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EDUCATION
INSTITUTE

The State Bar of California Section Education Institute

Substantive Legal Issues and Fundamental Approaches to the Practice of Law

January 16-18, 2009
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Berkeley

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Antitrust & Unfair
Competition Law
Business Law
Criminal Law
Environmental Law
Family Law

Intellectual Property Law
International Law
Labor & Employment Law
Law Practice Management
& Technology
Litigation

Public Law
Real Property Law
Solo & Small Firm
Taxation Law
Trusts and Estates
Workers' Compensation Law

Program Spotlight

(Refer to Program Descriptions for details)

Antitrust and Unfair

Competition **AN**

47 Antitrust 101

Business Law **BL**

9 Bankruptcy 101: What Every Lawyer Needs to Know About Bankruptcy

31 What Nonprofits Need to Know About Government Regulations

44 Hot Issues in Cyberspace

58 Survivor California 2008: Current Issues in Real Estate Insolvencies

67 Common Perfection Mistakes and Unusual Perfection Problems

Criminal Law **CL**

11 Elimination of Bias in Jury Selection: Wheeler/Batson in the Courtroom

25 Civility and Professionalism: Rambo v. Matlock

35 The ABC's of Conducting a Jury Trial - Part One

40 The ABC's of Conducting a Jury Trial - Part Two

65 Tips for Successful and Ethical Media Interviews

Environmental Law **EL**

12 CEQA Litigation: Navigating CEQA's Unique Procedural Landscape

54 Climate Change Regulation – What Does This Mean for Your Clients?

64 Introduction to Land Use in California

68 Global Climate Disruption: A Scientific Call to Action

Family Law **FL**

3 Enforcing Child Support Orders

29 How to Draft a Valid Premarital Agreement

55 Parenting Plans: Creating Beneficial Custody Agreements

62 Imputing Income for Purposes of Child and Spousal Support

International Law **IL**

14 Transfer Pricing

24 Immigration Update 2009: A Year in Review

42 International Intellectual Property Acquisition, Exploitation, and Enforcement

57 International Joint Ventures

Intellectual Property **IP**

13 Strategic Considerations in Trademark Registration and Enforcement Programs

27 Strategies for Achieving Diversity in the Legal Profession

36 Best Practices in IP Licensing

42 International Intellectual Property Acquisition, Exploitation, and Enforcement

70 Pre-Filing Considerations in Intellectual Property Litigation

Labor and Employment **LL**

4 Best Practices for Neutral Investigations of Employment Complaints

37 Employment Law Update

46 The In's and Out's of Employment Law

50 Tips, Tricks and Strategies for Mediating the Employment Discrimination Law Case

Law Practice Management and Technology **LPMT**

2 How to Choose and Implement the Best Alternative Billing Methods

Why You Should Join Us!

- One low registration fee gives full choice among over 70 workshops and programs (Ticketed Events require an additional Fee).
- Earn up to 13 hours of credit in one weekend.
- Receive a collection of comprehensive written materials and up-to-date information on the latest issues and trends in the law.
- Earn legal specialization credit in Criminal Law, Estate Planning, Family Law, Immigration Law, Taxation, and Workers' Compensation Law.

Solo Track

- Get fresh ideas, current tips, and techniques in communications, management issues and technology.
- Renew and expand your network of colleagues.
- Receive guidance and advice from noted practitioners.

- 5 Resourcing the Humans in a Law Practice, Managing the Risk
- 10 Client Relations: Client Expectations and Client Loyalty – An Oxymoron?

- Have your learning environment serve as the perfect weekend getaway for you, your family, and friends.
- **Register Online at** WWW.CALBAR.ORG/SEI

- 10** Client Relations: Client Expectations and Client Loyalty – An Oxymoron?
- 26** Project Management and Teamwork for Lawyers - How to Overcome Chaos
- 39** A Consumers Guide to Law Firm Coaches and Consultants
- 43** The Newest Investigative Tool on the Internet- Social Networking Sites
- 73** eWorkplace— Administering, Monitoring, and Securing Electronic Communications
- Litigation LT**
- 19** Post-Traumatic Stress Disorder in Civil and Criminal Litigation
- 25** Civility and Professionalism: Rambo v. Matlock
- 38** Arbitration: Recent Developments and What Every Litigator Should Know
- 52** Summary Judgment: Recent Developments and the View From the Bench
- 71** Business Valuation and Damage Calculation for Litigators
- Public Law PL**
- 6** A View from Inside the California Supreme Court
- 16** Top Ten Ways to Win Your Appeal at Trial
- 21** Effective Appellate Advocacy
- 34** Telecom Law 101: Basics Every Practitioner Should Know
- 45** Ethics in Land Use and Real Estate Practice
- Real Property RP**
- 1** Residential Foreclosures in California after SB 1137
- 17** Handling a Claim Under a Title Insurance Policy
- 45** Ethics in Land Use and Real Estate Practice
- 48** What You Don't Know Can Leave a Scar: Mandatory Disclosures in Residential Real Property Transaction
- 58** Survivor California 2008: Current Issues in Real Estate Insolvencies
- 61** ABCs and BOPs: What Real Estate Attorneys Should Know About Property Insurance
- Solo and Small Firm SS**
- 15** Opening and Managing a Law Office
- 20** Are You Ready to Go Solo?
- 28** Secret Life of PDAs: Protecting Client Confidentiality in the Context of Mobile Technology
- 32** Deal or No Deal: How to Get the Most from Employment Mediation
- 51** Future Now: What Lawyers and Law Firms MUST Know About What's Next
- 53** Survival Guide for the First Five Years as a Solo/ Small Firm Practitioner
- 60** Issues Presented in Representing Undocumented Aliens
- Trusts and Estates TE**
- 18** How Post-Mortem Administration of Trusts is Like Probate
- 23** Drafting No Contest Clauses Under the New Law
- 49** Implementing the Deficit Reduction Act in California: Long Term Care Medi-Cal Under the New Law
- 59** Uniquely Ethical Situations for a Solo or Small Firm Trusts and Estates Practitioner
- 66** Discovery Practice in Probate, Trust and Conservatorship Matters
- Taxation TX**
- 8** Tax Issues in Family Law: The Basics and Beyond
- 14** Transfer Pricing
- 30** Determining Residency in California after *Hyatt*—What Will the FTB Be Up to Next?
- 56** Federal and State Tax Considerations for the Closely Held Business
- 63** Estate and Gift Tax Basics
- Workers' Compensation WC**
- 7** Rules of the Game: How to Get Up to Bat!
- 22** Scoring Some Runs: The Better You Hit, the More You Score
- 41** Running the Bases: Knowing the Rules to Avoid an Out
- 69** Dealing with that New Fangled Electronic Scoreboard: EAMS
- COPRAC COPRAC**
- 33** Keeping Your Client Trust Account and Collecting Your Fee

- 15** Opening and Managing a Law Office
- 20** Are You Ready to Go Solo?
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Courses in the MCLE Mandatory Subfields

Elimination of Bias: 11, 21
Legal Ethics: 2, 10, 25, 28, 33, 45, 59, 65

Courses Offering Legal Specialization

Criminal Law: 11, 35, 40, 65
Estate Planning: 18,23, 49, 59, 66
Family Law: 3, 29, 55, 62
Immigration Law: 24
Taxation: 8, 14, 30, 56, 63
Workers' Compensation: 7, 22, 41, 69

Program Descriptions

Friday, January 16, 2009

1:00 p.m. – 2:00 p.m.

RP 1 *MCLE: 1 Hour*
Residential Foreclosures in California after SB 1137
 California SB 1137 was recently enacted into law and significantly changes the “playing field” for residential foreclosure in California. This program will address the key aspects of the new legislation by answering the following questions: What are the new requirements for lenders and how will that change established practices? How can the foreclosing lender best satisfy the new requirements? What are the risks and liabilities for the foreclosing lender? Where are the gray areas in the law and the areas of prospective litigation?

L P M T 2 *MCLE: 1 Hour of Legal Ethics*
How to Choose and Implement the Best Alternative Billing Methods
 In this fast-moving program, you will learn when to use different billing methods (e.g., hourly rates, contingency fees, flat fees, capped fees) and how to implement them ethically.

FL 3 *MCLE: 1 Hour; Legal Specialization: 1 Hour Family Law*
Enforcing Child Support Orders
 This how-to program focuses on the procedures available for enforcement of a child support order.

LL 4 *MCLE: 1 Hour*
Best Practices for Neutral Investigations of Employment Complaints
 Employment experts discuss when, if an employee complains of harassment, discrimination or retaliation, it is advisable to bring in a neutral investigator, and what to expect of the investigator.

S O L O 5 *MCLE: 1 Hour*
Resourcing the Humans in a Law Practice, Managing the Risk
 A discussion of basic human resources and risk management issues with a focus on solo and small firm practice.

2:15 p.m. – 3:15 p.m.

PL 6 *MCLE: 1 Hour*
A View from Inside the California Supreme Court
 Two experienced attorney’s from the California Supreme Court’s Civil and Criminal Central staffs will address the court’s case selection process and discuss the following: (1) The criteria for review; (2) What makes an effective petition for review or answer; (3) How petitions for review, petitions for writ of habeas corpus, and civil writs differ from an advocacy perspective; (4) When and why emergency stays might be granted; (5) Handling requests for judicial notice and other motions; (6) Depublication requests and amicus letters; and (7) The most common mistakes in writing petitions for review and writs.

WC 7 *MCLE: 1 Hour; Legal Specialization: 1 Hour Workers’ Compensation Law*
Rules of the Game: How to Get Up to Bat!
 Legal basis for provision of benefits employment, Injury AOE/COE, statutory defenses and statute of limitations.

TX 8 *MCLE: 1 Hour; Legal Specialization: 1 Hour Taxation Law*
Tax Issues in Family Law: The Basics and Beyond
 Overview of tax issues in advising and negotiating pre- and post-nuptial agreements, representing spouses in dissolutions and treatment of intra-family transactions.

BL 9 *MCLE: 1 Hour*
Bankruptcy 101: What Every Lawyer Needs to Know About Bankruptcy
 A general guide to Chapter 7, 11 and 13 bankruptcies. Everything you need to know for creditor and debtor clients in today’s economy.

L P M T 10 *MCLE: 1 Hour of Legal Ethics*
Client Relations: Client Expectations and Client Loyalty—An Oxymoron?
 Are your clients loyal to you? Do they sing your praises? Do they return with repeat business? Or do they file State Bar complaints because you fail to respond to their wants. Many people talk in terms of exceeding client expectations. But if we exceed those expectations today, are we not merely satisfying them to next time and failing to meet their expectations the third time? Loyalty of clients avoids this entire scenario!

3:30 p.m. – 4:30 p.m.

- CL** 11 *MCLE: 1 Hour Elimination of Bias; Legal Specialization: 1 Hour Criminal Law*

Elimination of Bias in Jury Selection: Wheeler/Batson in the Courtroom

A discussion of recent cases when race can or cannot be a proxy for preemptory challenges during jury selection. And learn how to make a record to overcome or meet a Wheeler/Batson objection.

- EL** 12 *MCLE: 1 Hour*

CEQA Litigation: Navigating CEQA's Unique Procedural Landscape

Speakers will provide an overview of the California Environmental Quality Act, including the basic structure of the act and requirements for conducting environmental review, with a focus on the special procedural issues associated with litigating a CEQA case.

- IP** 13 *MCLE: 1 Hour*

Strategic Considerations in Trademark Registration and Enforcement Programs

Learn how to create and implement a global brand program. Strategies for brand selection and protection and for monetizing and enforcing rights in the selected brand will be discussed.

- IL** 14 *MCLE: 1 Hour; Legal Specialization: 1 Hour Taxation Law*

TX

Transfer Pricing

Our panel will explore Transfer Pricing as an increasingly important and contentious area of the tax law in the U.S. and around the world. The panel will review the pricing for intercompany and affiliate transactions. The U.S. and virtually all major jurisdictions implemented taxation laws and regulations which prevent multinational companies from reducing the negative impact of taxable transactions inappropriately

by ensuring that transactions among related parties are entered into on an arm's length basis.

- SS** 15 *MCLE: 1 Hour*

Opening and Managing a Law Office

The decision to go out on your own: participate in a round table discussion with two solo/small firm practitioners. Find answers to your questions about how to simply get started, what kind of business form to take, capitalization needed, insurance considerations, client's billing and recruiting, networking, and more.

4:45 p.m. – 5:45 p.m.

- PL** 16 *MCLE: 1 Hour*

Top Ten Ways to Win Your Appeal at Trial

This PowerPoint presentation by Ray Cardozo and Paul Fogel focuses on the ways in which trial lawyers and/or clients who supervise litigation can maximize the chances of preserving a trial court win on appeal or of ensuring that an appellate court will reach the merits of issues that an unsuccessful trial court litigant seeks to raise on appeal. This one-hour program, in which audience participation is welcome, attempts to familiarize attendees with the several rules the appellate courts use to ensure trial court rulings are properly framed and any errors are preserved for appeal.

- RP** 17 *MCLE: 1 Hour*

Handling a Claim Under a Title Insurance Policy

This program will examine the attorney's role in representing the claimant under a policy of title insurance, or in a policy-based claim against an underwritten title company, including timing, contents, and delivery of the claim to the insurer, its duty to investigate, and alternatives available to it in responding to

the claim. The program will further address an insurer's duties in handling a policy claim, and remedies available to an insured for breach of the promise to indemnify, and for violation of an insurer's covenant of good faith and fair dealing. Finally, recent statutory and case developments pertinent to title insurance claims will be discussed.

- TE** 18 *MCLE: 1 Hour; Legal Specialization: 1 Hour Estate Planning, Trust and Probate Law*

How Post-Mortem Administration of Trusts is Like Probate

In one hour the panelists will show you how post-mortem administration of a trust is really no different than a probate in a riveting side-by-side comparison.

- LT** 19 *MCLE: 1 Hour*

Post-Traumatic Stress Disorder in Civil and Criminal Litigation

Psychologist Craig Lareau teaches you what you need to know when presenting or defending against allegations of post-traumatic stress disorder in civil litigation.

- SS** 20 *MCLE: 1 Hour*

SOLO

Are You Ready to Go Solo?

An overview of the "how tos" of opening a solo practice. Getting from the dream to hanging out the shingle. From making the decision, to the practicalities of business filings and registrations, this program will give you some basic direction. Lawyers considering their options need to know the nuts and bolts of what it takes to get started in a solo practice. Their decisions impact their entire careers.

Saturday, January 17, 2009

8:30 a.m. – 9:30 a.m.

PL 21 *MCLE: 1 Hour*
Effective Appellate Advocacy
 A veteran appellate practitioner will share observations on effective appellate advocacy in brief-writing and oral argument, including a checklist of what to do and what not to do.

WC 22 *MCLE: 1 Hour; Legal Specialization: 1 Hour Workers' Compensation Law*
Scoring Some Runs: The Better You Hit, the More Your Score
 What benefits are allowed the injured worker: TD, PD, Medical care, Rehab/SJDB, and death benefits.

TE 23 *MCLE: 1 Hour; Legal Specialization: 1 Hour Estate Planning, Trust and Probate Law*
Drafting No Contest Clauses Under the New Law
 Should you draft no contest clauses? When? How? The panel will describe how the new law on no contest clauses should make you change your drafting practice.

IL 24 *MCLE: 1 Hour; Legal Specialization: 1 Hour Immigration Law*
Immigration Update 2009: A Year in Review
 The panel will explore recent developments in U.S. immigration law including employment verification, Social Security "no-match" letters, export control compliance issues and other corporate compliance issues.

CL 25 *MCLE: 1 Hour Legal Ethics*
LT Civility and Professionalism: Rambo v. Matlock
 Film clips of lawyers in action serve as the springboard for this lively and informative discussion on the topic of civility and professionalism in civil litigation.

L 26 *MCLE: 1 Hour*
Project Management and Teamwork for Lawyers - How to Overcome Chaos
 Lawyers often complete work at the last minute. Busy schedules, heavy workload, competing priorities or poor planning can result in crisis management mode. Project management can put you in control.

9:45 a.m. – 10:45 a.m.

IP 27 *MCLE: 1 Hour Elimination of Bias in the Legal Profession*
Strategies for Achieving Diversity in the Legal Profession
 An overview of best practices for achieving diversity in the legal profession and judiciary, including a discussion of the common barriers and solutions, and a statistical assessment of the current state of diversity in the California legal market.

SS 28 *MCLE: 1 Hour; .5 Hour Legal Ethics*
Secret Life of PDAs: Protecting Client Confidentiality in the Context of Mobile Technology
 Review of ethics requirements for keeping and protecting client confidences, as well as review of the mobile technology challenges and how to resolve them. Includes sample suggested language for communicating with clients regarding mobile technology issues.

FL 29 *MCLE: 1 Hour; Legal Specialization: 1 Hour Family Law*
How to Draft a Valid Premarital Agreement
 Step-by-step guidance on the preparation and negotiation of a valid agreement under the California Uniform Premarital Agreement Act. A sample agreement will be provided.

TX 30 *MCLE: 1 Hour; Legal Specialization: 1 Hour Taxation Law*
Determining Residency in California after Hyatt—What Will the FTB Be Up to Next?
 California has a vigorous enforcement program which seeks to tax income of its former residents to the extent it is traceable to gains realized while resident in the state. Gilbert Hyatt, a former resident of California and current resident of Nevada, brought suit against the FTB in a Nevada court to answer for the behavior of its agents who were conducting an audit to determine the source of his income. A Nevada jury found against the FTB and awarded him \$137 million for invasion of privacy and emotional distress plus \$1.08 million in attorneys fees and costs. Punitive damages were also awarded to Hyatt. In light of the Nevada court's ruling in *Hyatt*, the panel will discuss where the FTB's residency audit program now stands for Californians who have moved or are contemplating a move from the state.

BL 31 *MCLE: 1 Hour*
What Nonprofits Need to Know About Government Regulations
 Governmental oversight of non-profit organizations continues to increase. How can your nonprofit client remain in compliance? What steps will preserve its tax-exempt status? Come find out!

SS 32 *MCLE: 1 Hour*
Deal or No Deal: How to Get the Most from Employment Mediation
 Exploring strategies, approaches, and techniques to maximize efficiency in employment mediation

C 33 *MCLE: 1 Hour Legal Ethics*
Keeping Your Client Trust Account and Collecting Your Fee
 An overview of Client Trust Accounting Principles and recent developments concerning IOLTA Accounts.

11:00 a.m. – 12:00 p.m.

PL 34 *MCLE: 1 Hour*
Telecom Law 101: Basics Every Practitioner Should Know

Telecom law cuts across many government practice areas. Learn what's new in wireless siting issues and cases; telecom right-of-way; cable TV; telecom safety enforcement; satellite TV; and over-the-air antenna regulation. Inflatable toys will be provided.

CL 35 *MCLE: 1 Hour; Legal Specialization: 1 Hour Criminal Law*
The ABC's of Conducting a Jury Trial - Part One

Practical tips on the first basic steps on how to conduct a jury trial, from the time you confirm the trial date to when the jury panel is sent to the courtroom.

IP 36 *MCLE: 1 Hour*
Best Practices in IP Licensing

This program addresses licensing of patents, trademarks, copyrights, trade secrets and other proprietary information. The program focuses on practical tips including preliminary considerations, drafting, essential terms, and avoiding common mistakes.

LL 37 *MCLE: 1 Hour*
Employment Law Update

A review of 2008's most significant case decisions and legislative updates and discussion of employment law trends.

LT 38 *MCLE: 1 Hour*
Arbitration: Recent Developments and What Every Litigator Should Know

This program will cover recent developments in arbitration law and practice including appealability of awards and related issues.

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MCLE: 1 Hour
A Consumers Guide to Law Firm Coaches and Consultants

Knowing when and who to hire for help can be confusing for lawyers. Learn the best ways to find and choose the coach or consultant who's right for you.

12:15 p.m. – 1:30 p.m.

 72 *MCLE: 1 Hour*
Google for Legal Professionals

Speaker: Jim Robinson

Find out how to get the most out of the popular

search engine while conducting your investigative and legal research. You will learn Google techniques often overlooked by the casual researcher that will allow you to effectively discover information about people, products, companies, expert witnesses, and more.

1:45 p.m. – 2:45 p.m.

CL 40 *MCLE: 1 Hour; Legal Specialization: 1 Hour Criminal Law*

The ABC's of Conducting a Jury Trial - Part Two

Practical tips on the basic steps on how to conduct a jury trial from the time the jury enters the courtroom to the taking of the verdict.

WC 41 *MCLE: 1 Hour; Legal Specialization: 1 Hour Workers' Compensation Law*

Running the Bases: Knowing the Rules to Avoid an Out

The process to secure the provision of benefits at the District Office of the WCAB.

IL 42 *MCLE: 1 Hour*
IP
International Intellectual Property Acquisition, Exploitation, and Enforcement

This program will deal with international intellectual property acquisition, exploitation, and enforcement. It will deal with protection of intellectual property in the foreign arena, including patents, trademarks, copyrights,

trade secrets, internet domain names, and other intellectual property. Covered will be strategies for filing and protecting patents, trademarks and copyrights in foreign countries, extraterritorial enforcement of U.S. patent, trademark and copyright laws, and patent prosecution strategies for foreign countries.

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 43 *MCLE: 1 Hour*
The Newest Investigative Tool on the Internet-Social Networking Sites

Find missing witnesses and heirs or the "smoking gun" or get the low-down on the opposition... by making a virtual call to social networking sites.

BL 44 *MCLE: 1 Hour*
Hot Issues in Cyberspace

A selection of recent developments in the areas of internet and commerce, copyrights and digital rights management, blog law, information privacy and security, among other things.

PL 45 *MCLE: 1 Hour Legal Ethics*
RP
Ethics in Land Use and Real Estate Practice

This course will review ethical principles applicable to land use and real property practice, public and private sector, and recent decisions including cases following *Nightlife Partners*.

LL 46 *MCLE: 1 Hour*
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The In's and Out's of Employment Law

The panel will provide the audience with basic information on state and federal employment law, including the Fair Employment and Housing Act, Title VII, the Americans with Disabilities Act, Family and Medical Leave Act, Labor Code provisions, and applicable case law. The panelists will provide practical tips on the administrative process and the requirement to exhaust administrative remedies before filing a civil complaint.

This course is intended for general practitioners who do not specialize in employment law but would like to know the basics.

3:00 p.m. – 4:00 p.m.

AN 47 *MCLE: 1 Hour*
Antitrust 101

This program will provide an introduction to all major areas of U.S. antitrust law. We will focus on recent decisions. The speakers will also highlight differences between the California and federal competition laws.

RP 48 *MCLE: 1 Hour*
What You Don't Know Can Leave a Scar: Mandatory Disclosures in Residential Real Property Transaction

From Megan's Law to window bars, this program will address the numerous disclosures required by law in a residential real property transaction. The scope and extent of the seller's/agent's duty to inquire and inspect will also be discussed. Proper documentation and use of checklists will also be addressed. This program is recommended for all attorneys who represent buyers, sellers, or agents in residential real estate transactions.

TE 49 *MCLE: 1 Hour; Legal Specialization: 1 Hour Estate Planning, Trust and Probate Law*

Implementing the Deficit Reduction Act in California: Long Term Care Medi-Cal Under the New Law

This program presents an analysis of the Deficit Reduction Act of 2005, finally reaching implementation in California through the passage of SB 483, to be effective January 1, 2009. The long awaited federal legislation creates new hurdles for California planners, removing many of the transfer strategies from our list of planning options, creating

new rules regarding the exempt personal residence, including a limit on its equity value for the first time, setting in place new hardship waiver rules, introducing new rules on annuities, and in general changing the playing field regarding eligibility for long term care Medi-Cal. The presenters will explain the new law, how it builds on the 1988 and 1993 legislation and, if adopted by the time of the program, new regulations, in the context of the single and the married Medi-Cal applicant.

LL 50 *MCLE: 1 Hour*

Tips, Tricks and Strategies for Mediating the Employment Discrimination Law Case

A prominent plaintiff attorney and an preeminent defense lawyer will not only offer their tips, tricks and strategies for successfully mediating the employment discrimination law case but they will also square off over your questions.

SS 51 *MCLE: 1 Hour*

Future Now: What Lawyers and Law Firms MUST Know About What's Next

The Prognostication Paper focuses on LawNomics (C). Economic analysis of important local, national and global trends can help lawyers and law firms make smart tactical planning moves in their own practices. We will examine trends and predictions in the six most significant areas for planning. The focus is on how these trends provide economic opportunities for the legal industry.

LT 52 *MCLE: 1 Hour*

Summary Judgment: Recent Developments and the View From the Bench

A seasoned panel of jurists discuss recent developments in summary judgment law and procedure from the judicial perspective.

SS 53 *MCLE: 1 Hour*

Survival Guide for the First Five Years as a Solo/Small Firm Practitioner

The first five years of soloing are the hardest, most anxious, most fatiguing and potentially most joyful years of practice. Learn solid tips for not only surviving but actually enjoying these years by identifying and controlling the landmines as well as the ares of untapped growth through careful planning.

4:15 p.m. – 5:15 p.m.

EL 54 *MCLE: 1 Hour*

Climate Change Regulation - What Does This Mean for Your Clients?

Speakers will discuss the California Air Resources Board's Scoping Plan, developed to implement The Global Warming Solution Act (AB 32), and the industry and land use planning sectors likely to be most effected.

FL 55 *MCLE: 1 Hour; Legal Specialization: 1 Hour Family Law*

Parenting Plans: Creating Beneficial Custody Agreements

Learn how to meet the best interests of the child by creating an age-appropriate parenting plan which takes into account the child's needs and the abilities/limitations of each parent.

TX 56 *MCLE: 1 Hour; Legal Specialization: 1 Hour Taxation Law*

Federal and State Tax Considerations for the Closely Held Business

Review of tax considerations for advising the closely held business in choice of entity, owner compensation strategies, succession planning, dissolution. The program also reviews strategies for dealing with federal and state taxing agencies.

IL 57 *MCLE: 1 Hour*
International Joint Ventures
 The panel will explore issues relating to the negotiation and structuring of cross-border business relationships, including general concepts such as (1) what's the structure, (2) who pays, (3) who controls and (4) how do you get out of the joint venture.

BL 58 *MCLE: 1 Hour; Legal Specialization: 1 Hour Bankruptcy*
RP
Survivor California 2008: Current Issues in Real Estate Insolvencies
 A general guide to issues arising in mortgage foreclosures, including the one form of action rule. The anti-deficiency statutes and lien stripping in Chapter 7 and 13 bankruptcies.

L 73 *MCLE: 1 Hour*
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eWorkplace—Administering, Monitoring, and Securing Electronic Communications
 Examination of law and technology issues underpinning employers' (including law firms') electronic communications and technology-usage policies, including the legality and advisability of monitoring and restricting employee's e-mails and Internet activity.
 Attendees will learn:

- WHO, if anyone, has a reasonable expectation of privacy in the workplace.
- WHAT, types of "smoking gun" electronic evidence do employees create on a regular basis.
- WHEN employees' electronic activities can and should be monitored by employers.
- WHERE are the greatest dangers of "data leakage."

TE 59 *MCLE: 1 Hour Legal Ethics; Legal Specialization; 1 Hour Estate Planning, Trust and Probate law*
SO
LO
Uniquely Ethical Situations for a Solo or Small Firm Trusts and Estates Practitioner
 This program focuses on the unique ethical contexts in a Trust and Estate Practice. Discussion will highlight the newly published "Guide to the California Rules of Professional Conduct for Estate Planning, Trust and Estate Counsel."

Sunday, January 18, 2009
8:30 a.m. – 9:30 a.m.

SS 60 *MCLE: 1 Hour*
Issues Presented in Representing Undocumented Aliens
 There are issues that are presented foreign born nationals living in the USA such as setting up the fee agreement, familiarizing the client with the legal system, claiming future lost earnings, educating the client on reasonable expectations, etc.

RP 61 *MCLE: 1 Hour*
ABCs and BOPs: What Real Estate Attorneys Should Know About Property Insurance
 This program will present a broad overview of how the most commonly-issued types of real property insurance work. The program will discuss: how policies are structured; exclusions and exceptions to exclusions; policy limits; how property is valued after a loss; and the insured's duties after a loss. Common types of ancillary coverage will also be addressed. This program is intended for real estate attorneys who need a working knowledge of how property insurance works and what types of coverage their clients should consider.

FL 62 *MCLE: 1 Hour; Legal Specialization: 1 Hour Family Law*
Imputing Income for Purposes of Child and Spousal Support
 A clear explanation of when it is appropriate to impute income to a party and how to present evidence of that party's earning capacity.

TX 63 *MCLE: 1 Hour; Legal Specialization: 1 Hour Taxation Law*
Estate and Gift Tax Basics
 The phase-out of the federal Estate Tax expires in 2010 and the tax rates and exemptions will revert to pre-Bush levels if new tax legislation is not passed. Coherent estate tax planning requires the advisor to consider all likely outcomes of the current debate. This program will review the rules which are applicable through the transition period and anticipate changes to tax rates, exemptions and other provisions. It will discuss basic considerations of the estate tax advisor from planning through filing and payment of tax.

9:45 a.m. – 10:45 a.m.

EL 64 *MCLE: 1 Hour*
Introduction to Land Use in California
 Overview of California land use law, with an emphasis on planning and zoning, entitlement process, project approvals, subdivision process, development agreements and other land use matters.

CL 65 *MCLE: 1 Hour Legal Ethics; Legal Specialization: 1 Hour Criminal Law*
Tips for Successful and Ethical Media Interviews
 Practical tips on how to handle the media when you have a high profile case or client so that you stay within the bounds of the California Professional Rules of Conduct.

TE 66 *MCLE: 1 Hour; Legal Specialization; 1 Hour Estate Planning, Trust and Probate Law*

Discovery Practice in Probate, Trust and Conservatorship Matters

This program discusses the use and misuse of discovery in probate, trust and conservatorship litigated matters.

BL 67 *MCLE: 1 Hour*

Common Perfection Mistakes and Unusual Perfection Problems

An overview of the fundamentals of perfecting security interests, with focus on common errors and less known but potentially tricky perfection issues faced by the commercial law practitioner.

11:00 a.m. – 12:00 p.m.

EL 68 *MCLE: 1 Hour*

Global Climate Disruption: A Scientific Call to Action

The world is getting hotter, and the U.S. has been hotter in the last decade than any time since we began to keep records after the Civil War. The snows of Kilimanjaro will be gone before 2020, and the glaciers in Glacier

National Park will follow soon after. Hurricanes are becoming stronger and more destructive, and in 2007 two Category 5 hurricanes made landfall for the first time ever. These are just a few of the changes that are taking place on Earth due to climate change, and these impacts are predicted to get much worse in the coming decades. How much worse depends upon what we do today. Join us to hear from Dr. Andrew Gunther, who will explain the science of global warming, the signs of change around the globe, why we should be concerned about it, and what we can do now, both legally and practically, to prevent this problem from getting worse. This nonpartisan presentation will include time for you to ask questions and to find out more about what you can do to address this problem.

WC 69 *MCLE: 1 Hour; Legal Specialization: 1 Hour Workers' Compensation Law*

Dealing with that New Fangled Electronic Scoreboard: EAMS

Practical observations of the impact of EAMS on practice before the WCAB.

IP 70 *MCLE: 1 Hour*

Pre-Filing Considerations in Intellectual Property Litigation

Have more success in IP litigation by knowing what to study before filing a lawsuit. This program focuses on what to consider before filing a patent, trademark or copyright complaint.

LT 71 *MCLE: 1 Hour*

Business Valuation and Damage Calculation for Litigators

Valuation expert and author Jay Abrams discusses valuation and damage calculation concepts, including standards of value, forecasting, discount rate, valuation discounts and premiums, valuing non-taxed entities and the latest valuation controversies.



Registration Form

California Solo And Small Firm Summit and Section Education Institute

Register Online at WWW.CALBAR.ORG/SEI

Register to attend the California Solo and Small Firm Summit, The Section Education Institute OR both for one low fee.

SOLO SUMMIT (SS): Registration Fee includes all Solo Summit Courses, Thursday Lunch and Reception, Friday Breakfast and Lunch.

SECTION EDUCATION INSTITUTE (SEI): Registration Fee includes admission to all courses. Up to 13 hours of MCLE credit available at the SEI for one low registration fee. Ticketed events at the SEI are an additional fee and offer an extra 1 hour of MCLE credit.

SIGN ME UP!

Advance Registration: Complete this Registration Form and the Course Selector on the back. Keep a photocopy for your records and mail or fax before the January 6, 2009 deadline.

Use a separate form for each registrant.

ONLINE: at WWW.CALBAR.ORG/SEI

BY FAX: (415) 538-2368. Credit card registrations only.

If advance registration form is faxed, do not mail original form. Fax registrations cannot be confirmed by telephone but you will receive written confirmation. Please keep a copy of your forms.

BY MAIL: Program Registrations/SEI or Solo Summit, State Bar of California, 180 Howard Street, San Francisco, CA 94105

TICKETED EVENTS

Saturday, January 17

Luncheon/Program #72

Google For Legal Professionals

Find out how to get the most out of the popular search engine while conducting your investigative and legal research. You will learn Google techniques often overlooked by the casual researcher that will allow you to effectively discover information about people, products, companies, expert witnesses, and more.

MCLE: 1 Hour

of Tickets _____ @ \$35 per person = \$ _____

Speaker: *Jim Robinson*

Total Amount Enclosed Or To Be Charged For Registration Fees, Section

Enrollments & Ticketed Events = \$ _____

Registration and/or ticket refund requests must be in writing and be received by the State Bar by January 8, 2009 and are subject to a \$50 service charge. Refunds are not available after January 8. For registration information call (415)538-2508. For Special Assistance or program content questions please call (415) 538-2467.

PAYMENT METHOD

Registration fees may be paid by check, VISA or MasterCard (no other credit cards will be accepted.) Make checks payable to the State Bar of California.

VISA or MasterCard

Account Number _____ Exp. Date _____

Cardholder's Name _____

Cardholder's Signature _____



Non-Section Member fee includes discount enrollment in ONE Section for the remainder of 2008 and all of 2009.

Select ONE:
 Antitrust & Unfair Competition **AN**
 Business Law **BL**
 Criminal Law **CL**
 Environmental Law **EL**

Family Law **FL**
 Intellectual Property **IP**
 International Law **IL**
 Labor Law **LL**

Law Prac. Mgmt. & Tech **LPMT**
 Litigation **LT**
 Public Law **PL**
 Real Property **RP**

Solo & Small Firm **SS**
 Taxation **TX**
 Trusts and Estates **TE**
 Workers' Comp **WC**

Enrollment in additional Section(s):

Check additional boxes
 Number of additional sections: _____
 @the discounted rate of \$65 per new section = \$ _____

Non-Lawyer Spouse/Guest Name: _____
(If your spouse/guest is not an attorney, registration is complimentary. If your spouse/guest is an attorney he or she must complete a separate form and pay the registration fee.)

Your contact information may be released to other attendees/sponsors/exhibitors. If you do not wish for your contact information to be released, check here.

Bar Number: _____

Name: _____
Please print or type name as it should appear on name badge.

Firm: _____

Address: _____

City, State, Zip: _____

Phone: _____ Fax Number: _____

E-mail: _____

1 California Solo and Small Firm Summit

(January 15-16, 2009)
 \$240 (includes Thursday Lunch and Reception and Friday Breakfast and Lunch)

2 Section Education Institute

(January 16 - 18, 2009)
(Check one.)
 Section Member \$325
 Non-Section Member \$390*
 Section Member after January 6th & Onsite \$400
 Non-Section Member after January 6th & Onsite \$465

OR

3 Attend Both The Solo And Small Firm Summit And The Section Education Institute For One Low Fee

Section Members \$440
 Non-Section Members \$495*

Total Registration Fee \$ _____

Name _____

Bar Number _____

Please choose the session you wish to attend in each time period below.

Solo Summit

THURSDAY, JANUARY 15, 2009

1:15 p.m. - 2:15 p.m.

- 1 **RP** How to Create a Website
- 2 What's next? - How to Recharge Your Legal Career

2:30 p.m. - 3:30 p.m.

- 3 Did You Pick Your Practice or Did It Choose You?
- 4 Accounts Receivable Management

3:45 p.m. - 4:45 p.m.

- 5 Best Practices in Client Service - Retain Clients and Avoid Ethics Complaints
- 6 H.R. Law, Policies & Practices - A Survival Guide For Solo & Small Firms

FRIDAY, JANUARY 16, 2009

9:45 a.m. - 10:45 a.m.

- 7 Can You Hear Me Now? Top 10 Professional Responsibility Traps for the Unwary Solo

FRIDAY, JANUARY 16, 2009

1:00 p.m. - 2:00 p.m.

- 1 **RP** Residential Foreclosures in California after SB 1137
- 2 **LPMT** How to Choose and Implement the Best Alternative Billing Methods
- 3 **FL** Enforcing Child Support Orders
- 4 **LL** Best Practices for Neutral Investigations of Employment Complaints
- 5 **SOLO** Resourcing the Humans in a Law Practice, Managing the Risk

2:15 p.m. - 3:15 p.m.

- 6 **PL** A View from Inside the California Supreme Court
- 7 **WC** Rules of the Game: How to Get Up to Bat!
- 8 **TX** Tax Issues in Family Law: The Basics and Beyond
- 9 **BL** Bankruptcy 101: What Every Lawyer Needs to Know About Bankruptcy
- 10 **SOLO** Client Relations and Client Loyalty - An Oxymoron?

3:30 p.m. - 4:30 p.m.

- 11 **CL** Elimination of Bias in Jury Selection: Wheeler/Batson in the Courtroom
- 12 **EL** CEQA Litigation: Navigating CEQA's Unique Procedural Landscape
- 13 **IP** Strategic Considerations in Trademark Registration and Enforcement Programs
- 14 **LL** **TX** Transfer Pricing
- 15 **SS** **SOLO** Opening and Managing a Law Office

Section Education Institute

9:45 a.m. - 10:45 a.m. (cont.)

- 31 **BL** What Nonprofits Need to Know About Government Regulations
- 32 **SS** Deal or No Deal: How to Get the Most from Employment Mediation
- 33 **SOLO** **COPRAC** Client Trust Accounting

11:00 a.m. - 12:00 p.m.

- 34 **PL** Telecom Law 101: Basics Every Practitioner Should Know
- 35 **CL** The ABC's of Conducting a Jury Trial - Part One
- 36 **IP** Best Practices in IP Licensing
- 37 **LL** Employment Law Update
- 38 **LT** Arbitration: Recent Developments and What Every Litigator Should Know
- 39 **LPMT** **SOLO** A Consumers Guide to Law Firm Coaches and Consultants

1:45 p.m. - 2:45 p.m.

- 40 **CL** The ABC's of Conducting a Jury Trial - Part Two
- 41 **WC** Running the Bases: Knowing the Rules to Avoid an Out
- 42 **IL** **IP** International Intellectual Property Acquisition, Exploitation, and Enforcement
- 43 **LPMT** The Newest Investigative Tool on the Internet-Social Networking Sites
- 44 **BL** Hot Issues in Cyberspace
- 45 **PL** **RP** Ethics in Land Use and Real Estate Practice
- 46 **LL** **SOLO** The In's and Out's of Employment Law

4:15 p.m. - 5:15 p.m.

- 54 **EL** Climate Change Regulation - What Does This Mean for Your Clients?
- 55 **FL** Parenting Plans: Creating Beneficial Custody Agreements
- 56 **TX** Federal and State Tax Considerations for the Closely Held Business
- 57 **LL** International Joint Ventures
- 58 **BL** **RP** Survivor California 2008: Current Issues in Real Estate Insolvencies
- 59 **TE** **SOLO** Uniquely Ethical Situations for a Solo or Small Firm Trusts and Estates Practitioner
- 73 eWorkplace—Administering, Monitoring and Securing Electronic Communications

SUNDAY, JANUARY 18, 2009

8:30 a.m. - 9:30 a.m.

- 60 **SS** Issues Presented in Representing Undocumented Aliens
- 61 **RP** ABCs and BOPs: What Real Estate Attorneys Should Know About Property Insurance
- 62 **FL** Imputing Income for Purposes of Child and Spousal Support
- 63 **TX** Estate and Gift Tax Basics

9:45 a.m. - 10:45 a.m.

- 64 **EL** Introduction to Land Use in California
- 65 **CL** Tips for Successful and Ethical Media Interviews
- 66 **TE** Discovery Practice in Probate, Trust and Conservatorship Matters
- 67 **BL** Common Perfection Mistakes and Unusual Perfection Problems

11:00 a.m. - 12:00 p.m.

- 68 **EL** Global Climate Disruption: A Scientific Call to Action
- 69 **WC** Dealing with that New Fangled Electronic Scoreboard: EAMS
- 70 **IP** Pre-Filing Considerations in Intellectual Property Litigation
- 71 **LT** Business Valuation and Damage Calculation for Litigators

General Information

Ticketed Events



Hotel Information

DEADLINE: December 8, 2008

Claremont Resort & Spa, located at 41 Tunnel Road Berkeley, CA 94705, is headquarters to the Section Education Institute.

Reserve accommodations before the December 8, 2008 deadline.

A block of rooms has been reserved at the Claremont Resort & Spa at the rate of \$210 single or double occupancy plus tax per night. Be sure to mention The State Bar of California Section Education Institute to get the group rate. Reservations must be made by December 8, 2008. Do not wait to book your reservations. The hotel block may sell out before the December 8 deadline. Once the block has been filled, prevailing rates will be offered based on availability. Reservations made after December 8 will only be accepted on a space-available basis.

Room reservations are accepted by call-in only. To make reservations call 1-800-551-7266.

Parking at The Claremont is \$24.00 per vehicle, per day, plus applicable taxes, per vehicle per day. Prices are subject to change. Parking is limited for day use drivers. We highly encourage the use of Public Transportation.

Registration/Program Changes

ADVANCE REGISTRATION

DEADLINE: January 6, 2009

Solo Summit Fees are \$240.

Section Education Institute Fees are \$325 for Section members, and \$390 for Non-section members.

After January 6 and on-site, SEI registration is \$440 for Section members and \$495 for Non-section members. (Late and onsite fee do not include section membership).

Registration and/or ticket refund requests must be in writing and received by January 8, 2009 and are subject to a \$50 service charge.

Occasionally changes in the programs are made in response to speaker availability, participant demand or unforeseen circumstances.

Questions

For registration information please call (415) 538-2508. For program content/section information or Special Assistance call (415) 538-2467.

Ticketed Events

The following special optional ticketed event is offered. Sign up for this event on your registration form. Space is limited, reserve early.

Saturday Luncheon Program \$35
12:15 p.m. - 1:30 p.m.

#72 Google for Legal Professionals
Find out how to get the most out of the popular search engine while conducting your investigative and legal research. You will learn Google techniques often overlooked by the casual researcher that will allow you to effectively discover information about people, products, companies, expert witnesses, and more.
Speaker: Jim Robinson

Can't Attend?

To order audio CD's after the program, please visit <http://www.versatape.com> or call 626-791-8907 or 800-727-8883.

5:00 p.m. – 6:00 p.m.
GENERAL SESSION AND WRAP-UP

6 Strategies for Dominating Your Competition Online: Building a Powerful Internet Presence that Attracts More and Better Clients

This practical, hands on seminar will cover specific strategies small and solo law firms can use to dominate much larger competitors on the internet. In today's hyper competitive environment having a website is not sufficient. It will only get you to the starting line with most clients. For those skeptical about whether "their kinds of clients" are looking online, search engine statistics will be presented. For those attorneys who are ready to hear the truth about marketing online, this presentation will be enlightening and empowering.

You will discover:
 • The 6 most powerful strategies top Rainmakers use
 • How to leverage 2 hidden tactics no one talks about
 • The 3 hidden secrets that "they" don't want you to know
 • Why having a website is no longer enough
 • The biggest mistakes attorneys make when it comes to internet marketing

Speaker: Stephen Fairley
 Managing Partner & CEO
 The Rainmaker Institute, LLC

7:00 p.m. – 7:30 p.m.
Vendor Reception

8:00 a.m. – 9:30 a.m.
GENERAL SESSION

Secrets of Building a Referral-Based Law Practice for Busy Practitioners

Everyone would agree qualified referrals are the best choice for building your law practice. But most attorneys lack a system for significantly and sustainably increasing their referrals. In this

Breakfast
7:30 a.m. – 8:00 a.m.

The State Bar Listens to You.
 Moderator: Holly Fujie, President
 The State Bar of California

Friday, January 16, 2009

11:00 a.m. – 12:15 p.m.
GENERAL SESSION AND WRAP-UP

Action, Accountability and Next Steps: Where to Go From Here

To close our Summit, Stephen will lead the audience through a series of specific action steps they can take to put the information they learned during the conference into immediate action!

11:00 a.m. – 12:15 p.m.
MCLE: 1 Hour Legal Ethics

8. Can You Hear Me Now?

What every attorney should know about legal malpractice insurance policies, frequent areas of legal malpractice claims, and potential areas of new malpractice claims with an emphasis on electronic discovery.

Speakers: Carol Kulwa and Wondie Russell
 MCLE: 1 Hour Legal Ethics

7. Top 10 Professional Responsibility Traps for the Unwary Solo

A discussion of professional responsibility issues geared toward solo and small firm practitioners.

Speaker: Robert A. Hawley
 Deputy Executive Director, State Bar of California
 MCLE: 1 Hour Legal Ethics

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 • The biggest mistakes attorneys make when it comes to internet marketing

Speaker: Stephen Fairley
 Managing Partner & CEO
 The Rainmaker Institute, LLC

12:15 p.m. – 1:00 p.m.
Vendor Lunch

Want results? Don't miss this closing session. You will learn:

- 8 Steps to creating a Marketing Action Plan
- Ways to stay connected and build relationships with other attendees
- 3 ways to build accountability into your business development plan

Speaker: Stephen Fairley
 Managing Partner & CEO
 The Rainmaker Institute, LLC

1:00 a.m. – 12:15 p.m.
GENERAL SESSION AND WRAP-UP

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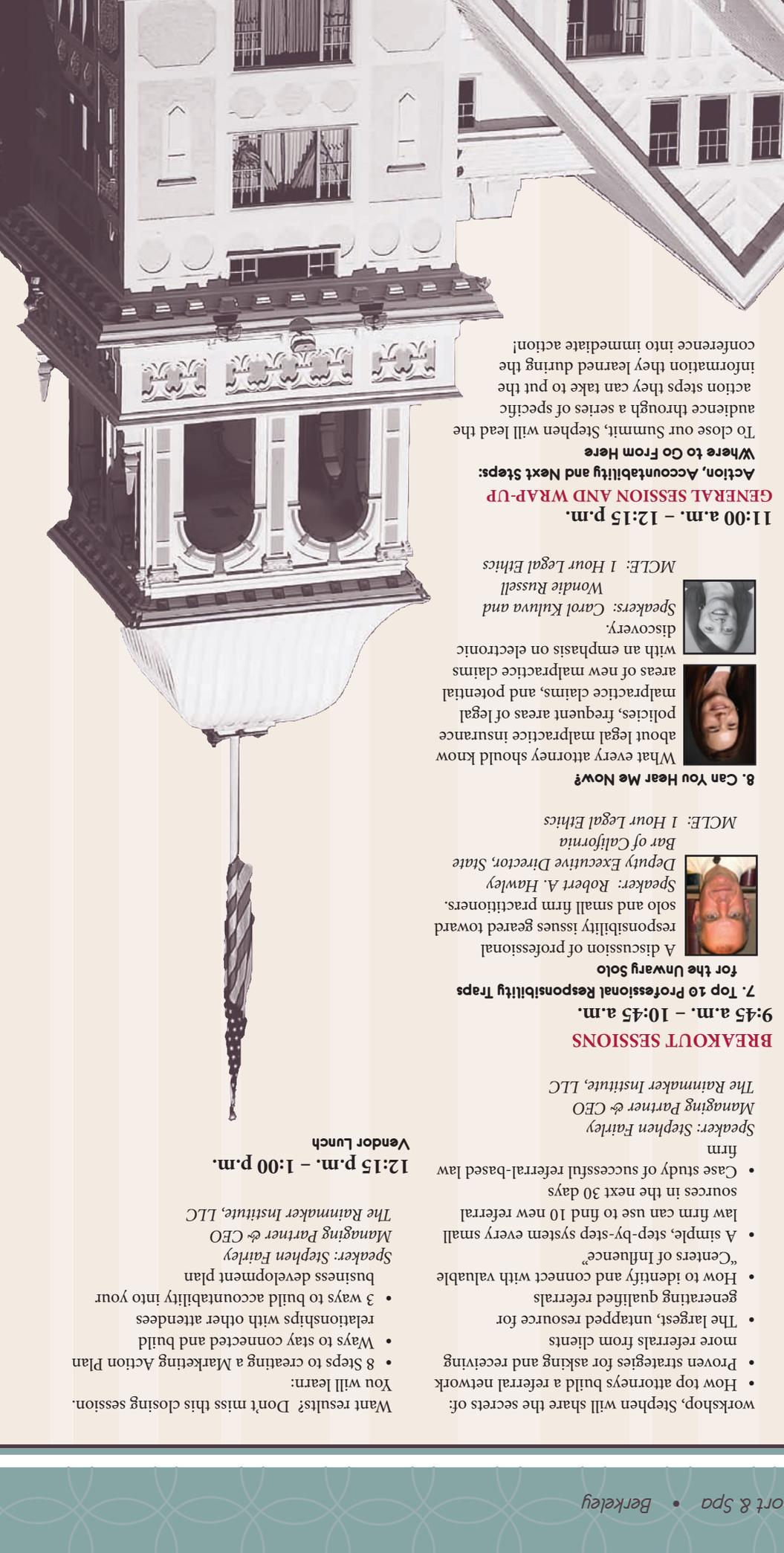
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Speaker: Stephen Fairley
 Managing Partner & CEO
 The Rainmaker Institute, LLC



Join us

at the beautiful Claremont Resort and Spa where the State Bar of California will present the inaugural California Solo and Small Firm Summit(CSS) on January 15-16, 2009. Held in conjunction with the State Bar 2009 Section Education Institute(SEI), Solo and Small Firm education will continue throughout the weekend as a new Solo Track at the SEI.

The California Solo and Small Firm Summit opens at 1:30 a.m. on Thursday, January 15 with a plenary luncheon program. CSS education sessions are presented through Friday noon, followed by a networking luncheon/wrap-up.

Stay for the Section Education Institute for an additional fee of only \$200 for members and \$265 for non-section members and choose from an additional 71 courses.

Program Schedule

Thursday, January 15, 2009

11:30 a.m. – 1:00 p.m.

OPENING GENERAL SESSION AND LUNCH WELCOME

Building a 7 Figure Practice
The State Bar of California
Holy Fugie, President



Why do many attorneys struggle to build a 7 figure practice, while others continue to grow into the 8 figures? In this no-holds-barred session, Nationally known speaker, Stephen Fairley will cover 5 major areas small firm and solo attorneys absolutely, positively must have to build a personally satisfying and financially successful law firm. Attendees will discover: The 5 Immutable Secrets to Building a 7 Figure Law Practice, How to tell if you have a "law practice" or a "law business" and which one is right for you, How much money you should devote to marketing your practice, Why most advertising is a complete waste of your money, Where to find 10 new clients in the next 90 days.



1:15 p.m. – 2:15 p.m.
BREAKOUT SESSIONS
The Rainmaker Institute, LLC
Speaker: Stephen Fairley
Managing Partner & CEO
Speaker: Stephen Fairley
This program will provide you with a basic understanding of internet marketing and what you will need to know to market your law practice on the internet. Some of the topics to be covered in this seminar



1:15 p.m. – 2:15 p.m.
BREAKOUT SESSIONS

3. Did You Pick Your Practice or Did It Choose You?
How to pick, structure or change your practice to fit your lifestyle. What new and seasoned lawyers need to know when they are selecting or changing their practices. Planning for your future rather than letting inertia take over. Consider your options
Speakers: Nancy Goldstein and Marilyn Monahan



2. What's Next? - How to Refresh, Refocus and Recharge Your Legal Career
Now is the time to reexamine your career goals and set the stage for new ones in the years ahead. Reflect on what you have accomplished and consider what to do next: Keep your good thing going, but make it even more successful Explore a more fulfilling practice Create new opportunities that use all of your talents Work part-time in order to volunteer or be with your family more Retire soon, but stay active and do something meaningful
Speaker: Roy S. Ginsburg



5. Best Practices in Client Service - Retain Clients and Avoid Ethics Complaints
Exceptional client service is the foundation of professional success. Your reputation for great service will build your practice, while poor service could lead to an ethics complaint. This seminar provides a comprehensive road map to deliver extraordinary service that will help you retain and develop more business from your current clients and increase referrals. While you earn ethics credits, you'll learn to: Apply best practices that will exceed your clients' expectations Eliminate the most common sources of client dissatisfaction Handle angry clients and avoid ethics complaints
MCLE: 1 Hour; 5 Legal Ethics
Speaker: Roy S. Ginsburg



4. Accounts Receivable Management
So often solo practitioners and small firms fail to establish accounts receivable management that may lead to several cash flow issues.
Speaker: Robert Weinberg
MCLE: 1 Hour



6. H.R. Law, Policies & Practices - A Survival Guide For Solo and Small Firms -
Lawyers and Law Firms have the difficult task of knowing, understanding, rules and regulations that govern their employees and their firm operations. This program will help you navigate critical wage & hour and employment laws.
MCLE: 1 Hour
Speaker: Cynthia Elkins

Expanding Your Network, Knowledge and Skills
The California Solo and Small Firm Summit provides strategic solutions for the practice of law and the management of a practice. Designed for legal professionals who work in a solo or small firm practice, the Summit will feature power networking events, legal education classes, business management courses, and showcase products and services unique to the solo or small firm practitioner. Its overall objective is to offer strategies and tools that promote a thriving law practice.



Sponsors:

Strategic Solutions for Lawyering and Business Management
Featuring Nationally-known speakers *Stephen Farley, Roy Ginsburg, and Anthony Kaitkas*
Opening remarks by State Bar President, *Holly Fujie*

California Solo and Small Firm Summit

THE STATE BAR OF CALIFORNIA



for California Solo & Small Firm Practitioners

THE EVENT of the YEAR

January 15 and 16, 2009 • Claremont Resort and Spa • Berkeley