

News Alert March 2024

TOPICS

MCLE Opportunities

SB483 Appeals - Update

San Bernardino Superior Court Records

DEAR PANEL MEMBERS.

MCLE Opportunities

CADC'S 30th Annual Conference | March 22-23, 2024 | Remote Seminar

Registration is now open for CADC's Annual Conference and Seminar. The two-day conference will be filled with informative and inspiring presentations, including the Project Director's Roundtable, a report from CADC's lobbyist, and criminal and dependency break-out sessions, providing a total of up to 9.0 hours of MCLE credit. For more information and to register, please visit CADC's website: https://cadc.net/registration/

2024 Annual Defender Dinner | April 19, 2024

Please save the date for our annual dinner where the entire San Diego defense community comes together. Justin Brooks will be the keynote speaker. The Conant-Cleary Award will be given to Michael Crowley. The Paul Bell Award will be given to John Staley. For more information, view the flyer on the upcoming events page of the website.

What's New in Division Three | April 23, 2024 @ 10:30 a.m. | Hybrid

Please join us on for a very special one-hour hybrid MCLE presentation featuring Presiding Justice Kathleen O'Leary and all seven associate justices from Division Three. Justice O'Leary will introduce the justices, share some thoughts and insights, and answer some of our questions.

The event will be held at the Paul Bell Library at ADI's office at 555 W. Beech Street, Suite #300, San Diego 92101. The program, also be available through Zoom, is pre-approved for one hour of general and appellate specialization MCLE credit. We will provide login instructions and more details about the program soon. The event will be recorded.

What's New in Division One | May 28, 2024 (Time is TBD) | Hybrid

Division One will be joining us for a one-hour hybrid MCLE presentation. At the Paul Bell Library, we will welcome Administrative Presiding Justice Judith McConnell, managing attorney, Karen Harkins, and clerk/executive officer, Brandon Henson. Additional justices may join as well. This event is in the planning stages, additional information to follow.

SVP Training Part II

- Unpacking SVP PC Hearing | March 6th from 3:00-4:00 p.m.
 - Register here: <u>https://us02web.zoom.us/webinar/register/WN_levIILyjRd2nqLfpatQJoQ#/registration</u>
- Unpacking SVP trial | March 21st from 3:30-4:30 p.m.

- Register here:
 https://us02web.zoom.us/webinar/register/WN_3zCKfo4UQQaviyeYqbeevQ#/registration
- Mitigating Future SVP Commitments | April 18th from 3:00–4:00 p.m.
 - Register here:
 https://us02web.zoom.us/webinar/register/WN gpF85re1SjKbrcGtGgsV w#/registration
- Recognizing SVP Appellate issues | April 23rd from 12:15–1:15 p.m.
 - Register here:
 https://us02web.zoom.us/webinar/register/WN_ykC8P2yNSkW2w7V77GMBjw#/registration

SB483 Appeals - Update

The California Supreme Court has granted review in *People v. Rhodius* (2023) 97 Cal.App.5th 38, review granted Feb. 21, 2024, S283169, to address the following issue as summarized in the court's News Release: "Does Senate Bill No. 483 (Stats. 2021, ch. 728) entitle a defendant to a full resentencing hearing under Penal Code section 1172.75 if the defendant's prior prison term enhancements (Pen. Code, sec. 667.5, subd. (b)) were imposed and stayed rather than imposed and executed?" The opinion remains published while the court considers the merits of the case. Note that review has also been granted and held under this lead *Rhodius* case, in *People v. Christianson* (2023) 98 Cal.App.5th 300, review granted Feb. 21, 2024, S283189.

San Bernardino Superior Court Records

A panel attorney contacted the San Bernardino Superior Court and shared this information for the newsletter: If you receive one volume of an RT in a case with multiple volumes, it may be that all volumes were bound together. If the aggregate RT is 300 pages or less, the superior court may bind it into one volume to make it easier for everyone. The superior court also indicated that on 1172.6 cases, they prefer a motion to augment rather than a record omission letter when requesting jury instructions and verdicts from the prior trial. In the superior court's view, the material is not part of the normal record.

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

~ Lynelle



