

THE STATE BAR OF CALIFORNIA

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CONFIDENTIAL

MCLE Article: What it Takes To Be A Putative Spouse in California and Its Benefits: Part II - Voidable Marriages

By Judge Mark Juhas

Expert Witness Testimony: What's all the Hype over *People v. Sanchez*?

By Melinda Sammis

Confidential or Not? Exploring the Admissibility of Settlement Discussions

By Justin M. O'Connell



Message from the Chair

David Lederman

What we do: Legislation Spotlight

The new legislative season is off to a great start. Our Legislation Chair, Dorie Rogers out of Orange County, has already tagged forty-eight bills for tracking. Dorie and her team track all of the legislation coming out of Sacramento and identify those that do or may impact the practice of family law. Dorie then assigns each of these bills to an Executive Committee member to “work up.” The work-up process requires the assigned member to reach out to the legislator’s office to determine the intent of the legislation, get an idea as to how it is expected that the legislation will develop, get the facts sheets regarding the bill, identify the “stakeholders,” analyze the bill, and recommend a position for the Executive Committee to take on the proposed legislation. The last day for a legislator to introduce a bill was February 17th. However, the last day to amend a bill is September 8th, 2017. Many of the bills introduced by February 17th are “spot bills,” or placeholders, that will be amended over the next few months. Our first legislative business meeting was March 10th to review and discuss the pending legislation and at least take an initial position. To follow the legislation being tracked by the section, please see www.calbar.ca.gov/AboutUs/Legislation/BillTrackingSectionsandCommittees.aspx.

Update: State of the Bar

Senate Bill 36 (AKA S.B.36 2017-2018 Reg. Sess.) is the “Attorneys: annual membership fee” bill, AKA “The Fee Bill.” This bill will likely house the legislation that will terminate the unified Bar, turning the California State Bar into regulatory agency and spinning the Sections off into their own standalone entity. Until recently, there was a raucous discord between two camps on the issue of the continued viability of the Sections. One camp wanted to create a nongovernmental nonprofit corporation; the other wanted to create a separate state agency under the auspices of the California Supreme Court. That debate



appears to have ended with the Supreme Court indicating that it did not want to create another governmental subdivision. Thus, we, the Sections of the State Bar of California, will shortly band together and form our own nongovernmental entity. Although we will be independent, we expect to be able to negotiate with the Bar to retain our online educational programs and be the exclusive vendor for State Bar-sponsored education.

The Family Law Section will continue with our legislative work and our publications, including Family Law News and E-news, which is being renamed the *FLN Monthly* to be more tightly integrated with the quarterly *Family Law News*. Our independence will free us from the limitations of the Open Meetings Act that that currently restricts us from working in effective small groups and requires the posting, at least ten days in advance, of any meeting that involves a quorum of members. It will also free us from having to get State Bar approval for our legislative positions. There will be changes in how we operate and we will keep you posted of these changes as they develop. Immediate Past Chair Vanessa Kirker-Wright has been our point person with the Bar and the Council of Sections. She has done and continues to do an amazing job. When you see her, thank her for her efforts.