

Yolo County Bar Association Newsletter – May 2008

Our Next Meeting

The next meeting will occur on Thursday, June 19, 2008.

Topic: **Electronic Evidence**¹ (*See page 3 for an article by our presenter*)

Speakers: Jon Berryhill

When: Thursday, June 19, 2008 from 12:00 noon to 1:30 p.m.

Where: Casa de Sappore, Woodland.

Cost: \$ 20

Please R.S.V.P. to [Hope Welton](mailto:Hope.Welton@yolocounty.org) at hope.welton@yolocounty.org by Tuesday, June 17th so that we may give the restaurant an accurate count.

Jon Berryhill comes to us with more than a dozen years of experience as a computer forensic analyst and expert witness in the field of computer forensics and computer crime. He has testified in state, federal and military courts in both civil and criminal cases. Come hear how sound computer forensic analysis and techniques can discover valuable evidence in your cases.

You will hear about a diverse set of issues such as, how to deal with the discovery of electronic documents (both as a requester and producer), Bates stamping issues for the proper identification of electronic documents and ways to deal with the often confusing issues surrounding privileged communications found within the mass of information produced or requested.

YCBA Endorses Judge Timothy Fall

The election results are in, and the YCBA's members have voted to endorse to Judge Timothy Fall in the upcoming election.

After our judicial candidates forum in April, the attending members voted to take a poll on whether to offer an endorsement in the upcoming judicial election, and if so, which candidate to endorse.

¹ The Yolo County Bar Association is a State Bar of California approved MCLE provider. This program is approved for 1 hour of MCLE credit.

The election was conducted electronically and by mail, with most members voting electronically, but with paper ballots sent to those members who do not receive their newsletter by email (a small number). A total of 64 members voted electronically, and no paper ballots were returned. The majority voted to make an endorsement, and to give it to Judge Fall. (Printout of results attached.)

Thanks to everyone for participating in the election, with special thanks to Judge Fall and Deputy District Attorney Walker for taking part in our forum.

2008 YCBA Law Day a Success

The YCBA held its Law Day celebration on May 1, 2008 in Davis commemorating the 50th anniversary of this national event. This year's Law Day theme was "The Rule of Law: Foundation for Communities of Opportunity and Equity." This year we were honored with the presentation of a Resolution declaring May 1, 2008 as "Yolo County Law Day" by 4th District Supervisor Mariko Yamada on behalf of the Yolo County Board of Supervisors.

Law Day was established fifty years ago by President Dwight D. Eisenhower as a "day of national dedication to the principle of government under law," and the 50th Anniversary will be celebrated by events throughout the country. Law Day celebrates the American heritage of liberty, justice and equality under the law.

Panelists from the Yolo County legal profession shared their thoughts on how this theme fits with today's justice system. The panelists included Yolo County Superior Court Judges Timothy L. Fall and Steven M. Basha, Yolo County Counsel Robyn Truitt Drivon, and UC Davis Law Students Association President Sarah Asplin.

Law Day was attended by more than 70 Yolo County high school students. YCBA Vice President Chad Carlock led the students in an entertaining game teaching the importance of the rule of law. The "Rule of Law Game" started with two teams of 5, a ball and no rules. Chad randomly injected rules as the game progressed. The "Rule of Law Game" took the students from confusion and chaos to cooperation and teamwork within minutes. Law Day sponsor Woodstock's Pizza rewarded the students with a pizza lunch.

Every year, the Yolo County Bar Association hosts an educational event for local high school students to connect them with the legal system and inspire them to appreciate our rich legal heritage. We have held events in West Sacramento, Woodland, Winters, and this year in Davis.

Liberty Bell Recipient Recognized at Law Day

During the YCBA Law Day celebration County Counsel Robyn Truitt Drivon presented the YCBA Liberty Bell award to Barbara Price. Barbara Price has for many years served as the consummate administrative professional overseeing the retention and distribution of remittances to the Indigent Defense panelists. This is a group of eleven full and part-time lawyers who manage case loads of between fifty and eighty cases. When particularly complicated, lengthy or death penalty cases present time management and case load related issues Barbara Price is always available, often going beyond the ministerial details which her job description may entail, in order to provide additional administrative attention, and a kind, maternal word – to lawyers often after their harrowing day of trial. As Ms. Drivon so eloquently said “Barbara Price is a priceless belle of our liberties.”

More on the June Meeting MCLE Presentation

The Glaring Issue of Bates Stamping & eDiscovery - By Jon Berryhill

With the integration of paperless technology, attorneys are starting to realize that they are faced with the pressing question, “How do you Bates stamp electronic documents?” For a case involving 1000 pages, this is not that big of a problem. However, have you thought much about Bates stamping issues in a case involving 25,000 pages of electronic documents?

In the spirit of Bates stamping, you need to be able to individually identify every document. It should be sufficient to uniquely identify the file by number and page, for example saying “page 3 of 5 of the file 12345.” There are several ways to manage this growing Bates stamping issue.

- Put files into tiff formats and superimposing the Bates stamp on the file. This method is outdated, expensive, and destroys vast amounts of metadata (information regarding who created the file, when it was edited and accessed, etc.).
- Printing to paper and placing stickers on the paper. This method is also expensive, destroys the metadata, and has zero ability to search outside of flipping through a stack of paper.
- Hybrid method of native file formats with Bates number inserted in file names and documents printed to PDF with Bates numbers in the header or footer.

Only the last method will protect valuable metadata and positively identify the documents in a reproducible manner.

"Hot Off the Press" at the Yolo County Law Library

The Law Library has two copies of Justice Scalia's new book, **How to Persuade a Judge**, co-authored with Bryan A. Garner of Black's Law Dictionary fame. This book is being offered as a seven-day book, so that attorneys can read it and then decide if they need it for their own collection. It is a "good read" and not complex, with lots of handy hints included. It is published by West as a textbook, though it is also available in retail bookstores at the West price.

Come in and put your name on the list to check it out!

Additionally at the Law Library... The law library's Westlaw capabilities include all states and all feds, so if you need that statute from North Dakota or an opinion from the 7th circuit, you can find them here.

The law library is still trying to put together a group rate for WestLegalEd online MCLE presentations. If you are interested or want more information on this new way to get MCLE credit, please call the law library at 666-8918.

Yolo County CASA Annual Fundraiser

The theme of the annual fundraiser by Yolo County Court Appointed Special Advocates (CASA) is "Help a Child SOAR!" The 11th annual Cherish a Child Dinner and Auction is set for Saturday, June 7th, 2008 at 5:30 p.m. at Davis Flight Support at 25170 Aviation Avenue, Yolo County Airport, Davis, CA 95616. For more information on this event contact CASA Executive Director Kandice Richardson Fowler at (530) 661-4200 or visit the CASA website at www.YoloCASA.org.

Job Openings

Attached with this newsletter are flyers for openings with the California Supreme Court (Chambers Attorney) and the Solano County Superior Court (ADR Administrator).

Please Note: The closing date for the Solano County position is May 16, 2008 and the initial filing date for the Supreme Court position was May 12, 2008 (although the notice seems to imply that applications will be accepted after this date.

Income Tax Seminar

On June 20, 2008 the State Bar is holding its 2008 Annual Income Tax Seminar at Golden Gate University Law School in San Francisco. See attached flyer for program and registration details.

Upcoming Meetings & Events

- June 19, 2008 – Electronic Evidence by Jon Berryhill
- July 2008 – No meeting due to summer schedules
- August 2008 – No meeting due to summer schedules
- September 18, 2008 – Immigration Reform by Prof. Kevin Johnson
- October 16, 2008 – Panel honoring Yolo practitioners who having been practicing for at least 40 years.
- November 20, 2008 – Legislative Year in Review by Dorothy Thompson, Legislative Intent Service
- December 2008 – No meeting due to holiday schedules

Submissions?

Please send submissions for the next newsletter to Frank Crum by e-mail (frankcrum@yahoo.com) or by fax to (530) 668-1651.

Your 2007 YCBA Officers

President:	Dan Maguire	Daniel.Maguire@GOV.CA.GOV
Vice President:	Chad Carlock	ccarlock@jps.net
Treasurer:	Hope Welton	hope.welton@yolocounty.org
Secretary:	Frank Crum	frankcrum@yahoo.com

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