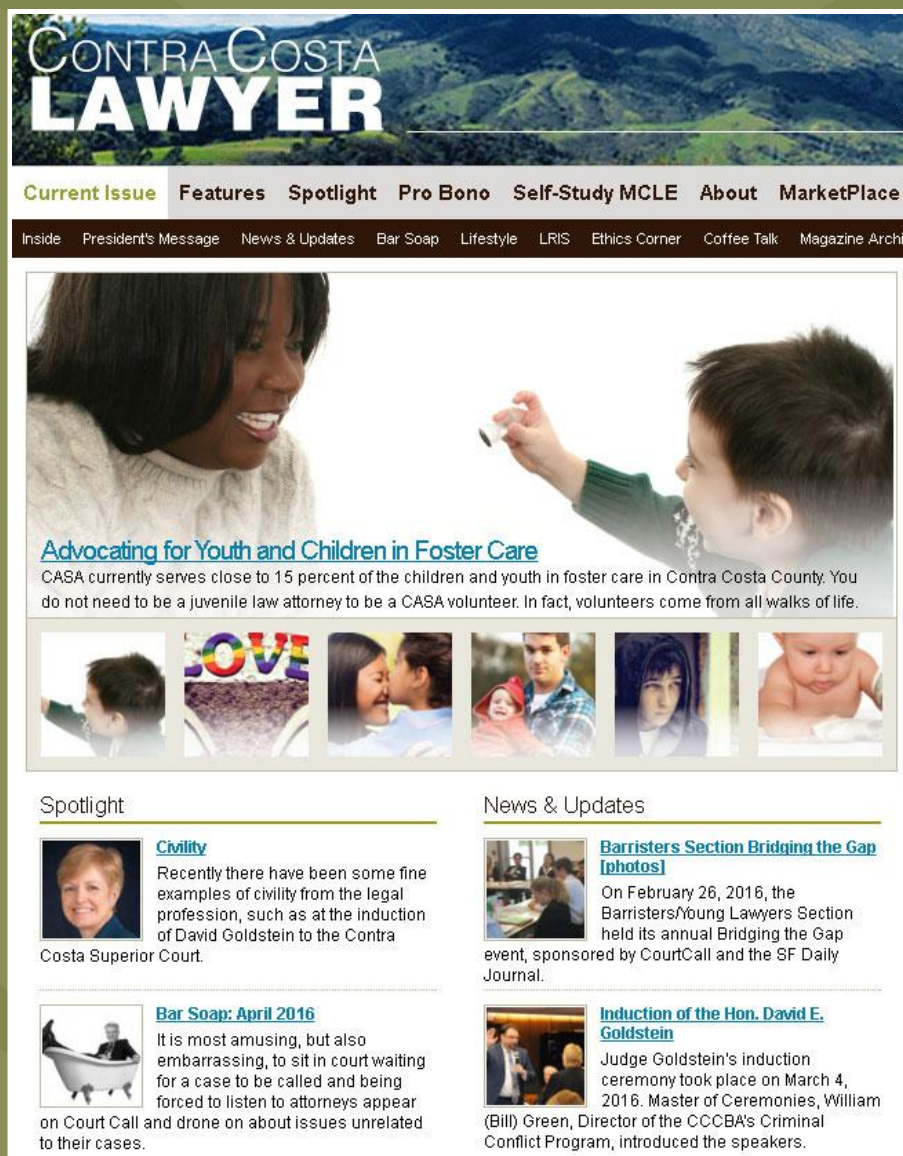


Contra Costa Lawyer Online

April 2016



The screenshot shows the homepage of the Contra Costa Lawyer Online website. At the top is a banner with the title "CONTRA COSTA LAWYER" over a landscape image. Below the banner is a navigation menu with links: "Current Issue", "Features", "Spotlight", "Pro Bono", "Self-Study MCLE", "About", and "MarketPlace". A secondary menu includes "Inside", "President's Message", "News & Updates", "Bar Soap", "Lifestyle", "LRIS", "Ethics Corner", "Coffee Talk", and "Magazine Archiv". The main content area features a large article titled "Advocating for Youth and Children in Foster Care" with a photo of a woman and a child. Below this is a row of six small images. The "Spotlight" section contains two articles: "Civility" with a photo of a woman and "Bar Soap: April 2016" with a photo of a person in a bathtub. The "News & Updates" section contains two articles: "Barristers Section Bridging the Gap [photos]" with a photo of a group of people and "Induction of the Hon. David E. Goldstein" with a photo of a man speaking.

CONTRA COSTA LAWYER

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Advocating for Youth and Children in Foster Care

CASA currently serves close to 15 percent of the children and youth in foster care in Contra Costa County. You do not need to be a juvenile law attorney to be a CASA volunteer. In fact, volunteers come from all walks of life.

[Civility](#)
Recently there have been some fine examples of civility from the legal profession, such as at the induction of David Goldstein to the Contra Costa Superior Court.

[Bar Soap: April 2016](#)
It is most amusing, but also embarrassing, to sit in court waiting for a case to be called and being forced to listen to attorneys appear on Court Call and drone on about issues unrelated to their cases.

News & Updates

[Barristers Section Bridging the Gap \[photos\]](#)
On February 26, 2016, the Barristers/Young Lawyers Section held its annual Bridging the Gap event, sponsored by CourtCall and the SF Daily Journal.

[Induction of the Hon. David E. Goldstein](#)
Judge Goldstein's induction ceremony took place on March 4, 2016. Master of Ceremonies, William (Bill) Green, Director of the CCCBA's Criminal Conflict Program, introduced the speakers.

The Contra Costa Lawyer is the official publication of the Contra Costa County Bar Association (CCCBA), published 12 times a year - in six print and 12 online issues.

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Inside: Guest Editor's Column, April 2016

Friday, April 01, 2016

After I got over the shock of being asked to be guest editor for this month's edition of the Contra Costa Lawyer featuring juvenile law, I began to ask myself what needs to be said on behalf of our youth. Since I work primarily with families who are involved with the child welfare system, many topics came to mind. I am thankful for the writers who have volunteered to tackle this important, broad and tough topic.



I just finished reading an article in the New Yorker, written by Jill Lepore, "Annals of Children's Welfare: Baby Doe, A political history of tragedy." [1] This article helped focus me on the critical nature of the work we do. Most of the families who come in contact with the child welfare system whom I represent are indigent, not only in the fact that they lack financial resources, but they are often poor in opportunity, hope, status, education, family connections and in the ability to connect to resources.

I have worked and lived in Contra Costa County for almost 25 years, so it is not unusual for me to recognize the names of families I have worked with on more than one occasion. I advocate for families to stay together whenever it can be done so safely. I direct them to education, to resources and strategies in the hope that we can break the cycle that keeps them involved with governmental intrusion in their private lives.

Breaking the cycle of domestic violence, child abuse, substance abuse and addiction, sexual abuse and criminality is a difficult task. But when it is successful, and families are truly able to function on their own, it brings a sense of great satisfaction to those of us who work with these families on a regular basis.

We are truly grateful for the volunteers who assist us in this hard work. Most often, the biggest aid to keeping families from returning to the court system is the ability to build and keep a supportive network outside of the court system. **Gina Turturici**, Recruitment Coordinator of CASA of Contra Costa, has written an article with more details. We are grateful to the CASA volunteers working with young people who are disconnected from their birth family and need the support and modeling that comes from these great volunteers.

We are also thankful for the families who are willing to adopt these children who have been damaged. Adoptive families offering a "forever home" to a child who has known nothing but instability, is sometimes the only solution to breaking a cycle of dysfunction that has gone on for generations. **Megan Cohen** has written on the emotional and legal issues facing families and individuals in the private adoption world.

We are also thankful for education and training. We have learned that there is no single "correct" definition for family. We have learned that it is okay to be different. We have

learned that a family can have more than one mother or more than one father. We have learned that trying to force our definitions of what we believe may be correct or accepted may be the very thing that is causing distress. The article written by **Summer Selleck** on transgender youth and the Juvenile Court system further highlights our need to continue to expand our understanding of all people.

Johanna Kwasniewski provides a comprehensive look at new California legislation concerning expanded dependent parent protections in juvenile proceeds.

We also have a look at juvenile dependency and delinquency in the court system authored by **Judge Maddock**, who also sets out new procedures and law changes for practitioners.

Finally, we get some great tax tips from **Christina Weed**, who advises us on claiming all our child tax benefits.

Thank you to all the contributors who have worked so hard to put together this edition of the Contra Costa Lawyer.

***Rhonda Wilson-Rice** has been practicing law in Contra Costa County for over 20 years. Her practice serves the families and children of Contra Costa primarily in the areas of child welfare law (CPS cases), juvenile delinquency and criminal defense. You can contact her at (925) 432-7373.*

[1] "Baby Doe: A political history of tragedy," by Jill Lepore, The New Yorker, February 1, 2016.

Posted by CC Lawyer at 01:24AM ()

Civility

Friday, April 01, 2016



I've been thinking about civility. Without a doubt, my thinking has been prompted in part by the unique character of this election cycle. But for all the boorishness coming from political circles, recently there have been some fine examples of civility from the legal profession.

Early last month, it was my honor to attend and participate in the induction of David Goldstein to the Contra Costa Superior Court. The mood was light and refreshing, even among the attendees. The newly minted judge and his wife, Angela Goldstein, warmly welcomed their guests while many young people, including Judge Goldstein's son, daughter and presumably his many nieces and nephews, filled the chamber with giggles and smiles. The court staff mingled comfortably with the crowd of attorneys, retired judges and county supervisors.

Doug MacMaster and Jonathan Laba sat together and chatted easily before the ceremony began, despite the fact that they are frequent adversaries. And the Presiding Judge held court with that inimitable twinkle in his eye ... maybe because he was considering the merits of hiring a humor interpreter for the court. It was a delightful mix of young and old, defense and prosecutor, lawyers and judges ... all taking a moment to appreciate the achievements of Judge Goldstein.



The program included speakers from all corners of the court and was infused with much good humor. Bill Green, Director of our Criminal Conflict Panel and a criminal defense attorney himself, served as Master of Ceremonies. Emily Gunston, Special Counsel to the Civil Rights Division of the U.S. Department of Justice, got the ball rolling with some friendly ribbing of her former colleague and recalled the warmth of his home and family life.

She was followed by Doug MacMaster, Contra Costa's Chief Assistant District Attorney, who recounted his support for Judge Goldstein during his application for appointment to the court. Jonathan Laba and Judge Bowen, both contemporaries of Judge Goldstein early in his career at the Public Defender's Office, completed the picture with intimate descriptions of his work style. It was clear from the speakers' humor-infused stories that Judge Goldstein has a knack for building strong professional and personal relationships.

But Judge Goldstein's induction has not been the only recent example of civility among adversaries. Recently, there has been much attention on the friendship between the late Justice Scalia, the famously staunch conservative, and Ruth Ginsburg, the reliable liberal. While they were fundamentally opposed on many issues, they also shared many interests, particularly a love of opera. At a memorial after Scalia's funeral, Ginsburg

remembered their shared love of opera, his gestures of friendship and his quick wit. While it is easy to focus on differences and foment discord, Ginsburg emphasized areas of shared appreciation through which they built a relationship of mutual respect.

They also both appreciated the other's intellect and ability to form thoughtful arguments. When Scalia was once asked, just before Ginsburg was appointed to the court, whether he would prefer Mario Cuomo or Lawrence Tribe as a colleague on the court, he replied "Ruth Bader Ginsburg." Such was his respect for her analytic abilities, despite their different interpretations of the Constitution.

Back at Scalia's memorial, to a deep roar of laughs, Ginsburg recalled a moment when Scalia had been asked how he could be friends with her, given their significant differences of opinion. She recalled him replying, "I attack ideas. I don't attack people. Some very good people have some very bad ideas." In times like ours, and particularly in our profession, it is worth dwelling on and incorporating Scalia's approach into our every day practices.

***Elva D. Harding** is a real estate and business attorney and founder of Harding Legal, dedicated to providing efficient and effective legal service to individuals and small, mid-sized and family-owned businesses. Elva currently serves as CCCBA's Board President. Contact Elva Harding at (925) 215-4577, eharding@edhlegal.com or visit www.edhlegal.com.*
Posted by CC Lawyer at 01:22AM ()

Advocating for Youth and Children in Foster Care

Friday, April 01, 2016

“CASA volunteers make a profound and positive impact on children in foster care as an advocate, mentor and adult role model. In court, they are the independent eyes and ears for the judge,” states Hon. Thomas M. Maddock, Supervising Judge of Contra Costa County Juvenile Court.

Since 1981, Court Appointed Special Advocates (CASA) of Contra Costa County has served some of society’s most in need—children and youth in foster care. CASA is a 501(c)(3) community-benefit organization that recruits, trains and supports volunteers who advocate one-on-one for the best interests of abused, neglected and traumatized youth. As an officer of the court, advocates are a powerful voice for children and youth in foster care. They can, and do, make a difference now and for generations to come.

“Through my work as a CASA volunteer, I have a new understanding and empathy for children who end up in the juvenile dependency system by no fault of their own and for the complexity of issues that foster care addresses,” says Elizabeth Werhel, retired general civil litigation attorney. “The problems encountered are complicated, solutions are hard to find, and best intentions can sometimes result in unintended consequences. I like being someone who humanizes the system and tries to make it work as best as possible for the child.”

Through their advocating experiences, many volunteers gain firsthand knowledge of how strong their core beliefs are when put to the test. “Advocating for youth who have suffered abandonment, abuse, neglect and may have learning and/or behavior issues can seem overwhelming at best, even for a well-intentioned and well-trained CASA volunteer,” says Shari Santos, legal assistant at Miller Starr Regalia, “but you don’t give up, because everyone else in their family has, and no matter how hard it becomes to care about a child who doesn’t care about himself, you passionately advocate for the child in the courtroom and in the system. Because sometimes, your CASA youth defies the odds, graduates from high school, makes it to college, and has hopes and dreams for their life that you helped build. This type of deep-seated satisfaction is priceless!”

Advocates make a two-year minimum commitment to the program, volunteering 15-20 hours on average per month. At first glance, the CASA volunteer commitment may be a bit daunting. “It’s easy to think that you don’t have time to volunteer. Being a single mom, with a teenage son, a full-time job and other volunteer commitments, I was concerned that I didn’t have enough time to advocate for a child. Here I am—seven years later—on a journey to adulthood with not only my son, but with my CASA youth as well,” shares Santos.

One of the keys to advocating for at-risk youth is consistency. In fact, many times CASA volunteers find themselves the only consistent adult in the child’s life. This can be both meaningful yet bittersweet. “It’s a humbling experience to be involved with a youth who had and continues to experience life-changing obstacles without the support of their family,” reflected volunteer Portia Duncan, retired annuitant. “I’ve learned the importance of being a mindful listener without passing judgment. Most of all, I’ve realized how crucial it is to have a constant and caring person in one’s life.”

You do not need to be a juvenile law attorney to be a CASA volunteer. In fact, volunteers come from all walks of life. CASA screens all prospective volunteers carefully, and requires pre-service training prior to being assigned a first case. "Training is well thought out and organized. I continue to be impressed by the variety of professionals including social workers, psychologists, attorneys, school district personnel and judges among others who donate their time to ensure that trainees are well equipped and have the tools necessary to start advocating for a child," commented Duncan. "In addition, CASA staff is involved in the training and is readily accessible whenever a need arises throughout an assignment."

That said, those in the legal realm do find the role a natural fit and a way to serve children and youth, even if they are not practicing attorneys or do not specialize juvenile law. "It's a great way to use my legal skills on behalf of society's most vulnerable members," says Santos. As part of their advocacy effort, CASA volunteers have helped children and youth legally change their name, provided understanding of contracts or court proceedings and the legal ramifications of becoming an adult.

Children are our future, and improving their outcome is critical to our growth as a society. CASA currently serves close to 15 percent of the children and youth in foster care in Contra Costa County. "Through their advocacy efforts, CASA volunteers make a difference one child at a time," reflects Santos.

Learn more about becoming a CASA volunteer and sign up for an informational session held monthly at www.cccocasa.org.

***Gina Turturici** coordinates volunteer recruitment at CASA of Contra Costa County and has been a CASA volunteer advocate for the last 11 years. She can be reached at atginaturturici@cccocasa.org.*

Posted by CC Lawyer at 01:20AM ()

Transgender Youth and the Juvenile Court System: How Compassion and...

Friday, April 01, 2016

Earn one hour of Elimination of Bias MCLE credit by reading the article below and answering the questions on the Self-Study MCLE test. Send your answers, along with a check (\$20 per credit hour for CCCBA members / \$30 per credit hour for non-members), to the address on the test form. Certificates are dated as the day the form is received.

Much of society's misunderstanding and mishandling of transgender youth stems from uncertainty. If one is interested in understanding anything about issues burdening the transgender youth community, one must first understand basic terminology and concepts.

The American Psychological Society defines "**sex**" as something that "refers to a person's biological status and is typically categorized as male or female," as determined by a physician or other medical professional at the time of birth.[1] **Gender identity** is a person's internal, deeply-felt sense of being male, female, something other or in-between.[2] **Gender expression** is an individual's characteristics and behaviors such as appearance, dress, mannerisms, speech patterns and social interactions that are perceived as masculine or feminine.[3] The term **Transgender** or **trans** acts as an umbrella term that can be used to describe people whose gender expression is nonconforming or whose gender identity is different from their sex assigned at birth.[4]



Over the last few years, it has become clear that transgender youth have a higher rate of contact with the juvenile court system. In 2014, ACT 4 Juvenile Justice released a fact sheet on lesbian, gay, bisexual, transgender and queer (LGBTQ) youth in relation to the justice system. This fact sheet details how LGBTQ youth are overrepresented in the juvenile justice system; they make up just 5-7 percent of the overall youth population, but represent 20 percent of those in the juvenile justice system.[5]

The question we must ask then is: *Why* are transgender youth representing an inflated number in the juvenile system? The answer is complicated and there are many factors. Two of the factors are related to family relationships and the criminalization of the behavior of transgender individuals.

Our family relationships define us in many ways. Many questions can arise when a youth identifies as transgender and then comes out to their family. This is where home life can play a major role in development of trans youth. Many youth, regardless of orientation or gender, deal with physical violence in the home, isolation, parental disappointment and so on. However, research shows that gay and transgender youth entering the juvenile justice system are twice as likely to have experienced family conflict, child abuse and homelessness as other youth.[6]

There is still an immense amount of discrimination and stigma in our society surrounding

those who identify as transgender. Many times, families do not know how to react or react poorly to youth who are transgender. A lack of education or understanding can lead to the abandoning of children or the limiting of their self-expression through abuse, both physical and emotional. The connection is simple; the increase in transgender youth in the juvenile system quite simply starts at home.

Societal perceptions and criminalization of behavior are just as important as home life in determining the pathways of trans youth. The over criminalization of trans youth behavior happens because society as a whole is not fluent in what it means to be transgender. For instance, a transgender female using the ladies room, sadly, can still lead to public admonishment and even criminal charges. However, trans youth must be allowed to use resources that match their gender identity, regardless of their transition or appearing gender-nonconforming.

Teachers and school administration have broad discretion on punishment in schools. Police also have broad discretion over who will be arrested. Therefore, without proper training and understanding, transgender youth are at a disadvantage.

According to a 2005 Amnesty International Report, police regularly target LGBTQ youth as criminals, and severely enforce laws relating to public sexual expression and minor "quality of life" offenses, such as loitering, drunkenness, public urination and littering.[7] Hence, trouble in school and crimes in public are being prosecuted with more frequency against trans teens than non-trans identifying teens. Then, once a trans teen is arrested, he or she runs the risk of being kept in a holding area that is unsafe based upon his or her gender identity. This only leads to more violence and discrimination.

Generally speaking, discrimination starting in the home can lead a trans youth to suffer violence and intolerance from their closest relatives, forcing many to run away or into homelessness. Once this happens, the spiral can and does, in many cases, continue straight to the justice system due to a lack of options and family support.

So what can be done to counteract these issues for transgender teens? We can learn more. We can work to educate ourselves and others, especially those who are in dominant roles such as teachers and law enforcement. We can strive to learn not to discriminate merely because something is different than what we know.

Change is slow. Even still, society must take the time to learn what it means to treat transgender people as equals, legally and socially. The LGBTQ community is working tirelessly to promote inclusiveness in the school system with training targeted at teachers and students. There are organizations working with law enforcement to try to limit prejudice and there are medical and mental support services for transgender youth and family members to help with transitioning and overall acceptance.

For more information, or if you have any questions or need resources for transgender youth in this community, please contact the Rainbow Community Center in Concord.

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Summer Selleck practices primarily in the areas of estate planning and probate. Over the

course of her life, she has worked zealously defending the rights of the lesbian, gay, bisexual, transgender and queer (LGBTQ) community in numerous campaigns. She received her B.A. from UCLA, her Masters in Education from Pepperdine University and her J.D. from Western State University. You can contact Summer at (925) 899-9130 or summerselleck@gmail.com.

[1] The Guidelines for Psychological Practice with Lesbian, Gay, and Bisexual Clients, adopted by the APA Council of Representatives, February 18-20, 2011.

[2] *Id.*

[3] *Id.*

[4] *Id.*

[5] Berwick, Oddo, Durso, et al., "Identifying and Serving LGBTQ Youth: Case Studies of Runaway and Homeless Youth Program Grantees," Final Report, February 14 2014.

[6] Preston Mitchum and Aisha C. Moodie-Mills, "Beyond Bullying: How Hostile School Climate Perpetuates the School- to-Prison Pipeline for LGBT Students of Color," Center for American Progress, February 27, 2014.

[7] United States of America Stonewalled: Police abuse and misconduct against lesbian, gay, bisexual and transgender people in the U.S. (September 2005). Amnesty International 2005 Index Report.
Posted by CC Lawyer at 01:18AM ()

Private Adoption's Emotional and Legal Issues

Friday, April 01, 2016

Adoption involves loss and grief, and complicated joy. There's a lot at stake when things don't work out and even more so when they do. The role of the adoption attorney is to help the parties think about the adoption in these terms, looking to the future, respecting vulnerabilities and building trust. What follows is a brief overview of some of the emotional and legal issues involved in a private adoption.



Open Adoption

In an open adoption, the birth parents and adoptive parents know each other's identities and agree to maintain contact. Research shows that this openness benefits everyone. Adoptive parents get to learn more about their child's genetic heritage, and their cultural and medical history. The birth parents get to watch their child grow and thrive, which helps validate their difficult choice and ideally, mitigates the grief and loss they will be coping with over the years, some for the rest of their lives. Adoptees benefit from knowing critical pieces of their life story, where they came from, their biological roots and the existence of siblings. Having just basic information can be hugely helpful in demystifying an adoptee's life story.

Most open adoptions involve a contact agreement between the parties. In California, this agreement is enforceable when it's in writing and filed with the court. The agreement outlines the type of contact the parties will have in the future, when it will happen and how. The value in these agreements is that they put expectations in writing. The challenge in them is that birth parents might use agreement negotiations to maintain a sense of control over the adoption, or they might have unrealistic expectations of what adoptive parents can commit to. The best adoption attorneys will work hard to mediate vulnerabilities on both sides and will be honest and ethical about what each side can give.

The Roles of an Adoption Attorney vs. an Adoption Agency

Adoptive parents have options when deciding whom to work with on their adoption. They should choose professionals who share their philosophy on adoption. One option is to work with an adoption attorney, who may actively seek out birth mothers on behalf of his or her clients. When an adoption situation is found, the attorney can then do any of the following: coordinate the home study, terminate birth parent rights, negotiate the contact agreement, arrange for birth parent counseling, comply with the Indian Child Welfare Act (ICWA), sort out conflict of law questions if the birth mother lives out of state, disburse financial assistance to the birth mother if she needs it and prepare the adoptive parents for the finalization hearing, where they are declared the legal parents.

Prospective adoptive parents can also work with a private agency. The agency educates the adoptive parents, conducts a full home study to pre-approve adoptive parents, and then identifies potential birth mothers to match with their pre-approved families. The

agency takes the birth parents' relinquishments or birth father waivers, satisfies ICWA, does post-placement follow up visits, prepares the final report for the court approving the adoption and directs the family to the proper forms they need to file for their final hearing. Many agencies work with hundreds of families at a time and may not have the ability to provide the same hands-on service as a smaller organization.

Terminating Parental Rights

One of the biggest challenges in any adoption is terminating the rights of birth parents so the adoption can be finalized. California law has specific requirements about when and how a birth mother may sign her consent. Generally, this doesn't happen until after she is discharged from the hospital. Once she has signed the consent, the birth mother has several days to change her mind (up to 30 days unless she waives this right), and after this period has passed, her consent is binding. Her parental rights aren't legally terminated, however, until the adoption is finalized and parental rights are established with the adoptive parents.

California law permits birth fathers to sign paperwork *before or after* the baby is born. There are several options for terminating birth father rights, and the rights of all possible fathers must be terminated. California has two types of fathers, presumed and alleged. A presumed father is generally someone who is married to the birth mother or whose name appears on the child's birth certificate.

If a presumed father refuses to sign any paperwork at any time, his rights must be terminated by court action. However, if an alleged father (essentially anyone who is not a presumed father) refuses to sign paperwork, his rights can be terminated based on notice. This notice requirement puts the responsibility on the alleged father to file a court action to establish parental rights. If he fails to do so, his rights can be terminated without further notice to him.

It's important to strategize how to handle a particular birth father. Many are ready to sign paperwork if they are treated with compassion and respect, and some just need to be heard and given the opportunity to be part of the process. Many birth fathers are actively involved in an adoption plan, but not always. Some feel trapped and powerless when faced with the news of an unplanned pregnancy. They get angry; they deny paternity; they avoid service; they say the birth mother lied and said she had an abortion. They come out of the woodwork.

Nothing is worse than getting a phone call from a man who says that he's going to fight to parent his estranged wife's child even though he knows he isn't the father. This call can come in months after the baby is born. In order to be ready for these situations, it is critical to get as much information about potential birth fathers as possible (all self-reported by the birth mother). The questions you ask the birth mother about the baby's father might not be nearly as important as when and how you ask.

Interstate Adoption

Adoption laws vary from state to state, and if the birth mother lives out of state, you must comply with that state's adoption laws and with the Interstate Compact on the Placement of Children (ICPC). The laws range widely from state to state on a variety of issues, and adoptive parents can't leave that state until they've cleared ICPC. Understanding and completing the reams of paperwork required by each state is critical to getting adoptive

parents home quickly. Long delays are usually a result of submitting incomplete documents.

Balancing Everyone's Interests

Adoption attorneys should strive to remember, as we work hard to navigate the legalities involved in completing an adoption, that there is a child involved whose life trajectory will change forever, and that we are working with individuals who have put their futures in our hands. The best adoption attorney will work hard to act in the best interests of everyone involved because that is what makes a successful adoption.

***Megan Cohen** is an adoption and assisted reproductive technology attorney. She is the owner of Family Formation Law Offices in Lafayette, representing adopting parents, birth mothers, intended parents, surrogates and gamete donors. She serves on the board of the On Your Feet Foundation of Northern California. Megan is also a birth mother.*

Posted by CC Lawyer at 01:16AM ()

What You Need to Know About Expanded Dependent Parent Protections i...

Friday, April 01, 2016

In the fall of 2015, the California Legislature passed two bills that broaden the support and services provided to parents who are themselves dependents of the court. Although these changes may only affect a small percentage of the parents in the dependency court system, foster youth overall have a higher rate of pregnancy than youth not in the foster care system. These changes provide additional protections for a population that is already at risk.

Note, in this article the term “dependent parent” includes both parents who are minors (under 18 years old) and non-minors (over 18 years old) who have been declared dependents of the juvenile court. Neither the code nor this article creates any distinction between services for dependent mothers versus services for dependent fathers.

In September 2015, Welfare and Institutions Code[1] section 366.21(f) was amended to *require* the court to take into account the particular barriers of a dependent parent. The statute itself literally only says that the court is to take into account “the particular barriers” facing dependent parents. It does not give example of what those barriers might be. Counsel for dependent parents can tailor this change in law to argue the particular barriers their own client faces gaining access to services and completing his or her case plan.

The same senate bill also amended section 366.22(b) to authorize the courts to extend services to a dependent parent who is making “significant and consistent progress” in establishing a safe home for the child’s return at a subsequent review hearing. This amendment authorizes the court to extend reunification services to a dependent parent for up to 24 months.

“Consistent and significant progress” needs to include consistent visitation and significant progress in the past 18 months towards resolving the problems that led to the child’s removal. The dependent parents must have demonstrated the ability to complete any court ordered substance abuse treatment plans and the capacity to provide for the child’s safety, protection, physical and emotional well-being, and any special needs.[2]

Prior to October 2015, existing California law stated that a dependent parent’s status as a dependent of the court could not, in and of itself, be a basis to find that the child of the dependent parent was at risk of abuse or neglect.[3] In October 2015, Assembly Bill 260 added that a dependent parent’s child shall not be considered at risk of abuse or neglect *solely* on the basis of information about the dependent parent’s placement history, past behaviors while a dependent or mental health diagnosis prior to the birth of the child.[4]

Section 361.8 was also amended to include the requirement that prior to a dependent parent’s child being placed in foster care and prior to termination of the dependent parent’s parental rights, it must be shown that reasonable efforts were made to provide services to prevent the removal of the child.

In the case of a dependent parent, “reasonable services” *must* include utilizing the available resources of the dependent parents, including his or her parents, extended

family, social services agencies, caregivers and other services providers. “Other services providers” should include resources such as First 5, Nurse Family Partnership, home visitation programs and pregnant and parenting teen conferences.

AB 260 also amended Section 361.8 to prevent denial of reunification services to a dependent parent under section 361.5(10) (prior denial of reunification services for a child’s sibling and the parent has not taken steps to treat the problem’s leading to the sibling’s removal) or section 361.5(11) (prior termination of parental rights for a child’s sibling and the parent has not taken steps to treat the problem’s leading to the sibling’s removal) *unless* there are additional bypass provisions that may be applicable.

Prior to October 2015, the clerk of the superior court was required to maintain separate court files for non-minor dependents under the delinquency, dependency, and transition jurisdiction of the court. AB 260 expanded the protection for dependent parents by requiring the clerk of the superior court maintain a dependent parent’s court file completely separate from the court file for the child of the dependent parent.

Information from a dependent parent’s court file may be disclosed to the county and the court in the child’s dependency.[5] Evidence from a dependent parent’s case file may not be entered into evidence in the child’s proceeding pursuant to a court order finding that the material in the dependent parent’s court file is materially relevant.[6] Any party to the proceeding may request that the admittance of records concerning a dependent parent as evidence at any stage of the child’s proceeding.

Finally, AB 260 amended section 16002.5 to include a provision *requiring* foster care placements of dependent parent’s and his or her child to support the family unit. The foster placement has a duty, whenever possible, to refer dependent parents to services to prevent the filing of a petition to declare the child a dependent of the juvenile court.[7] The foster placement is required to refer the dependent parent to preventive services to address any concerns regarding the safety, health or well-being of the child.

On a final note, even prior to the above amendments, section 16002.5 included provisions for the department of social services to hold specialized conferences to support dependent parents with planning for healthy parenting and identifying resources to support him or her and the child.

The goal of the prior provisions of the section 16002.5, and the updated amendments discussed above, are to promote family unity among parents who are dependents of the juvenile court by working *with* the dependent parents, their supportive family and extended family members, and individuals with specialized knowledge about resources available to the dependent parent to promote.

Johanna Kwasniewski has been a contract lawyer for dependency cases in Contra Costa County since March 2015. She recently relocated to Concord and enjoys a good cup of tea. Her last name is pronounced QUASH-NEV-SKI.

[1] All statutory references are to the California Welfare and Institutions Code.

[2] See section 366.22(b)(1)-(3).

[3] Section 361.8.

[4] Section 361.8(a).

[5] Section 825.5(b)(1).

[6] 825.5(b)(2).

[7] 16002.5(e).

Posted by CC Lawyer at 01:14AM ()

Juvenile Dependency and Delinquency

Friday, April 01, 2016



The Superior Court of California, in and for the county of Contra Costa, handles all juvenile delinquency cases and juvenile truancy cases under the Welfare and Institutions Code (W&I) sections 602 and 601. The court also handles all juvenile dependency cases under W&I sections 300 *et. seq.* The judges that handle these cases are Judge Hardie (Dept. 5), Judge Haight (Dept. 10), Judge Fenstermacher (Dept. 15), Judge Maddock (Dept. 16) and Judge Laettner (Dept. 25).

Delinquency cases involve criminal conduct by children under the age of 18 when charges are brought by the district attorney as either felonies or misdemeanors. When such charges are brought, the court must determine whether the charges are true by proof beyond a reasonable doubt. The child can either enter a plea admitting the charges or have a contest (trial). Unlike adult cases, the court here makes findings of either true or not true, and if true, sets the matter for disposition. The purpose of delinquency court is to find the best plan to rehabilitate the minor so that no future crimes are committed.

The court can leave the child with his or her parents, remove the child from the parents and place the child in Juvenile Hall, the Orin Allen Youth Rehabilitation Facility, a group home or other placement; or in serious cases when public safety demands, send the child to the Department of Corrections and rehabilitation in the Juvenile Justice Division. All of these choices are accompanied with provisions for education, counseling and other services necessary for the treatment and rehabilitation of the child.

One of the leading causes of delinquency is the failure to attend and participate in school. In trying to solve that problem, our court has put in place two programs that deal with truancy. One program holds the children responsible for attending school and uses a GPS monitor to know where the child is after it has been shown that the child has not been attending school. The other program holds the parent responsible to make sure they get the child to school and makes the child stay in school.

In each of these practice areas, there are some new procedures and law changes.

Juvenile Delinquency

With the passage of Proposition 47 in November 2014, a large number of juvenile cases became eligible for reduction from felonies to misdemeanors and from burglary and grand theft to shoplifting and petty theft. Attorneys that practice in this area should be aware that there is a provision in this new law which allows a juvenile, who has had a past petition found true for one of these charges, to ask the court to reduce the charges, even if the case is now closed.[1]

Effective January 1, 2016, pursuant to W&I section 786, minors can have their records sealed upon the successful completion of formal probation for a non-707(b) offense, 725 non-wardship probation or informal probation. The juvenile no longer has to wait to file a petition under W&I section 781 to have the records sealed. When successfully completing one of these types of dispositions, the minor's record is now automatically sealed.

Juvenile Dependency

A new law will focus the dependency court's efforts on placing the child in a foster home instead of a group home.[2] These bills signed by the governor have extensive provisions giving guidance to the court and counsel. The Judicial Council will also develop new rules of court to assist.

In Contra Costa County, we have an outstanding program called CASA (Court Appointed Special Advocates). The CASA program has just hired a new Executive Director, Ann Wrixon, who will help take CASA to the next level. We are always on the lookout for new volunteers to help work with our dependent children to have a chance at a better life.

Hon. Thomas M. Maddock is the Supervising Judge of the Contra Costa County Juvenile Court.

[1] See Penal Code (P.C.) section 1172, 490.2, 459, H&S sections 11377 and 11350.

[2] See AB 403 and SB 794.

Posted by CC Lawyer at 01:12AM ()

Tax Tips from the Tax Lawyer: Turning that Bundle of Joy into Dollars

Friday, April 01, 2016



Many taxpayers are likely scrambling to prepare and complete their individual tax returns. Most taxpayers have remembered to include all of their wages, business income, mortgage interest payments, etc. For parents, and especially new parents, are you sure you have claimed all of your applicable family/child tax benefits?

For those who have questions, I will now take a pregnant pause ... from my work schedule to make sure you have considered many of the tax savings associated with having children. [1]

Personal Exemptions

Most taxpayers are entitled to claim a personal exemption for themselves, a spousal exemption for a spouse and a dependency exemption for each dependent.[2] In 2015, the exemption amount is \$4,000. This means, for example, that a taxpayer in the 25 percent tax bracket can reduce their total tax by approximately \$1,000 in connection with each properly claimed exemption. Taxpayers must remember to include each individual's taxpayer identification number (TIN) for each exemption they claim on their income tax return.[3]

In order to claim a dependency exemption for a child, said child must be a qualifying child under the Internal Revenue Code (IRC).[4] In order to be a qualifying child, the child must be a U.S. citizen, national or resident of the U.S., Canada or Mexico for some part of the relevant tax year; may not be claimed as a dependent for anyone else; must be the taxpayer's child; must be younger than the person claiming the exemption and under 19 years of age, or 24 years of age if a student; must have the same principal abode as the taxpayer for more than half of the year (with some exceptions); and must not provide more than one-half of his or her own support during the tax year.[5]

An additional benefit for unmarried taxpayers with children is that they may be able to file as head of household and increase their standard deduction amount from \$6,300 to

\$9,250.[6]

Child Tax Credit

Some parents may receive a \$1,000 credit for each qualifying child.[7] A credit is more valuable than deductions and exemptions because credits provide a dollar for dollar reduction in your tax liability instead of simply lowering your taxable income amount.

Credit for Adoption Expenses

A credit for adoption expenses of up to \$13,400 in 2015 may be available for some taxpayers. Costs associated with adoption fees, court costs, attorneys' fees related to the adoption and traveling expenses related to getting your child may all be includable expenses for purposes of determining this credit.[8]

Child and Dependent Care Credit

Single taxpayers and joint filers may be entitled to a child and dependent care credit of up to 35 percent for the first \$3,000 of child care for one child or the first \$6,000 for two or more children. In order for joint filers to claim the credit, both parents must have earned income from employment or business.

If a taxpayer chooses to hire a caregiver for child care services, the taxpayer must pay a "nanny tax" for amounts paid to the nanny in excess of \$1,900 in 2015.

This means that the taxpayer must generally withhold and pay FICA[9] taxes for wages paid to the caregiver in excess of \$1,900.[10] The taxpayer must also pay FUTA[11] taxes for wages paid to the caregiver of \$1,000 or more during a calendar year quarter.[12] The taxpayer must report these wages on Schedule H of their U.S. Individual Tax Return (Form 1040). An employer identification number (EIN) should also be obtained by the taxpayer and included on the caregiver's Form W-2.

Some taxpayers may receive a benefit from their employers in the form of a child care reimbursement account (flex plans), which allow a taxpayer to divert up to \$5,000 a year of their salary into a special tax-advantaged account. The account can be used for child care bills and avoids federal and state income tax and social security and Medicare taxes. This benefit cannot be combined with the child tax credit.

Healthcare Costs

Medical expenses that exceed 10 percent of AGI may be deducted as itemized deductions. The medical expenses that may be deducted with respect to prenatal and post-natal care are: prescription medications, prenatal care, ultrasounds, blood work, other lab work and medical tests, hospital fees, delivery room fees, baby's incubator fees, well-baby checkups and mom's post baby checkup.

Also, in early 2011, the IRS announced that breast pumps and supplies that assist lactation are medical care under IRC §213(d) and therefore may be deductible expenses.[13] Taxpayers may also want to inquire as to whether their current health plan would cover these costs.

But Wait! Don't Quit Your Day Job!

Although I have given you some great tips for turning your little bundle of joy into dollars, please remember that many of these tax benefits are subject to phase-out, which can occur surprisingly quickly, especially for taxpayers who live in the high cost of living areas like the San Francisco Bay Area because they may have correspondingly higher earnings. Consequently, you may not be able to claim any or all of the discussed tax benefits, or they may be subject to at least partial phase-out.

In addition, as of 2013, the United States Department of Agriculture (USDA) estimated that it takes approximately \$245,000 to raise one child to age 18 for middle income couples.[14] As I have been consistently reminded by others, parenting obligations rarely cease to exist just because a child turns 18 years old. The USDA's estimate does not include college tuition or inflation or costs incurred after a child reaches 18 years of age.[15]

So, what is *this* expectant tax lawyer's conclusion—does the benefit of an adorable, drooling, fluid secreting little munchkin and all of its potential tax benefits outweigh all of the costs?

Stay tuned. I plan to write a follow up article in approximately 18 years and let you know.

Christina Weed, JD, LL.M. (Tax), is the principal attorney at the Law Offices of Christina Weed, PC, in Walnut Creek. Christina's practice focuses on tax controversy and estate planning. You can reach her at (925) 953-2920, CWeed@taxandestatelawyer.com or visit her website at taxandestateplanninglawyer.com.

[1] Please note that all income tax rates/brackets, standard deduction, personal exemption, credit and or other tax related figures are for the 2015 tax year.

[2] Internal Revenue Code (IRC) §151.

[3] Please note that personal exemptions begin to phase-out when adjusted gross income (AGI) reaches \$309,900 for married taxpayers filing joint returns and surviving spouses, \$154,950 for married taxpayers filing separate returns, \$284,050 for heads of households, and \$258,250 for other unmarried taxpayers. If you are risk of phase-out, you may want to meet with a tax lawyer or other financial professional to discuss making deductible contributions to tax- favored accounts.

[4] IRC §152(c).

[5] *Id.*

[6] See IRC §63, adjusted for inflation in subsequent years.

[7] Generally, a qualifying child must be under age 17 at the end of the tax year in which a credit is claimed; be a taxpayer's son, daughter, adopted child, stepchild or eligible foster child, brother, sister, stepbrother, stepsister or a descendent of any of these individuals; be a U.S. citizen, U.S. national, or resident of the U.S.; did not provide over half of his or her own support; and must have lived with the taxpayer for more than half of the year (with some exceptions). Please note that this credit begins to phase out for married taxpayers filing jointly with AGI that exceeds \$110,000, for single taxpayers

whose AGI exceeds \$75,000, and for married taxpayers filing separately whose AGI exceeds \$55,000.

[8] Phase-out occurs when modified AGI reaches \$201,010, and is completely phased out when modified AGI reaches \$241,010. Rev. Proc. 2014-61, §3.03, 2014-47 I.R.B. 860.

[9] Federal Insurance Contributions Act.

[10] IRC §312l(a)(7XB).

[11] Federal Unemployment Tax Act.

[12] IRC §3306(c)(2).

[13] IRS Announcement 2011-14, February 10, 2011.

[14] Roberts, Kenneth. *"Average Cost of Raising a Child Over \$245,000."* MarketWatch, May 28, 2015.

[15] *Id.*

Posted by CC Lawyer at 01:10AM ()

Bar Soap: April 2016

Friday, April 01, 2016



As I recall, I have regularly mentioned the Contra Costa County Bar Association's MCLE Spectacular as the social and legally substantive event of the year. It is a "Do Not Miss it Event." Now I have rediscovered another: the CCCBA Annual Officer Installation Luncheon.

I must confess, I have missed going the past few years. I did not make that mistake this year. It is truly an important and extremely valuable event. **Elva Harding** is our new President, and her remarks, as well as the remarks of our outgoing President **Nick Casper**, were worth the price of admission on their own.

Our **Presiding Judge Steve Austin** gave a very informative "State of the Court" chat, then we were treated to a presentation by **Elizabeth Parker**, Executive Director of the State Bar. And finally, a presentation by **Jessica Therkelsen**. It was also a nice time to chat up with friends. All in all, a very important event for all local attorneys. Do not miss it next year!

Another important event in the county is the annual Contra Costa County High School Mock Trials competition. The annual event is put on by the Contra Costa County Office of Education. Many of our local Superior Court judges and attorneys were privileged to participate as judges and/or attorney scorers. The event occurs over several weeks, culminating in a county winner. That winning team then goes on to the state competition.

If you have an opportunity, please volunteer next year. The performances of the various high school students are truly amazing. I promise you will be impressed with the skill of the students. This year, the case was a criminal case. The mock trial itself is a court trial, with a pre-trial motion, then presentation of the case by teams of prosecuting students and defending students. Another not to be missed event.

Although I did not get enough reports to prepare a Civil Jury Verdicts column this month, I do want to mention one significant trial reported by **Bob Slattery** of the McNamara firm. The case is entitled Kuhlmann/Perkins vs. Johnson & Johnson et al, Alameda County Superior Court Case No. RG13675753. The actual parties were the listed plaintiffs and defendants Ethicon Endosurgery, LLC., Johnson & Johnson Healthcare Systems, Inc. and Rakhee N. Shah, M.D.

The **Honorable Ioana Petrou** presided. Plaintiffs were represented by **Richard Alexander, Nina Shapirshteyn** and **Annie Wu**. **Genese Dopson** and **Jae Lee** from Wilson Elser represented Ethicon Endosurgery and Johnson & Johnson. **Bob Slattery** and **Peter Sekelick** represented Dr. Rakhee N. Shah.

The case involved a claim of medical malpractice and products liability against a surgeon and the manufacturer and seller of a surgical device. Apparently, during surgery the medical device failed, resulting in permanent injury to the plaintiff and resulting damages claimed by her husband. Incidentally, the surgical device was recalled seven months after the surgery. After a seven-week trial, the jury found Dr. Shah was not medically negligent. Congratulations to Bob Slattery for that result.

No settlement demand had been made to the doctor and no settlement offer was made on behalf of the doctor. The plaintiffs did make a CCP 998 offer to settle to the corporate defendants in the amount of \$3.5 million. No offer was made by those corporate defendants. The jury awarded \$9.8 million against the corporate defendants in compensatory damages, and \$70 million in punitive damages against the manufacturer of the product. Ouch!

I know there are a number of trials going out in Contra Costa, so once again, please report those verdicts to me. I cannot report your interesting verdicts if you do not let me know.

Here is a topic I have mentioned before: Court Call appearances. It is most amusing, but also embarrassing, to sit in court waiting for a case to be called and being forced to listen to attorneys appear on Court Call and drone on about issues unrelated to their cases. A little tip for those attorneys: Keep it short and sweet. Respond to the judge's questions directly. Do not fight about discovery at a Case Management Conference (CMC). And remember, everyone in the courtroom can hear you. Think about that.

I know how we can fix the whole CMC issue. Do as Alameda County does and issue tentative CMC rulings on the day before the CMC. In most cases, there is no requirement to actually appear, but rather the court sets trial dates, mediation completion dates or whatever is necessary and all without having to hear some attorney on Court Call eat his Cheerios and wax eloquent about how smart he is.

While I am on a roll, I want to mention again the issue of the use of "myself." I hear it every day in court and it's starting to drive me mad. Our language really allows us to use "I" and "me," as perfectly understood words. Do not say "Counsel and myself will complete mediation by June 3." "Counsel and I" is what you should use. Don't say that he sent the discovery to "myself." Say to "me."

Okay, forgive me, but I must mention one more pet peeve. That is uncivil attorneys, otherwise known as jerks. You do not have to be a jerk to practice law. In fact, in most cases, it actually hurts your clients. Remember, it is not about you, it is about your client. You can be firm and you must be professional, but please, being a jerk is not helpful to anyone. One of the goals of the Inns of Court is to mentor and encourage civility in the practice of law. Two tips on that note: Join an Inn of Court and take a breath before hitting that send key.

Every Bar Soap column has reports on people on the move. I find it fun and satisfying to report on most moves. It's particularly satisfying to hear of attorneys leaving firms to try it

on their own. Start your own firm and learn about bills, collections and problem clients. And on that note, **Patricia Kelly** has moved into solo practice, I am told. On the move to the bench is **Hon. David E. Goldstein**. Congratulations, David. He has moved from the Contra Costa County Public Defender's Office.

Jennifer Sommer has taken up residence in the San Francisco office of Gilbert, Kelly, Crowley & Jennett, LLP. **Craig S. Nevin** has joined Youngman Ericsson Scott, LLP, as Senior Counsel. **Josh Genser** is now General Counsel at Overaa Construction. Genser & Watkins continues, and has moved its offices from Richmond to Walnut Creek. Congratulations in their new endeavors to all who have made moves.

I suppose a Bar Soap column would not be complete without the mention of the loss of one or more attorneys. **W. David Walker** passed away in December 2015. The majority of his legal career was spent at Craddick, Candland & Conti. He practiced law for almost 40 years.

Keep me posted on your moves, interesting verdicts, interesting settlements or just local gossip. Email me at mguichard@gtplawyers.com.
Posted by CC Lawyer at 01:08AM ()

Inns of Court: Free Speech

Friday, April 01, 2016

On February 11, 2016, Judge Cheryl Mills and her Merry Pranksters (including Ariel B. Lee, April Seo, Liza Avedikian, Michael Markowitz, Aaron Clefton, Nick Casper, Janine Ogando, Dean Barbieri and Rita Holder) entertained the Inn with a presentation on free speech. It started off with an illustration on the different types of speech. Is threatening speech treated differently depending on its context?



In this section, Ariel, April and Liza provided a threatening statement in three different contexts: rap song, YouTube video and Facebook post. How does the law handle this? The discussion stemmed from a real case (*JC v. Beverly Hills USD*, 711 F.Supp.2d 1092 (C.D. Cal.2010)) of somebody recording their friends speaking ill of another friend and then posting the video to YouTube. The student who put the video online got suspended and then sued the school for the suspension. The court applied the “substantial disruption” test from *Tinker v. Des Moines* 393 U.S. 503 (1969). The court found that the recording had not substantially disrupted the school’s management and reversed the disciplinary action.

However, in *Kowalski v. Berkeley County Schools*, 652 F.3d 565 (4th Cir. 2011), the court found that the school’s disciplinary action was justified for the student’s creation of a MySpace.com webpage, which was largely dedicated to ridiculing a fellow student and inviting 100 “friends” to join the group. In that case, the postings included the statement “Shay has herpes.” The court found that even though the webpage was created by the student off campus, given the targeted, defamatory nature of the speech, aimed at a fellow classmate, it created “actual or nascent” substantial disorder and disruption in the school.

The court further noted that “it was foreseeable in this case that [the student’s] conduct would reach the school via computers, smartphones and other electronic devices, given that most of the group’s members and the target of the group’s harassment were students from their high school. Perhaps the Kowalski judge felt that anybody still using MySpace in 2011 deserved no defense. So say we all.

Next, Michael Markowitz and Nick Casper discussed the First Amendment and sports mascots. Specifically, what are the First Amendment implications of the Washington D.C. football team using the Redskins as their mascot? There have been several challenges to the usage of the Redskins trademark for being disparaging. Is the usage of the term “redskins” disparaging to Native Americans such that its trademark should be revoked?

Over the years, the courts looked at many factors, such as the dictionary definition of the term and whether a substantial composite of the specific group thought the term was disparaging. In one instance, the National Congress of American Indians passed a resolution stating that redskins was a derogatory term. In the end, the U.S Patent and Trademark Office invalidated the Washington football team’s trademark.

Michael and Nick also discussed *In Re Tam*, No. 14-1203, Fed. Cir. Dec. 22, 2015, which is a Court of Appeals case wherein they stated that exclusion of disparaging trademarks violates the First Amendment. Under this case, the majority stated: "The government cannot refuse to register disparaging marks because it disapproves of the expressive messages conveyed by the marks." This would seem to have a direct impact on the Redskins case. It appears likely that the U.S. Supreme Court will take up this issue soon.

In the next section, the group discussed anti-paparazzi statutes in regard to the First Amendment. Dean Barbieri played noted enfant terrible Justin Bieber. Here, the Biebs was, unsurprisingly, driving a sports car at an unsafe rate of speed. Aaron Clefthon, playing a police officer, pulled him over and Rita Holder, playing a paparazzi, started snapping shots. The skit was based on an actual event, and in that case, the photographer chasing Bieber was charged under Vehicle Code section 40008, which increases the punishment for reckless driving and other traffic offenses committed with the intent to capture an image, sound recording or other physical impression of another person for a commercial purpose.

Is this law an unconstitutional restriction on First Amendment rights, though? According to the California Court of Appeal, it is constitutional, because it does not specifically target paparazzi. It is more general regarding harassment and so it passes muster. (*Raef v. Appellate Division of the Superior Court of Los Angeles County*, 240 Cal. App. 4th 1112 (2015), review denied.)

This was a great meeting with discussion of issues that are topical and are often in the news. The next Inns of Court meeting is set for May 12, 2016. If you are interested in applying for RGMAIOC membership, please contact Patricia Kelly at patriciakelly@pacbell.net.

Matthew B. Talbot, Esq., is an elder law attorney in Walnut Creek. His practice specializes in estate planning, trust/probate administration, trust/probate litigation, conservatorships, guardianships, elder abuse and Medi-Cal matters. Matthew is on the Executive Board of the Inns of Court. You can reach him at matthew@matthewbtalbot.com or (925) 322-1763.

Posted by CC Lawyer at 01:06AM ()

Barristers Section Bridging the Gap [photos]

Friday, April 01, 2016

On February 26, 2016, the Barristers/Young Lawyers Section held its annual Bridging the Gap event, sponsored by CourtCall and the SF Daily Journal. New and young lawyers were able to get acquainted with members of the Bar Association, the Superior Court and local practitioners. Below are photos from the event.

[gallery columns="2" ids="11837,11838,11839,11840,11841"]

Posted by CC Lawyer at 01:04AM ()

Induction of the Hon. David E. Goldstein

Friday, April 01, 2016

Judge Goldstein's induction ceremony took place on March 4, 2016. Master of Ceremonies, William (Bill) Green, Director of the CCCBA's Criminal Conflict Program, introduced the speakers: Emily Gunston, Special Counsel, Special Litigations Section, Civil Rights Division, U.S. Department of Justice; Doug MacMaster, CCC Chief Assistant District Attorney; Jonathan Laba, CCC Assistant Public Defender; and Hon. Christopher R. Bowen, CCC Supervising Family Law Judge.

Elva Harding, 2016 CCCBA Board President, presented the gavel to Judge Goldstein, and Hon. Leslie G. Landau administered the oath of office. Judge Goldstein's family presented him with his judicial robe.

Below are photos from the induction ceremony, and more can be found on our Facebook page.

[g a l l e r y
ids="11822,11823,11824,11825,11826,11827,11828,11829,11830,11831,11832,11833"]
Posted by CC Lawyer at 01:02AM ()

Join Us for Comedy Night on April 21

Friday, April 01, 2016

We are celebrating 21 years of Comedy Night: Res Ipsa Jokuitor XXI, the kickoff to our annual drive. Justice James Marchiano (ret.) will emcee, nationally renowned comedian and political satirist **Will Durst** will headline and San Francisco based comedian **Larry "Bubbles" Brown** will be opening the show.

Thursday, April 21, 2016 | 6 pm - 9:30 pm | Back Forty BBQ, Pleasant Hill
[View the Flyer](#)

Laugh for a good cause: Register today!



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Posted by CC Lawyer at 01:00AM ()



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Advocating for Youth and Children in Foster Care

CASA currently serves close to 15 percent of the children and youth in foster care in Contra Costa County. You do not need to be a juvenile law attorney to be a CASA volunteer. In fact, volunteers come from all walks of life.



Spotlight



Civility

Recently there have been some fine examples of civility from the legal profession, such as at the induction of David Goldstein to the Contra Costa Superior Court.



Bar Soap: April 2016

It is most amusing, but also embarrassing, to sit in court waiting for a case to be called and being forced to listen to attorneys appear on Court Call and drone on about issues unrelated to their cases.

News & Updates



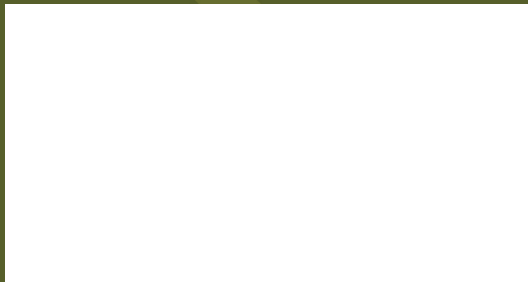
Barristers Section Bridging the Gap [photos]

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Not for Resale