



BarNotes

**A Publication of the
San Fernando Valley Bar Association**

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Public Notice

MANDATORY FEE ARBITRATION PROGRAM A YEAR IN REVIEW

ANGELA M. HUTCHINSON, EDITOR

After just one year of operation, the San Fernando Valley Bar Association Mandatory Fee Arbitration (MFA) program has surpassed expectations. Of the 34 cases opened, 17 cases have been resolved professionally, with minimal complaints. Typical case topics include family law, civil, immigration, contract, criminal and real property matters.

Case fee disputes have ranged from under \$1,000 to more than \$2 million. As a result, the MFA program has sustained itself financially. The revenue generated from case filing fees allowed the SFVBA to hire a part-time Programs Assistant to administer the program in January.

“We have received positive feedback from all parties, including our arbitrators. I consider the program to be a valuable public service. It allows our MFA volunteers to act as a judge for the day, network with one another, and become familiar with the fee arbitration process,” says Aileen Jimenez, SFVBA staff. “Often, we receive sincere appreciation from all involved parties, regardless of the outcome.”

Fee arbitration is mandatory for a lawyer if the client elects to have the dispute resolved through any State Bar recognized MFA program. The purpose of the program is to allow a client to resolve fee disputes with his or her attorney efficiently and without the expense of hiring another attorney, or to avoid going through the formal court process. Once a case has been accepted by the program and filing fees have been received, a neutral arbitrator is assigned to the case. The arbitrator's role is to decide the appropriate amount of attorney's fees for professional services. It is essential for the arbitrator(s) to remain neutral throughout the course of the case, to ensure both the attorney and client receive a fair decision and award if applicable.

Chair Myer Sankary became involved with the MFA program because he believes

that attorneys and clients deserve a forum where they can obtain an objective decision to close a case. Sankary says, “What I discovered is that the program is definitely a win-win situation for the consumer and the attorney. The bar association is providing a very beneficial service to the community.”

For individuals interested in participating in the MFA program as a lawyer arbitrator, applicants must have been admitted to practice law a minimum of five years and must have an office in Los Angeles or Ventura County. To serve as a lay arbitrator, applicants cannot have ever been an active or inactive member of any state bar. Also, a lay arbitrator must have neither worked regularly for a public or private law office or practice, court of law, nor attended law school for any period of time. Prior to being selected as an arbitrator, both lawyer and lay arbitrators must attend a 3-hour comprehensive fee arbitration program, sponsored by an established bar association.

“The qualities of a good arbitrator require one to be a good listener, to always give the appearance of fairness in whatever they say or do, and to carefully consider the information provided by both sides,” says Sankary. “It is also important for arbitrators to understand attorney-client fee agreements, examine the documentation, perform research when necessary, and be familiar with the arbitration advisories, which is a manual of opinions written by arbitration experts of the state.”

In terms of future growth, Executive Director Liz Post says, “I would like to reach out more to our members this year to educate and encourage them to list the San Fernando Valley Bar Association as their program of choice in their fee agreements and Notice of Client's Right to Arbitration. Another goal is to expand the pool of arbitrators who practice

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BAR ASSOCIATION**

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

Editor

Angela M. Hutchinson

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The Importance of Diversity Initiatives



SUE M. BENDAVID, SFVBA PRESIDENT

When I first began practicing law over 17 years ago, it was apparent even then that firms had to grapple with the critical problem of a lack of diversity among lawyers. When I later joined the firm's "diversity committee," we understood diversity involved more than just recruiting and retaining minorities. It made good business sense as well. Many of our clients preferred (and some even demanded) that their counsel have strong diversity policies and hiring and retention practices.

Today, the legal profession is still battling this issue. Though there has been much talk about diversity, there's been little action and far less success. This is true whether we look at attorneys practicing law in California, or in the ranks of our judicial officers.

According to a 2001 survey from our State Bar, 53% of our state residents are persons of color. In contrast, only 17% of California lawyers are persons of color. And, women lawyers only comprise 32% of the profession and attorneys with disabilities are only 4%, compared to 50.2% and 17.4% of our state residents, respectively. What these numbers reflect is that while there has been some improvement over the past 17 years, we're far from being in good shape.

We all recognize this is not something we can change overnight. But, we can move in the right direction. The State Bar noted that diversity is one of its "key strategies." In a recent report, the State Bar stated that one of its strategies is to "encourage individuals of diverse populations to seek and qualify for admission to the practice of law in California, and, once admitted, to remain in active practice."

So, what are we, as Valley lawyers, doing to support this "key strategy?" Under the leadership of past Bar president Richard Lewis, our Diversity Committee met and strategized about several action items, including meeting with high schoolers in minority communities to introduce them to the concept of working in the legal profession. We are also considering partnering with other organizations to promote this idea.

Many of our local judges also consider the lack of diversity on the bench a critical problem. They too recognize the severe disparity between those on the bench and the public they serve. In an effort to reach out to the community, our local courts created a Community Outreach Committee which has been discussing the development

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Court Clerks Share Observations



DAVID GURNICK, LITIGATION SECTION CHAIR

The Litigation Section's January meeting featured a panel of Superior Court clerks. Clerks from unlimited and limited jurisdiction discussed tips and observations on lawyer practices. Participating clerks were from the following courthouses: Chatsworth (Candace Lutz), Van Nuys (Diane Teibel and Kent Tobey) and Santa Clarita (Lisa Berkowitz). The program was informative for lawyers and law office assistants who attended. Here are some highlights from the court clerks' observations:

- Early morning is usually the busiest part of the day for court clerks. They are willing to answer questions from attorneys. The best time to call is between 10:30 a.m. to Noon and in the afternoon.
- The clerks like to receive notification by phone if lawyers are running late for a hearing.
- While Court Call is permitted, the clerks find it can be hard to hear counsel on the phone, and hard for the court reporter to transcribe what counsel says. It is helpful if counsel can identify themselves each time before speaking so that the court and court reporter know who is speaking. It is also helpful to speak clearly and loudly, so the court and reporter can understand what is being said.
- The large volume of paper at the court can delay filings, getting from the filing window to the courtroom. Filings made close in time to a hearing, may not arrive at the courtroom on time. The clerks value courtroom filings of courtesy copies and courtroom filings of any items that do not require payment of a fee. (Fee matters must be filed in the filing window). But pay attention to the judge's preferences; some courts do not want courtesy copy filings.
- It is good to indicate the date and time of the hearing on filed documents.

for other defects. Also, some fax filed documents do not print well on the receiving fax.

Dedicated to their jobs, court clerks are enthusiastic, interested and willing to assist. The Litigation Section appreciates their participation on the panel and hopes this program can be repeated.

Upcoming Litigation Section meetings will include a presentation in March by William Rehwald, Esq., on the top ten malpractice issues for litigation attorneys; and in April by David Gurnick on litigating distribution and franchising disputes. Attorneys interested in speaking to the Litigation Section or participating in a section leadership role, please contact Section Chair David Gurnick at (818) 907-3285 or dgurnick@lewitthackman.com.

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*Mandatory Fee Arbitration Program,
continued from cover*

in the areas of criminal, immigration and family law attorneys.

Sankery would eventually like to add a new component for mediation of fee disputes. He says, "Having a mediator involved with our program would help parties to reach an agreement based on self-determination, rather than an imposed decision."

As with any successful program, a few challenges often arise. Due to the procedural operations of the MFA program, Post says, "Our staff must constantly stay on top of the parties and arbitrators to keep the process moving. The Program is governed by State Bar Guidelines and our own Rules of Procedures. Each step of the process - client's request for arbitration, attorney's reply, assigning arbitrators and scheduling the hearings - has set time constraints.

"The MFA program also receives a fair number of fee waiver requests and fee arbitration requests from incarcerated clients. We have to constantly balance the additional demands on the staff versus the Bar's desire to provide a fair and accessible program."

To highlight an interesting case, one in particular stands out. Post explains, "One of our first cases was a relatively small fee dispute of about \$1,000 between a family law practitioner and a client who at the time of the filing was living in a domestic violence shelter. The Program granted a fee waiver and the case ultimately settled at the fee arbitration hearing." Resolving cases like these make the program worthwhile.

Sankery says, "I'd like to thank all of the volunteer arbitrators for their devotion and time. They are doing a good public service. Also, I am very impressed with how well the program is administered by our staff and executive director. Their attentiveness and support bring value to the bar association." ❄

*For more information or to become an arbitrator, please contact **Angela Hutchinson** at angela@sfvba.org or (818) 227-0490, ext. 109.*

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Moment in Time Valley Pro Bono Team Wins Jury Trial



LISA MILLER, SMALL FIRM & SOLO PRACTITIONER SECTION CHAIR

The facts didn't look good; the trial lasted eight days, twice as long as it should have; and the lawyer had just passed the bar. But none of this stopped local Valley law firm Marcin Lambirth from winning a complete defense victory for an indigent college student.

In 2003, Jorge M., then a 15-year-old honor student with a 4.0 grade point average, and his schoolmate Julio L. were involved in a schoolyard fight over a girl they both liked. After landing several blows on each other, Julio tripped and fell. Thinking Julio was going for his pocket-knife, with which he had threatened Jorge in the past, Jorge kicked Julio once in the head and then went on to class. Julio was knocked unconscious, suffered a seizure and went to the hospital, where he spent two nights. His medical bills exceeded \$40,000.

Fast forward to 2008: Jorge is 18 years old, a freshman in college. Julio has just graduated from Marine boot camp, and they are now parties to a law suit in a Los Angeles Superior Court case in Chatsworth before Judge Holly E. Kendig. Julio is suing for hundreds of thousands of dollars, and Jorge's future is on the line. If Jorge loses, the jury's award will be non-dischargeable in bankruptcy and will bear interest at 10 percent per annum.

At trial, Jorge argued that Julio had consented to the fight and that Jorge had acted in self-defense. Julio alleged numerous acts of tortuous conduct, including assault and battery.

"This case had problems from the start. My client admitted kicking the plaintiff while he was down and getting up," trial counsel Mark Murad says. "Plaintiff's medicals were up there."

Marcin Lambirth never had misconceptions about the uphill battle it faced in the matter. The firm was clear on the impression the defendant's actions might make on a jury.

"It was not a great-looking case when I first got the file," Mr. Murad, a UCLA Law School graduate says. "These were some scary facts."

But this didn't stop Marcin Lambirth from giving their all to the matter, despite its *pro bono* status. The

firm provided senior counsel Timothy A. Lambirth, who sat behind the bar, and Mr. Murad, who was trying both his first trial and his first jury trial. Lambirth, a Board Certified Civil Trial Advocate, provided advice on

trial strategy and an extra pair of eyes for his associate, Mr. Murad. Mr. Lambirth is a long-time San Fernando Valley Bar Association member, a *Super Lawyer* for 2004 - 2008, and a contributor to *Bar Notes*.

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ARC Welcomes Two New Panelists

HON. JAMES K. HAHN

Former Mayor, City of Los Angeles



James K. Hahn served as the 40th mayor of the nation's second largest city from 2001-2005 and prior to that was elected to four terms as Los Angeles City Attorney. He has a wide range of experience in dealing with the business and financial communities on a local, national and international basis. Mr. Hahn brings to

ARC a global perspective and expertise in dealing with every conceivable public and private entity. He will focus on resolving business, finance, public policy and personal injury issues.

HON. J. GARY HASTINGS

California Court of Appeal, 2nd District, Retired



After more than two decades on the bench, including 13 years on the appellate court, Justice Hastings draws high praise in every regard. He is extremely likable, has an extensive knowledge of the law and is known for making sound decisions. A member of ARC's Appellate Evaluation and Consultation Program, Justice

Hastings will also mediate and arbitrate all types of complex civil litigation including Business/Commercial, Construction Defect, Employment, Insurance Coverage/Bad Faith and Law and Motion.



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Complete panelist profiles are available at www.arc4adr.com.

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"We specialize in tough cases," Mr. Lambirth says. "We don't give up just because things looked bleak."

The firm worked for more than two years defending the case and getting ready for trial. Witnesses for both sides numbered more than 20.

"We just couldn't let this kid get run over at trial," Mr. Lambirth says. "Everyone deserves a vigorous defense."

As in many trials, the facts took on a different importance as the proceedings unfolded. Once counsel got into the heart of the case, they located some key witnesses, and the matter took on a more positive appeal.

"We were able to exclude the plaintiff's future medical damages expert before he testified to a single relevant fact," Mr. Murad says. "And we excluded the plaintiff's emotional distress witness before he ever spoke a single word."

But this alone didn't change the course of the trial. Mr. Murad, with advice from Mr. Lambirth, continued to bear down on opposing counsel's case.

"The plaintiff put the responding sheriff's deputy on the stand and tried to get evidence in about the plaintiff's injuries that way," Mr. Murad says. "But on cross-examination, his memory about almost everything turned out to have almost completely faded."

One of the highlights of the trial was when the defendant came out of the witness box to re-enact the fight, including the kick, as well as a prior incident between the two boys where the defendant says the plaintiff brandished a knife.

"Our best witness was definitely our retired Marine Corps drill instructor," Mr. Murad says. "The Sergeant Major testified about what the plaintiff had to do to graduate from boot camp. You could hear a pin drop."

After eight days of trial, the jury buzzed in with a decision. After what felt like endless waiting, the Clerk of the Court finally read the jury's decision. The jurors found that the plaintiff had consented to the fight. Based on existing law, no liability attached.

Jorge won a complete victory, just days before he was scheduled to return to school to resume his studies towards a degree in accounting. Opposing counsel has indicated she will be filing an appeal.

"The relief on Jorge's face was priceless" Mr. Lambirth says. "I got choked up when he said I gave him his life back."

John Marcin, the firm's managing partner and a *Super Lawyer*, is pleased that his law firm was able to contribute to this significant *pro bono* project.

"Mark did a great job," Mr. Marcin says. "And a new associate got invaluable jury trial experience so that our firm can better serve clients in the future."

Marcin Lambirth, with five attorneys, has recently opened new offices in Encino. The firm specializes in business, commercial, real estate, school, employment and other types of litigation. The firm can be reached at (310) 286-1050 or visit www.Marcin.com.

The Small Firm Section will be presenting **Mr. Murad** and **Mr. Lambirth** with its *Pro Bono Award* at 12:00 noon on Wednesday, March 12, at the bar association headquarters in Woodland Hills. A catered lunch will be served, and the Section will be offering a one-hour ethics credit MCLE lecture "Protecting Client Confidences in the Context of Mobile Technology." All are welcome.

Subleasing Survivor's Guide

How to Negotiate a Sublease and Win



SHERYL MAZIROW

There is more space available for subleasing right now than at any time in the recent past. For those who verse themselves in the risks and undertake appropriate, detailed due diligence efforts, snapping up a sublease and benefiting from tremendous cost savings in rent can make good sense.

By the Numbers

A necessary aspect of operating a law practice is the need for office space. A law firm's bottom line is directly related to how much money the firm spends on rent. A cost savings of \$.25 on 5,000 square feet of office space, on a five year lease, affects a \$75,000 impact to the bottom line.

To reduce office rent, firms should consider subleasing space. Available sublease space is plentiful, whether counsel needs room to accommodate only one person – say, 800 square feet – or enough for a workforce requiring 60,000 square feet.

Much of the available sublease space is available at low rental terms. If counsel negotiates skillfully, much of the space can be secured for flexible terms. In a best-case scenario, this can mean securing “plug-and-play” office

space complete with furniture, phones, and everything else a law firm needs to conduct business (except maybe a pencil).

Making the Deal

But lessee beware. Low rents do not always make for good business, and those who want to take advantage of current conditions should step carefully. But how?

The biggest risk in subleasing office space is that it puts the law firm at the mercy of the fortunes of the prime lease tenant. If the tenant (the law firm's sublessor) defaults on the lease, the law firm will have no choice but to negotiate a new lease with the landlord. This will most likely be at a higher rent and on stiffer terms than those counsel secured from the sublessor.

Simple numbers show how this can make hash of counsel's hopes to save money. Currently, counsel can sublease space at \$1.75 per square foot in buildings, otherwise costing \$2.35 per foot. If the firm needs 10,000 square feet, this means a monthly rental of \$17,500. But if the sublessor defaults, the landlord may demand \$2.35 per foot effective immediately, and the monthly rent will go up

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by \$6,000. Worse, the landlord may offer the law firm only a month-to-month rental, not a long-term lease. This leaves the law firm vulnerable to a forced move at some unpredictable point in the future.

But there's more. Many sublessors, now eager to sublease office space, agree to short time frames; for example, three years, not the five-year agreements demanded by most landlords. Many also absorb any "pass through" increases in their own rental costs – that is, increases in operating costs passed on from the landlord under the terms of most long-term lease agreements. But again, if the sublessor defaults, counsel stands little chance of getting the same concessions from the landlord.

These factors can add significant, unexpected costs to a law firm's monthly operating expenses, possibly including the expense of relocating. Still, it can make sense to sublease office space right now if lawyers educate themselves about the ins-and-outs of subleasing office space.

Is a Sublease A Good Deal?

The process begins with a simple question: "How likely is the sublessor to default on the lease?"

Because counsel must obtain the approval of the landlord to sublease office space, and the landlord knows best whether the tenant is current with the rent, counsel's due diligence starts here. The good news is that it is unlikely that the landlord will approve a sublease if your sublessor is in default. If possible, counsel should get the landlord to verify in writing that the sublessor is current under the terms of the lease. But lawyers should not be surprised to find themselves dealing with cagey landlords who are fearful of divulging confidential information. They may only be willing to share orally with counsel whether the rent is current.

If the sublessor is a public company, counsel can find financial information on the Internet. Attorneys can also buy financial data from sources such as Dun & Bradstreet. But

this is not as easy with private companies. Counsel must be sure to inspect the sublessor's lease agreement, keeping an eye out for personal guarantees. The presence of personal guarantees is a good sign; this means the sublessor is less likely to walk away from the lease. In addition, counsel should ask the sublessor to provide financial statements and a credit report. Finally, seek input from local sources, including other tenants in the building and, if possible, the sublessor's suppliers and clients.

Some of these tasks are more easily said than done, but it is critically important to dig up as much information about the sublessor as possible, so attorneys can limit their own financial risk.

Some Risks to Consider

Beware: the sublessor's lease with the landlord binds the sublessee too, unless the sublessee negotiates other terms with the sublessor. This means counsel must go into negotiations already knowing what the lease says about pass-through costs, increases in rents, tenant improvements, parking, options to extend the lease or lease additional space, and a host of other items. Prospective sublessees must determine ahead of time whether they want the right to step in and deal directly with the landlord to cure a default by counsel's sublessor.

Above all, lawyers must understand the risks. Starting with the fact that the landlord will be under no obligation to agree to any differences in the terms of counsel's subleasing agreement if the sublessor defaults. Indeed, if that happens, the landlord may have the right to hold counsel to the conditions of the original lease, no matter what terms counsel negotiated with the sublessor. This surely spells disaster for the unwary. ⚡

Sheryl Mazirow is president of Mazirow Commercial. She can be reached at (818) 757-1164 or at smazirow@tenantadvisory.com.

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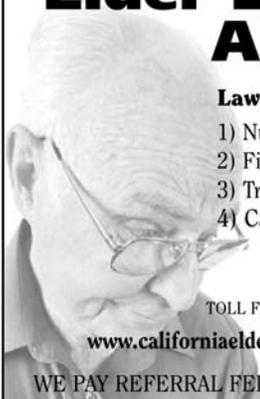
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2008 Problem Gambling Awareness Week

March 9, 2008, marks the start of Problem Gambling Awareness Week, a public education campaign to raise awareness about the warning signs of problem gambling and the help – and hope – available for those with gambling problems. Problem gambling impacts people of all ages, backgrounds and professions, including attorneys, whose clients may have financial or legal issues due to gambling.

But many California attorneys are personally affected by their own problems with gambling. As pathological gamblers, they have an increasing preoccupation with gambling and need to bet more money more frequently. They continue to gamble despite growing negative consequences, including serious financial troubles, family problems, and risk to their careers.

Maybe you are not sure there is a problem. If so, consider the following questions: (1) Do you lie to those close to you about your gambling? (2) Do you have to gamble more and more to get the same level of excitement? Answering “Yes” may be a good indication that you have a problem with gambling.

You are probably familiar with the State Bar’s Lawyer Assistance Program (LAP), which provides confidential rehabilitation support for attorneys dealing with substance abuse or mental illness. What you may not know is that LAP also offers help with problem gambling. Again, participation is strictly confidential, and because problem gambling can severely impact families and relationships, family members are strongly encouraged to participate in treatment programs.

If you need help with problem gambling, call 1-877-LAP-4-HELP or e-mail LAP@calbar.ca.gov. You can obtain general information from the

California Office of Problem Gambling at problemgambling.ca.gov. Gamblers or concerned friends or family members may also call 1-800-GAMBLER for assistance. 📞

Pathological gambling (“persistent and recurrent maladaptive gambling behavior”) may be indicated by five (or more) of the following criteria. The problem gambler:

1. Is preoccupied with gambling (e.g., reliving past gambling experiences, handicapping or planning the next venture, thinking of ways to get money for gambling).
2. Needs to gamble with increasing amounts of money in order to achieve the desired excitement.
3. Has repeated, unsuccessful efforts to control, cut back or stop gambling.
4. Is restless or irritable when attempting to cut down on or stop gambling.
5. Gambles to escape from problems or relieve feelings of helplessness, guilt, anxiety, or depression.
6. After losing money gambling, often returns another day to get even (“chasing” one’s losses).
7. Lies to family members, therapists or others to conceal the extent of involvement with gambling.
8. Has committed illegal acts such as forgery, fraud, theft, or embezzlement to finance gambling.
9. Has jeopardized/lost a relationship, job, or educational/career opportunity because of gambling.
10. Relies on others for money to relieve a desperate financial situation caused by gambling.

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President's Message, continued from page 3

of new initiatives. Just one under consideration is extending the court's Teen Court program to additional high schools here in the Valley. This program provides an opportunity for young people who commit non-serious crimes to be questioned, judged, and sentenced by a jury of their peers – other high schoolers. According to those judges promoting this idea, Teen Court is based on the philosophy that a young person who engages in criminal activity for the first time should have the opportunity to correct their habits before "graduating" to more serious crimes. The program requires the assistance of judges and lawyers who act as advisors to the students.

Through the efforts of our newly created Diversity Committee, our bar association will be joining forces with local leaders, bench officers and others to move our legal profession in the right direction. Not only is it the right thing to do, but it makes good business sense as well. We would love to have more dedicated volunteers to assist the Diversity Committee in its efforts. We need lawyers to join our committee and be prepared to work. Please join us on this important task. 🐾

*For more information, please contact **Angela Hutchinson** at angela@sfvba.org or (818) 227-0490, ext. 109*



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Staff Profiles

Rosie Soto Promoted to Director of Public Services

I would like to take this opportunity to congratulate Michele Morley for her accomplishments as the Associate Executive Director of Public Services. It is never easy to take over a position for someone who has accomplished so much, but learning what I have from Michele will make the transition smooth. I am excited and motivated about my new post.



I would like to take this opportunity to formally introduce myself to our SFVBA members. My name is Rosita "Rosie" Soto. I was born and raised in Southern California and grew up in a small community in the Coachella Valley. I come from a large family with strong family ties and always strive to bring my values to my profession.

Before starting with the San Fernando Valley Bar Association in 2001, I worked with a local real estate company for four years while studying Business Administration at California State University Northridge. Originally, I was hired at the SFVBA as an Administrative Assistant and held that position for two years. From there, I moved to the Attorney Referral Service (ARS) as a bilingual referral counselor and Senior Citizen Legal Program administrator. When I first started working for the SFVBA, I had no idea where it would lead me. I am very proud to have been given the opportunity to direct such an outstanding referral service. I will continually look for ways to improve and enrich myself professionally, and bring the most benefit to the SFVBA. The ARS works as a team. Gayle Linde, Lucia Senda, and Aileen Jimenez are crucial to the success of the ARS.

Since applying for the ARS Director position, one of the questions that I continually ask myself is, "Where do I see the ARS going from here?" In all of the times that I have answered this question, there has been one consistent thought in every answer, "efficient marketing." Due to my professional experience with the SFVBA, I can naturally identify where there is room for growth and improvement. In order to increase the number of clients generated and the quality of cases, I will build on the existing foundation by targeting business owners, working citizens, stay-at-home parents, students, young adults, and the elderly.

I believe community outreach is important for non-profit organizations. I will work hard to establish working relationships and to stay abreast of current events and changes in policy in order to provide services to potential clients affected, such as foreclosures, evictions, etc. I will carry on our consistent, good service that distinguishes ARS from the competition. As the new Director of Public Services, I truly value this opportunity to maximize the organization's success and elevate its role and prominence in the community.

Angela M. Hutchinson Joins SVFBA Staff

With over six years of experience in writing, media and promotions, Angela Hutchinson joins SVFBA staff as our part-time Programs Assistant. She will provide support to our Mandatory Fee Arbitration program. Also, Ms. Hutchinson will work as the new Editor for *Bar Notes*. Her responsibilities include creating an editorial calendar, editing and writing articles, and developing story ideas. In addition, Ms. Hutchinson will be recruiting members to write articles on a range of topics for specialized issues.



"We are excited to have Angela as part of our team. Her enthusiasm and strong organizational skills will be an asset to the Bar," says Executive Director Liz Post.

Currently, Ms. Hutchinson also works as a freelance writer for Diversity Careers in Engineering/Information Technology magazine. She is a graduate of the University of Michigan and earned her B.S.E. in Industrial & Operations Engineering. She also completed a certificate in Cross-Media Journalism from USC on a full-scholarship from the Maynard Institute. In October 2005, Ms. Hutchinson was elected as the first African American president of the Scriptwriters Network (SWN), a non-profit organization for writers founded in 1986. During her year tenure, she established several diversity initiatives, including partnering SWN with ABC/Disney's Talent Grant Program.

In her spare time, Ms. Hutchinson enjoys spending time with her family and friends, rollerblading, and writing. Her first picture book, *Charm Kids*, was published last year. Ms. Hutchinson resides in Sherman Oaks with her husband Arthur, an aerospace engineer. The couple celebrates five years of marriage and is expecting their firstborn son in June. 🐾

If you are interested in writing an article or providing idea topics for *Bar Notes*, please contact **Angela Hutchinson** at angela@sfvba.org or (818) 227-0490, ext. 109.

Landau Lawyers League Spring 2008 VALLEY BARRISTER BASKETBALL TOURNAMENT

One-time Discount is offered to Valley Teams (of whom one player must be a member of the SFVBA) that register to play Basketball with their colleagues. Teams compete in 8 weeks of play at Hollywood High every Thursday night starting March 13th. All teams play in Championship & Consolation games on May 15th. Standings & Player of the Games are posted weekly in the Daily Journal, LACBA's website and e-mailed to Captains. Winners will receive League, Championship and Sportsmanship awards.

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Goldfarb, Sturman & Averbach
15760 Ventura Blvd. 19th Floor
Encino, CA 91436
(818) 990-4414 Fax (818) 905-7173
jburcio@gsalaw.com

Pamela Hartman
15826 Ventura Blvd., Suite 306
Encino, CA 91436
(818) 907-0777 Fax (818) 907-0039
pamela@davidsturman.com

Clarice Hovsepian
Capstone Turbine Corporation
21211 Nordhoff Street
Chatsworth, CA 91311
(818) 734-5137 Fax (818) 734-1056
chovsepian@capstoneturbine.com
Business Law, Intellectual Property

Howard King
King, Holmes, Paterno & Berliner LLP
1900 Avenue of the Stars, Ste. 2500
Los Angeles, CA 90067
(310) 282-8989 Fax (310) 282-8903
king@khpblaw.com

Marc L. McCulloch
20058 Ventura Boulevard, No. 129
Woodland Hills, CA 91364
(818) 264-4480 Fax (818) 592-6021
mlm@CALawPractice.com

John E. Nordblom
Law Offices of John E. Nordblom
8932 Woodman Avenue, Suite 104
Arleta, CA 91331
(818) 892-6600 Fax (818) 892-4400
nordblomlaw@gmail.com

Mark S. Novak
16633 Ventura Blvd., Suite 1200
Encino, CA 91436
(818) 905-1144 Fax (818) 905-1864
mnovak3535@aol.com

April E. Oliver
Reape-Rickett, APC
23929 W. Valencia Blvd., Suite 404
Valencia, CA 91355
(661) 288-1000 Fax (661) 288-1932
april@reaperickett.com
Family Law

Diane Pappas
Diane Pappas, ALC
400 Mobil Avenue, Suite C-3
Camarillo, CA 93010
(805) 389-9988 Fax (805) 389-9821
dianepappas@aol.com

Roberto J. Ramirez
Toluca Lake, CA 91602
(323) 653-6099 Fax (818) 760-3132

Leora Sedaghati
Law Offices of Leora Sedaghati
23679 Calabasas Road, Suite 237
Calabasas, CA 91302
(818) 331-8985 Fax (818) 222-5598
leoraseda@hotmail.com
Personal Injury

Robert F. Smith
13920 Foothill Blvd., Suite B
Sylmar, CA 91342
(818) 364-0607 Fax (818) 386-9755
smithrobertfattorney@yahoo.com

Daniel J. Taylor
Quintana Law Group
21650 Oxnard Street, Suite 700
Woodland Hills, CA 91367
(818) 914-2100 Fax (818) 914-2101
daniel@qlglaw.com

Todd D. Thibodo
Law Office of Todd D. Thibodo, APC
16133 Ventura Blvd., Suite 580
Encino, CA 91436
(818) 907-5769 Fax (818) 907-5793
toddtthibodo@charter.net

Cynthia Todd
6355 Topanga Canyon Blvd., Ste. 255
Woodland Hills, CA 91367
(818) 710-6538
cynthiatodd@toddlawoffices.com

Thomas H. Warden
Warden Law Corporation
21031 Ventura Blvd., 12th Fl.
Woodland Hills, CA 91364
(818) 710-8131 Fax (818) 710-8551
thomaswarden@netzero.net

Stephen Wilkinson
1055 West 7th Street, Suite 3000
Los Angeles, CA 90017
(213) 225-2900
wsteve464@yahoo.com

John M. Williamson
5775 East Los Angeles Ave., Suite 228
Simi Valley, CA 93063
(805) 584-8000 Fax (805) 584-0225
jmwatty@gmail.com

Shannon K. Wolfrum
Law Offices of Shannon K. Wolfrum
21781 Ventura Blvd., Suite 318
Woodland Hills, CA 91364
(818) 808-3227 Fax (818) 483-1013
shannon@wolfrumfamilylaw.com

Tal Zemer
Charriol N.A./A'lor Intl
La Jolla, CA 92037
(858) 454-0011 Fax (858) 454-9944
tz@alor.com

Adam M. Zolonz
9000 W. Sunset Blvd., Ste. 704
West Hollywood, CA 90069
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Valley Community Legal Foundation A Giant Thank You!!!



MARCIA L. KRAFT, VCLF PRESIDENT

I reported in my last *Bar Notes* column that the efforts of the San Fernando Valley Bar Association, the Santa Clarita Bar Association and the Valley Community Legal Foundation were enjoined for a raffle to raise funds for the Children's Waiting Rooms. That project has been postponed. Instead, the San Fernando Valley Bar Association and the Attorney Referral Service of the San Fernando Valley Bar Association have graciously agreed to provide up to \$30,000 toward the installation of a Children's Waiting Room at the San Fernando Courthouse. By the time this article goes to print, the SFVBA will have made a public presentation of their offer at Judges' Night.

These monies, along with the generosity of others in the community, will allow this project to go forth. It is this type of action that shows when we work together, we work best. This spirit of cooperation benefits not only the community, but also the souls of the people who can share their wealth to offer a better world to those less fortunate.

It is anticipated that the Children's Waiting Room in Van Nuys would have begun construction in February and this work will be completed by late May, 2008. I will keep you apprised of an anticipated opening date.

A project like this is the result of many hands, heads and hearts. The people mentioned below gave unstintingly. A great big thank you to those on the Committee who generously donated their time and money to develop this project. Special thanks to **Cari Pines**, who worked so very hard to solicit money from the LACBA Family Law Section and from various family law affiliated companies to raise thousands of dollars.

Also, a thank you to **Commissioner Alan Friedenthal** who spearheaded the Children's Waiting Room Project for the last 4 years. Others who participated in the fundraising were **Denise Placencio**, **Ellen Tinero** and **Rhonda Rauch Miller**. These people who are members of the Family Law Section of the San Fernando Valley Bar Association were instrumental in acquiring donations. **Seymour Amster** also provided invaluable assistance, soliciting various criminal defense attorneys and others. Also, a special thanks to **Judy Bogen** of Hersh, Mannis and Bogen who promoted the donation of \$5,000 from the LACBA.

Below is a list of some of recent contributors to the Children's Waiting Rooms Project.

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We continue to need funds toward the installation of these facilities, so if you care to donate, please contact my office at (818) 883-1330.

Thank you to everyone for your support and dedication to this project. **Remember generosity counts.** ♫

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March into the New Year



TAMIKO B. HERRON, SANTA CLARITA VALLEY BAR ASSOCIATION PRESIDENT

"I long to accomplish a great and noble task, but it is my chief duty to accomplish small tasks as if they were great and noble." – Helen Keller

The name "March" comes from ancient Rome, when March was the first month of the year and called Martius after Mars, the Roman god of war. March is the first month of spring, a logical point for the beginning of the year as well as the start of the military campaign season for the ancient Romans. After a winter of preparing their armies and gathering supplies, they would begin the battle with fresh troops in the best weather. It wasn't until 1752 that Great Britain and her colonies finally adopted the Gregorian calendar and started the year in January. Many other cultures and religions still celebrate the beginning of the New Year in March, so for many, it is the perfect time for a New Year's resolution. It's not too late for you! You are prepared and ready to begin the battle of the life set before you.

"Be of good cheer. Do not think of today's failures, but of the success that may come tomorrow. You have set yourself a difficult task, but you will succeed if you persevere; and you will find a joy in overcoming obstacles." – Helen Keller

In addition to the approach of Spring and new beginnings, the month of March was established as Women's History Month by Congress in 1987. We recognize and celebrate the diverse and historic accomplishments of women in our profession, who represent the many who have fought the battle for equality and continue to overcome the obstacles and the traditional roles that have little or very different application in today's world. They opened a door and encouraged many to follow:

- 1869 Arabella Mansfield became the first woman lawyer
- 1879 Belva Ann Lockwood became the first woman admitted to practice before the U.S. Supreme Court
- 1916 Jeannette Rankin was the first woman to be elected to the U.S. House of Representatives
- 1932 Hattie Wyatt Caraway, first woman elected to the U.S. Senate
- 1981 Sandra Day O'Connor was appointed to the Supreme Court, making her its first female Justice
- 1993 Janet Reno became the first woman U.S. Attorney General
- 1997 Madeleine Albright was the first woman U.S. Secretary of State
- 2000 Hillary Clinton was the first First Lady ever elected to the United States Senate and the first woman elected statewide in New York
- 2002 Nancy Pelosi, Democratic Leader of the House of Representatives, became the first woman to lead a major party in the U.S. Congress

2004 and 2005 Condoleezza Rice – Forbes named her 'the most powerful woman in the world'.

2007 Fourth time Ms. Rice has been included in Time magazine's list of the world's 100 most influential people. She is one of only three people in the entire world considered influential enough to have made the list so frequently.

"You gain strength, courage, and confidence by every experience in which you really stop to look fear in the face. You must do the thing which you think you cannot do." – Eleanor Roosevelt

The number of women attorneys nationwide now totals roughly 400,000. In addition, half of all first-year law students are women. The challenge to balance home, family, and billable hours continues to be an obstacle for women practicing law. But in order to hire and keep the best and the brightest, law firms are having to take a long look at work/life balance issues that have acquired a new urgency in light of changing demographics.

We have come so very far, yet we need to make even greater strides in reaching our goal. Congress may soon consider the Paycheck Fairness Act, enhancing provisions of the Equal Pay Act of 1963 and closing loopholes in that

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law and other statutes in order to close the wage gap between male and female workers. The bill would enhance enforcement of equal pay requirements, provide resources to government agencies for use in training staff to comply with the laws, as well as empower women to negotiate more equitable salaries, contracts, and benefits. If passed, the Paycheck Fairness Act also would amend the Equal Pay Act to provide for expanded penalties and enhanced enforcement of prohibitions against sex discrimination in the payment of compensation.

American women earn only 77 cents on every dollar earned by men, a figure that adds up to nearly \$10,000 in median annual income disparity. The disparity is even greater for minority women. This gender wage gap persists even when relevant career and family attributes are taken into account, suggesting that sex discrimination still plays a role.

This year I hope that you will think about what you can do to balance the scales of justice for women in our society. As an employer, you can insure that your female employees are paid comparable wages and receive appropriate promotions and advancement opportunities. As an attorney, you can evaluate cases carefully and take action where appropriate to correct the injustices that many women still face in our society. ♀

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U.S. Bankruptcy Court Central District of California Office of the Clerk Public Notice

RE: REVISIONS TO LOCAL BANKRUPTCY RULES AND FORMS EFFECTIVE JANUARY 22, 2008

The Central District of California approved new and revised Local Bankruptcy Rules and forms that become effective January 22, 2008, as follows:

Number	Title of Revised Local Bankruptcy Rules
LBR 1017-1	Conversion
LBR 2016-2	Compensation and Trustee Reimbursement Procedures in Chapter 7 Asset Cases
LBR 2070-1	Chapter 7 Operating Cases
LBR 3007-1	Objections to Claims
LBR 7055-1	Default
LBR 9021-1	Orders and Judgments

Form Number	Title of Revised Local Bankruptcy Rules Form
F 1017-1.1	Debtor's Motion to Convert Case Under 11 U.S.C. §§ 706(a) or 1112(a)
F 1017-1.2	Order on Debtor's Motion to Convert Case Under 11 U.S.C. §§ 706(a) or 1112(a)
F 1017-1.3 (new)	Notice of Debtor's Motion to Convert Case Under 11 U.S.C. § 706(a)
F 1017-1.4 (new)	Debtor's Notice of Conversion Under 11 U.S.C. §§ 1208(a) or 1307(a)
F 1017-1.5 (new)	Order on Debtor's Notice of Conversion Under 11 U.S.C. §§ 1208(a) or 1307(a)
F 3007-1.3 (new)	Notice of Objection to Claim

The new and revised Local Bankruptcy Rules and Forms are available on the Court's web site www.cacb.uscourts.gov under *Forms/Rules/General Orders*. These documents will also be made available in printed format at the copy services at each division, and the Intake Section of the Northern Division. ↗

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March Events

Probate & Estate Planning Section

Topic: Update from the Investigator's Office
Speaker: Frank Cowen, Supervising Probate Investigator
Date: March 11
Time: 12:00 noon
Place: Monterey at Encino Restaurant, Encino
Cost: \$35 members prepaid; \$45 at the door
 \$45 non-members prepaid; \$55 at the door
MCLE: 1 Hour

Small Firm & Solo Practitioner Section

Topic: Protecting Client Confidentiality in the Context of Mobile Technology
Speaker: Lisa Miller, Esq.
Date: March 12
Time: 12:00 p.m..
Place: SFVBA Conference Room
 21250 Califa Street, Suite 113, Woodland Hills
Cost: \$25 members prepaid; \$35 at the door
 \$35 non-members prepaid; \$45 at the door
MCLE: 1 Hour Ethics

Workers' Compensation Section

Topic: Hip and Knee Replacement Surgery and AMA Ratings
Speaker: Erik N. Zeegen, M.D.
Date: March 19
Time: 12:00 noon
Place: Monterey at Encino Restaurant, Encino
Cost: \$35 members prepaid; \$45 at the door
 \$45 non-members prepaid; \$55 at the door
MCLE: 1 Hour

Santa Clarita Valley Bar Association

Topic: New E-Discovery Requirements and Tips to Finding and Preserving Electronic Evidence
Speaker: Linda Sharp, Kroll on Track
Date: March 20
Time: 6:00 p.m.
Place: Marie Callender's, Valencia
Cost: \$30 members prepaid; \$40 at the door
MCLE: 1 Hour

Family Law Section

Topic: Direct and Cross-Examination of Vocational Experts
Panel: Lionel Levin, Esq. and Lynne Tracy, M.A., CRC
Date: March 24
Time: 5:30 p.m.
Place: Monterey at Encino Restaurant, Encino
Cost: \$45 members prepaid; \$55 at the door
 \$55 non-members prepaid; \$65 at the door
MCLE: 1 Hour

Business Law, Real Property & Bankruptcy Section

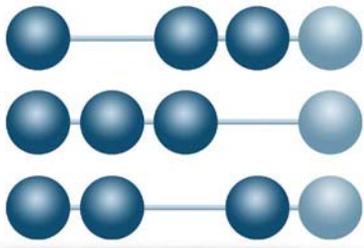
Topic: Judgment Debtor's Examination: Find the Hidden Assets
Panel: Jonathan Arnold, Esq. and Steven Fox, Esq.
Date: March 26
Time: 12:00 noon
Place: SFVBA Conference Room
 21250 Califa Street, Suite 113, Woodland Hills
Cost: \$35 members prepaid; \$45 at the door
 \$45 non-members prepaid; \$55 at the door
MCLE: 1 Hour Includes Substantial Handout!

Women Lawyers' Section

Topic: Home Office vs. "Real" Office
Speaker: Cecile Bendavid, CEO
Date: March 27
Time: 12:00 p.m.
Place: SFVBA Conference Room
Cost: \$25 members prepaid; \$35 at the door
 \$35 non-members prepaid; \$45 at the door
MCLE: 1 Hour

Litigation Section

Topic: Malpractice Issues
Speaker: Bill Rehwald, Esq.
Date: March 27
Time: 6:00 p.m.
Place: SFVBA Conference Room
Cost: \$35 members prepaid; \$45 at the door
 \$45 non-members prepaid; \$55 at the door
MCLE: 1 Hour



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