



# NEWS ALERT

May 2023

## TOPICS

ADI Staff Additions

Office Holidays/Court Closures

MCLE Opportunities

California Racial Justice Act  
(CRJA) Issues

## DEAR PANEL MEMBERS,

### ADI Staff Additions

Josephine Wang has joined ADI as a paralegal. She's a graduate of University of California at San Diego, and she received her paralegal certificate in September of 2022. She will be in training for a few months before handling her own terminal digits.

Ariana D'Agostino joined ADI this month as a summer law clerk. She just finished her second year at California Western School of Law. Prior to joining ADI, she interned with the San Diego Primary Public Defender.

### Office Holidays/Court Closures

ADI and the court will be closed on Monday, May 29th, for Memorial Day.

### MCLE Opportunities

**Tips and Tricks for Attorneys New to Dependency Appeals – May 2nd from 12:00-1:00 p.m.**

Longtime panel attorney Leslie Barry will present an overview of the important basics for navigating a juvenile dependency appeal, from appealability to prejudice. As a very experienced and successful practitioner, Leslie has some excellent insights and helpful tips that are essential to your dependency practice. The program is pre-approved for one hour of general MCLE credit and one hour of appellate specialization credit.

**State Bar Ethics Presentation – May 16th from 12:00 – 1:30 p.m.**

The State Bar's Office of the Chief Trial Counsel will present a program that provides an overview of the attorney disciplinary system and addresses the most common ethical violations the office encounters. The program is pre-approved for 1.5 hours of ethics specialty MCLE credit and 1.5 hours of appellate specialization credit.

**Claims Roundtable – May 17th at 12:00 – 1:00 p.m.**

Join us for a one hour program led by ADI staff attorneys Siri Shetty and Anita Jog. Siri and Anita will review the claims form line by line to suggest ways in which panel attorneys might make it easier for ADI to recommend full payment in each category and to clarify some sources of confusion about where specific tasks should be claimed

and how much information is needed. Please feel free to suggest specific topics and questions in advance by emailing Michelle Rogers at [mcr@adi-sandiego.com](mailto:mcr@adi-sandiego.com).

## California Racial Justice Act (CRJA) Issues

We are starting to see arguments based on the California Racial Justice Act, codified in Penal Code section 745, given biased or racist conduct/language outside the courtroom (Penal Code section 745, subdivision (a)(1): "The judge, an attorney in the case, a law enforcement officer involved in the case, an expert witness, or juror exhibited bias or animus towards the defendant because of the defendant's race, ethnicity, or national origin,") or in the courtroom (Penal Code section 745, subdivision (a)(2): "During the defendant's trial, in court and during the proceedings, the judge, an attorney in the case, a law enforcement officer involved in the case, an expert witness, or juror, used racially discriminatory language about the defendant's race, ethnicity, or national origin, or otherwise exhibited bias or animus towards the defendant because of the defendant's race, ethnicity, or national origin, whether or not purposeful. This paragraph does not apply if the person speaking is describing language used by another that is relevant to the case or if the person speaking is giving a racially neutral and unbiased physical description of the suspect.").

The Office of the State Public Defender (OSPD) has created a [SharePoint page](#) that provides helpful resources to develop these new arguments. To access the OSPD SharePoint page, you would first need to register for the OSPD ListServ, which is open only to defense community. Please do not hesitate to contact your ADI buddy if you want to talk through one of these new issues.

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

*~ Lynelle*

