

The **BARRISTERS BULLETIN** of the South Bay Bar Association

August/September 2002

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VOLUME 28 NUMBER 6

PRESIDENT'S MESSAGE

This year is flying by, I can't believe it is already August 2002. I hope you have enjoyed the beginning of the year as much as I have being your President of the South Bay Bar Association. One of my goals as president was to get the SBBA involved in more community outreach programs, such as the "Ask-A-Lawyer" Program and the Pro Bono Program. With help of Judge Andrew Kauffman we now have the resources to get the Pro Bono Program up and running. The Pro Bono article in this issue will give an in-depth explanation of the program for those of you who are interested in participating.

As you all know the South Bay Womens' Lawyer Association has merged with the South Bay Bar Association and is now a section. The South Bay Women Lawyers' and the SBBA will be hosting a reception. The "Consolidation Celebration" will be held at the office of Agnew & Brusavich on Thursday, August 15, 2002 at 5:30 p.m. Please join us in celebrating this exciting event, everyone is more than welcome to attend and enjoy food, drinks, and good conversation.

The South Bay Bar Association Annual Keynote Speaker Meeting is fast approaching, so don't forget to mark your calendar. The general meeting will be held on Thursday, September 26, 2002 at the Portofino Inn in Redondo Beach from 6:00 to 9:00 p.m. We have a wonderful guest speaker who will be the highlight of the evening or should I say year, California Supreme Court Justice Carlos R.

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Hon. Martin J. Blake, Sr., In Memoriam By Mickey Friedman

The South Bay legal community lost another friend and member recently. The Honorable Martin J. Blake, Sr., Commissioner of the South Bay Municipal Court, Retired, died on July 9, 2002, after a lengthy illness.

He was born on September 18, 1939, in West Allis Wisconsin, and moved to California as a teenager.

Marty went to work as a deputy district attorney upon graduation from Loyola Law School in 1965. Soon thereafter

he went to work for the law offices of Harris and Hollingsworth, later Harris, Hollingsworth and Aranda. (All three of the named partners were appointed as Judges in Los Angeles County.) I first met Marty in the early 70s. In 1975 Marty and I joined as partners and set up the firm of Friedman and Blake. In 1989 Marty was appointed as a Commissioner in the then South Bay Municipal Court. He took a disability retirement in 1993.

Marty was a very well respected trial attorney. His practice was primarily in the areas of criminal law, juvenile court law and family law.

Marty believed in community service. He was a member of the Glendale Chamber of Commerce and Rotary International, as well as other organizations. He was one of the first attorneys

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Commissioner Martin J. Blake, Sr.

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SAVE THE DATE!

Annual Keynote Speaker Meeting

Date: Thursday, September 26, 2002
Time: 6:00 – 9:00 p.m.
Place: Portofino Inn, 260 Portofino Way, Redondo Beach
Speaker California Supreme Court Justice Carlos R. Moreno

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of Los Angeles County, Inc.
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Opinions expressed in the Bulletin are not necessarily those of the SBBA, its officers, directors, or members.

The South Bay Bar Association Barristers Bulletin is published monthly, except February and August. Articles on topics of interest and letters from readers are welcomed and will be published as space allows. Submitted materials will be subject to editing and approval of content, with final approval for form and content to be under the authority of the Editorial Staff.

Articles, announcements and advertising copy are due by the 15th of the month preceding publication. Please submit your contribution to: South Bay Bar Association, 3465 Torrance Blvd., Suite C, Torrance, CA 90503, Tel. (310) 543-9773, Fax (310) 543-3273, E-mail: dir4sbba@aol.com

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CALENDAR OF EVENTS
SOUTH BAY BAR ASSOCIATION

**"Consolidation Celebration" Reception
South Bay Women Lawyers' & South Bay
Bar Association**

Come for eats and drinks
Date: Thursday, August 15, 2002
Time: 5:30 p.m.
Place: Agnew & Brusavich,
20355 Hawthorne Blvd., Torrance
Contact SBBA to make a reservation (310)
543-9773

**Family Law Brown Bag Luncheon
(1 Hour MCLE Credit)**

Date: Tuesday, September 24, 2002
Time: 12:00 noon
Place: Torrance Courthouse, Dept. J
825 Maple Avenue, Torrance
Speaker: Gleda Anderson, Staff attorney for the
El Segundo Division of the LA County
Child Support Services Department
Topic: "How The Private Attorney Handles
Title IV Child Support Cases"
(Formerly Known As District Attorney
Child Support Cases)

**Digital Evidence Presentation System
Training Class**

Date: Friday, August 30, 2002
Time: 2:00 p.m.
Place: Torrance Courthouse, 825 Maple
Avenue, Torrance
Department J, 5th Floor
Topic: "How To Present Your Evidence On
The Big Screen"
Use PowerPoint To Enhance
Presentations

Speaker: Anne Nguyen-Do,
Data Systems Analyst
Contact: Theresa Scotto for further information
and reservations at (310) 222-8865 or (310)
222-1987

****NOTE**

**Please have your credit card available
when calling the SBBA to make
a reservation. Reservations cannot be
made without a credit card**
For Reservations for all SBBA meetings

Call SBBA at (310) 543-9773

Be sure to check out our website for up-to-date
information on upcoming events!

www.SouthBayBar.org

IMPORTANT INFORMATION REGARDING SBBA LUNCHEONS

- ◆ The South Bay Bar Association will charge \$25.00 for those SBBA members who make reservations 5 business days in advance for MCLE luncheons, those SBBA members who pay at the door will be charged \$35.00.
- ◆ Non-member attorneys will be charged \$50.00 if reservation is made in advance and \$60.00 at the door.
- ◆ Non-lawyers will be charged \$35.00 if reservation is made in advance and \$45.00 at the door.
- ◆ In advance means that payment has been received by the SBBA 5 business days prior to the luncheon date.
- ◆ **We are now requiring that a credit card number is provided when making the reservation to ensure payment is made. It is essential that we collect payment from those who make reservations and fail to attend the luncheons.**

IMPORTANT — SBBA EVENT POLICIES

Discounts. The SBBA offers a discount for any person who reserves and pays for an event at least 5 days in advance of the event. Payment can be made by mailing or delivering a check to the SBBA at 3465 Torrance Blvd., Suite C, Torrance, CA 90503, or charging it on a Visa or Master Card by calling (310) 543-9773. In order to receive a discount, payment must be actually received by the SBBA at least 5 business days before the date of the event.

Reservations. Please reserve for events as early as possible. In the event there is not adequate seating at an event, those persons who have reserved and paid for their reservations 3 days or more in advance will be given priority as to seating. Others

will be seated to the extent they can be accommodated. Your early R.S.V.P. and pre-paid reservation will enable the SBBA to ensure that there is adequate seating at its events enable it to avoid being charged for guarantees which are not met.

Cancellation. If the SBBA offices does not receive an adequate number of R.S.V.P.s at least 5 days prior to any event, the event will be canceled without further notice. Anyone who has reserved will be contacted.

Refunds. A full refund will be given if the SBBA cancels an event or if a reservation is cancelled more than 3 business days prior to an event. Otherwise, amounts paid will not be refunded.

TORT TACTICS

Priest Misconduct In The Catholic Church

by Lawrence R. Booth of Booth & Koskoff

We recently concluded a case involving a junior high school teacher who allegedly committed sexual misconduct on his students. The teacher was prosecuted and incarcerated for a substantial period of time. The judgment in excess of \$2 million ran only against the perpetrator and not against the school district (although the perpetrator has substantial assets) because of certain legal issues which are applicable to actions against the Catholic Church. Those issues relate to the statute of limitations and the liability of the Church for the misconduct of a priest.

Statute of Limitations

There is a special statute of limitations in C.C.P. §340.1 which applies to actions to recover damages suffered as a result of childhood sexual abuse. For many years, there was an extended statute of limitations with respect to the perpetrator but not with respect to his employer. That was changed in 1998 and with respect to any lawsuit brought after January 1, 1999 there is an extended statute as to both.

The statute provides that the action may be commenced within eight years of the plaintiff reaching majority or within three years of a certain somewhat variable date, whichever period expires later. The three-year period begins to run from the time when the plaintiff discovers or reasonably should have discovered that he has suffered psychological injury or illness which occurs after

the age of majority but was caused by the sexual abuse. So if the particular plaintiff suffers psychological injury before he reaches majority, then the three-year period doesn't apply. It also doesn't apply if he knows or should have known that the injury suffered after he reaches age 18 was caused by the sexual abuse and more than three years have expired.

In many cases, the plaintiff will have obtained various forms of psychological treatment prior to the date that the complaint is filed and, therefore, the issue will be at what point the requisite "knowledge" triggers the beginning of the running of the statute.

Liability

The usual rules of agency do not apply to the Church nor to almost any other employer when you are talking about sexual abuse. The courts have generally ruled that this kind of conduct is not foreseeable as part of the employment and, therefore, something else is necessary. There have been a number of reported cases on the issue in California and elsewhere. There's a well-known case in California which applies general agency principals when dealing with a police officer because of the police officer's ability to completely control a suspect. The law generally has run the other way with respect to priests, but given the recent revelations across the nation in the Catholic Church, it would seem that this body of law is simply dead wrong and that priest misconduct of this kind is clearly foreseeable.

Prior Notice and Negligent Supervision

If, for some reason, the court in a particular case should rule that the Church is not liable for the priest's misconduct based on agency principals, then it is necessary to establish direct negligence of the Church itself. In the few cases which have been litigated to a verdict as opposed to being confidentially settled, the standard theory of recovery has been prior notice or negligent supervision. To a large measure, and this is especially true in small parishes, Catholic priests are arguably unsupervised except with respect to financial accountings. Given the growing body of evidence that such sexual misconduct is clearly foreseeable, psychological testing, constant supervision, and contact with parishioners are absolutely necessary on the part of those in charge if they wish to avoid a jury finding that the Church is guilty of negligent supervision.

Conclusion

The bottom line on cases against the Church for sexual misconduct of priests against children is that these are cases which require a great deal of skill and experience in order to avoid certain potential pitfalls which may prevent the abused child from obtaining justice. Obviously, abuse of children by a priest is one of the most heinous acts which one can imagine and juries are very unsympathetic to the typical arguments raised by the defense.



Help Low Income Job Seekers In Need Of Interview And Work Clothing By Donating Your Old Business Attire

CLOTHES THE DEAL needs your pre-owned business clothes to give to those in need! *CLOTHES THE DEAL* is committed to helping low-income job seekers look and feel great as they interview for employment. *CLOTHES THE DEAL* does this by giving donated business clothing to job service agencies that prepare people to enter the work force. Your business clothes can help someone in need get their foot in the door and the job they desperately need. Please contact Cheri Ainsworth at *CLOTHES THE DEAL* for a drop-off location nearest you at (310) 530-3665. All donations are tax deductible.

ATTENTION MEMBERS!

The South Bay Bar Association has added two new sections! Please contact Melissa at SBBA (310) 543-9773, if you are interested in being a member of the **Employment Law Section** or the **South Bay Women Lawyers' Section**.

WHAT'S HAPPENING

By James M. Hallett

At Commissioner Marty Blake's funeral mass, Marty's stepdaughter delivered a heartfelt eulogy. She described, among his many endearing traits, his penchant for practical joking, commenting, "I am certain that God has already been short-sheeted at least once."

I see that the local stretch of the 405 has been adopted by **Bird & Bird**.

The Daily Journal has told us why **Long Beach Superior Court Judge J. D. Lord**, formerly our Torrance City Prosecutor, always wears black.

As a ten-year-old boy, he promised God that he would always wear black if God would just let his ailing mutt, Blackjack, live. Blackjack lived a long life.

The profile also reported that, while in the U.S. Marine Corps, Judge Lord learned Vietnamese and worked as a liaison with South Vietnamese troops, resulting in being decorated for a year of combat.

He and his wife are active in the Archer Foundation, a non-profit organization that teaches responsibility towards animals. Blackjack lives on through Wolfman, Whiskey, Lili and Cleopatra.

Welcome to **Judge Eric Taylor**, who has moved from Inglewood to Torrance and will become our supervising judge next year. Judge Taylor will take over Dept. SW "C," and retired **Judges Hollingworth** and **Ideman** will share Dept. SW "A."

A further welcome to newly appointed **Commissioner Richard Novak**, who will be sitting in Inglewood.

Also coming to Inglewood is newly appointed **Vincent Okamoto**. Judge Okamoto is a true local, as a former Gardena City Councilman and a Gardena High School graduate.

Like his colleague, Judge Lord, Judge Okamoto is a decorated Vietnam veteran. As an Army officer from 1967 to 1970 (according to the Daily Breeze), Judge Okamoto was stationed in Viet-

nam as an airborne ranger, infantry platoon leader, rifle company commander and a battalion intelligence officer. He received three (3) purple hearts and was the most highly-decorated Japanese-American to survive the war. He received 14 combat decorations, including a Distinguished Service Cross, the Silver and Bronze Stars and the Vietnam Cross of Gallantry. He retired as a captain.

Judge Okamoto was born in an Arizona internment camp during World War II.

He founded and headed up the Torrance-based Pacific Heritage Bank for many years, and was most recently a partner at Okamoto, Wasserman & Torri.

The Wasserman in that firm is of course **Ron Wasserman**, husband of **Judge Fumiko Hachiya Wasserman**, who just received the Joan Dempsey Klein Distinguished Jurist Award from the California Women Lawyers Association.

The son of Ron and Fumiko Wasserman, **Gavin Hachiya Wasserman**, is now practicing law with his father. Gavin runs a production company with his brother, Steven.

Judge Wasserman was the first woman judge assigned to the Torrance Courthouse, the first woman presiding judge of the South Bay Municipal Court, and the first minority elected official elected in Torrance (she chaired the Torrance Unified School District Board of Education).

Roger Rombro is Scoutmaster of Troop 860 in Hermosa Beach.

Profiling distinguished medical malpractice defense attorney **Bob Reback**, the Daily Journal described how he got his start fresh out of law school: he spent two years skiing in Utah and Mexico, paying the bills by waiting tables and working at a shop repairing skis.

The Daily Journal, also profiling **Judge Lois Anderson Smaltz**, described her large supply of plush toys

and Beanie Babies, which she distributes to the dozens of children whose adoption ceremonies she performs every year.

Debra Lauzon is Chairman of the Board/President of the Manhattan Beach Chamber of Commerce.

Her partner, **Jane Euler**, is Vice-President of Leadership Manhattan Beach. For the years 2000 and 2001, Debra and Jane were recognized as the Community Investment Business of the Year by the Manhattan Beach Chamber of Commerce.

Carl "Skip" Henry has been named the new director of the ICDA, which controls criminal case appointments countywide. He replaces **Cathy Dreyfuss**, the sister of actor Richard Dreyfuss.

Bob Schriebman has volunteered for the State Military Reserve, primarily helping military personnel with legal matters and on call for whatever military emergencies may arise.

Wendy Jones has been honored as the Los Angeles County Bar Association Barristers Domestic Violence Project Volunteer of the Year.

Bob Parsons played for the late, great Al McGuire. Bob was a shooting guard (behind Butch Lee) in the Class of 1980 at Marquette, and Coach McGuire's last year at Marquette was Bob's freshman year, the 1977 season.

Tara McGuinness was the goalie on Santa Clara University's club soccer team.

Many South Bay lawyers knew Long Beach attorney **Charles Downing**, who died June 8, 2002. His death leaves a large hole in the talented pool of criminal defense attorneys in Long Beach.

Commissioner Alvin "Bud" Calof died in May at age 74 after a brief battle with cancer.

Commissioner Calof took the bench in 1975, handling juvenile cases in other areas of Los Angeles County and subsequently in Riverside County.

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PRO-BONO PROGRAM

The South Bay Bar Association has been very busy getting the Pro Bono Program up and running. Judge Andrew Kauffman, Supervising Judge and Darrell Mahood, District Administrator of the Superior Court – Southwest District were both very helpful and made this program possible by providing a room for us to use. We are in the final stages, making the last minute touches necessary before doors open to the public. In the next couple of weeks we will have the program in place, that is, with your help.

Our goal with the Pro Bono Program is to help as many people as possible by providing legal advice free of charge. We are counting on our SBBA and LRS members to volunteer their time. The Pro-Bono Program will be at the Torrance Courthouse, from 9 a.m. to 12:00 p.m. on Wednesdays. Time and day are subject to change. We would like to have two attorneys available per day to begin the program, however, we may need more attorneys on any given day depending on the turnout. We hope you are as excited as we are! This is a great community outreach program to become involved with. Please contact the SBBA (310) 543-9773 if you are interested. Thank you.



Got An Interesting Article or Announcement?

We'd Really Like to Hear About It!

If you have any articles or special announcements on topics which might be of interest to our readers, please send them to us. Articles and/or announcements submitted will be published as space allows and will be subject to editing and approval of content, with final approval for form and content to be under the authority of the Editorial Staff. Articles, announcements and advertising copy are due by the 15th of the month preceding publication. Please submit your contribution (in electronic form if possible) to:

Melissa Rivera, Executive Director
South Bay Bar Association
3465 Torrance Blvd., Suite C, Torrance, CA
90503,
Tel. (310) 543-9773, Fax (310) 543-3273,
Email: Dir4SBBA@aol.com

SBBA Membership Benefits

1. A GREAT ORGANIZATION - The South Bay Bar has an excellent tradition of improving the practice of law. Many of our local judges routinely attend meetings and programs. As a member you can be a part of the legal community in the South Bay and will have the opportunity to expand your practice, meet interesting people and have a good time.

2. PROGRAMS AND SEMINARS - We have informative programs and section luncheons throughout the year. Most all programs and seminars provide MCLE credit.

3. SPECIALTY SECTIONS - Join sections that concern your practice and regularly meet with other attorneys with whom you can share ideas and thoughts.

4. LAWYER REFERRAL SERVICE - As a member you have the right to be a part of the South Bay Bar Lawyer Referral Service. What a great way to increase your practice!

5. THE BARRISTER BULLETIN - Keep up to date on what is happening in the South Bay. The latest developments in our local courthouses, informative articles and recent cases are but a few examples of what you can read about every week.

6. MENTOR PROGRAM - As a lawyer starting out, you can have a mentor who will be available to answer those questions that come up as you are building your practice.

7. MEMBERSHIP DIRECTORY - An excellent way to find an attorney in the South Bay to whom you can refer a case outside of your area of practice.

8. COMMUNITY INVOLVEMENT - As a member, you can be a part of the Adopt-A-Family Program and the Family Law Pro Tem/Mediation Program. Each of these programs provides valuable services to our communities and helps restore the strong reputation that attorneys once had.

9. AMUSEMENT PARKS AND ATTRACTION DISCOUNTS - Receive discount cards for many of our local amusement parks (i.e., Disneyland, Legoland, Six Flags Magic Mountain and Knott's Berry Farm).

10. LOS ANGELES COUNTY BAR ASSOCIATION DISCOUNT - The South Bay Bar is an affiliate of the Los Angeles County Bar Association. As a member you can join the Los Angeles County Bar Association at a reduced amount.

11. DISCOUNTS FROM BUSINESSES - Members can receive a reduced rate from the following businesses: Sousa Court Reporters, UPS, Minuteman Press, COSTCO, and INET Graphics Associates.

Sticker Shock

By Lisa Applegate, President Applegate Insurance Services

Do you have a car that is several years old? Ever gone to look at new ones only to be amazed at how much more the Manufacturers Suggested Retail Price sheet has risen between then and what you last paid for a new car? That is sticker shock!

As an attorney you have probably experienced or are about to experience sticker shock when it comes to the renewal of your professional liability insurance. Many lawyers are finding their premiums have doubled or they are being non-renewed by an insurance carrier that has "left the state".

Why is this happening and what can I do about it?

Why is this happening and is there anything that can be done to alleviate this situation?

To answer the first part of the question it is possible to look at what factors contributed to the rise in rates. In California there have been rising claims costs and increased defense expenses. In the year 2001 some carriers withdrew writing new business in California. Many of these same companies previously relied on their investments in the stock market to bolster their annual results and increase the required surpluses needed to pay claims. In the past two years the equities market has not offered the same positive return on investments as it had did at the beginning of the "softening insurance market" about ten years ago. During the "soft" market the insurance industry used the stocks to offset negative operating results from their underwriting portfolio.

2001 Insurance Market Events

Another issue that has created rate and premium problems was the terror attacks of 9/11. The global re-insurance markets that the lawyers professional liability insurance companies use were hit very hard with claims from that tragic day. Claim payments have been made in the months following 9/11 have also strained the equities markets as underwriters liquidate investments further ex-

acerbating negative results. Some insurance companies in the professional market could not renew or have experienced severe cut backs from their re-insurance partners. This has created a lack of capacity for some carriers and absolutely no capacity for others.

Enron and Others

In addition to the insurance markets being hard pressed as a result of 9/11, the Enron bankruptcy filing and subsequent problems with Arthur Andersen have severely restricted the availability of re-insurance. Both the D & O (Directors & Officers liability) situation with Enron and the E & O (Errors & Omissions liability) with regard to Arthur Andersen have negative implications on the professional liability market and have reduced valuable re-insurance capacity. The same re-insurance markets that insure lawyers' professional liability insurance companies also participate in the re-insurance of accountants, directors and officers of companies as well as many other professional occupations including insurance agents and brokers.

And if all of this were not enough to increase costs, some of the largest writers of professional liability insurance have been down graded by the independent insurance rating organization, A M Best Company from Oldwick, NJ. Many reasons exist why an insurance company or group of companies may have a change in their "Best's Rating". Some may have been downgraded due to loss of surplus, poor claims management, and relying heavily on one or two brokers that were generously compensated through commissions and fees that resulted in a lack of cash necessary to pay current and future claims.

What Can You Do?

Now the question becomes what can be done to alleviate some of the cost that attorneys are experiencing? Some have even contemplated doing without insurance this year.

Continue Coverage and Preserve Retroactive

CoverageIt is imperative to distinguish between coverage and premium. Going without lawyers professional liability insurance would be a dangerous mistake for two reasons.

- ◆ First you would bear the entire cost of a claim and even if you won, the average dense cost is \$ 75,000.
- ◆ Second you would lose all the prior acts coverage and you could never get this coverage back.

There are however a couple of ways to ease the premium increase. One way is to increase the deductible. Many times the deductible is \$1,000 or \$2,500 on an aggregate basis. Ask for a quotation with a \$5,000 and \$10,000 per claim deductible option. Another idea is to lower the liability limit for a year and this will maintain and preserve the prior acts and retroactive coverage.

What's In The Future

The current insurance environment can be described as a "hard market" and it can literally be quite hard for the insured. These conditions historically do not last long and this particular one seems worse because it has been almost two decades since the market has experienced conditions that were this difficult.

So, where do you go from here? There are usually three core issues facing you as a small business person and legal professional. The first issue is quality; the second is service and responsiveness; and the third is the cost or investment.

QUALITY

What can be said about quality? Lasting, solid, reliable. All descriptives that come to my mind. One way of understanding the quality of an insurer comes from the independent rating organization, A M Best & Company of Oldwick, NJ. Two items compose the "Best" rating of an insurer. The first is the quality of customer interactions,

Sticker Shock

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management perceptions and operational consistency against industry norms. This portion of the rating is expressed as a letter grade from a high of A++ to a low of F (in liquidation). What is not expressed is that approximately 60% of all insurers are rated between A++ to A-. When an insurer drops to a B++ or lower, red flags should go up in your mind as to the quality of that insurer.

The next portion of the rating is a numerical grade expressed as a Roman numeral ranging from I to XV. This is merely an expression of the surplus position of that company or group of companies. This is a statement of fact about the size of the insurer. Bigger is not necessarily better. Research the operations and reputation of the insurer in light of current and past insolvencies of lawyers professional liability underwriters.

Another consideration of quality is the insurance coverage terms and conditions that are being offered. Sometimes a quality insurer offers a substandard form of coverage without full disclosure. Today one California admitted, "A" rated insurer is offering a lawyers professional liability policy form that includes malicious prosecution exclusion! If you practice in the personal injury or plaintiff arena, being informed of this condition at the time of a malpractice claim can be devastating and expose you personal assets. Buyers beware!

Customer Service and Responsiveness

Are you a number calling into a call center located in Iowa or Pennsylvania? Or better yet, expected to complete and transact your insurance needs at an internet website? Where do you go for advice on coverage terms and conditions? Where do you submit a claim?

Insurance is a complicated transaction. Though it is a unilateral contract, it is a contract none the less and your obligation to understand the terms, conditions, exclusions and definitions remains yours. Does the call center person or the website designer even have a

California insurance agent or brokers license? Unfortunately many of these questions can only be answered after a problem arises and then is solved or not. Utilize the resources available to you; word of mouth referrals, references, California Department of Insurance records review and your basic instincts of how you want to be treated in your insurance transactions.

Price Cost and Investment

Premium is a promise to pay for a promise to pay. You as the consumer, pay the premium to the agent/broker/insurer. They in turn promise to pay the future claim based on the contract issued. Deductibles, terms, conditions and exclusions dictate the amount of and how a claim is paid. Unfortunately to become intimately knowledgeable of your coverage term, conditions, exclusions and deductibles at the time of a claim is the wrong point at which to become educated.

Everything has a cost or savings. A higher deductible results in a lower premium but a lower claim reimbursement. Expense within the limit of liability results in a savings but reduces coverage. Exclusions may reduce or eliminate critically important coverage expectations. Retroactive dates and prior acts exclusions can totally surprise those who do not fully understand the claims made and reported policy forms used in the lawyers professional liability market. A low premium may ultimately lead to a higher cost when terms, conditions and exclusions are fully factored into the equation.

Next Steps:

How To Balance the Equation

Insurance like many things in life has a "balance" that can be difficult to recognize and then understand. The use of a professional insurance broker that understands the needs and concerns of the customer as well as the marketplace conditions is critically important. Choice of offerings, quality of insurers, perception of service and responsiveness and market competitive premiums

are all part of the equation that needs to be balanced.

Understanding the agenda of the professional organization offering lawyers professional liability insurance is also important. Is there a commission or marketing fee paid to an Association in compensation for their endorsement of a particular policy or source? What level of due diligence has been performed? Often when you dig below the surface of marketing materials you find that the true motivation is the additional source of revenue, not a membership benefit.

Independence is important. If the agent or broker only has one product to sell, how independent can they be in their advice and counsel? If a direct agent or captive sales person for a lawyers professional liability underwriter has the best and most appropriate product, a professional independent agent and broker will recommend and assist the customer in obtaining that product and then ask for the balance of the insurance purchased by that customer.

In conclusion, know your policy, know your insurer and know your sales person. Understand the balance between premium cost and policy terms, conditions and exclusions.



ATTENTION MEMBERS:

The South Bay Bar Association Lawyer Referral Service has added a new specialty section to the LRS, an Alternative Dispute Resolution panel. If you are interested in this new specialty panel, please contact Nicole Watson the LRS Administrator at (310) 543-8777. We hope that this addition will help respond to the needs of the public. If you are not a member of the LRS and would like to join, please contact Nicole.

Hon. Martin J. Blake, Sr., In Memoriam

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to assist in the organization and presentation of a series of divorce seminars that were presented to the general public. He was also an active member of the South Bay Bar Association and a former member of the SBBA Board of Directors.

Beginning in 1975, Marty sat as a Judge Pro Tem in the Superior and Municipal Courts throughout Los Angeles County. He also volunteered as an Arbitrator in the Municipal Court, and as a Mediator in the Family Law courts.

Marty will be remembered by his family and friends as a very religious person, a whimsical and sweet person. I will remember him as a true friend.

Marty is survived by his son Martin J. Blake, Jr., his sister Virginia Heins of Rhode Island, and his former wife Judy Shellenberger-Blake.



President's Message

Continued from page 1

Moreno. We are hoping all of you can come support the SBBA and help make this a night to remember.

On a sadder note, one of our own, Commissioner Martin J. Blake Sr. passed away on July 9, 2002. Commissioner Blake was active in the South Bay Bar Association and also served on the board of directors at one time. He will be greatly missed and always remembered.

Don't forget that we now have added the Employment Law Section for those of you who practice this area of law. Robert Ronne is the section chair and is currently working on getting speakers for future events. If you are interested in joining this section, please contact the SBBA at (310) 543-9773. Also, those attorneys who are interested in the South Bay Women Lawyers' Section, please contact the office as well. Thank you.

Until next time.....

Susan E. Hargrove



Mystery Photo



“No – This is NOT one of our distinguished attorneys”

Actually, no one submitted a new photo for this month's Bulletin. Last month's mystery distinguished attorney was none other than our esteemed President Susan Hargrove. The first members to identify her were George Bird and Colin O'Connor.

Many members have indicated that they really like this column but, unfortunately, you all have been remiss in sending us new "Mystery Photos."

So, if you have a "Mystery Photo" (of yourself or someone else in your firm) please send it to **Jim Hallett or to Melissa Rivera at SBBA.**

Thanks!

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Ad Closing date extended to August 10, 2002!

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SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY
 SOUTHWEST DISTRICT - TORRANCE COURT - 825 MAPLE AVENUE, TORRANCE, CA 90503
 COURTROOM/CALENDAR ASSIGNMENTS
REVISED - JULY 15, 2002

DEPT./ DIV.	PHONE NUMBER	JUDICIAL OFFICER	CLERK	ASSISTANT	CALENDAR
FIRST FLOOR					
H	222-6826	John A. Slawson	Lynn Robinson	Judy Edwards	Family Law
SECOND FLOOR					
2	222-6538	Jesse I. Rodriguez	Shirley Lanares-Ponce	Bernice Guzman	Hermosa Beach, Lawndale, Lennox, Lomita, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Rolling Hills, Rolling Hills Estates Misdemeanor Trials
3	222-6531	Laura C. Ellison	Alicia Brandes	Rebecca Franco	Felony Preliminary Hearings; Misdemeanor Custody Arraignments
4	222-6544	Thomas R. Sokolov	Caren Cole	Susan Delgado	Felony Arraignments and EDP
5	222-6541	Sandra Thompson	Linda Green	Denise Bartholomew	Redondo Beach Misdemeanor Trials
THIRD FLOOR					
A	222-8872	James M. Ideman or William R. Hollingsworth	Robert Fittiing	————	Long-Cause Trials and Small Claims Appeals
B	222-8828	Jean E. Matusinka	Deborah Luna	Monica Lim	Unlimited Civil Cases 01-08, 49-56 and 97
C	222-8832	Eric C. Taylor	Kimberly Crosby	Gina Zucco	Felony Trials Case Numbers ending with 1 and 5
D	222-8836	Bob T. Hight	Elma Oda	Deborah Beckles	Unlimited Civil Cases 09-16, 57-64 and Recusals
FOURTH FLOOR					
E	222-8871	Cary H. Nishimoto	Heather Howell	Marie Pilarca-Loretto	Unlimited Civil Cases 17-24, 65-72 and Recusals
6	222-8841	Dudley W. Gray II	Darrin Oura	Sabrina Thomas	CHP (South Los Angeles), El Camino College, Gardena, Misdemeanor Trials, and Prop. 36 Trials
G	222-8849	Mark S. Arnold	Marcia Bouchelion	Nancy Shimane	Felony Trials Case Numbers ending with 2 and 6
1	222-8851	Deanne Smith Myers	Shelia Bray	Scott Kinoshita	Limited Jurisdiction Civil, UD, Probate
FIFTH FLOOR					
J	222-8855	Glenda Veasey	Beatriz Pelayo-Garcia	Kimberly Smith	Family Law
F	222-8861	Francis J. Hourigan	Marilynn Holcomb	Nancy Shimane	Felony Trials Case Numbers ending with 3 and 9
L	222-8868	Andrew C. Kauffman	Ruth Gilliland	Gina Zucco	Felony Trials - Case Numbers ending with 4 and 8
P	222-3858	Bradley Fox	Michelle Milligan	Cristela Jurbina	Torrance Misdemeanor Trials

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COURT ANNEX, 3221 TORRANCE BLVD., TORRANCE

7	222-6551	Mark H. McGee	Debbie Tillman	_____	Traffic Infractions
8	222-1759	Douglas G. Carnahan	Gipsy Baladad	_____	Small Claims
JUV	222-8879	Nancy Daniels	Lydia Colcol	_____	Juvenile Informal and Traffic Court

BEACH CITIES BRANCH, 117 W. TORRANCE BLVD., (UPPER LEVEL - PIER PLAZA), REDONDO BEACH

9	798-6887	Ramona G. See	Maria Arreola	Loreen Gustafson	Unlimited Civil Cases 33-40, 81-88 and 99
M	798-6896	Lois A. Smaltz	Kerry Padilla	Tess Sangalang	Unlimited Civil Cases 25-32, 73-80 and 98
11	318-8710	William G. Willett	Amy Eubanks	Inez Quintana	Unlimited Civil Cases 41-48, 89-96 and 00

FOR CHANGES, PLEASE CONTACT SANDY TURNER AT 222-6501.

What's Happening

Continued from page 4

Further back than most of us can remember, he was also a much admired Torrance attorney, working with familiar names including **MacCabe, George, Fritz, Ralph,** and **Mills.**

I have been around just long enough to have heard admiring descriptions of Bud's work as a deputy public defender, private attorney and juvenile court commissioner, but not enough to do him justice in this column. So I hereby solicit, dear readers, your remembrances, and, in the meantime, simply dedicate this Bulletin to the memory of two people who did so much to make our local justice sytem work: Marty Blake and Bud Calof.

