



CAALA President

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 **Consumer Attorneys**
ASSOCIATION OF LOS ANGELES

Journal of Consumer Attorneys Associations for Southern California
ADVOCATE

December 2021

Ends are not bad things

WE CAN SEE THE FUTURE OF CAALA THROUGH THE LENS OF LAST YEAR'S ACCOMPLISHMENTS

"Ends are not bad things, they just mean that something else is about to begin. And there are many things that don't really end, anyway, they just begin again in a new way." -C. JoyBell C. In my last column as President of CAALA I will focus on the future of CAALA and the legal community through the lens of the past year's accomplishments.

In my speech at CAALA's 2021 Gala, I talked about making great strides in the further development of CAALA's commitment to diversity, equity, and inclusion. I'm thrilled to report that on November 8, 2021, along with Association of Southern California Defense Counsel ("ASCDC"), CAALA hosted its first ever webinar on Microaggressions and Implicit Bias. We featured perspectives from the Los Angeles County Superior Court leadership, chief among them Presiding Judge Eric Taylor, Judge Ruth Kwan and Judge Helen Zukin. The judges were candid about their experiences as well as how they would address issues that occur in the courtroom.

The trainers for the Implicit Bias webinar were the phenomenally knowledgeable and skilled Carol Ross-Burnett and Camille Gear Rich who were so capable in their facilitation of the dialogue that attendees felt comfortable engaging via an extensively populated chat feature. There were close to 600 energetic attendees on the webinar. Put simply, the CAALA community clearly craves an open discussion and practical training about these issues.

I extend special thanks to CAALA Second Vice President Ibiere Seck and Diversity, Equity & Inclusion ("DEI") Committee Chair Denisse Gastelum for their outstanding work in preparing the Implicit Bias program, on which we have been working since early March. Implicit bias training will become a signature program from which change will come. I'm thrilled to say that ASCDC, CAALA, and the Los Angeles County Superior Court leadership are committed to hosting implicit bias training on an annual basis.

As part of Presiding Judge Taylor's commitment to providing additional opportunity to historically marginalized attorneys, beginning January 1, 2022, the court is implementing a new Local Rule 3.47 and amended Local Rule 3.93.

These rules will allow courts discretion to grant requests by counsel to permit less-experienced attorneys to argue motions or perform trial functions alongside a supervising attorney. Additionally, along with CAALA, ASCDC, ABOTA, ABTL, and LACBA, the court is developing a civil trial advocacy training program that will include lectures and demonstrations by top trial bar leaders and will be recorded and available for free on the court's website. We have outlined the program and expect to begin recording initial trainings in December.

CAALA recently completed its 2021 in-person Plaintiffs' Trial Academy ("PTA") in which 36 lawyers were trained by top trial lawyers in every aspect of trial practice. Started by Past President Mike Arias, CAALA's PTA has graduated over 200 lawyers who have gone on to try cases and become leaders in the legal community. We offer sincere thanks to Mike for starting and leading the PTA for many years and for his dedication to CAALA. This is Mike's last year on CAALA's Executive Committee and it is no understatement to say that his leadership has had an incredibly positive impact on the organization. Mike will be missed in Executive Committee meetings, but we know that he will always be here to help CAALA protect consumers and its members.

Another of this year's key initiatives has been Resolve Law Los Angeles ("RLLA"), which is CAALA's virtual volunteer-staffed Mandatory Settlement Conference ("MSC") program, implemented in conjunction with ASCDC, for PI Hub cases in the Los Angeles County Superior Court. The program has been a terrific success – from its launch on June 1, through November 12th we have conducted 177 virtual MSCs staffed by one Plaintiff and one Defense lawyer for the free three-hour settlement program. RLLA has settled or negotiations are continuing in 103, or 58%, of the cases that have proceeded through the program. The RLLA program is such a success that we are expanding it to service employment cases in the IC courts before the end of 2021.

I have written many times throughout the year about the State Bar's efforts to hand the practice of law to corporations who are trying to mount a hostile takeover of the plaintiff's side of the v. The State Bar's

so-called "Closing the Justice Gap Working Group" ("CJGWG") is on a mission to authorize corporations to practice law, yet insists on not holding them to the same ethics and practice standards that lawyers have to meet. The CJGWG wants corporations to be able to gather the sensitive client data that can be obtained from consumers, and then *sell that data* for profit.

Protecting consumers through the adversarial process by lawyers who have fiduciary duties to put their clients' interests ahead of their own is a core American principle. However, corporations owe a fiduciary duty to their shareholders to maximize profits. These fiduciary duties directly conflict. The fight against the State Bar's ill-conceived efforts is truly a fight against an existential threat which will be won or lost in 2022. It's that important, which is why I spend so much time informing all of you about the status of these issues and asking for your participation in the resistance efforts.

Though there are so many more initiatives and achievements by CAALA in 2021 about which I am proud, I have to address a consequential event for CAALA, which is Executive Director Stuart Zanville's retirement at the end of the year. Stuart has been with CAALA for 17 years, has mentored hundreds, if not more, lawyers, always guiding with a steady hand and patient ear. CAALA would not be the powerhouse local trial association it is today without his service over the years. You will see many warm wishes to Stuart in this edition of the Advocate magazine, which is the last that will be published during his tenure as Executive Director. It is an understatement to say that we will miss Stuart and his leadership. To Stuart, we say thank you so much for your service, encouragement, and commitment to us as lawyers and to the clients we serve. We wish you the best in your retirement.

And so, for my farewell. I know that CAALA will be well-served under 2022 President Doug Silverstein, the dedicated Executive Committee, and the phenomenal CAALA staff. I will still be here, fighting for our causes, and look forward to learning from and being inspired by as many of you as possible. It has been my honor to serve as CAALA's 2021 President and I look forward to seeing all of you soon.