Approaching Veterans Issues: A Legal Overview Including an Update of California Penal Code Section 1170.9

May 24, 2013 8:15 a.m. – 11:45 a.m.

Why You Should Attend

Certain laws and courtroom practices have the potential to impact veterans differently than the rest of the population. This three hour overview will provide useful information to attorneys, judicial officers and others who interact with veterans about the implications of certain laws and practices with regards to veterans' pasts and futures. The program will focus on Penal Code 1170.9, especially with regard to the 2013 enhancements and will address other topics of interest to the trial bench and judges.

What You Will Learn

- Penal Code 1170.9: Overview and Updates
- Military/Veterans Culture What You Should Know When Representing Veterans
- Child Custody & Restraining Orders: Implications for Veterans
- Upgrading Military Discharge

Who Should Attend

All attorneys, judicial officers and court staff who regularly work with veterans and any attorney interested in providing pro bono legal services to veterans would benefit from attending this program.

Program Schedule

8:15

Program Overview and Introductions

Honorable Eileen C. Moore

8:30

Military/Veterans Culture: What You Should Know When Representing Veterans

Both military culture and active duty can explain certain behaviors exhibited by veterans. Learn from two veterans what you should expect and look for.

Darc D. Keller, Daniel Nelan

9:00

Military Sexual Trauma: Recognizing the Effects and Proving Them in Court

Military Sexual Trauma is important to understand for a few reasons:

- For referral to treatment under Penal Code 1170.9
- In order to assist veterans in obtaining treatment when they are not in trouble with the law

Brad Adams, Katie Weber

9:30

Child Custody & Restraining Orders: Implications for Veterans

Domestic issues can be shaped by military service and have implications for veterans. Learn about the latest cases and practices in these areas.

Honorable Michael J. Naughton

10:00

Upgrading Military Discharge

Some veterans received less than fully honorable discharges for behaviors that were related to post traumatic stress or minor disciplinary infractions and the status of their discharge makes them ineligible for benefits. Learn the details about discharge upgrades:

- What discharges are unlikely to be upgradable?
- What is the process for obtaining upgrades?
- What about less than honorable discharges based on sexual orientation?

Austin Baumgarten

10:30

Networking Break

10:45

Penal Code 1170.9: Overview and Updates

Penal Code 1170.9 allows a veteran who successfully completes a court-ordered treatment program the following:

- Early termination of probation
- Reduction of a felony to a misdemeanor
- Dismissal of the action
- Sealing of police and court records

Honorable Richard M. King

11:45

Adjourn