

By Patricia Phillips

Meeting Challenges: The Association's History of ACCOMPLISHMENT

Even with all its imperfections, the Association can look back with pride in how much it has contributed to the community and the law



In 1978, the Los Angeles County Bar Association commemorated the anniversary of its first 100 years. In that grand year, led first by President Samuel L. Williams and then by President John Taylor, the Association proudly looked back on 100 years of progress. At that time, the Association was the largest local voluntary bar association in the United States, and its membership, joining in a promise made by those two leaders, dedicated itself to making the Association a haven of inclusivity and reflective of the public that we serve. The Association has done well in fulfilling the promise made by these two distinguished presidents.

That year, with the avid support of Williams, *Los Angeles Lawyer* magazine made its debut. On its first cover, the magazine predicted the opening of the doors of leadership of our Association to women. President-elect Taylor made the prediction himself on May 4, 1978, at the historic session at which the president of the United States, Jimmy Carter, addressed the Association members. *Los Angeles Lawyer* indicated that Taylor's notion

"drew both applause and mutters from the audience." That notion became reality when, in 1984, I had the privilege of becoming the first woman president. Others followed: Margaret Morrow (1988-89), Andrea Sheridan Ordín (1991-92), Laurie Zelon (1995-96), Lee Smalley Edmon (1998-99), Patricia Schnegg (1999-2000), and our current president, Miriam Aroni Krinsky.

On that day in May, the Association welcomed several special guests—including the governor of the state of California, Jerry Brown, and the mayor of the city of Los Angeles, Tom Bradley. Both Mayor Bradley and Governor Brown spoke highly of our Association, but our special guest, President Jimmy Carter, took the occasion to criticize our profession. He commented on the delays in our courts and in accomplishing our clients' goals. He noted that "a child of privilege frequently receives the benefit of the doubt; a child of poverty seldom does." This sad commentary was echoed years later by Johnnie Cochran, when he noted in the *Los Angeles Times*, "If [O. J.] Simpson had been poor,

he'd be in jail right now, whether he was innocent or guilty...In this system, you are innocent until proven broke."¹

President Carter was also concerned that lawyers at the time, in fact, may have been striving to increase litigation rather than resolve disputes. President Carter cited Mahatma Gandhi (himself a lawyer), who once noted, "Lawyers will as a rule advance quarrels rather than repress them." President Carter set four challenges for our profession—goals that, I think you will agree, the Association has met, realistically and successfully:

1. Make the criminal justice fairer, faster, more sensible, and more certain.
2. Hold the law to the highest standards of impartiality, honesty, and fairness.
3. Ensure that access to the legal system does

Patricia Phillips was the first woman president of the Association in 1984-85. She is also the chair of the 125th Anniversary Committee and was chair of the 100th Anniversary Committee.

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Dan Latham, 1950

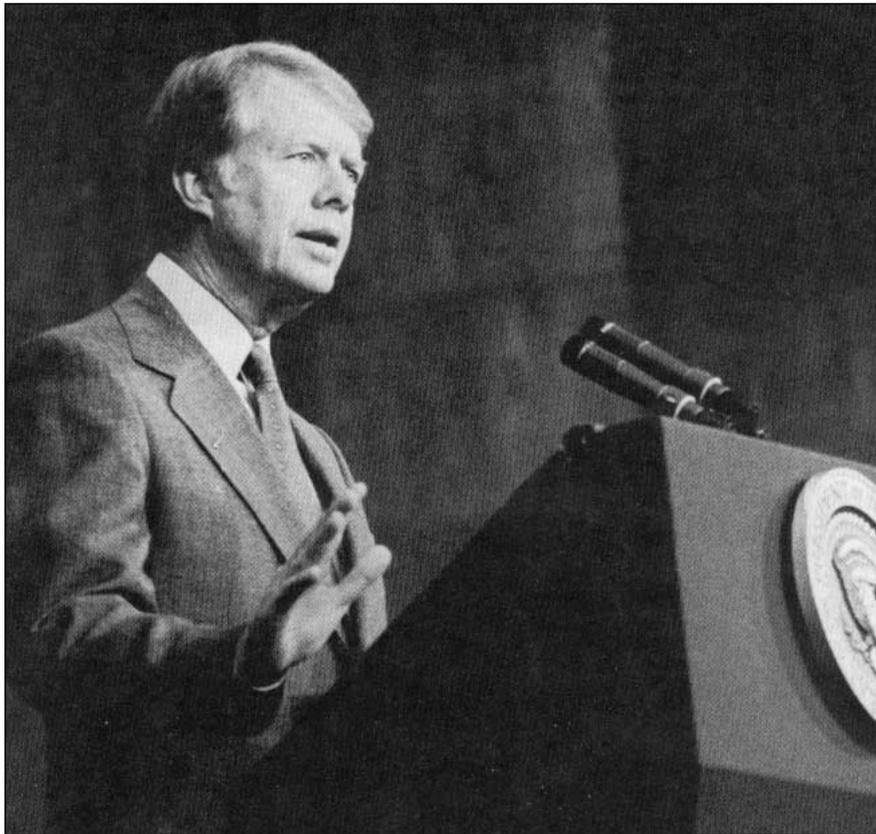


Ira M. Price III, 1967



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President Jimmy Carter addressed the Association on the occasion of its 100th birthday in May 1978.

not depend on political influence or economic power.

4. Reduce our reliance on litigation and speed up those cases that are litigated.

What has our Association done to meet the goals set forth by President Carter?

1. Striving for a fairer, faster, sensible, and certain criminal justice system. Our criminal justice system has gone through remarkable and meritorious changes in the past 25 years. Our court has managed not only to deal reasonably with the three strikes law but also to implement a direct calendaring system that has resulted in a less congested criminal court (and consequent relief for litigators who also are engaged in criminal trials). Between 1995 and 1999, our Association has provided attorneys for over 32,000 indigent criminal defendants and continues to monitor the criminal courts to ensure that each accused is afforded all the protections available in our legal system.

Our Association, and in particular its Criminal Justice Section and the PC 987.2 Indigent Criminal Defense Appointments Committee, continues to monitor and evaluate proposed criminal justice initiatives and legislation. Recognizing the delicate balance between public safety and the protection of every person's rights to due process and assumption of innocence until proven guilty,

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our Association comments on legislation with a view to assuring that the voters and legislators are reminded of the need to balance ever-increasing penalties and elimination of procedural safeguards with the rights of the accused.

Most recently, the Association created the Los Angeles County Bar Task Force on the State Criminal Justice System to address, in the wake of the Rampart scandal, justice system issues and possible reforms.

2. Maintain the highest standards of impartiality, honesty, and fairness. Our Association has established two committees designed to deal with the ethical problems that attorneys face in their daily practice. One is the Committee on Professional Responsibility and Ethics, and the other is the Attorneys Errors and Omissions Prevention Committee. Education of our members to prevent errors, omissions, or ethical violations; monitoring marginal situations; and offering opinions in close cases are among the services that members of the Association provide to its members and, indirectly, to the public.

In 1989, the Association developed litigation guidelines to improve ethical conduct and civility within the profession. The guidelines were adopted by the Los Angeles Superior and Municipal Courts as well as the

U.S. District Court to encourage lawyers to act professionally in the conduct of litigation. The underlying premise of the guidelines is that a lawyer's job is not to win at all costs but rather to aid in the resolution of disputes.

3. Provide equal access to legal services. President Carter urged us to ensure that access to legal services not be dependent on the influence or wealth of a client or lawyer. The Association has long supported increasing funding for the Legal Services Corporation, actively supporting proposals in Washington, D.C., and Sacramento for additional funding. On its own, the Association has affirmatively taken steps to ensure basic access to legal services through its Immigration Legal Assistance Project as well as the highly successful Lawyer Referral and Information Service.

The Barristers Domestic Violence Program annually assists more than 7,000 victims of domestic violence to secure restraining orders. Through HALSA (HIV/AIDS Legal Services Alliance), each year the Association helps more than 1,000 people who are HIV infected or have AIDS (or their family members) obtain needed legal services. The Association also sponsors Public Counsel, the Harriett Buhai Center for Family Law, and the Inner City Law Center, all of which are devoted to providing

vital legal services to those who cannot afford them. Indeed, our Association, in its collaboration with the Black Women Lawyers Association and the Women Lawyers Association of Los Angeles, is a substantial provider of free family law services to low-income residents in Los Angeles County. In 1989, the Association called upon each member to devote at least 35 hours annually to pro bono representation of the poor and disadvantaged. Oversight of these goals resides with the Committee on Access to Justice and the Elder Law Committee.

In addition to pro bono work, the Association participated in the Blue Ribbon Commission for Superior Court Improvement, a joint project with the Los Angeles Superior Court. This commission instituted reforms that resulted in a more user-friendly court and courthouses for lawyers and litigants. In conjunction with its Judicial Evaluations Committee, the Association is considered the premier reliable source for information regarding judicial elections as well as other topics related to the law and the judiciary.

4. Reduce litigation in favor of ADR and provide means of early resolution of disputes. President Carter exhorted us to resolve problems, not create them. Although I would not agree that lawyers generally can

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be blamed for creating problems, we have certainly done and continue to do our share to resolve problems short of litigation through our Dispute Resolution Service community mediation programs, school mediation programs, and court programs providing settlement conferences and mediation as alternatives to litigation.

INCREASING DIVERSITY

President Carter did not specifically mention diversity in our profession as one of his targets for the Association. However, diversity in our profession will make it possible to achieve the other goals more quickly and completely. This Association continues to recognize and integrate the diverse members of our profession and to assist in assuring that the needs of the diverse population of Los Angeles are met. The inclusivity of the Association has grown to make it, I suspect, the only local bar association in the country that counts 25 other bar associations as affiliates. Since 1978, the number of our affiliate bars has more than doubled and include the Black Women Lawyers Association of Los Angeles, the Italian American Lawyers Association of Los Angeles County, the Japanese American Bar Association, the John M. Langston Bar Association, the Korean Bar Association, the Mexican American Bar Association, the South Asian Bar Association of Southern California, and the Southern California Chinese Lawyers Association.

The Women Lawyers Association of Los Angeles maintains a permanent seat on the Association's Board of Trustees. The Association can look with pride on the scholarship program that it has created for minority law students. Indeed, this 125th birthday celebration is designed to recognize just how far our Association has come from its early days, when lawyers of color were excluded. Today we count lawyers of all ethnicities and backgrounds among our leaders and members.

A LEGACY OF ACHIEVEMENT

The Association's history did not begin with its 100th anniversary. Each decade has been marked by significant achievements since that December day in 1878 when 22 of the 58 lawyers in the county met to create a law library and a bar association. In the first 10 years, the Association reinvented itself more than once but managed also to establish several standing committees covering such areas as the judiciary, grievances, and legal education. One written record tells us that in the early 1900s, despite an enthusiastic beginning, the Association suffered from apathy. Members seemed to spend their time making flowery speeches about members who had departed this life. But by the 1910s, mem-

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bers of the Association were providing input on the content of the bar examination being given in the Los Angeles District Court of Appeal. Indeed, our Association may take some credit for enactment of the requirement of a mandatory written exam for entrance to practice in 1919. During the 1920s the Association challenged police brutality and the unlawful practice of law, and we assisted in passing legislation that established the municipal court.²

The Junior Barristers was established in the early 1930s, with Charles E. Beardsley as its first chairperson, and the Lawyer Referral Service became a reality in the late 1930s. In more recent years, the Association opposed radio reproduction of court trials and even obtained an injunction against the *Los Angeles Times* against media coverage of ongoing court trials. This decision ultimately was reversed by the California Supreme Court.

The Association and the media did not always see eye to eye. In fact, in the early 1930s the Association, perturbed about continuing portrayals that were less than flattering of lawyers in movies, brought such pressure to bear that a studio, which had insisted on portraying members of our noble profession as shysters, removed a stereotypical shyster character from a movie script.

The Association was active in providing free legal services for the families of those serving in the armed forces during World War I and World War II. Both wars also took a direct toll on lawyers in Los Angeles County. However, when the troops came home, the Association assisted lawyers returning to practice. During the 1950s the Association engaged in public outreach designed to educate people about the legal profession and enhance the image of lawyers. In the 1960s members of our Association reaffirmed our commitment to public service. President Leonard Janofsky captured the essence of our professional obligation when he said: "[T]he organized Bar is obligated to devote much of its energy to exploring and attempting to solve...important matters of urban and social concern."

The 1960s were a time of tremendous change for our profession. Law schools encouraged women to apply. Until then, women had constituted about 2 to 3 percent of law school graduating classes. This percentage grew rapidly during the 1960s and 1970s. Also during these years, after being criticized for a perceived lack of support for enhancing the delivery of legal services, the Association implemented a group legal services plan. This plan, although not precisely

what the public was looking for, led to the Lawyer in the Classroom program, the Neighborhood Justice Center, Volunteers in Parole, the Immigration Legal Assistance Project, and the Lawyers for Housing Project, each established in the 1970s and each in some form continuing today.

As a member of this Association, please consider what you do for it and what it does for you. Serving our goal of professional development, President Krinsky has instituted the Breakfast with Giants program. This program features giants of our profession (of which we have many) providing insight to all of us about the profession and the steps they took to success, as well as encouraging those who are beginning their careers. Standing on the shoulders of the giants who have gone before us, the members of this Association will continue the tradition of professionalism and service that has been the hallmark of the past 125 years. You are a part of this tradition. You deserve to feel a sense of pride as you observe the 125th anniversary banners along Figueroa Street by the Association's offices. ■

¹ LOS ANGELES TIMES, Sept. 29, 2002.

² We witnessed the abolition of the municipal court in 2001, which was also the result of a process in which the Association participated.

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Harry Hathaway, 1989



John Carson, 1994

Fulbright & Jaworski L.L.P. congratulates the Los Angeles County Bar Association on its 125th anniversary and looks forward to continuing our service to the Los Angeles legal community.

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