



Message from President Toni Mims-Cochran

Dear Members of Women Lawyers of Alameda County:



Women Lawyers of Alameda County is approaching its 30th anniversary. Great changes for women in the law have been made since we began. However, we have a lot of work to do to continue our mission to be “a voice for women in the law.”

Maya Angelou said, “I’ve learned that you shouldn’t go through life with a catcher’s mitt on both hands; you need to be able to throw some things back.” With that in mind, one of my missions as President will be focusing on giving back to the women of Alameda County. We are all truly blessed and fortunate, and in these tough economic times it is imperative that we pull together and continue to promote the interest of women in Alameda County.

In the coming year, it is my hope that we will have the support of our members in building and expanding our projects. We want to focus on providing MCLE’s geared toward the needs of women lawyers in Alameda County, mentoring programs, scholarship programs, and strengthening our connections with other diversity bar organizations. We want to encourage women attorneys to get to know one another and be inspired by one another. Please call or email any member of the board, with your ideas or comments. We hope to hear from you.

*Toni Mims-Cochran, President
Women Lawyers of Alameda County*

News From Former WLAC Board Member and Current WLAC Judicial Liaison Judge Stuart Hing

On January 1, 2010, Judge Jon R. Rolefson became Presiding Judge and will serve a two-year term.

The California Rules of Court, which govern the State’s judicial system, requires a presiding judge for courts that have two or more judges. Presiding judges have the critical responsibility of providing leadership and direction for all aspects of the court. Selected by their peers, presiding judges must demonstrate management and administrative ability, experience and familiarity with a variety of

trial court assignments (criminal and civil), the ability to motivate and educate other judicial officers and court personnel, and the ability to assign judges based on their strengths and the public’s needs. Presiding judges may serve on or cause to be created various committees, work groups and other problem solving tools to meet the court’s needs.

Presiding Judge Rolefson replaced Judge Yolanda N. Northridge, whose term as presiding judge concluded on December 31, 2009. He will lead the court’s 85 judicial



officers and oversee the operations of 14 court facilities and an annual budget of \$115 million. He serves as a member on a number of court committees including the Executive Committee, Criminal Committee, Bench Bar Committee, Traffic Committee, and the Criminal Oversight Committee.

Governor Pete Wilson appointed Judge Rolefson as a Municipal Court Judge on November 22, 1996 and he served in the Oakland-Piedmont-Emerlyville Judicial District. He was elevated to the Superior Court in 1998 through the unification of Municipal and Superior Courts. Judge Rolefson received his bachelor of arts in economics from the University of California, Berkeley, in 1970. He received his juris doctorate from University of California, Hastings School of Law in San Francisco in 1973 and served as deputy District Attorney in Alameda County until 1980. He worked in a private law practice in Oakland and Pleasanton from 1980 until his appointment as a Municipal Court judge in 1996.

Judge Rolefson was the Supervising Judge at the Hayward Hall of Justice and the Assistant Presiding Judge for the Superior Court of California, Alameda County. Demonstrating leadership in the court, Judge Rolefson has served as Executive Criminal Judge and presided over a Criminal Trial department and ancillary calendars including Felony Law & Motion and Unlawful Detainers.

Tell Us Your News

Have an accomplishment, recent success, good news to share, or know of any for a fellow WLAC member? Let the WLAC Newsletter Committee know and we’ll include that person in our “Honor Roll!” You can send updates and information to: Tara M. Flanagan, Newsletter Committee, at tarafan@aol.com.





PRACTICE AREA SPOTLIGHT: Special Education

By LaJoyce Porter, WLAC Board Member

Many of us have children and are very familiar with our local school and our local education system. However, Special Education is a foreign arena for most. For parents who have to learn and navigate the Education Code while advocating for their children, Special Education is like falling down the rabbit hole in Alice in Wonderland: it can seem a strange and mysterious world of nonsense.

We all understand that our child is not doing well and is falling behind. We approach our local school officials and ask for help. This makes sense to us. At some point, they schedule an IEP (Individualized Educational Plan) meeting, but this can often be akin to the sitting down with the Mad Hatter at the Mad Tea Party and at the end of the meeting the queen is screaming "Off with your head." Even if you don't have a child with special needs, you probably know someone who does or have heard stories about how they struggled to get assistance for their children. The part that doesn't make sense is "why don't they help my child."

In order to provide background, in 1975, Congress passed The Education for All Handicapped Children Act (Public Law 94-142), now called the Individuals with Disabilities Education Act (IDEA) [20.U.S.C. Secs. 1400 and following] California passed its own laws which parallel IDEA i.e. California Education Code [Cal. Ed. Code Secs .56000 and follow]

While many think special education is only for reading deficiencies, there are 13 categories of eligibility for special education 1) Autism 2) Deaf-Blindness 3) Deafness 4) Emotional Disturbance 5) Hearing Impairment 6) Mental Retardation 7) Multiple Disabilities 8) Orthopedic Impairment 9) Other Health Impairment (includes Attention Deficit Disorder and Attention Deficit Hyperactivity Disorder) 10) Specific Learning Disability 11) Speech and Language impairment 12) Traumatic Brain injury and 13) Visual Impairment. 5 C.C.R Sec. 3030

In order to receive special education services, a child must need specially designed instruction or services and must have needs that cannot be met with modification of a regular environment. Cal. Ed. Code Sec. 56441(b)(2) & (3). Examples of special education services are intensive reading instruction, speech and language services, physical therapy, occupational therapy, counseling, one-to-one instructional aide, specialized schools (known in California as nonpublic schools or NPS) and transportation.

One of the biggest hurdles faced is getting children qualified for Special Education. Parents are often met with discouragement from teachers who react as if the parent is overreacting. The well meaning school teacher or administrator might say something like: "don't worry, his speech will improve as he gets older"; "some kids are just slow starters"; or my all-time favorite that frightens some parents enough to back off, "your child will be stigmatized"

In order to start the Special Ed. process, suggested steps and what to expect in response are as follows:

Make a written request that your child be evaluated for special education services. Note. Asking for a meeting

does nothing, which is why many parents complain that it took six months to get a meeting.

Within 15 days of the written request you shall receive an Assessment Plan showing what tests they plan to perform. If there are areas not checked that you want your child evaluated in those areas, note that on the assessment form.

Within 60 days of your signing consent to the Assessment plan, the District shall evaluate your child within 60 days. Thereafter, an IEP meeting shall be held to determine whether your child qualifies for services. Note. A failure to follow any of these steps is considered a procedural violation.

Quite often, a parent will be told that their child does not qualify because they are not two grade levels behind. Note: This is only necessary for a child to be eligible under the category of Specific Learning Disability. For example, a child with ADHD might not be two grade levels behind, but they require a one-to-one instructional aide or small classroom setting to obtain educational benefit. Or an autistic child might be two grade levels ahead, but needs social skills and speech services (pragmatic language) in order to interact with his or her peers.

If you do not agree with the assessments performed by the District, you can object and request an Independent Education Evaluation (IEE) at public expense. A word of caution. The District has two choices when they receive this request. They can 1) grant the request or 2) sue you to prove that their assessment is appropriate. Many districts sue parents to deny them independent evaluations.

If your child is not receiving services or you feel that the school district has violated your child's rights in some way, you can complain to the California Department of Education Procedural Safeguards Referral Service, at (800) 926-0648, or visit the CDE's Web site at <http://www.cde.ca.gov/sp/se/qa/>.

The CDE has the authority to investigate school district violations and order corrective actions. For example, if a child has speech services on their IEP once a week and they don't receive the services, the CDE can order that the District commence services and order compensatory services for the speech not provided.

A free copy of the educational code is provided to parents of children with disability at <http://www.cde.ca.gov/sp/se/ds/>.

There are very few attorneys who represent parents of children with disabilities. There are several local organizations who are zealous advocates for children with disabilities: Legal Aid of the Bay Area, Community Alliance for Special Education (CASE), Children's Legal Services, and Disability Rights of California and Disability Rights and Defense Fund (DREDF).

! Upcoming Events

A.C.B.A. Family Law News and Upcoming Events:

March 2010: A.C.B.A. Family Law Section Presents A Luncheon with Alameda County Family Law Presiding Judge JUDGE STEPHEN PULIDO;
and June 2010: "JAMMIN' IN JUNE"

The Alameda County Bar Association's Family Law Section will be hosting two MCLE events featuring the Honorable Stephen Pulido, Alameda County's new Family Law Presiding Judge. Judge Pulido currently sits in Department 403 of the Juvenile Justice Center located in San Leandro.

On March 4, 2010 a luncheon featuring Judge Pulido will be held at Scott's Seafood Restaurant in Jack London Square. Advanced paid registration is required and MCLE units will be provided. For more information, check out the Benchmark calendar of events at www.acbanet.org.

A "brown bag" (where everyone brings their own lunch to the courtroom) will be held in Judge Pulido's department and will be co-presented by ACFLA on March 15, 2010, at 12:15 p.m.

This year's newly elected ACBA Family Law Executive Board is comprised of:

Gail Mitchell, Chair; Jean Greenbaum, Vice-Chair;
 Lisa Goldstein, Secretary; Nancy Lawlor, Treasurer;
 John Harding, Andrea Goldman and Stephen Murphy.

The Board members are always looking for input from their colleagues practicing family law in Alameda County.

Additionally, Rowena Gargalicana and Yasmin James serve as ACBA Board Liaisons, and Kaysi Holman is the Staff Liaison.

The Family Law Section offers great continuing legal education courses (at a discounted price for members), networking opportunities, a connection with the Bench, and ways to support ACBA Volunteer Legal Services.

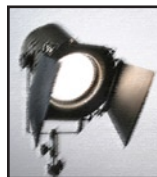
Mark your Calendars FOR SUMMER FUN!

June 2010:

"Jammin' in June" at Miss Pearl's Jam House will be held June 10, 2010. This after-work cocktail event will allow Alameda County attorneys to meet family law colleagues and to learn more about the practice of family law in a fun and relaxed atmosphere. There will be plenty of delicious appetizers and a no-host bar.

Other upcoming MCLE events include a program for attorneys on "How to Prepare Clients for Family Court Services Mediation", and another on "How to Unwind a Law Practice."

If you are interested in joining the ACBA and the Family Law Section, or attending any of the events please call the Chair, Gail Mitchell at 510-601-8090 or visit the website www.acbanet.org.



COMMUNITY PARTNER SPOTLIGHT: Wardrobe for Opportunity



At WLAC's annual Judge's Dinner held this past November, WLAC hosted a clothing drive to support Wardrobe for Opportunity ("WFO"). WFO is an organization helping thousands of low-income Alameda County jobseekers find employ-

ment by providing "image workshops" which provides help on how to "dress for success", as well as professional clothing that clients can use for interviewing and work, professional image coaching, interview workshops and internships to the men and women of our community.

At our Annual Dinner, thanks to the generosity of you, our members and guests, WLAC collected over two racks of gently worn business clothing that completely filled Board Member La Joyce Porter's SUV! When she dropped off the clothing the next day, WFO was so appreciative they provided Ms Porter with a personal tour of their facility. She reports that the WFO 'warehouse' actually resembles a very high end boutique with racks of suits, purses, shoes and accessories. Everything that a person would need to make a great first impression on a job interview was there!

WFO staff explained that their clients are given a personal image consultation and are given three business suits to embark on their job hunt. Clients often return to obtain additional clothing as well after they have landed jobs.

WLAC is proud to support Wardrobe for Opportunity, because a large percentage of its clientele are women entering and re-entering the workforce as they strive to come off public assistance, get back on their feet in these tough economic times, and for some women, recover and move forward after experiencing domestic violence.

For more information on how to volunteer or donate throughout the year to Wardrobe for Opportunity, please visit their website at <http://www.wardrobe.org/>.

! Save the Date

Late March/April 2010: WLAC Member Reception at Judicial Officer's Home: Exact Date and Host(ess) TBD, but please keep this time frame in mind as you plan your busy calendar!

Late Oct/Early Nov. 2010: WLAC's Annual Judges' Dinner: Exact Date and Location TBD: But please keep this time frame in mind and earmark it to attend this great event!