



BarNotes

A Publication of the
San Fernando Valley Bar Association

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SAVE THE
DATE!



January 9th and 10th MCLE MARATHON

Two-Day Seminar to help attorneys meet the requirements of minimum continuing legal education mandated by the State Bar of California.

SEE PAGE 22

Judge Alice Hill Selected 2004 Judge of the Year



Los Angeles Superior Court Judge Alice C. Hill will receive the San Fernando Valley Bar Association's 2004 Judge of the Year Award at the SFVBA's Annual Judges Night on February 19 at the Woodland Hills Hilton. The event will also pay tribute to the late Judge Warren Greene, and recognize Judges Sandy Kriegler and Richard Wolfe for spearheading the successful VAST program.

Alice Hill was appointed to the Los Angeles Municipal Court by Governor Pete Wilson in November 1995. She served as Supervising Judge of the San Fernando branch from 1998 until the Court's unification with the Superior Court in 2000.

Judge Hill has continued to take on leadership roles. She was Assistant Supervising Judge of the North Valley District under William MacLaughlin, and was elevated to Supervising Judge when MacLaughlin was elected Assistant Presiding Judge of the Los Angeles Superior Court in 2002.

Hill helped oversee the opening of the Chatsworth courthouse in 2002, and then a year later, the transfer of caseloads between San Fernando and Chatsworth. She is a member of the LASC Rules, Community Outreach, Domestic Violence, and Legislative Outreach Committees. She works closely with the Bar as an active member of the San Fernando Valley Bench-Bar Committee and co-chaired the SFVBA's 75th Anniversary Court Improvement Committee, which was responsible for the Mural Project at the Valley courthouses.

"Judge Hill was selected as our Judge of the Year because of her judicial achievements and her support of the Bar," states SFVBA President Jim Felton. "She is highly regarded among the Bench and Bar for her intellectual integrity and even-handed approach to the law."

After graduating from the University of Virginia with a law degree in 1983, she clerked for U.S. District Judge Joseph H. Young in Baltimore; worked for a French law firm while here husband, Peter Starr, taught French and comparative literature in Paris; and

was an associate in the Los Angeles office of Morrison & Foerster.

In 1987, Hill joined the U.S. Attorney's Office in Los Angeles. She prosecuted a lot of drug-related and white-collar criminals, as well as grand jury work. Eighteen months into her job, Hill received the biggest case of her career, prosecuting Charles Keating and others in the Lincoln Savings & Loan fraud case. She eventually went on to become the first woman to head the major frauds unit, the largest section in the U.S. Attorney's Office.

Judges' Night will also feature a tribute to Judge Warren Greene, who died unexpectedly on October 7 after a short battle with leukemia. His wife, Carol Greene, will be a guest of the SFVBA for the evening. Greene presided over a criminal calendar in San Fernando and was respected and well liked not only by his colleagues on the Bench and the Bar, but even by the defendants who came before him. The *Daily Journal* reported in his obituary that a defendant wept at the news of Greene's death.

Van Nuys Supervising Judge Sandy Kriegler and Judge Richard Wolfe will be recognized for spearheading the Valley Associated Settlement Team (VAST) program. Over two weeks in October, more than 250 SFVBA volunteers settled more than 360 backlogged cases.

Past recipients of the San Fernando Valley Bar Association Judge of the Year Award include Judges Alan Haber, Marvin Rowen, Meredith Taylor, Judith Ashmann, Bert Glennon, William MacLaughlin, Juelann Cathey, Geraldine Mund, Michael Farrell, Michael Hoff, Howard Schwab and Kathryne Ann Stoltz.

Judges' Night will be held on Thursday, February 19, at the Woodland Hills Hilton. The reception begins at 5:30 p.m., followed by dinner and program at 6:30. Individual tickets are \$55 and Sponsor Tables are \$550. ♣

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President's Message

James R. Felton

A TRIP TO THE PROMISED LAND

For those of you who are fans of old game shows, you may remember one called “The Jokers Wild” that was hosted by Jack Barry. In this show, contestants would spin an imaginary slot machine, which would then give them the opportunity to answer questions regarding the categories that came up on the slot machine. If a player didn’t like any of the categories that came up, the player could go “off the board” for \$50.

So what does any of this have to do with this month’s President’s message. Well, this month, I am not going to talk about any legal issues. I am going to go “off the board” and talk about a recent trip that I took to Israel in November. It was my first trip to that country, and I wanted to share some thoughts about what I saw and heard.

First and foremost, before my trip, many people questioned why I would go at a time when a suicide bomber could strike anywhere and anytime. I am not sure that I had a compelling reason but I had just turned 40 and given the possible options (i.e. Dodger Fantasy camp, a golf excursion, or going to Israel), the choice seemed compelling.

Certainly, our group of about 75 stood out, at least a little, with our name badges and our Nikes. We went to an open-air market in Tel Aviv, and as we walked through, the shopkeepers, one to the next, said to each other “they’re back and they’re not afraid.” We were thanked for being courageous and brave, which was definitely ironic given that the people of Israel are the ones living in a state sometimes fraught with terror.

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Report From The Foundation



BY DAVID GURNICK, PRESIDENT, VALLEY COMMUNITY LEGAL FOUNDATION OF THE SFVBA

Happy New Year!

2004 is the Foundation's 25th anniversary year. I invite the legal community to join the Foundation's officers and directors to make this the best year ever for lawyers and law professionals to give back to the Valley Community.

The Foundation is hard at work developing our endowment program. We will invite lawyers and others to become Founding Fellows of the Valley Community Legal Foundation. We are developing a giving program with levels to enable everyone to participate.

Our Law Day Dinner Committee is planning a fun filled celebration of the law, with a very special guest.

Please mark your calendar and plan to be with us Friday evening, April 30 at the Woodland Hills Hilton. This is still the Foundation's major fund raising event so we welcome and need your participation. Please email Anne Adams at AnneAdamsT@aol.com or me at dgurnick@lewitthackman.com with your suggestions, sponsorship recommendations and award nominees.

We welcomed another new member to our Board of Trustees. Professor David Braun is chair of the Business Department at Pierce College. Past SFVBA Presidents Mark Blackman and Fred Gaines are helping the Foundation's ongoing recruiting effort,

identifying selected community members to serve on our Foundation Board. Please share your suggestions for Director candidates with Fred at fgaines@gaineslaw.com or Mark at mblackman@alpertbarr.com.

Our Foundation's mission is to promote respect for the law and its institutions. Among these are our courts, our law enforcement professions and our schools. These are institutions that have supported the Foundation and have received the Foundation's and legal community's generosity. The Foundation is proud to support the Valley's courts, law enforcement and schools. But a larger goal is to move these institutions forward and free them from ongoing need for support from charities.

Our court system is a key institution where the law and the people served by the law, meet face-to-face. The faces of people in court reveal a range of emotions: awe, fear, respect and sometimes arrogance and disrespect. The faces of the courts are faces of judges whom we hope are wise, and thoughtful; court staff who we hope are diligent, and dedicated; and court facilities that we hope are functional and majestic. Even before our state's current budget crisis, these faces needed, and they need a boost.

Judges need manageable workloads so they can devote time and attention to litigants. When courts are overcrowded, people do not feel their cases matter to our system, and do not feel the justice system works. When courts are too overcrowded, people who feel this way are right. A clogged legal system does not work the way it should.

Deliberative, thoughtful results, fair hearings, and explanations are important. Parties who do not prevail,

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2004 SFVBA

Judge of the Year

**Special Recognition to Judge Sandy Kriegler and
Judge Richard Wolfe for 2003 VAST Program**

Tribute to the late Judge Warren Greene

Thursday, February 19, 2004

Woodland Hills Hilton

6360 Canoga Avenue

5:30^{pm} Reception 6:30^{pm} Dinner & Program

Please return with payment by **February 14** to:
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Using the Court as Last Resort: Advocacy Without Adversaries

BY JAN FRANKEL SCHAU AND RONALD M. SUPANCIC

Just as you were getting used to the concept of arbitration and mediation as the common alternatives for resolving legal disputes, along comes “collaborative law”. Is it the talisman of future dispute resolution in America?

Collaborative law is being widely used, particularly in family law settings globally. In fact, in many European countries, the court system is only the last resort after all other so-called “appropriate dispute resolution” alternatives are fully exploited. Like any new system, it will undoubtedly be met with some resistance from the courts and the Bar. This article will explore the concept of collaborative law and other appropriate dispute resolution processes applicable to the civil case in Los Angeles County.

Ideally, most civil disputes could be resolved, (as they sometimes are in the family law area) around the kitchen table. That is, the parties sit down together, break bread and make peace. They work out their disputes without the need for outside intervention. This is the first step in appropriate dispute resolution—an earnest attempt for the parties to meet and resolve their differences informally.

Failing that, parties could and should retain a neutral dispute facilitator or manager, someone whom both parties could agree to hire to oversee collection and exchange of all the necessary facts in order to fairly evaluate and resolve the dispute. This individual would oversee depositions, collect documents and screen them for confidentiality claims, and keep the parties on a schedule for responding to one another's requests and demands. This approach is not entirely novel; under the California Civil Code all new actions for defects in real estate construction by a homeowner's association require retaining and using a dispute facilitator before filing a lawsuit. In other settings, internal grievance procedures require the engagement of a neutral, independent dispute facilitator to oversee a thorough investigation and fact-finding process before a corporate response to a particular grievance is made.

Once the facts have been fully investigated and submitted for consideration by all parties, a conventional mediation might be appropriate. There, each side would be able to present their version of the incident or claim, based upon the stipulated facts and exchanged evidence, and a neutral intermediary could actively engage the two sides in collaborating towards a resolution.

Some cases, one might argue, simply need an outside opinion or advisement on the guidelines for resolution. In those cases, an independent arbitrator should hear the facts, review the evidence, and provide his/her opinion on the terms of a resolution, by which the parties should agree in advance to abide. This model is commonly used in NASD cases where disputes over trading and stock transactions are subject to binding arbitration before a panel of pre-approved neutrals.

In other cases, where arbitration is inappropriate because the facts or issues are too complicated or sensitive, or because the outcome requires more creative thinking, collaborative law can provide the framework for the best representation and approach.

In a case in which the parties agree to engage in collaborative law, all parties and their counsel would sign a contract which agrees that no lawsuit will be filed and that the two sides will agree to work cooperatively, through their counsel, towards achieving resolution of the ultimate dispute. This explicitly requires that they also agree to work cooperatively in discovery and in negotiations. This approach works particularly well in the family law setting, because the marital estate is paying for both sides' representatives in most instances in California. Some family law courts in Southern California are now endorsing the use of collaborative law and diverting appropriate cases to this new system. However, consider the implications of employing collaborative law in a civil dispute.



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Notice To Attorneys

John A. Clarke, Executive Officer/Clerk, announces that, as a result of new legislation effective January 1, 2004, an increase in the Law Library portion of filing fees as approved by the Board of Supervisors, and resolution of a conflict in laws regarding fees for filing abstracts of judgment, the following changes in fees will be in effect on and after January 1, 2004.

A summary of the new and increased court fees follows. When effective, a complete chart will be posted on the Court's website at www.lasuperior-court.org and made available at the clerk's office in each court location accepting civil, probate, or family law filings.

SUMMARY OF FEE CHANGES

To file unlimited civil or family action or proceeding, or papers on transfer from another court	\$291.50
Limited civil case over \$10,000	\$299.50
Unlawful detainer over \$10,000	\$303.50
Reporter fee – for each additional party participating in a complaint or petition	\$0.00
Limited civil case \$10,000 or less	\$152.30
If accompanied by declaration per B&P §6322.1	\$146.30
Unlawful detainer \$10,000 or less	\$156.30
To file answer or other first paper adverse in unlimited civil, family, probate action	\$288.20
Limited civil case over \$10,000	\$299.50
Limited civil case \$10,000 or less	\$149.00
If complaint was accompanied by a declaration per B&P §6322.1	\$143.00
Answer to governmental complaint in Title IV-D child support case	\$223.20*
To file first probate petition for decedent's estate, or first account of testamentary trustee, estate under \$250,000	\$266.50
\$250,000 to \$499,999	\$338.00
\$500,000 to \$749,999	\$448.00
\$750,000 to \$999,999	\$613.00
\$1,000,000 to \$1,499,999	\$1,163.00
\$1,500,000 to \$1,999,999	\$2,263.00
\$2,000,000 to \$2,499,999	\$2,813.00
\$2,500,000 to \$3,500,000	\$3,913.00
Over \$3,500,000, add .22% of amount	
over \$3,500,000	\$3,913.00+
• To file other probate petition as first paper	\$266.50
• To file first paper adverse to petition, except to contest will or codicil	\$288.20
• To file SUBSEQUENT probate petition by person other than original petitioner	\$266.50
• New case or first paper on behalf of National Government	\$16.00
• Complex case fee, payable in addition to each first paper fee upon filing of designation or opposition thereto, or within 10 days of order, maximum \$11,000 per side	\$550.00
• To file small claims case, 12 or less claims filed by plaintiff in previous 12 months	\$22.00
More than 12 claims filed by plaintiff in previous 12 months	\$66.00
• To file notice of appeal from a limited civil or small claims case	\$66.00
• To file first paper by a respondent in an appeal from a limited civil case	\$16.00
• To file abstract of out-of-county judgment	\$20.00
Except that when abstract is filed together with an application for examination of judgment debtor, the fee is only (in addition to motion/hearing fee) \$12.00	\$12.00

Annual MCLE Marathon Scheduled for January 9 & 10

Back by popular demand, the San Fernando Valley Bar Association's 7th Annual MCLE Marathon will take place on Friday, January 9, and Saturday, January 10, at the San Fernando Valley campus of the University of West Los Angeles College of Law.

For the bargain price of \$109, SFVBA members can fulfill their hours in the required subject areas: four hours legal ethics, one hour elimination of bias, and one hour substance abuse prevention. In addition, nine hours of classes will be offered in substantive areas of law such as intellectual property, employment, electronic discovery, and crossover issues between probate and family law.

The MCLE Marathon is one of the SFVBA's most popular events. It affords members a painless way to earn MCLE credits at a great, affordable price. More than one thousand attorneys have participated in the Marathon in the previous six years.

The Marathon offers fifteen hours of live, participatory programs. Members can complete the additional ten hours through self-study credit that can be earned by borrowing tapes from the SFVBA's complimentary tape library located at the Bar Offices. An index of the tapes can be found on the SFVBA website at <http://www.sfvba.org/cle/mcletapes.htm>.

Attorneys in Group 1 (whose last names begin with A through G) are required to complete their State Bar MCLE compliance of 25 credit hours by January 31, 2004. The current compliance period began February 1, 2001 and ends January 31, 2004. Compliance cards for Group 1 are due at the State Bar by February 1, 2004.

SFVBA members who are uncertain about the total number of credit hours they have earned at SFVBA programs can request a copy of their transcripts at <http://www.sfvba.org/cle/membercletranscripts.htm> or call SVBA Events Coordinator Linda Temkin at (818) 227-0490 ext. 105. ☘



THE PRACTICE

a series of essays on practice of law and life

Our Community



BY DAVID R. HAGEN

I love Starbucks. Every morning on the way to work, I go there to pick up a cup of coffee. This has become quite a habit for me. However, it recently occurred to me that the coffee is only one of the reasons that I stop there. I also stop in because I enjoy the sense of community that has developed there. I look forward to usually seeing the same people talking and relaxing for a minute before they go on about their day. For some, I don't even know their name but recognize their face. We say hello. Some I have come to know as fellow lawyers or accountants. Some have children in the same school that my kids attend. This experience has created a sense of community there for me, and I enjoy visiting on a daily basis.

I also recently noticed that throughout the day, and even into the evening, people congregate at other Starbucks locations to relax, congregate and enjoy this sense of community. Who would have ever thought ten years ago that it would be possible to establish a business where people would pay almost \$3.50 for a coffee product and take the time to enjoy an additional community.

Now, this month's column is not a paid endorsement for Starbucks. Rather, the topic is community, and this leads me to some thoughts about our Bar Association. One of the fantastic things about our Bar Association is that it is a community. It is a place where friends, colleagues and even adversaries can come together for social events, continuing education, or work on causes for the common good. Our Bar Association has had many strengths and weaknesses over the

years. From my perspective, a consistent strength it has had from the very beginning is its sense of community. Let me give you a few examples.

Years ago, when I was co-chair of the Business Law Section, I looked forward to the monthly meetings. I could always count on seeing most of the same people every month like Bob Weissman, David Gurnick and Anne Sax. Yes, the primary reason to attend was usually the program. However, an additional benefit was that I could always look forward to seeing friends.

Most of these friendships have only grown deeper over the years. I have watched Bob's boys grow into fine young men, I was honored to attend the Bar Mitzvah of one of Dave's sons, and I grieved at the tragic death of Anne in a car accident several years ago. These experiences and relationships have added depth and meaning to my business and personal life over the years.

In December, the Bar hosted its annual holiday open house. For me, going to one of these events is more like a family reunion than a business event. Of course, it is always good to

talk to Liz, Michele and the Bar staff. It is also important to stay current with our Bar leaders. (Heck, I just show up so they don't forget who I am!) However, it is so good to see so many friends. Many of these friendships were cast during very difficult times. When I see Thom Lewis, Gary Barr, Dave Gurnick or Elizabeth Kaufman at a Bar event, I am reminded of the time when the Bar Association experienced one of its darkest hours.

Ten years ago, our Bar Association had only 850 members, little staff and no director. Most people do not know this, but then-President David Gurnick actually went into the Bar office and opened the mail on a daily basis. This is a far cry from the sweet success that we now enjoy, but we went through difficult times together then and it only serves to deepen those friendships today.

In October, we heard that a lawyer had been shot at the Van Nuys courthouse. Bar members were horrified to learn that the victim was one of our own, Gerald Curry. The members of

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Report from the Foundation, continued from page 5

but recognize that their claim was heard fairly and who receive a thoughtful explanation for the ruling, may still be satisfied with the process and a result that promotes understanding. This is another measure of success in court. Overcrowded courts lacking in satisfactory facilities cannot provide this form of success to any litigant.

Courthouses need not be palatial, uncluttered or new. But they need to be places that engender respect, some measure of formality, awe and respect. Deteriorating courthouses and their inadequate facilities are a continuous nonverbal message to litigants that the government itself does not care about its facilities for meeting out justice. If the government doesn't care, how can the people be expected to care, or respect the system?

California Chief Justice Ronald George noted recently that the State's budget crisis threatens to curtail more court operations. Courts exist to help everyone as both citizens, and as litigants. The courts need our help because the state's current budget requires trial courts to make deep spending cuts. All while civil filings are increasing. Courts are therefore further reducing their hours, leaving staff positions vacant, and stopping work on projects to improve access.

In remarks to the State Bar, the Chief Justice noted that when funding is adequate, justice is more equitable statewide, and courts can respond to the people's needs. Thus, court funding is important not just for litigants and lawyers, but also for communities and the public at large. Everyone, litigants and the entire public, all benefit directly from our judicial system. Courts cannot be expected to fund themselves through user fees. The Chief Justice recognized these are issues of respect for the courts and their role.

As Chief Justice George said, we are at a crucial time in history when the rule of law is under attack from many directions. To maintain the strength and independence of our judicial system, we must make sure our courts receive adequate funding, that judges are paid adequately, and that they have time, staff and other resources to perform their difficult jobs in a calm, deliberative manner. Court facilities must be places that people enter and use with respect, pride and sometimes even a sense of awe. ♣

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Message From LRIS Coordinator

Michele C. Morley

This is the time of year when most of us think how we can make ourselves better. And of course, discard the detrimental. At the LRIS we are also doing just that. We have already committed almost \$10,000 in new marketing materials and efforts. We are looking at additional, substantial expenditures and creative ideas to increase our referrals.

We had a booth at the VICA Economic Forecast Conference. We handed out pocket size copies of the booklet, "The U.S. Constitution, and Fascinating Facts About It." This handout drew many people to our location and we actually made one referral that day.

We have placed a larger ad in a local Chamber of Commerce directory. We have designed a striking new yellow page advertisement and placed it in the new Yellow Book directory that is coming out this month.

Those of you who read this column on a regular basis know that I do not hesitate to brag about the LRIS attorneys, the referral staff, and our innovative programs. I have new bragging rights. I attended the National LRIS Conference this fall. Programs such as our Legal Forum, our internet operations, our marketing activities, our community service programs, our participation in the Self-Help Legal Access Centers, our Senior Center and Independent Living Center programs,

and our plans to introduce limited scope representation and brief advice panels are comparable to activities of far larger bar associations with much bigger staffs. Pride in the organization is permissible when it reenergizes us to do more and to do better.

I am proud of the services LRIS provides. I have been reviewing the client survey responses for the past fiscal year. To date we have had a 21% rate of return on the surveys with more arriving daily. We had four negative comments about the referral service. We had .06 % negative comments about the attorney's service.

Many of the negative comments were regarding costs or that the attorney declined the matter. However, the largest number of complaints concerned the lack of the attorney's professional attitude or the attorney's failure to return calls. I have written about this in the past. We just need to be mindful that we must always work hard at being professional at all times and in all situations. It is our responsibility as licensed lawyers.

One of the very positive surveys was for Barbara Johnson. The survey comments were, "She took enough

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The Practice, continued from page 9

our Bar Association came together concerned not only for an attack on one of our own but also a more general attack on our profession as well. It was rewarding to see everyone come together. This is community in the truest sense.

Now the point of these examples is not how long I have been around. (The older I get, the less I like to think about that.) The point is that our sense of community is based upon friendships that are woven into the fabric of our lives. These relationships go very deep, and the sense of community within our Bar Association grows very deep. It is an important part of our personal and professional lives and is one of the reasons why our Bar Association has survived in the tough times and flourished in the good.

Now for the good news and the bad news.

The bad news is that it takes some time for these relationships to develop. It can take years. It is certainly worth it, but it takes time. I remember many years ago I went to a section meeting and could not find anyone to talk to. Everyone was involved in their own little conversation, I felt really left out, and so I left. Because of the programs, I kept coming back and, before I knew it, I was considered a "regular." But this took some time and an investment on my part.

The good news is that all you need to do is show up. It is usually not much more complicated than that. Human nature takes over and, with a little bit of time, friendships will form and you will begin "weaving" yourself into the fabric of this marvelous community.

I would encourage everyone to attend a section meeting and get to know the people who regularly attend. Perhaps join a committee if that interests you. You will get to know our members, and this experience will add to the richness of the fabric in your professional and personal life.

This sense of community is one of the fabulous things about our Bar Association. Take it in, experience it and enjoy it. 🏡

Dave Hagen is a principal at Merritt & Hagen. The firm's practice focuses on representing individuals and small businesses in bankruptcy. He speaks to attorneys often on the areas of bankruptcy, the marketing of legal services, and the practice of law. He welcomes your comments to this series of essays.

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Membership Has It's Priveleges!

Message from the LRIS Coordinator, ...continued from page 11

time and was very thorough...So satisfied, if it hadn't been for her, I don't know what I would have done...She is a good person who follows up."

Recently staff heard a presentation from panel attorney Benjamin Fogel regarding medical malpractice cases. It was clear that Ben, as he insists upon, is highly professional. He believes that part of his role is to listen to individuals and let them release some of the guilt they may be feeling about not preventing the injury or death of a loved one. He also believes that there is value to his role of educating people on what may be malpractice and what is the reasonable outcome of an illness. Therefore, he meets with the callers we contact him about in most if not all cases. When Ben left our offices, the staff kept speaking of how great a sense of humor he has and how professional and gracious he is. We are so proud to have Barbara and Ben on our panels. They help us make the best referral service even better. ↴

LRIS Tip: Before the clients want to find out how much you know, they want to know how much you care.

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Using the Court as Last Resort
...continued from page 7

For example, in a simple personal injury matter, consider the agreement between an insurance carrier and an accident victim that they will each retain counsel, but will agree not to litigate. Instead, there will be an agreed upon timetable for exchange of all relevant documents, agreed joint depositions where necessary, and an agreed upon series of meetings for purposes of discussing the findings and evaluations, ultimately resulting in a collaborative settlement meeting where counsel meet—with clients present, to negotiate out a fair resolution. Brilliant, cost-saving, efficient and effective!

Consider a complicated employment matter, in which a party claims wrongful termination based upon discrimination. Why not agree that the employer's and employee's attorneys meet, exchange documents, take depo-

sitions and ultimately sit down to a series of meetings designed to address the claims and defenses presented without the enormous cost of a trial? The costs of this approach would undoubtedly be collectively less than litigation, and the opportunity to fully ferret out the evidence would be greater, thereby positioning both sides to better evaluate their chances of success in negotiations and relative strength of their positions. The result would be a negotiated resolution that logically and justifiably follows an honest assessment of the facts and evaluation of damages amongst professionals.

In the last resort, where the value in controversy warrants it (cases with an amount in controversy over \$500,000, perhaps) the parties could resort to court processes, approach their task "the old fashioned way" and litigate. There will always be room for this method of sorting out legal dis-

putes, but let's be honest: fewer than 5% of all cases filed in Los Angeles County go to trial. So the next time you are going to file a lawsuit, particularly now that there is a two-year statute of limitations on torts, why not consider the appropriate dispute resolution and attempt to engage your opponent in collaborative thinking. You can be an effective advocate without being an adversary, and your client will be the ultimate winner for it. ✎

Jan Frankel Schau is a former litigator in matters of employment, business and torts. She is a private mediator and principal of Valley Mediation Services in Encino. She can be contacted at (818) 379-1789 or JFSchau@valleymediationservices.com.

Ronald M. Supancic is the principal in ReSolution, specializing in No Court Divorce and an advocate of the collaborative law process in Woodland Hills. He can be contacted at (818) 348-6700.

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President's Message ...continued from page 3

I was able to watch Jews pray at the Western Wall and had a chance to put my thoughts with those who have visited the wall for some 2000 years. I visited Masada, the palace built by King Herod more than 2000 years ago where thousands of Jews perished at the hands of the Romans, and then swam in the Dead Sea covering myself in mud and laughing while floating in a sea of salt.

I sat in the same room that David Ben Gurion professed the independence of Israel, and learned about the Hagana, the predecessor to the Israel Defense Forces. I sat next to a young woman studying at Haifa University after a three-year stint in the army where she patrolled the Gaza Strip fending off rocks and stones thrown at her by little children.

Was I nervous? Well, there were times when I paid close attention to people who seemed a little odd or who looked out of place. Of course, living in Los Angeles, I could make the same statement daily and yet I don't think that any of us think that a bomb is likely to go off at CPK. Yet, the restaurants, cafes and hotels are so similar to ours that Tel Aviv reminded me a lot of Santa Monica.

Anyway, next month, I will get back to the legal stuff. For this month, the falafel is on me. 🍌

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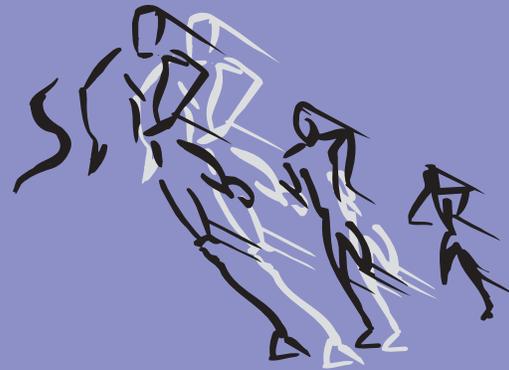
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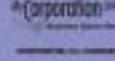
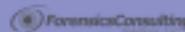
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January 9 & 10, 2004

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21300 Oxnard Street Woodland Hills, CA

Co-sponsored by:



JANUARY 9, 2004

9:00 a.m. - 9:55 a.m.
Elimination of Bias
Cynthia Elkins, Esq.
1 Hour MCLE (Elimination of Bias)

10:00 a.m. - 10:55 a.m.
Legal and Ethical Dilemmas
Gordon Reid Wallack, Esq.
ARC
1 Hour MCLE (Ethics)

11:00 a.m. - 11:55 a.m.
Update on Intellectual Property
Deborah Sweeney, Esq.
Michelman & Robinson, LLP
1 Hour MCLE

LUNCH ON OWN

1:00 p.m. - 1:55 p.m.
Polygraph 2004
Jack Trimarco
Jack Trimarco & Associates,
Polygraph/Investigations, Inc.
1 Hour MCLE

2:00 p.m. - 2:55 p.m.
Disability Issues in Employment
Lynne S. Bassis, Esq.
ARC
1 Hour MCLE

3:00 p.m. - 3:55 p.m.
Bar Discipline Avoidance
Professor Robert Barrett
1 Hour MCLE (Ethics)

4:00 p.m. - 4:55 p.m.
**Keeping Your Client's and the Law Practice's
Accounts Straight**
Scott Ervin, CPA
Krycler, Ervin, Taubman & Walheim
1 Hour MCLE (Ethics)

5:00 p.m. - 5:55 p.m.
**Basic Elements of a Professional Liability
Risk: An Underwriter's Perspective**
John Cross
Lawyers' Mutual Insurance Company
1 Hour MCLE

JANUARY 10, 2004

9:00 a.m. - 9:55 a.m.
Ethical Considerations
Darryl Graver, Esq.
1 Hour MCLE (Ethics)

10:00 a.m. - 11:55 a.m.
**Electronic Discovery and Computer
Forensics**
K.J. Kuchta, CPP, CFE
Forensics Consulting Solutions, LLC
2 Hours MCLE

LUNCH ON OWN

1:00 p.m. - 1:55 p.m.
Referees: Uses and Abuses
Honorable Arnold Gold, Ret.
ARC
1 Hour MCLE

2:00 p.m. - 2:55 p.m.
**Identification and Treatment of Substance
Abuse**
Patricia Tierney, Esq.
The Other Bar
1 Hour MCLE (Prevention of Substance Abuse)

3:00 p.m. - 3:55 p.m.
Appellate Advocacy
Honorable Armand Arabian, Ret.
California Supreme Court
1 Hour MCLE

4:00 p.m. - 4:55 p.m.
**Crossover Issues Between Probate and
Family Law**
Barry Harlan, Esq.
Lewitt, Hackman, Shapiro, Marshall & Harlan,
ALC
1 Hour MCLE

No cancellations after January 2.
Reservations at the door not guaranteed.

Mail registration form and payment to:
SFVBA, 21300 Oxnard Street, Suite 250,
Woodland Hills, CA 91367.

REGISTRATION FORM

Name _____
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State Bar No. _____
Bar Admission Date _____

	Member	Non-member
<input type="checkbox"/> 2-Day Seminar	\$109	\$329
OR		
<input type="checkbox"/> Friday, January 9	\$65	\$169
<input type="checkbox"/> Saturday, January 10	\$65	\$169
<input type="checkbox"/> Individual Class	\$25	\$50
<input checked="" type="checkbox"/> Class Attending		
<input type="checkbox"/> Late Registration Fee	\$35	\$50
(Pre-Registration Deadline is January 3)		
<input type="checkbox"/> SFVBA Membership Dues (Join today!)		

(Includes written materials and refreshments)

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January Events

calendar and MCLE event listings

ADR Section

Topic: Collaborative Law: An Alternative System for Dispute Resolution

Speaker: Ron Supancic, Esq.

Date: January 8

Time: 6:00 p.m.

Place: SFVBA Conference Room, Woodland Hills

Cost: \$30 members prepaid; \$35 at the door \$35 non-members prepaid; \$40 at the door

MCLE: 1 Hour

Probate & Estate Planning Section

Topic: Special Needs Trusts

Speaker: Barbara Bergstein, Burgh, Balian & Bergstein

Date: January 13

Time: 12:00 Noon

Place: Encino Glen Restaurant, Encino

Cost: \$30 members prepaid; \$35 at the door \$35 non-members prepaid; \$40 at the door

MCLE: 1 Hour

Litigation Section

Topic: 1-800 Autopsies: Autopsies, The Inside Story

Speaker: Vidal Herrera

Date: January 15

Time: 6:00 p.m.

Place: SFVBA Conference Room, Woodland Hills

Cost: \$30 members prepaid; \$35 at the door; \$35 non-members prepaid; \$40 at the door

MCLE: 1 Hour

Women Lawyers' Association of Los Angeles 9th Annual Litigator's Forum

Co-sponsored by SFVBA.

The forum will feature Juanita Brooks, Eleanor Hunter, Janet Levine, Carol Salmacia, and Judges Judith Chirlin and Anthony Mohr.

Date: January 16

Time: 8:30 A.M. – 2:00 P.M.

Place: Loyola Law School, Los Angeles

For more information, call (213) 892-8982.

Healthcare Law Section and Probate & Estate Planning Section

Topic: Legal Issues Re: Organ Donation, Transplantation and The Myth of Mickey Mantle

Speaker: Walid Arnaout, M.D.

Date: January 20

Time: 6:00 p.m.

Place: SFVBA Conference Room, Woodland Hills

Cost: \$30 members prepaid; \$35 at the door; \$35 non-members prepaid; \$40 at the door

MCLE: 1 Hour

New Lawyers Section

Topic: How To Handle a Personal Injury Action

Speaker: Andrew Shapiro, Esq., Lewitt Hackman et al.

Date: January 20

Time: 12:00 p.m.

Place: SFVBA Conference Room, Woodland Hills

Cost: \$15 members prepaid; \$20 at the door; \$20 non-members prepaid; \$25 at the door

MCLE: 1 Hour

Intellectual Property, Entertainment Law & Internet Law Section and New Lawyers Section Networking Mixer

Date: January 22

Time: 6:00 P.M.

Place: B.J.'s Brewery, Woodland Hills

Appetizers Provided by Michelman & Robinson, LLP and the Law Offices of Greenberg & Bass

Cost: Free to Members

Family Law Section and Criminal Law Section

Topic: The First 48 Hours: How To Advise Your Client Regarding a Domestic Violence Incident

Speakers: Commissioner Scott Gordon, District Attorney Bobby Grace and Criminal Defense attorney Steve Meister

Date: January 26

Time: 5:30 p.m.

Place: Encino Glen Restaurant, Encino

Cost: \$38 members prepaid; \$45 at the door; \$45 non-members prepaid; \$50 at the door

MCLE: 1 Hour

Self-Help Center Attorney Training

Topic: Family Law 102: Strategies and Skills in Litigating Family Law. How to Prepare for Hearings, Ex Parte, OSC's, Law and Motions

Speakers: Irene Mak Esq. and Sharley Allen, Neighborhood Legal Services

Date: January 28

Time: 12:00 Noon

Place: SFVBA Conference Room

Cost: Free to Self-Help Center Volunteers!

MCLE: 2 Hours

The United States Trustee and Los Angeles Bankruptcy Forum

Co-sponsored by SFVBA

Topic: Your Opportunity to Ask the Judge About: Use Of Appearance Attorneys, Limiting Scope, Attorney Responsibilities and Other Related Issues in Consumer Bankruptcy Cases

Speakers: Judges Arthur M. Greenwald, Kathleen T. Lax and Geraldine Mund

Date: February 5

Time: 12:00 Noon

BRING YOUR LUNCH

Place: The Office of the U.S. Trustee, 21051 Warner Center Lane, Woodland Hills

MCLE: 1 Hour

For questions pertaining to this program, call (818) 610-2376. Reservations are not required but seating may be limited and will be distributed on a first arrival basis.

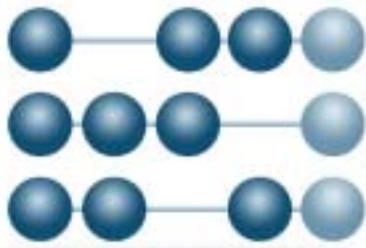
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FOR MORE INFORMATION
CALL (818) 227-0490 EXT. 105

Food and beverages served at every MCLE event!

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



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