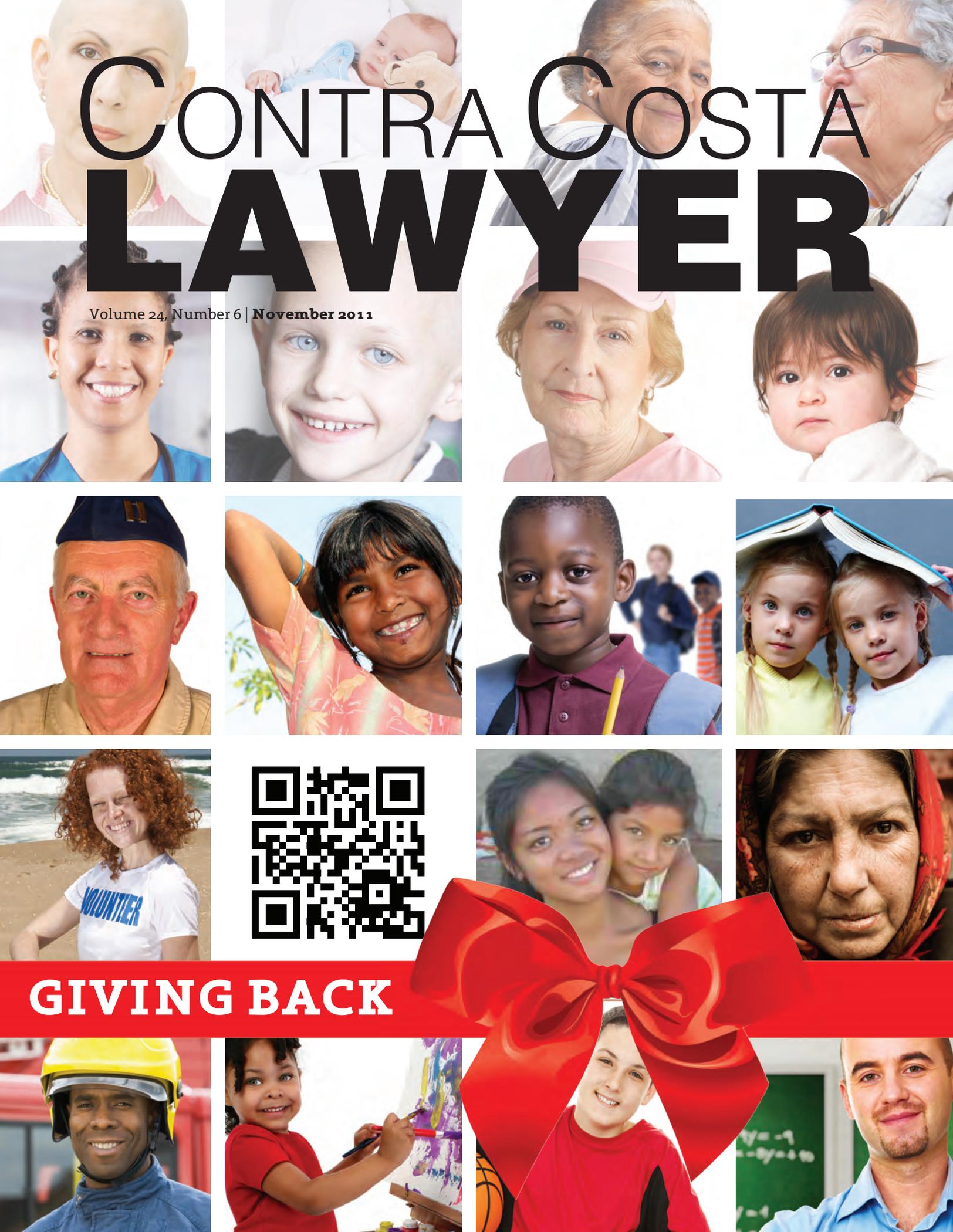


CONTRA COSTA LAWYER

Volume 24, Number 6 | November 2011



GIVING BACK



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Perry Novak, a graduate of UC Berkeley and the USF School of Law, has provided financial advice and investment management to Bay Area families and companies for almost 30 years. He has served on a panel advising the Joint Economic Committee of the U.S. House of Representatives, and has worked with financial and retirement planning programs sponsored by the California Medical Association and the California Society of CPAs.

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CONTRA COSTA LAWYER

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FEATURES

- JUDGE STEVEN K. AUSTIN - AN EXTRAORDINARY EXAMPLE OF GIVING BACK** by Craig Nevin **8**
- GIVING BACK LAWYER-STYLE I** by Elva Harding **12**
- FREE LEGAL WORKSHOP ALL-STARS** by Theresa Hurley **14**
- GIVING BACK LAWYER-STYLE II** by Ruth Noelani Buzzard **17**
- GIVING MADE EASY** by Paul Saad **18**
- CASA OF CONTRA COSTA COUNTY** by Gregg Chavaria **19**
- GIVING BACK LAWYER-STYLE III** by Margaret Grover **22**
- GIVE AND YOU SHALL RECEIVE** by Todd Friedman **24**
- RETHINKING GIFTS DURING THE HOLIDAYS** by Dana Santos **26**
- HELPING OUT DURING THE HOLIDAYS AND BEYOND** by Theresa Hurley **28**
- HELPING RAISE A TEEN'S HOLIDAY SPIRIT** by Amabella Camba **30**
- GIVING BACK LAWYER-STYLE VI** by Rhonda Wilson-Rice **31**

DEPARTMENTS

- 4 INSIDE** | by Samantha Sepehr
- 6 PRESIDENT'S MESSAGE** | by Kathryn Scholfield
- 20 CENTER:** Gala Reception in support of CASA
- 32 RESTAURANT REVIEW** | by Gary Lepper
- 34 COFFEE TALK**
What Do You Do to Give Back?
- 36 ETHICS CORNER** | by Carol Langford
- 38 CLASSIFIEDS**

by Samantha Sepehr

It is a beautiful time of year - the weather fluctuates between the sun and rain, the mornings are brisk, the days seem short and the colorful leaves begin to fall. It is also the time of the year when you hear people say, "it's the season for giving". In this spirit, this issue of the Contra Costa Lawyer offers ways to give back throughout the year and spotlights local attorneys who have done just that.

Although the motivation to give should not be based on what one will receive, many of the articles in this issue include the benefits of giving. Whether it is an immediate tax benefit for charitable giving through a donor-advised fund as explained by financial advisor, Paul Saad, creating a charitable remainder trust as

With the cold winter season quickly approaching, Amabelle Camba discusses how the services offered by *Shelter, Inc.* have turned around the lives of local homeless families. This article, as well as Rhonda Wilson-Rice's article on ways the CCCBA's Juvenile Law Section gives back, offers several ways we can help make local teens feel the support of our community.

And who can forget the *Salvation Army's* bell ringers who bravely endure the cold weather in front of businesses during the biggest fundraising time of the year. Attorney Ruth Buzzard describes the many important programs the *Salvation Army* supports, which include among other things, emergency food distributions, weekly family literacy nights, and clothing for families in need.

As Theresa Hurley, of the CCCBA, insightfully points out in one of her articles,

“It doesn't matter whether you are willing to donate your time, money, or a cup of coffee to a cold yet dedicated bell ringer... Our hope is that the articles in this issue will not only inspire to you give now, but throughout the months and years to come.”

described by CCCBA Member-Only Benefits Provider, Todd Friedman, or the inspirational rewards attorney Margaret Grover experienced while working with Team in Training, it is safe to say that all those who gave have reaped some benefit.

This issue features several non-profit agencies with which our local attorneys are involved. The work and missions of these organizations are amazing and diverse.

If you are interested in giving back on an international level, attorney Elva Harding's article describes her experience with *Amigos de las Americas*, a non-profit agency that works with rural and urban leaders to improve community resources throughout Latin America. Imagine the self-confidence a volunteer can gain from building a computer lab or restoring a water tank that ultimately changes the lives of dozens of families living in a community.

the desire to volunteer during the holiday season outweighs the actual need during this time of year. As we think of ways to give, we would like to thank those attorneys who volunteer at free legal workshops that are held throughout the year. Theresa spotlights a few of our local attorneys who have given their time to volunteer at some very remarkable and heavily relied-upon workshops - one of which has been in existence for an amazing 12 years.

It doesn't matter whether you are willing to donate your time, money, or a cup of coffee to a cold yet dedicated bell ringer. What is important is that you give and that what you give makes an impact on the lives of those you would like to support. Our hope is that the articles in this issue will not only inspire you to give now, but throughout the months and years to come. ♦

- **Samantha Sepehr** was the first Equal Justice Works Fellow sponsored by the CCCBA. During her fellowship she was the staff attorney at JFK University's Elder Law Clinic. Currently, she is the director/attorney of the Elder Law Center. Samantha is also the co-chair of the CCCBA's Pro Bono Section.

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president's message



by Kathryn Schofield
CCCBA Board President

Fall is a busy time for the Bar Association. Check out the calendar if you haven't already – there is a lot going on! Here are some highlights:

In very recent news, our CASA fundraising event on October 6th was a raging success, raising \$30,000 for this worthy cause! Thanks to all of our members and supporting firms for their contributions. Check out the photos on our Facebook page: www.Facebook.com/CCCBA

Our MCLE Spectacular has a very impressive line-up this year. The calendar insert in the center of this magazine lists all of the details. Our sections are hosting the great seminars you have come to expect, but even beyond those, our outstanding speakers should not be missed:

- 8:30-9:30 a.m.: **Professor Jesse H. Choper** will be reviewing recent leading decisions from the U.S. Supreme Court
- 12:00-1:30 p.m.: The Chief Justice of the California Supreme Court, **The Honorable Tani G. Cantil-Sakauye**, presents "A Conversation with the Chief Justice."
- 4:00-5:00 p.m.: **Judge Vaughn Walker** is speaking on "the Dynamics of a High Profile Case", based on his experiences in the past year.

We are fortunate to have such high-profile, topical and interesting speakers, and we expect a sell-out crowd. Register early to reserve your spot!

Finally, our membership renewal drive is officially underway. Renewing your membership takes just seconds through our website. The first 250 members who renew online will be entered into a drawing to win a \$250 CCCBA advertising package, so renew right away to get in on that opportunity!

While you are at it, if you know attorneys who aren't members of the CCCBA but should be – please let them know that now is the time to join. We always appreciate our members getting the word out about what we do for them. As always, if you have any questions or ideas about the CCCBA, please feel free to contact me directly. I welcome the input. ♦

- **Kathryn Schofield**, partner at Steele, George, Schofield & Ramos, focuses her practice on Elder Law, Conservatorships, Estate Planning and Probate/ Trust Administration.
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QR CODES - WHAT, WHY & HOW



- Throughout this edition of the Contra Costa Lawyer, starting with the cover, you will find QR codes - strangely pixelated squares like the one on the left.
- Think of these codes as doorways to online content and applications. They help us provide you with the opportunity to easily access additional content. Here's how to use them:
- Download the QRReader app onto your smart phone. Launch the app, scan the code, and enjoy. Try it - it's fun!
- The code on the left as well as the one on the cover link to a listing of all the organizations and causes mentioned in this issue.

YOUR MEMBERSHIP HELPED US ACCOMPLISH SO MUCH THIS YEAR

- In collaboration with our 21 sections, we offered more than 60 MCLE events, including our Elder Law Training Series, as well as numerous networking mixers. We were also able to attract top-notch presenters and speakers to our annual MCLE Spectacular on November 18, including Jesse H. Choper, the Honorable Tani G. Cantil-Sakauye, and Judge Vaughn Walker!
- We launched an online companion to our flagship publication, the Contra Costa Lawyer, at www.contracostalawyer.org. We now publish an online-only magazine every other month, alternating with our popular print magazine. In addition to articles and Self-Study MCLE content, we can now share photos from our events, video interviews, and more with you.
- With your help, we offered unmatched support to our community with hundreds of free legal clinics and workshops and our Lawyer Referral & Information Service (LRIS). In addition, we raised much-needed funds for the Food Bank of Contra Costa & Solano through our annual Food from the Bar competition. With the help of our generous donors, we also awarded educational scholarships to five former criminal offenders through our Court Scholarship Program. Most recently, we also supported Court Appointed Special Advocates (CASA) of Contra Costa County with our annual Gala Fundraiser.

We are proud of what we have been able to do and we could not have done it without you.

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JUDGE STEVEN K. AUSTIN

An Extraordinary Example of Giving Back

“We make a living by what we earn. We make a life by what we give.”
Winston Churchill

After speaking with Judge Steven K. Austin recently in his chambers, it became clear that he exemplifies this statement.

by Craig Nevin

Many readers know Judge Austin as one of the most respected judges in our county. He is often described as ‘practical’, ‘friendly’, ‘approachable’ and ‘frank’. Those who know him better would also be likely to use terms such as ‘enthusiastic’ and ‘compassionate’. Judge Austin leads a life literally full of giving.

Violations for sleeping in public) frequently stem from not having an established residence. More often than not, the original fines and citations cannot be paid, leading to an escalation in the amount of the fines and penalties, then warrants, and thereafter, jail.

Judge Austin didn’t just hear about homeless courts. He returned to Contra Costa and ap-

proached the County’s Health Services Homeless Program Director, Cynthia Belon, and advocated the idea of starting one here.

ment programs - and I can give them credit against their fines - for the work they have done.”

Also, he said, “these unpaid tickets and fines just escalate and usually are never going to get paid anyway.” According to Judge Barry Goode, conducting homeless court helps “dispose of infractions that too often keep people from being able to get a driver’s license,

a place to live or a job. Homeless Court can give someone a fresh start – at least to the extent the Court is able to do so.”¹

Judge Austin can offer many examples

of how the homeless court helps treat the causes of homelessness while also helping to remove barriers to moving out of homelessness. There is, for instance, the bus driver, barely making a living, who got a ticket he could not afford to pay. When the fines built up, he lost his license. Because he lost his license, he lost his job, which then caused him to lose his home.

While in a shelter, among other things, he assisted in a reading program for children. At the homeless court, the credit he received for working in the reading program decreased his fines. He

“ [In Homeless Court] I see people who have already made a lot of effort which has resulted in serious changes in their lives. I can look at the hours and hours of time spent in community service and in job training or drug and alcohol treatment programs - and I can give them credit against their fines - for the work they have done. ’

Recently, Judge Austin may be best-known for his leadership and ongoing commitment to Homeless Court, a prime example of collaborative justice. Judge Austin called his involvement “the most rewarding thing I’ve ever done.”

Judge Austin heard about homeless courts, a new concept in helping the needy, while attending a conference. Homeless courts were first created after the veterans group *Stand Down* had discovered that some of the most pressing issues among homeless veterans were unresolved criminal and civil cases. Homeless courts recognize that many times, fines and tickets (like fines for public nui-

“It was actually easy to get started, because everyone wanted it,” recalled Judge Austin. “This isn’t a program that gives out gifts,” he quickly added. “These are people who have been specifically referred to the homeless court by a case manager of a referring social service agency. I see people who have already made a lot of effort which has resulted in serious changes in their lives. I can look at the hours and hours of time spent in community service and in job training or drug and alcohol treat-

was able to have his license reinstated and then got his job back.

Another example was a couple “who were about 10¢ shy of their BART fare. They must have exited without paying and each got a \$25 ticket. When even the minimum penalties, fines and mandatory assessments were added, they were facing about \$1,200.00 total - for

nia Supreme Court to - and chairs - the Interpreters’ Advisory Panel. This work relates to not only the testing and access of interpreters - It also addresses the Department of Justice’s admonishment that interpreters might also be required in Family Law proceedings, where they are not currently required.

with the Access & Fairness Advisory Committee. He spoke to the State Bar Board of Governors and was part of a team that successfully lobbied for an addition to the State Bar’s Rules of Conduct that created an aspirational goal of 50 hours per year of Pro Bono work for all attorneys.

When asked why he does so much volunteer work, Judge Austin first responded, “because it’s fun.” But he also added, “It’s a way I can give back to the community. But I find it builds on

“Many attorneys don’t realize that they are looked-up to - and how valuable and helpful they can be. Many non-profit boards would love to have an attorney join their board - and they will hope the first attorney will be able to bring more attorneys onto their board. I encourage attorneys to go out and do this [type of work] now - and doors will open.’

not having 10¢ for their full BART fare!”

“I was able to acknowledge and give them credit for the hours spent in job training and clear the fines,” Judge Austin continued, “It is really encouraging to be able to give that credit and see the faces of people who couldn’t really imagine getting their fine behind them, so they are allowed to continue to piece their life back together again.”

Judge Austin’s commitment to finding practical solutions to real problems goes far beyond homeless court and reaches back to the beginning of his career. The following are just some of the different areas, committees and places where Judge Austin has been involved - and given of his time, talents, energy and enthusiasm.

Prior to being appointed to the Bench in 1998 by Governor Wilson, he was on the Board of Directors of Protection Advocacy [the predecessor to Disability Rights Advocates], a state-wide federally and IOLTA funded non-profit organization providing legal services to persons with disabilities.

He was appointed by Ronald M. George, Chief Justice of the Califor-

“I also teach a lot,” he said in his characteristically understated manner. Judge Austin is a frequent faculty member in trainings throughout the state. He is often asked to train court staff on issues of procedural fairness and other issues affecting self-represented parties. He has been faculty for the Statewide Conference for Court ADA Coordinators; and, he has served as faculty at the Courtroom Clerk Institute held annually at Stanford University.

itself. For example, as a young attorney I got on the Public Defender’s Conflict Panel and assisted in LPS Conservatorships. [Conservatorships, under the Lanterman-Petris-Short Act (LPS) pursuant to Welfare and Institutions Code (WIC) sections 5350, et seq., to provide help for persons who suffer from a mental disorder or chronic alcoholism and may be a danger to themselves or others.] From that experience, I got to know some people who asked me to do

“[Volunteer work] helps keep you sane. Attorneys and Judges work in an often stressful profession - and we’re not always thought of too kindly. Volunteer work helps keep you balanced in terms of your self-worth.’

Quoting Judge Barry Goode again from his article, “Judge Austin was responsible for creating a program in which he “tries” a driving under the influence case in a high school, using the students as jurors. It brings the courts to the students in a way that drives home, as it were, an important message.”²

The list goes on. Judge Austin is a strong proponent of attorneys providing Pro Bono work. He mentioned that as part of his work

some work in the area of Patients Rights. After that I became involved in some policy-level work and that led to my being asked to be on the California State Mental Health Planning Council - a program of the California State Department of Mental Health. All of that work had nothing to do with my area of practice at the time which was insurance defense and insurance coverage work. But, after I applied to be a judge, the Director of the Department of Public Health, whom I had gotten to

know, sent a letter of recommendation to the Governor - and I suppose that may have helped my being appointed."

When asked why others should do volunteer work, it was obvious Judge Austin had already given that some thought: "First off, because it helps keep you sane. Attorneys and Judges work in an often stressful profession - and we're not always thought of too kindly. Volunteer work helps keep you balanced in terms of your self-worth." When asked to expand, he added: "Many attorneys don't realize that they are looked-up to - and how valuable and helpful they can be. Many non-profit boards would love to have an attorney join their board—and they will hope the first attorney will be able to bring more attorneys onto their board. I encourage attorneys

to go out and do this [type of work] now - and doors will open."

At that, Judge Austin stood up and put on his robe. We had barely scratched the surface of his many different committees and task forces. However, he had to call in the jury and recommence a trial. "Judge Austin, do you by chance have a list of all your volunteer work?" I asked. "Actually, no I don't - maybe someday I will," Judge Austin responded, adding, "But when you've put your notes together, just let me know if there are any areas where you need any more information, and I'll be glad to help." Of course, I already knew how accurate and how true those last five words were. Thank you, Judge Austin, for all the many ways you give back. ♦

- For almost 25 years and after having developed practical experience in the field, **Craig Nevin** has provided litigation and transactional counsel to Owners, Developers, Financial Institutions, Contractors, Subcontractors and Material and Equipment Suppliers and Real Estate Agents and Brokers in complex Business, Real estate, Construction and Property Development related matters. He is currently on the Board of Directors of Senior Legal Services of Contra Costa County, on the Advisory Board of Directors of The Law Center and Vice-President of the Real Estate Section of the Contra Costa County Bar Association.

¹ Hon. Barry Goode (2011, September). "Will Outreach Be Out of Reach". Contra Costa Lawyer.

² Ibid.

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GIVING BACK LAWYER-STYLE

AMIGOS DE LAS AMERICAS

by Elva Harding



My Amigos experience started when a friend made a presentation to my high school Spanish class about her summer living with a family in Mexico. One thing led to another, and I spent the summer of 1984 living with a family and building latrines in rural Dominican Republic. I returned with confidence, a new-found interest in development, and a severe wanderlust. Little did I know my work with Amigos de las Americas had just begun.



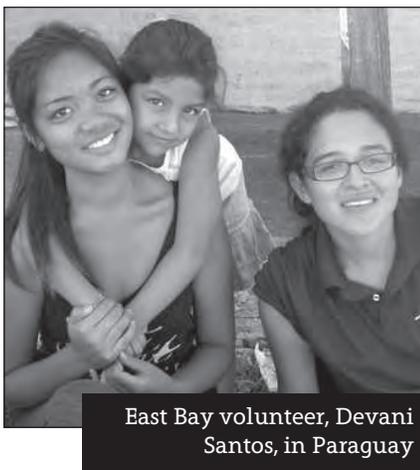
Amigos in the Dominican Republic

throughout Latin America for a summer of community engagement. Through collaborative community development and cross-cultural experiences Amigos' volunteers gain self-confidence. They work with community leaders in both rural and urban communities to assess resources and needs. Their projects including building latrines, fuel-efficient stoves, computer labs and restoring water storage tanks, to name a few. They also lead children's day camps that explore themes like nutrition, sports and the en-

vironment. Amigos' volunteers ultimately return home with a "Can Do" mentality, optimism and a greater sense of their place in the world. I know of no other program that provides the opportunities for young people to experience such significant leadership roles as Amigos.

We are fond of saying "Once an Amigo, always an Amigo" but it was years before I actively returned to the Amigos' fold. After years of traveling the world, I settled in the East Bay and wanted to reconnect with Amigos, to share some of that wanderlust and the confidence it had given me.

I reached out to the local Amigos chapter – East Bay Amigos (www.eastbayamigos.org) to see how I could contribute in a small way. I was welcomed by a group of engaged and thoughtful board members with diverse backgrounds and skills. It wasn't long before I joined the board. It is a pleasure to work with such committed individuals.



East Bay volunteer, Devani Santos, in Paraguay

Amigos is a non-profit organization committed to inspiring young leaders (You can learn more about Amigos by visiting the website at www.amigoslink.org.) Amigos provides extensive training in leadership, health and safety and program planning before sending volunteers to communities



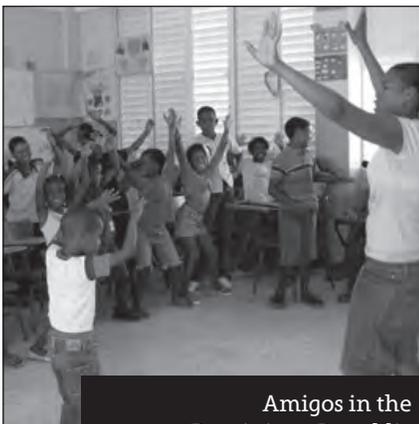
For more information about the local Amigos de las Americas chapter, the East Bay Amigos, please visit: www.eastbayamigos.org



Amigos in the Dominican Republic

But that is not the only reason for staying involved. Amigos' work is transformational, not just for our volunteers but frequently for the communities in which they work. The volunteers return engaged and inspired and their optimism is infectious - something we can all use a little more of today. ♦

- **Elva Harding** is a Walnut Creek-based attorney specializing in real estate and business law. Elva's clients include small business owners, investors and non-profit organizations. She is also a veteran Amigo and President of East Bay Amigos. You can reach her at (925) 215-4577 www.bayareabizlaw.com



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FREE LEGAL WORKSHOP ALL-STARS

by Theresa Hurley

Those of you who have been around CCCBA awhile will remember ACE nights (for the newbies, ACE stands for Attorney Counseling Evening) where many attorneys provided guidance to hundreds of local residents one night a month. Those large ACE nights have evolved into ongoing, smaller monthly topic-specific free legal workshops. Over the years, there have been volunteers who have given their time month after month, often for many years, at these workshops. I would like to highlight a few for you:

Mike Epstein is known around the CCCBA office as the Immigration legal workshop guru - he has been involved with these workshops for over 5 years. He runs monthly free legal workshops not only for CCCBA, but also at the Latina Center, Casa Esperanza and has recently added the Michael Chavez center to his list! By mentoring new volunteers, Mike has helped to expand the immigration workshop from a once-a-month event to one that is now being offered up to 5 times a month.

Mike sees the workshops as a way to educate people about the law and their options. People's understanding of the legal system and immigration varies widely. Mike feels that educating people through these workshops has a trickle-down effect and helps to dispel myths and disperse facts.

The immigration workshops



Mike Epstein -
Immigration
Workshop Guru



Tom Smith -
Family Law Pop
Quiz Champion



**David Schuricht
& Alan Ramos** -
BPBP Founding
Fathers



Alice Kops -
Dissolution
Resolution Force

are attended not only by people seeking information about their own immigration options, but also by employers and non-profit staff who want to know how to retain staff and assist clients. Mike hopes that by attending a free legal workshop people will be motivated to take the next step and do something about their immigration issue.

Some of the benefits Mike gains from volunteering include being able to get out of the office, away from paperwork. Mike also enjoys dealing with the huge variety of issues that are presented at each workshop. They can range from very basic (what information goes on this line of the form?) to incredibly complex.

His feelings are echoed by **Tom Smith**, who runs the Family Law workshop at the Pittsburg library. Tom has been answering the public's questions about Family Law at the Pittsburg library for over 4 years.

In contrast to the Immigration workshop, most attendees at the Family Law workshops have at least started working on their legal issues. Many are at the beginning stage and have been referred to the workshop by the Family Law Facilitator. Conversations usually start with the query 'How do I do...?' He often helps guide people through the complicated forms they have to fill out. He enjoys the fact that he is able to help most people who attend the workshops by pointing them in the right direction. Attendees

have often hit an obstacle and need to know what their options are. He also coaches people on the best way to get their information to the judge.

Tom characterizes the workshops as a continual series of 'pop quizzes' about Family Law. He never knows what kind of question he will be asked. Unlike work at the office that is often repetitive, life is never boring at a free legal workshop! His only regret is that he doesn't have the time to research some of the less common queries he gets.

David Schuricht and **Alan Ramos** started the Contra Costa Bankruptcy Pro Bono Project (BPBP) clinic two years ago in conjunction with other BPBP clinics in the Bay Area. Their clinic quickly expanded its scope from only working with pro pers in adversarial proceedings to assisting anyone who had questions about bankruptcy – whether to file, what the process is, questions about paperwork and more. The Contra Costa clinic is the BPBP clinic with the highest attendance in the Bay Area.

David makes up the attorney volunteer schedule for the twice monthly clinics in Pleasant Hill at JFK University (we have recently added a new monthly bilingual clinic in Richmond). Over time, the number of volunteers has expanded –at the beginning, David was assisting at almost every clinic. Now, most attorneys volunteer twice per quarter.

The BPBP clinics are a combination format of the two types of free legal workshops. In one room, an attorney gives a presentation to the group of attendees with time for questions and answers afterwards, while in another room other volunteer attorneys meet one-on-one with attendees to answer individual questions. David

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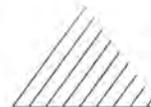
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ALLSTARS,
cont. from page 15

is often the group presenter and he likes that it helps him sharpen his public speaking skills and his ability to convey knowledge to others.

David likes the fact that, as a BPBP clinic volunteer, he is able to interact with other CCCBA volunteers and The Law Center staff. The clinic attendees are usually people who would not be able to afford his services - people he would not normally meet in his day-to-day life. The clinics are also a non-adversarial context – a big plus for a bankruptcy lawyer! David also touts the psychological benefits. In his work life, he is often the bearer of bad news, while at the clinics most people are very appreciative for any assistance he can give. Like the other legal workshops, there are all types of attendees at the clinics with a wide variety of cases – it’s never boring!

For David, another great benefit about volunteering for the free legal

workshops is that the time commitment for providing this valuable community service is short-term and episodic.

Sharon Raab and **Alice Kops** have been the scheduling force behind the weekly Family Law Pro Per clinic held every Wednesday afternoon at the Family Law Building in Martinez. For over 12 years (!) they have recruited and scheduled the many Family Law volunteers who assist people in navigating the challenging process of getting a divorce.

They say it is generally pretty easy to get volunteers, as many attorneys help out on a regular basis (Dana Santos and Faith Jansen are two of the especially faithful volunteers). Based on the feedback they receive, volunteers really enjoy assisting people who wouldn’t otherwise be able to afford an attorney’s advice. The ‘Starting Your Dissolution’ workshop, held twice every month is a good place for newer Family

Law attorneys to get experience presenting information and learning the ins and outs of the many forms required by the court. More experienced volunteers are needed for the ‘Completing your Dissolution’ and ‘Declaration of Dissolution’ workshops.

As you can see, there are tremendous benefits to be gained from volunteering at a free legal workshop. Local libraries are always interested in setting up more workshops for their communities on a variety of legal topics. Make a difference in 2012 – give some of your time and expertise! ♦

- For more information about volunteering for a free legal workshop, please contact **Theresa Hurley**, Education and Programs Coordinator at (925) 370-2548 or thurley@cccba.org

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GIVING BACK *LAWYER-STYLE*

DOING THE MOST GOOD

by Ruth Noelani Buzzard

Whenever I hear the name Salvation Army, I envision events like Hurricane Katrina or Joplin, Missouri: disaster relief of monumental proportions. Many people don't realize that the Salvation Army has locations within our community that provide aid to families in crisis on a daily basis.

As a family law practitioner in Contra Costa County for over 20 years, I have served as a Court appointed counsel for minors and sat on the advisory board for Battered Women's Alternative. Through this involvement, I often witness families in crisis. I became involved with the Salvation Army when my friend, MJ Rock asked me to attend a board meeting where I discovered how much the Salvation Army actually does for our community. I now serve as an advisory board member.

The Red Kettles that are placed outside local businesses from early November through Christmas Eve each year are the Salvation Army's most recognizable symbol. Last holiday season, I helped MJ launch "Operation Bell Ringer," which was designed to put a new face to the bell-ringing event, the Salvation Army's biggest fundraising opportunity of the year. We brought back the traditional navy blue capes and hats and asked our

local community leaders to bell-ringing for the kick-off. We also recruited the local high schools and involved the seniors so they could achieve their community service hours by volunteering to bell ring (they are chaperoned by an adult).

The Salvation Army is committed to serving the whole person, body, mind, spirit, with integrity and respect, using creative solutions to positively transform lives. This is the mission statement of the Salvation Army. With the funds they receive from the Red Kettles, the Salvation Army funds emergency food distributions, emergency energy assistance, GED study programs, after school tutoring clubs, Christian scouting programs, a youth club, weekly

family literacy night, weekly women's clubs, Christmas dinners, and clothing for families in need. The volunteers distribute gifts to shut-ins in hospitals, nursing homes, and their shelters are open for sit down dinners various times throughout the year. The Salvation Army can provide financial assistance in addition to the seasonal aid.

Our Chapter of the Salvation Army, Salvation Army Delta Corps, provides all of these functions and sponsors: an Easter Egg hunt, summer camp, back pack and school supply drive - partnered with Wal-Mart - a turkey drive, and toy drive. ♦



Please visit: www.salarmyantioch.org to sponsor a Red Kettle.

To make online donations, click on: Make A Gift, then click on the Red Kettle.

Some Bell Ringers now accept credit cards. You can donate clothing, furniture, electronics and small appliances by either taking the goods to Salvation sites or call to arrange pick-up.

For more information about how you can help with this exceptional organization you can contact Major Jackie at: 925.525.0324.

The Salvation Army is a non-profit, tax-exempt charitable organization under Section 501(c)(3) of the Internal Revenue Code. Donations are tax-deductible as allowed by law.

GIVING MADE EASY

Have you considered a Donor Advised Fund?

by Paul Saad, MBA

A donor advised fund is a charitable giving vehicle that is administered by a public charity in order to manage charitable donations on behalf of an organization, family, or individual. Unlike most planned giving alternatives, a donor-advised account has no set-up costs, low ongoing expenses and no additional taxes assessed on income earned by the account. Through this channel, even individuals with modest means (as low as \$5,000) can open a donor advised account and make grants to their preferred charities.

A donor advised account can be opened through most large brokerage/ investment firms such as Schwab or Fidelity. The contributions to the account are professionally managed. The donor can add to the account at any time, as well as control the timing and amount of each grant.

Few charitable giving options provide the versatility and tax efficiency that donor advised funds do:

- **Enjoy an immediate tax deduction** - Your contributions are fully tax deductible in the year they are made.
- **Donate appreciated securities tax free** - When you donate appreciated securities to a donor advised fund, you may immediately deduct their fair market value from your taxes, without incurring any capital gains liability.

- **Create a legacy of giving** -

You may name account advisors who will have the ability to recommend grants from your account.

You also have the ability to select successors, who can continue your charitable legacy by recommending grants beyond your lifetime.

- **Separate tax planning and charitable decisions** -

Immediate tax advantages through contributions can be achieved now and grants can be recommended to charities later. Donor advised funds can help eliminate the year end pressure to select a charity and make a grant.

- **Record-keeping and administration made easy** -

Donor advised funds provide consolidated reporting and record-keeping. You will receive quarterly account statements, gift receipts and IRS-ready tax information. There is no need to hire your own attorney to draft trust documents and no need to hire a CPA to draft an individual return for your account. Most foundations that offer donor advised funds will only make grants from these funds to other public charities and will usually perform due diligence to verify the grantee's tax-exempt status

- **Confidentiality** - If you prefer, your grant(s) can be made anonymously, so that your name and personal information will not be known.

Look before you leap -

The IRS is aware of a number of organizations that appeared to have abused the basic concepts underlying donor advised funds. These organizations, promoted as donor-advised funds, appear to be established for the purpose of generating questionable charitable deductions, and providing impermissible economic benefits to donors and their families (including tax-sheltered investment income for the donors and management fees for promoters.)

One last consideration: Since the maximum tax deduction is received by the donor at the time of the gift, the foundation administering the fund gains full control over the contribution, granting the donor advisory status. As such, they are not legally bound to the donor, but make grants to other public charities upon the donor's recommendation. Happy giving!

- **Paul Saad, MBA** is a founder of The BAR Group (an independent network of local professionals dedicated to providing a wide range of business services to small and solo law firms in Contra Costa County), he is also a Financial Advisor with Safeguard Financial. The information contained is for educational purposes only. It is not intended to be professional tax or legal advice; consult the appropriate professional regarding your specific situations.

CASA OF CONTRA COSTA COUNTY

Learn more about the 2011 Bar Fund Grant Recipient

by Gregg Chavaria

Development Director, CASA of Contra Costa County

Each year, children in Contra Costa County come under the care of the Juvenile Court as victims of abuse and neglect. These children, categorized as low-income dependents of the court, can spend years moving from one foster home to another. Research shows they are more likely than other children to face lasting trauma, homelessness, unemployment and even prison as adults. This is a tragedy that takes a tremendous toll on our communities. Yet there is hope!

CASA provides a lifeline for these children and yields positive results. Our mission is to recruit, train and support community volunteers who advocate for the most vulnerable children who are victims of abuse or neglect. CASA volunteers prevent them from becoming lost in an overburdened legal and child welfare system. Most importantly, CASA volunteers help them so they can become healthy, contributing members of the community, instead of crime statistics. Our volunteers make real the hope that one person can make a difference.

CASA of Contra Costa County is a 501c3, nonprofit organization and for the last 30 years, CASA has been

the “child’s voice in court,” serving thousands of children in our community.

CASA volunteers are not attorneys, but rather they are citizen advocates. They are ordinary people from various walks of life who do extra-ordinary things in the lives of abused and neglected children in our community.

Our volunteers provide on average 15 hours a month in service to their child, they prepare court reports, attend court and hearings with the child and ensure that these children are receiving needed health, education, and therapeutic services, positive social and recreational opportunities, and consistent, caring support.

Last year, our CASA volunteer advocates provided over 17,000 hours of service to the 148 children we served in 2010-2011. No other children’s service organization uses volunteers in such a unique and powerful way.

service organization uses volunteers in such a unique and powerful way.

If you are interested in learning more about the CASA program please contact our Recruitment Coordinator, Gina Turturici at: ginaturturici@cccocasa.org or (925) 256-7284 ext 7 ♦



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Visit www.cccba.org/attorney/donate/index.php to learn more about the Bar Fund

GALA RECEPTION

in support of Court Appointed Special Advocates (CASA)



Judge Christopher Bowen with CCCBA Board Member Candice Stoddard



On October 6, 2011, more than 120 guests gathered at the Lafayette Park Hotel to celebrate retired Judge Richard Patsey (pictured left) for founding CASA of Contra Costa County 30 years ago.

The event raised more than \$30,000 for CASA - Thank you to our sponsors, supporters, guests and volunteers!



Judge Barry Baskin with Judge Harlan Grossman



CASA Executive Director Charles Mead & Margi Mead



Justice James Marchiano with CCCBA Executive Director Lisa Reep

Below, from the left: CASA ED Charles Mead, CASA Board Member Bill Leimbach, Margi Mead & CASA Development Director Gregg Chavaria



Judge Richard Patsey (ret.) & Lois Patsey



GALA RECEPTION

in support of Court Appointed Special Advocates (CASA)

Celebrating Judge Richard Patsey (ret.)
for founding CASA of Contra Costa County
30 years ago



Master of Ceremonies,
Coley Fannin



For more photos, please visit
www.Facebook.com/CCCBA

To find out more about CASA,
please turn to page 19.



Linda DeBene, Judge Joyce Cram, CCCBA Board Member Nick Casper & President-Elect Audrey Gee

GIVING BACK *LAWYER-STYLE*

by Margaret Grover

Giving back enriches my life and helps me realize that I am truly privileged. I try to find ways to give back that encourage or empower others to volunteer as well. One of my favorite activities is **Team in Training**, which trains endurance athletes who raise funds for the Leukemia and Lymphoma Society (LLS). Through Team in Training, I have had the great fortune to meet many inspiring people who have survived blood cancer or who live with incurable blood cancers. I am amazed and humbled by their life stories, courage and willingness to get up, keep fighting, and cherish each day. I have provided support to several teams and, this year, was privileged to become an assistant coach. We just finished the season, with the team raising over \$100,000 for LLS. This money will be used to fund cancer research and to support cancer patients and their families. I hope that the folks I coached will be returning for many more Team in Training seasons.

I also love working with youth. Once a year, I run a service camp for children ages 8 to 12. We have volunteered at a wide variety of places - The House Rabbit Society in Richmond (caring for rabbits), East Bay Regional Parks (pulling ivy that was threatening an old grove redwood stand), feeding the hungry, and gathering books for

a school in Africa. The group has also helped to prepare and serve lunch at Glide Memorial Church. For many of the children, this was their first opportunity to meet and speak with anyone who was homeless or at risk of becoming homeless. The children demonstrated a wonderful capacity to care by really engaging in their work and in conversations with those they are serving. It is so rewarding to see the children realize that they have skills and talents they can use to improve the lives of others.

I also use my legal training to give back by serving the courts as a volunteer settlement panelist and the public through pro bono opportunities. I am honored to serve as Chair of the **Conference of California Bar Associations** (CCBA). The CCBA serves justice in

California by bringing together attorney volunteers from across the State representing diverse backgrounds, experience, and expertise to seek, debate, and promote creative, non-partisan solutions to law-related issues for the benefit of Californians. Formed in 2002, the CCBA is the successor to the State Bar Conference of Delegates; the combined organizations have an almost 80-year history. With its new name and status, CCBA has been reinvigorated as the voice of lawyers in California. In the last 2 years, a dozen CCBA-sponsored bills have been enacted into law, including, among others, revisions to the Code of Civil Procedure, Criminal Code, and Probate Code. Participation is open to and encouraged from all local, minority, statewide and specialty voluntary bar associations in California.



For more information about Team in Training and LLS, please visit:
www.teamintraining.org



For more information about CCBA, please visit: www.calconference.org



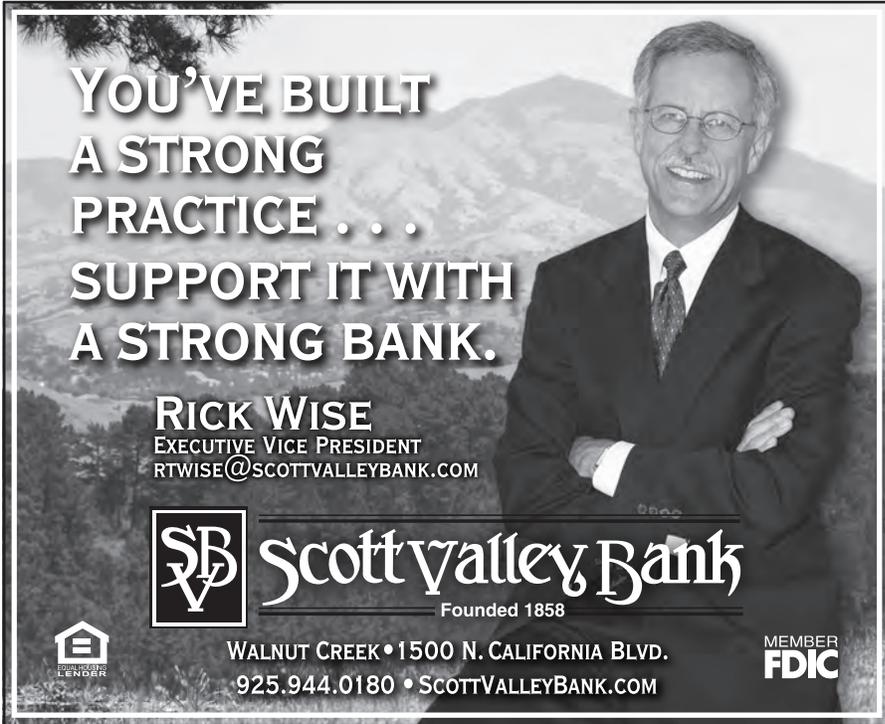
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GIVE AND YOU SHALL RECEIVE...

It's all about Charitable Giving

by Todd Friedman

According to a newly released report from the Atlas of Giving¹, charitable giving in the United States totaled \$323.86 billion in 2010, up 6.6% from 2009. With planning, you can maximize your impact on your favorite charity.

Everyone has personal motives for making charitable gifts. It could be generosity, religious belief, gratitude or to benefit your alma mater. Regardless of the cause, the true meaning of your gift is to make the lives of others better.

Benefiting your favorite cause can offer more than just self-fulfillment and aid to others; by carefully crafting your charitable giving plan to include life insurance, you can protect those who depend on you and achieve your philanthropic goal.

What are a few of my options?

1. Designate a charity as beneficiary of life insurance or annuities;
2. Gift a life insurance policy to charity;

3. Establish a Charitable Gift Annuity; or
4. Establish a Charitable Remainder Trust.

You can use life insurance and annuities to shape your charitable gifts and to ensure your generosity does not have an adverse effect on your family's resources. By working with a financial services professional, you can develop and manage a plan to maximize your charitable gift while simultaneously providing advantages to you and your heirs. It starts by choosing a plan of charitable giving that best fits your vision and financial circumstances.

① Designate a charity as beneficiary of life insurance or annuities:

A simple method of using life insurance or annuities for charitable giving is to designate a charity as the beneficiary of the life insurance policy or annuity contract. By naming the charity as the beneficiary, you remain the contract owner with the ability to change

the amount that is passed on to the charity at any time. Using this method, you also have access to any cash value available. You will not receive an income tax deduction because you can still use the cash values and change the beneficiary arrangement.

② Gift a life insurance policy to charity:

You may have life insurance that is no longer needed for family protection. In this instance, you can benefit a charity by making a gift of the policy to that organization. Because the charity receives all of the policy rights, including rights to any cash value, you may receive a current income tax deduction equal to what you have put into the policy.

③ Establish a Charitable Gift Annuity:

Another option would be to purchase a Charitable Gift Annuity (CGA). In a CGA, you provide cash or property to a charity in exchange for the charity's promise to pay you an annuity or fixed pay-

ment for life. To create a CGA, you should work with a charity that already has or is willing to set up a Charitable Gift Annuity program. A CGA is easy to establish, however, you must give up ownership and control of your property. You may receive an income tax deduction equal to the value of the property gifted less the present value of your expected annuity stream.

4 Establish a Charitable Remainder Trust:

You may wish to set up a Charitable Remainder Trust (CRT) to provide an income stream to you or family members while ultimately benefiting a charity. After creating the CRT, property is gifted to the trust which may be sold without incurring an immediate capital gains tax. The trust will pay income to you or your beneficiaries for life or a specified term. The amount remaining in the trust at the end of that period is paid to the charity. The use of a charitable trust can provide a stream of income to you, similar to a Charitable Gift Annuity, and will ultimately serve to benefit the charity.

Aside from those listed above, there are various other gifting strategies that may be utilized in an effort to accomplish your goals and objectives of "giving back." For more information on charitable giving or any life insurance products and annuities, please contact a financial advisor. ♦

- Article compliments of MassMutual Financial Group. Contact: **Todd Friedman**, Financial Services Professional, 2121 N. California Blvd. STE 395, Walnut Creek, CA 94596 www.financialguide.com/todd-friedman (925) 979-2342 tfriedman@financialguide.com

1 Business Wire. January 19, 2011. www.businesswire.com/news/home/20110119006246/en/2010-Stock-Market-Fuels-Charitable-Giving-Rebound.

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GIVING

DURING THE HOLIDAYS AND BEYOND



RETHINKING GIFTS DURING THE HOLIDAYS

by Dana Santos

Some years ago, my family had an email exchange during the holidays to discuss gift giving between adults, and whether those gifts still felt “right.” We were all professionals, earning good livings and able to provide for our families. We all had more stuff than we needed and there was always Costco in case we felt like we needed more stuff.

We all felt (and continue to feel) blessed and the items that we received as gifts, while welcome and appreciated, paled in comparison to the happiness and contentment we all gained just by being together. (Not surprisingly, all the little people in our family still believe VERY strongly in gifts and Santa, and rightfully so.) So, we put our heads together to come up with a plan that would allow all of us to show one another our love, but would also provide others with assistance and enhance our connectedness to our communities, both large and small.

Each adult contributes to the worthy cause of his or her choice, in lieu of giving gifts to other adults. This (at least for me) has led to a wonderful feeling that while I am enjoying my Christmas Dinner, another family is enjoying

one as well, because I give to the Food Bank. While I am enjoying my dogs (yes, they apparently feel strongly about Santa too, as failure to have treats and toys under the tree is cause for revolt) I can feel better that my contribution to the Humane Society and the ASPCA has given some animals a second chance at love.

We all want to do something, but we do not always think about it, or we are too embarrassed to raise this subject with family. I encourage everyone to look around and ask yourself if there is someone less well off than you. If so, whether it is here or abroad, then maybe replacing that family gift for a gift to the Red Cross is the best gift you can give. While every family will chose to celebrate the holidays in their own way, it doesn't hurt to have the discussion with your family. Chances are, others are thinking the same way you are, and just don't feel comfortable raising the issue.

If you would like to contribute to a charity, but are unsure if your dollars will be wisely spent by the charity, perhaps a search on GuideStar.org will assist you. This website provides information on how effective charities are at passing their dollars onto their clients, what percentage of contributions go to, and more. ♦



TIPS TO INCREASE THE IMPACT OF YOUR GIFTS

● HOW DO YOU CHOOSE CHARITIES?

Do you confirm the organization's 501(c)(3) status? Do you concentrate your giving or do you give a little to every appeal you receive?

You can confirm an organization's tax-exempt status on **CharityNavigator.org** or **GuideStar.org**. Look up the charity of your choice to be sure you are investing in a legitimate charitable organization.

Some organizations have sound-alike names. The Children's Charity Fund and the Children's Aid Society, for instance, could be easily confused - but unless you look up the organizations on CharityNavigator, you would not know that one is a very highly rated charity while the other devotes more than 80 cents of each donated dollar to fundraising.

After you find your charities of choice, consider concentrating your giving to increase your impact.

● DO YOU KNOW WHO RECEIVES YOUR GIFT?

Do you know what percentage of your gift reaches the charity? Are for-profit fundraisers involved? Are you engaged in a dialogue with the charity's representatives?

Charities that use for-profit fundraisers are often very inefficient, with half or more of your gift never reaching the intended program areas. Again, CharityNavigator can help - for each organization, the site provides a breakdown of expenses that shows the percentage of funds devoted to fundraising costs.

Once you grow comfortable with a charity, consider making a long-term commitment and engage in an ongoing dialogue with the organization's representative. Find out what its plans for the future are, share your intentions and goals and work together to increase the impact of your giving.

● WILL YOUR GIFT HAVE A MEANINGFUL AND LASTING IMPACT?

How effective is your charity? Does the charity have a strategic plan in place? How does the organization measure the need for its services? How does it report its results?

Read the charity's annual report and find out how the organization measures success. Adopt the giving strategies of foundations and review strategic plans and progress reports before you make large gifts and long-term commitments. ♦



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HELPING OUT DURING THE HOLIDAYS & BEYOND

by Theresa Hurley

As the holidays approach, many people's thoughts turn to helping out those who are less fortunate. Many, many individuals, families and groups want to volunteer their time to serve food or assist others in some way during the holidays. As a former staffer at the Volunteer Center of the East Bay, I fielded many calls from well-meaning people calling the day before Thanksgiving or the week before Christmas wanting to know how they can be of service to others.

Unfortunately, the demand for holiday volunteering opportunities usually far outweighs the need. Many non-profits use their regular on-going volunteers for the holiday events they put on for their clients and others simply ask for donations to pass on

to their clients to make their holidays a bit



brighter. My suggestion to those who want to help others this Holiday Season? Give a little of your money now and then donate your time in the New Year when agencies see a huge decrease in volunteer interest.

For a list of local non-profits requesting donations for their clients during the holidays, check out the Volunteer Center of the East Bay's website: www.helpnow.org/volunteers-opportunities/holiday-programs.

Some ideas include joining a group at work to **Sponsor a Family** or donate money to the **Share the Spirit** program. The Share the Spirit Fund is co-sponsored by the Volunteer Center and the Bay Area News Group. Proceeds from this fund provide support for children, adults and families in need during the holidays.

Here are some other ideas for giving back during the holidays:

- In West County, the **Richmond/ El Cerrito Fire & Police Holiday Program** has a yearly holiday event that serves over 1700 West County families. They give out food and presents, including over 200 bicycles. Donations can be sent to Richmond/ El Cerrito Fire & Police Holiday Program, 3020 El Cerrito Plaza, El Cerrito, CA 94530.



- **Juvenile Hall Auxiliary** has a variety of ways to get involved. You can buy Christmas cards made by the kids, or for something more hands on, host a holiday party on one of the units and spend time decorating cookies or gingerbread houses with the residents. Volunteers are also needed to sing holiday songs and pass out presents on Christmas day.

- **Like to shop?** Going shopping for needy kids is something that you can do with your own kids and is a way to show them how they can help out other kids in their community. Juvenile Hall Auxiliary needs donations of specific gift items such as hair care products, flip flops, socks or sports balls. Go to www.reachingouryouth.org/uploads/4/6/2/4/4624086/wish_list.pdf to see a complete wish list.

- The **Bay Area Crisis Nursery** asks for donations of new toys to give to the families that have used their services over the year. For some of these kids, these are the only presents they will receive. Check out BACN's holiday wish list at www.bacn.info/documents/PDF/Holiday-WishList2011.pdf

- **Shelter, Inc.** is another great Contra Costa county non-profit that always needs donations during the holiday season. See the article on page 30 for more information.

Now – how do you go about finding volunteer opportunities in the New Year?

- First check out the opportunities within the **CCCBA** – free legal workshops, speaking to students about the law, being a court tour docent, helping out at a high school law academy, volunteering for Mock Trial (coming up in February and March!) are only a few of the ways you can get involved by using your hard earned attorney skills. Contact Theresa Hurley at (925) 370-2548 or thurley@cccba.org.
- Looking for something outside the legal box? Go to the **Volunteer Center of the East Bay** website to find out about all kinds of volunteer opportunities for yourself, your family or your work group. Serve on a board, clean up the environment, coach a team, mentor an at-risk child. Go to www.helpnow.org and see how you can make a difference in your community. ♦



Go to the **Volunteer Center of the East Bay** website to find out about all kinds of volunteer opportunities for yourself, your family or your work group. Go to www.helpnow.org and see how you can make a difference in your community.

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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, approximately one in ten families has a relative with this disease. Of the four million people living in the U.S. with Alzheimer's disease, the majority live at home — often receiving care from family members.

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HELPING RAISE A TEEN'S HOLIDAY SPIRIT

by Amabelle Camba

As the holidays approach, images arise of children anticipating gift-opening time. But, for some, the images do not match reality. There are kids who have grown into teenagers, many having lost the magic of Santa Claus and of wishing. Growing up, however, is not the only reason for the loss.

Homelessness robs children of their carefree childhood spirit. Suddenly, they are forced to worry about where they are going to sleep at night, when and where they are going to get their next meal, and for how long they are going to be safe.

Despite their looks, teenagers are still children and most vulnerable to veering towards the wrong path, such as dropping out of school, criminal behavior and substance abuse. During this formative and critical time in their lives, the holidays become an even more important and significant time.

Many of the teenagers at SHELTER, Inc. have spent several years struggling with their families to find or keep their homes, through no fault of their own. For some, it has been years since they celebrated a holiday filled with food and gifts. Fortunately, some families with teenage children have found their way to SHELTER, Inc. where they are able to sleep safely in their own bed, have a place to do their homework, eat three meals a day and have the opportunity to dream of a better future.

Families find SHELTER, Inc. through different paths. Some are fleeing for their lives. Raquel* was referred to SHELTER, Inc. through a domestic violence shelter. Her husband was physically abusive and she escaped with her two teenage daughters, ages 16 and 17. The girls struggled, moving from hotel to hotel and then staying at various domestic violence shelters. Once they were with SHELTER, Inc., the girls had a stable place to call home, they were able to remain in the high school they were attending, and Raquel found a job through SHELTER, Inc.'s employment services. The embarrassment of being homeless was no longer an issue.

For some teenagers, a parent's poor choices forces them into homelessness. Tina* is a single mother of two teenage boys. She became disabled, depressed and coped by using drugs and alcohol. Knowing that she needed to make a better life for her boys, she went into a recovery program. She has maintained her sobriety for the past three years and, with the assistance of SHELTER, Inc., she and her sons now have a place to call home.

Other families are safe from violence and substance abuse, but not from homelessness. Laura* worked for Delta Airlines for over 20 years before she became ill and was forced to leave her job. She and her teenage son, Mike*, lived in multiple motels. Before SHELTER, Inc., they almost gave up. Today, Laura's and Mike's futures are bright. Mike recently graduat-

ed from high school and is now a full-time student at a community college in Berkeley. Laura is working with a vocational rehab center and is ready to re-enter the work force. Life was and continues to be a struggle for this mother and son, but they are fighters determined to make a better future for themselves.

The holiday spirit belongs to all children - newborn, toddler, kid or teen. This year, SHELTER, Inc. hopes the community can help teens celebrate the holidays and prove to them that the magic of wishing and the kindness of strangers still exists, even for them.

SHELTER, Inc. holds an annual holiday Adopt-A-Family Program, but the harder families to match are the ones with teenagers. SHELTER, Inc. is asking the community to bring the holidays to these families by creating a gift drive with teenagers in mind. ♦

*- If you are interested in donating, please contact **Theresita Gonzalez** at theresitag@shelterincofccc.org or 925-957-7561. In preparation to distribute the donations timely, we are asking donations be dropped off by Wednesday, December 14 at SHELTER, Inc.'s main office, located at 1815 Arnold Drive, Martinez, California 94553.*

*Names have been changed.



SUGGESTED GIFTS FOR TEENAGERS:

- **Wallets**
- **Lip gloss/ Make-up sets**
- **Beanies/ caps**
- **Purses**
- **Restaurant gift cards** - Jamba Juice, Olive Garden, Johnny Carinos, Subway, Chilis, Chipotle, etc.
- **Movie Theater Gift Cards**- AMC, Century, etc.
- **Clothing/ Shoe Store Gift Cards** - Forever 21, H&M, Claire's, Payless, Ross, Marshalls, etc.
- **Music Gift Cards** - Apple/ Amazon, etc.
- **Sports Equipment**
- **Accessories** - scarf, mittens/ gloves, socks, costume jewelry
- **Graphic T-shirts**
- **Toiletries** - lotion sets, shaving sets, hair products
- **DVD movies**
- **Cologne/perfume**

GIVING BACK LAWYER-STYLE

Rhonda Wilson-Rice
Juvenile Law Section Chair

The members of the Contra Costa County Bar Juvenile Law Section work with families with children who have been abused or neglected. Many of the children in these cases have to be removed from their homes while their parent(s) work on a plan to cure the problems which resulted in the removal of their children and led them into the court system. The children who are not fortunate enough to have a relative who can take them in often wind up in County Foster Homes or Group Homes.

This situation is particularly stressful during the Winter Holidays. There are also often many gift opportunities for the very young children during this time that are not available for older kids. To help solve this problem during November and December of each year, the Juvenile Law

Section solicits cash donations from our members and friends. The section matches the money we solicit and purchases gift cards with to distribute to groups homes throughout the county so that our teenage clients can get the things they really want. Last year we donated nearly \$3,000.00 in gift cards.

We also participate in the annual toy drive sponsored by the Contra Costa County Bar Association. The toys collected are donated to "Friends Outside" an organization that assists incarcerated parents in our county jails. ♦

See the calendar insert for details on the CCCBA Holiday Party & information on how you can help our Juvenile Law Section's Toy Drive!

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by Gary Lepper

The bistro began in the 1880's as a small restaurant serving simple meals in a modest setting. Paintings by Van Gogh, Toulouse-Lautrec, Manet, Renoir and others verify it as a place for relaxation and companionship. The former is history; the latter is still valid.

Artisan Bistro began (sort of - keep reading) at San Ramon Valley High School but has yet to be painted by an Impressionist (or anyone else, for that matter). However, it has been reviewed favorably since it opened on March 10, 2009. Here's how it got there...

Unlike Paul Simon in Kodachrome, now 33-year-old John Marquez doesn't "think back on all the crap he learned in high school." Nope. He took a food class, started cooking for the high school students and was so good that he was moved to the teachers' lounge (evidently an unheralded gourmet hot-spot, the SRV teachers' lounge). Off he went.

DVC's culinary program, "Bridges" in Danville, "Blackhawk Grille." By age 22, he was in Las Vegas, working lunches at "Lutece" (Venetian) and dinners at wonderful "Picasso" (Bellagio). After a couple of years, he returned to San Francisco, as one of the talented youngsters being mentored by Daniel Patterson at "Elizabeth Daniel." After that closed in 2005, Thomas Keller invited him to New York to help open "Per Se" and then brought him back to California for "The French Laundry's" reopening. He migrated again when Patterson opened "Coi". Alors, it was time for his restaurant...

“ [Marquez, owner of Artisan Bistro] also manages to support charitable events, for example, last August he prepared a seven-course dinner, with wine pairings, for The Khaled Hosseini Foundation's humanitarian assistance to the people of Afghanistan.”

His vision for Artisan Bistro is uncomplicated: so-called "California cuisine", but with the French influence and techniques learned in his culinary peregrinations (though, alas, light on traditionally creamy sauces). He relies on organic ingredients, adapts constantly to seasonal availability and spurns anything frozen.

He literally has his hands on all aspects of his cuisine. He butchers the lamb, poultry, fish and rabbit, journeys to farmers' markets in Berkeley and Oakland, and has

persuaded suppliers of The French Laundry and Coi to come to the East Bay for the first time. It creates a greater expense but, in his kitchen, it yields a more tasty result.

From all this comes the likes of ox-tail (blended with chopped truffles and potato, pressed overnight, cut in a square and then seared, topped with a poached egg), John Dory (one of my favorite fishes -- in a bouillabaisse consommé, served with sautéed artichoke, kale, cranberry beans and an herb vinaigrette), veal chop (without a sauce to overwhelm the veal's flavor), multi-colored beet salad (with goat cheese and walnuts), tangy and light gazpa-

cho (learned from Julian Serrano, served with Dungeness crab and avocado), a substantial corn chowder (one actually tastes the corn), and poached pear (in a huckleberry sauce, with cardamom ice cream). And more.

Dinner preludes range from \$8-9.00 (soups) to \$15-17.00 (smoked salmon or foie gras). Dinner prices (\$20-30.00) are moderate for such quality. The wine list is diverse in price and variety, with corkage of \$18.00 if one wants to go it alone.

The menu changes at 6-8 week intervals (he is receptive to staff suggestions, but "97%" are his creations) -- and he has made the adventurous decision to have different menus for lunch and dinner.

He also manages to support charitable events, for example, last August he prepared a seven-course dinner, with wine pairings, for The Khaled Hosseini Foundation's humanitarian assistance to the people of Afghanistan. In short, he is so busy that he has to wonder if he should have chosen the more leisurely life of a lawyer.

Open every day, except Monday, for lunch (brunch on weekends) and dinner, Artisan Bistro is an ideal size: 58 inside and 50 in the attractive, covered patio. If the front parking is full, one can park easily in the spacious lot in the rear. Reservations are encouraged (For reservations, please call (925) 962-0882).

Here's an idea: On request, Marquez will design a tasting menu for you and your guests. Think that would be a treat? Go to 1005 Brown Avenue, Lafayette - the long-time site of "Café Barbara" - and find out for yourself. ♦

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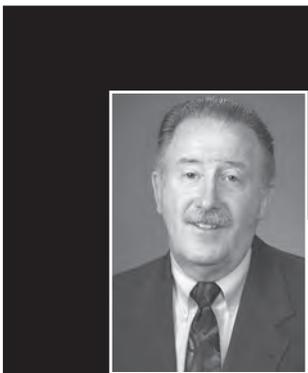


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What Do You Do to Give Back?



This is my second year as the attorney coach for the Las Lomas High School Mock Trial team. It's a lot more fun working with two talented teachers

and a group of motivated high school students, than teaching in a paralegal program as I did in the past. It's also intellectually challenging since I do not handle criminal law cases in my practice and rarely get to deal with constitutional rights issues. I also coach the high school speech and debate team.

Each spring for the last four years, I have co-coached with my daughter a Special Olympics tennis team where I get to share my enthusiasm for tennis with a great group of young athletes.

Steve Mehlman
Mehlman Law Group



I am the President of the Board for the **Hemophilia Foundation of Northern California**, member of the Hemophilia Federation of America,

volunteer as a speaker and community member for the local High School two of my children attend and assist my wife with her nonprofit **Parents and Providers Partnering for the Education of Young Children** which advocates for young children (up to six years of age.)

D. J. Hartsough
Law Office of Douglas J. Hartsough



We incorporated a couple of nonprofits to find some practical solutions to cleaning up contamination. Our first project was to attend monthly

meetings for 2 years in Sacramento to help straighten out the California UST Cleanup Fund. Our second project was to sponsor legislation, AB291, which will extend a fee that provides \$90 million in funding for this important grant program. AB291 passed the Legislature with super majorities and is on the Governor's desk.

Jim Arnold
The Arnold Law Practice



I represented someone on a disability claim for 10 years who was injured serving as a "preserver" for the federal government on one of the mothballed

ships off the Benicia bridge when he saved a man's life who was about to drop fifty feet onto a metal deck.

On another case, I represented a client in a criminal appeal for no charge and the jury verdict was reversed on the published appeal, i.e., 107 Cal. App. 3d 277 (1980).

Marc Bouret
The Bouret Mediation & ADR Firm

I started a mentoring group for three young family law attorneys. We meet monthly and do case conferencing, study substantive law, discuss new case law and have guest speakers discuss topics in their area of expertise.

I also sit on the board of a few community organizations whose mission I believe in.

Algera M. Tucker

In the last two years, I have been very passionate about immigration law and its impact on those who cannot afford legal representation. I have served as a pro bono attorney with the UC Davis Immigration Law Clinic and represented immigrants detained at the Yuba County Detention Facility in Yuba City and West County detention Facility in Richmond, CA. I continue to do the "Know Your Rights" presentations at these detention facilities. In addition, I have also provided my legal services to individuals in removal proceedings before the San Francisco Immigration Court and have assisted the Stanford Immigrants' Clinic with a VAWA application. It is my goal to educate the community I live in and work about the lack of resources available to those immigrants in dire need of immigration related legal assistance. I am currently representing pro bono an immigrant who was a victim of crime file a U Visa so that he can attain legal status in the United States through the International Institute of the Bay Area in Oakland, CA.

Spojmie Nasiri

For the past two years, the Pegnim & Ivancich Youth Foundation has organized a charity golf tournament benefiting the Lend A Hand Foundation. Lend A Hand Foundation is based out of Oakland, CA and focuses its efforts on enhancing the quality of life of our less fortunate youth. They offer youth the opportunity to experience educational, sporting, and cultural activities not otherwise available to them. Pegnim & Ivancich feels very strongly about supporting our youth and we continue these efforts by preparing for our 3rd annual charity golf tournament. Anticipated for July 2012, the Pegnim & Ivancich Youth Foundation would like to encourage all who are interested to participate in and support this wonderful cause. (Interested? Please visit our website at: www.pegnimlaw.com) Each year, the Pegnim & Ivancich Youth Foundation selects a top tier golf course for the tournament. Necessary steps are then taken to obtain donations, sponsors, and participants in order to create the best atmosphere for charitable contributions. It's a great cause that we at Pegnim & Ivancich look forward to year after year!

*Thomas M. Pegnim &
Lisa E. Ivancich
Pegnim & Ivancich, LLP*

I am an estate attorney out here in Antioch. I give back by going to Antioch, Pittsburg, and Brentwood Senior centers once a month (each Monday I am at a different Senior Center) for 4 hours. I do half-hour appointments where people can come and see me to get their will, durable power of attorney and advanced health care directive for free. I would love to take credit for creating this opportunity but Maury Huguet is the person who trained me while he was doing his pro bono work at the Martinez Senior Center. This has been a wonderful thing for my practice as a newer attorney because it has given me many more opportunities to meet with clients than had I just sat in my office and waited for client to come to me. I have really honed my interview skills and from their perspective they have received a simple estate plan for free. It really is a win-win for all of us and has helped strengthen my community ties, being that I was born and raised in Antioch.

Matthew M. Hart



In recent years, I've found a new way of giving back that's not exacted quite such a toll, by playing music for seniors in assisted living. Our group, "Never Too Late," is a ProAm ensemble, with 3 dazzling "Pros" who earn their living playing and teaching music, and 2 "Ams" (myself, and a delightful, 91 year old retired rabbi, who studies jazz guitar with one of our Pros). Beyond giving my time and entertaining an appreciative group of seniors in assisted living in Concord, I get back so much more than I give. My 91 year old band mate, who drives his Prius to our gigs and brings in his guitar and amp (and is the first to complain if we play the same song too many times!), has shown me a whole new way of thinking about growing older, and what that can look like. - He's absolutely inspiring. As if that weren't enough, playing music with great musicians who've toured nationally and internationally is icing on the cake. They can make the rankest amateur (me) sound half good. Finally, having memory impaired seniors show up to hear us play, and actually remember the tunes we played last week, calling out their requests for "Route 66" or "the Nearness of You" makes me feel like we've helped motivate their recall and given them something to look forward to. Old memories are the last to fade, so they may not remember my name, but they'll sing both verses and the bridge of Sentimental Journey along with us. I always walk away feeling good.

*Mary McNeil
The Law Offices of Mary McNeil*



We set up our office in the working class community of Bay Point, the only law office in Bay Point. Our business model was to accept indigent representation from the government. We also provide \$75 initial consultations which are not a sales pitch, but rather a how-to-do-it-yourself approach to legal problems. The \$75 consultation frequently includes contacting the other side, negotiating a settlement, writing a letter, contacting the court or governmental agency.

We host community events such as candidate forums. We have rented to not-for-profit organizations which help the community such as First Five, The Bay Point Education Center, The Bay Point Chamber of Commerce and most recently, FROM MY HEART TO YOUR HEART, a professional visit supervisor.

For years, Tony has done voluntary case review for Court Appointed Special Advocates. This year, he agreed to volunteer one Sunday per month at the Concord Senior Center as the attorney advisor. He also was a head coach for 10 seasons of youth soccer with a record of about 90-10.

Araceli was on the Board of Directors for Planned Parenthood, was the #1 fundraiser for Northgate Cheer and in 2008 was named Contra Costa Pro Bono Attorney of the year.

We believe in "Giving Back." Please join us.

*Anthony Ashe
Law Office of Anthony Guy Ashe*

We received many responses to this month's Coffee Talk topic, "What Do You Do to Give Back?"

There were too many responses to print, but fortunately we have plenty of space in our online. Visit:

www.ContraCostaLawyer.org

and see more examples of CCCBA members giving back to our communities. Thank you!



by Carol Langford

Our profession is undergoing a major structural realignment and at the same time the legislature has put the State Bar of California under the microscope to see where the Bar can be more efficient and more public (vs. lawyer) oriented. That the Bar is undergoing major changes can be seen in the recent

based on these numbers. Since summer clerkships end in August, it pushes up the September figure. Also, firing attorneys typically happens around September so that severance and other costs are fully absorbed in the current year and the benefits of cost reductions are received in the next new year.

Is this an ethics issue? Yes, because this will all be particularly hard on our newly minted lawyers, especially minority lawyers, since firms are now concentrating on the partnership's bottom line and not on nurturing minority newbies as they have in the past. In addition, firms are waiting until October to add associates, vs. September, the start date for decades. This has very broad and deep ramifications for law schools under siege for hustling applicants despite dim job prospects, as seen in the eighteen class action misrepresentation lawsuits recently filed, and more to surely follow. My guess - and I could be wrong - is that law school tuitions will have to decrease, as students find alternatives to traditional law schools and refuse to pay the typical \$30,000 to \$40,000 per year cost.

The October and November employment figures will be key, because if the BLS shows a significant reduction in the labor force, firms will pull out their axes and start swinging.

With the stock market up today, let's hope for the best, as this is serious, and bad news could mean that firms hanging on by the skin of

“Benefiting your favorite cause can offer more than just self-fulfillment and aid to others; by carefully crafting your charitable giving plan to include life insurance, you can protect those who depend on you and achieve your philanthropic goal.”

firings of several long-term Los Angeles Bar prosecutors and in the very recent severance package offerings to some key San Francisco Bar employees.

That the law profession is undergoing rapid change is demonstrated in the September Bureau of Labor Statistics report. This report shows that the legal industry in the United States shed 2,000 jobs in the October to December 2010 period, with a net loss of 1,500 jobs in the first nine months of 2011, of which 1,300 were in September 2011.

It is hard to predict the future

However, it is fairly easy to see that attorney reductions mean staff reductions, and those will likely occur in the last quarter. One former managing partner (who shall remain nameless) says that economies of scale from regional law firm mergers will exacerbate staff reductions and mean a culling of lawyers. Litigation has been soft across the board at firms, and outside of big public company mergers transactional work has been tepid. This may or may not improve next year, depending on the Euro crisis and whether China keeps growing.

their teeth will simply implode. We have already seen a number of law firm losses in Contra Costa County.

What can law firms do now to survive? It is easy to say but hard to re-do all their contracts so as to have leaner operating budgets; lower leases and pension contributions; force union concessions and bleed some equity shareholders.

Two things are certain though: law firms that cannot do those things will be left in the dust - and yet this will still be hard for many law firms to do. Law firms are not bastions of change. But if they don't, good partners will take their books of business elsewhere to another firm that eagerly snaps them up to relieve their own economic stressors (and the partners may do it anyway in a hope that they are safer elsewhere). There is a cost to this: *Jewel v. Boxer* claims on profits from all work transported to new law firms until that work is completed. That will make finding a new home more difficult.

The bottom line is that we have lost 40 firms from the AmLaw 200 in the past 25 years. We are averaging 2 to 3 in the past 10 years. This is not a blip on the radar. This is a major change in how law firms will operate. Buckle up. ♦

- **Carol M. Langford** is an attorney practicing in Walnut Creek, California. She specializes in ethics and attorney conduct matters, and defends lawyers before the State Bar. She is also an adjunct law professor at U.C. Berkeley School of Law.

In Memoriam

Daniel J. McNamara

January 7, 1923 August 31, 2011

Resident of Alameda

Daniel J. McNamara died on August 31, 2011 at the age of 88 with his family by his side.

Born in Santa Monica, he spent most of his life in the East Bay, graduating from St. Joseph High School in Alameda. He attended St. Mary's College and worked in the Richmond shipyards throughout his studies, graduating from UC Berkeley in 1943. He then enlisted in the US Navy, where he served for three years during the second world war as a lieutenant on the USS Biloxi in the Pacific Theater.

He completed law school at the University of San Francisco under the GI bill, after which he worked for the District Attorney of Oakland and the Port of Oakland before starting his own practice.

The McNamara law firm in Walnut Creek grew to become the largest civil litigation firm in Contra Costa County, with three offices and over 50 attorneys.

An avid lover of golf, he was the proud recipient of three holes in one during his lifetime.

He is survived by his wife of 53 years, Mary, his children, Daniel Jr, Peter, Thomas, John, Mary, and Katherine, and eight grandchildren.

Contributions in his memory may be made to St. Jude Children's Research Hospital - www.stjude.org

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advertisers' index

Acuña, Regli & Klein, LLP.....	23
ADR Services, Inc.....	16
Roger F. Allen	33
Barr & Barr Attorneys.....	10
Bray & Bray	13
Buchman Provine Brothers Smith	5
Jay Chafetz	15
Diablo Valley Reporting Services ..	40
David Dowling, Wells Fargo Private Mortgage Banking.....	39
Margaret M. Hand.....	27
JAMS	11
Lenczowski Law Offices	31
Palmer Madden	29
Dirk L. Manoukian	15
Mechanics Bank.....	33
Mullin Law Firm	15
Perry A. Novak, UBS Financial Services, Inc.....	2
David B. Pastor	25
Pedder, Hesseltine, Walker & Toth, LLP.....	31, 33
Erika Portillo	25
Paul Saad, Financial Advisor.....	19
Scott Valley Bank.....	23
Candice Stoddard.....	13
Michael J. Young	29
Youngman & Ericsson, LLP	13
Zandonella Reporting Service	11

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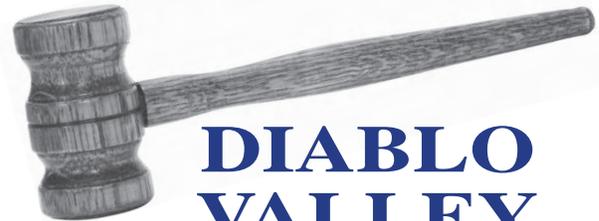
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