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The Grab Bag Issue

Articles Submitted by Our Readers

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CONTRA COSTA LAWYER

Volume 38, Number 3 – May 2025

The official publication of the Contra Costa County Bar Association

FEATURES

NEWS & UPDATES

Bridging the Gap, February 27: New lawyers and those new to Contra Costa County participated in CCCBA's Bridging the Gap program. They are pictured here with Presiding Judge Christopher Bowen.

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INSIDE

The Grab Bag Issue: Articles Submitted by our Readers

by Corrine Bielejeski and Dorian Peters,
Co-Editors, Contra Costa Lawyer Magazine

Last year, we asked our readers what article ideas you had for the Contra Costa Lawyer magazine, and you did not disappoint. From the very specific to the general overview, you hit on every topic from Law Day and civility to the nuances of medical records discovery. While we could not fit all our favorites in this issue, we hope that these six articles interest you as much as they do us. We heard your desire for more mediation articles loud and clear too. Stay tuned for more of that in future issues. If you have a topic you would like to write about, please let Carole Lucido know. We are always looking for authors, guest editors, and future members of the Editorial Board.

Here's what this issue has in store for you:

Geri Green and **Zoey Surdis** explain why we seem to be less civil and ways to fix that.

Kathy Chamberlain demystifies medical records discovery.

Kathleen Hunt discusses new estate planning laws and why low net worth clients may not want to take advantage of the new procedures.

Justin Sonnicksen explains workers' compensation, which incidentally one of us has been spelling wrong for years.

Arvonne De Marco reminds everyone about Law Day and why we celebrate it.

Laura Alvarez shines a light on domestic violence myths.

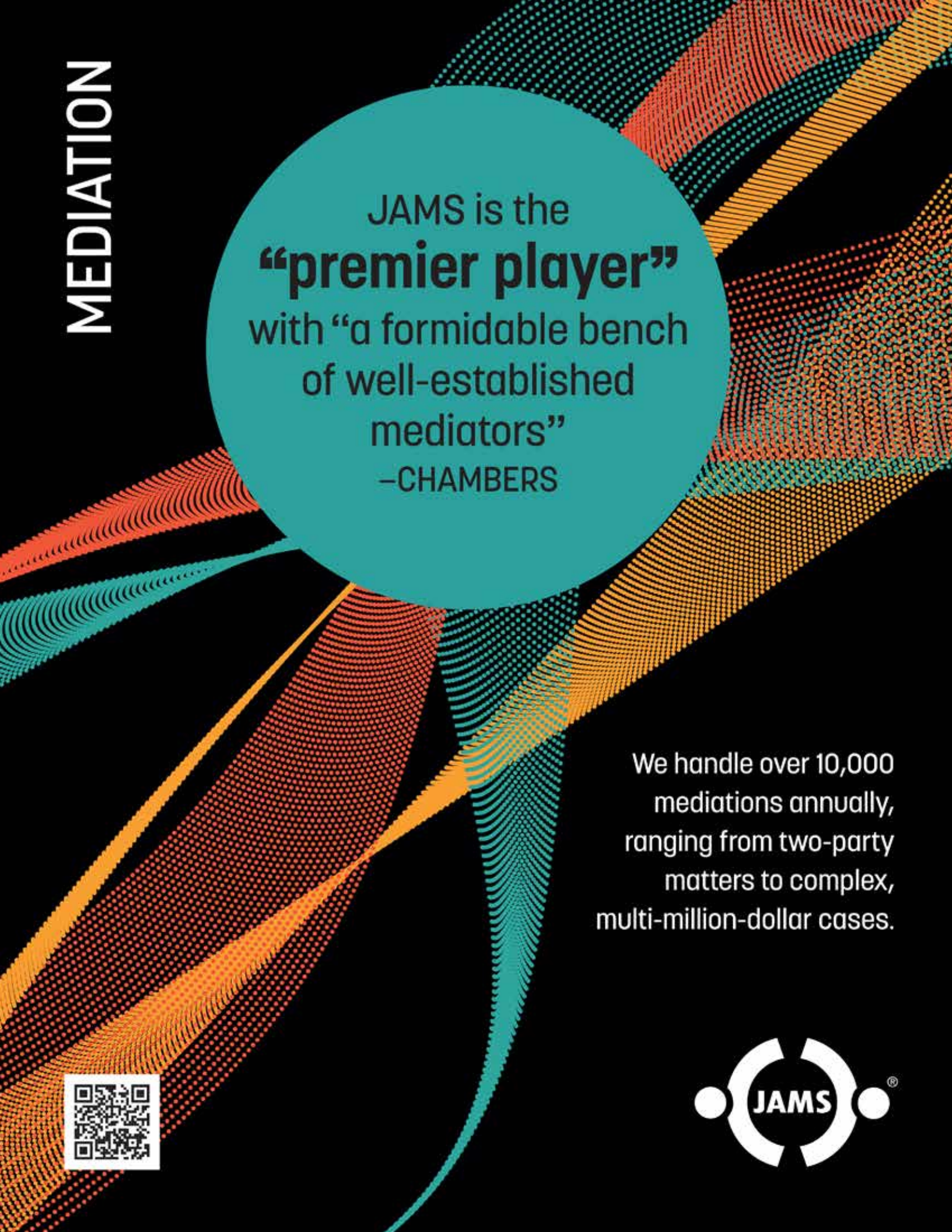
Whether you call it a grab bag issue, a potpourri edition, or thoughts from the Bar, we hope you enjoy it.

–Corrine Bielejeski & Dorian Peters
Guest Editors & Co-Editors of the
Contra Costa Lawyer magazine

***Corrine Bielejeski** owns East Bay Bankruptcy Law & Financial Planning in Brentwood, California. She served as law clerk to the Hon. Edward D. Jellen (ret.) in the Oakland Bankruptcy Court before entering private practice. She is a CEB update author, co-editor of the Contra Costa Lawyer magazine, and regularly speaks on bankruptcy issues.*

***Dorian Peters** works at the California Department of Justice as a Supervising Deputy Attorney General for the eCrime Unit, a team that prosecutes cyber crimes. He earned his law degree at Vanderbilt University Law School, his undergraduate degree from UC Berkeley, and has a Masters degree in Cyber Security and Information Assurance from Western Governors University.*
The opinions, views, or beliefs expressed are the author's alone and not the views of the California DOJ.

A note from
Co-Editor Corrine Bielejeski
We have a tradition on the Editorial Board that the co-editors have staggered terms. I am thrilled to have Dorian Peters serving as my co-editor this year. Not only did he come up with the idea for this issue, but he has already worked on a few magazine issues and done so without expectation of fanfare or recognition. Dorian, thank you for saying "yes" when I asked if you would be my co-editor. I look forward to all the amazing editing and leadership you will provide our board over the next two years.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Lost in Translation:
Why Digital Communication is Making Lawyers Less Civil

by Geri Green, Esq. and Zoey Surdis, Esq.

The Rise of Lawyer Incivility

Civility in the legal profession has been on the decline for years. As the Fourth District Court of Appeal decried, "[t]he timbre of our time has become unfortunately aggressive and disrespectful. Language addressed to opposing counsel and courts has lurched off the path of discourse and into the ditch of abuse. This isn't who we are."[1] The profession is experiencing a seismic shift as remote work reshapes daily practice, digital communication replaces in-person interactions, and opportunities for mentorship and relationship-building diminish. In its 2021 Report, the California Civility Task Force, a joint project of the California Lawyers Association and the California Judges Association, recognized that "bullying, intimidation, and nastiness have too often replaced discussion, negotiation and skillful, hard-fought advocacy."[2]

A significant contributing factor may be the heavy reliance on asynchronous digital communication. Written communication is inherently contextual and influenced by a reader's prior knowledge and cognitive processes. Non-verbal cues such as posture, proximity, smiles, pauses, tone, facial expressions, eye contact, hand gestures, and volume constitute 60-80% of face-to-face communications.[3] The asynchronous nature of email and text communications deprives recipients of the immediate opportunity to clarify the sender's intended meaning.

Additionally, our brains process information differently when reading on a screen versus in print. Research suggests that we comprehend less when reading on a screen compared to print and retain 20-30% less information.[4] This is exacerbated by multitasking and skimming. It is no longer safe to assume

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Lost in Translation

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that someone understands our intended meaning.

To make matters more challenging, the ability to transmit messages instantaneously encourages impulsive responses rather than thoughtful reflection. Collectively, these factors create a complex communication landscape, posing new challenges in interpretation and etiquette.

The Impact of the Changing Communication Landscape

Digital communication can cause a perception of anonymity, invisibility and minimization of authority that contributes to the "online disinhibition effect," causing people to drop their guard, forego formalities, and express themselves in ways they never would in person. In legal practice this can manifest as aggressive, sharp or dismissive messages that deplete the professional currency that instills trust among peers and allows for a communication to be judged on the merits of its content as opposed to its tone.

A study in the *Journal of Personality and Social Psychology* found that in emails, the sender's tone is misinterpreted 50% of the time. A similar study found that individuals are less likely to empathize with others in digital communications compared to face-to-face conversations, potentially leading to harsher responses or reduced cooperation.[6]

Without eye contact, tone of voice, or body language, written words can either be given too much significance or dismissed altogether. This can result in increased conflict among legal professionals and inefficiencies in case management. For example, having to send three emails instead of one to reach the same result.

Best Practices for Asynchronous Digital Communication

No uniform digital written language currently exists. Lawyers of diverse backgrounds, unique personalities, and varying experience levels converse differently depending on the method of communication.

For example, for junior lawyers, digital correspondence often serves as a comprehensive communiqué and is expected to include complete thoughts and more conversational tone. For senior attorneys, email is frequently a shorthand vehicle that need not be as formal or explanatory, because it is intended as a precursor to a clarifying phone call or email exchange. An email response of "No." may be taken by a junior lawyer as an abrupt end to a conversation whereas a senior lawyer often perceives that same response as the beginning of a negotiation.

Strengthening communication skills across generations of lawyers in a digital world by learning from one another is crucial for developing a common civil language in the legal profession. A mutual mentor-mentee relationship offers a unique opportunity for both lawyers to learn other communication styles.

To mitigate misunderstandings and maintain professionalism consider adopting best practices, such as:

- **Timely Asynchronous Responses** – Delayed responses to inquiries convey the appearance of disinterest, annoyance, or a lack of urgency. A good rule of thumb is to provide a full response within 24 hours of receipt. If that is not possible, be sure to reply with an expected timeframe for when a complete response will be given. Take note that texting typically has shorter response time expectations.

- **Avoid Impulsive Responses** – Emails sent too quickly without careful wording may sound more confrontational than intended. Read messages twice before sending, and ensure tone and meaning are appropriate. While responding within a reasonable timeframe is important, it is equally crucial to allow yourself the space to thoughtfully modulate your response to actual or perceived incivility to avoid escalating that incivility or inadvertently perpetuating it.

- **Brevity Can Be Misinterpreted** – Short emails, while efficient, can give the impression that the communication is complete when it is not. Use clear and concise language while providing sufficient information for the reader to be fully informed within the four corners of the email.

- **Elicit a Meaningful Response** – Design your requests to open a dialogue, unless all you want is a yes or no answer.

- **Punctuation Matters** – Thoughtful punctuation helps ensure clarity and preserves a respectful tone. Punctuation choices can drastically change how a message is received. For example, the use of ALL CAPS can come across as shouting while the overuse of ellipses (…) can create uncertainty or the appearance of passive aggression.

- **Pick Up the Phone for Clarification** – A quick call can be worth 1,000 emails.

- **Be Mindful of Cultural & Generational Differences** – These can lead to misunderstandings and offensive assumptions. Consider how to address opposing counsel in an initial email greeting. Until a more familiar digital rapport is established, address them deferentially as "Counsel." If you do not know someone's title or position, use temporal greetings such as "Good afternoon." If you are still

unsure how to address someone after the initial exchange, you can always ask them directly. At work, mutual mentor-mentee relationships with someone from a different background or generation can help bridge these types of gaps across differences in communication styles.

Identifying deviations in digital interactions allows lawyers to navigate the challenges created by these shifts in communication more effectively. By adopting best practices in asynchronous digital communications, lawyers can reduce incivility and misunderstandings, promote greater respect in professional exchanges, and ultimately strengthen the integrity of the legal profession.

Geri Green *is an accomplished mediator, arbitrator, and discovery referee with ADR Services, Inc., having successfully resolved over 1,000 cases in employment, personal injury, business disputes, malpractice, real estate, and civil rights. A long-time Judge Pro Tem in San Francisco Superior Court, she also serves as a mediator for multiple state and federal courts. With decades of litigation experience, Geri has extensive trial and appellate expertise and is a sought-after speaker on bias, ADR, and discovery. She is a founding member of the Bay Area Legal Incubator Brain Trust, which fosters emerging legal talent through innovative ADR and business development programs. She also holds an LL.M. in International Law, bringing deep expertise in conflict resolution, trauma, and cross-cultural competency.*

Zoey Surdis *is an associate attorney at Severson & Werson in San Francisco. She has worked on a wide range of litigation matters across various practice areas, including personal injury, premises liability, construction defect, breach of contract, and class actions. Ms. Surdis earned her B.A. from the George Washington University and her J.D. from the University of California College of the Law, San Francisco (formerly U.C. Hastings).*

CONTRA COSTA COUNTY Justice FOR All

CCCBA's 501 c3 non-profit foundation, Contra Costa County Justice For All, works to provide access to high-quality legal services and programs that support underserved individuals and communities, ensuring that justice is a fundamental right, not a privilege. Through advocacy, education, and community engagement, we strive to bridge the justice gap, protect civil liberties, and promote equality under the law.

For more information visit www.cccjfa.org.

Unlocking Medical Records: Essential Tips for Attorneys

by Kathy Chamberlain DNP, NNP-BC, C-ELBW

Buried within pages of medical records are the details that can make or break your case. You have been sent thousands of pages of medical jargon, disorganized notes, duplicated reports, and cryptic abbreviations. How do you find the critical details needed for your case?

Basics of Medical Records

First, an understanding of medical records is important. Medical records are in the format of Electronic Medical Records (EMR), handwritten notes, or a mixture of the two forms. Below are a few of the pros and cons of each type.

Here is a list of the parts of the medical record with a brief description of what each contains:

- **Demographics** – general patient information
- **Consents** – signed forms required for admission and procedures
- **History and Physical (H&P)** – medical history, physical exam on admission
- **Progress Notes** – daily doctors notes
- **Nursing Notes** – assessment every shift, changes in assessment

	Pros	Cons
EMR	• Easier to read compared to handwritten notes • Remotely accessible • Pop up "Best practice" references • Order Sets –standardized care • Use of smart phrases as a shorthand • Audit trails available	• Auto charting- information passed between documents, spreading inaccurate information • "Charting by exception" minimal detail • Charting under someone else's login • Copy forward notes, not edited • Order Sets – too much reliance, not edited
Handwritten	• Often have more detail • Providers are charting or ordering without copy features • No reliance on technology	• Difficult to read handwriting • Can lead to errors • More likely to have missing pages • "Errors" can be covered up by rewriting notes and vital signs

- **Flow Sheet**s – vital signs, intake/output, IV/drains/ line assessments, safety, blood administration, etc.
- **Interdisciplinary** –therapies, social work, dietary, etc.
- **Consults** – specialists, surgical
- **Lab Results** – blood work, cultures
- **Imaging** – Xray, MRI, CT
- **Medications** –the medication administration record (MAR) lists all medication given during a stay, doses, and routes
- **Discharge** – paperwork documenting the preparation for discharge, teaching, or safety measures
- **Other** – Scanned Transport records, CODE sheet, etc.

Records to Obtain

Wording a request for medical records is crucial. Typically the records are copied or transferred electronically by staff from the IT department. Parts of the records are often missing including imaging reports, scanned documents, and data from messaging platforms such as Inbox and patient portals.

Other documentation that can be helpful to obtain are policies, procedures and incident reports. While there are basic standards of care for nurses and medical providers, policies and procedures give the specific standard for the facility or unit. Incident reports are a written account of any unexpected incident such as a fall or a medication error. Incident reports are under the umbrella of Quality Assurance and designed as a tool to improve healthcare. However, in some instances, an incident report can be discoverable and can be beneficial if the incident is missing from the medical record.

Another source of documentation that can be obtained with an EMR record is an audit trail. It shows the footprint behind the medical record including changes, deletions, and where and when staff logged into computers. Audit trails can be used to refute or corroborate testimony from healthcare professionals. For example, if a provider states in deposition that they were at the patient's bedside ordering treatments, an audit trail might show that the provider was at home or in another office at the time. Audit trail records may be sent in PDF format; however, it is beneficial to request them in Excel format because the information can be sorted and filtered for easier review. When requesting audit trails, the wording should include "PDF format with the sort box or AutoFilter options checked to allow sorting."

Reviewing Medical Records

When reviewing medical records it is beneficial to start with a chronology. Medical records should be sorted according to time and not by section. For example, when reviewing an incident on a specific day, it is helpful to have the vital signs, nursing notes, physician notes, testing, and treatment for that day all in one place. This will show the flow of treatment. There is a pattern to medical care: a health concern, an assessment, testing, diagnosis, treatment, reassessment, and then repeat if the treatment did not resolve the problem. Having the documents sorted by time will facilitate finding the patterns and what is missing.

Common Pitfalls

There are common pitfalls to avoid when reviewing medical records. Hyper-fixating on a specific issue leads to missing information. It is essential to review every page and look for gaps in time. There are standards for frequency of vital signs and assessments and a standard time to evaluate high-risk situations such as stroke, heart attack and emergency cesarean section.

Be aware that values that are highlighted red may not be important. Vital signs and laboratory results differ between age groups, diagnoses and certain medications. When these values are either highlighted red or have a "high" or "low" notation, they may actually be appropriate for that patient. Knowing the correct values for a patient is critical to the analysis of the medical record.

Thinking outside of the box may provide more information or clues to missing documentation. Records for billing or health insurance can provide names of other physicians and visits a client had. A nursing care plan or Kardex may have information about concerns for the client's care that were not addressed in the medical record. Scanned documents and outside diagnostic testing results may include vital information and are often missing from the medical record. If there are no scanned documents, a thorough review of the physician orders will show if outside testing was ordered and nursing notes may state the test was done.

Medical abbreviations are not always consistent or standardized. One abbreviation can mean two things and must be reviewed in the setting of context, for example "BS" is breath sounds and bowel sounds and "PROM" is passive range of motion and premature rupture of membranes. For resources on medical terminology and abbreviations, check the hospital pre-approved list, medical or nursing schools, and published books or pamphlets. Use caution with online

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Unlocking Medical Records

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searches, as previously stated, there are numerous medical abbreviations, and they are easily confused.

Red Flags

There are certain elements in medical records that are red flags. They often show when an error occurred, if there is missing documentation, or potential tampering of the records. Time gaps in care are red flags that something is missing.

Any reference to an event that should have a corresponding note, such as a code, procedure, or surgery, but a note is not in the records, is a critical red flag. If there is little or no documentation for a significant event, then something is missing. Another red flag is when there are documented changes in the patient's condition, and a follow-up is not addressed in the record.

By navigating medical records effectively, attorneys can decode critical information to build stronger cases. The ability to interpret and leverage medical records is vital for attorneys to not only enhance their practice but also make strides toward achieving justice for their clients.

Kathy Chamberlain *DNP, NNP-BC, C-ELBW is a neonatal nurse practitioner with over 30 years of bedside experience. She has spent her career writing, reading and analyzing medical records. As the owner of KChamberlain Consulting, Kathy utilizes her expertise to help attorneys strengthen their cases by providing in-depth medical record analysis and educational support.*

KChamberlain Consulting, LLC
kathy@kchamberlain.org

MCLE SELF STUDY

Estate Planning for Low Net-Worth Clients

By Kathleen Hunt

On April 1, 2025, the threshold for a "small estate" in California dramatically increased with respect to real estate. For the previous three years, the limit to avoid probate was $184,500 for personal property and real estate combined, or $61,500 for real estate alone. Now, it is approximately $200,000 for personal property and a whopping $750,000 for real estate.[1] Under those thresholds, no formal probate is required.

At first glance, it may seem that this is a boon to families with fewer or less valuable assets, but that may not be true in many situations. Among other things, while the process to collect personal property has not changed, there are significant changes to the way that real estate is handled. For instance, the Petition to Determine Succession to Real Property is now available only for the decedent's primary residence, though it used to be available for any real property owned by the decedent.[2] The new law states that the primary residence is not necessarily the residence in which the decedent lived at the time of their death[3], but does not provide any definition at all to explain what a "primary residence" actually is for this purpose. This lack of a definition raises the likelihood of a dispute over whether a property valued under $750,000 qualifies as the "primary residence" (meaning that it is eligible for transfer through such a Petition) or not (meaning that a formal probate proceeding is necessary).

In addition, successors now must notify all heirs and devisees within five business days of filing such a Petition.[4] Previously, notice was required to be given only 15 days prior to the hearing. It is common that a hearing is set for six weeks or more after the filing of any pleading in probate court; as a result, a notice sent within five business days of filing will necessarily be received sooner than one which is sent only fifteen days before the hearing. This new and longer notice period increases the possibility that heirs who were not named to inherit the property will take the time and effort to file a formal objection to the granting of such a petition.

Nonetheless, for families with a lower net worth, it may seem that these higher thresholds obviate the need for a trust. Nothing could be further from the truth. There are many ways in which a revocable living trust provides the best possible protection for families, even those who might qualify for "small estate" treatment under the new law. Here are just a few:

- **Minor beneficiaries:** A will alone may not need to be probated under normal circumstances, but any assets bequeathed to minors must be managed by someone. In the absence of a revocable living trust, or in the case of a testamentary trust, the court will necessarily oversee any such management, requiring the responsible party to return to court regularly.

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Estate Planning for Low Net-Worth Individuals

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• **Medi-Cal recipients:** When qualifying for Medi-Cal (which is California's Medicaid program), asset information is no longer requested; rather, eligibility is based solely on monthly income. However, upon the recipient's death, all assets subject to probate are subject to clawback by Medi-Cal, even when under the threshold amount. The Estate Recovery Program provides an exception for homesteads valued at less than half of the average price of homes in that county, but very few homes qualify for this exemption. As a result, a low-income family could easily lose the family home in order to pay back expenses incurred by Medi-Cal during the decedent's lifetime. This potential loss of the family home is entirely avoidable; when all assets are contained within a trust, nothing is subject to probate, so nothing is subject to clawback. Without a trust, there is no way to ensure that any assets will actually remain for the beneficiaries of Medi-Cal recipients.

• **Digital assets:** These days, many people keep all of their financial information digitally. If bank statements are sent via email, there may be no paper trail to be found. When a filing cabinet has become obsolete, family members may have no idea where a decedent's financial accounts are located, much less how to access them. Furthermore, in the absence of a court order containing specific authorization language, accounts with Google, Apple, and others can be lost. These may even include actual money in accounts with Apple Pay, PayPal, Venmo, and the like. With a trust, a successor trustee can be given the authority to access all digital assets, from social media accounts to cryptocurrency and everything in between, as well as the ability to collect funds in those accounts.

In short, there are many scenarios in which the lack of a revocable living trust would be detrimental to a family, regardless of the overall value of the decedent's assets. As estate planning attorneys, it can be tempting to disregard those at the lower end of the economic spectrum. We often focus on tax issues, or wealth management over generations, rather than the everyday concerns of families with average (or below average) means. The truth is, our job is to ensure that all of our clients, not just the wealthy ones, have the opportunity to understand (and to be advised about) the whole picture when deciding on the best course of action for their particular situation.

***Kathleen Hunt** has been an estate planning attorney for over 20 years. She has been selected to the Super Lawyers list of the top attorneys in Northern California repeatedly, as well as being named as the best trusts and estates attorney in the East Bay (by the East Bay Express newspaper), the best probate lawyer in Richmond (by Expertise.com), and Best Attorney (by Best of El Cerrito). Kathleen has been featured on Dying Kindness, a podcast about the practical realities of death and dying, and written essays for publications as diverse as Gay.com and Contra Costa Marketplace.*

Get Ready for the MCLE SPECTACULAR

The CCCBA Education Committee is already looking ahead to the 2025 MCLE Spectacular on **Friday, November 14** at the Concord Hilton. They have a short survey and are looking for your input.

Whether you attended last year's event or not, your feedback helps shape an experience that's relevant, engaging, and worth your time. Please take just a few minutes to complete our short survey:

The Education Committee is especially interested in what you value most, what could be improved, and what would make you more likely to attend in the future.

Take the Survey

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What is Workers' Compensation and **When Should the Worker Seek Representation in Their Workers' Compensation Case?**

By Justin Sonnicksen

What is Workers' Compensation?

Workers' compensation insurance is an employer-paid insurance policy meant to cover work-related injuries. All employers in the state of California are required to maintain workers' compensation insurance coverage for their employees. An industrial injury can occur on a specific date or can occur over time due to deleterious exposure at work. The worker must establish that the injury both arose out of the employment and occurred in the course of employment.

Only employees are covered by the workers' compensation system; independent contractors are not eligible for benefits.

Filing the Claim and Statute of Limitations

When the employer receives knowledge from any source of a potential work injury, the employer is obligated to provide the employee with a DWC 1 claim form. Once the worker submits the claim form to the employer, the employer has 90 days to investigate whether to accept or deny liability for the claim.[1]

The Workers' Compensation Appeals Board (WCAB) is the administrative body that adjudicates workers' compensation claims and determines the parties' rights and liabilities in the system. If a claim has been denied by the employer, the worker has one year from the date of the injury to file an Application for Adjudication with the WCAB.

Workers' Compensation Benefits

There are only four benefits available to the injured worker in workers' compensation: temporary disability, permanent disability, medical treatment, and a job retraining voucher.[2] Temporary disability is a tax-free payment made to the worker while he or she is off of work recovering from the injury. The rate of pay is 2/3 of their gross earnings on the date of injury, up to a statutory maximum.

Permanent disability is paid when the worker's condition reaches a plateau and is unlikely to significantly change with or without medical care. The worker's disability is rated on a scale of 0 to 100% permanent disability. The Legislature sets the rate of pay for each percentage of disability.

The permanent disability schedule factors in the extent of the worker's permanent impairment, their occupation on the date of injury and their age. These benefits are also tax-free. Despite the existence of a permanent disability rating schedule, there is a great deal of litigation over the percentage of permanent disability that a worker receives for the injury, because there are alternative mechanisms to rate the permanent impairment. A 100% disabled worker receives his or her disability payments at the temporary disability rate for life (subject to cost of living adjustments).

If the worker establishes that his or her injury is work related, then he or she is entitled to medical treatment for the injury for life, paid for by the insurance company. The worker must use a doctor from the employer's list of approved physicians, and individual treatment requests are subject to denial or modification through a process called utilization review.

If the worker suffers permanent disability as a result of the injury and is unable to return to his or her occupation after the injury, then he or she is entitled to a supplemental job displacement voucher for vocational retraining as well.[3]

Getting the Claim Approved

Workers' compensation claims are often denied on either legal or medical grounds. The employer may challenge the claim on the grounds that the injury did not occur in the course of employment or that the claim was filed after the worker was terminated from the employment. Sometimes the employer denies the claim on the grounds that the medical condition is exclusively non industrial in nature.

If the claim is denied, then the worker should promptly file an Application with the WCAB. Once the WCAB has jurisdiction over the claim, the parties can subpoena records and conduct depositions.[4] However, unlike in civil litigation, discovery tools such as interrogatories and requests for production of records are strongly disfavored.[5] Furthermore, the employer may not file a motion for summary judgement or a demurrer.[6]

If the claim is denied or if the percentage of disability is in dispute, the worker will need to be examined by an independent doctor called a Panel Qualified Medical Examiner (QME). If the claim is denied based on medical grounds, the dispute over whether the injury is compensable under the workers' compensation system is typically determined by the QME.

If, after the QME examination, the employer still maintains its denial of the claim, the worker can file for a hearing at the WCAB. There are no jury trials in workers' compensation. Judges at the WCAB take in testimony, review evidence and serve as the trier of fact.

An appeal of a judge's determination can be filed with the Workers' Compensation Appeals Board, a body of seven commissioners who are appointed by the governor. If the parties wish to challenge the finding of the Appeals Board, they must file a writ with the Court of Appeal.

Benefits of Hiring an Attorney

If the worker suffers an injury at work that has been promptly accepted by the insurance company and he or she is receiving medical treatment without denials, then that employee may not need the services of an attorney. However, the workers' compensation system is increasingly complex to navigate, and typically the worker will receive a better outcome on his or her claim with the assistance of counsel.

The worker should at least consult with an attorney when:

1. The claim has either been denied by the insurance company or is under investigation
2. The worker has been attempting to secure medical treatment for the injury but the doctor's requests for treatment are denied
3. The worker is unhappy with the doctor who is currently treating the injury
4. The insurance company instructs the worker to submit to a QME examination
5. The injury causes the worker to miss time from work
6. The worker has been terminated after reporting a work injury
7. The worker feels as though he or she will likely have permanent limitations due to the injury
8. The worker received a settlement proposal from the insurance company and he or she believes that the percentage of disability proposed is inadequate

Furthermore, hiring an experienced attorney can help the worker navigate not only the complex legal system involved in workers'

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Workers' Comp

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compensation, but additionally, the attorney will be familiar with competent treating doctors in the area and will likely be familiar with the QME doctors who routinely evaluate work injuries. Simply put, an experienced attorney will know which doctors in the area are conscientious and which ones tend to perform perfunctory examinations of the patient.

Given the complexities of the workers' compensation system, it is usually in the worker's best interest to have an attorney assist him or her through the process, especially when considering the depth of knowledge and resources available to the employer and insurance company. This is true even if liability for the injury is accepted by the insurance company, because the proper rating of a worker's permanent disability is often subject to dispute.

1. Cal. Labor Code § 5402(b)(1)
2. Cal. Const. Art. XIV, Sec. 4; Labor Code § 3207
3. Labor Code § 4658.7
4. Labor Code § 130
5. *Hardesty v. McCord & Holdren, Inc.*, 41 Cal. Comp. Cases 111 (1976)
6. Title 8, Cal. Code of Regs. § 10515

Justin Sonnicksen *is an attorney who represents injured workers with the law firm Gearheart and Sonnicksen in Pleasant Hill. He is a certified specialist in the field of workers' compensation and has been practicing this area of law for 22 years. He is a graduate of University of San Francisco School of Law and is the chair of the Amicus Committee for the California Applicants' Attorneys Association.*

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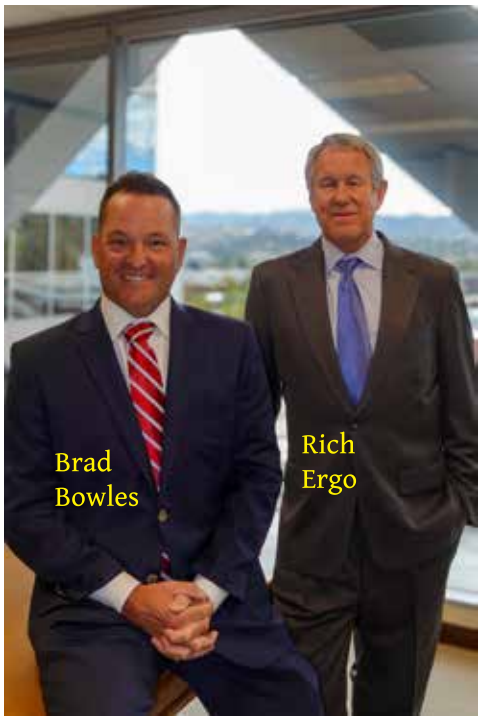

Bowles & Verna is pleased to announce that partners Rich Ergo and Brad Bowles are expanding their practice to serve as mediators. Both have vast litigation experience representing clients throughout the U.S. for matters ranging from seven to nine figures exposure in various practice areas, including commercial disputes, product liability, wrongful death and catastrophic injury. In addition to decades of litigation experience, Mr. Ergo and Mr. Bowles have received specialized mediation training and certification from Cornell University.

Mr. Ergo has 41 years' experience, with a particular emphasis in representing manufacturers in product liability, commercial and regulatory matters. As national counsel for product companies, he has represented clients in lawsuits throughout the United States. While he represents domestic manufacturers, Mr. Ergo also has represented numerous companies located in Asia and regularly travels to Asia.

To see Mr. Ergo's full biography, click on https://www.bowlesverna.com/attorney/ergo-richard-a/

Mr. Bowles has 25 years' experience in representing plaintiffs in personal injury matters, specializing in wrongful death and catastrophic injury matters. He routinely represents clients in state and federal courts throughout California, including as court-approved Class Counsel. He also represents clients in courts throughout the U.S. in individual actions, multi-district litigation and class actions.

To see Mr. Bowles' full biography, click on https://www.bowlesverna.com/attorney/bowles-bradley-r/

Mr. Ergo and Mr. Bowles are available for virtual mediations throughout the U.S., as well as in-person mediations, including mediations at their Walnut Creek office in the San Francisco Bay Area. Bowles & Verna is pleased to offer these services without an administrative fee.

For more information, please contact Rich Ergo at rergo@bowlesverna.com, Brad Bowles at bbowles@bowlesverna.com or Legal Assistant, Kathy Trujillo, at ktrujillo@bowlesverna.com.

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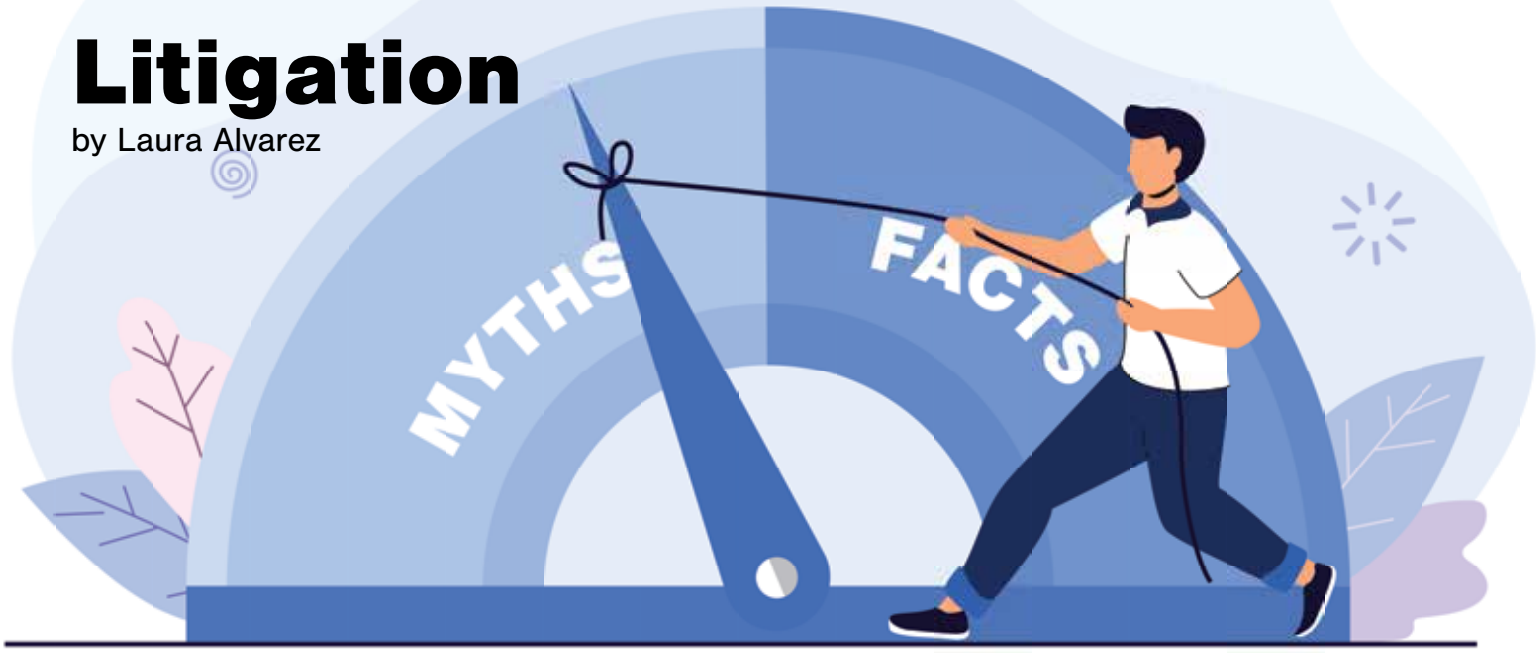
Common Misconceptions in **Domestic Violence Litigation**

by Laura Alvarez



Introduction:

Domestic violence is pervasive. Forty-six percent of women experience either sexual violence, physical violence, or stalking by their intimate partner within their lifetime.[1] For men, the figure is 44.2%.[2]

With such prevalence, it is critical that members of the bench and bar be accurately informed about the reality of domestic violence dynamics. Failure to do so risks restraining orders being denied where abuse actually occurred, which can further result in domestic violence victims being subjected to abuse that could have been avoided, and often escalated abuse; and children being subjected to abuse and trauma. To its worst end, filicide or intimate partner homicide may occur. This article seeks to prevent such outcomes.

I. **Myth:** Family law litigants are prone to file unfounded requests for restraining orders solely to obtain an advantage with respect to custody orders

A common societal misconception about which the bench and bar should be particularly cognizant is that petitioners are prone to request domestic violence restraining orders ("DVRO") solely to obtain an advantage in custody, and not because actual abuse occurred. This is because obtaining a DVRO triggers the requirement that the court apply a rebuttable presumption that the party found to have perpetrated domestic violence should not have sole or joint legal or physical custody.[3]

The scientific literature shows the opposite. Studies reflect that most women alleging domestic violence in family court are not fabricating domestic violence.[4] Most parents alleging child abuse and neglect are also not fabricating; research indicates that claims of child abuse and neglect are false approximately 2 to 4% of the time.[5] As the California Legislature finally acknowledged in 2023: "intimate partner violence and child abuse overlap in the same families at rates between 30 and 60%."[6]

Nevertheless, empirical studies also reflect a "high level of judicial skepticism towards mothers' claim of domestic violence and child abuse…"[7] In some cases, this can result in children being subjected to further abuse. The most extreme detriment that can occur as a result of these misapprehensions is that a perpetrator of domestic violence, during visitation, kills the minor children while in their care.[8] Even if homicide does not result, children may be subjected to ongoing abuse, which has its own ongoing repercussions: children's brain, nervous, and endocrine systems are permanently impacted, as well as their psychosocial development ("personality formation" including morals, values, social conduct, capacity for relationships with other individuals, and respect for social institutions and mores).[9]

II. **Myth:** Once the parties live in separate households, there's no need for a restraining order

It is a mistake to believe that abuse ends after separation.[10] Domestic violence does not simply end when the victim leaves the abuser. One study showed that 24% of victims reported that the violence became worse after separation, and 39% of domestic violence victims reported the violence only started after separation.[11] The Legislature's acknowledgment of this fact is reflected in Family Code Section 6301(a) which provides that "[t]he length of time since the most recent act of abuse is not, by itself, determinative" in reviewing a request for a domestic violence restraining order.

III. **Myth:** Since the abuse was only against the parent, there is no risk of abuse to the children

A related myth is that since the abuse was against the other parent, there's no risk to the children once the parents are separated. As noted above, too often abuse continues and risk of abuse to a child actually increases after separation of the parties. The California Legislature declared this reality with Piqui's Law:

> A child's risk of abuse increases after a perpetrator of intimate partner violence separates from a domestic partner, even when the perpetrator has not previously directly abused the child. Children in the United States who have witnessed intimate partner violence are approximately four times more likely to experience direct child maltreatment than children who have not witnessed domestic violence.[12]

An abusive parent may then seek to abuse their former partner by way of the children, whether during exchanges, or in fomenting discussions purported to be based on the children. The Court of Appeal acknowledged this fact in the case of Ashby v. Ashby, noting that abusers often use custody and financial disputes as a pretext to continue harassing the victim.[13] All of these circumstances mean that the court should be circumspect when assessing whether the presumption against joint custody has been rebutted under Family Code Section 3044.

IV. **Myth:** If a child rejects the abusive parent, the victim parent must be "alienating" the children.

Related to the aforementioned myth, it is crucial that, if a child rejects the abusive parent, that the victim parent not be blamed. This perception reflects the misguided use of "parental alienation syndrome," which has been rejected by most credible professionals.[14]

> By re-framing a mother who seeks to protect her child from abuse as a pathological or vengeful liar who is severely 'emotionally abusing' her children by falsely teaching them to hate and fear their father, PA theory makes a self-described "protective parent" persona non grata. The PA label diverts courts' attention away from the question of whether a father is abusive and replaces it with a focus on a supposedly lying or deluded mother or child…For all these reasons, leading experts have called the use of "parental alienation" claims against mothers in custody litigation "a national crisis."[15]

Understanding that "parental alienation" theory can be manipulated by abusers is crucial in ensuring children are not subjected to further abuse. If nothing else, a more nuanced inquiry should occur to understand the reasons for a child resisting contact.

V. **Myth:** A true victim will be sad, and not angry when she testifies in court

A pervasive societal misconception is that if a person alleging domestic violence is "really" a victim, they will present in a particular way when presenting in court.

Continued on page 22

Common Misconceptions in DV Litigation

Continued from page 21

For the bench officer facing competing stories of whether abuse occurred, a credibility determination is key. The victim's demeanor, by statute, is a factor for the court to consider.[16] This is where societal determinations are key.

As the Court of Appeal stated in *In re Ma.V.* (2021) 64 Cal.App.5th 11, 26:

> We expect victims to be "sweet, kind, demure, blameless, frightened, and helpless" [citation] and "not a multifaceted woman who may or may not experience fear or anger" [citation]. "These are the preconceptions that judges and jurors bring with them into the courtroom when they assess the veracity of a victim-witness's story." (Id. at p. 734, fn. omitted.) We encourage continued diligence and education to guard against such preconceptions.

Likewise, in *Vinson v. Kinsey* (2023) 93 Cal. App. 5th 1166, 1176 (2023), the Court of Appeal cautioned:

> " '[a]ll women exposed to violence and abuse in their intimate relationships do not respond similarly, contradicting the mistaken assumption that there exists a singular "battered woman profile." Like other trauma victims, battered women differ in the type and severity of their psychological reactions to violence and abuse, as well as in their strategies for responding to violence and abuse.' " (*In re I.B.* (2020) 53 Cal.App.5th 133, 155, 266 Cal.Rptr.3d 814, quoting Dutton, Understanding Women's Responses to Domestic Violence: A Redefinition of Battered Woman Syndrome (1993) 21 Hofstra L.Rev. 1191, 1225.)

In practice, a true victim may have low affect, a common result of PTSD. The victim may be angry in the face of the abuser's distortion or minimization of what occurred. A victim may fall into a "fight or flight" mode where they are unable to focus on the question at hand due to being flooded. Or the victim may be tearful as societal expectations may occur.

VI. Myth: If no restraining order was requested, there must not have been domestic violence.

As discussed above, courts treat domestic violence cases involving children with skepticism. That obstacle aside, the nature of a legal proceeding itself is retraumatizing to the victim, who must face his or her abuser in court, and usually, hear their abuser's denials in claims of victimhood. Many survivors, after years of living in the cycle of abuse, will minimize the abuse and not even perceive that the domestic violence that occurred is domestic violence.[17] Even where a Temporary Restraining Order or Emergency Protective Order has issued, abusers often use manipulative tactics to persuade a victim not to seek court intervention. In addition to the more well-known "cycle of abuse," Amy Bonomi, PhD, MPH, developed the "five-stage model of recantation." Through minimizing the abuse, playing the victim, and framing the couple as "themselves against other who don't understand them," the abuser persuades a victim to recant.[18]

In many instances, where the perpetrator requests a trial, the cost of taking the case to trial can be prohibitive.[19] A survivor in that instance may decide to dismiss the restraining order, so no "finding" is made. A survivor of domestic violence must often navigate pressures from family to find a more 'peaceful' way to proceed with a divorce; and many survivors simply wish to find a way to move out of the prior relationship without having to litigate questions or whether or not domestic violence occurred in court. In other instances, domestic violence occurred years prior, and the parties resided separately for a lengthy period of time prior to a dissolution being filed.

In short, for myriad reasons, countless survivors choose not to request a domestic violence restraining order. This is important for counsel and the bench to understand. An abusive party may, by agreement, share joint legal custody for example, and some time thereafter, the abusive parent may become abusive towards the children at a later date. Or, a victim may face paying spousal support, where domestic violence is a factor to be considered, consistent with the legislature's policy against an abuse victim supporting his or her abuser.

Conclusion

Domestic violence litigation is unquestionably difficult for the parties, their attorneys, and bench officers. The stakes are high for the parties and their children, emotions are high, and determinations of whether abuse occurred and what is in children's best interests is nuanced. This author's hope is that the above information can assist all involved in these cases to best assist families and ensure that those who need protection through the court system receive it.

Laura Alvarez *is a Certified Family Law Specialist (certified by the State of California, Board of Legal Specialization) and an attorney at Mendes Law, P.C. in Walnut Creek. Ms. Alvarez has practiced law for over 15 years, with her primary focus on family law. Prior to Mendes Law, Ms. Alvarez spent several years focused on domestic violence representation, including work at Bay Area Legal Aid and Community Overcoming Relationship Abuse.*

1. Leemis R.W., Friar N., Khatiwada S., Chen M.S., Kresnow M., Smith S.G., Caslin, S., & Basile, K.C. (2022). The National Intimate Partner and Sexual Violence Survey: 2016/2017 Report on Intimate Partner Violence. National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, 3 (Figure 1).

2. Id., at p. 3 (Figure 2).

3. Fam. Code section 3044. Of note, the presumption can be rebutted, but those requirements are beyond the scope of this article.

4. Meier, Joan, Denial of Family Violence in Court: An Empirical Analysis and Path Forward for Family Law (2022) 110 GEO L.J. 835, 851.

5. Leonetti, Carrie, Punishing Disclosure and Silencing Victims: How the California Family Courts Retraumatize Abused Children By Labeling Them "Alienated" (2023) 43 Pace L. Rev. 360, 367.

6. Sen. Bill No. 331 (2023-2024 Reg. Sess.) § 2, approved by Governor, Oct. 13, 2023.

7. Meier, Joan, supra, at 835.

8. This occurred, for example, in the case of Dr. Amy Castillo (a pediatrician) and Mark Castillo. Where Mark Castillo expressly threatened to kill the children, but the court was dismissive of her testimony on this, and denied her request for a restraining order after hearing. She then dropped the children off for Mark's parenting time as she was required to do by court order and Mark Castillo drowned all three children. (McCaffrey, Morse, and De Vise, Slaying Suspect's Wife Warned of Risk of Children, Wash. Post (Mar. 31, 2008); see also, Testimony of Amy Castillo, M.D. in Support of HB 700/SB 823, available at https://www.washingtonpost.com/wp-srv/metro/pdf/HB_700_Testimony_Amy_Castillo.pdf.

9. Putnam, Frank W. , M.D., The Impact of Trauma on Child Development (2006) Juvenile and Family Court Journal, 3.

10. Brigner, Mike, Why Do Judges Do That? in Domestic Violence, Abuse and Child Custody: Legal Strategies and Policy Issues (Hannah & Goldstein edits., 2010.)

11. Jaffe, Crooks & Poisson, Common Misconceptions in Addressing Domestic Violence in Custody Disputes (2001) 54 Juv. & Fam. Ct. J. 57, 59 (citing Statistics Canada, Family Violence in Canada: A Statistical Profile (2001) <https://www150.statcan.gc.ca/n1/en/pub/85-224-x/85-224-x2001000-eng.pdf?st=kq19hZ1q> (as of April 10, 2025).

12. Sen. Bill No. 331 (2023-2024 Reg. Sess.) Chapter 865, Section 2, Subdivision (a)(2).

13. Ashby v. Ashby (2001) 68 Cal.App.5th 491, 516.

14. Meier & Dickson, Mapping Gender: Shedding Empirical Light on Family Courts' Treatment of Cases Involving Abuse and Alienation (2017) 35 Law & Ineq. 311, 317-318 <"https://scholarship.law.umn.edu/lawineq/vol35/iss2/10>"https://scholarship.law.umn.edu/lawineq/vol35/iss2/10> as of March 17, 2025.

15. Id., at 318.

16.Evidence Code section 780, subd. (a).

17.This author has encountered numerous such instances in her family law practice. In one instance, a party was distraught when her spouse filed a dissolution petition because she did not want to be divorced. Several months after the dissolution filing, she realized that she had experienced domestic violence during the abuse. Subsequently in the case, her adult children testified at length corroborating the abuse they had personally witnessed.

18. Bonomi, et al., "Meet me at the hill where we used to park:" Interpersonal processes associated with victim recantation. 73 Social Science and Medicine 1054 (summary of 5-stage model available at https://recantation.org/wp-content/uploads/2023/12/Recantation-Five-Stage-Model.pdf as of 3/17/2025.)

19. Of the 55% of Californians who face a civil legal problem in a year, 70% get no legal assistance. "Addressing California's Access to Justice Crisis by Fundamentally Rethinking Legal Services: A Conversation with Stanford's David Engstrom and Lucy Ricca." <https://law.stanford.edu/2024/11/21/addressing-californias-access-to-justice-crisis-by-fundamentally-rethinking-legal-services-a-conversation-with-stanfords-david-engstrom-and-lucy-ricc/> as of March 17, 2025.

Law Day: Democracy through Advocacy

by Arvonne De Marco

Democracy – a form of government that is easily taken for granted.

Justice – a word that holds much value and power providing fairness and impartiality to the people.

Advocacy – actions completed to protect the rights of others unable to do so themselves.

All of these words are part of the foundation of Law Day. Law Day was created by President Dwight D. Eisenhower in 1958 and was proclaimed by Congress to be observed each year on May 1. President Eisenhower established this day as a national dedication to the principles of government under law stating that as a nation, it is imperative that we remember how our laws help people to be treated fairly and how our laws have inspired other countries to treat their citizens more fairly. It was because of his reflections of what he witnessed during World War II that he developed a deeper appreciation of the privileges awarded here in the U.S. As stated per the American Bar Association (ABA), Law Day provides an opportunity to understand how law and the legal process protect our liberty, strive to achieve justice, and contribute to freedoms that all Americans share.

Themes: Past and Present

In an effort to explore the many aspects of Law Day's foundation and principles, a specific theme is selected each year. The themes seem to tell a story over the years and serve as reminders of how the law is to be upheld. In 1969, the theme was *Justice and Equality Depend on Law and YOU*. This theme was selected 11 years after President Eisenhower established Law Day, which, ironically was during the time that the U.S. was at war with Vietnam. In 1975, the theme was *Young America, Lead the Way*. In 1989, the theme was Access to Justice. In 1992, the theme was *Struggle for Justice*. In 2023, the theme was *The Cornerstones of Democracy: Civics, Civility, and Collaboration*. This theme served as an invitation for us as a nation to rebuild our trust and respect in our institutions and each other to successfully collaborate and address the challenges that face our nation.

This year's theme is *The Constitution's Promise: Out of Many, One.* As stated on the ABA website, "this theme focuses on the framers' establishment of the Constitution and how we should explore and renew our duties to each other under the Constitution and our democratic norms. It is through our commitment that we can provide for the common good through government responses to national crises in addition to advocacy programs for students and adults."

Regardless of the theme selected each year, the underlying objective is to spotlight a particular aspect of law or the legal process and its significant impact on our daily lives. The intent is to continue keeping the rule of law in the forefront. The themes assist with focusing on certain aspects that may be inspired by current events or issues that have become difficult to ignore. The rule of law should continue to be a preserved priority. Because of its importance, it is highly encouraged by the ABA that Law Day is celebrated.

Law Day Contributions

Many schools and organizations contribute their efforts to celebrate Law Day. Law Day programs are organized and conducted by schools, youth groups, community organizations, courts, and bar associations. CCCBA's Senior Section has contributed to celebrating this day for many years starting in 2019. Each year, the Senior Section has secured a speaker for the event they have organized for our enjoyment. The list of past speakers includes District Attorney Diana Becton, Contra Costa County Supervisor Candace Andersen, Dean Erwin Chemerinsky of the UC Berkeley School of Law, Congressman Mark DeSaulnier of the 10th Congressional District, and Congressman John Garamendi, who now represents the 8th District. This year, the section returned to hosting the Law Day event in-person on May 1st at the Lafayette Library. The guest speaker was Professor Amanda Tyler of UC Berkeley School of Law. It is not only profound that Professor Tyler teaches Constitutional Law, but the fact that she also clerked for Justice Ruth Bader Ginsburg who spent her life upholding and applying the Constitution to our evolving nation.

Reflection

Law Day serves as a reflection of the precedents set across the nation and are used as the foundation for legal arguments solidifying the collaboration required amongst us all. It is symbolic of being receptive to differing opinions for the sake of justice and equality. This day is not just about acknowledging the legal system; it is about embracing the responsibilities that come with pursuing a legal education and profession. The law continues to evolve based on history, policy and social change. Law Day is symbolic and challenges us to think of how we can contribute to making the legal system more equitable and responsive to societal needs. It is through advocacy, regardless of the field of law one practices, that uses the laws set forth by the people to ensure that each client's rights are protected. As someone striving to join the legal community, it is an honor to actively contribute to upholding the purpose of the Constitution; advocating for and protecting the rights of all for the sake of democracy and the betterment of our nation's communities. Law Day is an inspiration in hopes of seeing that the law is a tool for meaningful change. It is more than a symbolic celebration—it is a call to action.

Arvonne De Marco *is a 4L law student at JFK School of Law at National University, who graduates this May, and will sit for the July California bar exam. She is a wife to her husband, mother of two children, serves on CCCBA's Women's Section Board, is the Chair of the Law Student Section, and is a member of the Robert G. McGrath American Inn of Court. Arvonne was recognized as the 2024 Volunteer of the Year for the Law Student Section, was awarded the Ellsworth S. Dobson Certificate of Merit for providing leadership in establishing Alpha Phi Omega service fraternity on her school's campus as the Treasurer, the 2023 recipient of The Honorable Patricia Herron & The Honorable Ellen James Scholarship, and the 2025 recipient of the Alameda - Contra Costa Trial Lawyers' Association Diversity Scholarship.*

The Investiture of Judge Robert S. Leach

On March 28, Robert S. Leach was officially invested into Contra Costa County Superior Court. He took the oath of office with help of his parents, Dr. Richard and Marsha Leach, administered by Tracie L. Brown, Presiding Judge of the California Court of Appeal, First Appellate District.

CCCBA Board President, Sutter Selleck presented the gavel to Judge Leach.

CCCBA Wins Walnut Creek Chamber's Legacy Award for more than 50 Years in Service

On April 16, the Walnut Creek Chamber of Commerce & Visitors Bureau recognized organizations that have been in business in the East Bay region for 50 years or more.

CCCBA Executive Director Jody Iorns (second from left) with CCCBA member, Matt Guichard, who was last year's Chamber Board Chair, with Caitlin Sly, incoming Chamber Board Chair, and CCCBA Board Chair-Elect Mike Pierson.

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Women's Scholarship Fundraiser, March 13

The CCCBA Women's Section hosted its annual fundraiser on March 13. For over 25 years, the CCCBA Women's Section has hosted this event to provide scholarships to law students with demonstrated financial need, interest in women's issues, leadership promise and a connection to Contra Costa County. Without these scholarships, the recipients may not otherwise be able to pursue or continue with their higher education.

Pictured above left: Diana Lopez, Arvonne De Marco, Punita Bhasin, Joanna Kwasniewski, and Jessica Ward.

Top right: Judge Jill Fannin (Ret.), Anthony Ashe, and Aracelli Ramirez.

Left: Punita Bhasin and Nicole Fears.

Lower Left: Sharon Edwards, Joanna Kwasniewski, Haleh Shahmohammadi and Daphne Golliher

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CALENDAR

UPCOMING EVENTS | OVERVIEW

May 1 | Senior Section

Law Day 2025: The Constitution's Promise – Out of Many, One (Hybrid)

Speaker: Professor Amanda Tyler, UC Berkeley School of Law

Noon – 1:30 pm | 1 hour General MCLE credit | Lafayette Library, 3491 Mt. Diablo Blvd., Lafayette | Free for CCCBA members, $40 non members

Sponsors: Law Office of Lorraine M. Walsh | Arvonne DeMarco and Law Student Section

May 3 | CCCBA

Prohibition Prom: A Night of High Stakes & Jazz (In Person)

5:30 pm – 10:00 pm | Round Hill Country Club, 3169 Roundhill Road, Alamo | $225

Sponsors: Judicate West | Milanfar Law Firm | JAMS | Littler | Western Alliance Bank | Fremont Bank | Law Offices of Joseph H. Wolch | Signature Resolution | ADR Services, Inc. | Casper Meadows Schwartz & Cook | Talbot Law Group, P.C. | Ferber Law

May 16 | Solo/Small Firm Section

3rd Annual Solo/Small Firm Summit: The Power of Productivity and Positivity (Hybrid)

11:30 am – 5:00 pm | 3 hours MCLE credit | Lafayette Library, 3491 Mt. Diablo Blvd., Lafayette | $50 Solo/Small Firm members

Sponsors: ABA Retirement Funds | Feldman Law Group

May 21 | Women's Section

Women's Section Annual Luncheon (In Person)

Speaker: Hon. Palvir Shoker

11:30 am - 1:15 pm | Concord Hilton, 1970 Diamond Blvd., Concord | 0.5 hour General MCLE credit | $50 for members of the Women's Section, $40 for Judges and Law Students, $60 CCCBA members, $70 nonmembers

Sponsors: JAMS | Weed Law Group, PC | Gibbons & Grillo, APC | Mirador Law | ADR Services, Inc. | Judicate West | M.S. Domingo Law Group, P.C. | Pamela Ross Legal Services, PC

May 29-31 | Education Committee

Learning by Doing: 3-Day Experiential Trial Practice Course (In Person)

Speakers: Adam Carlson | Jonathan Lee

Times Vary | CCCBA Conference Room, 2300 Clayton Rd., Concord | 10-13 hours General MCLE credit | $595 CCCBA members, $795 non members

Sponsors: Commercial Bank of California | US Legal Support

June 2 | Employment Section

Pints and Pointers: Independent, Impartial, Effective: Why Outside Investigators Strengthen the Legal Defense (Hybrid)

Speaker: Karen Herz, Impartial Investigations, PC

4:45 pm - 7:00 pm | 1 hour General MCLE credit | Virtual or at Littler Mendelson, 1255 Treat Blvd., Walnut Creek

June 16 | Elder Law Section

Assessing Cognitive Capacity: Challenges, Presumptions and Consequences (Hybrid)

Speaker: Dr. Jonathan Canick

2:00 pm - 5:00 pm | 1 hour Elimination of Bias and 1 hour General MCLE credit | Havana Restaurant, 1516 Bonanza Blvd., Walnut Creek | $30 members of the Elder Law Section, $40 Estate Planning & Probate Section members, $50 CCCBA members, $60 non members

June 21 | DEI Committee

Juneteenth Celebration

Noon - 4:00 pm | Details TBA

Sponsors: M.S. Domingo Law Group, P.C. | Signature Resolution | Talbot Law Group, P.C.| ADR Services, Inc. | Ferber Law | Littler | Milanfar Law Firm, PC. | Miller Starr Regalia | Womble Bond Dickinson | Jahangiri Law Group | Livingston Law Firm

June 26 | Barristers Section

All Section Summer Mixer

5:30 pm - 8:00 pm | Hazy Barbeque, 200 Hartz Ave., Danville | Free for CCCBA members, $35 nonmembers

Sponsors: Signature Resolution | ADR Services, Inc. | Judicate West

For more information on these events, visit www.cccba.org/attorney-events or contact Sarah Marin at smarin@cccba.org.

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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.

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Ryan Cummings,
Agency Principal

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Contra Costa County
Bar Association
2300 Clayton Road, Suite 520
Concord, CA 94520
www.cccba.org