi Coad-Hermelin in a luncheon keynote conversation about Judge Young's journey to the bench,

including her own civil practice and her perspective now as a judicial officer. Adam Koss of Koss Law Firm and Janet Everson of Murphy, Pearson Bradley & Feeney presented the "Top 10 Ways to Get Sued for Malpractice or Receive a State Bar Complaint." The final session of the day focusd on "Using Technology to Build Efficiency and Improve Profits," presented by Joshua Lenon from CLIO. The day concluded with a hosted social networking hour at Metro restaurant.

Participants earned 1.5 hours Legal Ethics and 2.5 hours General MCLE credit.

Thank you to sponsors:

Leoni Law Firm Feldman Law Group **ABA Retirement Programs Robert Half Legal**

Have a Case that Can Benefit from Mediation, but the Client Can't Afford it?

We Can Help

Our new Moderate Means Mediation Service was designed to help meet the gap in the need for mediation at affordable rates.

Our highly trained mediators address issues in many areas of civil law to include but not limited to:

- real estate/unlawful detainers
- construction defects
- insurance claims
- tort injury
- money disputes
- probate
- and much more



MEDIATION

(925) 937-3008

3478 Buskirk Ave., Suite 1000, Pleasant Hill, CA 94523 www.congressofneutrals.org | contact@congressofneutrals.org



Upcoming CCCBA Event - CCCBA Member Info Day

Social Security, Medicare, Mentoring and More!

(In Person / Hybrid)

Thursday, July 13 | CCCBA Building First Floor Conference Room, 2300 Clayton Road, Concord, online option available | Free for CCCBA member, \$15 non members | Rather than having each of these programs on separate days, this year CCCBA is having them ALL-IN-ONE day. Attend one, some or all the programs. Register for each session separately at www.cccba.org/attorney-events

9:30 am - 10:30 am - Social Security: Exploring Your Options and Maximizing Your Benefits

Speakers: Carolyne Charvoz and J.P. McDermott, MassMutual Northern California

10:45 am - 11:45 am - Medicare Made Simple: Understanding the Maze of Medicare

Speaker: Carl Horne, Pillar6 Advisors, LLC

Noon - 1:00 pm - Your Financial Planning Overview: From Student Debt to Retirement

Speaker: Jimmie Diehl, MassMutual Northern California

4:00 pm - 4:45 pm - Using Coaching Skills to Enhance Communication and Mentoring

Speaker: Jessica Natkin, Total Talent Design

5:00 pm - 5:45 pm - Delegating and Dealing with Distractions

Speaker: Sarah Tetlow, Firm Focus

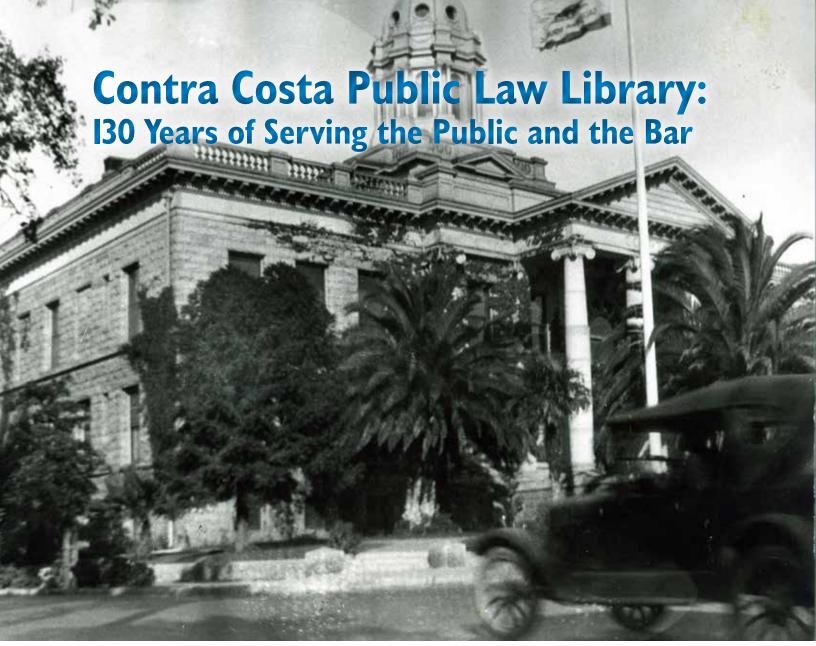


photo courtesy of the Martinez Historical Society

By Joshua Klein

In 1891, California's Legislature passed a statute establishing public law libraries in each of the state's counties.1 By law, each library exists for the "free" examination of books and other publications on the law, not only by governmental officials and members of the bar, but by "all residents of the county."2 That framework recognizes that, in a society based on the rule of law, access to legal materials is vital not only for members of the legal profession but for all who need to know and protect their rights. In the 130 years since its founding, the Contra Costa County Public Law Library has evolved to meet the developing needs of the legal profession and the public.

Library Resources in Martinez and Richmond

The main branch, in Martinez, is open five days a week. It features a comprehensive collection on California law as well as key resources on federal law. Primary and secondary material for the other 49 states is also available. A satellite branch, located in the Richmond courthouse, is open three days a week, with a smaller but still substantial collection. (When needed, library staff can also arrange for certain Martinez materials to be made available for patrons to use in Richmond.)

The library's staff of eight is headed by librarian Carey Rowan. Rowan,

who holds a Master of Library Science degree from the University of Southern California, originally worked in public libraries in southern California. In 2003, however, she returned to Solano County, where she had originally grown up, to serve as that county's public law librarian. She moved to the Contra Costa County Public Law Library in 2008. Library staff field about 240 information requests per day from in-person patrons, phone calls, and email. Dean Barbieri, the former dean of JFK University Law School, who also served for years as a Library Trustee, says he has always been extremely impressed with "the quality of knowledge of the library's staff." Rowan, for her part, describes the staff as "the best," stressing that they work together to aid the many people who seek their assistance.

Each day, about 100 patrons visit the library's branches. In-person visitors can take advantage of the 45,000 printed volumes and more than 300 CD-Roms. They use the on-site Westlaw to locate cases, statutes, secondary sources, and templates for drafting legal documents. Secondary legal material and templates for drafting forms can also be accessed through CEB OnLaw at the library. Visitors can obtain an account that can be used remotely to access the Lexis Digital Library and Matthew Bender treatises.

The Library's website contains a wealth of information, including a Q&A section dedicated to conservatorships. The online catalog allows users to identify available resources remotely before they visit. The library also offers online training for those who will be required to submit court accountings. Both onsite and offsite services are free, except for small fees for those who use the copiers and printers or faxing services.

Carey Rowan left, leads a tour of the Public Law Library in Martinez.



Services for

Unrepresented Litigants

Many of the library's visitors are non-lawyers seeking information and help because they are involved in proceedings concerning family law, landlord/tenant disputes, domestic violence restraining orders, conservatorship, guardianship, minor emancipation, or general civil litigation. The library also frequently sees non-lawyer patrons who are dealing with estate planning, elder abuse, and namechange issues.

Barbieri describes this "pro bono service to the community" as central to the institution. Library staff do not provide legal advice. (Those requiring such advice are referred to the Contra Costa County Bar Association's Lawyer Referral Service.) Instead, library staff identifies appropriate resources to allow people to help themselves -such as form-books, templates, or laypersons' guides. Librarian Rowan emphasizes that the library's staff consists of "empathetic listeners" who are frequently called upon to help those in crisis—such as people who urgently need legal authority to oversee the medical care of a suddenly-ill family member; who need to settle the estate of a deceased relative; or who face impending homelessness due to a housing dispute.

Services for Lawyers

Of course, lawyers also benefit from the library's services. According to Rowan, solo and small-firm practitioners find remote access to Lexis treatises to be an especially valuable service. Free onsite resources such as judicial profiles, case reporters, and electronic databases can be useful for those trying to keep costs down, or for whom an unexpected issue comes up while at the courthouse. And of course, input from library staff can lead to guicker and more effective research for any attorney—a useful result to demonstrate to clients and colleagues alike.

Lawyer in the Library

One of the library's noteworthy services is its Lawyer in the Library program, in which licensed lawyers volunteer for in-person pro bono consultations. Library patrons sign up in advance for a consultation, fill out a form, and provide relevant documents to the library, which sends them in advance to the volunteer attorney. Attorney Steven Piser calls his monthly volunteer sessions at the Richmond branch, "the most gratifying part of my practice, in some respects." Judge Lewis Davis, a formerly active member of the Superior Court who retired in 2022, has described Lawyer in the Library as a "valuable resource" for

Continued on page 18



Contra Costa Public Law Library

Continued from page 17

the community. Librarian Rowan concurs. She says that she would love to expand the program, and that attorneys interested in volunteering for the program should contact her at the library's main number.

Joshua Klein is an attorney in California and a Trustee of the Contra Costa Public Law Library. This article is written in his personal capacity and does not represent the views of his employer or the Library.

- 1. Stats. 1891, ch. 225, pp. 430-433.
- 2. Bus. & Prof. Code § 6360, subd. (a).

Contra Costa Public Law Library

http://cccpllib.org/

Main Library (Martinez):

A. F. Bray Courts Building, 1020 Ward Street, 1st Floor, Martinez, CA 94553 (925) 646-2783

Richmond Branch:

David Del Simone Memorial Law Library, Superior Court Building, 100 37th Street, Room 237, Richmond, CA 94805 (510) 374-3019



Mock Trial: A Short Program with a Long-Term Impact



Kennedy High School students in the Contra Costa County Office of Education High School Mock Trial Competition at the Bray Courthouse in Martinez, Hon. Dan O'Malley (Ret.), presiding.

By Nancy Schiff

For a few evenings and Saturdays every January and February, Contra Costa County's A.F. Bray Courthouse hosts a different crowd from the usual court attendees: teams of high school students from around the county converge to compete by presenting criminal mock trials before real judges. This is the culmination of five months of preparation, during which legal professionals coach the students in trial skills and procedures in after-school sessions a couple of days per week.

This Mock Trial Program is sponsored by The Constitutional Rights Foundation. Locally, the Contra Costa County Office of Education coordinates the annual program which is now in its 42nd year and requests county high schools and other youth programs to participate.

Each student takes on a role (or two) - attorney, witness, clerk, or bailiff - and their coaches guide them in preparing their side of the case. A pretrial motion, covering an area of constitutional law, is also included in the competition. Win or lose, the students are always excited to experience a realistic courtroom environment, and proud of their accomplishment.

Mock trials are an engaging and authentic way for students not only to learn about the legal system and careers within it, but also to develop persuasive argumentation skills, public speaking skills, teamwork abilities, and self-confidence.

In addition to competitive settings, mock trials are also sometimes used as a technique by teachers in

Continued on page 20

Mock Trial

Continued from page 19

a regular classroom, and as part of broader educational programs, such as the Summer Legal Fellowship Program sponsored by Center for Youth Development through Law.

Mock trial programs have a particularly strong impact on students from more under-resourced communities. Those students generally have fewer enrichment opportunities, and they can sometimes feel stigmatized based on where they live or which schools they attend. Participating in a rigorous academic setting provides them with validation of their capabilities. It fosters higher academic aspirations, as well as the skills and attitudes needed to achieve those aspirations.

The legal profession needs more individuals from first-generation and marginalized backgrounds, and this is a powerful way to inspire and prepare young people from those backgrounds to pursue these careers.

To help convey the impact of mock trial, a few former and current participants from schools in the Richmond area agreed to share their perspectives; our correspondents are:

Imani Barnes, a senior at UCLA, preparing to apply to law school. She participated in Mock Trial at De Anza High School for two years.

Alexandro Moya, Emergency Medical Technician. He participated in Mock Trial at Richmond High School for two years.

Marcos Nuñez, Information Technology professional. He partici-



Kennedy High School students in the Contra Costa County High School Mock Trial Competition, Hon. Anita Santos (Ret.), presiding

pated in Mock Trial at Richmond High School for two years.

Anahi Ruiz Moncada, ninth grade student at Kennedy High School in Richmond. She took on the role of defense attorney in her first year of mock trial this past year.

Can you share what it was like participating in Mock Trial? How did you benefit?

Imani: "I gained a higher level of comfort with public speaking which was (and still is) very difficult for me. I also developed better critical thinking skills when having to use evidence to tell a compelling story in competition, and by modifying and improving the strength of our case as the competition progressed."

Alexandro: "I remember having a great experience in the program. I learned how important it was to represent yourself in a professional manner. I also learned a lot regarding how to develop a plan with a team of people I have never worked with before, such as dividing the work of the mock trial with different students."

Anahi: "I loved my time in Mock Trial. I benefited from participating

by getting practice with what it's like to be a lawyer (one of my career ambitions), and I got the chance to connect with others while doing what I love."

What was your biggest challenge within Mock Trial?

Marcos: "I was extremely nervous to go up to the stand as a witness in my first year of mock trial. However, I received a lot of encouragement as well as constructive feedback on how I can improve. When I returned in my senior year, I was eager to be a lawyer and was able to do the opening statement and witness questioning. While I was still nervous, I was able to overcome it a lot easier. I still think back to these days and have encouraged others to get out of their comfort zone."

Do you feel participating in Mock Trial still has an impact on your life today?

Imani: "Mock trial was one of the things that made me commit to becoming a lawyer and now, four years later, the confidence that I had back then has remained as I complete my undergrad degree and prepare to apply to law schools this fall!"

Alexandro: "I still use a lot of the skills such as public speaking and communication now that I am working in the field of Emergency Medical Services. As a first responder, I am glad to have developed these skills which help me engage with the community."

Marcos: "It's been ten years since I first attended my first mock trial session. I met amazing mentors that I am still in contact with today. I gained the confidence to speak publicly and interviewing skills, which I now use daily as a manager of a team. I also gained a much better understanding of how our government works (better than the traditional high school classes)."

Anahi: "I noticed the impact of Mock Trial in other areas of my life, via my motivation to do other things. Working on a case dealing with a victim of domestic violence made me more interested in seeing other types of oppression that women face, and that led me to writing an essay on medical malpractice specifically on pregnant women of color."

Can you help inspire the next generation of lawyers and community leaders? Part-time opportunities, both paid and volunteer, are available during the school year and the summer. Judges and scorers are needed for the competition each January/February. Financial support

is also needed to make sure these programs can continue.

To learn more, contact Nancy Schiff, Executive Director at the Center for Youth Development through Law, affiliated with

the UC Berkeley School

of Law, at nschiff@youthlawworks.org.



A Mock Trial in the 2019 Summer Program of Center for Youth Development through Law at the UC Berkeley School of Law, Hon. Charles Smiley, presiding.



The students who participate in the Mock Trial program are always excited to experience a realistic courtroom environment, and proud of their accomplishment.





Becoming a member of Lawyers' Mutual is more than choosing an insurance provider, it's joining a community of your peers and receiving our promise to protect you.

All of our innovative policies are designed in conjunction with underwriting, claims and insurance experts who hold over 100 years of experience in the legal malpractice industry.







Unique programs, specialty rates, credit card payments, instant financing and exclusive member benefits are all part of your Lawyers' Mutual policy that has made us the premier provider for the past 43 years.

Protect yourself. Protect your clients. Protect your future. **www.lawyersmutual.com**



Our strength is your insurance











Volunteer your time to help youth in our Community:

My Story on the Value of Pro Bono Activities

By Jonathan Lee

"Lawyers have a license to practice law, a monopoly on certain services. But for that privilege and status, lawyers have an obligation to provide legal services to those without the wherewithal to pay, to respond to needs outside themselves, to help repair tears in their communities."

-Justice Ruth Bader Ginsburg

Justice Ginsburg's quote reminds me of simple acts of kindness and generosity which I experienced as a young child. This generosity helped repair tears in my own family and community. I write to share my story which may inspire you to give back to youth and provide them with the skills to become healthy productive

adults.

My story started in the sparsely populated north shore of Lake Erie in the fishing village of Port Stanley, Ontario Canada in 1974. At the age of nine, one of my parents violated a visitation and custody order and transported my siblings and me to this isolated town where no one was supposed to find us. I was ordered to stay out of sight. I was hungry, cold, lonely, and generally miserable. A perceptive, compassionate family living nearby invited us in one day to share a holiday meal and gifts. It

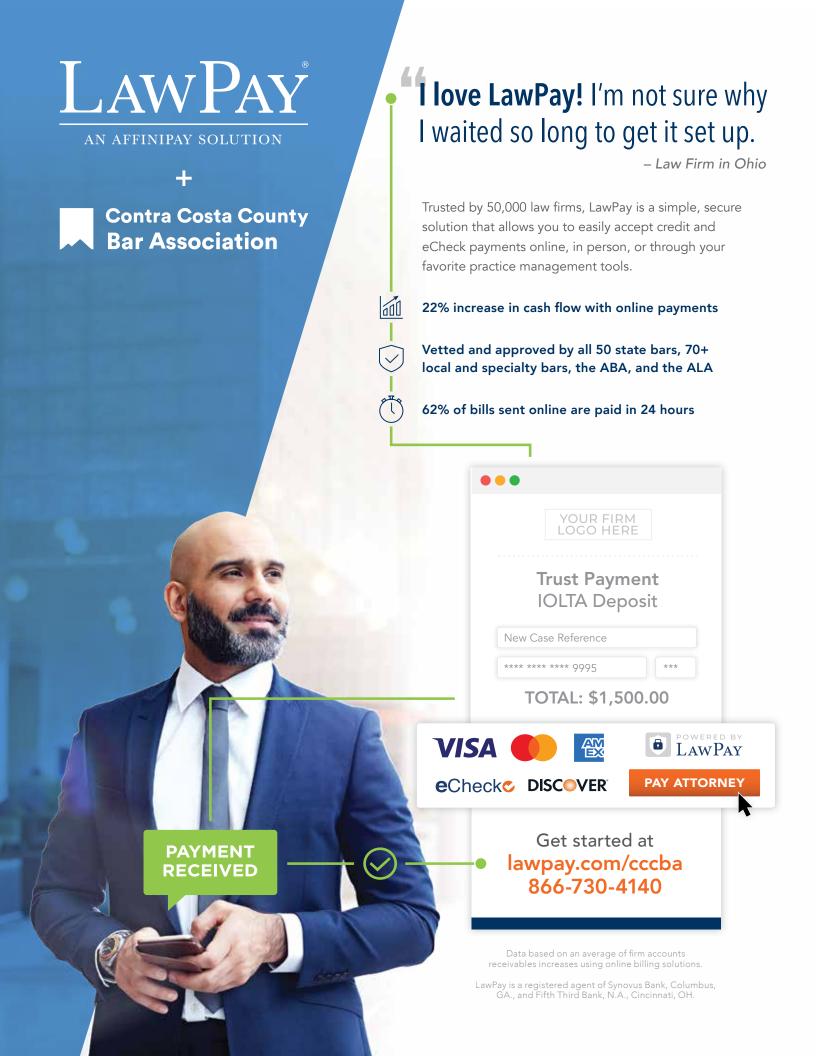
was a bright moment of kindness in a very dark period and it became a pivotal life event.

Thirty years later I took my family back to Port Stanley so I could try and find the couple and thank them in person. We were able to find my neighbors who answered their door and once again invited us back in. Within a few moments, even after the passage of many years with no contact, they recalled my and my siblings' names and provided additional information that I found healing.

I share this story to illustrate the impact of events that can be life altering when we reach out to youth in our community and try to improve their lives. In the years since that Port Stanley visit, I have searched

Continued on page 25





My Story

Continued from page 25

for opportunities to "pay it forward" and volunteer to assist youth in my community.

One of these activities involved volunteering at the Contra Costa County "John A. Davis" Juvenile Hall in Martinez. This Hall, which was opened in 2005, is a 290-bed maximum security detention facility for juvenile offenders up to age 18. The Hall also has a school classroom which the Contra Costa County Office of Education operates. It is a fully accredited year-round school where residents can study to earn their GED or high school diploma while in custody. The Juvenile Hall through an auxiliary program also offers opportunities to volunteers in the community to provide "life skills" training. This gives the residents tools to assist them to transition from the juvenile justice system to successfully re-enter their communities as productive adults with the goal to disrupt the cycle of incarceration.

I volunteered at the Hall each month and participated in group discussions and problem-solving sessions to teach these residents about basic life skills. These skills included managing finances, identifying vocational paths, completing course work, arriving on time for appointments, how to interview for a prospective job, and how to listen and receive feedback. One of the lesson plans I helped develop was called "Goals and Choices." The gist of the lesson plan was to explore these two concepts and demonstrate that the path to a goal creates choices both small and large which impacts achievement of the goal. The discussions were valuable for both the residents and me, and led to a deeper

understanding of the challenges these youth face in their transition out of Juvenile Hall into adult life.

If we follow Justice Ginsburg's wise words, each of us who are members of the bar have an obligation to give our time to better our profession and community through participation in these and other volunteer activities. The life skills volunteer teaching at the Martinez Juvenile Hall has diminished in recent years due to the development of in-house programming. But the need to help residents transition out of the Hall is still great. As a companion to life skills training, there is also a need to establish a pipeline for employment of these youth. Their abilities include computer graphics, animation, programming

and anything related to computer

or information technology. Please

consider whether you, your firm, or

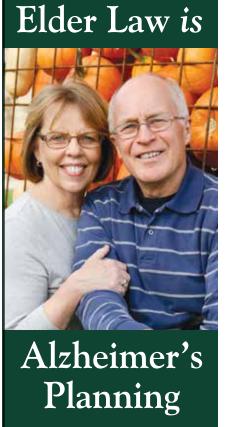
any of your clients or contacts who have relevant operations can offer them the assistance to find employment. By providing these opportunities you could change the course of a young person's life.

When you invest your time in the welfare of our youth, you can mend tears in the community.

Jonathan Lee is an Assistant United
States Attorney working

in the San Francisco
office. He authors
this article in
his personal
capacity only.
He also serves
as a Director
of the Contra
Costa County Bar
Association and an

adjunct instructor at the UC Berkeley School of Law and UC College of the Law, San Francisco.



The average survival rate is eight years after being diagnosed with Alzheimer's — some live as few as three years after diagnosis, while others live as long as 20. Most people with Alzheimer's don't die from the disease itself, but from pneumonia, a urinary tract infection or complications from a fall.

Until there's a cure, people with the disease will need caregiving and legal advice. According to the Alzheimer's Association, 10% of the population age 65 and older has Alzheimer's disease. Of the 5.5 million people living in the U.S. with Alzheimer's disease, the majority live at home — often receiving care from family members.

Protect your loved ones, home and independence, call elder law attorney

LAW OFFICES OF MICHAEL J. YOUNG, INC.,

a Professional Law Corporation
Estate Planning,
Asset Protection, Medi-Cal,
Long-term Care & VA Planning

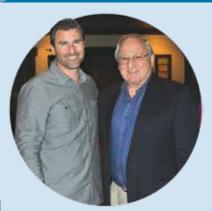


925.256.0298

lawyoung1@gmail.com www.WalnutCreekElderLaw.com 1931 San Miguel Drive, Suite 220 Walnut Creek, California 94596

PRO BONO

The Justice James J. Marchiano DISTINGUISHED SERVICE AWARD



Nominations are open now for the third annual **Justice James J. Marchiano Distinguished**

Service Award. This award will go to a CCCBA member who volunteers his or her time, either in a legal or non-legal capacity, to improve the circumstances of others and changes lives for the better in our community. To be considered for the award, a member can self-nominate or be nominated by someone else. Download the application and read about the inspiring recipients of the Justice James J. Marchiano Distinguished Service Award, from the past two years, at www.cccba.org/give-back/pro-bono-recognition

Deadline: Please send the completed award application to Jody lorns at jiorns@cccba.org no later than July 17, 2023 at 5:00 pm.



PRO BONO HONOR ROLL

If you are one of the many CCCBA members who help out in their communities in a legal or non-legal capacity, we hope you will enter the CCCBA Pro Bono Honor Roll. Any CCCBA member who has volunteered 50 or more hours over the period September 1, 2022 – August 31, 2023 is eligible for the Pro Bono Honor Roll. For more information visit www.cccba.org/give-back/pro-bono-recognition/

At the Bar Fund Benefit on September 29, 2023 at the Lafayette Veterans Memorial Center, the Justice James J. Marchiano Distinguished Service Award will be presented and the recipients of the Pro Bono Honor Roll will be honored. We hope to see you at this uplifting event.

Juneteenth Investiture of Judge Ayana K. Young

We congratulate Hon. Anaya K. Young on her induction as a Judge of the Superior Court of Contra Costa County on Friday June 16.



Judge Young was calm and collected prior to the event.



Judge Young accepted the gavel from CCCBA President David Erb.



Her parents assisted with her judicial robe.



- Trust and Estate Litigation
- Probate and Trust Administration
- Conservatorships
- Fiduciary Representation
- Estate Planning

- Joseph Morrill, Founder
- G. Jeff Coons, Partner
- Ritzi K. Lam, Partner
- Winnie K. Loh, Senior Attorney
- Morgan Durham, Attorney
- Ariana Flynn, Attorney
- Kayla Liu, Attorney
- Mia Polo, Attorney
- Vahishta Falahati, Of Counsel
- Norman Lundberg, Of Counsel

Walnut Creek:

201 N. Civic Dr., Suite 230 Walnut Creek, CA 94596

P: 925-322-8615 F: 925-357-3151







by Jody Iorns

First, you might ask, what the heck do you mean by C3?! In the world of non-profit tax code, the IRS makes a distinction between different types of non-profits and the associated tax benefits through the classification of type of activities and missions the organizations support. Simply put, the differences are generally as follows: a 501 (c)(3) is the most common and focuses on solving a social issue that can benefit society as a whole; 501 (c)(5)s are labor unions; 501 (c)(8)s are fraternal societies; 501 (c)(13)s are cemeteries; and so on. Each one has a different relationship with the IRS and different tax-related benefits. The Contra Costa County Bar Association is a 501 (c)(6) with a mission to promote the interest of a specific industry or profession.

OK, you may further be pondering, but as a C6 association, the CCCBA raises money, provides scholarships, gets sponsorships, does pro bono work, and all sorts of activities to benefit our community as a whole, so why might CCCBA consider a C3 arm? The creation of a C3 arm is about being practical, efficient, and effective. Though C6 organizations do the charitable-type work as noted above, they are limited by the C6 designation. Donated funds are not considered charitable by the IRS, the CCCBA does not qualify for grants or funding opportunities, the work that we do is not often recognized as charitable by the community, and the opportunity to collaborate fully as a partner with like community-based organizations is severely limited, etc. The creation of a C3 arm would address these issues and would allow us to concurrently do the following:

Raise the Bar Association Profile in the Community

Many people view lawyers and the legal system as intimidating and unapproachable. By establishing a C3 arm, the bar association can demonstrate its commitment to the community and build trust with local residents. A legal clinic, for example, could provide a visible and tangible way for the bar association to make a difference in the lives of local residents. By helping people with legal issues, the CCCBA can build trust and goodwill with the community. The bar association can also use the legal clinic and other activities of the C3 arm to showcase the expertise of its members and demonstrate the value of the legal profession.

Demonstrate a Commitment to Serving the Community

By providing legal services to undeserved communities and supporting other charitable organizations with the same mission, the CCCBA can demonstrate that it is more than what is often perceived as just a professional organization focused on advancing the interests of lawyers. This commitment to social responsibility and community service can enhance the bar association's reputation and increase its visibility.

A C3 arm would allow the bar association to support other charitable

organizations in the community. Many bar associations are already involved in charitable activities, such as food drives and toy drives. By establishing a C3 arm, the CCCBA can expand its charitable activities and provide support to other organizations that are working to address important social issues.

Expand Fundraising Opportunities

501(c)(6) organizations are limited in their ability to fundraise as contributions are not considered 'charitable' (or tax deductible) by the IRS. However, donations to C3 organizations are considered charitable. Further, the C3 can apply for grants from foundations and government agencies, which can provide significant funding for their charitable activities. This can allow the organization to carry out more ambitious projects and have a greater impact on the community.

Attract New Members

Many lawyers are looking for ways to give back to their communities and make a difference. By establishing a C3 and providing opportunities for lawyers to volunteer their time and expertise, the bar association can attract lawyers who

are passionate about making a difference in the community. This can help to diversify the bar association's membership and attract new members who are committed to its values and goals.

What Would this Mean to the CCCBA?

Quite simply and immediately, creating a C3 arm for CCCBA would open the door to generating more donations, support and engagement from the local community. Since we already do a number of projects and programs that are considered chari-

table, we could build on our current successes, collaborate more effectively with our community partners and provide more opportunities for our members to engage in Pro Bono activities.

In conclusion, creating a C3 charitable organization as an "arm" of our bar association can enhance our reputation and visibility in numerous ways. By demonstrating our commitment to the community, providing legal services to underserved populations, and supporting other charitable organizations, the bar association can build trust and goodwill with the community. The legal services provided by the C3 can also help to raise the bar association's profile, attract new members, and increase its influence in the political and legal spheres. Overall, establishing a C3 can be a powerful tool for promoting the bar association's values and goals, and for making a positive impact on the community it serves.

Our Board of Directors is weighing the options of establishing a C3 arm. CCCBA members are encouraged to share their thoughts on this move, and/or attend the next board meeting

month except August and December.

on the first Wednesday of every

Jody Iorns is Executive
Director of the CCCBA.
She has served in the
501 (c) 3 space for over
30 years, 20 of which as
an Executive Director.
She brings her vocational
passion of serving mission-

oriented organizations to the CCCBA and is inspired by the charitable work and contributions already made by the local legal community. Contact her at jiorns@cccba.org.



On the Side of Angels

The Need for Minor's Counsel

Minor's Counsel is a neutral voice for a child in a legal proceeding such as a Guardianship. Their role is to consider what is in the best interest of the child and report to the court. Economic factors and a rapidly-changing society has increased the need for attorneys to serve as Minor's Counsel.

Guest Editor Ray Robinson interviewed attorney Nicolas Vaca, who has served as Minor's Counsel since 2021. He offers valuable insights into this key role. Although the court determines the compensation for these attorneys, they frequently serve with little or no compensation which has led to a member of the legal community to quip that this work is essentially, "Pro Bono with a Tip." The benefit of helping these children through these proceedings is the reward.

Ray Robinson: When did you get your first court-appointed Minor's Counsel case?

Nicolas C. Vaca: April 7, 2021

RR: What motivated you to become a Minor's Counsel?

NV: For approximately four years I was fortunate enough to be the Probate Facilitator for the court. During my tenure I sat in court and witnessed guardianship cases and admired the commitment Minor's Counsel demonstrated to the well-being of the minors as they reported to the court. I also witnessed the important role Minor's Counsel played in advising the judge on the actions that should be taken with each case. I want to be one of those attorneys who provided this kind of service.

RR: Did you receive any specialized training or participate in MCLE before becoming a Minor's Counsel?

NV: As mentioned above, I was able to witness guardianship cases as they came before the court. I also took several MCLE courses that related directly to guardianship. Also, as the Probate Facilitator,I held workshops where I assisted pro bono applicants in completing their guardianship applications. These workshops allowed me to interact one-on-one with the applicants, answer questions they had regarding the application process and advise them on the long-term implications of becoming a guardian.

RR: What are some of the main challenges when serving as Minor's Counsel?

NV: As Minor's Counsel you are the eyes and ears of the court. The judge presiding over the case relies, in large part, on you and the report you provide in determining what actions it should take in the matter. As a consequence, it is important that you provide the court with what you believe it needs to know in order for the judge to make thoughtful and reasonable decisions. This is not always easy. Some petitioners do not easily open up to a stranger assigned to their matter and thus as Minor's Counsel you must tread carefully in developing a positive relationship with the applicant and the minor to elicit what you believe are important facts relating to the best interest of the minor.

RR: The need for attorneys to participate as Minor's Counsel seems to be growing rapidly. What do you think is behind

the rapid growth?

NV: It is, I believe, the consequence of economic factors and a rapidly changing society that are the driving factor in the growth. Many of the petitions for guardianship are the result of parents who are economically unable to care for their child and need someone to care for her/ him while they try and establish themselves financially. For some parents this is a distinct possibility; for others it is a goal they cannot reach. Another driving factor is the growth of substance abuse - alcohol and drugs - by parents who are so debilitated by their dependence that they cannot care for the minor. As joblessness and substance abuse grow among the population, so will

petitions for guardianship and thus the need for Minor's Counsel.

RR: What are some of the benefits of serving as Minor's Counsel?

NV: You get to meet extremely committed and thoughtful individuals who have stepped up to care for the minor. Becoming a guardian is a major commitment. If the minor is an infant or a young child, the guardian is potentially committed until the child is 18 years of age. If the minor is in her/his teens, the guardian is committed to dealing with a minor who is passing through some of the most difficult years of her/his life. These difficult years can be tumultuous and troubling for the minor and extremely trying for the guardian. Getting to know these individuals provides reassurance in the goodness of people and hope for the future of the minor.

RR: What advice would you give an attorney contemplating participation in the Minor's Counsel program?

NV: Look forward to a challenging practice. Approach each matter with compassion and understanding. Understand that the legal system can provide only limited assistance to both the applicant's and minor's life. Keep in mind that while you may see dozens of cases each year, for each applicant and minor their case is of the utmost importance, and so it should be for you.



CALENDAR

UPCOMING EVENTS | OVERVIEW

The Contra Costa County Bar Association certifies that the MCLE activities listed on pages 32 and 33 have been approved for the specific MCLE credit indicated, by the State Bar of California, Provider #393.

July 13 | CCCBA

Member Info Day

Social Security, Medicare, Mentoring and More!

(In Person / Hybrid)

9:30 am - 10:30 am - Social Security: Exploring Your Options and Maximizing Your Benefits

Speakers: Carolyne Charvoz and J.P. McDermott, MassMutual, Northern Caifornia

10:45 am - 11:45 am - Medicare Made Simple: Understanding the Maze of Medicare

Speaker: Carl Horne, Pillar6

Noon - 1:00 pm - Your Financial Planning Overview: From Student Debt to Retirement

Speaker: Jimmie Diehl, MassMutual, Northern California

4:00 pm - 4:45 pm - Using Coaching Skills to Enhance Communication and Mentoring

Speaker: Jessica Natkin, Total Talent Design

5:00 pm - 5:45 pm - Delegating and Dealing with Distractions

Speaker: Sarah Tetlow, Firm Focus

CCCBA Building First Floor Conference Room, 2300 Clayton Road, Concord, online option available | FREE for CCCBA members, \$15 non members

July 15 | Wellness Committee

Let's Go Hiking at Point Pinole Regional Shoreline

(In Person)

9:30 am – 12:30 pm | Point Pinole Regional Shoreline, 3000 Atlas Road, Richmond | FREE for all (\$3 fee per car for parking, \$2 per dog)

July 18 | CCCBA

CCCBA Goes to the Ballpark

Boston Red Sox vs. Oakland A's (In Person)

5:00 pm – 9:30 pm | Oakland Coliseum, 7000 Coliseum Way, Oakland | \$65 per person (includes field infield level box seat, delicious catered tailgate, libations) | Parking is Free

July 19 | Solo/Small Firm Section

Breakfast with the Solo/Small Firm Section – Brentwood (In Person)

7:30 am - 9:00 am | MJ's Cafe and Bakery, 655 First St., Brentwood | FREE for members of the Solo Section, \$20 others

July 20 | Women's Section

Women's Section Social

Hour – Piatti in Danville (In Person)

5:00 pm – 6:30 pm | Piatti, 100 Sycamore Valley Road W., Danville | No-host social hour, light appetizers provided

August 4 | CCCBA

Fastcase Training (Webinar)

Speaker: Sam Peacoe

8:30 am – 9:45 am | 1 hour General MCLE credit | FREE for CCCBA members,

\$50 non members

August 12 | Wellness Committee

Let's Make Homemade Pizza

(In Person)

4:00 pm - 7:00 pm | a CCCBA member's home in Antioch | FREE for all

August 16 | Solo/Small Firm Section

Breakfast with the Solo/Small Firm Section – Walnut Creek

(In Person)

7:30 am – 9:00 am | Sunrise Bistro, 1559 Botelho Dr., Walnut Creek | FREE for members of the Solo/Small Firm Section, \$20 others

August 16 | CCCBA

Everyone is Listening - The Core of Your Profession is

Civility (Webinar)

Speakers: Honorable Steve Austin (Ret.) | Hon. Barry Baskin (Ret.) | Hon. Winifred Smith | Randall P. Choy | Audrey Gee

Noon – 1:30 pm | 1.5 hour Legal Ethics MCLE credit | \$15 CCCBA members, \$45 non members

Sponsored by: JAMS | ADR Services, Inc.

For more information on these programs, please contact Anne Wolf,

CCCBA Education & Events Director at awolf@cccba.org or (925) 370-2540 or check the calendar www.cccba.org/attorney-events

August 17

Wellness Committee

Hot August Night: Talent/No Talent Show

(In Person)

5:30 pm | Back Forty Texas BBQ. 100 Coggins Dr., Pleasant Hill | \$25 CCCBA members, \$35 non members

Interested in being part of the show? Sign up at www.cccba.org/attorneyevents

August 24

Estate Planning & **Probate Section**

Come One! Come All! **EPP Section Social at Five Suns Brewing in Martinez** (In Person)

5:00 pm - 7:00 pm | Five Suns Brewing, 626 Main St., Martinez | FREE for members of the Estate Planning & Probate Section,

\$20 CCCBA members, \$35 non members

Sponsored by: Akel Hillany, Luxe Realty Group

August 26 | Women's Section

CCCBA's 3rd Annual Family Fun Day (In Person)

11:30 am - 3:00 pm | Pleasant Hill Park, 147 Gregory Lane, Pleasant Hill | FREE for CCCBA members and their immediate family

Includes fiesta lunch and carnival games, prizes, bubble play, magic, face painting, corn hole and more!



September 14 | Women's

Women's Section Social **Hour Del Cielo in Martinez**

(In Person)

5:30 pm - 7:00 pm | Del Cielo Brewing Co., 701 Escobar St., A, Martinez | No host happy hour, light appetizers provided

September 15 | Real Estate

Recission: Be Careful What You Ask For (Webinar)

Speaker: Cary McReynolds

8:00 am - 9:30 am | 1.5 hours General MCLE credit | Details TBA

September 15

DEI Committee

The Defamation Experience

(Zoom Meeting)

Noon - 2:30 pm | 2 hours Elimination of Bias MCLE credit | FREE for all

Presenting Sponsor:

Angela De La Housaye, DLHA Law Group Sponsors:

Candelaria PC | JAMS | M.S. Domingo Law Group, P.C. | Livingston Law Firm

November 3 | CCCBA

MCLE Spectacular

8:00 am - 5:00 pm | Concord Hilton | Details to come

Bar Association

Let's Build **Your Practice Together**

CCCBA LAWYER REFERRAL & INFORMATION **SERVICE**



Each year we receive over 9,000 calls through our Lawyer Referral & Information line from potential clients seeking referral to an attorney. Registered attorneys receive referrals on a rotating basis for panels they choose. including:

- Mediation/Arbitration
- Family Law
- Tenant Law
- Estate Planning
- **Civil Litigation**
- **Personal Injury**
- **Elder Law**
- and many more

Register today on www.cccba.org or call Barbara Arsedo or Jennifer Comages to sign up

(925) 686-6900

CLASSIFIEDS

2 OFFICE SPACES AVAILABLE

Where: 3445 Golden Gate Way, Lafayette Law firm since 1955.

Details: Creekside setting with ample free parking, excellent law library, easy access to intercity jogging trail. Reasonable rent.

Interested? Call Stan Pedder or MacKenzie Bush at (925) 283-6816.

Advertising Space Available

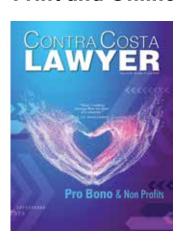
Did you know that you can run classified ads in Contra Costa Lawyer and also on the CCCBA website? Classified ads run on the CCCBA website for 30 days. Members pay just \$75 per month for online classified ads that can include photos or graphics. For information, please contact Carole Lucido, CCCBA Communications Director at (925) 370-2542 or clucido@cccba.org.

Advertiser Index

ADR Services
Barr & Young Attorneys
Bay Area File3
The Bray Law Firm21
Congress of Neutrals
Judicate West
LawPay
Lawyers Mutual22
Morrill Law Firm
The Law Offices of Michael J. Young Inc

Advertising Opportunities

Contra Costa Lawyer Magazine Print and Online



The Contra Costa Lawyer is the official publication of the Contra Costa County Bar Association. It is published every other month for an audience of more than 1,500 attorneys, judges and court officials, law libraries and public officials involved with the administration of justice in Contra Costa County and has a readership of approximately 4,500 online.

Both the print and online editions of Contra Costa Lawyer have won awards of excellence from the National Association of Bar Executives.

Cost effective display and classified advertising opportunities are available in the print magazine. Online ads are available on the CCCBA's website: www.cccba.org.

View and download the complete media kit www.cccba.org/flyer/2023/cccbaadkit-2023.pdf

Contact CCCBA Communications Director Carole Lucido if you have questions, clucido@cccba.org or (925) 370-2542.

Contra Costa County Bar Association

We gratefully acknowledge our

2023 SUSTAINING LAW FIRMS

FIRMS WITH 30+ ATTORNEYS:

Miller Starr Regalia

FIRMS WITH 20-29 ATTORNEYS:

Bowles & Verna, LLP Littler Mendelson, P.C.

FIRMS WITH 11-19 ATTORNEYS:

Brothers Smith, LLP
Clapp Moroney Vucinich Beeman Scheley
Doyle Quane
Gagen, McCoy, McMahon, Koss, Markowitz & Fanucci
Greenan Peffer Sallander & Lally LLP
Kilpatrick Townsend & Stockton
McNamara, Ambacher, Wheeler, Hirsig & Gray, LLP

FIRMS WITH 5-10 ATTORNEYS:

Whiting, Ross, Abel & Campbell, LLP

Acuna Regli
Barr & Young Attorneys
Brown, Gee & Wenger, LLP
Casper, Meadows, Schwartz & Cook
Candelaria PC

Craddick, Candland & Conti

Donahue Fitzgerald, LLP
Edrington, Schirmer & Murphy
Ferber Law, APC
Galloway, Lucchese, Everson & Picchi
Gillin, Jacobson, Ellis, Larsen & Lucey
Hartog Baer Zabronsky & Verriere, APC

Law Offices of Joseph H. Wolch
Livingston Law Firm, P.C.
Morrill Law
Patton Sullivan Brodehl LLP
Talbot Law Group, PC
Temmerman Cilley & Kohlman LLP



Concord, CA 94520 www.cccba.org





Bar Association **Contra Costa County**

The Bar Fund Benefit 2023

Thursday, September 28, 2023 5:30 pm - 7:30 pm **Lafayette Veterans Memorial Center**

Benefitting

STAND! For Families Free

of Violence

STAND! For Families Free of Violence is a catalyst for breaking the multi-generational cycle of violence, promoting safe and strong relationships, and rebuilding lives.

As the only comprehensive domestic violence services agency in Contra Costa County, STAND! assists more than 10,000 clients annually by providing 24/7/365 comprehensive prevention, intervention, and treatment services to ALL portions of the family, however defined, including separate services for those who use harm all toward ending the cycle of family violence.

The 3rd annual Justice James J. Marchiano Distinguished Service Award will be presented at this event.

Tickets available at www.cccba.org/attorney-events

Judges, Public attorneys, Barristers \$65 Non profit attorneys and legal support members \$60 Law students \$10 CCCBA members \$75 Non members \$85

Sponsorship Opportunities Available

Contact Jody Iorns Now! jiorns@cccba.org; (925) 370-2548