



LEGALITIES

September/October 2009

Volume XX No. 4

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PRESIDENT'S REPORT NALS of Orange County President, 2009-2010 Caryn Wolchuck, PP, PLS, CPS/CAP

Where will you be on **October 8, October 9 and/or October 10** of this year? I hope that you're all planning on attending the NALS Annual Conference and Educational Forum being held at the Hyatt Regency in Irvine. Several of your fellow members will be there earning more than a dozen hours of CLE credit while networking with members from all around the country in a business-like yet casual setting. Educational speakers include judges, attorneys and office administrators and I'm sure you won't want to miss it!

And now, NALS is offering you a chance to not miss the conference! If you want to find out what a national conference is all about, but just can't afford the time off from work, you can attend the first session on Thursday morning at 9:00 a.m. for free. The session will be presented by Justice Edward Wallin. The session description is: *We all know what ethics are and "black and white" situations are easy to decide correctly. But what about those gray areas? How do ethics tie in with court procedures and the appeal process? Justice Edward Wallin, a mediator with Judicial Arbitration and Mediation Services (JAMS), is well known for his fair-minded and pragmatic approach to resolving the toughest cases. Wallin will present "Sense and Sensibility" on Thursday, October 8 from 9:00 a.m. to 10:30 a.m. providing attendees ethical codes we should follow—at the office and in our personal lives.* This special ethics session is open to the entire Orange County legal community, including legal assistants/paralegals, legal secretaries, legal administrators, and students at no charge. However, you must register to attend. You can register by emailing Jennifer Reed at the NALS Resource Center at reed@nals.org.

Where you will be on **Saturday, September 12**? We hope you will join us as we bake cookies for the residents of the Orange County Ronald McDonald House 1:30-4:00 p.m. Feel free to bring friends and children who may be interested in helping. Please see page 18 of this issue for more details.

And finally, we hope to see you on **Wednesday, September 9** for our monthly educational dinner meeting. Our speaker is Laurie Levenson. She is the William M. Rains Fellow and Director for Ethical Advocacy at Loyola Law School, and is a frequent television commentator on criminal legal issues. Come learn about *The Do's & Don'ts In Trial Using High Profile Cases To Demonstrate The Good, The Bad And The Ugly*. See page 4 of this issue for more information.

See you all very soon!

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2009-2010
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NALS MISSION STATEMENT

NALS is dedicated to enhancing the competencies and contributions of members in the legal services profession. NALS accomplishes its mission and supports the public interest through:

- Continuing legal education and resource materials;
- Networking opportunities at the local, state, regional, and national levels;
- Commitment to a *Code of Ethics* and professional standards; and
- Professional certification programs and designations.

NALS CODE OF ETHICS AND PROFESSIONAL RESPONSIBILITY

Members of NALS are bound by the objectives of this association and the standards of conduct required of the legal profession.

Every member shall:

- Encourage respect for the law and the administration of justice;
- Observe rules governing privileged communications and confidential information;
- Promote and exemplify high standards of loyalty, cooperation and courtesy;
- Perform all duties of the profession with integrity and competence; and
- Pursue a high order of professional attainment.



SAM'S CLUB ANYONE?

NALS has just announced another affinity program offered to its members! If you would like to join Sam's Club, now is the time. Log onto the NALS website, www.nals.org, and click on the link under "Association News." From there, you will be prompted to log onto the "Members Only" portion of the website, and you will need to enter the membership password. If you do not know what the password is, please email any of your officers or chairs.

Sam's Club Advantage Members can enjoy discounts on merchandise, services, and more, and annual Advantage Membership (two membership cards) is just \$40. Once you log in, you can print out a coupon which will give you a \$10 gift card when you join or renew your membership, and it's valid only for members of NALS!



Birthdays:

- o Linda Droege - 9/3
- o Doreen Bandy - 9/5
- o Marla Mohr - 9/6
- o Andrea Hughes - 10/20
- o Leslie Wolchuck - 10/22
- o Paula Williams - 10/25
- o Teryn Spencer - 10/26



Anniversaries:

- o Carrie Gagne - 2 years
- o Jennifer Kabashima - 6 years
- o Maria Hernandez - 8 years
- o Marla Benay-Alexander - 6 years
- o Mary Stamper - 2 years
- o Stephan Brown - 1 year



NEWS FROM



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THE NALS FOUNDATION

The NALS Foundation puts your dollars to work for YOU! Annual Investment Circles are a tax-deductible opportunity for you to support the NALS Foundation's efforts to expand educational and networking opportunities for all professionals.

Individual Gift Circles:

- Friends - \$100 or more
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Organizational Gift Circles:

- Bronze - \$400 or more
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You can make a contribution to the NALS Foundation as an individual or an organization. your support of the NALS Foundation qualifies as a charitable contribution and is deductible for federal income tax purposes to the maximum extent provided by law.



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If any of our readers or vendors are interested in advertising in this bi-monthly publication of NALS of Orange County, please contact:

Leslie Wolchuck / Karen Becker, PP, PLS
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advertising@nalsoc.org

Our advertising rates for *Legalities* are as follows:

Business card	\$15.00
Quarter page	\$22.00
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HIGH PROFILE CASES

Come Learn About the Do's and Don'ts in Trial
Using High Profile Cases to Demonstrate the Good,
The Bad and the Ugly

Speaker:

Laurie Levenson, Esq.
*William M. Rains Fellow and Director for
Ethical Advocacy at Loyola Law School*

Wednesday, September 9, 2009

Registration/Networking: 5:30 p.m. / Dinner: 6:15 p.m. / Program: Immediately following

LOCATION: Radisson Hotel, 4545 MacArthur Boulevard, Newport Beach
COST: Members/Students: \$29 / Prospective Members: \$33
CLE CREDIT: One (1) hour



Reservations may be made by calling Sharon Olson at Legal Staffing Group at (949) 252-1133 or by sending your check made payable to NALS of Orange County to Legal Staffing Group, 1001 Dove Street, Suite 270, Newport Beach, CA 92660. Vegetarian or fruit plates available but must be requested in advance. **DEADLINE FOR RESERVATIONS IS NOON ON THE MONDAY PRIOR TO THE MEETING.**

Reminder About Our Monthly Meetings: We are required to guarantee a number of attendees to the hotel, which is determined by the number of reservations made. We enforce a 48-hour cancellation policy, so if you fail to cancel your reservation within 48 hours of the meeting, or don't attend, you will be charged the cost of the meeting. If you have any questions, please contact Legal Staffing Group at (949) 252-1133.

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PRO BONO WORK FOR THE PUBLIC GOOD

Learn how to provide assistance to your community with a wide array of civil legal issues involving discrimination, education, employment, health care and many other areas of civil law.

Speaker:

Kristen Kreyman, Esq.
Pro Bono Director, Public Law Center

Wednesday, October 14, 2009

Registration/Networking: 5:30 p.m. / Dinner: 6:15 p.m. / Program: Immediately following

LOCATION: Radisson Hotel, 4545 MacArthur Boulevard, Newport Beach

COST: Members/Students: \$29 / Prospective Members: \$33

CLE CREDIT: One (1) hour



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THINK BIG!

CALIFORNIA SUPERIOR COURTS UPDATES

<p style="text-align: center;"><u>LOS ANGELES SUPERIOR COURT:</u></p> <ul style="list-style-type: none"> • Effective July 15, 2009 • Closed every third Wednesday of the month • Furlough day is a court day, a NOT a holiday: it does NOT change filing deadlines • Drop box to be made available for filings on furlough days • Visit www.lasuperiorcourt.org for more information 	<p style="text-align: center;"><u>ORANGE COUNTY SUPERIOR COURT:</u></p> <ul style="list-style-type: none"> • Effective September 16, 2009 • Closed every third Wednesday of the month • Closed on December 30, 2009 • Visit www.occourts.org for more information
<p style="text-align: center;"><u>RIVERSIDE COUNTY SUPERIOR COURT:</u></p> <ul style="list-style-type: none"> • Effective July 1, 2009 • Cross-Court filing program eliminated. Documents must be filed in the court in which the case is pending. • Does not apply to Notice of Appeal filings • Visit www.riverside.courts.ca.gov for more information 	<p style="text-align: center;"><u>VENTURA COUNTY SUPERIOR COURT:</u></p> <ul style="list-style-type: none"> • Effective July 1, 2009 • Clerk's offices will be close at 4:00 p.m. • Phone hours change to 8:00 a.m. - 11:30 a.m.; 1:30 p.m. - 4:00 p.m. • Drop boxes will be provided outside clerk's offices • Exterior walk-up window on the north side of the building will be open until 7:00 p.m. for criminal/traffic and collection matters • Visit www.ventura.courts.ca.gov for more information
<p style="text-align: center;"><u>SAN BERNARDINO SUPERIOR COURT:</u></p> <ul style="list-style-type: none"> • Effective September 16, 2009 • Closed every third Wednesday through June 2010 • Visit www.sb-court.org for more information 	<p style="text-align: center;"><u>SAN DIEGO SUPERIOR COURT:</u></p> <ul style="list-style-type: none"> • Effective September 16, 2009 • Closed every third Wednesday through June 2010 • Visit www.sdcourt.ca.gov for more information

No matters will be scheduled on these days. All matters already calendared for hearing on a scheduled court closure day will be re-scheduled and the parties noticed of the new date. Pursuant to the provisions of Government Code section 68106, these closure dates will not count as an official court day for purposes of calculating time for statutory deadlines.



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EVERYDAY WAYS TO MOVE MORE

- Clean your house like company is coming.
- Use a hand basket instead of a grocery cart at the supermarket, and carry your own bags to the car.
- Instead of paying someone else, do your own painting, household repairs and yard work.
- Help a friend move, rearrange your furniture, carry your toddler while you shop.
- Wash the car instead of watching television when you get home from work.
- Walk around the airport terminal when you're waiting for a flight. Stay in hotels with fitness facilities or that are within walking distance of business meetings.
- Keep hand weights and other exercise equipment with your television remote so you'll remember to use them when you watch TV.
- Volunteer to clean up a local park or roadway.
- Play catch, Frisbee, or hopscotch with your kids. If you don't have a child, play tug of war with your dog.
- Find reasons to walk whenever you can, even if it's just to take the stairs instead of the elevator or deliver a message in person rather than send an e-mail.

YOUR PROFESSIONAL TOOLKIT

Dee Beardsley, PP, PLS
NALS President 2008-09

Everyone has heard the *Capitol One* commercials which end with "What's in your wallet?" implying that having this card prepares you for anything. Well, who would have thought two years ago that our profession would endure layoffs affecting partners, associates, staff, and the curtailment of law school recruiting? How will your job be different two years from now? Will your position even exist in its present form in five years? In 10 or even 20 years? And over this time, what will happen to the firm you work for now?

We really don't know what the future holds. What we do know for certain is that change is a constant in the workplace. This means that what we are doing now will be different in the future.

How can you predict and prepare for this workplace of the future? What should you be doing now to make sure you don't find yourself facing a dead end in your career, with no opportunity to change direction without crashing?

There are some strategies you can begin pursuing now to keep your skills current and your opportunities open. Pick and choose from among them to build your unique Professional Toolkit. And remember, as your own circumstances change, your kit may need to adapt as well. Refer back to this list often and take inventory of what you should be doing either differently from, or in addition to, what you are doing now.

Get and remain tech-savvy. Much of the change we see has to do with new technology. We keep finding faster and leaner ways to do things. Force yourself to keep your technical skills current, even if new developments don't seem directly related to your current job. Otherwise, you'll get left behind and may have to catch up a huge amount before you can head off in a new direction in the future. If that means learning the newest online tools like e-filing, blogging and web conferencing, do it. If you're in a highly technical field of work, be proactive and stay current - even when your firm does not.

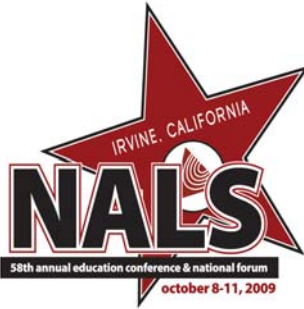
Develop your competencies, skills, and experience. Along with technical skills, it is critically important to continue your professional development to remain in demand in the marketplace. You need to develop the transferable skills that are universally sought by employers. Leadership, communication, innovation, stress management, and interpersonal skills are all fundamental requirements of the jobs of today and tomorrow. Here are some ways to do this:

- Choose two competencies or skills to improve each year. Monitor and track your progress.
- Develop a five-year learning plan to acquire the knowledge and education you need.
- Develop cross-functional skills. Beyond a certain stage in your career and in uncertain environments, specialization is no longer the route of choice. It can pay off for some; however, it has high risk of obsolescence attached.

Your specific technical skills may get out of date. That's why you see nurses with business skills and technology experts with financial experience. A broad range of competencies, skills, and abilities can help you secure a new job or may even open the door to working in a new industry.

Join (and get involved in) your professional association. Even if you are lucky enough to be employed at a firm renowned for having the latest technology, NALS can help you develop the competencies, leadership skills and a familiarity with practice areas outside your current field, not to mention certifications and networking that go well beyond the technical skills you need in your current role. These professional development skills form a great foundation for a successful career.

What's in your toolkit? Your NALS membership card should be the first item.



**NALS 58th Annual Education
Conference & National Forum**
October 8–11, 2009
Hyatt Hotel • Irvine, California

EXHIBITOR INFORMATION

For information about space availability, costs, and set-up.

Contact:

Jennifer Reed

reed@nals.org

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HERE'S A GOOD TIP

If meeting new people pumps up your stress level, learn to listen carefully and ask questions (like who, where, what, when, and how) to make conversation easier. This will take the pressure off yourself to come up with clever responses and make the other person feel like you're genuinely interested in what they are saying!

*Source: Good-bye to Shy, by Leil Lowndes
McGraw-Hill Publishers*

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LISTEN TO THE MONEY PROS

Here are 11 websites that the money pros turn to when they need answers:



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See if you are eligible to join a credit union: CULookUp.com



Find the best credit card for you, based on your particular credit situation: indexcreditcards.com and lowcards.com



Get a grip on your finances with free money tracking and budgeting tools: Quickenonline.com and mint.com



Get quotes for auto (insweb.com) and life (accuquote.com) insurance, or find an independent agent (iiaba.net)



Find out if COBRA is your best health coverage choice if you lose your job: cobraoptions.info



Check on insurers' complaint ratios: naic.org (click on "Consumer Information Source")



Are you over - or under - withholding on your income tax? Go to paycheckcity.com



Look up expenses on the funds in your retirement plan. Visit Morningstar.com and click on "Tools"; under Portfolio Tools," click "Instant X-Ray"



Can you afford to retire, say, yesterday? Find out at firecalc.com



Play "what if?" with an impressive array of financial calculators: dinkytown.net

Source: *Woman's Day*, September 1, 2009





NALS will be supporting Knots-of-Love at the conference in Irvine in October. If you are not attending the conference, you can still make a contribution to this worthy organization.

As a reminder, Knots-of-Love was chosen as one of 30 All Stars Among Us by Major League Baseball last month and was the organization selected by the California Angels. The founder, Christine Shively, was one of five people featured in a video by Presidents Obama, Bush Jr., Clinton, Bush Sr. and Carter about service to the community. If you would like to see the video, click on <http://www.serve.gov/>.

Knots-of-Love collects hand-crocheted caps to be donated to cancer centers around the country. If you crochet or knit, please visit <http://www.knots-of-love.org/> for the pattern and more information about the charity. Be sure to read the information about the types of yarn to be used so that the recipients are comfortable. Most of the yarns are available at either Michaels or Joann's and some of the brands include: CARON SIMPLY SOFT (Michaels & Joann's), MOON & STARS RED HEART (Michaels & Joann's), BERNAT SATIN SPORT (Michaels & Joann's), NATURALLY CARON SPA (Joann's), LION MICROSPUN (Michaels & Joann's), LION COTTON EASE (Michaels & Joann's).

For more information, click on this link:

http://www.ondemandwebsite.com/myadmin/webpage/u/302_kolacceptable yarnlist.pdf

If you're going to be in Irvine, you can bring the caps with you (they won't take up much room in your suitcase!). If you're not going to be in Irvine, or would prefer to deliver the caps ahead of time, you can mail them to Caryn Wolchuck, PP, PLS, CPS/CAP, Thomas Whitelaw & Tyler, 18101 Von Karman Avenue, Suite 230, Irvine, CA 92612.

Thanks to those of you who have already shipped some caps and monetary donations to Caryn. The recipients of Knots-of-Love caps, handmade with love by special volunteers, appreciate it!



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BAKERS WANTED



Who loves cookies? I know I do! NALS of Orange County is off to the Ronald McDonald House in Orange to bake cookies for the families staying there, and we'd love for you to join us. Please mark your calendars for Saturday, September 12th, 2009, from 1:30 p.m. - 4:00 p.m. and RSVP to me, Karen Sussman, Community Services Director, at (888) 822-DEPO (3376). You won't want to miss the fun!

NALS Community

maximizing your potential

Be a Part of the NALS Community

What is the NALS Community?

It is an on-line community made up of legal professionals—Legal professionals who are eager to exchange information and ideas about anything or everything.

Who can join the NALS Community?

Anyone can join the NALS Community. To be a part of the NALS Community, go to: <http://nalsnet.ning.com/>

Does it cost anything to join the NALS Community?

The NALS Community was created using a free service called Ning to host the community. There is no cost to you for joining.

What kinds of topics are discussed on the NALS Community?

Topics range from future conferences, webinars, employment tips, marketing yourself, Major League baseball, etc. You can post comments to existing topics or you can start a new discussion on any topic.

What are the benefits of joining the NALS Community?

You can network with some wonderful people. You receive a lot of helpful information. You can check out the NALS Community 24 hours a day / 7 days a week.

What are other features of the NALS Community?

You can send a private email to anyone who is part of the NALS Community. You can post photographs of anything (please keep it clean). You can use Ning to host your own social network with your friends and co-workers. Also, the NALS Community is a good way to bounce ideas off of one another without anyone having to travel or to call someone which is, of course, a great feature during these tough economic times.

When you get there, search for the NALS of Orange County Group and join us!

The NALS Community is user-friendly. So, what are you waiting for? Be a part of the NALS Community now!



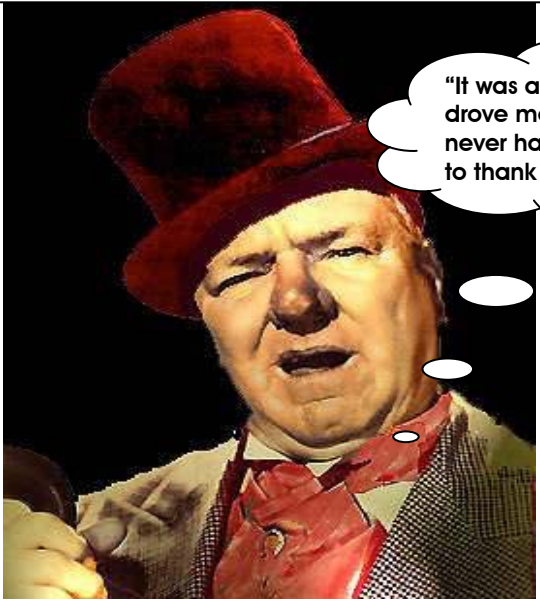
Region 8's *Think Big*
Entry for the
NALs Foundation
Purple Carpet Gala

Dee "Mae West" Beardsley, PP, PLS Patti "W.C. Fields" Infanti, PP, PLS

"Come on up and see me sometime."



"It was a woman who drove me to drink, and I never had the courtesy to thank her."



Karen Becker "My Little Chickadee (aka Annette Funicello)" Becker, PP, PLS

"M-I-C, see you real soon, K-E-Y, why because we love you, M-O-U-S-E!"



Please help Region 8 win this contest at the NALS Foundation Purple Carpet Gala in Irvine, California. The entry that collects the most money for the NALS Foundation¹ will win, and with Dee Beardsley, PP, PLS, Patti Infanti, PP, PLS, and Karen Becker, PP, PLS dressing up and playing the parts of Mae West, W.C. Fields, and "My Little Chickadee"² (aka Annette Funicello)" we are sure to be the talk of Hollywood! Please **Think Big** and make a donation to help Region 8 win this contest and to help the NALS Foundation. Send your donations (cash or check made payable to "NALs Foundation") to: **Karen McElroy, PP, PLS at 11138 W. Ashland Way, Avondale, AZ 85392. E-mail: ksm@tblaw.com** Thank You!!!

¹ NALS Foundation is a 501(c)(3) charitable organization and donations are tax deductible to the full extent permitted by law.
² The movie "My Little Chickadee" starring Mae West and W.C. Fields was made in 1941, and Annette Funicello was born in 1941.



THE 25 GREATEST LEGAL TV SHOWS



-  L.A. Law (1986-1994)
-  Perry Mason (1957-1966)
-  The Defenders (1961-1965)
-  Law & Order (1990-)
-  The Practice (1997-2004)
-  Ally McBeal (1997-2002)
-  Rumpole of the Bailey (1978-1992)
-  Boston Legal (2004-2008)
-  Damages (2007-)
-  Night Court (1984-1992)
-  Judging Amy (1999-2005)
-  Owen Marshall: Counselor at Law (1971-1974)
-  JAG (1995-2005)
-  Shark (2006-2008)
-  Civil Wars (1991-1993)
-  Harvey Birdman, Attorney at Law (2000-2007)
-  Law & Order: Criminal Intent (2001-)
-  Murder One (1995-1997)
-  Matlock (1986-1995)
-  Reasonable Doubts (1991-1993)
-  Law & Order: Special Victims Unit (1999-)
-  Judd for the Defense (1967-1969)
-  Paper Chase (1978-1979, 1983-1986)
-  Petrocelli (1974-1976)
-  Eli Stone (2008-2009)

ABA Journal, August 2009

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COMMUNITY SERVICE REPORT

By Karen Sussman
Community Service Director

Kind, generous, and supportive are just three words I'd use to describe NALS of Orange County members. I am deeply touched by the support I received from all of the members and non-members who attended the June dinner meeting and who contributed money for the Orange County Foundation of Oncology Children and Families, the charity I chose to support in running my first marathon. I am thrilled to report that NALS of Orange County raised \$243.00 for this very worthy cause, and I thank you all so very much!

Our charity for the month of June was the Ronald McDonald House. The money we collected at our opportunity drawing was \$100.00. At our July dinner meeting, NALS of Orange County supported Families Forward by raising \$115.00 and providing much-needed school supplies for low-income families.

At our August dinner meeting, NALS-OC members and non-members contributed \$125.00 in support of Doreen Bandy, NALS-OC Marketing Co-Director, who is running a half-marathon in September to raise money for the Public Law Center. Good luck, Doreen!



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Have you ever shopped on Amazon before? If you have, you know how cool the website is and how much stuff you can find on there!

NALS of Orange County now has an Amazon widget on its website. When you go to our homepage (www.nalsoc.org) and see the doodad in the lower left corner, click on the link and it takes you directly to your Amazon homepage. From there, you can just shop to your heart's content!

NALS of Orange County is an Amazon affiliate and, when purchases are made with the link from our website, our chapter receives a small percentage of those purchases. Our chapter has elected to donate the money received on a quarterly basis to the NALS Foundation, the educational arm of NALS. For more information about the Foundation, please click on www.nals.org/foundation.

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If you wish to purchase a book, or for more information, contact Caryn Wolchuck, PP, PLS, CPS/CAP at president@nalsoc.org or (949) 812-4733.

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- Accept that some days you are the pigeon and some days you are the statue.
- Always keep your words soft and sweet in case you have to eat them.
- Drive carefully. It's not only cars that can be recalled by their maker.
- Remember that it's the second mouse that gets the cheese.
- Never put both feet in your mouth at the same time, because then you won't have a leg to stand on.
- Accept that you may be only one person in the world - but you may also be the world to one person.
- Realize that a truly happy person is one who can enjoy the scenery on a detour.
- Sleep late. It's the early worm that gets eaten by the bird.

*Hope Health Letter
July 2009*



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Someone in your community deserves this prestigious award!

The Scales of Justice Award is an award presented by the NALS Foundation to recognize persons or entities who

- Improve access to justice
- Improve the quality of legal services
- Promote the legal profession
- Support the community where they work and live

Who to nominate:

- Judges who remove impediments in the court systems to support access to legal assistance for low income persons
- Attorneys who provide pro bono services
- Attorneys and bar associations who develop high school mock trial programs
- Firms or legal professionals who make contributions to law-related education for youth
- Attorneys or bar associations who make contributions to law-related education for the elderly
- Firms, attorneys, or legal professionals who volunteer services to improve their communities
- Media (print and audio) who feature "good news" stories about judges, attorneys, legal professionals or the legal profession.

Who can submit nominations?

Individual members of NALS, chapters, or state associations can submit a nomination. The submitter will be named in all publicity (unless anonymity is requested). The process is easy and you can submit your application at any time. [You can submit the nomination online](#). If you prefer to mail or fax your nomination, use the nomination form in [PDF](#) or [Word](#) format. Submission instructions are included on the form.

WHAT IS A CHINESE WALL?

In Law:

Chinese Walls are used in law firms when one part of the firm, representing a party on a deal or litigation, is separated from another part with contrary interests. In the United Kingdom a law firm may represent competing parties in a suit, but only if there is no communication between partners. In the United States, at least in Ohio, it is illegal for members of the same law firm to represent both sides of a legal conflict regardless of whether the individuals communicate about the case. To do so is considered a conflict of interest and can result in disciplinary action against the attorney or the firm that employs them. Even Legal Aid cannot represent both sides of a conflict.

In Business:

A Chinese wall or firewall is an information barrier implemented within a firm to separate and isolate persons who make investment decisions from persons who are privy to undisclosed material information which may influence those decisions. This is a way of avoiding conflict of interest problems. In general, all firms are required to develop, implement and enforce reasonable policies and procedures to safeguard insider information, and to ensure no improper trading occurs. Although specific procedures are not mandated, adopted practices must be formalized in writing and must be appropriate and sufficient. Procedures should address the following areas: education of employees, containment of inside information, restriction of transactions, and trading surveillance.

Origin of the Phrase:

The term was popularized in the United States following the stock market crash of 1929, when the U.S. government legislated information separation between investment bankers and brokerage firms, in order to limit the conflict of interest between objective analysis of companies and the desire for successful initial public offerings. Rather than prohibiting one company from engaging in both businesses, the government permitted the implementation of Chinese wall procedures.

Currently, most legal ethics courses teach that the term should no longer be used because the term stereotypes, and also negatively racializes, people of Chinese ethnic descent. Instead, the term "ethical wall" is the politically correct word to use. Internally, however, organizations still use the term "Chinese wall."

Note: This may be obvious or even coincidental: a feature of the Great Wall of China is that it is an internal barrier within China as opposed to being on one of its frontiers, and hence the metaphor for an internal information barrier within a company.

A completely alternate way to describe this metaphor, understood in financial circles, recognizes the ineffectiveness of a "wall" created of policies and official procedures in a company which has every incentive to unofficially ignore them. A more accurate comparison would NOT be the Great Wall of China, which was intended to keep two distinct cultures completely apart, but would mean a paper wall, one that can be seen through, heard through, broken down easily, and replaced with no evidence.

Objection to use of the phrase:

At least one California judge has taken offense to the phrase Chinese Wall. *Peat, Marwick, Mitchell & Co. v. Superior Court* 200 Cal. App. 3d 272, 293-294, 245 Cal.Rptr. 873, 887-888 (1988) (Low, Presiding Justice, concurring), wrote: "The term has an ethnic focus which many would consider a subtle form of linguistic discrimination. Certainly, the continued use of the term would be insensitive to the ethnic identity of the many persons of Chinese descent. Modern courts should not perpetuate the biases which creep into language from outmoded, and more primitive, ways of thought."

Alternatives:

Other alternative phrases include "firewall" and "cone of silence."

Source: *Wikipedia*, 8/20/09

NALS Annual Education Conference & National Forum

58th Annual Education Conference & National Forum - Irvine, California
October 8-11, 2009

SESSIONS IN DEPTH

Thursday, October 8

8:00 a.m. - 5:30 p.m.

Registration

9:00 a.m. - 10:30 a.m.

Ethics - Sense and Sensibility

Justice Edward Wallin

Alternative Dispute Resolutions sometimes boil down to "Sense and Sensibility." This session focuses on how to successfully resolve complex multi-party matters without tying up the court system.

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

Elder Law - Terms of Endearment

Judge Kim Hubbard

What "Terms of Endearment" behold us in our retirement years? This session provides life-changing information on planning for the retirement years.

2:00 p.m. - 3:30 p.m.

Corporate Sponsor Session - Avery

2:00 p.m. - 3:30 p.m.

Criminal Law - CSI: Irvine

Jennifer Contini, Senior Deputy District Attorney

"CSI: Irvine" conjures up images of DNA testing and forensics. With every thing you touch, you leave a DNA footprint. This session will primarily focus on tracing DNA and figuring out how to find the prime suspect.

4:00 p.m. - 5:00 p.m.

Swap Meet

Friday, October 9

8:00 a.m. - 9:30 a.m.

Coffee Break

8:00 a.m. - 9:00 a.m.

Welcome/Conference Kick Off

9:00 a.m. - 5:30 p.m.

Registration

9:00 a.m. - 10:00 a.m.

Exhibit Hall Open

10:00 a.m. - 12:00 p.m.

Keynote Speaker

12:00 p.m. - 1:00 p.m.

Get to Know Your Marketplace Community Lunch

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

Exhibit Hall

2:00 p.m. - 3:30 p.m.

Special Needs - Ordinary People

Donna Bashaw, Esq.

At first glance, everyone appears to be "Ordinary People," but you may be wrong. The future demographics of Special Needs people is on the rise. There is a new legal specialty called Special Needs law. Although Special Needs Law and Elder Law overlap in some areas, Special Needs Law is more specialized. This session will cover trusts, benefits, transition planning, promotion of independent living, housing, medical/health care, employment, education, advocacy/litigation, and capacity/guardianships/conservatorships.

2:00 p.m. - 3:30 p.m.

Technology - You've Got Mail

Professor Jack Lerner

Admit it, you get excited when you hear that little ding on your computer which indicates that "You've Got Mail." This session will cover the effects of emails in our work and private lives, the redistribution of what you think is a private email; what cybersquatting means, what clickfarming is; and an update on the most recent court decisions regarding internet law.

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

Exhibit Hall & Silent Auction Closing

4:30 p.m. - 5:30 p.m.

Live Auction

6:30 p.m. - 9:00 p.m.

Welcome Party

Saturday, October 10

8:00 a.m. - 6:00 p.m.

Registration

8:00 a.m. - 10:00 a.m.

Coffee Break

8:45 a.m. - 10:15 a.m.

Do The Right Thing

Professor Ronald Rotunda

When faced with an ethical decision, have you ever had to "Do the Right Thing"? This session will focus on helping legal professionals work through ethical challenges by providing a helpful decision-making process.

8:45 a.m. - 10:15 a.m.

Industry Trends - 9 to 5

Judith Finnegan, CLM

In the future, what will happen from "9 to 5"? This session provides insight into the future of legal support professionals, and will follow up on the ALA's predictions regarding the future of the legal secretary as presented in their 2000 White Paper.

10:30 a.m. - 12:00 p.m.

Diversity - And Justice for All

Morgan Chu, Esq.

Does the term "And Justice for All" ring true for everyone? This session brings to light how ethnicity and cultural differences play a role in professional development in the legal field.

10:30 a.m. - 12:00 p.m.

Focus Group Session

12:15 p.m. - 1:45 p.m.

Recognition Luncheon

2:00 p.m. - 3:15 p.m.

Bankruptcy - Gone with the Wind

William Lobel, Esq.

With the state of our economy and the failing markets, our finances/monies could be "Gone with the Wind." This session will cover the state of the general economy with specific emphasis on the real estate market and the likely changes to the Bankruptcy Code under the Obama administration.

2:00 p.m. - 3:15 p.m.

Focus Group Session

3:30 p.m. - 4:45 p.m.

Computer Forensics - The Net

Matthew Sant, Esq.

In this age of technology, do we really know who's on "The Net" with us and what data tracks we leave behind? This session brings sobering insight into reality and who or what may be on the other end.

3:30 p.m. - 4:45 p.m.

Criminal Law - Traffic

Judge David Thompson and Judge Erick Larsh

Drug Offenders Getting Clean: Illegal drug use is now estimated to kill someone about every 30 minutes in the United States. Many of the more than 2 million people incarcerated in the United States today have serious drug problems. The criminal justice system has responded by developing treatment programs as alternatives to incarceration for non-violent drug offenders. This session will provide an overview of both pre-trial and post-trial treatment alternatives, with particular emphasis on collaborative Drug Treatment Court programs.

5:00 p.m. - 6:00 p.m.

Regional Meetings

6:00 p.m. - 7:00 p.m.
NALS Foundation Fundraising Closing

7:00 p.m. - 10:00 p.m.
NALS Foundation Event

Sunday, October 11

9:00 a.m. - 10:30 a.m.
Closing Keynote Address

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