

# Mariposa County Bar Association

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[www.MariposaBar.org](http://www.MariposaBar.org)

[MCBA@MariposaBar.org](mailto:MCBA@MariposaBar.org)

September 2021

## President's Column

Casey Archer, MCBA President

The Mariposa County Bar Association ("MCBA") has resumed in-person meetings at the Miner's Roadhouse 140.



The speaker at our September 2021 meeting was Miles Menetrey of the Mariposa County Board of Supervisors, who kicked off our in-person meetings with an informative presentation on the current issues and status of Mariposa County.

We invite all Mariposa area attorneys and Judges to attend our next meeting on October 14, 2021, at noon at the Miner's Roadhouse 140, with Sheriff Jeremy Briese. Those attending the luncheon may order lunch from the menu at their own cost. RSVPs are appreciated, but not required, by replying to this email at [MCBA@MariposaBar.org](mailto:MCBA@MariposaBar.org).

MCBA Membership is \$35.00 and includes access to several MCLE credits throughout the year as well as a listing on the MCBA website at [www.MariposaBar.org](http://www.MariposaBar.org). An application may be downloaded at our website. Those who are renewing their membership may forego the application and simply send in their dues or bring them to the next luncheon.



## Sheriff Briese to Speak at October 14, 2021 Luncheon Meeting

Join us for lunch with Sheriff Jeremy Briese as our speaker on October 14, 2021 at the Miner's Roadhouse 140.

Sheriff Jeremy Briese is committed to his vision for the Mariposa County Sheriff's Office; Safety, transparency, professionalism and community.

Jeremy and his wife Caroline are both born and raised in Mariposa where they continue to live and raise their two children, Emma and Ethan. The Briese family collectively work, live, attend school and enjoy all of the beauty Mariposa has to offer.



Jeremy understands the importance of community policing and the teamwork needed to produce the best public safety plan for his community. Jeremy is active in his community, volunteering his time as a youth sports coach, active Lions club member and a previous board member for the Southern Sierra Miwuk Nation. Jeremy achieved a Bachelor's degree in Criminal Justice and an Associate's degree in business management and marketing.

"Mariposa Strong" derives from all of us as a community working together and helping one another." -Sheriff Jeremy Briese

Jeremy is the 24<sup>th</sup> Sheriff of Mariposa County where he has served the community in a law enforcement capacity for twenty years. Jeremy has held every rank within the Public Safety Division of the Mariposa County

Sheriff's Office, most recently as Undersheriff, preparing him to effectively lead the Sheriff's Office.



# 2021 Meeting Schedule

The MCBA has resumed in-person meetings at noon on the 2nd Thursday of each month at the Miner's Roadhouse 140 Banquet Room.

**MINER'S ROADHOUSE**

**140**

## January 14, 2021

Luncheon meeting postponed due to COVID-19.

## February 11, 2021

Luncheon meeting postponed due to COVID-19.

## March 11, 2021

Luncheon meeting postponed due to COVID-19.

## April 8, 2021

Luncheon meeting: 1 hour MCLE credit Webinar with Speaker, Brian Chase of ArcherHall, with a presentation on "Identification and Preservation of Electronically Stored Information"

## May 13, 2021

Luncheon meeting: 1 hour MCLE webinar with Russell Cook, attorney and mediator, presenting on "Mediating the Hatfield and McCoys"

## June 10, 2021

Luncheon meeting: 1 hour Ethics MCLE credit Webinar with Speaker, Tom Plunkett, Director of Digital Forensics at ArcherHall, with a presentation on "Ethical Duties and Electronically Stored Information"

## July 15, 2021

Luncheon meeting: Webinar with Sharon Wardale-Trejo, Director for the Merced/Mariposa Regional Department of Child Support Services (DCSS) and David Haycraft, Chief Attorney for the Merced/Mariposa Regional DCSS, presenting an overview of the Department and the services they can offer.

## August 12, 2021

No Luncheon Meeting due to Summer Break Schedules

## September 9, 2021

Luncheon meeting: Speaker Miles Menetrey of the Mariposa County Board of Supervisors

## October 14, 2021

Luncheon meeting: Speaker Sheriff Jeremy Briese

## November 18, 2021

Luncheon meeting: Speaker To Be Announced

## December 9, 2021

Luncheon meeting: Holiday Luncheon and Judges Appreciation Day

## Archer is Family Law Specialist

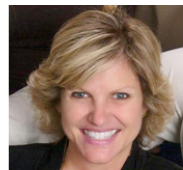


Attorney Casey Archer has been approved by the California State Bar, Board of Legal Specialization, as a Certified Family Law Specialist. Requirements for approval include taking a second Bar Examination that tests the comprehension of complex family law matters, as well as an exhaustive review of courtroom trial experience and professional ethics. The approval is effective October 1, 2021 for a term of five years.

## MCBA Membership List

Alexandria Albertoni  
Ashley Albertoni  
Susan Albertoni  
Casey Archer  
Kevin Briggs  
Marvin Brown (retired)  
Anita Starchman Bryant  
Aaron Castleton  
Jeffrey Castleton  
Russell D. Cook  
Thomas K. Cooke  
Beau C. Correia  
Steven W. Dahlem  
Skye Emery  
Kimberly G. Flores  
H. Wayne Green  
Robert T. Iwama  
Edward J. Johnson  
Andrew S. Kucera  
Cindy R. Morse  
Stephanie M. Perez  
Elizabeth E. Waldow  
Walter Wall

## 2021 MCBA Officers



Casey Archer  
President



Anita Starchman Bryant  
Vice-President



Ed Johnson  
Secretary



Skye Emery  
Treasurer



## **Larry Dean Morse, II**

**March 20, 1957 – September 14, 2021**

It is with great sadness that the MCBA reports the passing of former Merced County District Attorney, Larry Morse. Our profession has lost a brilliant and noble prosecutor who was larger than life and gave selflessly to friends and colleagues. Please keep his wife, Cindy, sons Dylan and Ryan, and granddaughter Ava, in your thoughts and prayers.

As set forth on the [www.dignitymemorial.com](http://www.dignitymemorial.com) web site:

“While deep in conversation with his loving wife of over 35 years, Larry D. Morse II of Merced, California, died on September 14th, at 9:45pm. He died as he lived: passionate, engaged, and as an irreplaceable, charismatic, and compassionate force of nature. As his friend, you were a friend for life— encouraged, nurtured, and always a phone call away from his help. His foes faced a fierce, skilled, and dedicated adversary. Even they recognized the depth of his empathy. Those suffering, and those in need found a compassionate supporter, who without hesitation, brought his full strength and influence to bear in order to make them whole. He was proud that if you were the victim of crime, you had a tireless and relentless advocate in pursuit of justice. Most of all, if you were family, you were loved without reservation, supported in every phase of life, comforted in loss with his care, words, and deeds. To hear his voice on the phone, or feel the loving warmth of his smile and booming voice, made the world a better and safer place.

## **Larry Dean Morse, II (*continued*)**

Larry was born March 20th, 1957 and grew up in the hot, dusty, desert town of Lancaster, California, just outside of Los Angeles, the fourth of six children in a large, loving Irish-Catholic family. His father, Larry Morse Sr. was a respected attorney (later a judge) and his mother Saranne, a beloved school teacher. The former bestowed upon Larry a lifelong passion for justice, and the latter a commitment to education and learning. He loved growing up in Lancaster and treasured the friends he made there, many of whom he counted among his closest until his death. In high school he excelled in athletics and was a three-sport athlete, as many have heard (from him, no doubt). He passed on his love of sports and competitive spirit to his children, coaching innumerable youth teams, and often paying for equipment and fees for those less privileged. He always ensured that everyone would be able to participate, regardless of their financial situation. He truly believed in the value of sports as both a unifying force and as a means for keeping kids out of trouble.

After high school, Larry attended the University of Arkansas and received a Bachelor's Degree in Journalism. He served on the student newspaper there and after his graduation in 1979 went on to work as a reporter for the Arkansas Democrat (now Arkansas Democrat-Gazette). Among his many assignments with the paper were interviews with then-Governor Bill Clinton, Watergate Prosecutor Leon Jaworski, and coverage of the second landing of the Space Shuttle at Edwards Air Force Base. He loved the craft of journalism, revering the heavyweights of his day and believing it to be a proud and noble profession. It was in Little Rock where Larry would meet the love of his life, Cindy Roberson.

In 1981 Larry left the newspaper, and Arkansas, to move to Washington D.C. and become Press Secretary and Legislative Aide to Congressman Bob Whittaker, beginning a career in politics that would last the rest of his life. After a couple of years, Larry decided to enter the family business, moving across the country to Sacramento and attended the University of the Pacific McGeorge School of Law, where he learned constitutional law from former Supreme Court Justice Anthony Kennedy. Cindy went with him, attending the same school, and of course, getting better grades. While at McGeorge, Larry worked as editor of the Senior Spectrum newspaper and in the California Legislature as Communications Director for the Senate Democratic Caucus. After earning his law degree Larry became the Legislative Director for State Senator Milton Marks of San Francisco. He reveled in local and national politics, writing countless speeches and becoming a skilled lobbyist, a passion he returned to many years later as the voice of the California District Attorneys Association.

To be close to family, Larry and Cindy, now with son Dylan, decided to move to Merced. For reasons never fully explained, his initial application to obtain work as an attorney in Merced was mysteriously directed to the sewer department... Despite that auspicious beginning, he joined the Merced County District Attorney's office in 1993. As with everyone starting out, he spent his work day rushing from courtroom to courtroom on minor offenses but with ever-increasing skill. His assignments, often traffic, meant he was to come up against older brother Neil in court. While Larry may have "won", his brother tells a different tale. He swiftly moved through the ranks, trying cases that were difficult and heart wrenching. Along the way, he became convinced, and later insisted, that to be a member of his office and succeed, you needed to not only handle cases, but try them. It was, as he felt, a badge of honor and duty, to be known as a trial attorney. Because of this, he was appointed Chief Deputy in 1998.

Larry's greatest source of professional pride was being elected District Attorney in 2006. He was officially sworn in on the steps of the historic Merced County courthouse by the Honorable George Zenovich, mentor and lifelong friend, who had been his father's classmate. He was subsequently reelected in 2010 and 2014. In his esteemed career as the County's top prosecutor, Larry successfully prosecuted nearly 20 murder cases, numerous consumer fraud cases, and initiated the county's Violence Interruption and Prevention Emergency

## **Larry Dean Morse, II (*continued*)**

Response team (VIPER). At the time, he had personally tried more cases while serving as the elected District Attorney than any of his colleagues throughout the State. He also founded the county's first Crime Stoppers Program, and shepherded the District Attorney's office into the 21st Century by bringing it to the current downtown location, and implementing cutting-edge technology to turn the office "paperless."

Always civic-minded, Larry cherished his many leadership positions within the Merced community he so loved. He played an instrumental role on the committee that brought the tenth campus of the University of California to Merced, served as a founding Board Member of the Boys and Girls Club, and lent his passion and expertise to countless other boards and commissions, including: the Greater Merced Chamber of Commerce and the successful Measure S Campaign for Merced City schools. He was also a member of Elks Lodge 1240, the Los Banos Sportsmen's Association, and since 1996, a proud member of E Clampus Vitus.

Loss and rebirth were a part of his life. The devastating loss of beloved son Ethan, was tempered by the beauty and joy of Ethan's daughter Ava, who was forever in the house that was his sanctuary. With Ava in his arms, and friends and family gathered in the kitchen sharing food, drink, stories, and love, he was truly at his happiest. Likewise, his challenging election loss in 2018 led to auspicious new beginnings, returning him to Sacramento, working for the California District Attorney's Association, and with friends old and new.

As the voice of the Morse family and for his many friends, Larry was often called upon for the task we now face, to give comfort, and find the words to sum up a life well lived. Larry loved life, loved his friends, and loved his family. It's not always easy to navigate the waters of familial dynamics. Over time, the individual tributaries which form mighty rivers sometimes go astray. Especially in a family of six. Larry's parents always stressed the importance of family and great effort was made to maintain family cohesion and strength. He loved their innumerable trips to Bear Valley, the family beach house in Carlsbad, hunting trips, and holidays when the family would gather. His close relationships with his siblings were a great source of pride in his life. To his 3 boys – Dylan, Ethan, and Ryan, he was the center of the universe. They loved and revered him. He was a devoted father, coaching countless teams, taking them on myriad trips all over this state he so loved, and far beyond, frequently and famously running out of gas in more places than can be remembered. He instilled in them a love of music, his earnest belief in "The Golden Rule", the overarching importance of family, a love of reading, the value in always keeping an open mind, and importantly, that if they got hurt, they'd be ok if they "rubbed some dirt on it" or "taped an aspirin to it." However, more than anything or anyone, Larry loved his wife of over 35 years, Cindy. The two met shortly after college and dated for 7 years before marrying at the Capitol Hotel in Little Rock, Arkansas. To those who attended, the ceremony was legendary, the setting spectacular, and the bride, as she remains, breathtakingly beautiful. Larry used to jokingly say they dated for so long before marrying because, "he had to be sure," though anyone who knows them knows Cindy had all the cards in her hand. She was truly his best friend and his rock.

He is survived by his loving wife Cindy, sons Dylan and Ryan, honorary son Saad, granddaughter Ava, the resplendent Aunt Margy, his five siblings – Brian (Beverly), Neil (Teresa), Anne (Chris), Emily (John), and Ellen. He is also survived by nieces – Adria, Elise, Lettye, and Rachelle, and nephews – Michael M., Matt, Michael T., and Cortland.

He is preceded in death by his son Ethan, and his parents, Saranne and Larry D. Morse Sr."

*This article originally ran in the September 9, 2021 edition of the Mariposa Gazette. Reprinted with permission from the Editor.*

## **“Mariposa County, Esq.” by Anita Starchman Bryant**



### **Drug Court Focuses on Problem Solving**

Adult drug court is a specially designed collaborative court that focuses on rehabilitating and treating nonviolent substance abusing offenders in lieu of detention. Studies have shown that such collaborative courts achieve a reduction in repeat offenders and increase the likelihood of an individual’s rehabilitation. California’s first adult drug court began in Alameda County in 1991. Now there are 84 drug courts throughout the state committed to the concept that alcohol and drug services and treatment are preferable to incarceration of nonviolent drug offenders.

Such collaborative justice courts, also known as “problem-solving courts” combine judicial supervision with continuous supervised treatment, mandatory periodic drug testing, the use of appropriate sanctions and rewards, and other rehabilitation services. These courts are designed to stop crime by treating substance use disorders underlying the criminal conduct.

Drug court is truly a team effort. Locally, in addition to the Superior Court judge assigned to oversee drug court, the non-adversarial team includes the Mariposa County District Attorney, defense attorneys, the Departments of Behavioral Health and Probation, and community-based organizations, including the Heritage House. Drug court participants are referred to as “clients.” In addition to regularly coming to drug court, clients are required to regularly attend treatment groups and counseling sessions and are subject to random and scheduled drug testing. Funding comes from state and local sources.

Drug courts require frequent appearances before the assigned drug court judge. On the days that the client comes to court, the probation officer reports on the client’s compliance and a counselor will share information regarding the client’s progress. Positive progress is supported and celebrated. Drug court also holds the client accountable for negative behavior and violating the rules of drug court. This type of court provides the participant a unique opportunity to personally interact and engage with the judge, who is part of the team and there to support and guide a client’s successful completion of the program.

There are several phases in drug court. The goal is that a client successfully complete each phase, and ultimately graduate from the program. Clients move from one phase to the next when the requirements are met for each phase. Phase one establishes the foundation for recovery with weekly court appearances and counseling sessions, along with a minimum of three random drug tests per week. As the phases are successfully completed, obligations to appear in court and participate in counseling and drug testing are reduced. However, if a client violates the rules of drug court, such as having a positive drug test, failing to appear in court, or having new offenses, that individual may be required to return to the requirements of a previous phase. Depending on the seriousness of the violation, the drug court judge’s sanction options may range from requiring an essay be written and read to the court, to incarceration and removal from the program. Upon successful program completion, probation may be terminated, or in some cases, charges can be dismissed.

Research conducted by the National Institute of Justice has found that drug court participants reported less criminal activity, fewer rearrests, and less drug use. While initial treatment costs are higher for participants, overall, studies have found that participation in drug court has saved the state in criminal justice and treatment costs due to lower repeat offenses and saved prison days. A sample of that research is available on the California Court’s collaborative justice information page at: <https://www.courts.ca.gov/5979.htm>

*Anita Starchman Bryant, who earned her J.D. from UC Berkeley School of Law, is a Mariposa attorney practicing in the areas of real estate, land use, estate planning & administration, and probate law. Disclaimer: The content of this publication is for general informational purposes only. Neither this publication nor its author is rendering formal legal or other professional advice or opinions on specific facts or matters. Because of the changing nature of the law and the importance of individual facts, readers are encouraged to seek independent counsel for advice regarding their individual legal issues.*