

NEWSLETTER

Superior Court Faces Historic Budget Cuts

By Carolyn Brock, President

It looks like some significant changes are in store for the San Diego Superior Court which may substantially impact some of our practice areas. Significantly for the probate bar, it appears that the North County Probate Court will be closing very soon (or may already be closed at the time of publication) and the probate cases will be transferred downtown. This will certainly impact probate attorneys who have an office in North County as all of their cases will be heard at the Madge Bradley Building downtown. The announced changes will also certainly impact all attorneys in getting both civil and criminal matters through the court process with the pending staff layoffs and furlough days. Cheers!



NEWS RELEASE: SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO

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Release: Immediately Contact: Karen Dalton Date: 6/20/12 Phone: (619) 450-5353

San Diego Superior Court Faces Historic Budget Cuts

Services Reduced, Hundreds May Be Laid Off, Courtrooms Shuttered

The San Diego Superior Court has announced that due to unprecedented state budget cuts, it will face the most significant reduction of services in its history. The court's tentative plans have been announced to judges and staff in anticipation of both the FY 2012-13 state budget and the impending announcement of the final plan for allocation of funding to the local trial courts.

Upcoming Events Calendar

July 12th

Estate Planning and Probate Section Meeting

12:15 p.m. – 1:15 p.m.

Law Office of Nancy Kaupp Ewin, Esq.,
8155 La Mesa Blvd., La Mesa, CA 91942

July 19th

Summer Mixer

5:00 p.m.

Hooley's Irish Pub & Grill – Grossmont Center, La Mesa

August 13th

Civil Litigation Section Meeting

12:00 p.m. – 1:15 p.m.

BJ's Restaurant in Grossmont Center, La Mesa.

Topic: "Unemployment Benefits: Is Your Former Employee Entitled To Them?"

Speaker: Michael Freeland, Esq.

August 21st

Family Law Section Meeting

12:00 p.m. – 1:15 p.m.

East County Court, Dept. 6. Located at 250 East Main Street in El Cajon

Topic: "Trying to Collect? Tips on Preparing the Writ of Execution"

Speakers: Joint Panel Presentation by the San Diego Sheriff's Civil Office and San Diego Superior Court – Civil Business Office.

*Please note the Family Law Section will not have its usual brown bag event in July 2012.

Foothills Bar Association Notice of Board Meeting:

The Foothills Bar Association Board of Directors meets on the third Tuesday of each month. The next meetings will be July 17 and August 21 in the 2nd floor conference room at 7777 Alvarado Road, La Mesa (Allied Plaza Building). Meetings begin at 4:45 p.m. and continue until business is completed. If you want your voice to be heard in policy discussion and upcoming events planning or would simply like to learn more about the organization, your attendance is welcome.

The San Diego court has estimated that it faces as much as a \$14 million cut for FY 2012-2013. The court is predicting the total cuts for fiscal year 2013-14 could rise to \$40 million or more. If implemented as proposed, the Superior Court’s planned cuts will eventually lead to the elimination of more than 250 court employee positions and the closure or restructuring of more than 40 courtrooms during the next two fiscal years.

“The cuts envisioned by our budget reduction plan will affect every judge, court employee and ultimately the litigants, court users and citizens in San Diego County. These cuts will significantly reduce or eliminate access to our court system and are devastating to those of us who have worked so hard to convince the Governor and Legislature that such cuts threaten the stability of our third branch of government,” stated Presiding Judge Robert J. Trentacosta.

Starting July 1, 2012 the court, pending final confirmation of the local allocation, will be forced to make at least \$14 million in cuts. The current plan calls for:

- The elimination of the use of certain types of workers including student workers, retired rehires, law clerks, retired commissioners, and paid juvenile court pro tem hearing officers;
- Significant reduction of management employees and restructuring the administration and administrative services;
- Reductions in non-courtroom staff (75 positions);
- Closing business offices to the public at noon on Fridays;
- Closure and restructuring of 10 courtrooms leading to the elimination of 18 positions:
 - o Closing six (6) downtown criminal courtrooms.
 - o Closing probate court operations in North County and transferring existing probate cases to the Central Division.
 - o Closing one juvenile dependency courtroom in North County and reassigning a judge to another existing calendar.
 - o Closing one downtown civil department.
 - o Closing the Ramona Branch Court.

The court is also likely to eliminate court-provided court reporters for civil courtrooms at some point during the fiscal year.

Civil Judge Pro Tem July 2012 Schedule

San Diego Superior Court
East County Division

Please be prepared to take the bench at 8:15 a.m.

Date	Temporary Judge
Tue, Jul 3, 2012	Michele Lowenstein, Esq.
Wed, Jul 4, 2012	Holiday
Thu, Jul 5, 2012	Wells Lyman, Esq.
Fri, Jul 6, 2012	Shaun Martin, Esq.
Tue, Jul 10, 2012	John Martin, Esq.
Wed, Jul 11, 2012	Thomas Marshall, Esq.
Thu, Jul 12, 2012	Tim McDermott, Esq.
Fri, Jul 13, 2012	Barry Pasternack, Esq. Catherine Tancredi, Esq.
Tue, Jul 17, 2012	Steven Merker, Esq.
Wed, Jul 18, 2012	Jeffrey A. Morris, Esq.
Thu, Jul 19, 2012	Anne Perry, Esq.
Fri, Jul 20, 2012	David Pomeranz, Esq. Stewart Cowan, Esq. 6/8/12
Tue, Jul 24, 2012	Paula Rosenstein, Esq.
Wed, Jul 25, 2012	Judi Sanzo, Esq.
Thu, Jul 26, 2012	Niles Sharif, Esq.
Fri, Jul 27, 2012	Khodadad Sharif, Esq.
Tue, Jul 31, 2012	Niles Sharif, Esq.

NEWSLETTER ADVERTISING & RATES

Business Card size:

- \$25.00 for one month
- \$125.00 for six months
- \$250.00 for one year

(Includes publication in annual attorney directory)

Issue Sponsorship

- (one-half page ad):
- \$250.00 per issue

(Checks must accompany ad request)

During FY 2013/2014, the court will need to cut significantly more. It is estimated to be in a range totaling an additional \$26 million or more. The tentative plans to achieve the full measure of those cuts would include:

- Closure and restructuring of 30 additional courtrooms. These closures and restructuring will result in the elimination of 25 courtroom clerks, two (2) court reporters, five (5) independent calendar clerks, seven (7) staff attorneys and twenty-one (21) court commissioners.
- Reductions in Family Court courtroom and support department operations.
- Elimination of 11 independent calendar clerk positions supporting the civil independent calendar departments.
- Additional reductions in non-courtroom staff (17 positions).
- Centralizing the filing and processing of all small claims filings in the Central Division.
- Closure of all civil business office operations in East and South County. All Civil paperwork will be processed at the Downtown Courthouse or North County Courthouse.
- Two days of unpaid work furlough per month for all court employees beginning July 2013.

“The impact of these recommended reductions on the San Diego Superior Court will fundamentally alter the way in which the court does business. No court can reduce its current operating budget by 21% (from \$190.5 million in 2011-12 to \$150 million in 2013-14), on top of reductions incurred during the preceding four fiscal years, without radically altering the structure, composition and capability of the court,” says Judge Trentacosta.

CIVIL LITIGATION SECTION MCLE PROGRAM UPDATE

by Cheryl Stengel, Esq.

On June 12, 2012, the Civil Litigation Section hosted a special MCLE program with speaker, Sandra Homewood. Ms. Homewood is a certified forensic document examiner with more than 30 years experience and has testified as an expert witness in many high profile cases in Arizona and California. She gave an interesting and lively presentation with issues including handwriting identification, handwriting by the elderly, elder abuse cases, and alteration of medical and business records. Ms. Homewood emphasized that the theme in cases involving questioned documents is, “Documents Make Powerful Witnesses”. She explained the evaluation techniques for issues involving multiple forgeries, alterations, obliterations, mechanical impressions, paper and ink analysis, taking of exemplars, handwriting

Family Judge Pro Tem Schedule July 2012

Date	Temporary Judge
July 4	DARK
July 11	Daniel Martin
	David Wilkinson
	Stanwood Johnson: Case No: ED86642 Paccione
	Timothy McDermott
	Robert Lesh
July 18	Judi Sanzo
	Cynthia Baker
July 25	Bruce Beals
	Solveig Duprey
	Scott Finkbeiner

comparisons, and typewriter comparisons. She displayed several exhibits from prior cases to demonstrate these forgery and alteration comparison principles. She also discussed the role of the document examiner, qualifications, analysis methods, utilizing the document examiner as expert witness and cross-examination techniques for opposing counsel.

Next, on August 13, 2012, the Civil Litigation Section will present "Unemployment Benefits - is your former employee entitled to them?" with speaker Michael Freeland, Esq. from 12:00 noon to 1:15 p.m. at BJ's Restaurant in Grossmont Center in La Mesa. If your employee is not working out and you are considering letting him go, will he be entitled to recover unemployment benefits? Should you challenge his claim? This seminar is intended to educate law firm employers about the basics of: (1) a former employee's right to recover unemployment benefits, (2) the California unemployment insurance benefits appeal process and (3) whether an employer should appeal such a claim before the CUIAB.

Mike Freeland is a sole practitioner and owner of Freeland Law APC, in La Mesa, CA specializing in employment law. Mr. Freeland represents and counsels employers and employees of all types in private sector/government matters such as: wage and hour, wrongful termination, employment discrimination, potential job loss/discipline, sexual harassment, defamation, and claims for unemployment benefits. A trial attorney for over 21 years, Mr. Freeland has represented his clients in numerous arbitrations, mediations, appeals and trials in the federal and state courts, administrative hearings before the DLSE, CUIAB, MSPB and EEOC. He has extensive state appellate court experience, and is an attorney of record in three published opinions from the Fourth District Court of Appeal in California. He is also published contributor to the San Diego Update Magazine and the San Diego Daily Transcript, and an active member of the California Employment Lawyers Association, the Foothills Bar Association, San Diego County and the California State bar associations.



Please join the Foothills Bar Association for our Annual East County Mixer and 2012 Membership Drive at Hooleys Irish Pub & Grill. The event will take place on Thursday, July 19, 2012 starting at 5:00 p.m. Hooleys Irish Pub & Grill is located at the Grossmont Center - 5500 Grossmont Center Drive, Suite 277, La Mesa, CA 91942. Come enjoy the hosted beer, wine and appetizers, share a good time with your fellow bar members, and join or renew your membership with the FBA.

FBA Board Welcomes New Member

The Foothills Bar Association's Board of Directors is pleased to announce the addition of Attorney William A. Hannosh as a director. William A. Hannosh is a solo practitioner who lives and works in El Cajon, practicing in the areas of family law, elder abuse litigation and civil litigation. He has also handled juvenile dependency matters. His first internship during law school was with the San Diego Volunteer Lawyers Program, in its domestic violence restraining order clinic, where he volunteered as a legal intern and interpreter. Afterwards, he volunteered with the Employee Rights Center as a legal intern. He then worked as a legal intern in the San Diego City Attorney's Office-Code Enforcement Unit for over four years. Prior to being licensed in June 2007, he worked as a legal assistant at the San Diego Sheriff's Civil Office for two years, where he was able to troubleshoot complex collection cases, in addition to prepare and organize bank levies or wage garnishments for service. Prior to that, he was a law clerk to Patrick J. McCrary, being primarily responsible for preparing, filing and serving qualified domestic relations orders (QDROs), which are used to divide retirement or pension accounts between divorcing parties. He speaks Arabic, Spanish and some Aramaic.

Born and raised in Los Angeles, he earned his B.A. from UCLA, before attending Thomas Jefferson School of Law, where he obtained his J.D. Prior to entering law school, he had the pleasure of working as a reporter and news editor for eight years, finishing his journalistic career as a city reporter with the then-

Pasadena Herald Tribune. His most enjoyable stint was being editor-in-chief of his hometown newspaper, the Mid-Valley News, in El Monte, California, at age 19. He is excited to be the newest member of the board.

His favorite activities are basketball, tennis, hiking, reading Spanish literature and studying Biblical Hebrew.

Foothills Bar Association 50th Anniversary Celebration will be held in January of 2013. We are looking for old photographs and memories for the event. If you have a funny story, a photograph, etc. that you would like to share, please contact Carolyn R. Brock at carolyn@crbrocklaw.com. In particular we are looking for photographs or quotes from the past board members/presidents. If you are a past president and would like to submit a photograph (rather than letting us find one on our own) please send it to me at the e-mail address given.

Thank you!

Foothills Bar Association seeks a chairperson for the Criminal Law Section. Responsibilities will involve locating and coordinating speakers for lunch time MCLE lecture programs on topics of interest and providing Section status reports to the Foothills Bar Association Board.

Interested attorneys should contact Carolyn Brock at carolyn@crbrocklaw.com, 619-741-0233.

CALL OUT TO VOLUNTEER ATTORNEYS

The East County Branch of the San Diego Law Library is looking for volunteer attorneys who would be interested in staffing our legal clinic on September 28th. The available time shifts to choose from are: 10-1pm or 2-4pm. All areas of law are welcome to volunteer especially attorneys in the practice areas of family law, landlord-tenant law and general civil litigation.

For the legal clinic, we will schedule 15 minute appointment times with attendees in advance. We plan to give volunteers 5 minute breaks in between appointments, so volunteers would probably consult with 3 individuals per hour.

The attendees will all sign a legal disclaimer form, so that they understand that they will not be receiving legal advice and they will not be entering into an attorney-client relationship. We also inform attendees that the attorneys will not help them fill out legal forms because of the short time frame for the consultation. Attendees are informed that they are consulting with the attorney for general guidance and assistance only.

If you are interested in volunteering for this event as part of your pro bono hours and community service, please contact Benita at: bghura@sdcppl.org.

Thank you for your interest.

Benita Ghura, Reference Librarian

San Diego County Public Law Library

The Paralegal Studies ABA approved program at Cuyamaca College is seeking a Worker's Compensation instructor for the Fall, 2012 semester. The class will be held on Wednesdays from 6:30-9:30 for 5 consecutive weeks starting 9/26 to 10/24. For more information contact Mary T. Sessom at mary.sessom@gcccd.edu.

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Your submissions are welcome! Send articles, letters, flyers, and other non-advertising submissions to Cheryl Stengel at cs@debtsd.com.

ADDRESS CHANGES

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Foothills Bar Association

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