

AMERICAN INNS *of* COURT

THE MILTON L. SCHWARTZ/DAVID F. LEVI AMERICAN INN OF COURT
DAVIS, CALIFORNIA

MEMBER HANDBOOK 2015 – 2016

1. PRESIDENT'S MESSAGE

Welcome to the Schwartz/Levi Inn of Court!

I am pleased to serve as President of our Inn of Court which is affiliated with the University of California, Davis, School of Law (King Hall). I am thankful to outgoing President Justice Kathleen Butz for the great work she has done for the Inn. Our Inn is stronger than ever, and with your help, I hope to build on the successes.

Your participation is key to our work. We all care deeply about the law and the legal profession, otherwise we would not spend some of our free time at the Inn. The Inn of Court movement began as a bulwark against the creeping forces of incivility, sharp practices, and mediocrity. We remain devoted to these core goals of professionalism, civility, ethics, and excellent legal skills among the bench and bar in a collegial setting through educational programs, mentoring, and community outreach.

But we also enjoy our time at "SLIC," as it is affectionately known, and I hope that you look forward to our meetings as much as I do.

We have prepared this handbook as a quick reference guide to help answer your questions about the Inn. Please let us know of any other information you think should be included.

Sincerely,

Judge Emily E. Vasquez
Superior Court of California, County of Sacramento



2. THE AMERICAN INNS OF COURT MOVEMENT

The American Inns of Court is an association of legal professionals that promotes the highest standards of excellence and ethical behavior.

Inspired by the Inns of Court in London, the American Inns of Court movement began in the late 1970s, spearheaded by Chief Justice Warren Burger. The first Inn was founded in 1980, and within a few years the movement began to spread rapidly throughout the United States. Today there are more than 350 American Inns, with more than 30,000 members, drawn from the ranks of judges, academics, lawyers, and law students.

Within each local Inn, members are divided into "pupillage teams," with each team responsible for preparing one program per year. The teams are comprised of members with varying levels of experience, to facilitate mentoring in an informal and collaborative atmosphere.

Our Inn is affiliated with the American Inns of Court, a national organization based in Alexandria, Virginia. For more information about the American Inns of Court, you can visit the national web site at <http://www.innsofcourt.org>.

3. MISSION AND GOALS

3.1. MISSION

The Mission of the American Inns of Court is to foster excellence in professionalism, ethics, civility, and legal skills

3.2. GOALS

- To promote the American Inns of Court mission by encouraging members of the legal profession to participate in an American Inn of Court.
- To help ensure the vitality and continuity of local Inns.
- To communicate a culture of excellence in professionalism, ethics, civility and skills to the legal community and generally.
- To ensure the long-term financial viability and growth of the American Inns of Court.

4. AMERICAN INNS OF COURT PROFESSIONAL CREED

Whereas, the Rule of Law is essential to preserving and protecting the rights and liberties of a free people; and

Whereas, throughout history, lawyers and judges have preserved, protected and defended the Rule of Law in order to ensure justice for all; and

Whereas, preservation and promulgation of the highest standards of excellence in professionalism, ethics, civility, and legal skills are essential to achieving justice under the Rule of Law;

Now therefore, as a member of an American Inn of Court, I hereby adopt this professional creed with a pledge to honor its principles and practices:

- I will treat the practice of law as a learned profession and will uphold the standards of the profession with dignity, civility and courtesy.
- I will value my integrity above all. My word is my bond.
- I will develop my practice with dignity and will be mindful in my communications with the public that what is constitutionally permissible may not be professionally appropriate.
- I will serve as an officer of the court, encouraging respect for the law in all that I do and avoiding abuse or misuse of the law, its procedures, its participants and its processes.
- I will represent the interests of my client with vigor and will seek the most expeditious and least costly solutions to problems, resolving disputes through negotiation whenever possible.

- I will work continuously to attain the highest level of knowledge and skill in the areas of the law in which I practice.
- I will contribute time and resources to public service, charitable activities and pro bono work.
- I will work to make the legal system more accessible, responsive and effective.
- I will honor the requirements, the spirit and the intent of the applicable rules or codes of professional conduct for my jurisdiction, and will encourage others to do the same.

5. HISTORY OF THE SCHWARTZ/LEVI INN OF COURT

In 1991, the President of the Anthony M. Kennedy Inn of Court at McGeorge School of Law asked Professors Margaret Z. Johns and Edward Imwinkelried of the UC Davis School of Law if they would consider starting a new Inn of Court on their campus. Professors Johns and Imwinkelried wasted no time in contacting Judge David Levi, then on the Eastern District of California bench, to join with them in starting the new Inn. In just under a year our Inn was up and running, with the Honorable David M. Levi as its first President; he served from 1992 to 1995.

Initially, the Inn had 60 practicing attorney members and 10 members of the Bench on its roster. It began its monthly meetings in the faculty dining hall on the campus where it met for cocktails and a meal, after which the membership adjourned to King Hall where it reconvened in the auditorium for a substantive session. For the first year these sessions were essentially free form involving members of both the Bench and Bar raising issues to be debated among the membership that touched on new substantive areas of law, ethics, professionalism, and changes in court rules and statutes. The contrast between federal and state court practices was an especially fertile ground for discussion in that first year.

In the second year the Inn turned to pupillage groups made up of a mixture of Bar, Bench and student members, who were responsible for planning a program to be presented each month. One favorite format was the “contest” in which the pupillage group presented a problem, then posed specific questions and the other pupillage groups competed in attempting to be the first to give a correct answer. And, yes, there was a prize for the winning group. As one would expect with a bunch of lawyers in the room the competition was fierce!

Judge Levi passed the president’s gavel to Judge Michael Garcia who was the second president of our Inn, and he served from 1995 through 1998. The leadership of our Inn then passed to Justice Rodney Davis, who served as president from 1998 through 2001. To this day Justice Davis is able to call to mind some of the programs that were put on during his tenure. Justice Davis was succeeded by Justice Coleman Blease (2001-2004), Judge David Abbott, (2004-2007), Magistrate Judge Gregory Hollows (2007-2010), Justice Vance Raye (2010-2012), Justice Kathleen Butz (2012-2015), and Judge Emily Vasquez (2015-present).

As the years went by, the Inn’s membership increased, and today it includes 99 lawyers, 22 judges, 13 professors and academics, and 14 students. The venue for the Inn’s meetings changed from the UC Davis faculty club to the Sudwerk brewery, and then later to its current location, the Odd Fellows Hall in downtown Davis.

The programs also morphed into a combination of skits on legal subjects, interspersed with expert panels. The topics have included developing legal issues, new statutes, and new professional rules in the courts serving our jurisdiction.

In 2001 the Inn began participating in the Christmas Promise Program, through which it adopted three to five families and provided Christmas presents for all. The presents were delivered by our own Santa Claus, Judge David Abbott, assisted by Elf, attorney Shannon Baker. This activity has been a wonderful experience for all of the Inn members, and includes not just the provision of gifts, but also the wrapping of gifts at the North Pole. Many participants brought their children to the gift-wrapping, giving them the experience of helping the less fortunate. The spirit of giving has been alive and well through the Christmas Promise Program.

Other special projects include the mentorship program, through which our student members are paired with attorneys who are practicing in areas to which they aspire. We have also developed a student scholarship program, funded in part by donations from our members, to help support our graduating students while they study for the bar exam. Awards are announced at an annual ceremony, and are based on financial need, academic excellence, Inn participation, and community service.

The Levi/Schwartz Inn of Court is dedicated to raising the bar on professionalism, collegiality and excellence not only for its members but, more important, for the students who participate. The dedication of the Inn's members to fulfilling these goals never waivers.

6. EXECUTIVE COMMITTEE

President:	Judge Emily E. Vasquez
Immediate Past President:	Justice Kathleen Butz
Former President:	Justice Vance Raye
Former President	Judge David Abbott
Secretary	Jim Nolan
Treasurer	Arnie Wolf
Information Technology Committee	Paul Hemesath
	Ryan Norman
Liaison to Master Advisors:	Shelley Ganaway
Membership Committee:	Julie Weng-Gutierrez
	Rochelle Wilcox
Mentoring/Scholarship Committee:	Kimberly Lucia
	Shama Mesiwala
MCLE Chair	Kelli Taylor
Program Committee	Judge Dan Maguire
	Shelley Ganaway
September Program Chair	Bill Taylor

7. 2015/2016 CALENDAR

<u>Date</u>	<u>Topic or Event - Location</u>
August 26, 2015 ¹	Orientation for New Members & Students/ Reception - 3 rd DCA.
September 9, 2015	<i>Magna Carta</i> - UC Davis Law School, Moot Court Room

¹ UC Davis Law School classes begin on August 24, 2015. (Introduction Week: August 17-21, 2015)

September 30, 2015	Orientation for Reporters & Master-Advisors - 3 rd DCA.
October 14, 2015	Restrictions on First Amendment Rights Outside of the Courtroom – Odd Fellows Hall. ²
October 15, 2015 October 1)	Program Topics Due (in 2016 – 2017, they will be due on October 1)
November 11, 2015	The Emerging Technology of Drones: To Regulate or Let ‘Em Fly? – Odd Fellow Hall
January 13, 2016	Constitutionality of the State of Jefferson - Odd Fellows Hall
February 10, 2016	Jewish/Muslim Relations - Odd Fellows Hall
March 9, 2016	Self-Driving Cars: Ethical and Legal Issues – Odd Fellows Hall.
April 13, 2016	Police Abuse and Immunities – Odd Fellows Hall
May 11, 2016 Hall	Ethics: Problematic Clients and Capacity Issues – Odd Fellows Hall
June 8, 2016	Ethics: How the Writings of the Supreme Court Justices Impact the Legal Profession – Odd Fellows Hall

8. INN WEBSITES

Our Inn website is found at www.schwartzinn.com, and it contains valuable information about the Inn, including technical and substantive resources for pupilage groups, and an image gallery with photographs from our meeting.

The American Inns of Court website, www.innsofcourt.org, also contains valuable resources for pupilage groups, including a program library catalog.

9. CLE Credits

You can obtain CLE credit for attending Inn meetings, and CLE forms are available on the Inn’s website.











10. DUES INFORMATION












Dues are \$225 for associates, \$300 for Barristers, and \$325 for Masters, and increase by \$50 if not paid by November 30, 2015.











Please send your check, payable to “Inn of Court,” to Arnold Wolf, Freeman Firm, 1818 Grand Canal Boulevard, Suite 4, Stockton, California 95207.

² The Odd Fellows Hall is located at 415 Second Street in Davis.









11. MEMBER DIRECTORY









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12. BYLAWS

Article I. Purpose and Location

Section 1. Purpose.

The purposes of The Schwartz Levi American Inn of Court ("Inn") are set forth in its Organizational Charter issued by the American Inns of Court Foundation. In addition, this Inn will strive to engage in mentoring and outreach to the community.

Section 2. Principal Location.

The Inn shall be located in the city of Sacramento, California. Due to the relationship of the Inn and the UC Davis School of Law, meetings of the Inn will take place primarily in Davis, California.

Article II. Membership.

Section 1. General.

The membership of the Inn is open to all lawyers and judges practicing or presiding in the Northern California area. The Inn strives for diversity in practice areas so that the membership as a whole is better educated in all aspects of legal practice. The membership is comprised of Associates, Barristers, Masters, law school Professors, and Judges. Each year the Inn shall invite students attending the UC Davis School of Law to attend all meetings of the Inn and to participate in the Pupilage Groups. These student invitees are considered to be one year student members of the Inn, who will be encouraged to become Associate members after passing the California Bar Exam.

Section 2. Categories of Members.

All lawyers with less than five years of working legal experience as a licensed attorney shall be Associates of the Inn. Lawyers with five or more years of working legal experience shall be Barristers. Upon recommendation of the Membership Committee and on approval of the Executive Committee, lawyers with over 10 years of working legal experience shall be Masters. Full-time professors are considered Masters as are Judges. Members who have been Masters for more than five years may request to become Master Advisors. Upon recommendation of the Membership Committee and on approval of the Executive Committee, Emeritus members may be designated from among active Masters on the basis of long and distinguished service to the Inn and Honorary members may be designated on the basis of distinguished service to the bench or bar or other noteworthy achievements.

Section 3. Admission and Retention.

Members in good standing may remain members for as long as they desire to do so, subject to review of the Executive Committee. After the June meeting of each year, but in no event later than August 15 of each year, the Membership Committee shall ask present members if they desire to remain a member for the next Inn year commencing in September, and shall solicit from members or elsewhere prospective members for the start of the Inn year program activities in September. The Membership Committee shall work with the UC Davis School of Law dean and personnel to have student members identified no later than each August 15.

Article III. Organization.

Section 1. The Executive Committee.

The Executive Committee (not to exceed 20 members) is composed of those members presently situated on the Executive Committee as of January 1, 2012, and as thereafter modified or supplemented by these Bylaw provisions, or as modified or supplemented with at-large members appointed by the Executive Committee on a

yearly basis in August of each year. The President of the Inn, the immediate past President, the President-elect, if chosen, the Treasurer, the Secretary, the Chair of the Program Committee, the Chair of the Information Technology Committee, the Chair of the Membership Committee, and the liaison of the Master Advisors, shall at all times serve on the Executive Committee. The duties of the Executive Committee, and its members, are set forth in the Organizational Charter, and as set forth herein.

Section 2. Changes to Executive Committee.

Notwithstanding Section 1 of Article III above, the membership of the Executive Committee may be modified by a majority vote of the Masters of the Inn.

Section 3. The Officers.

The officers of the Inn shall be those persons serving as permanent members of the Executive Committee set forth in Section 1 of Article III above, and such other officers as the Executive Committee deems necessary. The officers serve a three-year term, or as otherwise directed by the Executive Committee and may succeed themselves once, subject to further extensions approved by the Executive Committee. Any additional officer selected by the Executive Committee pursuant to Section 1 shall sit on the Executive Committee.

Section 4. Committees.

The Executive Committee may establish standing and ad hoc committees from among the active members of the Inn, and may change or discontinue committees. The committees specifically identified in Section 1 of Article III are the standing committees of the Inn. The Executive Committee shall appoint committee members and chairs of the committees, who shall serve three-year terms, or as otherwise directed by the Executive Committee, and may succeed themselves once or as otherwise approved by the Executive Committee. Committees may create ad hoc subcommittees, as appropriate, and the chairperson of a committee may solicit other members to assist on the committee with notification to the Executive Committee.

In addition to other duties assigned by the Executive Committee, the duties of each committee shall be as follows:

- Membership Committee —The Membership Committee shall solicit and review applications and make recommendations to the Executive Committee for membership in the Inn; and shall oversee attendance.
- Program Committee —The Program Committee shall oversee, approve and may assign program subject areas, and shall be responsible for submitting programs for Continuing Legal Education credit. The Program Committee shall also assign members to Pupilage groups.
- Information Technology Committee—The Information Technology Committee shall be responsible for the maintenance of the Inn website, distribution of news, announcements, and other information among members of the Inn, and to the American Inns of Court Foundation; shall be responsible for submitting program reports to the American Inns of Court Foundation; and shall invite articles for *The Bench*.
- Master Advisor Liaison —The Master Advisor Liaison shall organize and ensure the active participation of all Master Advisors in the various programs of each month.

Section 5. Record Creation and Retention.

The Secretary, or delegate of the Secretary, shall take minutes of each Executive Committee meeting. The minutes of a meeting shall be posted on the Inn website and approved at the subsequent meeting of the Executive Committee. The Secretary shall retain an electronic database of all organizational documents, the minutes, the membership rosters, pupilage groups for each year, and such other documents required by the Executive Committee. The Treasurer shall maintain fiscal records. In no event shall these records be purged or destroyed without the approval of the Executive Committee.

Section 6. Pupilage Groups.

(a). Assignments.

All active members, except for Master Advisors, will be assigned to a Pupilage Group by the Program Committee and shall be approved by the Executive Committee. Each Pupilage Group shall be chaired by a Master appointed by the Executive Committee. The Masters and Pupilage Groups shall be reassigned every year.

(b). Reporters.

The Reporter takes the pupilage group from its beginning to the formal presentation before the Inn membership. The Reporter accomplishes this by creating a timeline for scheduling meetings; delegating responsibility to each member for particular tasks; checking with the Master Advisors for assistance on legal issues; and notifying the Executive Committee of the subject area selected to obtain perspective and insight from the Executive Committee.

(c). Master Advisors.

The Master Advisors are a valuable asset to the Inn, and they are designated this special classification by the Executive Committee. Master Advisors are not assigned to any specific Pupilage Group. Thus, a Pupilage Group may seek out a Master Advisor's guidance on any aspect of its program, including identifying a topic, planning the content of the presentation, and participating in it. Alternatively, Master Advisors may seek out a Pupilage Group and volunteer to work with that group. All Inn members benefit from their substantial professional experience.

Article IV. Voting and Elections.

Section 1. General.

As set forth in Article III, Section 2 above, the Masters may vote in a special election to change the membership of the Executive Committee, or may otherwise be asked to vote on a matter submitted by the Executive Committee. A special election may be held when a majority of the Masters communicate in writing or electronically to the Chairperson of the Information Technology Committee that a special election is desired. Any such election shall be held within two months of the receipt of the majority request for a special election. A majority request for a special election must be procured within two months of the receipt of the first request for a special election.

Section 2. Voting by Masters.

With the exception of Emeritus and Honorary Masters, each Master, including Master Advisors, shall be entitled to one vote in a special election and in all matters submitted to the Masters. A majority of voting Masters shall constitute a quorum for the transaction of business. Every act done or decision made by a majority of the Masters in attendance at a meeting shall be regarded as the act of all the Masters.

Section 3. Executive Committee.

Each member of the Executive Committee shall be entitled to one vote on all matters subject to vote by the Committee. In the event of a tie, the President shall have the deciding vote. A majority of the members of the Executive Committee shall constitute a quorum for the transaction of business. Every act done or decision made by a majority of the members in attendance at the meeting called for that purpose shall be regarded as the act of the entire Committee.

Section 4. Elections.

The nomination and election of the President will occur in May or June of the second year of the term of the sitting President at a meeting of the Executive Committee called for that purpose. Whenever possible, the President should be a Judge. The President-elect shall serve in that position during the last year of the term of the sitting President. Selection of other officers and chairpersons shall also occur at the time of the election of the President-elect. A special election as discussed above may be called at any time in accordance with Article IV, Section 1.

Section 5. Vacancies.

When a position as an officer, committee chairperson or Master Advisor Liaison becomes vacant, the procedures for election and selection of officers and chairpersons shall be followed when the vacancy occurs. However, the duration of the vacant position shall not be counted against the new officer or chairperson in regards to any maximum term of service.

Article V. Fiscal Matters.**Section 1. Fiscal Year.**

The fiscal year of the Inn shall be the same as the fiscal year of the American Inns of Court Foundation, which is from July 1 to June 30 of each year. However, for all other purposes, the Inn year commences September 1 of each year and runs to August 31 of the next year.

Section 2. Dues.

Dues shall be in an amount consistent with the Organizational Charter of this Inn, and shall be levied by the Treasurer during the month of September of each year. The Executive Committee shall determine the yearly membership fee and any special assessments. If the Executive Committee authorizes a special assessment, the authorization must be submitted to the Masters for a vote and the special assessment becomes effective only upon a majority vote of the Masters. Failure to pay assessments and dues prior to the third meeting of the Inn year and after reasonable notice may be considered by the Executive Committee as grounds to charge a late fee or to terminate membership of the member in default.

Section 3. Duties of the Treasurer.

The Treasurer is responsible for payment of all Inn expenses. No one-time expense in excess of \$1,000.00 shall be paid unless specifically authorized by the Executive Committee. The Treasurer is also responsible for any filings required by the tax authorities of the United States and the State of California, or local agencies. The Treasurer may request the assistance of another member to perform the duties of Treasurer, subject to authorization by the Executive Committee. The Treasurer must submit a budget and written annual report of the fiscal status of the Inn in August of each year, and as otherwise requested by the Executive Committee. The Treasurer shall maintain, electronically or in paper, all records filed annually with the tax authorities, the annual reports made to the Executive Committee, and complete banking records that demonstrate income to the Inn and payment of dues to the Foundation, and expenses of any kind. In no event shall any of these records be purged or destroyed without approval of the Executive Committee.

Section 4. Expenses.

The Inn shall pay all reasonable expenses authorized by the Executive Committee. The Treasurer shall ensure that all dues and other payments assessed by the American Inns of Court Foundation are paid. The Inn shall also pay all expenses incurred by members of the Executive Committee for such things as attendance at state, regional or national events of the American Inns of Court Foundation and payment to an administrator.

Article VI. Meetings and Attendance.

Section 1. Meetings.

Meetings of the entire Inn shall be held in September, October, November, January, February, March, April, May, and June, and at such other times as scheduled by the Executive Committee. All members are welcome to bring guests to any monthly meeting. However, every member bringing a guest shall contact the Treasurer prior to the monthly meeting, inform the Treasurer of the identity of the guest, and pay a meal charge for the guest. The Executive Committee may waive any guest fee. Nonmembers participating in a monthly meeting program are guests of the Inn.

Section 2. Attendance.

Attendance at the monthly meetings is required. Each Pupilage Group involved in a monthly program has worked hard to put on informative programs, and this effort is wasted if the Inn members do not attend. On the other hand, lawyers, professors and judges have work and family commitments that will, at times, preclude attendance at monthly meetings. If a member misses more than three monthly meetings, the Executive Committee may ask that member to explain the absences, and may, if appropriate, terminate the membership of the member with excessive absences.

Article VII. Adoption and Amendments.

Section 1. Adoption.

These Bylaws will be adopted by the Inn upon approval by a majority of the presently constituted Executive Committee and after being submitted to and approved, in writing, by the Board of Trustees of the American Inns of Court Foundation.

Section 2. Amendments.

Amendments to these Bylaws may be made by a majority of the Executive Committee after submittal to the Inn membership and/or Masters for comment, and must be submitted to and approved, in writing, by the Board of Trustees of the American Inns of Court Foundation

[Duly approved by the Executive Committee of the Schwartz Levi Inn of Court, March 12, 2012, by unanimous vote]

[Amendment to increase the maximum number of members on the Executive Committee from 15 to 20 duly approved by the Executive Committee of the Schwartz/Levi Inn of Court on August 25, 2015, by a vote of 12 to 0 [by e-mail]; and approved on September 10, 2015, by the Board of Trustees of the American Inns of Court Foundation]

13. POLICIES

13.1. DIVERSITY POLICY

The American Inns of Court Embraces and Encourages Diversity and Inclusiveness

More than just an organization, the American Inns of Court is the embodiment of an ideal. We are dedicated to upholding the standards of the legal profession, to practicing law with dignity and respect, and to encouraging respect for our system of justice. Achieving a higher level of excellence and developing a deeper sense of professionalism occur only with an abiding commitment to the goals of diversity and inclusiveness.

The American Inns of Court firmly believes that personal diversity in all its aspects is essential to our ability to accomplish our mission. Diversity embodies all those differences that make us unique individuals and includes people of different race, ethnicity, culture, sexual orientation, gender, religion, age, personal style, appearance, physical ability as well as people of diverse opinions, perspectives, lifestyles, ideas and thinking. We value the differences in views and perspectives and the varied experiences that are part of a diverse membership. Diversity enriches and broadens our membership, which in turn leads to more creative and meaningful programs.

For the same reasons, the American Inns of Court values professional diversity. Legal professionals and law school faculty, administrators, and students, from all disciplines, from all practice types, from both the public and private sectors, from all economic strata, and from the least experienced to the most seasoned are vital to maximizing the Inn experience. Only by drawing and retaining a diverse membership will we guarantee the success of our unique organization as well as our respective professional pursuits. Therefore, the American Inns of Court are committed to creating and maintaining a culture that promotes and supports diversity not only throughout our organization, but in our profession as well.

13.2. ELECTRONIC MEDIA POLICY

Inn of Court programs bring the members of the Inn together to discuss wide-ranging issues of ethics, skills and professionalism. In order to protect the integrity of the Inn programs and promote free discussion during the Inn meetings and presentations, the Inn's Executive Committee has adopted the following privacy policy regarding the use of video and/or audio recordings of Inn meetings and programs: "Any photos and/or video and/or audio recording during the Inn program may be taken only by the official Inn photographer. At the commencement of each Inn program, an announcement will be made that all electronic devices should be turned to "mute" or "off". Any member who would like to take photos or record a program exclusively for an Inn purpose (e.g., for submission for a national Inn award) must request permission in advance of the Inn program in question. Such requests should be made to the Inn president. This privacy policy shall be disseminated as part of the Inn's annual orientation for new members."