



BarNotes

A Publication of the
San Fernando Valley Bar Association

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THE VERDICT ON ONE DAY, ONE TRIAL

BY JUDGE CONRAD ARAGON

Which of us has not heard or told war stories about the remarkable men and women who occupy our jury boxes? From our perspective on the bench, we tend to focus on the problem jurors, the principal source of our juror anecdotes. As busy as we are dealing with problem jurors who show up in our courtrooms, it is easy to lose sight of the far more formidable difficulties encountered by our Court staff in just getting those jurors to our courtrooms.

In 1998, the Legislature enacted a one-sentence statute that struck terror into the hearts of jury managers everywhere. Government Code section 68550, in less than 50 words, declared that every trial court would adopt the “one day, one trial” system of jury service by January 2000. In Los Angeles County, with its unwieldy jury pools, the goal seemed unattainable.

How has our Court fared? What is the verdict on our compliance with the Legislature’s mandate?

Despite the obstacles, by 2003 every one of our trial courts was successfully on the new system. Beginning with the summons process, let’s look at how our Court has been able to handle the staggering numbers required to meet our jury trial demands.

The jury summons is how our citizens are first invited to participate in the process. The summons contains a simple affidavit that jurors fill out regarding their qualification to serve. Some prospective jurors find the affidavit a challenge, responding in a variety of colorful ways.

One prospective juror expressed concern over a bladder problem, writing that “I cannot hold my yearn.” Okay, but can she hold her angst?

Yet another described his lack of English proficiency in this laconic pronouncement:



“Little speaking.” “Hear small.” Must be a Spartan.

Then there’s the prospective juror with this startling self-description: “I am my soul source of financial self. I am a willow.” This creative self-description was surpassed, however, by the juror who wrote: “I would like to be excused because I’m a NOUN....”

There is no lack of humor in the process of recruiting jurors. But a cursory glance at the numbers involved in the recruitment process quickly changes the mood from one of amusement to astonishment.

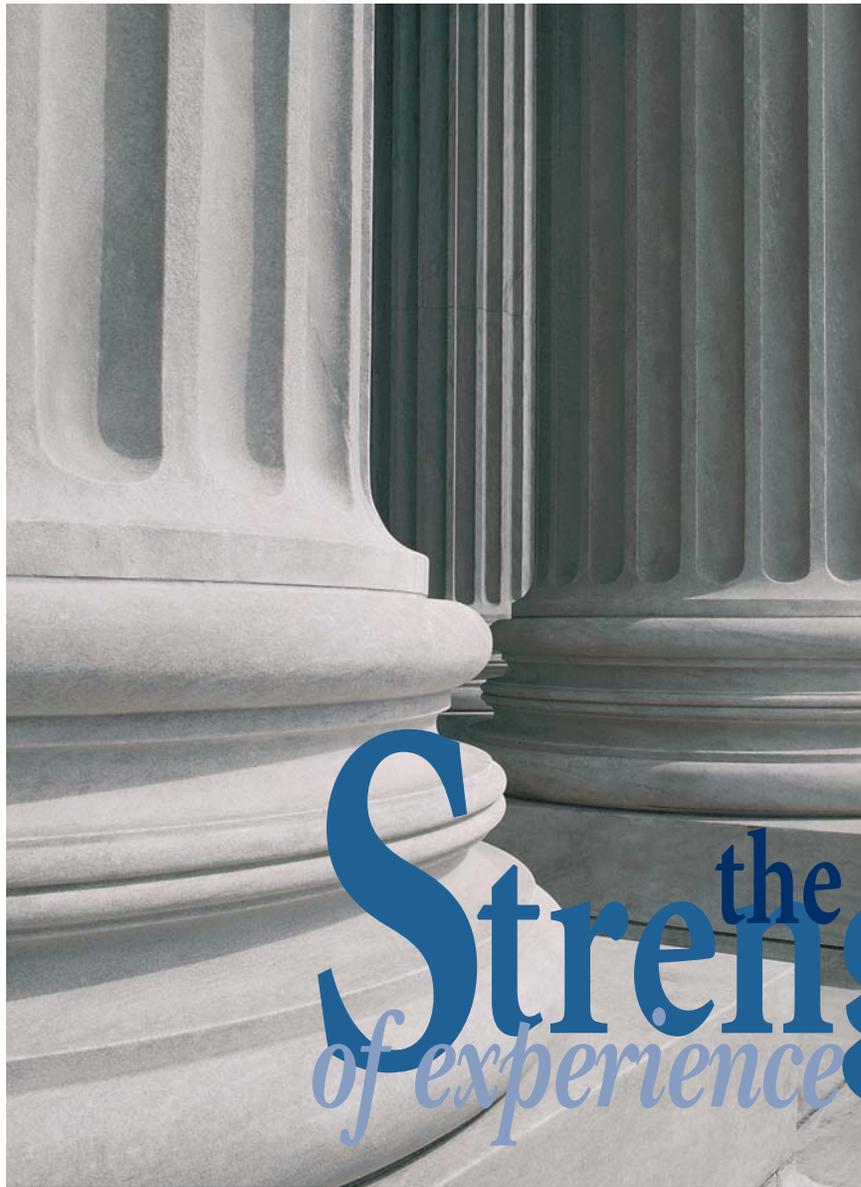
Every year, more than 3 million prospective jurors in Los Angeles County are sent summonses by the Office of the Jury Commissioner and its director, Gloria Gomez.

Three million! The number staggers the imagination.

Of that 3 million, over 1 million responses, on the affidavit forms provided, are returned to Ms. Gomez’s office. Naturally, the offbeat responses described above represent a tiny fraction of all responses. The vast majority, thankfully, are completely sane and reliable, yielding in excess of 800,000 qualified jurors a year.

Despite these numbers, the Jury Commissioner staff of 165 employees (including Grand Jury staff) manages to keep

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President's Message

Alice A. Salvo

DON'T THROW OUT THE PLAY-DOH!

As attorneys we are always looking for new and creative ways to present ourselves to our clients and the public at large. Our briefs, petitions and client documents contain recycled material with a new twist. So it makes sense that an attorney would look for and discover a new use for Play-Doh.

I just returned from the Ventura Beach Marriott where our Board of Trustees had our annual retreat. This year, Play-Doh was the star courtesy of Elizabeth Derrico, the facilitator from the ABA. The retreat challenged us to envision what the San Fernando Valley Bar Association will look like in three years, and then develop a strategic plan to reach our vision.

Elizabeth shared how her success in building a better bar association encouraged her to set a new personal goal of making a perfect pie crust that will be the envy of the best bakers. The secret is transferring the successful methods we perfected in our legal professions to any goal we set for ourselves. We attorneys have spent years experimenting on succeeding against all odds in an adversarial environment.

Alas, the Play-Doh solution! Play-Doh is soft, colorful, malleable, and fun. Play-Doh creations challenge your imagination and are easily changed until you are satisfied with the results.

At the beginning of the session, we broke into five groups. Each group was given various colors of Play-Doh to use to shape our vision of the future San Fernando Valley Bar Association. At first, the Play-Doh unleashed the child in us; but then we decided to be serious so we could finish before dinner - the reward for the hard work of playing with Play-Doh.

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One Day, One Trial, continued from page 1

the process moving smoothly. Jurors report to 51 different assembly rooms in courthouses throughout our system.

Of the 800,000 who qualify every year, more than 400,000 serve. Imagine, 400,000 Los Angeles County residents ready and able, and, to varying degrees, willing to occupy the courtrooms of the 39 courthouses around the County where civil and criminal jury trials are conducted. Even the tiny Catalina Courthouse, with a single courtroom, hosts our citizen-jurors for civil and criminal trials.

One can only marvel at the tribute our County jurors pay to the constitutional ideal of trial by jury of one's peers. Even with the high number of no-shows, the more than one million jurors who faithfully respond to the call of public duty attest to the vigor of one of our highest ideals of representative government.

While the monetary compensation for such service is embarrassingly paltry (\$15 per day), we lay out over

\$7,000,000 a year in juror per diem and mileage costs. Postage alone amounts to another \$1,500,000 annually.

These citizen-judges allow our Court to conduct in excess of 6,000 jury trials annually. Roughly 60 percent of these jury trials are criminal cases, and of these, the majority are felony cases. Of the civil jury trials, the great majority are unlimited cases. Not only do our jurors serve, but they serve in resolving the most difficult disputes: felonies and civil cases of unlimited jurisdiction.

Naturally, there are those who do not appear in response to the summons. Some fail to respond for legitimate reasons. A number are found not qualified. Others are excused for hardship. Still others are postponed.

Of those failing to respond, an unacceptably high number are apparently of the opinion that service is optional. Their defiance of the summons has two bad results. The first is

that those who do respond have to fill in for those who choose defiance. The second is that defiance requires judicial action that consumes limited resources. Orders to show cause must be served, hearings conducted, monitoring for compliance with sanctions engaged.

A series of sanction hearings has already been conducted and more are scheduled around the County. Presiding Judge Robert A. Dukes aptly put the hearings in perspective: "The Court has no interest whatsoever in seeing these sanctions as a source of money," he said.

"Our very highest priority is having the people cooperate with us to ensure that jury service is shared by all eligible citizens in Los Angeles County, as mandated by the Legislature. Sanctions are a last resort, but even at that late date, monetary sanctions may not be imposed if the person agrees to serve."

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Homing in on Success Message From the LRIS Coordinator

Michele C. Morley



For five years I was CEO of a Valley real estate company. The million dollar home sales were exciting and generated good income. However, the lesson I learned was that it was the average priced home sales that generated the reliable income, the bread and butter income.

The Lawyer Referral & Information Service (LRIS) just completed another outstanding fiscal year. This year, our strong income was based on referring a high number of bread and butter cases. I consider it a source of pride that we have referred so much good business to our attorneys. We also have some multi-thousand or multi-million dollar cases that we referred this past year. However, these cases are still progressing through the legal process.

I am sure that the LRIS success is based on our reputation of providing service that exceeds the highest expectations. I cannot thank enough the panel attorneys who assist the individuals we refer to them. I know these attorneys as dedicated advocates. Almost daily, I have experiences with panel attorneys who have donated time to help in a difficult matter or to offer guidance at no charge.

Phone Counselors Gayle and Rosie made more referrals this past year than ever before (except the unique year of the Northridge earthquake). We made 625 more referrals than last year. Gayle and Rosie have worked very hard; impressively, only six referrals separate the number of referrals each has made. This is a good indication that they are each working at a high level of performance. They talk to two-

thirds more people than they actually refer. They perform demanding and at times exhausting work. They work with enthusiasm, empathy and humor. They are very effective.

LRIS panel attorneys earned close to two million dollars in fees. The LRIS made 2,749 referrals and we currently have over 1,200 open cases. We had 317 senior referrals and 69 (16%) modest means referrals. We believe that our new limited scope panel has enabled many clients to be referred to that panel rather than the modest means panel. We will soon be opening up our limited scope panel to any LRIS member that practices family law and has received the limited scope training. We are in the process of translating our limited scope brochure into Spanish.

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Comfort for Court Kids, Inc., a publicly supported, 501(c)(3) organization, provides teddy bears to children appearing in the Edmund D. Edelman Children's Court. The Teddy Bear, a universal symbol of love and affection, is given to the children to help them through the confusing and often intimidating experience while at court and, of course, the children are allowed to keep their bears when they leave the courthouse.

In the twelve years since its founding by SFVBA member L. Ernestine Fields, Comfort for Court Kids has given away more than 321,000 teddy bears. The organization's Web site can be accessed at www.courtkids.org.

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Santa Clarita Valley Bar Association: What's Happening?



BY L. ROB WERNER, SCVBA PRESIDENT

By the time this edition of *Bar Notes* is published, our organization will have had its first regular election. Due to our relationship with and trust in the SFVBA, your Executive Director Liz Post has counted our ballots. We probably will have retained most of our current leaders but we encouraged all attorneys to be active and repeatedly gave instructions for how anyone with interest could have the privilege and burden of serving fellow attorneys. So, I may or may not be President. In any case the foundation of this Bar is growing. We are all on that upward learning curve on how to establish and run a successful organization.

Ron Morgan, our CPA who has donated his time, has completed the paperwork for our filing for non-profit status. Robert Gardner, rmg@escv.com, who also donated his services, completed setting up our initial web page and attorney forum. The attorney forum will allow open-ended legal questions to be batted around among our membership. We still need a lot of help here by Internet savvy attorneys. Please contact me if you can lend assistance.

The *Signal* newspaper has offered our association a weekly column in the business section on legal issues. We need more help from the membership to make this happen. Isn't there something you have always wanted to say about some law, regulation or judgment? The article presents a good opportunity to vent and propose new solutions. Interested? Contact John Shaffrey at jshaffrey@pooleshaffrey.com.

Co-chairmen Thomas Coleman, thomas-coleman@sbcglobal.net, and Barry Edzant, valencialaw@sbcglobal.net, had a breakfast meeting in September to foster the workings of our Networking Committee. Attorneys with an interest in referring or receiving referrals should contact Tom or Barry. We are especially interested in involving attorneys whose practice is in a specialty or limited practice area.

In October we had our first social event, a wine tasting at Agua Dulce Winery, followed by dinner at LeChene. Because of the generous financial contribution made by Lexis-Nexis, we changed our October dinner meeting to offer one hour of MCLE ethics credit.

We are planning something really special for our November meeting. This will be the first meeting after our election. The meeting will take place on Thursday, November 18, at the Valencia Country Club, 27330 North Tournay Road. Check-in and networking start at 6:00 p.m., dinner and the program begin at 7:00 p.m. Please invite your significant other to this event. Santa Clarita Valley Mayor Bob Keller will perform the swearing-in ceremony, followed by a comedy club show. To make your reservation, call (818) 227-0490, ext. 105.

Although our association has decided that evening meetings were best for most members, we realize that with the diversity of our membership, we need to meet at other times as well. To reach some attorneys that have not been able to make evening meetings we have decided to work on having one meeting every quarter at lunchtime. Therefore, our December meeting will be during the noon period on Thursday, December 16. Please mark this date on your calendar. The location and details will be announced later.

Do you have any suggestions as to how we might improve our association? Do you have an interest in getting involved? Can you help us in any way? Please contact me at lrobwerner@yahoo.com. ☺

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One Day, One Trial, continued from page 4

The first round of sanction hearings took place in Judge Alice Hill's San Fernando courtroom over four days in June. Fines ranged from one hundred fifty (\$150) to two hundred fifty dollars (\$250), and most of those sanctioned were given the option of serving in July or August in lieu of payment. As Judge Hill observed: "The sanctions program was designed to get the attention of non-reporting jurors and, I think, largely succeeds in doing so."

The second round took place in Van Nuys in July, followed by a third round of hearings in Lancaster in August. The Court's sanctions program is not our only response to the problems surrounding jury service. Judge Jacqueline Connor, who heads the Court's Trial Jurors Committee, has been a leader in developing innovations in the Court's approach to jurors, both to improve the quality of the jurors' experience and to make better use of their time while they are in our courts. Toward this end, Judge Connor and the Committee routinely meet with Bar, business and community groups to generate broad support and to recruit volunteers for our juror programs.

Every May since 1995, our Court has held a "Juror Appreciation Week," an event that allows the Court, at the 51 assembly locations, to show jurors our gratitude for their valuable service. Funds to cover the costs of daily coffee and donuts—a cherished part of jury service—come from the juror-fee waiver program. Bench officers routinely participate in the events, which include lectures, games, raffles and refreshments.

The Court tries in as many ways as our contracting budget allows to provide jurors with accommodations to ease the burden of service. For example, the Court won the Metropolitan Transportation Authority board's approval of free MTA bus and train passes to jurors (in lieu of mileage) serving downtown to ease the transportation burden. Efforts are underway to expand the program to all the branch courts. For jurors who need to stay "connected" with work or family, the Court provides Internet terminals at all assembly locations.

As soon as Ms. Gomez's staff has completed the intake of jurors, a bench officer is on hand at almost every assembly location to provide an orientation and to answer ques-

tions on jurors' minds about service. In addition, there are videotaped welcome presentations by the Presiding Judge and Administrative Office of the Courts screened in the various assembly rooms.

No discussion of jurors is complete without some mention of our Court's efforts to recruit grand jurors. Citizen participation on the criminal grand jury is trouble-free by comparison to the problems faced in recruiting citizens to serve on the civil grand jury.

Criminal grand jurors are selected from the same pool as petit jurors, and serve for 30 days. Civil grand jurors, by contrast, serve 12 months, from July 1 to June 30. Each grand juror, moreover, must be nominated by a judge, but each judge may nominate no more than two grand jurors.

Despite aggressive recruiting efforts by the Committee, including bench officers' presentations to local civic organizations and extensive use of community-based news media, recruiting citizens from the diverse minority populations around the County continues to be a major challenge. Participation in the civil grand jury by Asian/Pacific Islanders has been especially disappointing over the years, although the Committee, and its Chair, Judge Terry Green, is committed to pursuing outreach programs vigorously.

Judge Green is outspoken on the subject of judges' responsibilities in nominating grand jurors: "It is very important for our colleagues to remember that the nomination of grand jurors is part of our job. Although the universe of people who can serve for a year at a time is small, each of us has contacts within that universe we can and should call upon."

Has our Court successfully met the challenge? Have we done everything in our power to recruit qualified jurors representing a cross-section of our diverse community to serve on our petit and grand juries?

The results speak for themselves. When the effort yields 800,000 qualified jurors a year, only one verdict is reasonable. The answer is a resounding "yes!"

This article was reprinted with permission from *Gavel 2 Gavel*, the Los Angeles Superior Court Judicial Magazine, Fall 2004.

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THE PRACTICE

a series of essays on practice of law and life

Computing Your Phone Calls



BY DAVID R. HAGEN

Phone calls are part of the cacophony of information that barrages every one of us on a daily basis. Communicating by phone is so easy. However, this ease usually means that we end up receiving too many calls. They interrupt our workflow and, many times, our thought process. I have found it necessary to produce "time out" periods during the day when I simply am not available for phone calls. Otherwise, it would be impossible to get anything meaningful done each day.

This month I want to comment on handling phone calls not only at the office but at home as well.

At Work

It is amazing how many people believe that they can call us and bend our ear at any time. It is also amazing to me the frequency with which these calls seem to come. For those of you that have clients who pay on an hourly basis, they usually learn to call more expeditiously after receiving the first few monthly bills. Unfortunately, at my firm, because our practice is mostly bankruptcy, we represent many of our clients for a flat fee basis. This presents a real challenge, as there is no effective way to discourage frequent phone calls. Some days I will receive as many as forty calls.

Additionally, it is difficult to manage what is being said. Many times we give advice on significant issues over the phone. We need to be clear in what we say and also find a way to manage this flow of information. It is simply not practical to follow up every phone call with a letter to confirm what was said. For me, this problem is almost impossible to fight. I have found that, for us, it is better to try and manage the issue than fight it.

We manage our phone calls by using a computer program called PHONESlips (see www.phoneslips.com). It is a stand-alone program that only deals with managing our phone traffic. There are phone message components to many of the current practice management software programs such as Time Matters. However, they are not nearly as easy to use.

PHONESlips is installed on our computer network. When a call comes in to the receptionist, a message is created. It includes the name of the caller, where they are calling from, what they want and their phone number. This message is then immediately

sent to the appropriate person's desktop. When the message comes in, the user is notified. A single screen lists all of the current messages.

When it is time to return calls, a button is simply pushed and the program dials the phone number on your phone. After the communication with the party is complete, you hit a button that creates a log of the return call. We even use this to reflect when messages are left on answering machines. It automatically inserts the date and time. A very short summary of what was discussed with the client is then put into the log if it has any import whatsoever.

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The Practice, continued from page 9

We started using this program in June of 1997. Since that time, I personally have logged more than 36,200 messages.

This program is great for several reasons. First, it is an easy and paperless way to track phone traffic. Secondly, a screen of all incoming phone messages appears on your desk allowing you to prioritize which calls get returned first. Third, if another person in my office can respond to the call better, I can forward it to them. Fourth, speed dialing certainly speeds up the process of returning the call. Fifth, I never lose a phone number because all messages are saved. Finally, and perhaps most important, it allows me to produce a complete record of my phone traffic during any given day. When we back up each evening, we have a complete record of not only when calls were returned but also what was said.

One of the easiest complaints for clients to make is that their phone calls are never returned. This is such a tired excuse that it has almost become cliché. Using this program, if I ever get this complaint, I am able to search their name and tell them the exact date and time that each phone call was returned. There have been situations where clients have complained about calls not being returned. I have had to explain to them, for some reason, their recollection is at a great variance with the data in the computer. This resolves the complaint in very short order. Additionally, if a client later becomes confused as to what was said, it is easy to search the phone messages and go back and look at exactly

what advice was given.

This program is relatively inexpensive, easy to use, and I highly recommend it as it has helped in our practice immeasurably. It is easy to install, but we had our computer guys do it to save time.

At Home

Calls at home present a completely different set of problems. All night long, our household receives calls for refinancing, credit card offers, or our alma mater asking for donations to the annual fund. (What the heck is the "annual fund" anyway?) All of these calls create a number of problems. A person's house should be somewhere where you are not forced to respond to the crush of phone calls that we deal with during the day. Further, time at home is our personal time, and it should not be allowed to be interrupted.

I have thought long and hard on what to do to resolve this problem. Certainly, the national Do Not Call Registry is a step in the right direction. I have tried several other approaches over the years.

At first, I simply hung up. However, this seemed a bit rude. Further, it allows the caller to simply move on to the next call without expending a good deal of time. One of the reasons that people continue to make cold calls to houses is because it is profitable. That is, if they can make so many calls per hour, chances are a certain number of people will buy. Hanging up only allows them to increase

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IRS Warns of Scheme to Steal Identity and Financial Data

The Internal Revenue Service has asked the San Fernando Valley Bar Association to share the following information with our members and your clients.

The Internal Revenue Service is warning taxpayers about a fraudulent scheme targeting non-resident aliens who have income from a United States source. The scheme uses fictitious IRS correspondence and an altered IRS form in an attempt to trick the foreign persons into disclosing their personal and financial data. The information fraudulently obtained is then used to steal the taxpayer's identity and financial assets.

This scheme has surfaced in South America, Europe and the Caribbean so far.

"This is an international variation of an old scheme where scam artists try to get valuable information by pretending to be from the IRS," said IRS Commissioner Mark W. Everson. "Taxpayers should be wary of strangers trying to obtain sensitive personal information, whether it's in person, over the phone, through the mail or over the Internet."

Generally, identity thieves use someone's personal data to steal his or her financial accounts, run up charges on the victim's existing credit cards, apply for new loans, credit cards, services or benefits in the victim's name and even file fraudulent tax returns.

In this particular scam, an altered IRS Form W-8BEN, "Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding," is sent with correspondence purportedly from the IRS to non-resident aliens who have invested in U.S. property, such as securities or bonds, and therefore have U.S.-sourced income. The correspondence claims that the recipi-

ent will be taxed at the maximum rate unless the requested personal and financial data is entered onto the form and the form is faxed to the phone number contained in the correspondence.

The correspondence's threat is baseless. In reality, the rate at which a non-resident alien pays tax to the U.S. depends on the terms of the tax treaty the U.S. has with the foreign person's country.

There are about 2.5 million non-resident aliens who receive U.S.-sourced income, based on the number of Forms 1042-S that were issued last year. The 1042-S is used to report the amount of U.S. income a non-resident alien earned in that year and the taxes that were withheld.

The phony W-8BEN form asks the recipient for detailed personal and financial information, such as date of

birth; social security number; passport number; bank name; account number, type and date opened; e-mail address; profession; day-time phone number; how often the recipient visits the U.S.; and information on the recipient's spouse, children and parents.

There is a legitimate IRS Form W-8BEN, which is used to establish the non-resident alien's foreign status and to determine whether the foreign person is subject to withholding of taxes. However, the genuine IRS Form W-8BEN does not ask for any of the personal information above, except, in some cases, for a Social Security or IRS-generated Taxpayer Identification Number.

In addition, genuine Forms W-8BEN are sent to the recipients by their financial institution, not by the IRS. The financial institution — whether bank, brokerage firm, insur-



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ance company or other — acts as the non-resident alien's withholding agent for any income subject to U.S. income tax that the foreign person received from a U.S. source. The W-8BEN is used by the financial institution to establish the appropriate tax withholding or to determine whether their customers meet the criteria for remaining exempt from tax reporting requirements.

The real Form W-8BEN can be found on this Web site in the "Forms and Publications" section. The IRS has already advised financial institutions to alert their overseas branches to warn their customers about this scam.

The Treasury Inspector General for Tax Administration investigates a wide variety of offenses, including identity theft related to tax administration. Non-resident aliens who have received a fraudulent letter and form should report this to TIGTA by calling the toll-free fraud referral hotline at 1-800-366-4484, faxing a complaint to 202-927-7018 or writing to the TIGTA Hotline, P.O. Box 589, Ben Franklin Station, Washington, D.C. 20044-0589. For more information on TIGTA, see TIGTA's Web site at www.ustreas.gov/tigta.

To help the public recognize and avoid abusive tax schemes, the IRS offers educational materials on their web-site at www.irs.gov/businesses/small/article/0,,id=106788,00.html.

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Message From the President, continued from page 3

From the Play-Doh came insight - One group used Play-Doh to create interconnected circles similar to the Olympic Rings. This symbolized growth by interlinking the San Fernando Valley Bar Association, expansion into the East Valley members, diversity, and our membership. The second group used Play-Doh, two water glasses and one champagne glass to depict the San Fernando Valley Bar Association, the Los Angeles County Bar Association and the State Bar of California. They used the Play-Doh to create colorful little balls, flat circles, and candies to depict individual members, courts and various organizations to become affiliated. This symbolized expanding relationships.

The third group molded a set of human hands with a ball representing the world. This symbolized the San Fernando Valley Bar Association, through the Foundation, the Lawyer Referral and Information Service, the Senior Center, the Self Help Center, the Mediation Panels and the Vast Program etc., as helping hands for the community and its businesses, courts and schools.

The fourth group made a zoo of colorful animals. Their giraffe was especially symbolic because its long neck stretches to reach higher leaves. This group envisioned the San Fernando Valley Bar Association in 2007 to have grown and reached new levels, by stretching out to the Valley's diverse population, new lawyers, and the East Valley.

The fifth group designed a model of the community with blue Play-Doh. The San Fernando Valley was made of brown and green Play-Doh. The San Fernando Valley Bar Association was symbolized by a tall building topped by a beacon. Their vision for 2007 was that the San Fernando Valley Bar Association would be A BEACON FOR THE COMMUNITY.

At the conclusion of the Play-Doh exercise, the Board decided that the San Fernando Valley Bar Association's vision for 2007 would be that of a BEACON FOR THE COMMUNITY. A beacon sends a light to guide vessels through the fog. Our beacon would send a light to guide our members, the community and the public sector to our organization as a respected resource in the community.

Not only was the Play-Doh fun, but the candy props tasted good. Try it sometime.

To implement our plan of a BEACON FOR THE COMMUNITY, a new Strategic Planning Committee was created. Our President-Elect RICHARD LEWIS is the chairperson of this new committee. If you would like to participate in making our Play-Doh dream a reality, please contact Richard at (818) 704-0585 to join the committee. 🐘

Alice can be contacted at (818) 887-3333 or by email at salvolaw@pacbell.net.

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The Practice, continued from page 10

the number of calls they can make in any hour, thus, increasing their profitability.

We can simply not answer the phone and wait for the messages to ring through to the answering service. However, this makes it very difficult. I have had a friend whom I have not seen for five years just because we can never seem to get him on the phone.

I tried a smart aleck approach for a while. When someone called, I told them that I was busy but would love to talk to them and asked for their home phone number so I could call them back later. Ironically this did not work as they became offended that I would ask for their home phone number and lead the way to a much longer discussion.

I have found that the best way to resolve these problems is simply to put the phone down. Don't hang up, just put the phone down. Just let them talk themselves out. Every single time they wear themselves out talking and hang up. It only takes a few minutes. This accomplishes a number of things.

First, it does not feel rude to simply put the phone down because they do not know you are doing this. Second, it only ties up your phone usually for two or three minutes. Third, it significantly affects the profitability of what they are doing. If we all did this, perhaps it would not be profitable for companies to cold call anymore and the industry would significantly shrink.

We all receive thousands of messages every day. This includes messages from the media all the way down to messages that we receive by virtue of the clothing that opposing counsel might be wearing. In this day and age when we can communicate so easily and frequently with each other, it is important to manage as many of these types of information as we can. Hopefully, these suggestions will assist you in how you manage one small portion of these messages, phone calls. ♣

Dave Hagen is a principal at Merritt & Hagen. The firm's practice focuses on representing individuals and small businesses in bankruptcy. David Hagen can be contacted at (818) 992-1940.

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Report From The Foundation

Grant Builds Foundation for Limited Scope Representation



BY ANNE ADAMS

As the new president of the Valley Community Legal Foundation, I'm hoping to persuade some of you to become more actively involved with the Foundation this year. We are looking for both volunteer support and financial support.

Last year, the Foundation provided over \$37,000 in scholarships and law-related grants. This month, I would like to highlight a grant we gave to the SFVBA's Lawyer Referral & Information Service to print a brochure on limited scope legal services in the family law area. If you don't practice family law, you may not realize that in over 70% of the cases, at least one of the parties does not have an attorney. Many of these individuals believe that an attorney's assistance would be unaffordable so they represent themselves, sometimes with the assistance of a legal document preparation service.

Many individuals that represent themselves in family law cases find that it is a frustrating experience. They frequently do not complete their documents

properly, they may not understand the legal issues, and they frequently have difficulty moving their case through the court toward resolution.

In an attempt to help resolve some of the issues that self-representation creates in the courts, there has been a recent trend toward limited scope representation in family law cases throughout the State. Although some family law attorneys may only want to work with clients that are represented by an attorney throughout the case, some attorneys are open to working with clients on a more limited basis.

With limited scope representation, the client handles some aspects of the case without the attorney and the attorney helps the client with part of the case. For example, a limited scope client may decide that he could afford to pay an attorney for advice and document preparation, then decide to go to court without an attorney.

The pamphlet on limited scope services in family law cases explains how limited scope representation

works. It also explains the advantages and the limitations of limited scope representation. These brochures are a service to the community because they inform individuals in the community about an additional option for handling their family law cases.

The Lawyer Referral & Information Service has distributed these booklets to the Self-Help Center, attorneys, and the courts in the San Fernando Valley and Lancaster. The LRIS has started making referrals to attorneys for limited scope representation.

The Foundation contributes to the success of other projects as well, which I look forward to sharing with you. If you would like to volunteer your time or make a financial contribution to the Foundation, please contact me.✉

Anne Adams can be contacted at (818) 715-0015 and anneadamslaw@sbcglobal.net.

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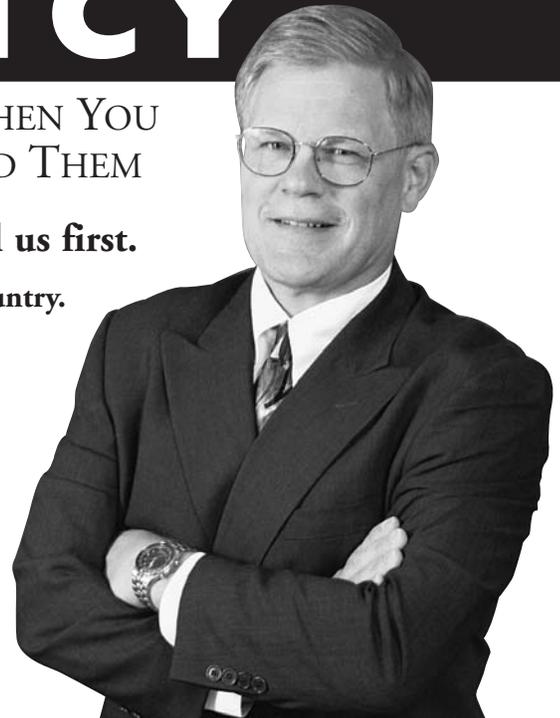
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Membership Has It's Priveleges!

LRIS, continued from page 5

The top source of referral business was attorneys who referred clients and individuals to the LRIS. The largest number of referrals was made in the area of family law. We had 23 new attorneys join the panel.

Many administrators of other bar associations' lawyer referral services comment on the lack of support and the lack of vision shown by their leadership. In the five years I have been LRIS director, I have always enjoyed the full support of the LRIS Committee and our Board of Trustees. Because of their leadership and guidance, the public and the Courts consider the LRIS a valuable and reliable resource. Because of their standards, the LRIS referral staff provides exceptional service. Because of their concern for the LRIS attorneys, the referral service is a productive source of business for attorneys.

This year the co-chairs of the LRIS Committee are Christine Lyden, Donna Laurent, and Hillary Grosberg. In the past few months each of them has donated extra time to assist with the administration of the LRIS. I ask for their help and they provide it with finesse and competence.

Because we had a productive and profitable year, we are expanding our marketing with some advertising in the *Daily News*. A new marketing piece has just been published. We have some other ideas that the LRIS Committee and staff are pursuing to further increase visibility and market share.

In November we elect a President, a few Senators, and several members of Congress. This is probably a good time to recall something said by an English politician, George Savile in the 1600s. "It is a general mistake to think the men (and women) we like are good for everything, and those we do not, good for nothing." ♣

Subscribers of Time Warner Cable in the West San Fernando Valley can view new and rerun episodes of Legal Forum on Friday nights at 6:30 p.m. on Channel 34. The cable series, produced by the SFVBA LRIS, began a fourteen-week run on October 1.

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It's all very unsettling.

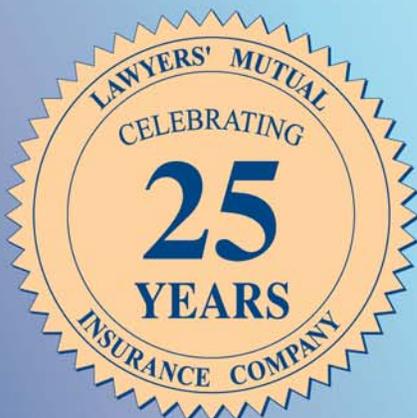
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November Events

Self-Help Center Attorney Training Part I

Topic: Family-Based Immigration Basics
Speakers: Romina Arguedas Pailey and Carolyn Reznik-Camras, Neighborhood Legal Services
Date: November 1
Time: 12:00 Noon Lunch and Program
Place: SFVBA Conference Room
Cost: Free to Self-Help Center Volunteers!
MCLE: 2 Hours

Probate & Estate Planning Section

Topic: Elder Abuse Issues
Speaker: John Merrill, Adult Protective Services
Date: November 9
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

Small Firm & Sole Practitioner Section

Topic: Mold Cases
Speaker: Tim O'Connor
Date: November 10
Time: 12:00 p.m. Lunch and Program
Place: SFVBA Conference Room, Woodland Hills
Cost: \$20 members prepaid; \$25 at the door
 \$30 non-members prepaid; \$35 at the door
MCLE: 1 Hour

ADR Section

Topic: Professional Development for ADR Professionals in 2005: Use of Court Mediation Programs in Federal, Appellate and Superior Courts, with an Update on the LASC Paid Panel
Date: November 10
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

Self-Help Center Attorney Training Part II

Topic: Preparing a Family-Based Visa Petition (I-130)
Speakers: Romina Arguedas Pailey and Carolyn Reznik-Camras, Neighborhood Legal Services
Date: November 15
Time: 12:00 Noon Lunch and Program
Place: SFVBA Conference Room
Cost: Free to Self-Help Center Volunteers!
MCLE: 2 Hours

Workers' Compensation Section

Topic: Denial of Private or Group Disability Benefits: Steps to Take Before Litigation or Referral
Speaker: George Kingsley, Esq.
Date: November 17
Time: 12:00 Noon
Place: The Encino Glen Restaurant
 16821 Burbank Boulevard, Encino
Cost: \$30 Members prepaid; \$35 at the door
 \$35 Non-Members prepaid;
 \$45 Non-Members at the door
MCLE: 1 Hour

Litigation Section

Topic: Getting the Goods: Information Gathering Post 9/11
Speaker: Mitchell Herman, Stein Investigations
Date: November 18
Time: 6:00 p.m. Dinner and Program
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

Intellectual Property, Entertainment Law & Internet Law Section

Topic: CNN is in the Lobby: P.R. and Media Strategy for Attorneys and their Clients
Speaker: Robert Sax, President, SAX Public Relations
Date: November 19
Time: 8:30 a.m. Breakfast and Program
Place: Greenberg & Bass, Encino
Cost: \$10 members prepaid; \$15 at the door
 \$15 non-members prepaid; \$20 at the door
MCLE: 1 Hour

Family Law Section and Probate & Estate Planning Section

Topic: Crossover Issues Between Family Law and Probate
Speaker: James Cox, Esq.
Date: November 22
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

Business Law Section and Litigation Section

Topic: Bankruptcy Basics for the Non-Bankruptcy Practitioner
Panel: David Lally, Esq.; U.S. Trustee Speaker T.B.A.; Steven Fox, Moderator
Date: December 1
Time: 12:00 p.m. Lunch and Program
Place: SFVBA Conference Room, Woodland Hills
Cost: \$25 members prepaid; \$30 at the door
 \$30 non-members prepaid; \$35 at the door
MCLE: 1 Hour

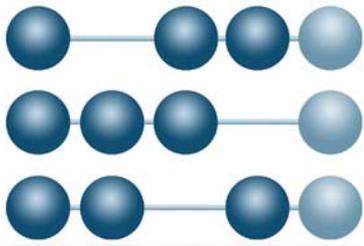
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