

# VALLEY LAWYER

JULY/AUGUST 2009 • \$4

A Publication of the San Fernando Valley Bar Association

Join SFVBA on  
**twitter**

**Malpractice Insurance  
Understand Before You Disclose**

**Earn MCLE Credit**

**BOOT CAMP FOR LAWYERS**

**Health Insurance  
Killing Your  
Bottom Line?**

**Q&A with Former  
California State  
Senator Sheila Kuehl**

www.sfvba.org

PRSR STD  
US Postage Paid  
Canoga Park, CA  
Permit No. 348

**SUMMER  
ISSUE**

# LEWITT HACKMAN

A LAW CORPORATION



## The Power You Need The Personal Attention You Deserve

### **BUSINESS PRACTICE AREAS** *(Transactions & Litigation)*

- Corporations/Partnerships/LLCs
- Commercial Finance
- Employment
- Environment
- Equipment Leasing
- Franchising
- Health Care
- Intellectual Property, Licensing & Technology
- Land Use/Development
- Mergers/Acquisitions
- Real Estate Finance/Leasing/Sales/Acquisitions
- Tax Planning

### **CONSUMER PRACTICE AREAS**

- Family Law
- Personal Injury/Products Liability
- Tax and Estate Planning
- Probate Litigation/Will Contests

*Protecting You.  
Protecting Your Business.*



LEWITT, HACKMAN, SHAPIRO, MARSHALL & HARLAN  
A LAW CORPORATION

16633 Ventura Boulevard, 11th Floor ■ Encino, California 91436-1865 ■ (818) 990-2120 ■ Fax: (818) 981-4764 ■ [www.lewitthackman.com](http://www.lewitthackman.com)

# VALLEY LAWYER

A Publication of the San Fernando Valley Bar Association

## VALLEY LAWYER

### SAN FERNANDO VALLEY BAR ASSOCIATION

21250 Califa Street, Suite 113  
Woodland Hills, CA 91367  
Phone (818) 227-0490  
Fax (818) 227-0499  
www.sfvba.org

#### EDITOR

Angela M. Hutchinson

#### BOARD OF TRUSTEES

President .....Tamila Jensen  
President-Elect .....Robert Flagg  
Secretary .....Seymour I. Amster  
Treasurer .....Alan J. Sedley  
Past President .....Sue Bendavid  
Executive Director .....Elizabeth Post

#### TRUSTEES

Chancela Al-Mansour ..... Robert M. Mansour  
Leonard J. Comden ..... Carmen McDonald-Goldberg  
Matt Crowley ..... Steven G. Mehta  
Natasha N. Dawood ..... Lisa Miller  
Brent M. Finch ..... Caryn Brotzman Sanders  
Adam D.H. Grant ..... John F. Stephens  
David Gurnick ..... Kira Vincze  
Wendy Hartmann

#### STAFF

Director of Public Services .....Rosita Soto  
Referral Consultant .....Gayle Linde  
Referral Consultant .....Lucia Senda  
Referral Consultant .....Aileen Jimenez  
Director of Education & Events .....Linda Temkin  
Communications Manager .....Angela M. Hutchinson  
Member Services Coordinator .....Jennifer Jimenez

#### SECTION CHAIRS

ADR .....  
Business Law .....Steven R. Fox  
.....Brent Finch  
Criminal Law .....Jeff Yanuck  
.....Louisa Pensanti  
Family Law .....Rhonda Rauch Miller  
.....Ellen Friedman Tinero  
Intellectual Property,  
Entertainment & Internet Law .....John Stephens  
Litigation .....David Gurnick  
New Lawyers .....Natasha N. Dawood  
Probate & Estate Planning .....Charles Shultz  
.....David Coleman  
Small Firm & Sole Practitioner .....Lisa Miller  
Women Lawyers .....Roxanna B. Kaz  
Workers' Comp .....William Kropach

Valley Lawyer is published 11 times a year. Articles, announcements, and advertisements are due by the first day of the month prior to the publication date. The articles in Valley Lawyer are written for general interest and are not meant to be relied upon as a substitute for independent research and independent verification of accuracy.

#### Design & Printing

Master Graphics Printing (818) 343-0500  
Low Cost Ad Reprints Available to all Advertisers

© 2009 San Fernando Valley Bar Association

## FEATURES

### 11 Q&A with Former California State Senator Sheila Kuehl

BY ANGELA M. HUTCHINSON

### 14 A Tribute to Pearl F. Vogel

BY ALAN J. SEDLEY

### 16 Health Insurance Killing Your Bottom Line?

BY MARTIN LEVY, CLU/RHU

### 17 Malpractice Insurance: Understand Before You Disclose

BY EDWARD POLL

PLUS: Earn MCLE Credit. MCLE Test No. 13 on page 19.

## DEPARTMENTS

### 5 President's Message Courthouse Closures

BY TAMILA JENSEN

### 7 From the Editor

Join SFVBA on Twitter

BY ANGELA M. HUTCHINSON

### 9 Public Service

Toned Down "Find a Lawyer"  
Program Approved

BY ROSIE SOTO

### 12 Valley Community Legal Foundation

VCLF Hosts Annual Gala

BY STEPHEN T. HOLZER

### 18 Above the Law

Administration Remedies

BY MARC R. JACOBS

### 20 Nominating Committee

Candidates Announced for  
2009-2010 Board of Trustees

BY LIZ POST

### 21 New Members

### 23 SCVBA

Santa Clarita Eyeing  
New Courthouse

BY ROBERT MANSOUR

### 24 Classifieds

### 26 Event Calendar

Softball Game

PLUS: More SFVBA Events



## Lawyers Professional Liability Insurance Program Available to SFVBA Members

Wells Fargo Insurance Services in partnership with the San Fernando Valley Bar Association offers an exclusive **Lawyers Professional Liability** insurance program for law firms of 1-10 attorneys.

### Product Overview

Wells Fargo Insurance Services' Lawyers Professional Liability program protects you, your lawyers, your employees, and your firm against damages and claims expenses which the insured shall become legally obligated to pay because of claims arising out of any act, error or omission of the insured in rendering or failing to render professional service for customer.\*

### Program Features

- 1-10 Attorney Law Firms (or larger)
- Competitive Pricing
- Limits of Liability \$500,000 to \$2,000,000
- Optional Defense Costs in Addition to the Limits of Liability
- Defendants Reimbursement Coverage
- Title Agency Coverage
- Personal Injury Coverage
- Full Prior Acts Coverage
- Deductible 5,000 minimum
- Spousal Coverage including Domestic Partners
- Increased Supplemental Payments Limits (for court imposed arbitration hearings)
- BI/PD Exclusion Amended
- 60 Days Post-Policy Reporting
- No Threshold for New Attorneys
- Severability Coverage as Respects Application
- Coverage Enhancement Endorsement Designed Specifically for SFVBA Members

\* Please refer to the policy for actual coverage specifications

### Terri Peckinpaugh

Vice President  
818.464.9353



## Wells Fargo Insurance Services

## Courthouse Closures



**TAMILA JENSEN**  
SFVBA President

**B**Y NOW MOST PEOPLE KNOW THAT THE Los Angeles Superior Court will be mostly closed the third Wednesday of every month beginning on July 15, 2009. This closure is in addition to the closures being considered by the Administrative Office of the Courts (AOC) on a statewide basis. Government Code Section 68101 requires that court may not be in session during furlough days, except as ordered by the presiding judge. Therefore, the decision to furlough employees means court closures are required.

Just exactly what that means in terms of the scope of services cut will probably evolve as the court gains experience with this new schedule. This closure will affect about 600 courtrooms, more than 5000 employees, and 50 courthouse facilities. Some courthouses may be closed. Some services may be available in some courthouse but not others. Some courthouses house other agencies and cannot close. However, clerks' offices, juror services, and most courtrooms will be closed.

A few courtrooms will be open to address emergency needs. For example, since a person who has been arrested is required to a hearing within 48 hours of his or her arrest (excluding holidays and Sundays), some courts must stay open for this purpose. (Penal Code Section 825) The court also will cut some services. This is a very complicated process and we will have to check the court's website ([www.lasuperiorcourt.org](http://www.lasuperiorcourt.org)) and local courts as we go along. I expect there will be a lot of confusion the first few months, so we should all be patient.

What this means fiscally is a bit more clear. The Los Angeles Superior Court has a projected deficit of \$89.9 million in fiscal year 2009-2010 which is expected to rise to \$118.3 million in 2012-2013. This is about 10% of the court's annual operating budget or \$900 million. However, the closure is expected to save only \$18 million per year, not nearly enough to meet the budget shortfall. If the economy and the state budget process continue on their present course, further budget cuts can be anticipated in the next few years.



## Sometimes numbers are the only prints left behind.

Arxis Financial is a proven forensic accounting and litigation specialist. We will examine the financial data and help you determine the "bottom line." Arxis provides financial and valuation analysis needed to resolve a variety of legal disputes from family court to civil, criminal, and probate courts. In many cases our experts can help you reach a settlement. If trial or arbitration is required we give you the support you need to win.

**Chris Hamilton, CPA, CFE, CVA**

**805.306.7890**

[www.arxisfinancial.com](http://www.arxisfinancial.com)

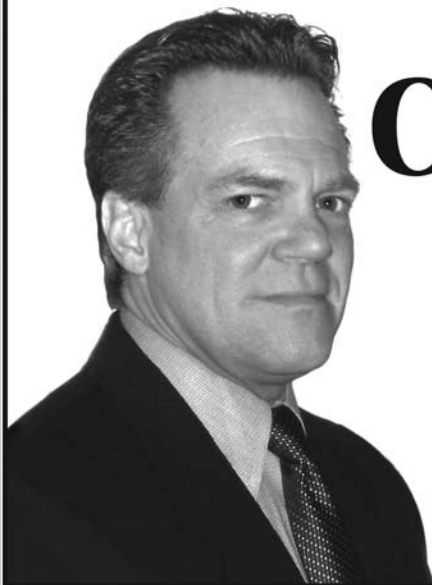
[chamilton@arxisgroup.com](mailto:chamilton@arxisgroup.com)



FORENSIC ACCOUNTING

BUSINESS VALUATION

FRAUD ANALYSIS



# Case Settled!

**BRIAN GHIGLIA  
MEDIATOR**

- Personal Injury
- Business
- Insurance
- Commercial
- Employment
- Professional Negligence

*Call me to  
discuss your case!*  
**(818) 758-1900**  
**(800) 616-4000**  
[www.westcoastmediations.com](http://www.westcoastmediations.com)

***Serving Southern California and beyond!***

## Elder Law & Nursing Home Abuse & Neglect

**Law Offices of Steven Peck is seeking association or referrals for:**

- 1) Nursing Home Abuse & Neglect (Dehydration, Bedsores, Falls, Death)
- 2) Financial Abuse (Real Estate, Theft, Undue Influence)
- 3) Trust & Probate Litigation (Will Contests, Trusts, Beneficiaries)
- 4) Catastrophic Injury (Brain, Spinal Cord, Aviation, Auto, etc.)

*26 years experience*

TOLL FREE **866.999.9085** LOCAL **818.908.0509**

[www.californiaeldercarelaw.com](http://www.californiaeldercarelaw.com) • [www.premierlegal.org](http://www.premierlegal.org) • [info@premierlegal.org](mailto:info@premierlegal.org)

WE PAY REFERRAL FEES PURSUANT TO THE RULES OF THE STATE BAR OF CALIFORNIA

**DARRYL H. GRAVER, ESQ.**

**EXPERIENCED  
ARBITRATOR/MEDIATOR**

*"Have Gavel Will Travel"™*

OVER 3,000 SUCCESSFUL CONCLUSIONS

TO SCHEDULE, CALL JUDICATE WEST 800.488.8805

**818.884.8474**

*fax* **818.884.8388**

We may see more closures, lay off of staff, and job and program cuts in the future. This is not a situation that is going to improve any time soon.

The Los Angeles plan will go forward regardless of what the AOC does because the issues in Los Angeles are substantial and complex. Statewide, the AOC has identified \$495 million in unallocated cuts, unfunded growth in mandated programs, and contractual increases in employee compensation. The goal on the state level is to have one statewide plan to address these issues.

The current fiscal year budget does not provide enough funding to meet the cost of legally mandated services, does not provide for any growth, and reduces funding for branch operations. All this at a time when we are still in the process of transferring courthouses from the counties to the state and trying to develop a statewide case management system.

The Judicial Council is working on a plan to absorb some \$246 million of unallocated reductions which include a plan for statewide court closures. That proposal includes: uniform closures of one day per month for the Supreme Court, Court of Appeal and Superior Courts; one furlough day per month on the uniform closure for judiciary employees; local bargaining to meet local saving goals; a request that judges take a voluntary furlough day (there is a constitutional prohibition on reducing judges salaries); and restoration of the budgetary reductions in Fiscal Year 2011-2012.

Clearly, the proposed closures and other cuts do not eliminate the deficit. Because the courts are now funded at the state level, it is more important than ever that attorneys do what they can to ensure the legislature understands the importance of an adequately and consistently funded judicial branch. The SFVBA participates in the Bench Bar Coalition, a statewide organization of lawyers and judges which works to bring this information to the legislature's attention and to be sure our voices are heard. Each of us must be patient because this is going to affect how we do business on a daily basis. The one thing that may turn out to be most valuable in this situation is civility. 🐶

## From the Editor

For question, comments or candid feedback regarding Valley Lawyer or Bar Notes, please contact Angela at (818) 227-0490, ext. 109 or via email at [Angela@sfbva.org](mailto:Angela@sfbva.org).



ANGELA M.  
HUTCHINSON  
Editor

**T**HIS SUMMER ISSUE OF *Valley Lawyer* focuses on healthcare, insurance, networking and more. Be sure to read my interview with former California Senator Sheila Kuehl. You'll get insight into her career as a healthcare advocate and politician. This month's MCLE article addresses insurance malpractice and disclosure rules. On the networking forefront, our events calendar features upcoming opportunities to socialize and network with other members; we look forward to seeing you there!

We hope that you will also join the Bar in social networking online. I am enthused to announce that the San Fernando Valley Bar Association is now on



For those who would like to 'follow us,' our Twitter page is [www.twitter.com/sfbva](http://www.twitter.com/sfbva). When you start following us, please send us a tweet so that we know you are a SFVBA member and we will begin following you as well.

If you are new to online networking, Twitter is definitely the way to go! After researching the various free online networking sites, our communications team decided on Twitter. Used by celebrities, businesses, and working professionals, Twitter is known as the newest and coolest online networking vehicle. Some of you may already use LinkedIn or Facebook, which are also great. We hope you are actively utilizing those social sites to network not only with SFVBA members, but also other affiliate organizations' members.

Although online networking is useful, there is nothing like face-to-face interaction. So, don't forget to attend our upcoming *Survivor Boot Camp for Lawyers* which will be held on **Friday, July 17** from 11:45 a.m. to 4:00 p.m. at Braemar Country Club. Also, our softball tournament and dinner picnic will take

place on **Tuesday, July 21** starting at 6:30 p.m. at Van Nuys/Sherman Oaks Memorial Park.

You might wonder why our organization hosts monthly educational and social networking events. Well, the San Fernando Valley Bar Association is here to serve its members by providing opportunities for

you to connect with fellow attorneys and the Valley community. 🐦

Have a tweetful summer!

Angela M. Hutchinson

*Coming to a*

**"Steve Mehta is ranked as one of the best mediators..."**

*Gerald Macrae*

**"[S]ettled...an unseizable case..."**

*Paul Bigley*

**"You have a rare gift to bring about a meeting of the minds..."**

*Kathryn DiCarlo*

**"This man is a miracle worker."**

*Adam Silverstein*



**Steve Mehta**

MEDIATIONS THROUGHOUT CALIFORNIA

**SUPERLAWYER  
MEDIATOR 2005-2006**

VALENCIA  
**661.284.1818**

CENTURY CITY  
**310.657.1001**

[www.stevemehta.com](http://www.stevemehta.com)



**Now Available Exclusively at ARC**

## **HON. AVIVA K. BOBB**

*Los Angeles County Superior Court, Retired*



**Judge Aviva Bobb is a versatile jurist with 30 years of experience in family law, probate, and civil litigation.** As Supervising Judge of the probate and family law departments over the past decade, Judge Bobb successfully conducted hundreds of settlement conferences and presided over many high-profile and celebrity cases. She is known for stressing fairness and respect for all parties as well as promoting programs that help litigants make their way through the legal system.

**Judge Bobb will serve as a mediator, arbitrator, special master and discovery referee** in cases involving probate, family law, and law & motion as well as civil litigation including business, employment, medical and legal malpractice and personal injury.

*Amy Newman, President • Steven Davis, Esq., CEO*

**Complete profiles at [www.arc4adr.com](http://www.arc4adr.com)**

**CENTURY CITY • 310.284.8224**

1875 Century Park East • Suite 450 • Los Angeles, CA 90067

**DOWNTOWN • 213.623.0211**

700 S. Flower Street • Suite 415 • Los Angeles, CA 90017



**ARC – Providing Conflict Resolution Services Since 1987**

## **IMMIGRATION LAW AND EMPLOYER SANCTIONS**

### **Tasoff and Tasoff**

**Founded 1949**

**Certified Immigration  
Law Specialist**

**California Board of  
Legal Specialization**

**Former Immigration  
Judge and  
Law Professor**

**(818) 788-8900**

**16255 Ventura Boulevard, Suite 1000**

**Encino, California 91436-2302**

**Fax: (818) 788-5900**

**E-Mail [mail@Tasoff.com](mailto:mail@Tasoff.com)**

## **L.A. EXPRESS APPRAISALS**



### **Patti Kraakevik:**

**Licensed General**

**Certified Appraiser**

**25+ years experience**

**in Real Estate Appraisals**

- Federal Estate Tax - Estate Tax Planning, including Gift Taxes
- Single Family Residences - Apartment Buildings
- Condos - Commercial/Industrial Buildings
- Business Valuations - Discount Analysis

**Located in the Encino Law Center**

15915 Ventura Boulevard, Suite 303

Encino, California 91436

**Tel: 818.343.7802 • Fax: 310.831.6954**

**Also in San Pedro**

**Tel: 310.832.5211 • Fax: 310.831.6954**

CA Lic. # AG016568

# Toned Down "Find a Lawyer" Program Approved



**ROSIE SOTO**  
Director of  
Public Services

**T**HE STATE BAR OF CALIFORNIA formally briefed various Attorney Referral Service (ARS) representatives about the development of the "Find a Lawyer" (FAL) project during the Pathways to Justice Conference one year ago. The FAL project was presented as an enhanced attorney search and member profile feature for its website. ARS representatives expressed concern that this could potentially compete with the certified ARS programs.

Executives of California Lawyers' Associations (ECLA), which is the professional membership organization of executive directors of California bar associations, expressed similar concerns regarding the potential harm to ARS programs and whether, given the State Bar's regulatory and consumer protection functions, it is appropriate for the State Bar to offer a FAL service.

In 1946, the State Bar approached bar associations statewide requesting that they establish lawyer referral programs, particularly to serve returning veterans. The San Fernando Valley Bar Association established the Lawyer Referral Information Service in 1948.

In the 1950's, as more programs began operating, the State Bar established a Committee on Legal Aid and Lawyer Referral Service. This committee developed guidelines and operating procedures for ARS programs, which were adopted by the Board of Governors and approved by the California Supreme Court in 1956. Since then, the State Bar continues to provide support to ARS programs and collects fees for doing so. The Minimum Standards, then voluntary, were regularly modified and toughened, with public service and consumer protection a priority.

The State Bar has also collaborated with the legislative branch to strengthen lawyer referral programs. The State Bar, through its Standing Committee on Lawyer Referral Services, proposed legislation to require all lawyer referral services to operate in conformity with

the Minimum Standards. The State Bar established mandatory minimum standards for ARS programs. The existing standards were revised and strengthened by the Standing Committee on Lawyer Referral Services and approved by the Supreme Court in 1989.

Once State Bar certification was mandated, the Minimum Standards were improved. The most recent version became effective January 1, 1997, entitled Rules and Regulations of the State Bar of California Pertaining to Lawyer Referral Services (Including Minimum Standards for a Lawyer Referral Service in California). Through its certification program, the State Bar collects annual fees from lawyer referral programs of up to \$5,000 for non-profit programs and \$10,000 for for-profit services.

When bar association executive directors first learned of the existence of the Find a Lawyer project at its annual retreat meeting in Santa Barbara in May 2008, they were told that it was a potential source of non-dues revenue for the State Bar; however, ARS representatives at the Pathways to Justice Conference a month later were told that it was not a revenue initiative, but rather an initiative to provide information to the public.

Naturally, this caused confusion and concern about the purpose of the project and its impact on lawyer referral services and bar associations. Some of the raised concerns included a conflict of interest between the State Bar's role as a regulator of ARS programs and an actual competitor of such services; the State Bar's duty to protect the public by

## Hoefflin & Associates, A Law Corporation

*Personalized representation to attain client goals*

Hoefflin & Associates delivers results by putting client interests first and using a team-based approach to creatively, intelligently, and effectively resolve legal matters. Specializing in disputes and litigation including:

- Real Estate
- Partnerships/LLC's
- Business and Corporate
- Estate Planning
- Executive Employment
- Alternate Dispute Resolution
- Entertainment
- Trademark and Copyright

*Refer with confidence*



*Left to Right*

*Richard M. Hoefflin • Jason M Burrows • Tamara L. Harper • Steven A. Meadville  
of Counsel*

2659 Townsgate Road, Suite 232  
Westlake Village, CA 91361  
805.497.8605  
www.hoefflinlaw.com

# COST EFFECTIVE DISPUTE RESOLUTION



Hon.  
James  
Albracht (Ret.)



Hon.  
Alan  
Haber (Ret.)



Hon.  
David  
Horowitz (Ret.)



Hon.  
Thomas  
Schneider (Ret.)



Hon.  
William  
Schoettler (Ret.)



Eleanor Barr,  
Esq.



Linda Bulmash,  
Esq.



Leonard Levy,  
Esq.



Myer Sankary,  
Esq.

## Conference Rooms



Lucie Barron, President  
1900 Avenue of the Stars  
Suite 250  
Los Angeles, CA 90067

**ADR**  
SERVICES, INC.

tel 310.201.0010  
fax 310.201.0016  
[www.adrservices.org](http://www.adrservices.org)

effectively regulating lawyers and the proposed desire to promote individual attorneys by marketing them via FAL and perhaps raise money from them as well; and the State Bar's duty to discipline offending lawyers and its desire to provide a member benefit to all attorneys by advertising them to potential clients. The Board of Governors established a Task Force to address the concerns of the local bar associations, lawyer referral services, judiciary and legal aid organizations, including the potential harm to the public, state bar certified lawyer referral services, local bars that run lawyer referral services and the public service programs that are supported by lawyer referral services.

### Potential Harm to the Public

ARS programs certified by the State Bar were established in large part to ensure consumer protection. ARS programs are required by the State Bar to maintain, among other things, experience panels, panelist with malpractice insurance, panel rotation, and a mechanism to remove panelists for unacceptable behavior. ARS programs must abide by rules of the State Bar and are regulated by the State Bar. Local ARS programs provide qualified employees to assure proper referrals are made to qualified attorneys who possess malpractice insurance and who are in good standing. As it was presented, the FAL website appeared to offer none of the protections and seemed in conflict with the State Bar's philosophy concerning public protection.

### Potential Damage to Certified Lawyer Referral Services

Currently, the State Bar publishes on its website attorney information using an "attorney search" system. The search function allows individuals to search for an attorney by name, location or, if they have been certified by the State Bar, by that specialty area of practice. However, this is merely a basic search function, not an endorsement by the State Bar of the attorney.

The ARS community has worked hard for many years, with the direct support of the State Bar and sanctioned by the California Supreme Court and the legislature, to ensure that important public protection mechanisms are in place in all certified referral services. Consequently, the credibility of ARS programs and bar associations in the community is high. The proposed State Bar system, which appeared not to have any of the important safeguards, jeopardizes the hard-earned reputation of programs that are in compliance with the State Bar's own mandates, further diminishing the likelihood of the public relying on lawyer referral services.

With opposition from local bars, ARS programs and other groups, the State Bar Board of Governors voted 11-8 at its May meeting to approve the new "Find a Lawyer" program that will let the public search the redesigned website by languages spoken and location. The controversial feature that would allow users to search for a lawyer based on the lawyer's self-designated areas of practice will not be implemented. Attorneys will be able to subjectively post their area of practice, but that information will not be searchable.

The ARS of the San Fernando Valley Bar Association thanks those members of ECLA who took time out of their busy schedules to assure the important concerns with the Find a Lawyer project were taken into consideration and addressed. The ARS also trusts that the end result is best for all concerned; including the public it serves. 🏠

# Q&A with Former California State Senator Sheila Kuehl

By Angela M. Hutchinson

**S**HEILA KUEHL IS A PUBLIC SERVICE ADVOCATE WHO HAS dramatically impacted Californians' lives. A former pioneering civil rights attorney and law professor, Kuehl represented the Westside and the San Fernando Valley in the California Assembly and Senate from 1994 to 2008. During her 1997-1998 legislative session, Kuehl became the first woman in California history to be named Speaker pro Tempore of the Assembly. In 2008, Kuehl was appointed to the California Integrated Waste Management Board.

Prior to her election to the Legislature, Kuehl co-founded and served as managing attorney of the California Women's Law Center, where she fought to get into California law more than 40 pieces of legislation relating to children, families, women and domestic violence. She has spoken at two Democratic National Conventions on family violence and diversity. She received the SFVBA's Stanley M. Lintz Award in 1995.

Beginning in 2003, according to her website, she led the fight in the Legislature to achieve true universal health care in California, and, in 2006, and again in 2008, brought SB 840, the California Universal Healthcare Act, to the Governor's desk, the first time in U.S. history a single-payer healthcare bill had gone so far. Undaunted by its veto both times, Senator Kuehl continues to work with advocates statewide and nationally to bring universal, affordable, quality health care to all Californians. Valley Lawyer acquaints SFVBA members with Former Senator Sheila Kuehl.



**Q: You have been a dedicated healthcare advocate for many years, where does your passion stem from?**

**A:** Ever since I was little, for some reason, I have been motivated by a yearning for equality and fairness. As the current healthcare non-system melted down to the detriment of so many thousands of people, when the advocates of a single payer health insurance plan came to me, I agreed to carry the bill and, from there, learned more and more.

**Q: While serving as Chair of the Senate Health Committee, what is the most significant healthcare resolution that the committee was responsible for implementing?**

**A:** I think establishing nurse-to-patient staffing ratios in every hospital, and preserving as much as we could of funding for children's healthcare.

**Q: You have also chaired the Select Committee on the Health Effects of Radioactive and Chemical Contamination, what was the primary purpose of the Committee?**

**A:** There are places in California with significant contamination – the old Rocketdyne site in Santa Susana, perchlorate contamination, low level radioactive waste – where the health effects on the nearby communities has not been admitted or measured. This select committee held hearings on these issues.

**Q: What leadership accomplishment are you most proud of and why?**

**A:** Establishing the only paid family leave program in the country.



Attorney Sheila Kuehl

**Q: In your 14 years in the State Legislature, you authored 171 bills that were signed into law, including those to protect domestic violence victims and their children. Why does this issue resonate with you?**

**A:** In the early '70s, I was asked to chair a board for the Sojourn Shelter for Battered Women and Their Children in Santa Monica and learned of the widespread nature of this violence. I can't stand it when innocent people are victimized and the law turns a blind eye so I worked with the battered women's advocates for years, trying to improve the laws around this subject.

**Q: Becoming the first openly lesbian to be elected to the California Legislature, have you faced any related challenges and if so, how did you overcome them?**

**A:** It was difficult and lonely at first but having a real opportunity to change the law to better protect kids in schools and

people on the job from this kind of harassment made me feel useful. Many of my colleagues were very welcoming and supportive, and, after a while, it was just no big deal to the rest.

**Q: What advice would you give to attorneys who would like to pursue a career in politics?**

**A:** Do it. But it's not the politics that are important; it's the service you get to do once you're elected.

**Q: What triggered your desire for the State Senate and State Assembly?**

**A:** I love the law and the power it has to move the country toward a more just society. I wanted to use my degree to do just that, if I could.

**Q: Prior to your election to the Legislature, you were a public service attorney. What peaked your initial interest in pursuing law as a profession?**

**A:** I think it has to do, again, with this yearning for fairness. It just seemed like working with the law was the best way to make a career out of working for justice.

**Q: Where do you see your career in 5 years? (i.e., what's next for you?)**

**A:** When Zev [Zev Yaroslavsky, Los Angeles County Board of Supervisor - 3rd District] is termed out (I think in 2014), I want to run for his seat and represent this wonderful area again. 🐾

To contact former State Senator Sheila Kuehl, please visit her website at [www.sheilakuehl.org](http://www.sheilakuehl.org).

## VCLF Hosts Annual Gala

ON SATURDAY, MAY 16, 2009 AT CBS STUDIOS in Studio City, the Valley Community Legal Foundation held its Annual Gala. The event once again celebrated the fact that citizens pride themselves in being a part of a society where disputes are decided by ballots, not bullets and by people wearing robes and not hoods.

The event honored, among others, the law enforcement and fire fighting personnel who were the first responders to last year's Chatsworth Metrolink train crash. Additionally, the Justice Armand Arabian Law & Media Award was given to Senior Associated Press Legal Affairs Correspondent Linda Deutsch, who has covered a multitude of high-profile criminal trials from the Charles Mason to the OJ Simpson cases.

VCLF President Stephen Holzer gave the President's Award to Bruce Ackerman, the President/CEO of the Valley Economic Alliance. Businesses in the Valley who are not aware of the Alliance and its companion organization, the Valley Economic Development Center, should familiarize

themselves with these two organizations. The Alliance and the Center can assist small and start-up businesses with survival tips and financing suggestions. Businesses can contact the Center by going to [www.vedc.org](http://www.vedc.org) or by calling (818) 907-9977; they can contact the Alliance by going to [www.economicalliance.org](http://www.economicalliance.org) or by calling (818) 379-7000. Hopefully, this information will benefit attorneys' clients.

The Foundation has also been honored as the recipient of two other gifts. First, on a very happy note, we received a donation from SFVBA member Laura Horton of Horton & DeBolt, LLP and from Douglas N. Silverstein of Kesluk & Silverstein. Ms. Horton and Mr. Silverstein recently settled a case and, per the settlement, directed various proceeds to go to non-profit organizations. The Foundation was designated as one of those organizations; we are grateful to these two lawyers for this contribution.

Second, on a sad note, we recently lost former Foundation President and esteemed member of the Bar, Pearl Vogel. Her family very kindly requested that, in lieu of flowers at her funeral, donations be directed to the Foundation.



**STEPHEN T. HOLZER**  
VCLF President



### More Solutions

Our Business Banking Solution Package offers more solutions to your business needs.



- Merchant Card Services
- SBA Loans
- Business Check Card
- Business Checking Accounts
- Business Credit Line

Please ask us about our latest offers.

United Commercial Bank - Van Nuys Branch  
6440 Sepulveda Blvd., Suite B2, Van Nuys, CA 91411 (818) 988-6668

[www.ibankunited.com](http://www.ibankunited.com)

Member FDIC



Certain Terms and Conditions Apply.

©2009 United Commercial Bank®. All Rights Reserved.

### FOR RENT

#### WARNER CENTER 6320 Canoga Avenue

Two interior offices and secretarial space available in beautiful law firm suite.

Includes receptionist service, kitchen, phone system and voicemail.

Professionally designed suite with travertine tile, glass-enclosed conference rooms, and executive board room with panoramic view of San Fernando Valley.



Contact Sandra (818) 346-5900

VCLF appreciates the contributions by those who attended the Gala as well as by the others listed above. These gestures of support are especially meaningful in these difficult economic times. 🏡



(R-L) SFVBA President-Elect Robert Flagg, his wife Bonnie, Treasurer Seymour Amster and his wife Lisa



(L-R) LA City Councilmember Dennis Zine and Etan Lorant, VCLF Vice President, Scholarships



(L-R) VCLF Vice President Jodi Berman Levine and President Stephen T. Holzer



Law Day Gala "Block Party" at CBS Studios



(R-L) Hon. Armand Arabian, Ret. presents Resolution to Linda Deutsch, Special Correspondent, Associated Press



(L-R) Jodi Berman Levine, SFVBA President Tamila Jensen and Stephen T. Holzer

# We provide solutions.

**23 Years of Professional Service**

**Locates  
Asset  
Investigations  
Background  
Investigations  
Personal Injury**



**Ken Shigut**  
Lic. # PI 14084



**SHORELINE**  
Investigations  
The Power of Knowledge.

[www.shorelinepi.com](http://www.shorelinepi.com)

**800-807-5440**

# A Tribute to Pearl F. Vogel

## 1937–2009

By Alan J. Sedley

**S**AN FERNANDO VALLEY FAMILY LAW ATTORNEY Pearl Vogel was born on September 29, 1937 in Uruguay. Her family moved to Argentina when she was a child, and moved to Los Angeles when she was twelve.

When she arrived in the United States, Vogel did not speak a word of English. Her first language at the time was Yiddish, her second language was Spanish. Despite not knowing English, within two years of her arrival, she had commanded the language sufficiently to be accepted in the Knights and Ladies Honor Society at her school, and became a leader in student government.

Vogel was, according to her daughter Jacque, one of the original “Valley Girls.” In the early 1950s, she attended Van Nuys Junior High, then North Hollywood High, and onto Valley College. She transferred to Valley State College (now, CSUN), and though she did not receive her diploma, was nevertheless accepted to San Fernando Valley College of Law.

Attorney Sy Goldberg, Vogel’s mentor, hired Vogel years earlier as a legal secretary in 1957. At that time, Vogel was married and had two kids, Stewart (now rabbi at Temple Aliyah in Woodland Hills) and Jacque. When her first marriage dissolved, Vogel was on her own, raising her two young children, living in Simi Valley, and working at Goldberg’s office. Sy comments that Vogel’s value in his office was immeasurable, her skills to work with, guide and comfort divorce clients evident though she was not yet an attorney.

One day while at work, Vogel nonchalantly announced to Sy that she would attend law school. Bearing in mind that she was a young, divorced mother with two young children, working full-time as a paralegal, the idea that she could add an intense law school curriculum to her agenda seemed impossible to Sy. In fact, it seemed so improbable that he remarked to her that if she were somehow successful in completing law school and then able to pass the rugged California bar, he would make her a partner.

She enrolled in the night school program at SFV College of Law, and, juggling her full-time duties as a devoted mother, paralegal, and law student, she attained her law degree. Oh yes, she became partner in the firm of Goldberg and (Vogel) Franklin.

A pioneer in her own right, attending law school when very few women were encouraged to do so, she petitioned the California State Bar to sit for the bar exam six months *before* she received her degree. She cited the financial hardship exception that allowed a single, working mom to sit early for the exam. She passed the exam on her first attempt, despite battling a 101 degree fever and wearing a patch over a recently injured eye.

In the early 1970’s, and experiencing what would become a lifetime of medical issues, Vogel thought it best to leave her partnership with Goldberg and open up a solo practice. She did so, now as a reputable family lawyer, and continued to practice family law for twenty-nine years.

Her daughter Jacque, who served as Vogel’s paralegal for ten years, speaks glowingly about her mother’s countless successes as a family lawyer, but most of all, her reputation among her peers as a highly respected, honest, hard-working and talented lawyer who was extremely devoted to her clients’ special needs. Yet as driven as Vogel was to advocate well for her clients, Jacque notes that nearly every one of Vogel’s divorce cases ended without trial, so determined was Vogel to not only achieve the very best possible settlement for her client, but keenly determined to spare her clients the rigors and emotional toll a trial would produce. Jacque estimates that

98% of Vogel’s cases were settled before trial, an unusually high percentage in family law.

Vogel was a pragmatist who most often took a realistic, common sense approach to the divorce arena. Many believe that she may very well have been the originator of the concept, “If a client is not entirely happy with the proposed settlement, and the soon-to-be ex-spouse is not happy with the proposed settlement, a very good settlement has been reached.”

Her son, Rabbi Stewart Vogel, relates Vogel’s tough yet common sense approach to the practice of family law. After learning of Vogel’s death, Stewart’s dear friend reminded him that she came to Vogel years before to represent her in her pending divorce from her verbally and psychologically abusive husband. Vogel immediately made the young woman feel safe. Vogel stood up to the aggressive, high-priced New York attorneys that her husband had hired, and was able to accomplish a most favorable resolution for her client.

Rabbi Stewart said, “When the divorce was final, my mother shared some words with her client that stuck with my friend for almost twenty years. She told her, ‘Now get on with your life.’ Having gone through divorce herself as a young mother, my mother had empathy to know what her clients were going through. Every client felt safe with her. They knew she understood them and they knew that my mother would not be intimidated by anyone as she sought to protect them.” Never one to mince words, Vogel also knew what advice to give her client – that now she had to put the past behind, and move on with her life.

Gary Barr, principal of Alpert, Barr & Grant, and past president of the SFVBA, fondly recalls, “I met Pearl in 1982 when I first started practicing law in the San Fernando Valley. In part as a result of Vogel’s love of the San Fernando Valley, I



became a Trustee of the San Fernando Valley Bar Association and was elected its President in 1991. Throughout the 27 years of our friendship, Pearl was an unwavering source of support. I greatly appreciated her endless help and will truly miss her."

Attorney Mark A. Weiss, a life-long friend and colleague of Vogel, recalls, "I met Pearl in the early 70's. I was in the Public Defender's Office and I often ran into her in the criminal courts. She was one of those rare women who never used her gender to gain advantage or to provide excuses. She was simply a lawyer. She was always honest and candid in her discussions with other attorneys and with the courts. One could always trust anything Pearl represented to be true. The judges never questioned her integrity."

Vogel was often recognized quite deservedly for her years of volunteer service to the legal community in the San Fernando Valley. She served as chair of the Family Law Section of the SFVBA, and was the second person to serve as president of the Valley Community Legal Foundation. She was recognized as Volunteer of the Year by the San Fernando Valley Bar Association in 1998.

Even in retirement, and suffering from numerous medical conditions, she remained a recognizable force in the community. In 2004, she and fellow long-time SFVBA member Florence Rosenberg received the State Bar President's Pro Bono Service Award for helping Valley residents fill out court forms

and understand their legal rights in family law matters at the Van Nuys Self-Help Center.

To know Vogel was to realize that one was in the company of a uniquely gifted, hardworking and dedicated lawyer, tough, determined, and fair, yet above all, passionate about the law. She gave her all to each and every client she represented.

A devoted and loving mother to Stewart Vogel, Jacques Vogel, Kathleen Fish, Robin Foulon and Debra Vogel, caring sister to Susan Tamir and Rebecca Goldberg, grandmother of nine and great grandmother of three, Vogel died peacefully in her sleep on May 25 at the age of 71. She left us much too

***The family of Pearl Vogel has requested that donations in her memory be made to the Valley Community Legal Foundation of the SFVBA, earmarked for the construction of the Children's Waiting Room at the San Fernando courthouse.***

soon, she filled our lives with friendship and good cheer, enlightened us to the ethical and meaningful purpose of law practice, and served as a pioneer and mentor to hundreds a women who came to realize that the law profession was not reserved only for men. ✍

**Alan J. Sedley** is Treasurer of the SFVBA. He practices health law and employment law in Woodland Hills. He serves as instructor of Health Law & Biomedical Ethics to physicians at the Wayne Cancer Institute at St. John's Hospital, Santa Monica. He divides his trial practice between the courts in California and the U.S. District Court for the District of Columbia. Sedley can be reached at [ajs@sedleylaw.com](mailto:ajs@sedleylaw.com).



## EXPERIENCE GETS RESULTS!



### **JANET RUBIN FIELDS, ESQ.**

- 10 years full-time neutral
- Heard over 2,500 disputes
- Specializing in partnership dissolution, legal malpractice, tort, employment & real estate matters



### **DARRYL GRAVER, ESQ.**

- Represented plaintiffs & defendants for over 35 years
- Serving as an arbitrator & mediator for 30 years
- Resolved thousands of disputes in tort, professional malpractice, real estate & contracts

**JUDICATE  
WEST**  
Alternative Dispute Resolution

*Results Beyond Dispute<sup>SM</sup>*



### **ROBERT M. TESSIER, ESQ.**

- Represented plaintiffs & defendants for over 20 years
- Proven track record in settling hundreds of disputes
- Specializes in tort, lemon law, professional negligence & real estate matters



### **HON. MARVIN ROWEN**

- Los Angeles Superior Court for over 20 years
- Full-time neutral for 9 years
- Specializes in tort, construction, complex business & commercial disputes

FOR MORE INFORMATION  
ON THESE AND OUR OTHER  
NEUTRALS CALL

**(800) 488-8805**

OR VISIT OUR WEBSITE AT  
**WWW.JUDICATEWEST.ORG**

DOWNTOWN LOS ANGELES • LONG BEACH • SAN DIEGO • SANTA ANA • WEST LOS ANGELES

# Health Insurance Killing Your Bottom Line?

***There are ways to continue offering these benefits and turn them from an expense to an asset.***

**T**HE CD HAS FADED AWAY TO MP3, DIAL-UP TO DSL, the fax to the scanner, analog to digital in nearly every where we turn. Things are changing, quickly. Think about old ways of doing things and how easily paradigms change.

Much has changed about providing benefits to your employees as part of their benefit of working, but most companies still use old technology when it comes to providing health insurance to their staff. They haven't fundamentally changed their approach in spite of improvements in plans, designs and technology available. Yet there are significant, real strategies available that most clients and advisors simply aren't aware of, that can make a significant impact on the rising costs.

Law firms are not immune to reduced billings and rising expenses. Managing expenses is a critical part of success. Unfortunately, payroll and employee benefits expenses are the most critical and difficult expense to manage. When business owners see an annual increase of 15% for health insurance, they ask themselves, "Do I keep an employee or my health insurance plans?" The bottom line often is that they must keep the health insurance plan, because it's a critical retention and compensation element. Navigating changes to these plans are sensitive where many different needs and families are being served.

Health insurance is generally a professional firms' third largest expense after payroll and rent. For some firms, health insurance can be more than rent. There are, however, options firms can do besides sit back and take the annual beating from the insurance company.

## **Communicate**

Because the pendulum has swung in favor of employers, simply having a job today creates opportunity for each company to extol the virtues of their benefits. Communication of your programs, and their dollar value relative to salaries, can help an employee better understand the entire package they receive. This also helps employers when they ask employees to contribute to plans that have previously been delivered without employee contribution.

## **Consumerize**

Many companies still deliver a "one size fits all" approach with respect to benefits, and most insurance companies have

developed different plan designs to help business owners grapple with the delivery of insurance, and ease the dialogue about sharing in the costs.

## **Engage Employees**

The engagement of employees in the selection of benefit levels and plan choices is critical. When the plans are interactive, and employees are informed and educated, the employer can transform the **expense** of healthcare, into an **asset**, all the while offsetting costs, or by setting a flat-dollar allocation to limit the expense. No firm is too small to evaluate and implement multiple plans and choices.

## **Use Uncle Sam**

Make sure employee health insurance contributions are being taken out of payroll on a pre-tax basis through a Section 125 plan (commonly known as a "Cafeteria Plan".) Even if you think they are, double-check. Many business owners, their brokers and/or their payroll companies inadvertently mess this up and it can cost you. Having these funds taken out on a pre-tax basis will lower your payroll tax and lower employees' tax basis. A simple document allows for "premiums only," whereas a more complex version allows for many items such as dependent care and unreimbursed medical expenses, and even parking, to be paid from pre tax dollars.

Consider Health Savings Accounts (HSAs). The government developed these accounts as a way to help employees pay for medical benefits using tax deductible funds, and can be either employee or employer funded. The trick with HSAs is have someone well-versed in these accounts work with employees to determine an appropriate amount for withdrawal because there are heavy tax consequences if you need to withdraw the funds for purposes other than medical benefits. Only certain types of health plans can be paired with an HSA. This is an extremely advantageous technique when properly designed.

While healthcare still ranks high on the priority list for most employees, it has become one of the high-ticket items that professional firms have to mitigate and manage. Although health insurance is expensive, and for many the costs of staying "healthy" are outweighing the "costs of getting sick", employers of every size need to work closely with their advisors to help them deliver the best possible opportunities to their employees, and their P&L. ⚡

**Martin Levy, CLU/RHU**, is President and Founder of Corporate Strategies, Inc. in Encino. He specializes in helping small-to-medium size businesses develop strategies to turn the employee benefits into business assets, using proprietary tools developed by the organization. Levy can be reached at [marty@corpstrat.com](mailto:marty@corpstrat.com) or (800) 914-3564 x12.



## MCLE ARTICLE AND SELF-ASSESSMENT TEST

By reading this article and answering the accompanying test questions, you can earn one MCLE credit. To apply for the credit, please follow the instructions on the test answer form on page 19.

By Edward Poll

# Malpractice Insurance: Understand Before You Disclose

**T**HE STATE BAR OF CALIFORNIA BOARD OF Governors in 2008 adopted a new professional rule of conduct, pending approval by the California Supreme Court. Under this rule, lawyers must now advise their clients in writing when they do not carry malpractice insurance, either in their engagement agreement or in a separate document. The American Bar Association's House of Delegates approved a mandatory disclosure rule in 2004, and more than 20 states have adopted malpractice insurance disclosure rules since.

### Cost Analysis

Such developments make it essential that lawyers develop a better understanding of malpractice insurance, particularly given that approximately 18% of California lawyers – some 30,000 – do not have malpractice insurance. That does not automatically define these lawyers as disciplinary problems, because malpractice allegations are a concern for the entire profession.

California State Bar members spend close to 80% of their dues (more than \$30 million) each year to support the disciplinary system. Complaints can range from gross malfeasance such as misappropriation of trust funds, to practice management failings that allege poor service, unreturned phone calls, inaccurate arithmetic on the billing statements, and so on.

Because such conduct is so prevalent, malpractice insurance is expensive. The least costly annual premiums range from \$4,000 to \$7,000 per lawyer. As many as 50% of lawyers in every state, California included, average *less than* \$100,000 revenue a year, so malpractice insurance can take a major slice of annual income.

In today's business conditions, small and solo practices must scrutinize every dollar in expenses. To do that (scrutinize the expenses) for malpractice insurance premiums, it's important to understand how insurance rates are set.

Basically, three factors are involved: losses (which for most carriers is 5% to 10% of premiums paid), cost of reinsurance (meaning how much insurance risk insurers can pass off to other carriers), and investment income (from stocks, bonds and other financial instruments in which carriers invest their excess premiums).

In the current financial crises, even if losses remain the same or go lower, and the cost of reinsurance remains stable (an unlikely event given the financial problems of the world), the investment income earned by the carriers is likely to plummet. As investment losses mount, the carriers likely will have to increase premiums to make up the shortfall in their portfolios.

### When premiums do rise, lawyers will face a cost/benefit analysis of affordability:

- **Cost:** How much is the insurance premium? What is the nature of the coverage? Is it a wasting policy, meaning that defense costs reduce the face value of the policy?
- **Benefit:** What protection is provided? Will the face value of the policy assure that the personal assets of the lawyer will not be subject to claim? Does the lawyer deal with clients, such as alleged criminals, who statistically are unlikely to bring a malpractice claim? Does the lawyer have valuable assets to protect, such as a house, stocks and bonds, or other financial instruments? What would be the financial impact of a judgment against the lawyer?

### Risk Analysis

Also part of the analysis should be an assessment of how much malpractice risk a practice has. Not every practice faces that risk equally. Personal injury litigation practice accounts for about one-third of all malpractice claims. Add related medical malpractice claims and the percentage is even higher.

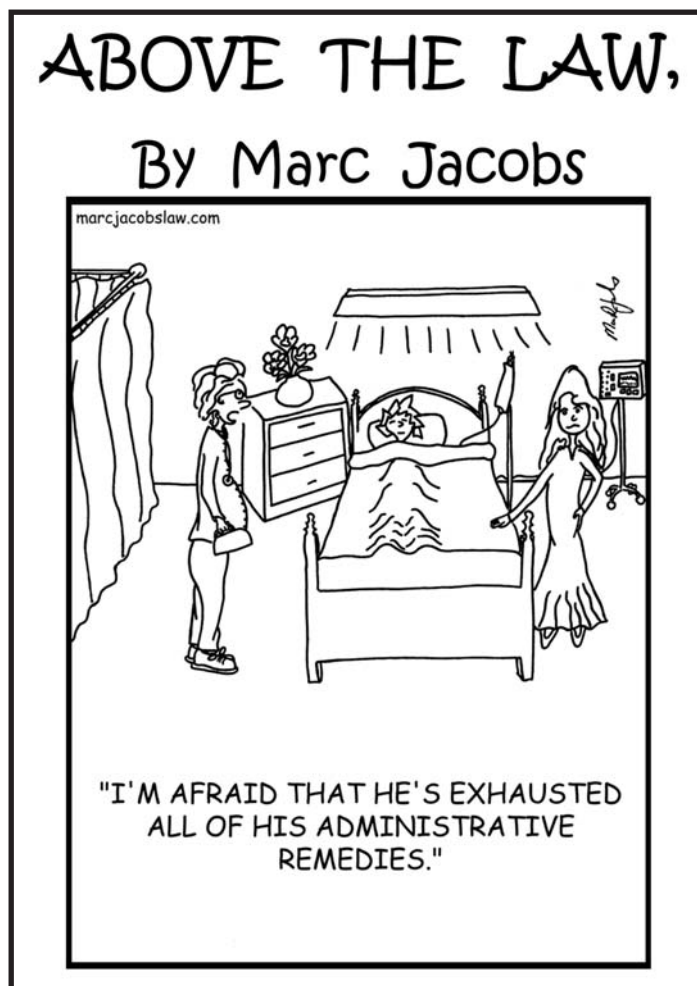
The reasons for that are simple. If the personal injury lawyer misses or misreads the applicable statute, the liability is clear-cut and irrevocable; the client can claim that a big award would otherwise have resulted.

Also, practices that are not current on technology may face greater malpractice risk. One of the Rules of Professional Conduct requires that a lawyer be competent to handle a given matter. And one criterion for competency is the standard of care in the local community.

Facing lawyers who are significantly more sophisticated in the use of technology sets a standard of care against which all lawyers are measured. Firms that don't use technology effectively for research, file management and the like, may be perceived as willfully less competent than their competitors.

Finally, there can be a malpractice problem when one lawyer makes a special court appearance on behalf of another. This generally occurs in smaller communities, but quite a few attorneys in major metropolitan areas routinely make appearances for other lawyers as a professional courtesy and source of income to help out with a schedule conflict or to handle a routine matter.

The lawyer who engages the contract "pinch hitter" becomes responsible – in a malpractice sense – for any errors committed even in a seemingly simple case. Court decisions have also upheld malpractice findings where the lawyer making the special appearance becomes liable for the errors of the primary lawyer and even of other lawyers who made previous special appearances.



## Affordability Options

All of these potential snares emphasize the complexity of malpractice insurance. Discussion of the California mandatory disclosure proposal recognized the need to communicate those complexities to members, and to work with the insurance industry to create affordable malpractice insurance coverage.

Such coverage already exists to some extent, as the California Client Security Fund covers malpractice claims up to \$50,000. No insurance is required of any attorney for a client to claim that amount, and lawyers in the state currently contribute \$40 a year to the fund, with a \$10 annual assessment paid by inactive lawyers. In 2008, the Fund paid out more than \$4.6 million on 479 awards.

Another, widely cited example is the state of Oregon's Professional Liability Fund, which is the mandatory provider of primary malpractice coverage for Oregon lawyers. Since 1978, the Professional Liability Fund has provided coverage of \$300,000 per claim/\$300,000 aggregate to all attorneys engaged in the private practice of law in Oregon. This is inclusive of defense costs and, in addition, there is a \$50,000 claims expense allowance. Each of the state's lawyers pays a basic assessment for this coverage which is provided by the Fund on a "claims made" rather than an "occurrence" basis. The assessments are much less than the nationwide average payment for malpractice insurance and all lawyers are covered.

## Real Solution

The bottom line is that any lawyer, even the most competent and conscientious, can face the risk of a malpractice lawsuit. Malpractice insurance is a major expense, especially for small firms, and cannot easily be cut – contracts are written on an annual basis and moving from one carrier to another should be done with great care to assure that prior acts are covered.

The best course of action for a firm concerned about malpractice insurance costs is to focus on creating the kind of client satisfaction that makes a malpractice claim unnecessary. It is essential that the client knows what the lawyer is doing, and that the client approves of the tactics taken.

Effective lawyers find out not only what clients need, but also what they want. The lawyer must promote quality communication to assure that the client has a good understanding of what to expect. If lawyer and client are in clear agreement, there is little likelihood of a malpractice claim. ⚡

**Edward Poll, J.D., M.B.A., CMC**, is a recognized expert in practice management. He helps attorneys and law firms increase profitability, coaching them on issues of internal operations, practice development and financial matters. He practiced law for 25 years, has coached for 20 years, and is the author of 12 leading books in the law practice management field. Poll will be a speaker at the SFVBA's Survivor Boot Camp for Lawyers on July 17. He can be reached at [edpoll@lawbiz.com](mailto:edpoll@lawbiz.com) or (800) 837-5880.



# MCLE Test No. 13

This self-study activity has been approved for Minimum Continuing Legal Education (MCLE) credit by the San Fernando Valley Bar Association (SFVBA) in the amount of 1 hour. SFVBA certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing minimum continuing legal education.

1. The State Bar of California now requires lawyers to advise their clients in writing when they do not carry malpractice insurance.  
True  
False
2. California is the only state with a mandatory malpractice insurance disclosure rule.  
True  
False
3. More than half of California lawyers do not have malpractice insurance.  
True  
False
4. California State Bar members spend well over half of their dues each year to support the disciplinary system.  
True  
False
5. The least costly annual malpractice premiums range from \$4,000 to \$7,000 per lawyer.  
True  
False
6. Insurance carrier cost for malpractice insurance depends on their losses, their cost of reinsurance and their investment income.  
True  
False
7. For most insurance carriers, malpractice insurance losses account for more than 25% of premiums paid.  
True  
False
8. The current financial crisis will have little effect on how much insurance carriers charge for malpractice insurance premiums.  
True  
False
9. In a wasting malpractice insurance policy, defense costs reduce the face value of the policy.  
True  
False
10. Criminal defendants are more likely to bring a malpractice claim.  
True  
False
11. Personal injury clients are more likely to bring a malpractice claim.  
True  
False
12. A law firm that uses outdated technology is at risk of a malpractice claim.  
True  
False
13. The lawyer who makes a special court appearance for another lawyer becomes responsible – in a malpractice sense – for any errors committed.  
True  
False
14. Lawyers making special appearances cannot be held liable for the errors of the primary lawyer or of other lawyers who made previous special appearances.  
True  
False
15. The existing California Client Security Fund covers malpractice claims up to \$50,000.  
True  
False
16. Coverage by the fund is provided free of charge to California lawyers.  
True  
False
17. In 2008 the Client Security Fund paid out less than \$1 million in claims.  
True  
False
18. The state of Oregon provides mandatory malpractice coverage for all Oregon lawyers.  
True  
False
19. Oregon's coverage is provided by the Fund is on a "claims made" rather than an "occurrence" basis.  
True  
False
20. Even if a lawyer works to improve client satisfaction, it will have little impact on the risk that a malpractice claim will be filed.  
True  
False

## MCLE Answer Sheet No. 13

### INSTRUCTIONS:

1. Accurately complete this form.
2. Study the MCLE article in this issue.
3. Answer the test questions by marking the appropriate boxes below.
4. Mail this form and the \$15 testing fee for SFVBA members (or \$25 for non-SFVBA members) to:

San Fernando Valley Bar Association  
21250 Califa Street, Suite 113  
Woodland Hills, CA 91367

### METHOD OF PAYMENT:

- ☐ Check or money order payable to "SFVBA"  
☐ Please charge my credit card for \$\_\_\_\_\_.

Credit Card Number \_\_\_\_\_ Exp. Date \_\_\_\_\_

Authorized Signature \_\_\_\_\_

5. Make a copy of this completed form for your records.
6. Correct answers and a CLE certificate will be mailed to you within 2 weeks. If you have any questions, please contact our office at (818) 227-0490, ext. 105.

Name \_\_\_\_\_  
Law Firm/Organization \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_  
State/Zip \_\_\_\_\_  
Email \_\_\_\_\_  
Phone \_\_\_\_\_  
State Bar No. \_\_\_\_\_

### ANSWERS:

Mark your answers by checking the appropriate box. Each question only has one answer.

1.	<input type="checkbox"/> True	<input type="checkbox"/> False
2.	<input type="checkbox"/> True	<input type="checkbox"/> False
3.	<input type="checkbox"/> True	<input type="checkbox"/> False
4.	<input type="checkbox"/> True	<input type="checkbox"/> False
5.	<input type="checkbox"/> True	<input type="checkbox"/> False
6.	<input type="checkbox"/> True	<input type="checkbox"/> False
7.	<input type="checkbox"/> True	<input type="checkbox"/> False
8.	<input type="checkbox"/> True	<input type="checkbox"/> False
9.	<input type="checkbox"/> True	<input type="checkbox"/> False
10.	<input type="checkbox"/> True	<input type="checkbox"/> False
11.	<input type="checkbox"/> True	<input type="checkbox"/> False
12.	<input type="checkbox"/> True	<input type="checkbox"/> False
13.	<input type="checkbox"/> True	<input type="checkbox"/> False
14.	<input type="checkbox"/> True	<input type="checkbox"/> False
15.	<input type="checkbox"/> True	<input type="checkbox"/> False
16.	<input type="checkbox"/> True	<input type="checkbox"/> False
17.	<input type="checkbox"/> True	<input type="checkbox"/> False
18.	<input type="checkbox"/> True	<input type="checkbox"/> False
19.	<input type="checkbox"/> True	<input type="checkbox"/> False
20.	<input type="checkbox"/> True	<input type="checkbox"/> False

## SEYMOUR I. AMSTER

### Attorney at Law

- Member of the SFVBA Board of Trustees since 2002
- Experienced in handling Appellate, Federal and State Criminal Cases
- Certified Criminal Law Specialist, Certified by the Board of Legal Specialization of the State Bar of California

6320 Van Nuys Boulevard, Suite 300  
Van Nuys, CA 91401

(818) 947-0104 FAX: (818) 781-8180  
siaesq1@aol.com



## RICHARD F. SPERLING, ESQ.

- Complex, contested, and collaborative family law matters
- Mediations
- Member, Los Angeles Collaborative Family Law Association

*International Academy of Collaborative Professionals*

- Professor of Law:

*Southern California Institute of Law  
California State University, Northridge*



### **Sperling & Associates**

**5743 Corsa Avenue, Suite 116**

**Westlake Village, CA 91362**

**(818) 991-0345 • sperlinglaw@hotmail.com**

## Nominating Committee

### Candidates Announced for 2009-2010 Board of Trustees



**LIZ POST**  
SFVBA  
Executive  
Director

ON MAY 26, 2009, THE SAN FERNANDO VALLEY Bar Association Nominating Committee announced its slate of candidates for the 2009-2010 Board of Trustees. The Committee needed to nominate 9 to 12 members for 6 open trustee positions on the Board.

The Committee unanimously nominated current SFVBA Trustees Leonard Comden, Brent Finch, Caryn Sanders, John Stephens and Kira Vincze, and new candidates Phillip Feldman, Janet Rubin Fields, Donald Flaig and Carol Newman.

"This was my first time serving on the Nominating Committee," says President-Elect Robert Flagg. "What impressed me most was the caliber of the applicants for nomination. I'm encouraged by the commitment to the Bar expressed by all the applicants. I congratulate the nominees and look forward to the election.

"The tough part was that we had more applicants than nominee slots, so not all applicants could be nominated. For each of those, I encourage you to continue your involvement with the Bar and to re-submit an application when the nominations for the 2010 election open next year!" says Flagg.

According to the SFVBA Bylaws, although the nomination process by the Committee has concluded, members who are interested in having their name added to the ballot can do so by submitting an alternative nomination to be a trustee or for any officer position (except President or President-Elect). Prospective candidates must file a written nomination that has been signed by at least 25 active members of the association. The nomination packet must be filed with SFVBA's Secretary Seymour Amster no later than Friday, July 24, 2009.

The new Board of Trustees will be sworn in at the Installation Gala on Saturday, September 26, 2009 at the Woodland Hills Hilton. 📍

Liz Post can be reached at [epost@sfvba.org](mailto:epost@sfvba.org) or (818) 227-0490 ext. 101.

### The 2009-2010 Board of Trustees Nominees are...

<b>President:</b>	Robert Flagg (Automatic)
<b>President-Elect:</b>	Seymour Amster
<b>Secretary:</b>	Alan Sedley
<b>Treasurer:</b>	David Gurnick
<b>Trustees:</b>	Leonard Comden (Incumbent)
	Brent Finch (Incumbent)
	Phillip Feldman
	Janet Rubin Fields
	Donald Flaig
	Carol Newman
	Caryn Sanders (Incumbent)
	John Stephens (Incumbent)
	Kira Vincze (Incumbent)

# New Members

The following new members joined the SFVBA in April and May 2009:

**Rhonda Doris Arastoozad**  
Wells Fargo Bank  
Beverly Hills  
(310) 550-8827  
rhonda.d.arastoozad@wellsfargo.com

**Polina Bernstein**  
Encino  
(818) 817-7570  
polinafb@gmail.com

**Vipan Bhola**  
North Hollywood  
(818) 508-1500  
vip@bhola.net

**Christopher D. Cantore**  
Tarzana  
(818) 636-2436  
coolseq@gmail.com

**Shekhar N. Chikhalikar**  
Chatsworth  
(818) 521-0427  
shekharesq@gmail.com

**Alexander Gerard Cozzaglio**  
Law Offices of Alexander G. Cozzaglio  
Woodland Hills  
(818) 936-3282  
agc@cozzagliolaw.com

**Mark W. Cummins**  
West Hills  
(818) 517-2335  
markcummins@cpa@yahoo.com  
Associate Member  
Certified Public Accountant

**Angela Pierce di Donato**  
Pasadena  
(626) 796-7771  
angela@sdchildlaw.com  
Juvenile Dependency

**David Lorenzo Fleck**  
Granada Hills  
(818) 268-5929  
davidfleck@yahoo.com

**Anthony R. Girgis**  
Encino  
(818) 986-5000  
agirgis@hotmail.com

**David Gould**  
Calabasas  
(818) 222-8092  
dgould@davidgouldlaw.com  
Business Law

**Kyla N. Harris**  
Caltrans-Legal Division  
Los Angeles  
(213) 687-6000  
kylaharris7@gmail.com  
Paralegal

**Lauren S. Hurr**  
Newhall  
(818) 915-0070  
lhurrlaw@aol.com

**Thomas F. Kirchoff**  
North Hollywood  
(818) 508-7304  
tlkirchoff@hughes.net

**P. Mark Kirwin**  
Haffner, Haffner & Kirwin, LLP  
Ventura  
(805) 641-9334  
mkirwin@hkhklaw.com

**Heidi Lauer**  
Pines, Laurent & Lauer, LLP  
Encino  
(818) 382-3900  
heidi@pllfamilylaw.com  
Collaborative Family Law

**Michele A. Leach**  
Summit Financial Consultants, Inc.  
Westlake Village  
(818) 889-9373  
michele@thewiseinvestor.net  
Associate Member

**Suma Mathai**  
Los Angeles Center for Law and Justice  
Los Angeles  
(323) 980-3500  
suma@lclj.org

**Bijan Papaic**  
The Printing House  
Encino  
(818) 380-0380  
printing@printinghouse.net  
Associate Member

**Anne Price**  
Law Offices of Michael J. Jaurigue  
Glendale  
(818) 432-3282  
anneprice@hotmail.com

**Robert Reganyan**  
Glendale  
(818) 649-0879  
ReganyanLawfirm@gmail.com

**Diane C. Reyes**  
Dependency Children & Adoption Law  
Corp.  
Burbank  
(818) 237-5330  
dianereyes@earthlink.net  
Adoption, Dependency

**Ana Patricia Rivas**  
Reseda  
(818) 342-4007  
anarivaslaw@aol.com

**Joni Ellishia Salomon**  
Beverly Hills  
(310) 282-0858  
jsalomon@salomonlawcorp.com

**Kendra Thomas**  
Woodland Hills  
(877) 479-7970  
kthomas@law-thomas.com

**Anne L. Thompson**  
Nemecek & Cole  
Sherman Oaks  
(818) 788-9500  
athompson@nemecek-cole.com  
Litigation

**Nancy A. Young**  
Law Offices of Nancy A. Young and  
Law Offices of OSHA Defense Attorneys  
Sylmar  
(818) 367-5200  
nyoung441@verizon.net  
General Practice, OSHA Defense

**Jemore Zamos**  
Woodland Hills  
(818) 348-7151  
zamoslaw@aol.com  
Civil Rights, Real Property

**Vivian Junmin Zou**  
Alhambra  
(347) 729-6256  
nhkityn@yahoo.com  
Law Student

## COURTROOM DISPLAYS



**MASTER  
GRAPHICS  
PRINTING**

**Mounted or  
Printed Directly  
on Board  
Sizes Up to  
48"x96"**

Call for information  
on this and all our  
other Litigation  
Services.

**818-343-0500  
www.mgprint.com**

## HAS YOUR CLIENT BEEN BURNED BY A STOCKBROKER?

### SECURITIES LAW Claims Against Stockbrokers

Stock Market Losses Caused by:  
Excessive Trading in Account  
Unsuitable Investments  
Misrepresentation Variable Annuities

**LAW OFFICES OF  
JONATHAN W. EVANS &  
ASSOCIATES**  
33 YEARS IN PRACTICE  
ARBITRATOR FOR SUPERIOR AND  
MUNICIPAL COURT

**NO RECOVERY – NO FEE  
FREE INITIAL CONSULTATION**

Call today for an appointment  
(818) 982-1881 • (800) 699-1881  
(213) 626-1881  
www.stocklaw.com

12711 Ventura Blvd., Suite 440  
Studio City, CA 91604

## To Aid Families In those moments when difficult issues arise



**Richard Lewis, Esq.**  
Attorney at Law

Past president  
of the San Fernando  
Valley Bar Association.

- **Family  
Law**
- **Probate**
- **Estate  
Planning**

Providing  
services to the  
San Fernando Valley  
for over 18 years



**(818) 704-0585  
www.RichardLewis.com**

# GROSSLIGHT INSURANCE, INC.

*Superior service and quality products for your law firm*

## LAWYERS' PROFESSIONAL LIABILITY

ALL AREAS OF PRACTICE  
SMALL & LARGE FIRMS  
FULL TIME & PART TIME  
IN-HOUSE COUNSEL  
"A" RATED CARRIERS  
NO BROKER FEE  
NO MEMBERSHIP REQUIRED

(310) 689-5325

## ADDITIONAL PRODUCTS FOR BUSINESS & HOME

BUSINESS OWNERS' PACKAGE  
WORKERS' COMPENSATION  
EMPLOYMENT PRACTICE LIABILITY  
UMBRELLA  
FUDICIARY BONDS  
EMPLOYEE BENEFITS  
AUTO / BOATS / YACHTS  
HOMEOWNERS' / CONDO OWNERS'

(310) 689-5344

SINCE 1950

1333 WESTWOOD BOULEVARD . LOS ANGELES, CA 90024  
LICENSE NO.0247283

## When Bankruptcy May Be the Best Solution...

Choose an experienced & knowledgeable attorney who provides personal & timely attention and recommends bankruptcy only when it is the best solution.

Law Offices of Steven R. Fox  
Bankruptcy & Related Matters

Debtor and Creditor Representation  
Chapter 11 Reorganization  
Bankruptcy Litigation  
Developing and Rebuilding Companies



17835 Ventura Blvd., Suite 306  
Encino, CA 91316 ■ (818) 774-3545  
[SRFox@FoxLaw.com](mailto:SRFox@FoxLaw.com)

## Santa Clarita Eyeing New Courthouse



**ROBERT  
MANSOUR**  
SCVBA President

### IT WAS GOING TO HAPPEN

sooner or later. Santa Clarita is one of the fastest growing cities in California. It is the fourth largest city in Los Angeles County with a population of 177,045. With the possible annexation of surrounding neighborhoods, it may soon become the third largest city.

Additionally, some indicate that by 2025, the city is expected to have 428,000 residents, and over 517,000 residents by 2035. With such population growth, it was only inevitable that its existing courthouse facility demand renovation and/or expansion.

Late last year, the Judicial Council announced approval of construction of five new courthouses and renovation of one existing courthouse in Los Angeles County using the proceeds from a \$5 billion lease revenue bond approved by the Legislature last fall. Santa Clarita was on that short list and characterized as an "immediate" need.

Senate Bill 1407, which called for the bond, originally indicated a renovation of the existing courthouse on Valencia Boulevard. Legislators found Santa Clarita's courthouse in need of dire repair. However, by the time the governor signed the bill in September, the renovation became a "replacement" project primarily due to the population growth.

The new Santa Clarita courthouse portion of the bond amounts to approximately \$50 million. While that may seem like a great deal of money, the state-of-the-art Lancaster courthouse cost over \$200 million. It seems the courthouse will have four courtrooms for the time being; however, the site will smartly account for future expansion as funds become available.

On March 24, 2009, the Santa Clarita City Council adopted a resolution expressing the City's support for the new project and a commitment of land of


approximately 3.5 acres located near Golden Valley Road. More recently, as the project continues to develop steam behind it, the City increased its bid to bring a new courthouse to fruition by doubling its donation of land to another 3.5 acres. The idea is not only to bring a new courthouse, but develop a new "legal center" in Santa Clarita. This may include a new law enforcement location.

By donating 7 acres for the new courthouse location, Santa Clarita hopes to have its site approved by the Administrative Office of the Courts, which is responsible for planning new courthouses in California. Ultimately, Santa Clarita may have its own judicial district.

Members of the Santa Clarita Valley Bar Association joined Councilman Bob

Kellar at a recent meeting to discuss these exciting new developments. Also in attendance were Judge Graciela Freixes and Commissioner Jeffrey Harkavy.

On June 18, the SCVBA held its monthly meeting with special guest speaker, retired Judge Michael Hoff. Judge Hoff served on the court for 21 years, including three years as Supervising Judge and four years as Assistant Supervising Judge of the Northwest District. He also served as the judge for the Probate Department for three years. He now handles mediations professionally and discussed negotiation strategies with our members.

For more information about upcoming events, please visit [www.scvbar.org](http://www.scvbar.org). 

### – EXPERT WITNESS – CONSTRUCTION

#### 41 YEARS CONSTRUCTION EXPERIENCE

##### SPECIALTIES:

Lawsuit Preparation/Residential Construction, Single and Multi-family, Hillside Construction, Foundations, Vibration Trespass, Concrete, Floors, Tile, Stone, Retaining Walls, Waterproofing, Water Damages, Roofing, Sheet Metal, Carpentry/Rough Framing, Stairs, Materials/Costs, Building Codes, Construction Contracts.

##### CIVIL EXPERIENCE:

Construction defect cases for insurance companies and attorneys since 1992

### COOK CONSTRUCTION COMPANY STEPHEN M. COOK

California Contractors License B431852  
Nevada Contractors License B0070588

Graduate study in Construction  
L.A. Business College, 1972

Tel: **818-438-4535** Fax: **818-595-0028**  
Email: [scCook16121@aol.com](mailto:scCook16121@aol.com)

7131 Owensmouth Avenue, Canoga Park, CA 91303

## DOMAIN NAME PROTECTION

Domain Name Arbitrations  
Cybersquatting Litigation  
Trademarks

**John R. Yates**  
[jyates@greenbass.com](mailto:jyates@greenbass.com)

**G&B**  
GREENBERG & BASS LLP

16000 Ventura Blvd., Suite 1000  
Encino, CA 91436  
818-382-6200  
[www.greenbass.com](http://www.greenbass.com)

# Classifieds

## ATTORNEY TO ATTORNEY REFERRALS

### APPEALS & TRIALS

\$125/hour. I'm an experienced trial/appellate attorney, Law Review. I'll handle your appeals, trials or assist with litigation. Alan Goldberg (818) 421-5328.

### EMPLOYMENT LITIGATION

Sexual Harassment Discrimination, Wrongful Termination, QuiTam/ Whistleblower, Overtime Violations, etc. 25% Referral Fee paid to attorneys per State Bar Rules. Law Offices of Jill B. Shigut (818) 992-2930.

### PERSONAL INJURY/WRONGFUL TERMINATION

Handling all aspects of personal injury, products liability, wrongful termination, sexual harassment, discrimination and wage/hour violations. THE FLAIG LAW FIRM pays 25-30% in referral fees. Contact Donald W. Flaig, Esq. at (805) 418-1810 or [dflaig@flaiglawfirm.com](mailto:dflaig@flaiglawfirm.com).

### STATE BAR CERTIFIED WORKERS COMP SPECIALIST

Over 30 years experience-quality practice. 20% Referral fee paid to attorneys per State Bar rules. Goodchild & Duffy, P.L.C. (818) 380-1600.

### EMPLOYMENT LAWYERS GROUP

Terminations • Sexual Harassment • Disability Pregnancy • Medical Conditions • Unpaid Wages & Commissions • Referral Fees Paid per State Bar Rules • 15 Years in Sherman Oaks doing Labor Law; near 100% Success Rate • Contact Karl Gerber (818) 783-7300.

## EXPERT

### STATE BAR DEFENSE & PREVENTATIVE LAW

Former: State Bar Prosecutor; Judge Pro Tem. Legal Malpractice Expert, Bd. Certified ABPLA & ABA. BS, MBA, JD, CAOC, ASCDC, A.V. (818) 986-9890 Fmr. Chair SFBA Ethics, Litigation. Phillip Feldman. [www.LegalMalpracticeExperts.com](http://www.LegalMalpracticeExperts.com). [StateBarDefense@aol.com](mailto:StateBarDefense@aol.com).

## SPACE AVAILABLE

### ENCINO

Large, elegant office on Ventura Blvd., with or without secretarial space. Some referrals; many amenities, kitchen, library. Call Jack or Bruce Kaufman (818) 788-5767.

### GLENDALE

Great Office Space. LA LAW CENTER, 300 W. Glenoaks Blvd., Ste. 300. Free parking. Easy Access to 134/5 freeways. 1 Large office – \$1,200/month; 3 Offices (8'x10') – \$600/month each. Great conference rooms. Limited Virtual Offices – flexible, starting \$50 for mail only. Call Kathy McHugh (818) 241-4238.

### WOODLAND HILLS

Corner window office 18'x18' with adjoining 14'x14' secretarial area and one 11'x14' window office available in terrific penthouse suite on Ventura Blvd. Great views. Receptionist, library, kitchen and conference rooms. Call Jim (818) 716-7200 x. 141.

Share office space at 20700 Ventura Blvd., Ste. 220. \$1,000/mo. Window offices available. Secretarial bay. Available immediately. Call (818) 992-6588.

Two interior offices (10' x 14'; 14' x 14') and secretarial area. Beautiful suite includes receptionist, kitchen and three conference rooms. Call Sandra (818) 346-5900.

## SUPPORT SERVICES

### NOTARY OF THE VALLEY

Traveling Notary Public. 24 hours-7 Days. Attorneys' Office • Clients' Office • Homes Hospitals • Jails. David Kaplan (818) 902-3853 SFVBA Assoc. Mbr. [www.notaryofthevalley.com](http://www.notaryofthevalley.com).

### PROFESSIONAL MONITORED VISITATIONS AND PARENTING COACHING

Family Care Monitoring Services • 20 years experience "offering a family friendly approach to" high conflict custody situations • Member of SVN • Hourly or extended visitations, will travel • [www.fcmonitoring.com](http://www.fcmonitoring.com) • (818) 968-8586/(800) 526-5179.

## EXECUTIVE OFFICE SUITES FOR RENT

6326 Vesper Avenue  
Van Nuys

- 3 Executive Office Suites Available
- Conference Room
- Receptionist
- \$750-\$800/Month

Contact Brenda Geilim at  
**(818) 804-4114**  
or [brenda@geilimlaw.com](mailto:brenda@geilimlaw.com).

[www.geilimlawoffice.com](http://www.geilimlawoffice.com)

## Messenger Service Discounts to SFVBA Members



### 24th Year of Service to the San Fernando Valley/Southern California Legal Community

- Noon Court Run - same day filing in all So. Cal. Courts
- Process Serving Per Your Exact Specifications
- Last Minute Court Filings in All Southern California Courts
- Mobile Notary
- Custom Courier Routes
- Regular, Rush and Hot Rush
- Licensed/Bonded/Insured Uniformed Messengers

**(818) 774-9111 • (323) 851-7500  
(310) 273-3002 • (805) 777-7170**

*"We Don't Promise Anything  
We Can't Deliver"*



Est. 1982—Better Business Bureau AAA Rated

### Attorney & Courier Services

- 24/7 Messenger/Courier!
- Cars, Trucks & Vans!  
*Deliveries up to 1000 lbs.*
- Fast Motorcycle Couriers!
- Uniformed Employee Drivers!  
*Because Your Reputation Matters!*
- Court Filings Nationwide!
- Trial Delivery Logistics!  
*"Your work & flexibility were pivotal to the successful outcome of this trial!"—Major Ins. Carrier Representative*
- On-Line Order & Tracking!  
*Saves You Time, Resources & \$\$\$!*
- Registered Process Servers!  
*Aggressive-Accurate-Local and Nationwide*
- Check 'status' of 'Process' Assignments On-Line 24/7!  
*Saves You Time, Resources & \$\$\$!*
- Email 'Status' Notification!
- Multiple Delivery Discounts!
- SFVBA Member Discounts!

For More Information or To Order  
**Call Toll Free 866-255-2727**  
[WWW.AMSTAREXPRESS.COM](http://WWW.AMSTAREXPRESS.COM)

# SAN FERNANDO VALLEY BAR ASSOCIATION BOOT CAMP FOR LAWYERS

**Surviving the Downturn –  
Keeping Your Profits up When the Economy Is Down**

**Sponsored By**



**LexisNexis®**

**CITY NATIONAL BANK**



## **Topics Include:**

**Establishing a Line of Credit**

**Cash Flow Tips in a Down Economy**

**Creating a Bigger Web Presence – Getting the Most Out of Your Marketing Dollars!**

**Friday, July 17, 2009**

**Braemar Country Club, Tarzana**

**11:45 AM Networking and Lunch**

**12:15 PM Seminars**

**3:30 PM Happy Hour!**

**More Networking,**

**Free Appetizers and Cash Bar**

**Save \$10!**

**Only \$35  
if Members pay  
FY'10 Dues by  
July 15, 2009.**

## **BOOT CAMP FOR LAWYERS REGISTRATION\***

For more information, call (818) 227-0490, ext 105.

Return via fax to (818) 227-0499 or mail to SFVBA, 21250 Califa Street, Suite 113, Woodland Hills, CA 91367.

Name(s): \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Meal Choice: ☐ Chopped Southwest Chicken Salad ☐ Guldahl Turkey Club Sandwich

Early Registration Cost: ☐ \$45 Member ☐ \$55 Non-Member ☐ \$20 more after **July 15**

Payment: \$ \_\_\_\_\_ ☐ Check ☐ Credit Card

Credit Card No.: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

\*Please note that no credit will be given unless notice of cancellation is provided 48 hours before scheduled event.

The San Fernando Valley Bar Association is a State Bar of California MCLE approved provider. This seminar is approved for 2 hours MCLE.

## SFVBA New Lawyers Section and Membership & Marketing Committee's

### SOFTBALL GAME!

Sponsored by

**Ellis & Ellis CPAs Inc.**  
Divorce Tax Matters



Contact Larry Frank  
at 800.752.9533

**July 21, 2009**  
**6:30 PM Picnic Dinner**  
**7:00 PM Game**

**Families Welcome!**  
**Bring Your Bats and**  
**Gloves and Team Spirit!**

**Van Nuys/Sherman Oaks**  
**Memorial Park**  
**Diamond No. 4**  
**14201 Huston Street,**  
**Van Nuys**

**RSVP to (818) 227-0490 ext.**  
**105 or events@sfvba.org.**



## Litigation Section Trial Practice Tips from the Court

**JULY 16**  
**6:00 PM**  
**SFVBA CONFERENCE ROOM**

Judge Michelle Rosenblatt will discuss some observations and offer suggestions in key trial practice areas, including motions in limine, evidentiary pitfalls, using jury instructions keeping the jury's attention, and opening and closing statements.

<b>MEMBERS</b>	<b>NON-MEMBERS</b>
<b>\$35 prepaid</b>	<b>\$45 prepaid</b>
<b>\$45 at the door</b>	<b>\$55 at the door</b>
<b>1 MCLE HOUR</b>	

## Santa Clarita Valley Bar Association Latest Courtroom Technology

**JULY 16**  
**6:00 PM**  
**TOURNAMENT PLAYERS CLUB**  
**VALENCIA**

Learn how you can use recent technology in the courtroom, at mediations and arbitrations.

<b>MEMBERS</b>	<b>NON-MEMBERS</b>
<b>\$40 prepaid</b>	<b>\$50 at the door</b>
<b>\$50 at the door</b>	
<b>1 MCLE HOUR</b>	

## Family Law Section Got Suggestions! Tell the Elkins Family Law Task Force

**JULY 20**  
**5:30 PM**  
**MONTEREY AT ENCINO RESTAURANT**  
**ENCINO**

The Elkins Family Law Task Force was created by Chief Justice Ronald M. George in response to a California Supreme Court opinion, *Elkins v. Superior Court*, 41 Cal. 4th 1337, filed August 6, 2007. Authored by George, the unanimous opinion held that marital dissolution trials should proceed under the same general rules of procedure that govern other civil trials. The Task Force is asking for input and ideas from all San Fernando Valley family law attorneys who care about improving the way we handle family law cases in California. We'll discuss your suggestions regarding practices, policies, procedures, rules, etc. that can be easily understood and navigated, and which will ensure due process and inspire trust and confidence in family law proceedings.

<b>MEMBERS</b>	<b>NON-MEMBERS</b>
<b>\$45 prepaid</b>	<b>\$55 prepaid</b>
<b>\$55 at the door</b>	<b>\$65 at the door</b>
<b>1 MCLE HOUR</b>	

## Business Law, Real Property & Bankruptcy Section Domestic and International Copyright and Trademark

**JULY 22**  
**12:00 NOON**  
**SFVBA CONFERENCE ROOM**

Stacy Riordan, Senior Associate of the Apparel Legal Division of Fox Rothschild, and Bruce Berton, Executive Vice President of Roochi Traders, will review this topic with particular emphasis on the apparel industry.

<b>MEMBERS</b>	<b>NON-MEMBERS</b>
<b>\$30 prepaid</b>	<b>\$40 prepaid</b>
<b>\$40 at the door</b>	<b>\$50 at the door</b>
<b>1 MCLE HOUR</b>	

## Intellectual Property, Entertainment & Internet Law Section Hot Issues in Trademark Law

**JULY 24**  
**12:00 NOON**  
**SFVBA CONFERENCE ROOM**

Michael Moore, Vice President of Trademark at MGM, will discuss the latest developments in trademark law within and outside the entertainment industry.

<b>MEMBERS</b>	<b>NON-MEMBERS</b>
<b>\$30 prepaid</b>	<b>\$40 prepaid</b>
<b>\$40 at the door</b>	<b>\$50 at the door</b>
<b>1 MCLE HOUR</b>	

## Criminal Law Section What Can a Legal Assistant Do?

**JULY 28**  
**6:00 PM**  
**UNCLE CHEN RESTAURANT**  
**ENCINO**

John Arason will discuss the need for a legal assistant on private and appointed cases.

<b>MEMBERS</b>	<b>NON-MEMBERS</b>
<b>\$35 prepaid</b>	<b>\$45 prepaid</b>
<b>\$45 at the door</b>	<b>\$55 at the door</b>
<b>1 MCLE HOUR</b>	

The San Fernando Valley Bar Association is a State Bar of California MCLE approved provider. To register for an event listed on this page, please contact Linda at (818) 227-0490, ext. 105 or events@sfvba.org.

# WE STAND BEHIND OUR VALUATIONS

Confident opinions with great results.



## Business and Real Estate Valuation Professionals

Robert M. Weinstock  
JD, CBA

Strategic Valuation Group's analysts and appraisers bring together four decades of experience in the valuation of closely-held businesses, real property and intangible assets. Our experts provide well documented and defensible valuation opinions for estate planning, financial reporting, and litigation purposes. For general inquiries, fee quotes, or other valuation related questions, please contact our office.

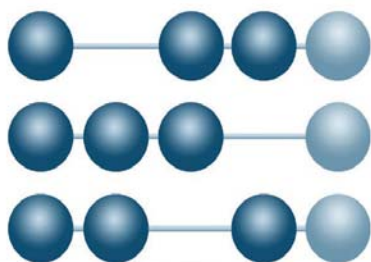
Please contact us at:

**(818) 591-9282**

**svgvalue.com**

23801 Calabasas Road, Suite 1016, Calabasas, CA 91302





KRYCLER  
ERVIN  
TAUBMAN &  
WALHEIM

AN ACCOUNTANCY CORPORATION

Phone: (818)995-1040

Fax: (818)995-4124

15303 Ventura Boulevard, Suite 1040

Sherman Oaks, CA 91403

E-mail: [INFO@KETW.COM](mailto:INFO@KETW.COM)

Visit us @ [www.KETW.COM](http://www.KETW.COM)

**Litigation Support • Expert Witness**  
**Forensic Accountants • Family Law Matters**  
**Business Valuations • Loss of Earnings • Damages**

**OFFICIAL SPONSORS OF THE  
SAN FERNANDO VALLEY BAR ASSOCIATION**

**Member SEC Practice Section**

**American Institute of Certified Public Accountants**

*When you need more than just numbers...you can count on us...*

*Call Mike Krycler or Ken Walheim*