

# NEWSLETTER

## FOOTHILLS BAR ASSOCIATION BOARD OF DIRECTORS WELCOMES NEW MEMBER



Lauri Croce comes to the Foothills Bar Association board with 25-years' experience practicing law in San Diego County. Since March 2001, Lauri has been affiliated with Kriger Law Firm specializing in common interest development litigation, what she affectionately calls Acondo law. Prior to joining Kriger Law Firm, Lauri practiced real estate and business litigation in downtown San Diego for

thirteen years primarily at Hecht, Solberg, Robinson, Goldberg & Bagley, and Higgs, Fletcher and Mack. Lauri currently heads up Kriger Law Firm's litigation and employment law practices, and is the firm's bankruptcy law specialist. She specializes in all areas of real estate and business civil law and litigation, including enforcing governing documents, handling association operations and board governance disputes, mold claims and litigation, employment dispute counseling and litigation, prelitigation and litigation strategy and settlement, and collection of delinquent assessments by way of nonjudicial foreclosure and court action.

In addition to her membership on the Foothills Bar Association board, Lauri is a member of the San Diego County Bar Association and the Lawyers Club of San Diego.

### Newsletter Advertising Rates

Business Card size:  
\$25.00 for two months  
\$125.00 for twelve months  
(Includes publication in annual attorney  
directory)

### Upcoming Events Calendar

#### May 9

Estate Planning and Probate Section  
12:15 – 1:15 p.m.

Law Office of Nancy Kaupp Ewin, Esq. 8166  
La Mesa Blvd., La Mesa

Speaker and Topic TBA

#### May 14

Civil Litigation Section  
12:00 - 1:15 p.m.

BJ's Restaurant, Grossmont Center, La Mesa

Topic: "Litigating a Civil Case in El Cajon –  
The New Reality"

Speaker: Hon. Eddie Sturgeon

#### May 21

Family Law Section  
12:00 - 1:15 p.m.

East County Court, Dept. 6, 250 E. Main  
Street, El Cajon

Topic: "Recovering the Economic Damage  
Done by Divorce to Credit Reports, Credit  
Scores & Credit"

Speaker: Georg Finder, Independent Credit  
Evaluator, Consultant, Expert and Author

#### June 8

10:00 - 2:30 p.m.

Grossmont-Cuyamaca Community College  
District and FBA present:

"Using TrialDirector to Present Evidence in  
the Courtroom"

Cuyamaca College, Rancho San Diego

See attached flyer

# SUPERVISING JUDGE ROBERT J. TRENTACOSTA PRESENTS ENGAGING, SPECTACULAR MCLE ON OBJECTIONS AND OTHER TRIAL SKILL POINTERS

By William A. Hannosh

Unless you are a seasoned litigator who spends the majority of time inside the courtroom doing trials or hearings, it is easy to forget some of the basics about evidentiary objections and trial pointers. Like anything else in life, if you do not practice it routinely, you lose it. This is why the MCLE presented by the Honorable Robert J. Trentacosta on "Evidentiary Objections and Other Practical Trial Skill Pointers" was a welcomed treat for the 30 attendees at the event held on April 16, 2013 at the Ronald Reagan Community Center in downtown El Cajon.

Judge Trentacosta began by addressing how too many attorneys today have allowed themselves, for one reason or another, to simply become complacent or passive about the seriousness of their occupation and the solemn responsibilities they owe to their clients. To make the point, he referred to Rule of Professional Conduct 3-110, which only minimally demands that practicing attorneys in California be competent. The trait of being an aggressive, diligent and hands-on advocate for the client's cause is simply not taught sufficiently (if at all) in law schools. Judge Trentacosta said, ". . . Too many attorneys have aggregated to the 'Gentlemen's C'," as a result.

Judge Trentacosta then encouraged newer attorneys to not be afraid of making their mark in the courtroom, especially when facing more experienced litigators. He said that litigation is "like being in a fight. And you're going to have to show that you're not some tomato can to be kicked around." He advised that to establish one's self, one must "Get up. Make the first objection, and get that first objection sustained." Doing so, as he put it, allows you to set your tone in the courtroom, while also sending a message to the adversary that you will not be pushed. The presiding judge of the San Diego Superior Court system held back no punches in warning newer or inexperienced attorneys that "If your opposing attorney thinks they can walk all over you - they will walk all over you".

Another pointer to attorneys is that we do not always focus on raising the proper objection at the right time, and that "more cases can be won by keeping an opponent's evidence out than getting all your evidence in".

Judge Trentacosta graciously shared the Ten Most Common Errors in Objections, which are, in order: 1) Making no objections at all; 2) Making objections not based on legal grounds; 3) Making late objections by waiting too long; 4) Objecting without asking for or getting a ruling; 5) Making premature objections (before the question is completed); 6) Making speaking objections; 7) Arguing objections (or any other matter) directly with opposing counsel rather than through the bench; 8) Unnecessary histrionics (like eye rolling, head shaking,

## Family Law Settlement Panel Calendar

Date	Temporary Judge
May 1	Timothy McDermott
	Charles Schmidt
	Wells Lyman
	Sarah Schaffer
	Anthony Starks
May 8	David Wilkinson
	Stanwood Johnson
	Elizabeth Kreitzer
	Laura Miller
	Gary Glauser
May 15	Linda Cianciolo
	Richard Renkin
	Ed Castro
May 22	Marilyn Bierer
	Gordon Cruse
	Judi Sanzo
	Solveig Duprey
	Wells Lyman
May 29	John McCabe
	Scott Finkbeiner
	William Benjamin

cynical smiles, etc.; 9) Demonstrating vigilance or a vengeful spirit after having an objection sustained; and 10) Failing to ask for a motion to strike after having one's objection sustained.

Lastly, Judge Trentacosta provided many other tips and pointers on the Dos and Don'ts in the courtroom, one of which was how many attorneys simply fail to or refuse to stand when objecting. The honorable judge made it clear that he is "from the old school", which meant that he still prizes the traditional fundamentals of trial practice and an attorney's demonstration of respect for the decorum of the court itself.

The judge also ran through the four basic steps of authenticating demonstrative or documentary evidence with a witness on the stand.

A number of attorneys in the audience were so pleased with the presentation that they asked about the possibilities of Judge Trentacosta returning to present an evening MCLE on the hearsay rule and its exceptions.

## NEWS FROM THE SAN DIEGO LAW LIBRARY

My name is Kim Laru, and I'm the new librarian at the El Cajon Branch. In addition to serving as Reference Librarian, I'm also the tsarina of Circulation & Membership.

When you're a member of the San Diego Law Library, you have the privilege of **borrowing our materials**. Witkin? CEB? CalApp? Judges Bench Guides? Pleading & Practice? We've got it, and you can snuggle up in your jammies at home with them 4 days at a time, with one 4-day renewal. **Membership for attorneys is only \$45 a year** (Jan.-Dec), which is an absolute steal when you think about it. For new attorneys who've passed the Bar within two years, we knock that annual fee down to only \$10! We do ask for a \$50 deposit when you create your account, but it's refundable when you retire to your ranch in Costa Rica.



**Interlibrary Loans:** You may also borrow from any of our other branches, most notably the big downtown San Diego branch. If there's a book or MCLE CD they have that we don't have here in El Cajon, we'll transfer it here in a couple of days, no charge to you. And you can return it to any branch that's convenient to you. We'll even borrow an item from a university library elsewhere in the country, if we can track the item down for you, for minimal costs.

**Overdue fines** are \$2 per item per day, so you want to pay attention to those due dates. Fees can rack up fast, but we want to make the books accessible to as many folks as possible, so we encourage a quick turnaround.

You can contact me (619-441-4215, or [klaru@sandiegolawlibrary.org](mailto:klaru@sandiegolawlibrary.org)) to see if we have a title in our catalog, or search it on our website outside of our open hours.

### **Some fun things you should know:**

- The San Diego Bar is having a children's book drive April 29 – May 17; we have a donation box in the library.

- You can sign up for our free bi-weekly E-News.
- Check out our list of upcoming classes, or create an account on Eventbrite and follow us.
- Friend us on Facebook and check in to the East County branch on Foursquare!

**East County Law Library hours:**

Monday – Thursday: 8am – 11:30 am, and 12:30pm – 4pm | Friday: 8am – 12pm

**Foothills Bar Association Notice of Board Meeting:**

The Foothills Bar Association Board of Directors meets on the third Tuesday of each month. The next meetings will be May 21, 2013 and June 18, 2013 at the office of Clayton Anderson & Associates at 8220 University Avenue, 2nd Floor, La Mesa, CA 91942. Meetings begin at 4:45 p.m. and continue until business is completed. If you want your voice to be heard in policy discussion and upcoming events planning or would simply like to learn more about the organization, your attendance is welcome.

# FBA'S LAW LIBRARY UPDATE

By Keith A. Jones, Esq.

Foothills Bar Association's DVD library continues to expand with 18 professional quality videos on a wide variety of legal subjects. Using FBA's partnership with Attorney Credits, an approved MCLE provider, FBA has videotaped several of its MCLE programs. FBA members may borrow one or more of these DVD's in case they missed one of the presentations and receive self-study MCLE credit.

- Anatomy of a Financial Elder Abuse Case
- Attorney-Fiduciary Collaboration in Providing Services
- Domestic Asset Protection Trusts
- Eliminating Bias You Never Knew You Had
- Estate Planning Opportunities Under the 2010 Tax Relief Act
- Ethics for Fiduciaries and Trustees
- Honesty Is the Best Policy: How Far You Can Go in Negotiations
- Impact of Digital Forensics on Litigation
- Litigating the Personal Injury Case
- Medi-Cal Recovery – An Unavoidable Event?
- Moving the Judge from Drudgery to Persuasion
- Selected Issues in Legal Ethics
- So You Settled Your Case, Now What?
- Substance Abuse & Attorneys: Recognition, Understanding & Intervention
- Successfully Managing a Construction Defect Case

- The Elimination of Bias
- Top 10 Ways to Stay Out of Ethical Trouble
- Update on Trust and Probate Litigation: Undue Influence

To borrow a video, contact the receptionist at the office of former FBA President, Nancy Kaupp Ewin, Esq., at (619)698-1788. Her office is located at 8166 La Mesa Blvd., La Mesa, CA 91942. Members need to complete a form and leave a refundable deposit. The Foothills Bar Association has adopted the following Video Library Policies and Procedures:

1. Contact the receptionist at Nancy Kaupp Ewin’s office, (619)698-1788 to confirm the availability of a video and to make arrangements to pick up the video at her office located at 8166 La Mesa Blvd., La Mesa CA 91942. You may also call (619)698-1788 to extend the check-out period subject to requests from other members for the video.
2. The FBA will need to confirm your membership status prior to the checkout and you will need to complete the form. You will be required to submit a check for \$20.00 representing a refundable deposit for the video.
3. Your check will be returned to you upon the timely return of the video. You will be sent an e-mail notification to the address provided by you to the FBA if you fail to timely return the video. If you fail to return the video within three (3) days after e-mail notification, then your deposit will be forfeited. You will still remain responsible to return the video.
4. You will be liable for the replacement cost of any video which is damaged, lost, or not returned, which includes the cost of the video plus any shipping, handling and mailing costs. Additionally, your membership privileges will be suspended until such time as you pay for the replacement costs or return the undamaged video.

Member’s Name, Phone Number and E-Mail Address:

\_\_\_\_\_

Video Title: \_\_\_\_\_

Pick-up Date: \_\_\_\_\_

Return Due Date: \_\_\_\_\_

Member Check No.: \_\_\_\_\_

By executing below, the Member acknowledges and agrees to the FBA’s library policies and procedures.

\_\_\_\_\_

Member’s Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The Family Court needs settlement conference judges. Please volunteer and share your expertise. Contact Kelly Fabros at 619-456-4065 or Kelly.Fabros@SDCourt.CA.Gov.



**FOOTHILLS BAR ASSOCIATION  
OF SAN DIEGO COUNTY**  
Service, Professionalism, Collegiality

THE CIVIL LITIGATION SECTION OF  
THE FOOTHILLS BAR ASSOCIATION PRESENTS:

**“Litigating a Civil Case in El Cajon – The New Reality”**

**Speaker:**

**Hon. Eddie Sturgeon**

1.0 MCLE CREDIT

**Tuesday, May 14, 2013 – Noon to 1:15 p.m.**  
**BJ’s Restaurant, Grossmont Center, La Mesa**

You may order lunch if you want. The seminar is free for members of FBA and only \$10.00 for non-members. Walk in registrants will be accommodated as space allows.

Mark Raftery and Cheryl Stengel, Co-Chairs

The Foothills Bar Association certifies that this activity has been approved for MCLE credit by the State Bar of California\*

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**Registration for the Seminar on May 14, 2013**

Name \_\_\_\_\_ Persons Attending \_\_\_\_\_

Telephone \_\_\_\_\_

Fax registration to Mark Raftery at (858) 527-1531 or email to [mraftery@epsten.com](mailto:mraftery@epsten.com) by May 13, 2013

\*Application for Renewal of Provider Status Pending



**FOOTHILLS BAR ASSOCIATION  
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THE FAMILY LAW SECTION OF  
THE FOOTHILLS BAR ASSOCIATION PRESENTS

***“Recovering the Economic Damage Done by Divorce  
to Credit Reports, Credit Scores & Credit Damage”***

**\*\*1.0 hour of MCLE Credit.**

**SPEAKER:**

***Georg Finder***

Independent Credit Evaluator (ICE)  
Credit Reputation Damage Assessment Consultant, Expert & Author

**TIME:**

**Tuesday, May 21, 2013  
12:00 pm – 1:15 pm**

**LOCATION:**

**East County Court House – Department 6  
250 East Main Street, El Cajon, CA 92020**

**COSTS:**

- \*Free for Members of Foothills Bar Association
- \*\$10.00 for Non-Members or Guests.

**\*\*The Foothills Bar Association has submitted its application for renewal of provider status to the State Bar of California and expects this program will be approved for 1.0 hour of MCLE general credit by the State Bar of California.**

For questions, please contact Will Hannosh at (619) 244-9835 or  
[Williamthelitigator@gmail.com](mailto:Williamthelitigator@gmail.com)





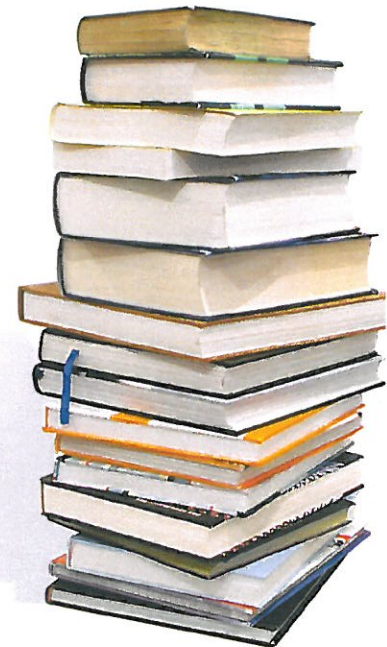
SAN DIEGO COUNTY  
BAR ASSOCIATION®

# Children at Risk Law Week Book Drive

Donate your new or gently used  
books for children in kindergarten  
through grade 12.

Books are being collected from April 29 through May 17, 2013,  
and will go to support the SDCBA's Children at Risk Committee's  
efforts to help children in need and be distributed to needy  
school libraries across the county.

Thank you for your donation!

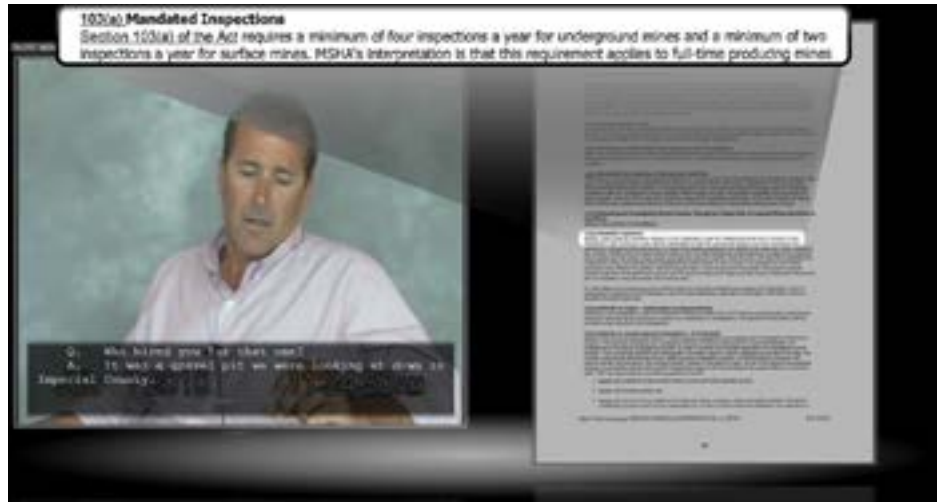




**Date and Time:**  
Saturday June 8, 2013  
10:00 am to 2:30 pm

**Cost:**  
The cost is \$30 per class. For more information, visit:

<http://www.cuyamaca.edu/marysessom/>



## Using TrialDirector to Present Evidence in the Courtroom

4 hours of MCLE credits.\*

Participants also get a 140-day TrialDirector trial license.

Feel free to bring your own laptop.

- Get hands on experience in a computer lab creating cases and displaying evidence.
  - Learn the best methods of presenting impeachment evidence at trial.
  - Learn the most effective method of using video depositions at trial.
  - Learn how to avoid the pitfalls of an electronic presentation.
- Register at: <http://www.cuyamaca.edu/preview>
- Click the "Webadvisor Click Here to Register button"
  - Click the yellow "Continuing Ed" button.
  - Click blue link "Register and Pay for Continuing Education Classes" under the Registration column on the right.
  - Check the box for "Sat" and enter Instructor's Last Name "Bennion"

If you have any questions please call Continuing Education at 619-660-4350

\*Application for renewal of MCLE provider status is pending with the State Bar.



FOOTHILLS BAR ASSOCIATION  
OF SAN DIEGO COUNTY

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# 2013 FBA OFFICERS, DIRECTORS, SECTION CHAIRS & COMMITTEES

## OFFICERS

President	Bradley Schuber	bschuber@a-k.com	619-589-8800
Vice President	Keith Jones	kjones9001@gmail.com	619-462-6220
Treasurer	Mark R. Raftery	mraftery@epsten.com	858-527-0111
Secretary	Cheryl L. Stengel	cs@debtsd.com	619-233-1727
Immediate Past President	Carolyn R. Brock	carolyn@crbrocklaw.com	619-741-0233

## DIRECTORS

Lauri Croce	lcroce@a-khoa.com	619-589-8800
Nancy Ewin	nancy@nkewinlaw.com	619-698-1788
William Hannosh	whannosh@gmail.com	619-579-4200
Mark R. Raftery	mraftery@epsten.com	858-527-0111
Kim Marie Staron	kstaron@lawinsandiego.com	619-574-8000

## REPRESENTATIVES

Sheryl S. Graf, SDCBA	619-440-5716
Judy M. Marolt, Lawyers Club	619-442-1857

## SECTION CHAIRS/MEMBERS

FAMILY LAW:	Will Hannosh
CIVIL LITIGATION:	Cheryl Stengel, Mark R. Raftery
ESTATE PLANNING:	Nancy Kaupp Ewin, Carolyn R. Brock

## COMMITTEES

ADVERTISING	Chair: Nancy Kaupp Ewin
LAW DAY	Chair: Carolyn R. Brock
HARD-TO-GET CREDITS SEMINAR	Chair: Keith Jones
MEMBERSHIP	Chair: Lauri Croce
ADDRESS CHANGES	Chair: Lauri Croce

## SUBMISSIONS

Your submissions are welcome! Send articles, letters, flyers, and other non-advertising submissions to Cheryl Stengel at [cs@debtsd.com](mailto:cs@debtsd.com).

## ADDRESS CHANGES

Send change of address or telephone number to Lauri Croce, Esq. at [Lcroce@a-khoa.com](mailto:Lcroce@a-khoa.com) or 619-589-8800, Extension 301.

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### **Foothills Bar Association**

P.O. Box 1077  
El Cajon, CA 92022

Addressee Name  
4321 First Street  
Anytown, State 54321