



SEBAMB

May 2015

SOUTHEAST DISTRICT BAR ASSOCIATION MEMBER BULLETIN



May General Meeting

SEDBA Presents
Special Guest Speaker

Tony Rackauckas - Orange County District Attorney

Tony Rackauckas earned his Juris Doctor from Loyla Law School, Los Angeles in 1971. He has served in the U.S Army as a paratrooper in the 101st Airborne Division (Air Assault) and as a social worker in the Los Angeles County Department of Public Social Services.

In 1972, Tony joined the Orange County District Attorney's Office (OCDA). Over the next 15 years as a deputy district attorney, he conducted over 40 homicide cases and well over 100 felony trials including rape, robbery, arson, assault, burglary, fraud, narcotics and child molestation.

Tony was appointed as a Municipal Court Judge in 1990 by Governor George Deukmejian. Three years later, Governor Pete Wilson appointed Tony to the Superior Court, and he was named Presiding Judge of its Appellate Department in 1996.

In June 1998, Tony ran for District Attorney and was overwhelmingly elected to the post by the citizens elected to the post by the citizens of Orange County. He won the election by 23 percentage points over his opponent, becoming the first person from outside the OCDA to be elected District Attorney in more than 40yrs .

He was re-elected in March 2002 by 22 percentage points. In June 2006 and 2010, Tony was re-elected to his third and fourth terms with 100 percent of the vote, running unopposed.

Wednesday May 27, 2015

Rio Hondo Country Club
10627 Old River School Road
Downey, CA 90241

Hosted Cocktail Hour: 5:30 to 6:30 pm
Dinner/ Program: 6:30 to 8:00 pm

SEDBA Members: \$40.00
Non-Members: \$45.00

R.S.V.P. Required by Tuesday May 26, 2015 for more information
Contact Irma Puente (562) 868-6787 or Email: Irma@sedba.org

Meeting Sponsored
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1 Hour MCLE Credit

We welcome all attorneys, law students,
Court staff & non-legal professionals.



President's Message

As we quickly move through May, we come that much closer to the official start of summer (though really, it seems like we are in perpetual summer, here, in Southern California most of the time). At SEDBA, we are looking forward to many fun events and activities that we have planned for this summer. Next month, some of our members will be heading to Washington D.C. to be sworn into the United States Supreme Court Bar. July brings our annual Open House at the office in the Southeast Law Center, followed by our annual Randy Kraemer Poker Tournament at the Hawaiian Gardens Casino in August. Make sure you mark your calendars with these events, as I look forward to seeing everyone there.

To me, this time of year signifies two things: graduations and vacations. I want to take this moment to extend our congratulations to any of our members' who may have loved ones graduating this year. To those of our members who are traveling away from the L.A. area to be at a graduation ceremony, safe travels and have a great time celebrating your graduate's big day. As for vacations, I hope everyone is able to take an enjoyable family vacation this summer.

I want to take this opportunity to congratulate our new Commissioner Maria Puente-Porras. Maria, we all wish you the best of luck; I am confident that you will do great things in this new position. It was an honor to be at your enrobing ceremony at the Norwalk Courthouse last month. Thank you for all your time, effort, dedication and service to SEDBA over the years. I, also, want to thank Maria for sponsoring last month's social hour at Rio Hondo. Due to some unfortunate last minute cancellations, we were not able to have an actual presentation. Seeing the importance of having our members come together each month to stay in touch and catch up, we decided to have a social hour. It was a wonderful turnout under the circumstances, and we thank Maria for helping to make it possible.

For this month's general meeting, we have the District Attorney of Orange County, Tony Rackauckas, coming to speak to us about the issues he is facing as the DA in Orange County. Please make sure to attend, as it should be a good time for all in attendance. Sadly, I will not be able to make it, as I will be spending some time out in North Carolina with family for an extended Memorial Day vacation. So please take good notes and fill me in on what I missed!

I hope everyone has a happy, safe, fun and memorable Memorial Day weekend! As always, thank you for your continued support, friendship and professionalism within our great legal community.

Regards,

Trevor Michels

PROBATE NOTES
or
IS THERE LIFE AFTER CONSOLIDATION? (Part 2)

It has been over two years now since the branch probate departments (with the exception of Lancaster) were consolidated and relocated to the Stanley Mosk Courthouse. I offer a few observations as I contemplate heading north on Interstate 5 from Norwalk.

RE-OPENING OF THE BRANCH DEPARTMENTS:

There's good news and there's bad news. The good news is that probate is again heard in a branch. The bad news is that the "branch" is located on the 6th floor of the Stanley Mosk Courthouse.

On February 2, 2015 (Ground Hog Day), the courtroom lineup of 2 judges in each of the 4 departments located on the 2nd floor of the Mosk Courthouse was replaced with 6 departments, four on the 2nd floor and two (Departments 67 & 79) on the 6th floor as follows:

- Department 5 with Presiding Judge Maria E. Stratton
- Department 29 with Judge Daniel S. Murphy
- Department 9 with Judge Clifford L. Klein
- Department 11 with Judge Lesley C. Green
- Department 67 with Judge David S. Cunningham, III
- Department 79 with Judge David C. Cowan

In this new configuration, Commissioner Brenda J. Penny, floats between the departments, but calls Department 5 home where she handles settlement conferences when she is not filling in for a judge in another department. Commissioner Penny also hears the cases (primarily guardianship and limited conservatorship appointment matters) that are heard in the afternoons (1:30 p.m.) in selected district courts on the "Have Gavel-Will Travel" program. Matters are heard in Torrance (1st Thursday of the month), Pomona (2nd Tuesday of the month) and Norwalk (3rd Wednesday of the month).

Judge Marvin Lager continues to handle settlement conferences in Department 99, which is also on the 6th floor of the Mosk Courthouse. An effort is being made to resettle Judge Lager to a department on the 2nd floor so that the settlement judges (Judge Lager and Commissioner Penny) are in close proximity. The Bono Settlement Program (which is staffed by volunteer attorneys) continues to operate out of Department 5, but uses rooms A, B & C at the back of the cafeteria on the 9th floor of the Mosk Courthouse.

With all of the probate judges now having their own individual and separate departments, there is less confusion as to who will be hearing matters. No longer is there a calendar judge and a different hearing or trial judge. Each department will be handling their own trial calendars.

The issue of bringing back probate departments to the district courts (decentralization) is being discussed by a Master Operational Planning Committee for the Court; however, if decentralization ever occurs, it will only be after everyone has finally figured out how to function in the current consolidated system.

One would think that cases are handled pretty much uniformly now that all departments (except Lancaster) are at the Mosk Courthouse. However, just as one found that matters were handled differently in the districts (in the "good old days"), one finds that matters are handled differently in departments that are right next door to each other. What remains uniform is the frustration with the time delays - to obtain hearing dates and to get orders issued. Perhaps this should be expected since it has been reported that there are **10,000 new cases filed in the Probate Department each year**. The Court is commissioning a study to find out how many cases they actually have.

Continue to expect delays in all facets of your case, primarily because the Court is limiting the number of matters on each morning calendar in each department.

RANDOM NOTES:

As probate matters become more contentious, there are more law and motion matters on the 10:00 a.m. calendars in each department. Sometime later this summer the Court will be rolling out a law and motion reservation system, similar to the one currently used in civil matters.

Also by this summer, parties may be able to pay ex parte fees online rather than running upstairs to the 4th floor filing window at 8:00 a.m. and then back down to room 260 to sign in.

The judicial assistants (clerks) in each department now have the ability to check online the availability of the settlement judges (Judge Lager and Commissioner Penny). Previously, the clerks were running back and forth on the 2nd floor with a paper calendar. The creation of the 6th floor departments made the paper calendar obsolete.

Commissioner Robert Wada, as supervising probate attorney, has been working with a team on the PROBATE COMPUTER PROJECT, which appears to be as secretive as the MANHATTAN PROJECT. Word has it that the current system uses DOS as its operating system. The team is running into many problems; however, the roll out date for the new system remains April, 2016.



Save the Date

Events and General Meetings are open to all members and non-members

February 25	General Meeting: State of the Courts – Judge Margaret Bernal
March 25	General Meeting: Substance Abuse – Greg Dorst – The Other Bar
April 22	Social Hour
May 27	General Meeting: Tony Rackucakas
June 13-19	D.C. Trip
July	Date TBA – Summer Mixer/ Casino Turnaround Trip
August 26	Randy Kramer Annual Poker Tournament
September 23	General Meeting
October 28	General Meeting
November 25	Judges & Past President’s Night
December	Date TBA – Holiday Party

General Meetings

Rio Hondo Country Club

10627 Old River School Road

Downey, CA

5:30 p.m. Social Hour/ 6:30 p.m. Dinner & Program

LRS PANEL MEMBERS MUST ATTEND AT LEAST 5 GENERAL MEETINGS PER YEAR

SPECIAL RECOGNITION
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**Thank you for your continued support
and participation !!**

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The Southeast District Bar Association is a non-profit association of legal professionals serving Southeast Los Angeles County including Bellflower, Cerritos, Downey, Norwalk, Paramount, Santa Fe Springs, South Gate, Whittier, and surrounding cities.



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May 11, 2015

Irma Puente
Executive Director
Southeast District Bar Association
12749 Norwalk Blvd.
Norwalk, CA 90650

Re: California State Bar JNE Commission

Dear Irma:

I write on behalf of the California State Bar's Commission on Judicial Nominees Evaluation ("JNE"). We are statutorily responsible for investigating every judicial candidate being considered for appointment by the governor.

As the 2015 JNE Chair, I strongly believe in outreach to the legal and at-large communities. In this spirit, I offer my and the commission's resources to the members of your organization. Experience has shown those contemplating judicial appointment, and the communities they represent, are better prepared when they possess a thorough understanding of our investigation process and the statutory basis for our assessments, before an application (with its 74 separate questions) is submitted. Even though the specifics of a candidate's investigation are strictly confidential, the process we utilize should be transparent. We are available to help explain how to navigate that process and what to expect from JNE if the governor requests an evaluation. I will make every effort to attend your organization's judicial outreach or education events. I also offer a direct line for any general questions you or your members may have about the JNE process.

Finally, I'd like to invite you and your members to consider service on the JNE Commission. The state and its judiciary are best served by commissioners who reflect diversity in geography, practice areas, practice environment, gender, race, ethnicity, and sexual orientation. Applications for the 2016 class are available now, and the deadline to apply is June 1. There is more information on our website, calbar.ca.gov (click on the About Us dropdown menu, then click on JNE Commission). On a personal level, having served since 2012, few activities, volunteer or otherwise, have rivaled my experience in this endeavor.

If you wish to discuss JNE, please do not hesitate to contact me at (949) 497-8313 or kimberlyknill@mac.com.

Cordially,

Kimberly A. Knill
 Kimberly A. Knill
 2015 Chair
 State Bar JNE Commission

Save the Date

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but we're doing it up right!

Casino Turnaround Trip in July 2015!

Details to follow!

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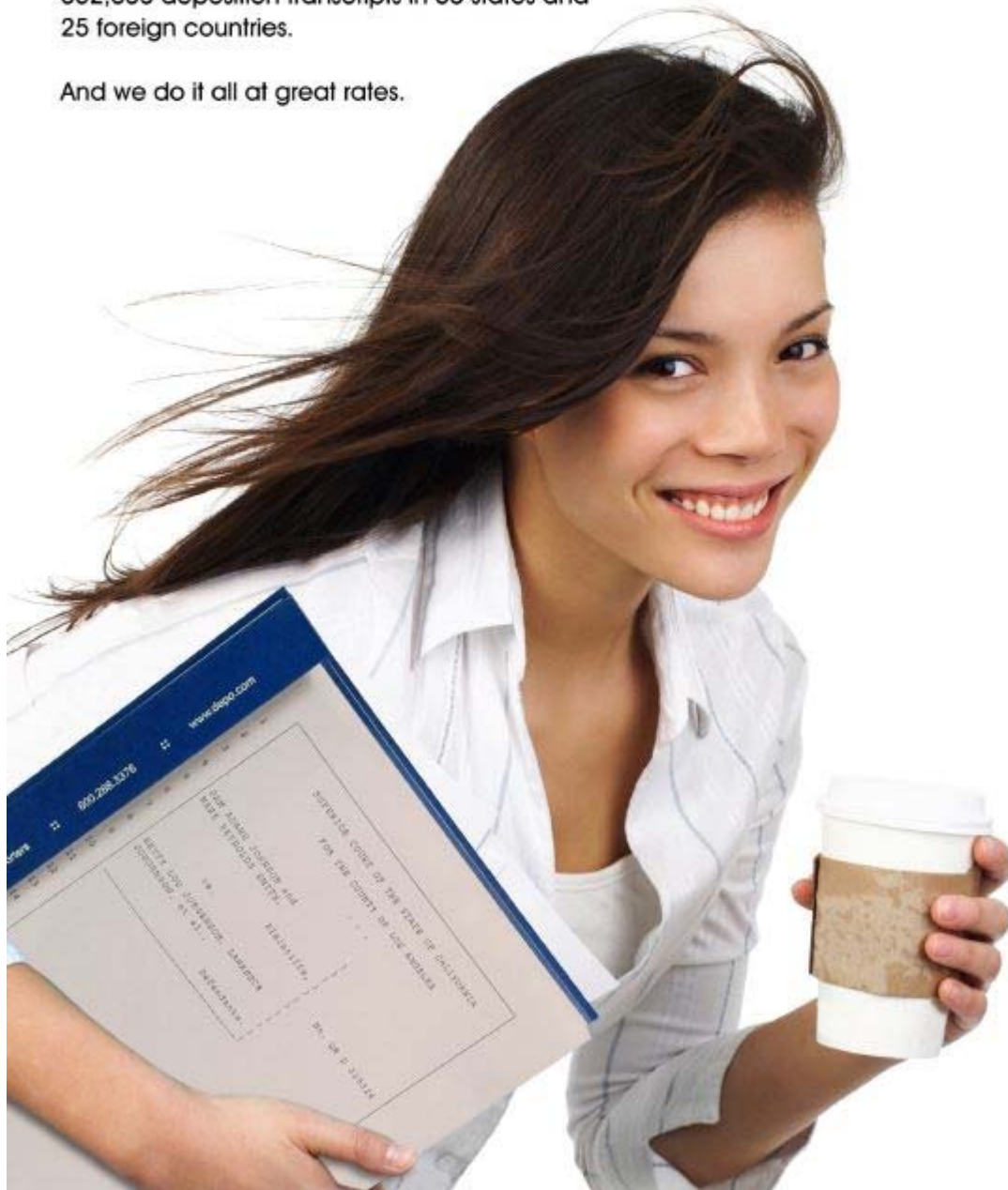
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www.sedba.org

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The SEBAMB welcomes and encourages articles and letters from readers. Please send them to 12749 Norwalk Blvd., Suite 107, Norwalk, CA 90650.

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