



# BarNotes

A Publication of the  
San Fernando Valley Bar Association

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## NEW BOARD OF TRUSTEES NOMINATED

The San Fernando Valley Bar Association Nominating Committee has announced its slate of candidates for the 2005-2006 Board of Trustees. Former trustee Tamila Jensen was nominated for Treasurer, often the initial officer position ascending to the presidency of the SFVBA.

Jensen has served in several leadership positions for the SFVBA. Jensen has chaired the Conference of Delegates Committee, presided over the currently inactive Women Lawyers Section, and represents the SFVBA on Neighborhood Legal Services Board of Directors.

Jensen was initially appointed to the Board of Trustees in 1999 and subsequently elected to two continuous two-year terms on the Board. Jensen has practiced in the Valley as a sole practitioner for twenty years, with an emphasis on elder law and probate/conservatorships, civil appeals and real estate and business matters. "I am anxious to bring my broad background and small firm experience to continue to serve the Bar in a new leadership role," declared Jensen.

Incumbent SFVBA Secretary Patricia McCabe was nominated for President-Elect and Encino employment lawyer Sue Bendavid-Arbiv, the current Treasurer, was nominated for Secretary. Family law attorney Richard A. Lewis will automatically

assume the Presidency at the SFVBA Installation Gala on September 24, 2005.

The Committee nominated ten candidates to fill six open seats on the Board. Four sitting Trustees are seeking reelection: Seymour Amster, Stephen Levine, Myr Sankary and Alan Sedley. Other members nominated are Jonathan Arnold, David Gurnick, Irene Mak, Carolyn Reznik, George Savin and Jeffrey Slater.

SFVBA President Alice Salvo comments, "The Nominating Committee did a terrific job of selecting candidates who have each contributed to the growth and success of our organization. They represent a cross-section of our sections, areas of practice, and our community."

In accordance with the SFVBA by-laws, additional nominations for trustee or any office, except that of President or President-Elect, may be made by filing with the SFVBA Secretary Patricia McCabe a written nomination, signed by at least twenty active members of the Association in good standing. Petitions must be received by July/August 25.

Ballots will be mailed to all attorney members in mid-August. The results of the election will be announced September 9. The new Board of Trustees will be sworn in at the Installation Dinner on September 24 at the Warner Center Marriott. ☛

### Board Amends Bylaws

At its May 10 meeting, the Board of Trustees unanimously amended the Bylaws of the San Fernando Valley Bar Association to broaden the influence of its ABA delegate and to allow public statements by Sections.

The Board amended Article VIII of the Bylaws concerning the appointment of the ABA Delegate by eliminating the requirement that the ABA Delegate be a member of the SFVBA Executive Committee or Board of Trustees. The amendment will permit the San Fernando Valley Bar Association to earn greater notoriety and influence in the ABA through the continued service of its delegate.

A separate amendment authorizes Sections to make public statements on legislation or court decisions affecting their members with the approval of the President. Previously, the Bylaws required approval by the full Board of Trustees. The amendment allows the Sections to express their public positions more promptly. ☛



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# Volunteering Has Its Rewards

Michele C. Morley, LRIS Director



We are close to the end of another good year for the LRIS. We have had some substantial cases settle this year and we are looking forward to further marketing the LRIS. The LRIS must follow a sound business model of operating in the black and referring good cases if we are going to continue to serve our members and our communities.

Still, LRIS attorneys are motivated by public service when they join. I see this desire to serve the public on a daily basis as I work with the LRIS attorneys. I am so proud of the members of the LRIS. I feel that I am working daily with the top echelon of the legal profession. In this edition of *Bar Notes* we have listed the names of the current LRIS attorneys. This is only a small recognition of the tremendous services they provide. These are the attorneys who are often asked to provide advice on a voluntary basis and say, "Of course, if I can help, I will."

These are the attorneys who often recognize the legal nuances in a situation and discover the good case that other attorneys have missed finding. These are the attorneys, who with their creativity and hard work, have made this a profitable year for the LRIS and have enhanced the public's image of the legal profession. Thank you to each of you.

I also want to thank the law student interns who have worked with us. Rose Vart Nazarian, Ann Hull and Shataka Shores are the most recent.

Shataka should also be congratulated for taking and passing the Bar Exam while almost 6 months pregnant.

This year we gave special recognition at the Lintz awards to two LRIS attorneys, Richard Miller and

Alice Salvo. Richard has been an LRIS member since 1997. He always receives very positive client survey responses. He is one of the LRIS attorneys who is consistently willing to speak with that

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*President's Message, continued from page 3*

Tomorrow morning when you wake up identify the "big rocks" for that day. Be sure to include your family, practice, and clients. Does your daughter have a gymnastic event she wants you to attend? Does your son want you to attend the school talent show where he will perform for one minute? Is your spouse/significant other hinting or demanding a quiet dinner for two? Is the office's "big rock" a court appearance, mediation, transaction, pleading or some pressing deadline? What is your client's "big rock"? Many times it is just hearing from you as to the status of his/her legal matter. Once the "big rocks" for that day are identified, place them on your schedule. Surprise, there is still a little room to slide in a few new items.

Try it, you may like it. It may surprise you that getting into the habit of putting the "big rocks" first on your daily calendar will allow you the room to add time for new and exciting activities that you never had time for before. Who knows? You may even have time to take dance lessons, cooking lessons, or attend a non MCLE class. 🐾

Alice Salvo can be contacted at (818) 887-3333 or by email at [salvolaw@pacbell.net](mailto:salvolaw@pacbell.net).

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BY L. ROB WERNER, SCVBA PRESIDENT

### Santa Clarita Valley Bar Working this Summer

The SCVBA will continue to have meetings during the summer months. We recognize that with vacation schedules, attendance may be a little off but our goal is to establish a regular meeting date and place so that members will get used to attendance. We were honored to have Judge Frank Jackson speak at the June meeting.

We also intend to continue with MCLE program credit at most of our meetings. Our regular meetings are on the third Thursday of each month at Marie Callender's Restaurant at 27630 The Old Road, Valencia (off Highway 5 at Magic Mountain Parkway). Sign-in and networking will begin at 6 p.m., with dinner and the programs commencing at 6:30. Registration at the door is accepted. We are in the process of lining up members of the Santa Clarita Valley City Council to address our July/August 21 meeting. The program will be a forum for council members to address their views on legal issues affecting our valley.

The August 18 meeting will have a forum topic of "Business Entities - What Types are Best for Your Clients and Your Practice." We are in the process of lining up attorneys for this presentation. Rand Pinsky is again putting together a wine tasting event at the Agua Dulce winery, with an optional dinner to follow.

Our President-Elect, William Lively, is organizing a fund raiser for our association at the Canyon Theater Guild. We intend to rent the theater,

including the performance of a play and have a meal served. The total cost per person should be less than one would normally spend for a night on the town and we should still be able to raise enough money to fund our programs.

Jane McNamara is working on our next newsletter. Anyone wishing to advertise in the letter should contact her at elderlaw@jmlaw.org.

Robert Mansour is working with Hale Antico to improve our website. If things work out he will build a new and better page for our organization. When it is ready, we will replace the old site.

If you have any suggestions for improvements or would like to assist him, contact him at robertmansour@bigfoot.com.

We are working to increase our membership to over 100 by October. We know that there are many attorneys who live in the Santa Clarita Valley but work elsewhere. If you know anyone who might want to join, contact us at santaclaritavalleybar@yahoo.com.

We intend to continue to provide articles for the *Signal* during the summer. We need more articles. Please send the articles to jshaffery@pooleshaffery.com.

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*LRIS Column, continued from page 5*

caller who has the problem matter that we have found difficult to refer. He will do this even when it is doubtful that there is a viable legal matter. However, his willingness to make time to consult with these individuals provides a valuable service to the public, the LRIS, and the legal profession.

SFVBA President Alice Salvo received recognition at Lintz for her decades of service in our Senior Program. In fact, she has been a participant in the Senior Program for twenty years. Alice has been instrumental in creating the program and in supporting it by regularly going to the Senior Centers to provide legal advice and guidance. In addition, she has worked hard to promote the program to other attorneys. Despite the many meetings and events she attends to support and promote the Bar Association, she has still made time for the LRIS callers and she continues her years of service on the LRIS Committee.

LRIS Attorney Jerry Rothman also received an award at the Lintz event for his work with the Domestic Violence Clinic. Jerry is a great asset to the LRIS, and in addition to his skills and compassion, he has a charming Texas accent. ♠

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# Report From The Foundation

## Make a Difference



BY ANNE ADAMS, VCLF PRESIDENT

Have you ever thought of serving on the Foundation's Board of Directors? Do you know someone outside the legal field that would make a great Board member? Our Nominating Committee is preparing a slate of nominees for officer and Board member positions.

Our Board is made up of attorneys, judges, and others that work in the legal community as well as community volunteers. Our Board members come from diverse fields, including business, health care, and education. We are looking for Board members from a variety of backgrounds. We want some newer Board members with lots of energy to help with fundraising as well as more experienced Board members.

Our Board members are people that want to make a difference in their community. The Foundation supports

the community by providing grants for law related projects and scholarships to high school, college, and law school students. This year we awarded \$48,000 in grants and scholarships.

Board members have various responsibilities. Each Board member is expected to attend Board meetings and participate on a least one committee, including fundraising, scholarships or grants. In addition, all Board members are expected to support our major fundraiser, the Law Day Dinner. There are special projects as well. Currently, we're helping to raise funds for the proposed Children's Waiting Room at the Van Nuys court.

Working on our committees is a good way to get to know other Board members better and develop new skills. We are also looking for volunteers that

are not Board members too. We always need help with our Law Day Dinner. If you know anyone that has an interest in fundraising, ask the person to contact me.

If you do not have time to volunteer, perhaps you will consider giving us financial support. When you are asked to renew your SFVBA membership dues this month, you can send a donation to the Foundation with your dues.

If you know of anyone that is interested in serving on the Foundation Board or serving as a volunteer in another capacity, please contact me at (818) 715-0015. You can always nominate yourself.

Thank you to all of our supporters in the community. You make a difference! ♡

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## Dastar Corp. V. Twentieth Century Fox Film Corp., Et Al.: Implications For In-House Counsel



BY JONATHAN ARNOLD, ESQ.

For those of us who practice in the intellectual property arena, the implications of the U.S. Supreme Court's holding in *Dastar Corp. v. Twentieth Century Fox Film Corp., et al.*, 123 S.Ct. 2041 (2003) continue to reverberate throughout the entertainment field.

### Factual Background

In 1948, Doubleday published General Dwight D. Eisenhower's famous book, *Crusade in Europe* and soon thereafter Fox obtained the exclusive rights to create a television series under the same name. In 1949, Fox produced (utilizing narration based on General Eisenhower's book and stock film from the U.S. government along with various other sources) and aired a 26-episode television show entitled *Crusade in Europe*.

In 1975, Doubleday renewed the copyright in the book, but Fox failed to renew the copyright in its television series and in 1977 the television show *Crusade in Europe* entered the public domain. Nonetheless, in 1988 Fox reacquired the television rights to the book and licensed other companies the right to distribute *Crusade in Europe* on video. SFM Entertainment and New Line Home Video thereafter acquired the exclusive right to manufacture and distribute the *Crusade in Europe* television series on video.

Anticipating substantial renewed interest around the time of World War II's 50<sup>th</sup> anniversary in 1995, Dastar bought betacam tapes of the original *Crusade in Europe* television series, copied those tapes, edited them and sold its television series entitled *World War II Campaigns in Europe*, removing any reference to Eisenhower's book and crediting itself as the producer of its

series entitled *World War II Campaigns in Europe*.

### Procedural Posture

In 1998, Fox brought suit in District Court for copyright infringement and violation of §43(a) of the Lanham Act [15 U.S.C § 1125(a)]. The District Court found that Dastar had infringed on the copyright to the *Crusade in Europe* book, and also that Dastar had engaged in "reverse passing off" of the television series, claiming that Dastar wrongfully claimed that its television series was really the property of Fox. The Court of Appeals for the Ninth Circuit reversed the copyright claim, remanding it back to the District Court, but affirmed the "reverse passing off" claim based on §43(a) of the Lanham Act. Dastar petitioned the U.S. Supreme Court and the Court soon granted certiorari.



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### Supreme Court's Holding

The Supreme Court's holding is one of the most interesting of the past few years, applying the facts of this case to the contours of copyright, trademark and patent law, demonstrating that any one of these unique species of intellectual property law can not be extended to the point where it would encroach upon any of the other form of intellectual property protection, let alone the field of public domain.

The text of the holding largely turned upon what the term "origin" means within the context of the Lanham Act. As trademark law is designed primarily to protect consumers from confusion with regard to the manufacture of goods, "origin" relates to the entity that manufactures and/or produces the tangible goods that are sold in the marketplace [See, e.g., 4 J. McCarthy *Trademarks and Unfair Competition*, § 27:7 et seq. (4th ed. 2002)]. Accordingly, attempting to stretch the definition of the word "origin" to also include the creator of the ideas embodied in manufactured goods would conflict with copyright law. In summarizing the utility of trademark law, the Court noted that this specific body of law exists to

protect consumers from false designations of origin of manufacture, not what might arguably be called false designations of creation.

Using Coca-Cola as a baseline, the Court stated that a typical consumer would not readily believe that the Coca-Cola Co.'s trademark in Coke necessarily implies that Coca-Cola was the original creator of the formula for its soft drink. Extrapolating from this and addressing the potentially special treatment the Lanham Act might accord to what could be called a "communicative product" (e.g., a book), the Court then held that creating a new class of products where "origin" connotes not only manufacture but also creation would directly conflict with both copyright and patent law, both of which allows the public to copy without attribution intellectual property that falls into the public domain.

Even though the 1988 revisions to the Lanham Act expanded its application, the Supreme Court stated that the Act's purpose was not the protection of creativity and cited with approval *Dunhill v. Interstate Cigar*, noting that, "...§43(a) does not have boundless application as a remedy for

unfair trade practices...." *Alfred Dunhill, Ltd. V Interstate Cigar Co.* 499 F.2d 232, 237 (1974).

Writing for the majority, Justice Scalia also noted that while there may be perceived "moral" crossovers between copyrights, patents and trademarks, one species of protection simply can not be reconfigured to create preemptive rights in works that are in – or fall back into – the public domain. A key subtext is that §43(a) of the Lanham Act can not function as a means to protect what might be nominated as "moral rights", creating a new class of intellectual property rights that does not yet exist in any substantial form in the U.S. Exceptions to this blanket prohibition to "moral rights" do exist, but they are very narrowly construed, and then typically apply only to the classic visual arts *per se* [see 17 U.S.C. § 106(a)(1)(A) *et seq*; *but cf.*, Article 6bis, *Berne Convention for the Protection of Literary and Artistic Works* (1971 Paris Act)].

### Oral Argument

In his argument on behalf of the United States, the Assistant to the Solicitor General stated, "...the original

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*Santa Clarita Valley Bar Association,  
continued from page 7*

Our annual Law Day event will take place on the first Monday in October. This year that will be Monday, October 3 from noon to 1:30 p.m. Please mark that date on your calendar. We would like to see attorneys bring their office staff to this program. John Boston will be the MC for the event where he will give a short history of law in the Santa Clarita Valley. The D.A.'s office, Sheriff's office, Highway Patrol, Mayor's office and Santa Clarita Valley Chamber of Commerce are co-sponsoring the event.

Awards will be given out heroes in law enforcement and the community. We are in the process of lining up Supervisor Antonovich, District Attorney Steve Cooley, Sheriff Lee Baca and Mayor Smyth to participate in the awards ceremony. This lunch program will only cost \$25 per person. It will take place in the Santa Clarita Valley Sports Complex.

If you have any suggestions for our association or would like to get involved, e-mail me at [lrobwerner@yahoo.com](mailto:lrobwerner@yahoo.com). ☘

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# Notice From The Clerk

## UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

### Change to the Local Civil Rules

The Court has adopted the following new Local Civil Rule, effective July/August 1, 2005:

**L.R. 79-5.4 Responsibilities of Parties to Redact or Exclude Personal Identifiers.** In compliance with the policy of the Judicial Conference of the United States and the E-Government Act of 2002 (as Amended), the parties shall refrain from including, and /or shall redact where inclusion is necessary, the following personal data identifiers from all documents, exhibits, and attachments filed with the Court, except as specifically excluded below.

a) **Social Security Numbers:** If an individual's Social Security Number must be included in a document, only the last four digits of that number should be used;

b) **Names of Minor Children:** If the involvement of a minor child must be mentioned, only the initials of that child should be used;

c) **Dates of Birth:** If an individual's date of birth must be

included in a document, only the year should be used;

d) **Financial Account Numbers:** If financial account numbers are relevant, identify the name or type of account and the financial institution where maintained, and only indicate the last four digits of the account number;

e) **Home Address:** If a home address must be included, only the city and state should be listed.

A party who must file a document containing the personal data identifiers as listed above shall: 1) file a redacted version of the document excluding the personal data identifiers; or 2) file a redacted version of the document with unique identifiers (e.g., 1, 2, 3 or A, B, C) used in place of the personal data identifiers, along with a reference list, filed under seal, indicating the complete personal data identifiers and unique identifiers used in their place; or 3) file the complete unredacted document under seal.

Parties shall carefully examine the documents, exhibits or attachments to be filed with the Court in order to protect any sensitive and private information. The responsibility for redacting or placing under seal these personal data identifiers rests solely with counsel and the parties. The Clerk will not review any pleadings or documents for compliance.

Counsel and the parties are cautioned that failure to redact or place under seal these personal data identifiers may subject them to the full disciplinary power of the Court. If a redacted version of the document is filed, counsel shall maintain the unredacted document in their office pending

*continued on page 16*

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*Dastar Corp. V. Twentieth Century Fox Film Corp., et al., continued from page 12*

television series was subject to a copyright, but that copyright expired in 1977 because respondent, Twentieth Century Fox, failed to renew it....***if respondent had renewed it, one suspects that we wouldn't be here today....***" [Oral Argument of Gregory G. Garre, Esq., Asst. to the Solicitor General, p. 17, lines 6-10 (April 2, 2003) (*emphases added*)].

### Implications

In other words, Fox simply dropped the ball when it came to renewing its copyright to prevent the lapse of *Crusade in Europe* into the public domain. Dastar, conversely, appears to have been much more on the ball by anticipating renewed interest in World War II around 1995 and aggressively developed and priced its own product. It should be particularly noted that Dastar distributed its *World War II Campaigns in Europe* for about \$25 through retailers such as Sam's Club, Costco, Best Buy and mail-order distributors, hitting just the right target market at the right price.

Herein lies the key implication for counsel, especially those working in-

house for an entertainment company: aggressively manage any and all of your client's intellectual properties. And, as the Supreme Court focused upon the term "origin", let's hone in on some specific strategies that can directly benefit your current (and hopefully, future) entertainment clients.

First, take an inventory. Make sure that your client maintains a database of any and all intellectual properties and provides appropriate triggers for action as expiry dates come due. If you provide legal services for a motion picture production and/or distribution company, you may have to set up a not-too-complex, flat-file database (I like Excel for this myself) that lists each copyright, registration and renewal dates, to whom it may be licensed, key license terms, payment schedules, and so on, and so on.

Second, identify potentially beneficial target markets. Work with your client to get them to brainstorm about any and all configurations for their media. This is what Dastar did when it simply recognized the strong likelihood of renewed interest in this World War II (and what Fox did not

when it let its copyright lapse). While this may sound a bit like encouraging purely business activities upon your client, it is also about beginning to develop a licensing strategy. For example, assume you work with a film production company that also distributes its own products. This studio might be well on its way to establishing itself as a production entity, attracting the best talent (ranging from directors to actors to photographers, etc.). Might they be interested in licensing, say, their older movies to other distributors so that more attention (and financial resources) can be placed upon motion picture production?

Third, develop a licensing strategy that correlates to your client's business goals. For the film production company above that has decided to emphasize creating (and protecting) new productions, identifying which profitable markets to target with their older product will necessarily inform the legal negotiations you will undertake on their behalf: exclusive licenses for new productions vs. non-exclusive licenses based upon territory for the older stuff; time-phased-licenses vs. perpetual licenses with decreasing minimum tiers of license fees; exclusive licenses for new media such as Internet streaming vs. non-exclusive licenses for select properties from your client's video library; co-licenses vs. franchising...the list can go on and on but I suspect you get the picture (yes, pun intended).

Fourth, do not forget about mediation and/or arbitration as a dispute resolution mechanism when violations of copyrights occur. Admittedly, I'm not privy to all of the negotiations prior to the initial filing in District Court in the Dastar matter. However, I can speculate as to what might have been a very beneficial resolution to this matter for all parties. Instead of filing suit, counsel for Fox and team might have first contacted Dastar and entered into discussions during mediation or non-binding arbitration whereby Fox and Dastar might have entered into a cross-licensing arrangement whereby Dastar would be provided an exclusive license to the lower-tier distribution channels (e.g., Costco and the mail-order house mentioned above) and Fox would, in turn, distribute Dastar's *World War II Campaigns in Europe* to the higher-end tier(s) (think, History Channel). Now

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imagine also that Fox and Dastar could bring Time-Life into this (as Time, Inc. was an original producer of the *Crusade in Europe* television series in 1949) and all three could enter into a new licensing agreement whereby they would jointly agree to provide Time-Life some form of exclusive distribution for multiple sets of World War II documentary films, of which its *World War II Campaigns in Europe* would be a key part. The financial rewards from such an arrangement would be manifest as Time-Life makes a fortune through its multiple-volume distribution business (think, any decade's supposed musical hits and Time-Life is there selling a series on it).

I like to think that I am sufficiently savvy as a practitioner to know that there may have been simply too many parties (e.g., Fox and Doubleday and Time and SFM Entertainment and New Line Home Video) along with too many precedent contracts for a workable solution in this particular matter. However, a lesson learned from *Dastar* is that you should work as closely as possible with your entertainment clients ensuring that the embodiments of the intellectual property are gathering as little dust and as much money as possible!

Future articles will be addressing some specific legal concerns with various distribution and licensing agreements, and also looking at same in light of European Directive 2004/48/EC on the enforcement of intellectual property rights and the implications of this for those companies doing business on the Internet. ♣

Jonathan Arnold, Esq. is a member of the SFVBA's ADR and Entertainment, Intellectual Property & Internet Law Sections and is in private practice in Sherman Oaks. He can be contacted at (818) 990-7958 or jonathanlaw@pacbell.net.

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*Notice from the Clerk, continued from page 14*

further order of the Court or resolution of the action (including the appeal, if any) and shall, at the request of opposing counsel or parties, provide a copy of the complete document.

**Documents to be excluded.** In accordance with the policy of the Judicial Conference of the United States, the documents listed below are not to be included in the public case file. These documents and all social security cases are excluded from this Local Rule, redaction requirement.

- Unexecuted summonses or warrants, supporting applications, and affidavits;
- Pretrial bail reports;
- Presentence investigation reports;
- Statements of reasons in the judgment of conviction;
- Juvenile records;
- Documents containing identifying information about jurors or potential jurors;
- Financial affidavits filed in seeking representation pursuant to the Criminal Justice Act;
- Ex parte requests for authorization of investigative, expert or other services pursuant to the Criminal Justice Act; and
- Sealed documents.

The Local Civil Rules are available on the Court's website at [www.cacd.uscourts.gov](http://www.cacd.uscourts.gov). ♣

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## Free Career Counseling for Lawyers; Survey Results Announced

The California State Bar Lawyer Assistance Program, (LAP), just released results of a survey of attorneys with career-related issues. California Career Services, the Los Angeles area service provider of career counseling services for The State Bar, conducted the survey after counseling over 150 lawyers who took advantage of the Bar's program.

The LAP pays for three hours of career counseling for any active State Bar member. According to Richard Carlton, deputy director of the LAP, "Attorneys are thrilled to learn that The State Bar provides them with such a valuable service."

Further, Susan W. Miller, career counselor and owner of California Career Services noted that "while many attorneys felt trapped in their current job situation, after discovering that they had both legal and non-legal job alternatives, they felt energized and inspired." The results of the survey have been published in the State Bar's Annual Report of the Lawyer Assistance Program, as Appendix J. A copy of the survey results can be found at [www.californiacareerservices.com](http://www.californiacareerservices.com) in the "Publications" section.

### Survey Results

Although the population counseled and surveyed was diverse, many of the lawyers grappled with similar concerns. Top issues that brought attorneys in for career counseling included: lack of fulfillment and balance, general stress, boredom, and excessive billable hours. Moreover, findings reflected feelings that the helping, collegial profession of yore has become bottom-line, business-oriented and adversarial.

According to the survey, lawyers who worked in larger law firms reported the highest salaries but the most amount of dissatisfaction. Escalating salaries, followed by excessive work demands to justify those salaries, has resulted in increasing unhappiness and burnout.

### Benefits of Career Counseling

"Some lawyers showed up thinking they were unhappy with their jobs and some felt they hated practicing law. And this was quite often the case," said career counselor Jean A. Brincko, M.A. "However, by using counseling tools to explore the realities and alternatives, many realized that some problems could be resolved." While listing pros and cons of their jobs, many lawyers unexpectedly discovered many positives, such as their compensation and intellectual stimulation.

### Counseling Effectiveness

Almost 60 percent of the lawyers rated the helpfulness of their career counseling experience as a four or five on a

scale of 1-5. There was a strong positive correlation between lawyer satisfaction with the sessions and the degree to which they followed up with their career action to-do list. One lawyer wrote, "What I really need is a kick in the butt." Lawyers almost unanimously expressed gratitude for the LAP program. "My career counselor did not have a magic wand to make everything all perfect," one lawyer said, "but she did have a machete to help me cut through the dark, overgrown jungle of my world and help me see some light." 🏹

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We apologize if we left anyone off the list.



# Summer Events

## Business Law, Real Property, Employment Law & Bankruptcy Section

Co-Sponsored By CLLA

**Topic: The Radical Bankruptcy Code Changes:  
What you need to know.**

The recent amendments to the Bankruptcy Code will bring many changes to bankruptcy practice, even for infrequent practitioners. Practitioners can be sanctioned for filing chapter 7 consumer cases where the debtor does not meet the new "means test." The means test is a brand new requirement that will trip up practitioners.

Creditors will have new opportunities to move to dismiss cases as being filed in bad faith. The amendments will make it more difficult to discharge certain debts.

There are increased reporting requirements in all bankruptcy chapters for both consumers and businesses. At the same time, problems in the amendments' drafting offer opportunities for debtors and will make it harder for some creditors to collect on certain claims. Landlords tenants will face amendments to the automatic stay statute that will make it more difficult to evict tenants, even after obtaining a judgment for possession.

Three bankruptcy judges and three experienced bankruptcy counsel will discuss the changes in the Bankruptcy Code and how they will affect your practice. This three hour program will provide a unique bench bar perspective.

Panel: Judge Geraldine Mund; Judge Kathleen Lax;  
Judge Ernest Robles; Steven Fox, Esq.;  
Alan Nahmias, Esq.; David Hagen, Esq.

Date: August 4

Time: 4:00 p.m. Program and Dinner

Place: University of West Los Angeles School of Law  
21300 Oxnard Street, Woodland Hills

Cost: \$95 SFVBA Members Registered by July 29  
\$110 Members Late Registration  
\$125 Non-Members Registered by July 29  
\$140 Non-Members Late Registration  
INCLUDES SUBSTANTIAL HANDOUT

MCLE: 3 Hours

## Probate & Estate Planning Section

**Topic: Update from the Supervising Judge**

Speaker: Judge Aviva Bobb

Date: August 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

## SAVE THE DATE! 2005 INSTALLATION GALA

Date: September 24, 2005

Time: 6:00 p.m. Cocktails; 7:00 p.m. Dinner and Program

Place: Warner Center Marriott, 21850 Oxnard Street

Cost: \$85 per person/\$850 Table of 10



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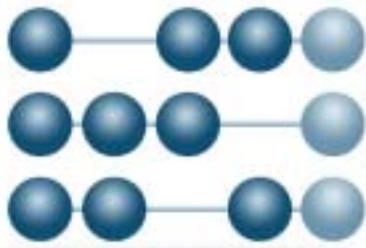
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\* Please note that no credit will be given unless notice of cancellation is provided 48 hours before scheduled event



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