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Ensuring That California's Court System Remains Strong And Independent

The Editor interviews The Honorable Ronald M. George, Chief Justice of the Supreme Court of California and Past President of the Conference of Chief Justices of the 50 states and territories.

Editor: How has the structure of California's court system changed in recent years? How have the structural changes helped companies and other parties seeking redress in California's courts?

George: During the last few years, several major reforms of California's judicial system have been undertaken at the initiative of our judiciary. In 1997, California enacted legislation that transferred from the counties to the state the responsibility for funding the trial courts. This structural change has delivered on its promise of providing more stable and secure resources for the courts statewide.

In 1998, the voters approved a constitutional amendment that led to the unification of 220 municipal and superior courts into 58 trial courts, one in each county. This consolidation has proved to be instrumental in providing local courts with the flexibility to employ all resources, judicial and administrative, in the most effective and efficient manner.

The new funding system and other operational and administrative improvements have enabled the judiciary to focus on statewide solutions, equal access, and long-term needs and planning, together with accountability and responsible administration. As a result, the court system has been able to weather the state's fiscal storms better than would have been possible under the previous system.

These changes also have enabled us to engage in a multitude of measures designed to expand access to justice, from jury reform to the establishment of drug and domestic violence courts. Of particular interest to corporate counsel are the establishment of complex litigation courts in several large counties, providing specialized handling of business and mass tort cases, and the ongoing effort to extend uniform statewide rules of court into additional areas of practice.



The Honorable Ronald M. George

Editor: Are there any differences between California's complex litigation courts and those in other states?

George: The complex litigation courts in California handle more varied dockets. The business courts in New York and the chancery courts in Delaware specialize in business cases. Like other states' specialized courts, the complex litigation courts in California adjudicate securities, antitrust and other business litigation. In addition, the dockets of these California courts include a broader range of the public's disputes, such as environmental, toxic tort, class action, and construction defect cases.

Editor: What has contributed to the success of the California courts' management of complex litigation?

George: While considering whether to adopt specialized courts for han-

dling complex litigation, the judiciary adopted rules to enhance efficiency in complex case management by requiring uniformity in litigators' practices. In addition, the courts handling such litigation have expanded staff and specialized training for their judges. Technical resources also have been augmented to help ensure that the required tools are available for effective judicial administration of complex litigation.

Editor: Please give an example or two of the next generation of changes under consideration that would help the court system continue to provide essential services and equal access to justice.

George: One area under exploration is amending the judicial article of the California Constitution, Article VI. Among other changes, this proposal

LawyerLinks Upgrades Its Online Electronic Research Tool

To further assist legal professionals in their research efforts, LawyerLinks Advantagesm – the first topic-based online electronic research tool – has been upgraded to include a variety of enhanced and simple-to-use features offering instant access to relevant legal precedent, practice and source materials. These advances (Release 1.2.0.) significantly reduce the amount of research time expended by legal research personnel and provide other benefits such as cost-recovery Client/Matter ID tracking and detailed usage reports.

“Our goal is to tailor our service to best meet the needs of legal researchers, and to make their jobs as productive as possible,” said Eric Korb, managing partner and COO, Lawyer Links, LLC. “With this in mind, we surveyed current users to see how the Advantage could be even more beneficial and time-saving, and added these new features based on their feedback.”

Other highlights include convenient Personalization/Collaboration Tools that allow users to access LawyerLinks Advantage from any Internet browser; by simply signing on with their User ID, they can email links to research results directly to colleagues and clients. “This is a great feature for advisors, especially if they are on the road because it allows them to collaborate with clients and review the research results from any location,” Korb said. “It also eliminates the need to print out and physically mail

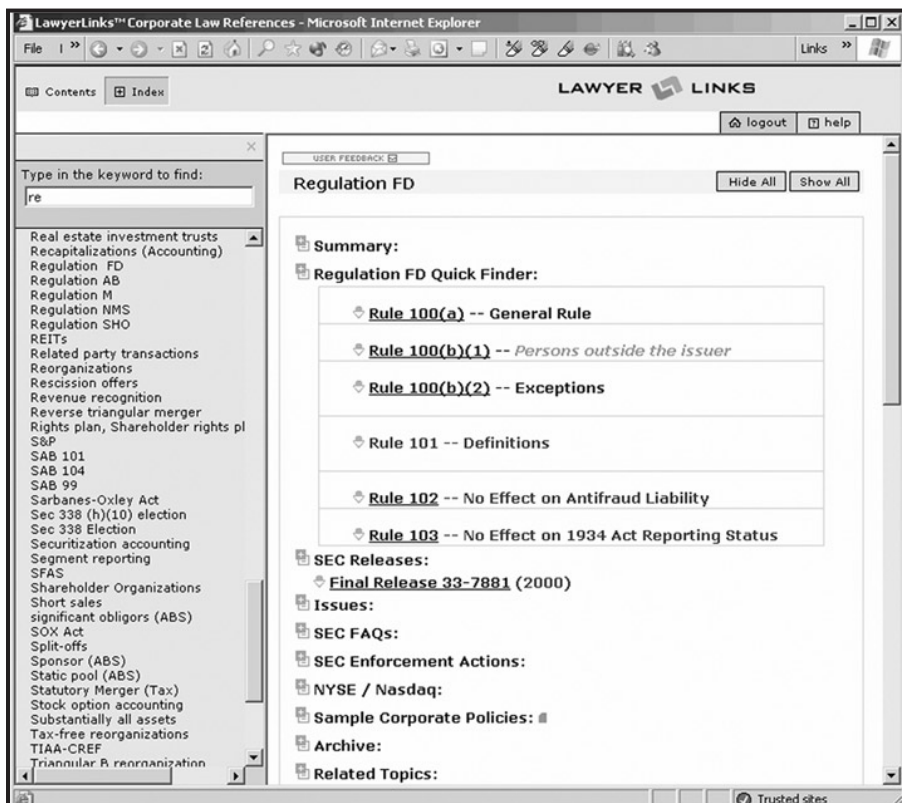
the research results, which can become cumbersome,” he added.

For added convenience, a new Cost Recovery Client/Matter ID Tracking feature allows users to easily track session times by Client/Matter ID. Our method does not require users to log out and log back in again to change the ID; this information can be entered any time during a session, or turned on/off as necessary. Returning users are automatically provided with the last ID entered.

Additionally, to enhance cost savings and security, the system automatically logs out of the session after 20 minutes of inactivity. If users are suddenly interrupted or called away from their desk for an extended time, the system will log out; but it will also remember the last page viewed, as well as the Client/Matter ID.

Additional features include an enhanced user interface status bar, which provides current activity information such as LawyerLinks System Status Messages, Client/Matter ID, and Page Title. And users now have the ability to save a favorite topic page’s location using the Advantage’s interface. Saved bookmarks are easily accessible using Internet Explorer’s favorites.

LawyerLinks Advantage is offered on a subscription or pay-as-you-go basis. For more information, visit www.lawyerlinks.com or call (877) 651-5331.



LawyerLinks Advantagesm

Hon. Ronald M. George

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would place in the Constitution provisions intended to ensure stable base funding, provide a mechanism for the creation of necessary new judicial positions, create an independent commission to review and adjust judicial pay, expressly incorporate the Supreme Court’s authority over the State Bar into constitutional language modeled on judicial opinions describing this authority, and mandate the Judicial Council to establish policies to promote access and the fair administration of justice. It also requires the Chief Justice to deliver an annual State of the Judiciary address to the Legislature – something I have done since 1996.

Editor: Violent and tragic events involving judges, court employees, lawyers, witnesses and litigants have made front page news. What can be done to alleviate the physical vulnerability of the state’s courthouses?

George: The Court Facilities Act of 2002 put in place a multi-year process for transferring the ownership of California’s 451 courthouse facilities from the counties to the state under judicial branch management, financed by filing fees and court-generated revenue. To complete the process, we anticipate submitting a statewide bond measure to the voters to provide for courthouse construction, modification, and maintenance.

In addition, the judiciary has been working in strong partnership with the Sheriffs’ Offices to improve court security.

Editor: Since 1980, the total number of judges in the trial courts has grown by approximately 20 percent – but the total population in California grew by more than 50 percent in this period and by much more in some areas of the state. How is California addressing the existing shortage of judicial positions?

George: Senators Dunn and Ackerman have introduced Senate Bill 56 to create

critically needed new judicial positions. Although a National Center for State Courts study shows that the addition of more than 350 judicial positions would be justified, we anticipate that the bill will focus on the 150 most needed positions, adding 50 positions in each of three successive years. Furthermore, some of the subordinate judicial officer positions would be converted to judgeships.

Editor: Why would you encourage corporate counsel to contribute pro bono services?

George: Many individuals who otherwise would be without legal assistance gain meaningful access to justice through the provision of pro bono services in family law matters and in dealing with immigration issues, handling eviction suits, obtaining medical or other social services, and addressing a myriad of problems that otherwise would remain unresolved.

The problem of unrepresented litigants remains acute. As shown by a recent survey, the cost of counsel is a barrier to going to court for far too many Californians. Unassisted self-representation often results in frustration, anger, and distrust of the system on the part of litigants, and may hinder a court in the efficient resolution of its caseload.

Corporate counsel can have a major impact. By committing to pro bono services, you can make a very concrete difference in the lives of families and individuals. You can use your skills in countless ways, and thus participate in efforts to strengthen our justice system. And, I can assure you that the rewards you personally reap will far outweigh your expenditure of time and effort.

Editor: Thank you, your Honor, for sharing with our readers a few highlights from your State of the Judiciary address delivered this past March. Where can they learn more?

George: The California judiciary provides many resources for the public on our website, and my full State of the Judiciary address can be read at www.courtinfo.ca.gov/reference/soj031505.

Partners Notes

Pitney Hardin Attorney Receives Lifetime Achievement Award

Pitney Hardin LLP attorney Robert L. Hollingshead has been honored for his significant contribution to the legal profession with a Lifetime Achievement Award from the Morris County (NJ) Bar Association.



Robert L.
Hollingshead

The award, presented at the Association’s annual awards dinner, recognizes Mr. Hollingshead as “Having advanced the cause of our legal system, contributing to the progress and development of the law and the profession,

for having participated in and supporting the activities of the organized bar of New Jersey, and for having developed a reputation as a leader in the legal community.”

Mr. Hollingshead is a partner in Pitney Hardin’s Litigation Department and is the chair of the firm’s Conflicts and Ethics Committee. His practice focuses on the defense of product liability, toxic tort, and negligence claims. He also has a substantial practice representing clients in commercial and employer’s liability litigation. He joined the firm in 1976, when he started the firm’s product liability, toxic tort and personal injury practice, and became a partner in 1978.

Coming in February:

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