



NEWS ALERT

November 2023

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DEAR PANEL MEMBERS,

From ADI to each of you, we hope you have a beautiful Thanksgiving!

Ombudspersons

Siri Shetty will be taking over Art Martin's role as panel ombudsperson. The ombudspersons are our panel liaisons. Attorneys who seek guidance with a problem, experience difficulties with another staff attorney, or for other reasons need special advice, may contact Linda Fabian at lmf@adi-sandiego.com, or (619) 696-0284, ext. 122, or Siri Shetty at sds@adi-sandiego.com or (619) 696-0284, ext. 144.

Court & ADI Holidays

- Veteran's Day – Friday, November 10th
- Thanksgiving – Thursday and Friday, November 23rd and 24th

Using the Judicial Council EOT Form without Printing & Scanning

To TrueFile this form, complete it using Adobe, save it, and sign it using the Adobe signature tool. Once signed, save the document under a different name. The document can then be TrueFiled. No printing or scanning is required. (This procedure may require a paid version of Adobe.)

Extension Requests in Division One Dependency Appeals to Include a Waiver of Corresponding 8.360 Time

When requesting an extension of time in a Division One dependency case, the request must include a statement agreeing that any 8.412(d) (or 8.416(g)) default time will be reduced by the number of days of the extension. (This includes extension requests tied to an augment or correction.) The language can be something like: "I agree that any additional time granted may be deducted from the period provided under California Rules of Court, rules 8.412(c) and (d) and 8.416 (f) and (g)."

Dependency Records in San Bernardino Superior Court

In the September alert, ADI indicated that the San Bernardino Superior Court would no longer be sending dependency records on CD. The superior court is still in the testing phase and has not begun emailing links to download the pdf. Until the testing is complete, the court will continue to send the records on CD.

Retained Counsel Substitutions

Please continue to consult with ADI when a retained attorney has indicated their desire to substitute in on your appointed case. Often retained counsel contacts appointed counsel directly and asks counsel to sign the substitution form. Please refer retained counsel directly to ADI. Once ADI has verified that counsel is indeed retained, ADI will file a motion for substitution with the Court of Appeal. (Appointed counsel does not need to sign the substitution form.)

There are scenarios where substitution is not appropriate (e.g., the family has hired an attorney without the consent of the client, the court declines to approve the substitution, etc.). The court wants ADI to screen retained substitutions and ensure that they are in order. Be sure to keep the record until the court has approved the substitution.

The Office of the State Public Defender is offering the following SVP Webinars

Use the link below to register for the webinar:

Help! I just got an SVP case, what do I do?

- Presenters: Ellen Coleman and Dr. Hy Malinek
- Date/Time: December 1, 2023 at 12:15 p.m.
- Reg link: https://us02web.zoom.us/webinar/register/WN_cli610JvQwWlqmvnWmcfHQ#/

Working with SVP defense experts and preparing for prosecution SVP experts

- Presenters: Sachiel Slavin and Joeseeph Penrod
- Date/Time: December 14, 2023 at 3:30 p.m.
- Reg link: https://us02web.zoom.us/webinar/register/WN_49Zc5FxsSAuPO_OGX0zow#/registration

Nuts and bolts of SVP law

- Presenter: Douglas Feinberg
- Date/Time: December 18, 2023 at 12:15 p.m.
- Reg link: https://us02web.zoom.us/webinar/register/WN_ivEyNWP6SZKuGbFICqwR7g#/registration

Understanding treatment options

- Presenter: Marjorie Kirkwood
- Date/Time: December 19, 2023 at 3:30 p.m.
- Reg link: https://us02web.zoom.us/webinar/register/WN_J5UKBBseSyW-Ywigq43GUw#/registration

As always, please reach out to me if you have any questions, concerns, or suggestions.

~ Lynelle

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