

# SOLANO LAWYER

MAGAZINE OF THE SOLANO COUNTY BAR ASSOCIATION

SEARLS HISTORICAL LAW LIBRARY

Life and Times of Justice  
Niles Searls and the Searls  
Family Practice

Development of  
Lawyering in California

CASA of Solano County

- In The News
- Shark Bytes
- Out of Africa
- Ethics Maven
- L'astrologie du Jour

ROBERT M. SEARLS  
ATTORNEY AT LAW

*Niles Searls*



Place an ad in the *Solano Lawyer*, the magazine of the *Solano County Bar Association*, and reach over 300 targeted members and an additional 1,500 in the trade!

Why advertise in the Solano Lawyer? Aside from the prestige of being associated with the Solano County Bar Association, the Solano Lawyer provides you an opportunity to target a niche market of legal practitioners and the larger community that supports them.

If you are looking for a group of consumers with disposable income and the savvy and sophistication to appreciate your products and services, you have come to the right place.

Solano Lawyer's advertising rates allow you to reach this unique audience without breaking your advertising budget.

It should come as no surprise that Solano has experienced tremendous growth over the last few years and the trend indicates that our county will continue to experience exponential growth for the foreseeable future. The legal community will also be growing in step with the larger population growth.

### **Solano Lawyer**

Bob Javan - *Editor / President*

Valerie Dodini - *Chief Editor / Board Director*

Carrie Keefe Scarlata - *Secretary*

Julie Hilt - *Executive Director*



Solano Lawyer online at [www.solanobar.org](http://www.solanobar.org)



### **To advertise in Solano Magazine:**



Garson Design Services, is contracted by the SCBA to design and produce the quarterly newsletter. We produce and charge for the ads to compensate for the magazine work. For sizes and rates please go to: [www.solanobar.org/magazine.htm](http://www.solanobar.org/magazine.htm)

For more info call: • 707 428-1743 • Fax: 707 428-3652  
• [mail@garsondesign.com](mailto:mail@garsondesign.com)

# SOLANO LAWYER

MAGAZINE OF THE SOLANO COUNTY BAR ASSOCIATION

## editorial

..... Bob Javan  
..... Valerie Dodini  
..... Carrie Keefe Scarlata

## staff

..... Julie Hilt

## publication design & ad sales

..... Garson Design Services  
mail@garsondesign.com  
707-428-1743

## board of directors 2008

president ..... Bob Javan  
vice pres. . . . Christine Carringer  
secretary . . . Carrie Keefe Scarlata  
treasurer ..... Steve Gizzi  
director . . . . Shauna Chastain  
director . . . . Claudia Quintana  
director . . . . Valerie Dodini  
director . . . . Pat Sweeney  
past pres. . . . . Bob Stalker  
lrs mgr . . . . Valerie Apperson  
exec. dir. . . . . Julie Hilt

*Solano Lawyer* is published quarterly by the Solano County Bar Association (SCBA), 744 Empire Street, Suite 201, Fairfield, CA 94533. 707-422-5087 or scba@solanobar.org. Annual subscription rate \$12.00 included in membership dues, or \$24.00 for nonmembers.

Summer 2008 • Vol 2 No 2 [www.solanobar.org](http://www.solanobar.org)



This issue of Solano Lawyer Magazine focuses on the Searls Historic Law Library. Should you have any suggestions as to areas of law or topics to focus on in future issues, please call or email Julie Hilt at 707-422-5087

4 ..... President's Message

5 ..... Life and Times of Justice Niles Searls

6 ..... Development of Lawyering in California

8 ..... Ask The Ethics Maven

9 ..... What is CASA of Solano County?

12 ..... Power of the Word

13 ..... Shark Bytes

14 ..... Out of Africa

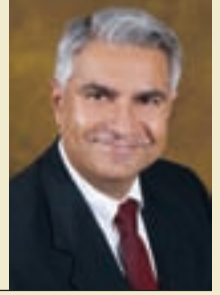
16 ..... No Cost Family Law CLE Seminar

18 ..... L'astrologie du jour



*Solano Lawyer* welcomes letters and article suggestions from readers. Please contact SCBA 707-422-5087 or email [scba@solanobar.org](mailto:scba@solanobar.org). Visit us at [www.solanobar.org](http://www.solanobar.org). The SCBA reserves the right to edit articles and letters sent in for publication. Submissions become the copyrighted property of SCBA. Cover photo: Solano County Hall of Justice and sign, downtown Fairfield, CA. Photographed by Steve Garson of [garsondesign.com](http://garsondesign.com)

## Revealing the law of land in early California



Bob Javan, President SCBA

During this year's Installation Dinner, Board member Valerie Dodini mentioned in passing that she had recently been to Nevada City and had visited the Searls Law Library. The library was first established by Niles Searls, a native of New York State, who immigrated to California during the Gold Rush era and was later appointed as Chief Justice of the California Supreme Court in 1887.

Valerie was fascinated with the case files in the library -- some that were almost a century-and-a-half old -- and thought that the information in the files gave great insight into the lives of people who lived in California during mid- to late nineteenth century; especially as related to how justice was administered.

**"...we were interested in looking at how law was practiced in those times and how disputes were resolved in court."**

That brief conversation developed into a plan to take a closer look at these files and perhaps write an article or two about our findings. We were interested in looking at how law was practiced and how disputes were resolved in court.

In the process, we also wanted to know how justice was administered in our own County. That curiosity led us to Leslie Batson, the chair of the Historical Records Commission in Solano County who has been graciously assisting us in this endeavor.

The size and format of our magazine does not allow us to publish all of our findings in one issue. Instead, we decided to break up the subject matter into three issues dealing with the Searls Law Library, the Solano County historical archives and

a more recent historical retrospective of the practice of law in Solano County.

I should note that these articles are by no means the result of exhaustive research, which our busy practices would not have allowed us to perform as much as we wanted to devote more time. Nor are they intended to be in-depth analyses of the subject matter. Instead, what we hope to bring to you is an overview of the historical practice of law in California in general, and Solano County in particular.

We hope you will enjoy reading these articles as much as we enjoyed researching the subject. **SL**

Bob



Valerie Dodini, Ed Tyson, the nonagenarian curator of the Library and Bob Javan at the historical Searls Law Library in Nevada City



# Exploring the Life and Times of Justice Niles Searls and the Searls Family Practice

By Valerie Dodini

*VB* Bob Javan and I spent two afternoons sifting through documents at the two-room Searls Historical Library. Bob focused on lawyering during the Gold Rush era, while I concentrated on the Searls family.

The Searls Historical Library sits in downtown Nevada City nestled in the shadow of the Nevada County Courthouse. Built by Niles Searls in 1872, it served as his law office and that of his son Fred and grandson Carroll.

At the time Niles Searls built his office, Nevada City had been repeatedly ravaged by fires caused by the use of flimsy construction materials and the necessity of open flame to light and heat the buildings. So Niles Searls built his building in the "Gold Rush Style": The walls are of 14" thick brick and the ceiling is comprised of layers of materials starting on the inside with plaster, above that are wood planks, over which was laid a bed of sand and bricks. A pitched roof was added to allow for run-off of water and snow, and wrought iron

shutters were installed to protect the door and windows from the frequent fires. The effect of the construction was that Justice Searls had created a brick vault.<sup>1</sup> His first desk, which he used for years, was a whiskey barrel.<sup>2</sup>

Niles Searls was born in Albany New York on December 22, 1825. He attended school in Canada and at the Rennselaerville Academy in New York. He then entered the law office of O.H. Chittenden of Rennselaerville, where he stayed for one year to prepare himself to become a lawyer. He was admitted to the bar of the Supreme Court of the State of New York on May 2, 1848, and left shortly thereafter for California. He arrived in Sacramento in October of 1849.<sup>3</sup>

After learning that \$250.00 per month was the lowest rent available for a law office in Sacramento, Niles Searls procured employment unloading a steamboat. His pay was \$1.00 per hour. At the expiration of his first hour, his supervisor approached him and said: "You don't understand this business; here is your dollar for what you have done."<sup>4</sup>

*Searls Family Practice continued on page 10*

## Does Your Court Reporting Firm Give You FREE 24/7/365 Access? CERTIFIED REPORTING DOES!

With Certified Reporting Services, you can schedule a proceeding, access all your transcripts, videos and documents — online and free — from any Internet connection, anytime, 24 hours per day, seven days per week, 365 days per year.

Imagine, no more lost transcripts, misplaced diskettes or after-office-hours frustration trying to schedule a deposition or manage your transcripts.

Your e-Transcripts™ and scanned exhibits are just a click away; your proceedings calendar is online; you can even pay invoices through our secure online document depository.

CRS offers the full range of reporting and litigation support services at highly competitive rates. We employ the latest in technologies to help simplify production and management of your transcripts, videos, documents, reporting and litigation

needs here in Solano County — or anywhere else!

From depositions to online document depositories, we can help. Our professional reporters have more than 15 years of experience and our staff is trained to put our technologies to work for you, right now.

When you decide that you deserve more from your reporting firm, call Certified Reporting Services to experience a whole new level of court reporting service — here, there and anywhere you need it. **Now, serving the Hawaiian Islands!**



**Certified Reporting Services**

[www.certifiedreportingservices.com](http://www.certifiedreportingservices.com)  
(888) 747-9674

# Development of Lawyering in California

By Bob Javan



I must confess, as I was driving up to Nevada City's Searls Historical Library to research the subject of this article and review case files stored in the library from the early days of California statehood, my impression of the Gold Rush era populace was that of grizzled men who worked the mines during the day and quenched their thirsts in the evening at the myriad watering holes, with all the mischief that would have been appurtenant to a compromised cognition.

During my visit to the Library, I had the pleasure of meeting Ed Tyson, the nonagenarian curator of the Library, who shed a completely different light on the subject. Although there were some aspects of life that supported my stereotyped view of the times, by in large, these settlers were mostly from established East Coast families with quite an advanced taste for culture. For example, during the first ten years of Nevada City's existence, there were eleven theatrical productions of Hamlet. A visiting ballet troupe had to extend its one-day performance by ten days due to the overwhelming response from the populace and the fact that the local Foley's Theater could only seat four hundred people at a time.

The lawyers of the Gold Rush era came from similar backgrounds. The federal census of 1870 listed 1,115 lawyers in California. Of those with prior bar admissions, sixty-two percent came from the East Coast, twenty-two percent came from the Midwest and nine percent from the South.<sup>1</sup>

Not all of the early members of the bar came to California to practice their trade. Some were attracted by the prospects of wealth in the foothills of the Sierra Nevadas and some simply had no clear idea what they wanted to do once they got to California. In 1848, Henry Eno of Iowa wrote that he was leaving Iowa because "lawyers swarm like the Locusts of Egypt-there is over 40 in this County . . ." As for his goals once he got to the promise land, he wrote "I may be the Lawyer. I may be an office holder or I may be the merchant and if worse comes to worse, I may be obliged to work for a living."<sup>2</sup>

California offered plenty of work for those lawyers who wanted to ply their trade. For example, many early settlers had helped themselves to land despite title being held by others through land grants that preceded the 1848 acquisition of California pursuant to the Treaty of Guadalupe Hidalgo that ended the Mexican-American War. Lawyers were particularly busy in the land-title litigation arena sorting out various claims to real property. In 1878, Judge Ignacio Sepulveda of Los Angeles reported: "Litigation is abundant here. There are about 50 lawyers in town, and my Court is open all the time. Law is becoming valuable and land titles are fought every day. I have a very busy time, but so far, everything has gone smoothly, the relations between the bench and the bar are unexpectedly pleasant."<sup>3</sup>

Students of the law received their education through an apprenticeship system. In rural areas, continuing legal education often meant traveling with other lawyers and judges on a circuit.<sup>4</sup>

Today, California's bar exam has the reputation as one of the toughest in the nation. In contrast, in the nineteenth century, the bar exam was oral and usually involved one or two questions dealing with substantive law. There were exceptions to the rule. One particular examination before the California Supreme Court is noteworthy. Justice Edward Norton asked the applicant two questions. First, "What is the purpose of a demurrer?" The student answered, "For the delay." The judge trumpeted, "Young man, that's not the law." The judge asked the second question, "If a man brought you a promissory note past due and wanted it collected by law in the most expeditious manner, what would you do?" The student responded, "I would collect my fee." The judge again declared that that was "not the law," but leaned over his desk to his clerk and ordered, "Mr. Clerk, swear him in." Although the prospective lawyer did not give the "law" answers expected, he did give the judge the practical "lawyering" answers necessary for successful practice in frontier California.

It is also noteworthy that even back then people were unhappy with the high cost of legal services. Currency was scarce in the early days of statehood. It was not unusual for rural lawyers to put their brand on cattle given to them in exchange for their fees. Nevertheless, excessive fees were a source of complaints as evidenced in this passage from the Santa Barbara Daily Press, June 6, 1882: "The rock that the legal profession is in most danger of coming to wreck on is that of excessive charges. There is a continuing low growling in the community on this subject."<sup>5</sup>

Although most lawyers in nineteenth century California were men, there were notable exceptions, women who paved the way for others in the profession long before women were allowed to practice in other states in the Union. Clara Shortridge Foltz, for example, was one such pioneer. She conducted a personal campaign to amend California Code of Civil Procedure, section 275, to allow women to be admitted into the practice of law. Foltz was admitted in September 1878; she continued to make contributions to the law and was one of the creators of the

*California Lawyering continued on page 15*

**CRIMINAL DEFENSE**  
INVESTIGATIVE SERVICES

"Over 30 Years  
Criminal Investigative  
Experience"

David McBride, MBA, CIS, CA LL 71309  
707-447-5600 • 707-396-1102 Cell  
davidmcbride@mcbride.net

**MCBRIDE &  
ASSOCIATES**

## Golf tourney a big success.

Despite a lower turnout due to scheduling conflicts, the 51st Annual SCBA golf tournament was a rousing success, featuring great weather, good company and competitive action.

Special thanks to the 18 tee sponsors, including the office of Knitter & Knitter for sponsoring the hole in one contest. Also, special thanks to the McNamara Dodge law office for bringing 12 (alleged) golfers! Thanks also to Valerie Dodini for obtaining the auction prize -- a bike donated by the CMF Bike Project.

And the winners are:

### Low gross:

1st: Tom Healy  
2nd: Tim Reid  
3rd: Mike Allen

### Low net:

1st: Tony Finkas  
2nd: Dave Seltzer  
3rd: Young Yun

### Scramble:

1st: Bill Pendergast, Mike Pendergast, Vince Maher, Joe "baby bull" Cammarata  
2nd: Judge Mike Mattice, Holly Mattice, Sid "I carried them all" Whiting, Brian Tubis  
3rd: Judge Scott Kays, Jim Archer, Sam Mullin, Bob Dunn

Again, thanks to everyone for participating and for raising over \$2000 for the Donald Balding scholarship.

We are looking at moving the tournament up to May next year to avoid scheduling conflicts. Please feel free to send us your ideas about how to make the event better. **SL**

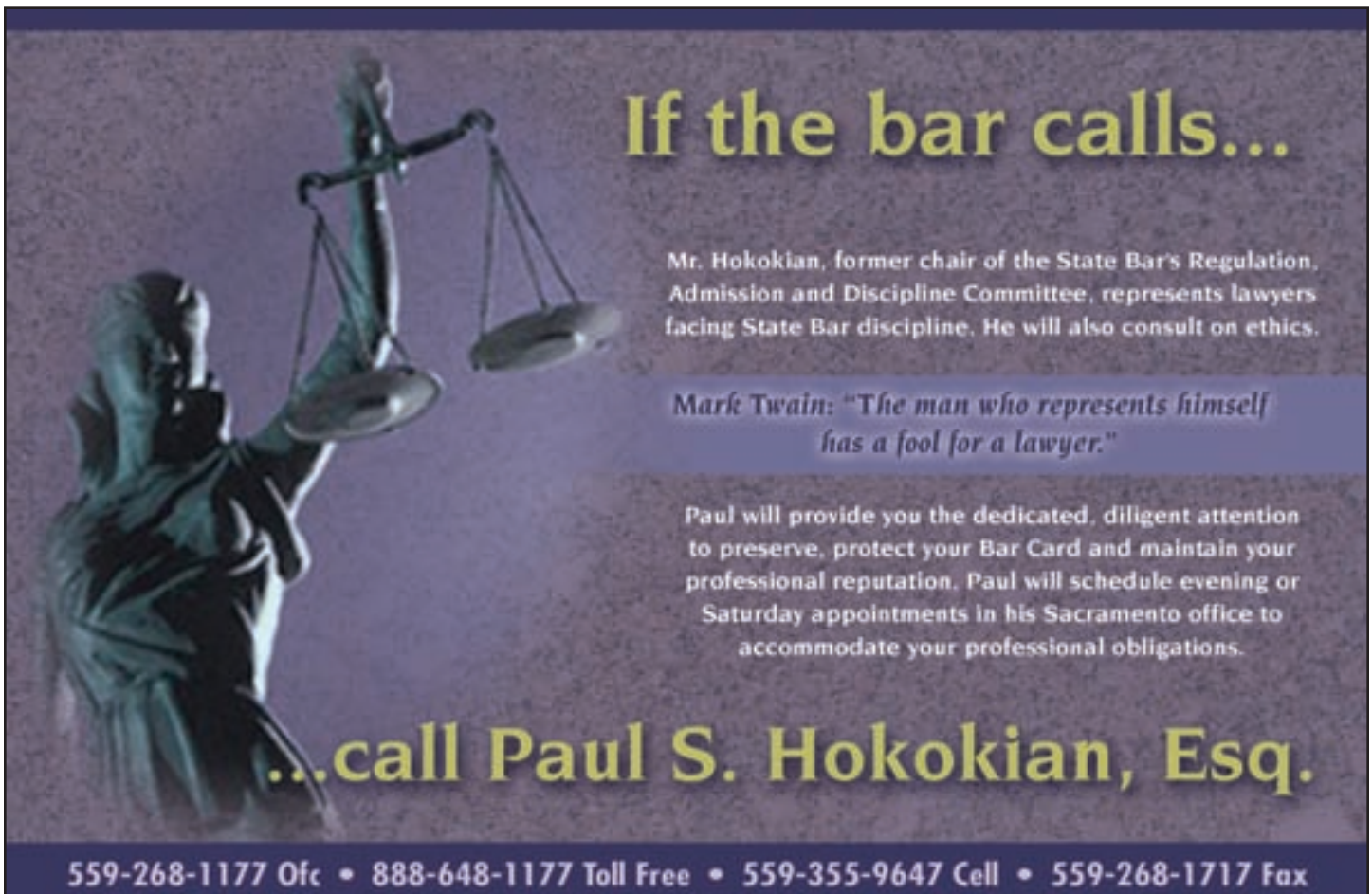
Dan Healy, Tony Finkas – the BASH golf subcommittee

*Dan Healy owns the Law Office of Daniel J. Healy in Vallejo*

## Litigation Coordination Program Award for Case That Will Effect Solano County Appeal

The California State Association of Counties (CSAC) sponsors the Litigation Coordination Program. The Program is overseen by a Litigation Overview Committee (LOC), comprised of fifteen (15) county counsels representing all areas of the state. The LOC monitors litigation raising issues of concern to counties statewide, coordinates the defense of major multi-county litigation and provides amicus support where appropriate.

This year, the LOC presented Litigation Awards to eighteen (18) deputy county counsels who gave their time and expertise to prepare amicus briefs on behalf of the Program. Solano County Deputy County Counsel James Laughlin received an award for the preparation of an amicus brief in the Witt Home Ranch, Inc. v. County of Sonoma case. The case will determine whether public agencies must give legal recognition to lots depicted on maps recorded between 1893 and 1929. The Sonoma County Board of Supervisors and the Sonoma County Superior Court refused to recognize a map recorded under the 1915 Map Act. The resolution of this case will control the outcome of a pending Solano County appeal, involving the recognition of the map recorded under the 1909 Map Act.



**If the bar calls...**

Mr. Hokokian, former chair of the State Bar's Regulation, Admission and Discipline Committee, represents lawyers facing State Bar discipline. He will also consult on ethics.

**Mark Twain: "The man who represents himself has a fool for a lawyer."**

Paul will provide you the dedicated, diligent attention to preserve, protect your Bar Card and maintain your professional reputation. Paul will schedule evening or Saturday appointments in his Sacramento office to accommodate your professional obligations.

**...call Paul S. Hokokian, Esq.**

559-268-1177 Ofc • 888-648-1177 Toll Free • 559-355-9647 Cell • 559-268-1717 Fax

# Ask The Ethics Maven

By Carol M. Langford



## Dear Ethics Maven:

We are a medium-sized law firm in Sacramento, California. We represent a lot of businesses in Northern California on things like mergers, business sales, collections, litigation and IPOs. We don't just handle business matters; we have always had a general, full-service approach, so we handle real estate, insurance defense and other matters as well.

Since we handle so many different clients, we have been hit with more than one disqualification motion by opposing counsel bent on getting us out of a case. Most of the time they appear to be just tactical motions, but it means that we have to fight them, and go through a hearing. We also sometimes get calls from our former clients complaining about a new representation we have taken as being adverse to them, even where a motion is not filed.

We discussed all this at our last partnership meeting, and decided that we should get advance waivers from all our clients that would allow us to engage in representations that only the client thinks are adverse and we disagree. From what we can see from case law, advance waivers have been approved by the courts.

What do you think about this, Ms. Maven?

**Signed, A Sacramento Law Firm  
With Visions of a Bright Future**

## Dear Sacto Law Firm Having Visions:

I am very happy to know that other people besides The Maven have visions. I often have visions of winning the lottery and sipping a drink with a parasol in it in Bimini, but so far that scenario has not materialized.

Your vision of obtaining an advance waiver from all your clients is likely a similar vision. That is because not all your clients will want to waive all future conflicts, and under Rule of Professional Conduct 3-310, they don't have to do so. It is up to the lawyer to get the informed written consent from the client to a conflict.

Note that I used the word "informed." That is language straight out of the Rule. It is defined to include telling the client about all the reasonably foreseeable consequences to the client of the representation. That is hard to do with an advance waiver; how do you know what conflicts would come up in the future?

It is true that there are some California cases that have allowed waivers (see *Zador Corp. v. Kwan*, 31 Cal.App. 4th

1285 (6th Dist. 1995) and *Visa U.S.A., Inc. v. First Data Corp.*, 241

F. Supp. 2d 1100 (N.D. Cal. 2003).) However, in both of those cases, the waiving party had some present knowledge about the kinds of conflicts that they were waiving. Also, the waivers were limited were limited by referring to conflicts that arose out of a particular litigation rather than all conflicts that occur any time in the future.

While there has been some attempt to change the law on this issue through the proposed Rules of Professional Conduct currently being vetted by the Bar, I do not think the Bar will ever allow open-ended advance waivers.

Trust me, Sacto, good work on behalf of your clients and loyalty will serve you far better in the long run, and you'll make just as much money.

**Very truly yours, The Maven**

## Dear Maven:

I am a domestic relations lawyer who is in the middle of a fee dispute with a client. I did all the work, but the client was not happy with the results. She wants all of the \$25,000 retainer she paid me back. I am a small firm, and it would be very difficult to give her the money back. I think that she is just mad that she did not get more support out of her husband. But the truth is, he did not have it to pay.

Do I have to give it back to her? How much do I have to give back, if any?

**Signed, Pissed Off and Sick of Family Law**

## Dear Pissed Off:

First, calm down, and invoke the Goddess of the Great Ohmmm. Breathe in and out. This is not as bad as you think. You likely do not have to give her back the entire \$25,000, and you may not have to give the cheapskate back a red cent. Here is what you do: you call your local Bar Association and ask for fee arbitration. The Maven is a fee arbitrator, and I am here to tell you that it works, and it is dirt cheap, comparatively speaking (and may be able to get the cost back if you win).

You fill out a form or two, and you get someone from your county who will look over the bills and your work and determine if any money is owing. Fee arbitration is not a civil

*Ask the Ethics Maven continued on page 12*

# What is CASA of Solano County?

By Maria G. Moses



Every year more than 4,500 reports of child abuse and neglect are filed in Solano County and over 500 children are in foster care and in need of safe, permanent, nurturing homes. Too many of these children spend years moving from one temporary home to another. They have no home to call their own and are more likely than other children to face homelessness, unemployment, even prison as adults.

That's where CASA (Court Appointed Special Advocates) steps in. CASA was created in 1977 to make sure the abuse and neglect these children suffered at home doesn't continue as abuse and neglect at the hands of the system. Solano County implemented this program in December 2001 and our first volunteer was assigned to a child in December 2003.

CASA of Solano County is a nonprofit organization which recruits and trains community members to advocate for children in the dependency court system. As trained advocates, CASA volunteers are appointed by judges to be a voice for abused and neglected



children in court. Our mission statement is "Solano CASA advocates for abused, neglected, and other identified children within the court system with the belief that every child is entitled to a safe and stable home."

CASA volunteers are ordinary people who are committed to doing what is best for a child. Volunteers spend time getting to know their assigned child by interacting with them 10-12 hours a month. Our CASA volunteers work with confidence, having been thoroughly trained in courtroom procedure, social services, the Juvenile Justice system, and the special needs of abused and neglected children.

Solano County CASA volunteers have been instrumental in the reunification of children with family members, adoptions, and the successful transitioning of children to adulthood. Our volunteers advocate for tutoring, involvement in extracurricular school and community programs, medical attention when necessary, and other services that will improve the quality of life for children while in the foster care system. Youth with volunteer adult advocates receive guidance in taking advantage of programs and scholarships which can assist them in continuing their education after high school, as well as assistance and support in becoming gainfully employed.

CASA of Solano County has offered 12 trainings to date and we have over 65 children currently benefiting from the services of our volunteer advocates. We will continue to recruit and train volunteers in the hopes that all children in Solano County who need a CASA will be able to benefit from the addition of a caring volunteer advocate in their lives. Our most recent waiting list consists of over 40 children in need of an advocate. We welcome volunteers from all cultures, professions, and ethnic and educational backgrounds.

Volunteer Orientations are held on the first Wednesday of every month at noon and 6pm. All orientations are held at 600 Union



CASA continued on page 14

## Searls Family Practice - continued from page 5

Searls' next job was as a waiter in a local restaurant, where he worked steadily for about six months. One day a stalwart miner came in and said, "Give me some pork and beans," as he took his seat. He was with a companion, and during the substantial meal Niles Searls overheard one of them say, "If I had a lawyer worth a damn, I could win that suit." Niles Searls took his cue and told the pair that he was a lawyer waiting for a chance to get into business. The astonished stranger engaged Searls in conversation, and hired him. Searls tried the case and won it, receiving a fee of \$300.00. The next day he quit his job and left for Nevada City.<sup>5</sup>

It was 1850 and Mr. Searls had been in Nevada City only five days when he found himself a candidate for Alcalde. He lost by only 10 votes out of several thousand.<sup>6</sup>

Mr. Searls was elected District Attorney of Nevada County in



1852. He married the sister of one of his law partners, Mary C. Niles, in 1853. In 1855 he was elected District Judge of the Fourteenth Judicial District (comprising the counties of Sierra, Nevada and Plumas) on the American ("Know Nothing" movement) party ticket, and served his six year term. In 1864 he closed his law business and went back to New York, where he was a farmer for six years. In 1870 he returned to his old mountain home in California and resumed

## Stephen J. Field: From Alcalde to Supreme Court Justice

Prior to becoming a state in September 1850, the office of alcalde, which combined legislative, judicial, executive and law enforcement functions in one person, existed in many California localities, especially in Northern California.<sup>[1]</sup>

A young Niles Searls ran for the office of alcalde, but was narrowly defeated. However, Supreme Court Justice Stephen J. Field, who served as a Justice of the United States Supreme Court from May 20, 1863 to December 1, 1897, was elected as Alcalde of the town of Yubaville (later known as Marysville) in January of 1850. As Alcalde, Justice Field's decisions were absolute law. Justice Field owned much land in the Marysville area; he was also backed by the local military. While on the California Supreme Court Bench, one of Justice Field's most important decisions was that the State had no right to minerals on private lands.<sup>[2]</sup>

<sup>[1]</sup> John F. Burns & Richard J. Orsi, *Taming the Elephant: Politics, Government and Law in Pioneer California*, University of California Press (2003), p. 199.

<sup>[2]</sup> *Stephen J. Field Dead*, *New York Times*, April 10, 1899.

his law practice. In 1877 he was elected to the State Senate on the Democratic ticket, and served one session, his official term abridged by the new constitution.<sup>7</sup>

When Judge Searls was on the bench there was a great deal of important litigation in his district pertaining to mainly water rights and mining claims. The issues were new, and the conditions required the application of new rules and principles. There are many who maintain that Judge Searls accomplished more than any judge in our history in settling and arranging the law relating to mining claims and water rights.<sup>7</sup>

In the spring of 1885, and pursuant to a recent act of legislature, Judge Searls was appointed by the California Supreme Court as one of three Supreme Court Commissioners. The Commission was an auxiliary court in intent and effect, and was created as a result of the increase in and accumulation of cases in the state's highest tribunal. On April 19, 1887 Commissioner Searls became California's 14th Chief Justice of the Supreme Court. He was appointed by Governor Bartlett to the vacant position after the death of the Hon. Robert F. Morrison. Chief Justice Searls served for two years, retiring in 1889. He spent his remaining years residing with his wife in Berkeley.<sup>3</sup> He died in 1907.

Justice Searls was known as a man who always gave impartial attention to all who entered his court. He was a charismatic man of strong character and will, who was

*Searls Family Practice continued on page 11*

## Searls Family Practice - continued from page 10

tenacious in his investigation of cases, and who demanded the respect his office was due. He had a remarkable ability to grasp a whole case, as well as the talent to quickly spot the relative bearing of each particular part. He won many jury trials, as he had a knack of gaining the confidence of juries with his frank statements and fair manners. He was also a man who accepted many pro bono causes. Additionally, like most good lawyers, he possessed a lively sense of humor. It is told that he once fined an attorney \$50.00 for contempt of court for being late. The attorney had a good reputation as to his legal skills, although he was also known to be a bit eccentric and dissipated. The attorney told Judge Searls, “I



did not know I was late, your honor, I have no watch, and I will never be able to pay the fines your honor imposes upon me.” (The attorney had been fined before.) The attorney paused, and then said, “Will your honor lend me the \$50.00 to pay this last fine?” “Mr. Clerk,” said Judge Searls, “remit that fine. The State can afford to lose it better than I can.” And the fine was remitted.<sup>8</sup>

Justice Searls’ son Fred followed in his father’s footsteps, and occupied his father’s law office from 1879 to 1929. Two of Fred’s children, Carroll and Robert, were also lawyers. Carroll worked with his father in the Nevada City office, while it appears Robert worked for the city of San Francisco.

During one of my visits to the Searls Historical Library I asked if there were any personal papers available. After some investigation, one of the volunteers located a worn box the size of a ream of paper marked “Personal Papers.” I spent a little over 5 hours going through that box reading correspondence that dated from a letter written by then Commissioner Niles Searls to his son Fred on December 31, 1897 through the mid-1920’s. Many of the letters were correspondence between the brothers Robert and Carroll.

At first, as I sifted through the documents, I felt like I was intruding on them. However, the more I read, and the more acquainted I became with them, the more I felt as if they would be pleased to know that their documents were being used to educate a new generation.

For example, it was through reading a “Statement for

## Fred Searls’ Form 1040 (Revised) for the Tax year 1915

Fred Searls’ net income in 1915 was \$3,779.06. His exemption was \$4,000.00, so Fred did not owe any tax for that year. If he did exceed his exemption, his tax would have been 1 percent of all income up to \$50,000.

Hyperlink to Fred Searl’s 1040 form  
[www.solanobar.org/01archives01searls.html](http://www.solanobar.org/01archives01searls.html).

## Hey, Mr. Jeweler – Drop that 1+ carat diamond ring in the mailbox so I can have a free-bee look-see!

“Yeah, right” you say? But that’s exactly what Carroll Searls did. On August 31, 1918 Shreve and Company of San Francisco sent a 1+ carat diamond ring set in platinum to Carroll Searls for his inspection – without any type of payment or security. On September 4, 1918 Carroll Searls wrote to Shreve and Company, stating that the ring in general was satisfactory to him, but he had further questions as to its quality and size of stone.

From the contents of his letter it appears Mr. Searls returned the ring to Shreve and Company with the letter. In it Mr. Searls noted that Shreve did not request a deposit, but he mailed \$150.00 to them to hold the ring for Christmas. On September 6, 1918 Shreve wrote back, assuring Mr. Searls that the center diamond weighed 1.11 carats, and was “River quality absolutely perfect,” and was “set with forty-six small diamonds.” How much did the ring set Carroll Searls back? \$835.00.

Copies of the 3 letters can be found at  
[www.solanobar.org/01archives01searls.html](http://www.solanobar.org/01archives01searls.html)

American Lawyers” filled out by Fred Searls that I learned that he received his legal education from “Judge Niles Searls in law office,” and that he never received any legal degrees. Fred wrote on the form that he specializes chiefly in “mining practice” and “mining corporations.” He was born in 1856 and received his “A.B.” degree from the University of California in 1876. There was also a letter from PG&E to Fred dated September 6, 1913, which mentions Fred’s retainer of \$40.00 from PG&E.

In going through the letters I also learned that Robert was a mentor to his younger brother Carroll, advising him as to how to go about collecting attorney fees, and warning him about taking a certain “gentleman” into partnership with him. Young Carroll wrote his brother apologizing for temporarily losing “that d—check,” which he found tucked

*Searls Family Practice continued on page 17*

*Ask the Ethics Maven continued from page 8*

malpractice lawsuit, and unless you've stolen money the Bar is none the wiser. Or, you could wait for the client to ask for it, but make sure to notify her of the option of fee arbitration.

Lawyers are not brought in, and you both just tell the arbitrator your case at the hearing. It takes place somewhere like your local Bar Association or at the arbitrator's office. The local Bar will handle those details; they do all the leg work.

So few lawyers take advantage of this, but it works, as over 90% of matters handled by arbitration result in a final judgment, even where the parties make it non-binding.

Call now, and ask about it.

**Very truly yours, The Maven**

---

*Carol M. Langford is a lawyer in Walnut Creek who specializes in attorney conduct matters and State Bar defense. She is a past Chair of the California Committee on Professional Responsibility and Conduct and an adjunct professor of ethics at the University of California Hastings College of the Law. These factual situations come from actual letters and issues that have come up in her practice. You can write her at 100 Pringle Ave. Suite 570, Walnut Creek, California 94596. Not all letters can be responded to in this column.*

**CASA** - continued from page 9

Ave., Suite 204, Fairfield, CA.

Please feel free to contact our program at 421-2272 to volunteer.

## CASA needs your help!

CASA is in need of gently used children's and teen's clothing, and toys. If you have anything you would like to donate, please call Maria Moses at 434-0346 or Cynthia Wojan at 301-6733.

## CASA's Annual Independence Luncheon

CASA'S annual fundraiser luncheon will be held in Fairfield on July 10th. Please call Cynthia Wojan at 301-6733 for tickets and further information. They are also accepting donations for their raffle and silent auction.

For more information about CASA, please go to <http://www.casasolano.org> **SL**

---

*Maria G. Moses is the Executive Director of CASA (Court Appointed Special Advocates) For Children – Solano County.*

## If Quality and Experience matters....

Doucette & Associates has been providing quality court reporting services by experienced reporters for over 20 years.

- Certified Shorthand Reporters
- Complex Litigation Services
- Reporting for Hearings & Arbitrations
- Deposition Suites
- Documents Production (Subpoena or Authorization)
- Many more services

**DA**  
**Doucette & Associates**  
Certified Deposition Notaries



**[www.doucettereporters.com](http://www.doucettereporters.com) • 707-554-9970**  
Main Office, 1219 Marin Street, Vallejo, CA 94590 • Fax 707-554-9970

# Shark Bytes



## Wedding Bells for Jeanette Garcia



From left to right: Wendy Casas, Jaye Ryan-Maas, Thomas Maas, Jeannette Garcia, Timothy Valencia, Claudia Quintana, Kim Alexander-Yarbor and baby Kennedy Yarbor. All local Solano County lawyers except for the groom and... the lil' gal.

## Local Vallejo Attorney – Proud Mother



Congratulations to local Vallejo attorney (and now new mom) Dora Rios and to proud dad Darron P. DeGeorgis on the birth of their son Anthony Phillip DeGeorgis, born Feb. 29, 2008 at 8 lbs 3oz 20-1/4 inches

## Commissioner Alberta Chew Retires

A retirement luncheon, sponsored by Solano County Women Lawyers, was held on June 12, 2008 for retiring Commissioner Alberta Chew. Commissioner Chew retired as of June 30, 2008 after 14 years of dedicated service. The luncheon room was packed with well-wishers, but, as luck would have it, Commissioner Chew was late to arrive due to being detained in court! Solano County Women Lawyers and the bar bid her a fond adieu and wish her every happiness as she enters her new lifestyle.

## Daughter of Jo Ann Parker, Deputy County Counsel...

Kimie O'Neill, daughter of Jo Ann Parker, Deputy County Counsel, graduated on May 14, 2008 with honors from New York University in ceremonies at Yankee Stadium and Lincoln Center. Kimie is continuing with her internship at a Soho art gallery while she decides between the pursuit of graduate studies to become an art curator or an attorney specializing in art law.

**K<sub>2</sub> Law**

**KNITTER & KNITTER, LLP**

*Attorneys • Counselors • Advisors*

595 Buck Avenue, Suite D, Vacaville, CA 95688

**Probate, Trust, Elder Law & Litigation**



davek@k2attorneys.com  
vickiek@k2attorneys.com

707.469.8880/ph  
707.469.8881/fax

**Dave Knitter**

www.knitterlaw.com

# Out of Africa

By Lisa O'Brien

My husband, Jim, is a retired CHP motorcycle officer of 31 years. Having been retired now for 9 years, his new profession is to kill things. He is not happy unless something is dead and bleeding in front of him. He is an avid sportsman, in that he hunts, fishes, free-dives, tank-dives and "tracks" for about 26 weeks out of every year now. However, our motto is firm . . . "You kill it, You eat it." We have never been fans of trophy hunting and only hunt edible animals. Our homes are full of "dead heads" on our walls and our three full size freezers are full of meat, fish and abalone! So when a friend of our suggested we look into an African safari, the first thing I thought was, "thanks, but no thanks," because I assumed those animals were hunted for trophy hunts only.

After a little investigation, I was informed that the animals are, in fact, eaten by the African residents and no part of the animal is wasted. So we secured a 7 day, four animal, African safari hunt in South Africa, city of Lompopo at a charity auction for \$2,500.00. What a great deal, huh? Four animals, one wife and one hunter for that little price.

So we then went airline shopping and found a one-stop 25 hour flight for \$4,000.00 total. Okay, now we are up to \$6,500.00. But, what the heck, you only live once. The guide called us several times and emailed us several times and ended each conversation with "bring lots of money." So we took \$5,000.00 cash with us, figuring that would suffice in that the Rand was 7.5 to our U.S. dollar.



Although our hunt was 7 days, we booked a ten day flight and planned on spending three days visiting Johannesburg. We arrived at the Johannesburg airport and our guide had agreed to pick us up and deliver us to his ranch (some two hours away) for a mere 500 U.S. dollars. On our ride to his ranch he mentioned that he was a South African police officer for twenty years, and when we mentioned we wanted to get back to Johannesburg early to spend some time there checking out Africa he adamantly refused to drive us there as he told us it was not safe and that he



would find us somewhere else to go visit . . . and did you bring a lot of money?

Our first day was used to rest, in that we just abused our bodies by forcing them to stay still for 25 hours next to that screaming little 3 year old child. We also enjoyed the fact that there was no cellular or Internet service for ten days!!!!

The following day we were up at dawn and out "trolling" his ranch which spanned thousands of acres. We saw literally hundreds of wild animals daily. Every African animal you can think of ran across our path. We started each day with a huge breakfast, hunted until noon, came back for lunch, "napped" and went back out about 3:00 p.m. each day until after dark. We "purchased" a four animal hunt: A Wildebeest, Gemsbok, Impala and MY FAVORITE: a Wart Hog. We were successful in each hunt with a one shot, one kill ratio.

The ranch skinner took our animals after each hunt and skinned them down to NOTHING, and before the close of business that day our Ranch Guide had sold the meat to the local jail for the prisoners to eat!

At the end of the 7 day hunt our guide talked us into securing a three night stay at Sun City, South Africa. It was a beautiful luxurious hotel that served a huge all you can eat breakfast each day. That stay was 300 U.S. dollars a night (who do they think they are, the Napa Valley?), and then we paid for our lunch and dinner and all of the other excursions we chose. The sign on the hotel room glass sliding door read, "DUE TO MONKEYS, BABOONS AND AIR CONDITIONING, KEEP DOOR CLOSED." There were literally animals running around you at all times! Then the hotel delivered us back to the Johannesburg hotel for a mere 300 U.S. dollars.

Upon leaving the South African airport I purchased a local newspaper and read that in the ten days we had been visiting South Africa there had been 56 grisly murders in Johannesburg. That's six murders a day. Guess our guide knew what he was talking about by refusing to allow us to go visit Johannesburg for 3 days.

We are having our animal heads mounted and the hides tanned for a grand price of \$3,500.00, and then after they sit in quarantine for 12 months (to ensure no diseases come to America) then they will only charge us \$1,500.00 to ship them over to California. So, after visiting the bank three times while there to secure more funds, the total trip cost exceeded \$16,000.00.

Would I do it again? In a heart beat!

*Lisa O'Brien owns the Law Office of Lisa O'Brien in Napa*

*California Lawyering continued from page 6*

California parole system in 1893 and the author of the Foltz Defender Bill, which created the state system of public defenders for the criminally accused.<sup>7</sup>

Against this back drop, I reviewed the case files stored at the Searls Historical Library. Each case file was triple folded and tied with ribbons, stored in antique metal cabinets. These files contained pleadings filed with the Courts (14th District of California – Nevada County, County Court and Court of Sessions) roughly spanning the period 1860 through 1879.

By virtue of geography, the majority of the cases involved some aspects of mining rights claims. It was fascinating to see that just as today, parties were seeking injunctive relief, pre-judgment attachments and other equitable relief from the court, and just as today, the court required posting of undertakings in order to grant the relief sought.

It appeared that the Sheriff was the only process server in the county. If the party was unable to serve the defendant, similar to modern times, orders for service by publication were issued by the court.

In criminal matters, indictments were by Grand Jury.

Jury instructions in both civil and criminal matters were succinct and went to the heart of the cause of action or charge being tried. It was rare to find more than three to four jury instructions from each side.

It was also interesting to see the number of divorce filings in that time period. Life was certainly not easy for these folks, and frequently, relationships ended in divorce. Although a majority of divorce filings were by men, it was not uncommon to see filings by women.

I was surprised to see that just as is true today litigation was not cheap. For example, in one 1862 civil case the Memorandum of Costs totaled \$158. The Memorandum included Sheriff's fees (\$18.50), Clerk's fees (\$16.50), jury fees (\$36) and various witness fees (e.g. Mr. Charles Benninger, 4 days, 6 miles - \$13.50).

What I was not able to glean from reviewing these files was what effort, if any, the parties had expended in resolving their disputes outside of the courtroom; although, judging by some of the costs claimed, I suspect lawsuits were not the litigants' first choice.

What I found in these files was a level of sophistication that could

easily find expression in today's practice of law. If there is a single lesson I learned from this project it is this: there was an elegant simplicity in the way disputes were pled in those early days. Not that the issues were any less sophisticated than they are today, but that the issues in dispute were distilled down to their bare essence and what was placed before the jury often went to the heart of why the litigants were in court in the first place. Reviewing these case files I am reminded of Hemingway's famous quote: "eschew surplusage".

Perhaps it was the difficulty in drafting pleadings in long hand that forced the lawyers to think through what cause of action (or charge) they wanted to pursue in court or what jury instructions to ask for, that I did not see any canned pleadings – as is frequently the case today. It appeared to me that the issues were more distilled, focused and to the point.

I hope you enjoyed this article and I encourage you to stop by the Searls Historical Library next time you are in Nevada City. Be sure to tell Ed I said "Hi".

Bob Javan **SL**

<sup>[1]</sup> Gordon Morris Bakken, *Practicing Law in Frontier California* (Lincoln, NE: University of Nebraska Press, 1991), p. 5.

<sup>[2]</sup> W. Turrentine Jackson, ed., *Twenty Years on the Pacific Slope*, pp. 35, 37.

<sup>[3]</sup> Sepulveda to Joseph L. Brent, Feb. 6, 1878, Joseph L. Brent Collection, box 3, Huntington Library.

<sup>[4]</sup> Robert Stevens, *Law Schools: Legal Education in America from the 1850's to the 1900's*. It is noteworthy that California's first constitution was adopted a year before its official membership in the Union on September 9, 1850, as its thirty-first state. Article VI of the Constitution established the Judicial Department, vesting judicial power in the "Supreme Court, in District Courts, in County Courts, and in Justices of the Peace." The Supreme Court consisted of one Chief Justice and two Associate Justices. The State was divided into judicial districts, with one judge per district. The District Court had appellate jurisdiction of County Courts and Court of Sessions. Each county had its own County Court under the supervision of a county judge and primarily handled civil matters. The Court of Sessions was composed of the county judge and two justices of the peace. This court handled lesser criminal cases and the administrative affairs of the county. By analogy, the District Courts were similar to Superior Courts, and County Courts and Courts of Sessions may be considered the civil and criminal wings of the Municipal Courts, respectively.

<sup>[5]</sup> Bakken, *supra*, at pp. 20-21.

<sup>[6]</sup> *Ibid.* at p. 124.

<sup>[7]</sup> Thomas Garden Barnes, *Hastings College of Law: The lint Century*, pp. 48, 56.

To view scanned historical documents go to:  
[www.solanobar.org/01archives01searls.html](http://www.solanobar.org/01archives01searls.html)

*Bob Javan is an Attorney at Law in Fairfield and President of the Solano County Bar Association.*

Reach over 300 targeted members and an additional 1,500 in the trade!

Put your business in front of a very targeted market of legal practitioners and the larger community that supports them.

To run an ad in Solano Lawyer call 707-428-1743 or go to:  
[www.solanobar.org/magazine.htm](http://www.solanobar.org/magazine.htm) for pricing and ad sizes.

This ad is a 1/8 page 3-11/16" (3.7") wide x 3-3/8" (3.375") tall  
\$150 per issue or \$450 (25% discount) per year (4 issues)

# No Cost Family Law CLE Seminar in August

By Rhoda A. Chandler

The Solano County Court, The Solano County Family Law Committee, The Family Law Judicial Officers and The Solano County Bar Association are presenting a *no-cost, Judgment Preparation and Submission Seminar on Saturday, August 9, 2008 from 8:30 am to 12:30 pm. The Seminar will take place at the John F. Kennedy Library's Joseph room in Vallejo.* The half-day seminar is intended to assist Family Law Attorneys and Paralegals with ensuring their various judgment packets contain all necessary documents to sail through judgment review.

## “...Attorneys and Certified “Paralegals” and “Legal Assistants,” shall receive 4 hours of CLE credit.”

Attorneys and Certified “Paralegals” and “Legal Assistants,” shall receive 4 hours of CLE credit. This is important for Family Law Attorneys, and Certified Paralegals/Legal Assistants because of the passage of AB 1761 back in 2000, which established strict rules under the Business & Professions Code §6450, regulating the use of the titles “Paralegal” and “Legal Assistant.” The law requires mandatory continuing legal education (MCLE) for California Paralegals. California is one of the only States to require CLE for Paralegals. In addition to meeting other requirements under the statute, persons using the term “Paralegal” or “Legal Assistant” in describing their services, must take a minimum of 8 hours of MCLE. (4 hours of General education every 2 years and 4 hours of Ethics every 3 years). The monetary sanctions for violations of the new rules are significant.

Violation of “unlawful activity” (not being properly certified due to insufficient education or noncompliance with MCLE) or the “holding out” rules (holding oneself out as a Paralegal or Legal Assistant without the required certification) is an infraction for the first violation, punishable upon conviction by a fine of up to \$2,500 as to each consumer to whom a violation occurs. (Bus. & Prof. Code §6455(b).)

Each subsequent violation is a misdemeanor punishable upon conviction by a fine of \$2,500 as to each consumer to whom a violation occurs, or imprisonment in a county jail for not more than one year, or by both fine and imprisonment. (Id.) Any person convicted will be ordered to pay restitution to the victim. (Id.) The attorney who uses the services of a paralegal is liable for any harm caused as the result of the paralegal’s negligence, misconduct, or violation of the new paralegal rules. (Bus. & Prof. Code §6152(b).)

## Sign up today!

- For pdf newsletter users, please click on the image below to access online pdf form to print out.
- Hard copy users please go to the following web address to access a copy of the form:  
[http://www.solanobar.org/magazine\\_assets/archives/2008/Summer/support/registFamLawSmmr060408.PDF](http://www.solanobar.org/magazine_assets/archives/2008/Summer/support/registFamLawSmmr060408.PDF)

2008  
Solano County Superior Court  
Family Law Judgment  
Preparation And Submission  
Seminar  
Saturday, August 9, 2008  
8:30 AM - 12:30 PM  
John F. Kennedy Library  
Joseph Room  
593 Santa Clara Street  
Vallejo, California 94590

REGISTRATION FORM

NAME: \_\_\_\_\_  
FIRM: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_  
STATE: \_\_\_\_\_  
ZIP: \_\_\_\_\_

STATE OF CALIFORNIA  
I, \_\_\_\_\_, hereby certify that the above information is true and correct.

Printed Name: \_\_\_\_\_  
Printed Title: \_\_\_\_\_  
Printed Firm: \_\_\_\_\_  
Printed Address: \_\_\_\_\_  
Printed City: \_\_\_\_\_  
Printed State: \_\_\_\_\_  
Printed Zip: \_\_\_\_\_

Sponsored by:  
Team #9 of the Law Firm of  
Hodson & Mullin, Hubbard,  
Unger and Urquhart, Mattice  
Law Office, and the  
Law Firm of  
Hodson & Mullin, Hubbard,  
Unger and Urquhart, Mattice  
Law Office.

Consumers injured by a violation of the rules may also file their own complaint and seek redress in municipal or superior court for injunctive relief, restitution and damages. (Bus. & Prof. Code §6455(a).) Attorney’s fees will be awarded to the prevailing plaintiff. (Id.) With such stiff sanctions, noncompliance is not an option. The rules will be reviewed at the seminar.

Offering the seminar at no cost is intended to ensure compliance with Paralegal/Legal Assistant statutory rules as well as maximizing attendance with the goal of continued excellence among Solano County Family Law practitioners. The no cost seminar is only possible through the generous financial sponsorship of the Law Firms of Hodson & Mullin, Hubbard, Unger and Urquhart, Mattice Law Office, and the

*Family Law Seminar - continued on page 17*

## Family Law Seminar - continued from page 16

Law Office of Russo and Prince.

The educational CLE presenters include Solano County Attorneys Miranda Barber, Daniel Cantrell, Christine Carlson, Rhoda Chandler, Shauna Chastain, Shannon Elms and Joanne Harris. A special post-In Re Marriage of Feldman presentation by California Super Lawyer and Certified Family Law Specialist, John Hodson, will also take place. Mr. Hodson is a member of the California State Bar Family Law Section Executive Committee (FLEXCOM) which is responsible for drafting and reviewing proposed family law legislation and directing State family law practice. As a FLEXCOM member he chairs the questions of 14 standing committees throughout California. Almost all of the seminar presenters are either Certified Family Law Specialists or in the certification process. The seminar presenters have volunteered their time to prepare the educational materials and to give their time on the day of the event to make seminar presentations, also helping to make this a no cost CLE seminar.

The event will open with a meet and greet by Family Law Presiding Judge, D. Scott Daniels, who has supported the event, and who, together with the other Family Law Judicial Officers, Judge Wendy Getty, Commissioner Haet and Commissioner Chew, have ensured the seminar's success. The Mattice Law Office is hosting the morning coffee and donuts "meet and greet."

Solano County is fortunate to have an unusually high representation of Certified Family Law Specialists in the County already, with a whole new group having recently passed the specialist exam and in the certification process. Our County is fortunate to have a superior family law bar dedicated to excellence in Family Law practice in Solano County. Kudos go out to our wonderful Solano County Family Law bar members, Family Law Firms, support staff, and the Family Law Judicial Officers for making this valuable event possible.

---

*Rhoda A. Chandler, is an Attorney with Hodson & Mullin, Attorneys at Law and is also the Seminar Coordinator.*

## Searls Family Practice - continued from page 11

away in his Sunday School book.

A few of the personal letters are available for viewing through the following hyperlink:

[www.solanobar.org/01archives01searls.html](http://www.solanobar.org/01archives01searls.html). See images 1923\_00606p1&pg2 and 1915\_0115. The others, along with the Searls' cases and other records from the period (a huge book containing a hand-written record of the personal property of married women, for one example), are yours for the viewing at the Searls Historical Library. If you're interested in finding out more for yourself, I suggest you not dawdle. According to curator Ed Tyson plans are afoot to move the contents of the library, and destroy the grand old building. If that happens, California will have lost an unparalleled, one-of-a-kind part of its legal history. **SL**

<sup>1</sup> [www.nevadacountyhistory.org/htmls/searls.html](http://www.nevadacountyhistory.org/htmls/searls.html) 06-15-08

<sup>2</sup> Native Sons of the Golden West, Hydraulic Parlor No. 56, A Little Background on Niles Searls; Nevada City, California

<sup>3</sup> Oscar T. Shuck, ("Scintilla Juris"), Bench and Bar in California: History, Anecdotes, Reminiscences (San Francisco, CA: Occidental Printing House, 1991, Digitized by Google), p. 95.

<sup>4</sup> Oscar T. Shuck, ("Scintilla Juris"), Bench and Bar in California: History, Anecdotes, Reminiscences (San Francisco, CA: Occidental Printing House, 1991, Digitized by Google), p. 92.

<sup>5</sup> Oscar T. Shuck, ("Scintilla Juris"), Bench and Bar in California: History, Anecdotes, Reminiscences (San Francisco, CA: Occidental Printing House, 1991, Digitized by Google), p. 92-93.

<sup>6</sup> Oscar T. Shuck, ("Scintilla Juris"), Bench and Bar in California: History, Anecdotes, Reminiscences (San Francisco, CA: Occidental Printing House, 1991, Digitized by Google), p. 93-94.

<sup>7</sup> Oscar T. Shuck, ("Scintilla Juris"), Bench and Bar in California: History, Anecdotes, Reminiscences (San Francisco, CA: Occidental Printing House, 1991, Digitized by Google), p. 94.

<sup>8</sup> Oscar T. Shuck, ("Scintilla Juris"), Bench and Bar in California: History, Anecdotes, Reminiscences (San Francisco, CA: Occidental Printing House, 1991, Digitized by Google), p. 96.

---

*Valerie Dodini is a family law attorney who practices in Fairfield*

## Tech Tidbits

### Redact Text in Word

Need to redact text professionally? Microsoft Word Redaction add-in for Office 2003 will do the job and is downloadable from Microsoft. You can read your own redacted text, but when you export the document in redacted form the marked portions cannot be read (or edited if you choose this limitation). So the next time your [REDACTED] requires you to [REDACTED] you can [REDACTED]!

### Free Conference Calls

Have the need for reservationless phone conferencing? Would you also like to record those conference calls? At [www.freeconferencecall.com](http://www.freeconferencecall.com) you can do both for free. Registration (your name and e-mail address) is all that's required to host up to 96 callers per conference call - available 24/7. Once registered, freeconferencecall.com provides you with a number to call and an access code for all participants, and "your account is good until you no longer have a need for the service or if notified of any changes." Check it out!

# L'astrologie du jour

By Madame Claudia

## CANCER June 20 - July 21

You'd better look to the stars for guidance now because that's all you've got. You will not find it in the courtroom or in the office. In a pinch, seek counsel with a 4 year old. If you don't have one, borrow one from a neighbor.

## LEO July 22 - Aug 21

You can see an important birthday approaching on the horizon. Nevertheless, during the next few weeks you will come to terms with the fact that you are charming, intelligent, good looking, and gosh-darn-it, people like you.

## VIRGO Aug 22 - Sept 21

Your feistiness will be underestimated, and your opponents will not even know what hit them when you serve them up with your brilliant summary judgment motion (or some other dispositive motion), looking perfect and made from scratch. They'll be so amazed they will fail to file any responsive pleading, and it is very likely you'll win by default.

## LIBRA Sept 22 - Oct 22

The mysteries of the universe will reveal themselves to you as you wait for your case to be called, and the judge drones on and on. But before you run screaming

from the courthouse to respond to the call of the wild remember to check your appointment book: your attendance at an important philanthropic event will change many things for the better.

## SCORPIO Oct 23 - Nov 20

Now is an excellent time to pay close attention to your health and the food you are eating. Take the extra time to eat fruit and veggies, switch from Diet Coke to water, and try some V-8 for dinner instead of Scotch. You will have help in your new healthful endeavor as a good looking member of the opposite sex offers to buy you lunch.

## SAGITTARIUS Nov 21 - Dec 20

Important steps are made towards resolution of that never-ending pain-in-the-neck case: the current judge is replaced with a new judge who is more interested in settling. Take advantage of the change by calling up your opponent and commiserating. You will find that he/she is just as sick of that case as you are. Excellent time to settle!

## CAPRICORN Dec 21 - Jan 18

Your relationship with someone close has turned complicated, and you feel like you are going through the motions. Hang in there, as Venus is about to come

into the picture and with a big flash, show you everything you have in a new light. You will again remember why it's all worth it, and begin enjoying every second!

## AQUARIUS Jan 19 - Feb 17

There is a burden that has been hard to carry, and after months of resignation, you will finally get some help. Make sure to take some time out for yourself, and let yourself breathe! So what if there are no billable hours in Tijuana!

## PISCES Feb 18 - Mar 19

For you, it is time to settle down after a period of time of fervent socializing. Your intuition was right, and you picked the right people to help you! Now is the time to let go and let them do their job. Great job little fish!

## ARIES March 20 - April 18

You will meet an interesting

person under challenging conditions and an impulsive relationship may ensue. Your enthusiastic disposition (deposition?) wins over this person who will help you in the future.

## TAURUS April 19 - May 19

The Sun is in Taurus! It is an excellent time to head down to a tropical beach or other sunny location. If work does not allow this, at the very least have a margarita with a fellow Taurus!

## GEMINI May 20 - June 19

You are feeling unusually brave, and take even more risks than is usual for you. A little extra planning and attention to detail will ensure that those risks pay off. Success is near!

*Claudia Quintana is Assistant City Attorney for the City of Vallejo and part-time astrologist.*

## Upcoming Events

All events please RSVP Julie Hilt, SCBA Executive Director at 707-422-5087 or email [scba@solanobar.org](mailto:scba@solanobar.org)

August 9, 2008, 8:30am - 3:45pm

### Scientific Issues Pre & During Trial

Solano County Admin. Center, 675 Texas St., Fairfield 707-784-6700

August 21, 2008, 12 noon

### Balding Scholarship Lunch

Courtyard by Marriott, Holiday Lane, Fairfield. Guest speaker is Kevin Johnson, Dean of the UCD Law School.

September 18, 2008, 6 pm

### Meet and Greet Your Local and Elected Officials

Ledgewood Creek Winery, Suisun.

Since the beginning of time people have been trying to communicate with each other...  
...our graphic design will make it easier for you.

|                |                  |
|----------------|------------------|
| Advertising    | Packaging        |
| Brochures      | Photography      |
| Bz Cards       | Photo Retouching |
| Catalogs       | Postcards        |
| Display Booths | Posters          |
| Flyers         | Present. Folders |
| Labels         | Printing         |
| Logos          | Websites         |
| Newsletters    |                  |

**GDS**  
GARSON  
DESIGN  
SERVICES

707-428-1743  
[www.garsondesign.com](http://www.garsondesign.com)  
[mail@garsondesign.com](mailto:mail@garsondesign.com)