



BarNotes

A Publication of the
San Fernando Valley Bar Association

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**NINTH ANNUAL
MCLE
MARATHON**
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LEAVING A VOID EIGHT VALLEY JUDGES DEPARTING THE BENCH

A passing of the gavel will take place on February 16 at the Woodland Hills Hilton as the San Fernando Valley Bar Association fetes eight of the Los Angeles County Judges leaving the local bench. The gathering will include a celebratory retirement dinner for the departing jurists.

Bankruptcy Judge Kathleen Thompson will be receiving the Association's Judge of the Year award at the event. Judge Thompson is one of the longest-serving bankruptcy bench officers in the local area. The other honorees include Judge Richard Kolostian and Commissioner Mark Weiss (Northwest District/Van Nuys); Judge Michael Farrell, Howard Schwab and Judge Michael Knight (North Valley District/San Fernando-Chatsworth); Judge Floyd Baxter (Valencia); and Commissioner Robert Zakon and Judge Meredith Taylor, both of whom have already departed the bench (North Valley District).



"The San Fernando Valley has undergone a tremendous change over the past few decades," Van Nuys Supervising Judge Michael Hoff says. "These retiring bench officers have touched so many lives through their work."

These seasoned bench officers from San Fernando and Van Nuys have played important roles in the growth and development of the Valley, helping remake a small town into a major city. And they have shaped law throughout a much larger geographic swath.

"The retiring bench officers have made major decisions in the areas of criminal law,

family law, juvenile matters, civil suits and probate matters," Judge Hoff says. "These decisions have involved thousands of people and affected thousands of families and huge sums of money."

Commissioner Mark Weiss, who has been a pillar of the Family Law Section of the Association, is appreciative of the opportunities he has enjoyed as a member of the bench in the Valley.

"I'm going to miss the lawyers and my colleagues," he says. "When I was a new bench officer, my colleagues were very helpful."

Because he enjoyed the courtroom so much, Weiss applied to become a bench officer. He says he felt most comfortable there.

To this day, he says, he continues to bounce ideas off his colleagues on the bench, noting how responsive and caring they are. But at the same time, he sees some troubling changes in the bar.

"The practice of law is not as friendly as it once was," Weiss says. "The hostility among lawyers makes me yearn for the good old days."

Weiss says that law practice was fraternal and warm when he was an advocate. Now, he says, advocates are extremely aggressive.

"Counsel disregard the professionals on the other side of the case," he says. "Sometimes I have to take counsel into my chambers to address these problems."

Weiss plans to continue as a professional neutral in private practice. He has joined Alternative Resolution Centers in West Los Angeles. He will be available to hear family law and civil matters. He says he hopes to hear matters in which he can use his engineering and computer expertise.

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Michele C. Morley, Associate Executive Director for Public Service



The LRIS has hired a part-time bi-lingual referral coordinator. Alberto Pereda and Rosie will be working with the Spanish-speaking individuals that contact us for referrals. Alberto's story is especially appropriate at this time of year, when we think of change and how others can influence us for the better.

Alberto attended school at Parkman Middle School, a couple of blocks from the Bar Association offices. He recently graduated from UCLA with a 3.606 grade point average and was on the Dean's List multiple times. He achieved in spite of the fact that throughout most of his schooling, beginning in high school, he worked full-time as a grocery store clerk. He is studying now for the Graduate Record Exam and the LSAT. He hopes to attend law school and graduate school next fall. He is considering the University of Chicago, Georgetown or Columbia. Sounds like a charmed and focused life, doesn't it?

However, when Alberto was in the seventh grade, he could barely read. He was sitting in a classroom at Parkman for students who were not college bound. His history teacher saw something in Alberto that others had missed. According to Alberto, she told him he could sit at the back of the class and fail, or sit at the front and succeed. He picked up his books and walked to the front of the room and sat down. Since that day, he has always been in front. By the eighth grade he was typing essays on the computer, studying and making good grades.

When I interviewed Alberto for the part-time position, I did not know this story and would have never imagined it. I was impressed at how well-spoken he was throughout the interview. We talked about the Economist magazine that we both read on occasion. He was also one of the few candidates to dress appropriately for a job interview.

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THE PRACTITIONER



Focus on Small Firms Top 10 Tenets of Small Firm Business Development

BY LISA MILLER, CHAIR, SMALL FIRM SECTION

Small and solo firms are often unsure about how to run a coordinated, overall business development campaign on a limited budget. If these firms implement a few of the following suggestions each quarter, they will finish the year with productive, inexpensive, overall business development plans, while investing very little money.

Look Inward

Take the time to do the painful process of figuring out who you and the firm are, who you and the firm want to be in the future and how you want the public to perceive you and the firm.

This focuses business development activity in a productive direction and helps the firm make insightful decisions when "The Next Big Thing" comes down the road.

Look Forward

Survey the legal landscape and think about what might be coming next in your practice area or in a closely related area. Is it a change in an influential court's composition that might signal a more or less stringent approach for your clients or potential clients? Or some other bellwether?

Once you develop a vision of the future, think about where you and

the firm might fit in. Don't worry about being a poor prognosticator – you're looking at the big picture and can always make some adjustments over time. But having an idea of what you think the future will look like helps avoid wasting time on false starts.

Understand Your Audiences

Identify and target multiple audiences. Law firm business flows from numerous sources, so firms need to understand that different business development efforts should be tailored to the various audiences that the firm needs to reach.

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President's Message, continued from page 3

helping at the Van Nuys Self-Help Center, we can assist the least fortunate in our community and ensure that all the members of our community, regardless of their economic status, feel that they too are equal before the eyes of the law.

The second event in January, which I believe marks the beginning of the development of our national character, happened on January 1. On January 1, 1892, fifteen-year-old Irish girl Annie Moore was the first of more than twelve million immigrants to pass through Ellis Island Immigration Station during its sixty-two years of operation.

While I do not know what became of the descendents of Annie Moore, or what contributions they made to this nation, I do know that we are truly a nation of immigrants and the enduring strength of this nation is based on the contributions of those hardy immigrants that brought their dreams, their talents and their energy to our shores.

However, the issue of immigration has become one of the most controversial issues facing our community. As we listen to the various proposals presented and weight the various policies and plans that we as individuals will have to decide whether to support, we need to remember Annie Moore and her descendents and think of the contributions made by the millions of individuals who came to this country to seek a better life and to provide a better future for their children and the countless generations that came after them. (Although my ancestors did not voluntarily come to this country, I hope they would be proud of the contributions their descendents have made.)

The final major event in January, which has great significance for me, happened on January 15, 1929. That was the birth of Dr. Martin Luther King, Jr. Dr. King was born in Atlanta, Georgia, the first son and second child born to the Reverend Martin Luther King, Sr. and Alberta Williams King. As the head of the Southern Christian Leadership Conference and co-pastor with his father at Ebenezer Baptist Church, Dr. King personally led the fight for human dignity and equally for all Americans regardless of race, religion or color, a fight that earned him the Nobel Peace Prize in 1964.

From the initial Montgomery Bus Boycott resulting from the arrest of Rosa Parks to the March on Washington in 1963, Dr. King inspired me with his dream of a nation in which all men (and women) were treated as equals. I share with Dr. King the dream "... that one day this nation will rise up and live out the true meaning of its creed: "We hold these truths of be self-evident, that all men (and women) are created equal." I also share with Dr. King the dream that my child will be judged by the content of his character and not be the color of his skin. ⤴

Focus on Small Firms, continued from page 7

Referrals are a significant source of clients, so attorneys and law firms are an audience to whom the firm should consider directing communications. Firms should also consider targeting business owners, in-house counsel and individuals in relevant industries, depending on the firm's practice areas and business development goals.

Work Synergistically

To maximize the business development efficacy of minimal time and effort, all communications activity should be adjusted and recycled through many venues. Speeches should be tweaked as articles submitted for publication, which should be published in the firm newsletter and Web site, which should be adjusted as client advisory e-mails, which should be recast as training handouts, and on and on.

Write and Speak

Every new development in your practice area, every new approach, is a potential topic for speaking and writing. The firm can influence a vast target audience through speeches and publications, which carry authority and credibility from the sponsoring organization.

While not every individual is talented with the quill or at the podium, lawyers can start small and work their way up to larger, more significant engagements. If practice still does not make perfect, perhaps these tasks can be delegated to other lawyers in the firm.

Be a Media Darling

Embrace reporters and editors covering your practice areas. Attend media events, target the reporters and editors active in your industry, then follow up with helpful information and insights on a regular basis. Keep the reporters and editors apprised of industry developments, even if nothing relates directly to you or your firm. This builds relationships that help you and the firm with future coverage.

And don't shrink from the spotlight when it's your turn for some favorable ink. Return reporters' calls within 30 minutes (maximum), provide documents promptly and be available for photography.

Volunteer Time and Space

Become active with a San Fernando Valley Bar Association section that has meaning for you, or choose another large and influential organization, and take on significant responsibility. Offer your firm or home for meetings and events. This puts you in contact in a

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favorable light with many clients, potential clients and possible referral sources. Share information about your firm and your practice with all of these individuals in a systematic way.

While you are developing business for your firm, you are also burnishing the images of lawyers everywhere and making a significant contribution.

Overcome Technophobia

Use desktop technology to track contacts and other business development efforts and results. After reviewing and analyzing the results, make some thoughtful adjustments, eliminating the less-productive efforts, maximizing the more fruitful programs and making smaller adjustments as needed.

This can save considerable time, energy, effort and money.

Play To Your Strengths

Your greatest strength is probably client service, not marketing, public relations or advertising, so time spent on ideas in these latter areas is probably less productive than time spent working up cases.

Consider seeking professional help with business development planning and perhaps even execution.

Be Confident

A small firm that implements coherent business development techniques has an inherent advantage over any firm of any size that does not. Nothing beats an organized, thoughtful, coordinated, well-executed business development strategy. Small can be beautiful. ⤴

Lisa Miller, Chair of the Small Firm Section, is a business development consultant in Valley Village, Editor of BAR NOTES, Editor of the State Bar publication BIG NEWS for Smaller Firms, and a trial lawyer, law professor and author. She can be reached at (818) 761-5910 or at lisa@lmillerconsulting.com.

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New Uniform Civil Fee Structure: Fee Increases Take Effect on January 1, 2006

The Judicial Council of California has announced a new court civil filing fee structure in state trial courts as the result of the enactment of the Uniform Civil Fees and Standard Fee Schedule Act, which was approved by the Legislature and the Governor earlier this year.

The new standardized fees will provide for a more simplified fee structure, increase access to the courts, and offer predictability and uniformity for court users.

The changes in court fees are designed to maintain access and continue public services in the California trial courts. The complexity and lack of statewide consistency in setting filing fees created the need for a uniform civil fee structure.

Eighty-nine civil fees were charged differently across the state's 58 counties, including law library fees that ranged from \$3 to \$41 and variances in fees for dispute resolution programs and children's waiting rooms.

The new structure remedies many of these issues and will:

- **Streamline and simplify the civil fee structure.**
Various surcharges and add-on fees are rolled into one uniform filing fee.
- **Create uniformity.**
For the vast majority of fees, the same fees will be charged for the same services in all 58 counties.
- **Increase access to the courts.**
The new structure directs additional funding to equal access programs.

- **Offer predictability.**
Court users will know that fees will remain consistent from county to county and will remain unchanged for a minimum of two years.

Each superior court will begin collecting the new consolidated fee in any affected court matter effective January 1, 2006. There will be no grace period for filings made on or after January 1.

The new statewide fee schedule is posted on the California Courts Web site at <http://www.courtinfo.ca.gov/courtadm/civilfees.htm> and is available at the clerk's office in each court

location. Information about applicable local fees and answers to specific questions can also be obtained at the clerk's office.

The Judicial Council is the policymaking body of the California courts, the largest court system in the nation. Under the leadership of the Chief Justice and in accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. The Administrative Office of the Courts carries out the official actions of the council and promotes leadership and excellence in court administration. ♣

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Eight Valley Judges Departing the Bench, continued from page 1

Supervising Judge Hoff is philosophical about the bench's brain drain.

"Instead of simply saying good-bye to the men and women entering into another phase of life, I would like to ask a question. Is the Valley better off because of the years of dedicated service by the retiring bench officers?" Hoff asks. "The answer is a resounding and loud Yes."

According to Hoff, the retiring judges and commissioners have been the bedrock of the courts' efforts to change from a mysterious branch of government to the largest community court in the world. The retiring bench officers are well-known for supporting the court and larger community through outreach activities at local schools and universities.

"These men and women were not satisfied to simply try cases and apply the law," he says. "The judges and commissioners tried to make the community a better place to live and work."

Judge Michael J. Farrell has been on the bench for 20 years. He says he has enjoyed them immensely. He spent the vast majority of his judicial career in the San Fernando Valley, his home turf.

"I have enjoyed working with the judges and commissioners in Van Nuys, San Fernando, and Chatsworth," he says. "The chance to spend the last few years just down the hall from Judge Scheper and Judge Schwab, and my brother John, has been a wonderful blessing for which I am profoundly grateful."

But Judge Farrell is quick to credit his contentment in large part to the efforts of the San Fernando Valley Bar Association. He says that one of the Association's most admirable qualities is its willingness to take a stand to help the court and the judges further their goal to benefit the community.

continued on page 15

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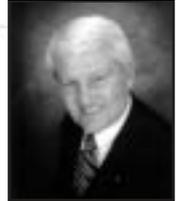




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THEN AND NOW: HOW CHANGED IS OUR VALLEY

BY WILLIAM R. LIVELY, SCVBA PRESIDENT

As this new year begins, our Association is in the initial process of implementing the projects we mentioned in our past couple of articles. Rather than repeat anything, I'll write a little bit about our rich community history (for the few of you who don't already live here).

Members of the Chumash Indian Tribe were the first inhabitants of the area. From about 450 B.C.E., the Shoshone speaking Tatavian tribe of Native Americans lived there. The

**New and Now
Upcoming Events Calendar**

- January 19, 2006 - Substance Abuse Prevention
- February 16, 2006 - Ethics

6:30 pm. Dinner meetings
Marie Callender's Banquet room
27630 The Old Road, Valencia

For reservations, call Stephanie at (661) 287-3600.

geography of the area

provided foot-passage and ancient Indian trade routes through the mountains and canyons between southern and central California, and the Mojave Desert and Pacific Ocean. Much later, a number of settlers tried to establish "Canyon County," but finally had to settle for a mere city.

Portola and the Spanish came on horseback in about 1769, naming the river to the sea, "Santa Clara". In 1804, an outpost for the San Fernando Mission was established just

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Referral Fees paid within Bar Guidelines

Eight Valley Judges Departing the Bench, continued from page 12

He points out, as an example of that commitment, that the Association was instrumental in providing an appropriate place in which courts could function.

“One of my fondest memories is the battle that the San Fernando Valley Bar Association put up to convince the powers that be downtown that the delay in repairing the Van Nuys courthouse for over five years [following the Northridge Earthquake] was unacceptable,” he says. “We got their grudging attention and repairs began shortly thereafter.”

According to Farrell, he has always enjoyed lawyers.

“I will miss interacting with attorneys,” he says. “Thank you for making the past 20 years so pleasant.”

Hoff says that all of the retiring bench officers are irreplaceable and he will miss working with them.

“I wish each of them well in their continued journey through life,” Hoff says.

At the same retirement dinner, the Bar Association will be honoring United States Bankruptcy Judge Kathleen Thompson as Judge of the Year. Thompson is part of the San Fernando Valley Division of the Central District of California.

In August 1996 she became one of only three judges selected to move to the United States Courthouse in Woodland Hills.

“I was a late bloomer,” Judge Thompson says, referring to the fact that she began her legal career in her 30’s. “There were a lot of lawyers in my family.”

Judge Thompson clerked in bankruptcy court from 1980-82 in the Central District before moving on to work as an associate for six years at Gibson, Dunn & Crutcher. At the firm,

she focused her practice on creditor’s rights and bankruptcy, representing both sides.

She marvels at the breadth of the debtors’ rights under the law.

“Debtors can get injunctions from those rights,” she says. “But the court can adjust those rights, depending on the case.”

She has heard thousands of Chapter 7 and Chapter 11 matters, she says. According to Thompson, she has provided an opportunity to be heard to these debtors, and she searches for solutions.

Thompson says she has enjoyed being a judge because it gave her an opportunity to review all sides of an issue.

For more information about Judges Night and to purchase tickets, contact SFVBA Events Coordinator Linda Temkin at the San Fernando Valley Bar Association at (818) 227-0490, ext. 105. 🐾



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*Succeed or Fail: It's Up To You,
continued from page 5*

Alberto found another mentor at UCLA, a professor, who made a point of guiding students with a Spanish cultural background. The professor invited Alberto to attend his independent study classes. He opened up new ideas, new resources and new literature to Alberto. He also instilled in Alberto the desire to thank those who mentored him, by mentoring and helping others. This is one reason that Alberto chose to work with us and that we are so pleased and proud that he is.

Alberto's father worked two jobs and his mother also worked throughout his childhood. As the eldest male from a traditional Mexican family, he undertook the responsibility to speak on behalf of his three younger siblings and immigrant parents. He constantly completed government forms and other legal documents for his parents, and tended to the necessities of his siblings. I know that his parents are proud of him and that he is providing the best of role models to his younger brother and two sisters.

Teaching and mentoring are noble professions and attorneys have so many opportunities to teach and mentor young attorneys, young students, and young people who cross their paths. As we go through this coming year and continue to focus on diversity in our LRIS and SFVBA membership, we should watch for opportunities to invite young people from all backgrounds to sit at the front of the world and succeed. The New Year is not all about losing weight; it is also about gaining substance. ♣



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Membership Has It's Priveleges!

Santa Clarita Valley Bar Association, continued from page 13

north of what is now Magic Mountain, at a place called Castaic, which is the home of the Wayside Honor Ranch today. A military officer by the name of del Valle got a sweet deal in the form of 48,000 acres of land that stretched all the way from the Santa Clarita Valley to what is now Ventura. That grant became known as Rancho San Francisco.

While many of you have heard the saying, "There's gold in them thar hills", perhaps the saying should have been, "There's gold in them thar trees." While many equate the discovery of gold with Northern California, it was Santa Clarita that actually has the first recorded history of gold being discovered in California, six years before it was discovered at Sutters Mill.

In March 1842, after falling asleep under a massive oak tree in what is now part of the Placerita Canyon Nature Center, Juan Francisco de Garcia Lopez awoke and discovered

gold in the roots of a wild onion he had dug up. That started a gold rush in Soledad Canyon, which reached eastward all the way to the Antelope Valley.

In the early 1870's, San Francisco entrepreneur Henry Mayo Newhall purchased the Del Valle Rancho in a Sheriff's sale. Newhall had originally gotten rich in the Northern California Gold Rush by following that old rule: In a gold rush, it's not the guys who pan for the gold that get rich, it's the guys who sell the pans . . . and the booze.

In 1876, the first oil well west of the Mississippi was pumping 30 barrels of oil a day from old "Pico No. 4", to be partially processed in the Pioneer Oil Refinery, which still exists as a tourist attraction today, along with the Oak of the Golden Dream, where the gold was discovered. Also in 1876, Charles Crocker (of banking fame) drove a golden spike at Lang Station in our Soledad Canyon, joining San Francisco

and Los Angeles by railroad. In 1872, the second school district in the county was established, in Sulpher Springs.

The 1800's brought the establishment of the town of Newhall, and along with it, the Newhall Municipal Court. However small our first courthouse, its judges were serious about justice. Crime in Santa Clarita was not small or obscure. On November 10, 1929, "Buffalo" Tom Vernon staged one of the last great train robberies by derailing Engine No. 59 right in the middle of what is now Saugus, and just yards from Hoot Gibson's rodeo arena, which later became the "Saugus Speedway".

"Hoot" was not the only actor attracted to the Valley; W.C. Fields had a house here. The prominent film star of the 1920's, William S. Hart, left his mark on the community by building a magnificent Spanish Colonial mansion here. It now houses an extensive collection of the artworks of Remington and Russell, part of the Los Angeles County Museum system. The buffalo still roam on the Hart property. In 1928, when the St. Francis Dam, built by William Mulholland for the DWP, burst and washed to the sea, a movie theater owned by Hart was used as a morgue.

Just a mile from there, Tom Mix had his dressing rooms and Gene Autry's Melody Ranch is still used today as a popular movie location. Driving through the canyons is sometimes like driving through one giant movie production back lot, where some of the most famous movie locations are constantly in production.

It was in the 1980's that "Santa Clarita" became a common term. The eighties brought a huge increase in population, to 81,816. The City of Santa Clarita was incorporated in December 1987. Since then, our population has doubled to over 163,000. By 2010, the population is projected to be over 240,000. ↗

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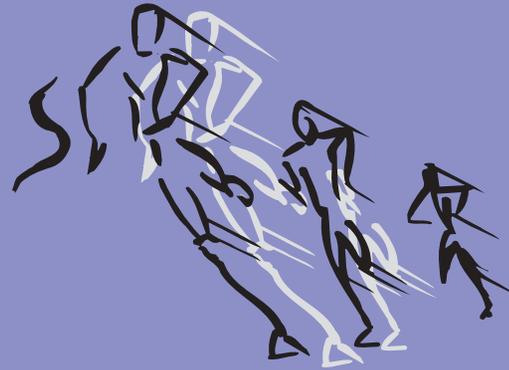
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Sue Bendavid-Arbiv, Esq.
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10:30 a.m. – 12:30 p.m.
**Ethical Advocacy Using the Science of
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Myer Sankary, Esq.
2 Hours MCLE (Legal Ethics)

LUNCH ON OWN

1:30 p.m. – 2:30 p.m.
The New Bankruptcy Code
Andrew Goodman, Esq.
Greenberg & Bass
1 Hour MCLE

2:30 p.m. – 3:30 p.m.
Bar Discipline Prevention
Prof. Robert Barrett, UWLA
1 Hour MCLE (Legal Ethics)

3:30 p.m. – 5:00 p.m.
**Progressing Toward Paperless: The Latest
News and Rules Regarding Fax and E-Filing**
Anthony D. Zinnanti, Esq.
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**Mail registration form and payment to:
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**Celebrity Justice: Press Freedom and
Fair Trials**
Brian Oxman, Esq.
1 Hour MCLE

10:30 a.m. – 11:30 a.m.
Mediating Mold and Fungus Cases
Hon. Burton Katz, Ret., ARC
1 Hour MCLE

11:30 a.m. – 12:30 p.m.
Ethical Behavior
Hon. Lawrence Crispo, Ret., ARC
1 Hour MCLE (Legal Ethics)

LUNCH ON OWN

1:30 p.m. – 2:30 p.m.
Prevention of Substance Abuse
Patricia Tierney, The Other Bar
1 Hour MCLE (Prevention of Substance Abuse)

2:30 p.m. – 4:30 p.m.
**Domestic Partnerships: The Probate and
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Wendy Hartmann, Esq.
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Topic: Legislative Update

Panel: James Birnberg, Esq. and Sandy Rae, Esq.

Date: January 10

Time: 12:00 p.m.

Place: Encino Glen Restaurant, Encino

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

MCLE: 1 Hour

Workers' Compensation Section

Topic: Using 21st Century Medicine in Litigated Cases

Speaker: Bruce Gillis, M.D.

Date: January 18

Time: 12:00 Noon

Place: Encino Glen Restaurant, Encino

Cost: \$30 members prepaid; \$35 at the door
\$35 non-members prepaid; \$45 at the door

MCLE: 1 Hour

Family Law Section

Topic: New Laws

Panel: Barry Harlan, Esq.; Rhonda Rauch Miller, Esq.,
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Date: January 23

Time: 5:30 p.m.

Place: ***Sportsmen's Lodge, Studio City***
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MCLE: 1 Hour

Business Law Section

Topic: Limited Liability Companies: What's New Due to Changes in Delaware and Nevada Law

Panel: Robert Klueger, Esq. and Jacob Stein, Esq.

Date: January 25

Time: 12:00 p.m.

Place: SFVBA Conference Room, Woodland Hills

Cost: \$25 members prepaid; \$30 at the door
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Topic: Valley Court Orientation Program

Panel: Judge Michael Hoff, Judge Alice Hill and Julie
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Date: January 26

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Place: Los Angeles Superior Court - East Building
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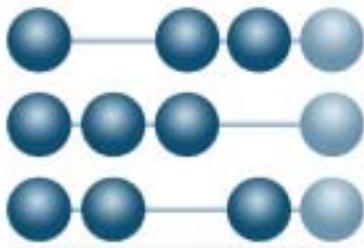
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