

# NEWSLETTER

## Barrister 'Round Town

By *William A. Hannosh*

The Foothills Bar Association-Family Law Committee held its monthly MCLE brown bag session, entitled "East County Family Law Judges Panel – What to Expect in 2012". Judge William C. Gentry, Jr., Judge Evan P. Kirvin, and Commission Darlene A. White addressed important topics and issues regularly faced by family law practitioners on a daily basis in this well-attended event.

A common frustration that was expressed by family law attorneys is the amount of time it takes to obtain an Order to Show Cause (OSC) for clients who are in dire need of immediate, temporary child or spousal support. In the meantime, the anxious client, who cannot fathom waiting days, let alone weeks, is constantly calling his or her attorney to ask whether there is any way the matter can be brought for a hearing earlier. At present, the only remedy available still seems to be proceeding on an Ex Parte basis to obtain an Order Shortening Time to expedite a hearing for the client.

It is important to note that, under the new rules, anyone seeking to calendar a companion matter can no longer file moving papers just five days before the OSC. These companion matters must be filed and served in the same manner as any OSC, pursuant to the code.

If there was any mystery about what "Family Resolution Conference" means, there shouldn't be. It is just a new term adopted by the statewide Judicial Council to describe the Case Management Conference (CMC), which San Diego County has used for years. In short, the rest of California is adopting and implementing the CMC hearing that we are already accustomed to.

If you are representing a client in a restraining order hearing and the Court grants your client a permanent Domestic Violence Restraining Order, as the attorney, you are still expected to file a DV-115, or Request to Continue Restraining Order, immediately with the Court. Since this will be strictly implemented by the Court, it is a better idea (to save your client money and the Court's time) to simply having your Restraining Order After Hearing drafted and ready for the Court's signature and approval. (It also might make your client

## Upcoming Events Calendar

### March 8th

*Estate Planning & Probate Section*  
12:15pm – 1:15pm

Office of Nancy Kaupp Ewin, Esq., 8166  
La Mesa Blvd., La Mesa, CA 91942

### March 20th

*Family Law Section*  
12:00 pm – 1:15 pm

East County Court, Dept. 6

Topic: *What Do We Mean by "The Child's  
Voice Should Be Heard"?*

Speakers: *Penny Angel-Levy, MFT; Patti  
Chavez-Fallon, LCSW; Marjorie Ospeck,  
LCSW; Mark Schlissel, LCSW*

### March 21th

*Civil Litigation Section*  
12:00 p.m. – 1:15 p.m.

*BJ's Restaurant in Grossmont Center in La  
Mesa*

Topic: *"Tips from the Bench"*

Speakers: *Hon. Eddie Sturgeon and Hon.  
Joel Wohlfel*

think you were confident in winning that hearing, to where you had that Order After Hearing ready to go for the judge's John Hancock, on the day of the hearing itself).

All Settlement Conference Briefs are normally expected to be filed and exchanged in El Cajon at least three days prior to any Mandatory Settlement Conference. All judicial officers on the panel requested that, where a settlement or agreement is reduced to writing, to please contact the courtroom clerk immediately to notify them of such agreements, so their time is not forfeited reading pleadings for matters that are no longer in issue. The Family Law Section would like to extend its most sincere thanks to the judicial officers who participated in this forum.

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## FROM THE PRESIDENT

### Searching for Balance in the Legal Profession

*By Carolyn Brock*

It is no wonder that your physician asks what you do for a living when you go in to see them. I doubt that it is only so they can make sure that there is a financially responsible party to bill – although I'm sure that is part of it. What we do for a living and how we manage it can have a significant impact on our health and overall quality of life.

Managing stress and maintaining balance between the practice of law and family or private life is an ongoing challenge for many attorneys. We have court deadlines and client demands daily. I've also found that since becoming a sole proprietor that there are additional layers of stress in the management of the business itself.

I "Googled" (verb) the terms "stress" "legal profession" and "balance", and came up with a list that proved my hypothesis correct – I'm not the only one. This can be a challenging profession and we need to proactively manage the stress and attempt to maintain balance. My "Google" list came up with a few noteworthy results:

The first "hit" on my list was the Lawyer Assistance Program State Bar of California ([www.calbar.ca.gov](http://www.calbar.ca.gov)) "Enjoy your career despite all the stress and the challenges of balancing work . . .



Photo credit: Shutterstock

Since we are paying the dues, we might as well take advantage of some of the programs and information available through the State Bar.

After scanning past a few career coaches and coaches for lawyers, Google also listed the California Lawyer self-study MCLE course on "Substance Abuse Curing the Ills of Work-Related Stress" by Amy O'Keefe. We have a tendency to only read these articles or deal with this issue only when required because we are sure that it does not apply to us – but perhaps we should stop and think about why this is a bar requirement.

Further down my Google results was: "It's harder in heels: Essays by Women Lawyers Achieving Work Life Balance" by Jacquelyn Hersh Slotkin and Samantha Slotkin Goodman. I really want to read this if I can just find the time . . .

# Civil Litigation Section MCLE Program Update

By Cheryl L. Stengel

At the Civil Litigation Section's February 2012 MCLE program, attorney Heather L. Rosing, a California State Bar certified specialist in Legal Malpractice, shared her "Top 10 Ways To Stay Out Of Trouble: Ethics and Risk Management Tips for Attorneys". This included a discussion about fee agreements, proper handling of payments, including credit card payments, client trust account issues, and rules regarding fee splitting between attorneys. Ms. Rosing recommended that when drafting fee agreements, lawyers should clearly define the scope of services to be rendered, including the services which are excluded, such as appealing an adverse judgment. Other problem areas for attorneys involve making appropriate written disclosures to clients regarding relationships with other parties and advising of potential conflicts of interest and obtaining the necessary conflicts waivers. The rules on

## Settlement Panel Judges

March 2012

Date	Temporary Judge
March 7	Chuck Schmidt
March 14	CLOSED
March 21	Scott Finkbeiner
	Michelle Brown ED78966
	Sandra Mayberry
	Richard Renkin
March 28	Garrison Klueck
	Robert Lesh

advertising and solicitation were discussed, including the potential pitfalls of social media for attorneys, which is an increasingly common and evolving problem area. The California State Bar website has many useful resources to assist attorneys on these topics.

Next, on March 21, 2012, the Civil Litigation Section will present "Tips from the Bench" with the Hon. Eddie Sturgeon and Hon. Joel Wohlfeil from 12:00 noon to 1:15 p.m. at BJ's Restaurant in Grossmont Center in La Mes.

The Paralegal Studies ABA approved program at Cuyamaca College is seeking a Worker's Compensation instructor for the Fall, 2012 semester. The class will be held on Wednesdays from 6:30-9:30 for 5 consecutive weeks starting 9/26 to 10/24. For more information contact Mary T. Sessom at [mary.sessom@gcccd.edu](mailto:mary.sessom@gcccd.edu).

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## Randall Schlake

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Email: [rschlake@cox.net](mailto:rschlake@cox.net)

Ph/Fax: 619.461.4 203

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## FBA Board Welcomes New Member

Mandie Bullock is an associate attorney at Avatar Legal, a business, bankruptcy, and appellate law firm. Her focus is on representation of debtors in Ch. 7 and Ch. 13 bankruptcies. Ms. Bullock also has experience in creditors' rights law, estate planning, corporate law, and foreclosure litigation. She is proud to be the newest director of the Foothills Bar Association.

An east coast native, she earned her B.A. from Middlebury College in Vermont. In San Diego, she graduated cum laude from Thomas Jefferson School of law. She and her husband, Ryan, are smitten with their first baby, Blake, who was born this past November. They live in Pine Valley, in the Cleveland National Forest, where they enjoy mountain biking, rock climbing, and hiking.



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## Where's Your Biography?

*By Keith A. Jones, Esq.*

You've read the biography for one of the new members of the Board of Directors for the Foothills Bar Association, attorney Mandie Bullock, in this edition. But where is your biography for the FBA's on-line membership directory? It's your chance to join other FBA members who have posted profiles to supplement the directory which is available for perusal by the public.

Your FBA membership entitles you to a free Member Profile Page with all of your contact information and a brief biography of 200 – 250 words. You may also include a profile photograph. To start the process, simply e-mail FBA Board Member and Past President Kim Marie Staron at [kstaron@lawinsandiego.com](mailto:kstaron@lawinsandiego.com) and she will provide the log in procedure to allow you to create your own biography page.

We suggest that you draft and edit your biography first, then access the website and complete the form. You simply insert your information, proof it, and click 'Submit.' Your updated profile will appear in approximately one week. Once you're in the directory, your information is available to the public if you remain a member of the FBA.

You can also use the login information to access other 'Member-only' sections on the FBA website. Click on the Log In button on the bottom right of the Home Page after you obtain the log in information. You will be taken to a Profile Page where you can insert your personal information and change your password. The FBA recommends that its members change their passwords when they first enter the Member section of the site. You cannot change the User Name used to log into the Member Section, but this is not the name that will be displayed to others.

Please take time to review all of the benefits provided by FBA's website. If you have any suggestions on how to improve the FBA website for you and your practice, please let us know. We look forward to receiving your Profile submission.

# 2012 FBA OFFICERS, DIRECTORS, SECTION CHAIRS & COMMITTEES

## OFFICERS

President	Carolyn R. Brock	carolyn@crbrocklaw.com	619-741-0233
Vice President	Keith Jones	<a href="mailto:kjones9001@gmail.com">kjones9001@gmail.com</a>	619-462-6220
Treasurer	Bradley Schuber	bschuber@a-k.com	619-589-8800
Secretary	Cheryl L. Stengel	cs@debtsd.com	619-233-1727

## DIRECTORS

Stanley Bacinett	sjb@bacinettlaw.com	619-667-4000
Mandie Bullock	mandie.bullock@gmail.com	619-507-8024
Nancy Ewin	nancy@nkewinlaw.com	619-698-1788
Jennifer Hughes	jlhughesesq@gmail.com	619-840-7797
Heather Milligan	hmilligan@mclex.com	619-440-4444
Mark R. Raftery	mraftery@epsten.com	858-527-0111
Charles Schmidt	cjsesq@cox.net	619-466-2876
Kim Marie Staron	kstaron@lawinsandiego.com	619-574-8000

## REPRESENTATIVES

Sheryl S. Graf, SDCBA	619-440-5716
Judy M. Marolt, Lawyers Club	619-442-1857

## SECTION CHAIRS/MEMBERS

FAMILY LAW:	Will Hannosh
CIVIL LITIGATION:	Cheryl Stengel, Mark R. Raftery
ESTATE PLANNING:	Nancy Kaupp Ewin, Carolyn R. Brock

## COMMITTEES

ADVERTISING	Chair: Nancy Kaupp Ewin
LAW DAY	Chair: Carolyn R. Brock
HARD-TO-GET CREDITS SEMINAR	Chair: Heather Milligan and Jennifer Hughes
MEMBERSHIP	Chair: Bradley Schuber
PUBLICATION/NEWSLETTER	Mikael Ritter



## SUBMISSIONS

Your submissions are welcome! Send articles, letters, flyers, and other non-advertising submissions to Cheryl Stengel at [cs@debtsd.com](mailto:cs@debtsd.com).

## ADDRESS CHANGES

Send change of address or telephone number to Stanley Bacinett at 619-667-4000.

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### **Foothills Bar Association**

P.O. Box 1077  
El Cajon, CA 92022

Addressee Name  
4321 First Street  
Anytown, State 54321