

January 2005 President's Column

Don't Curb Your Enthusiasm!

by Robert J. Francavilla

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This past November, my wife, Carla, and I took our annual trip to San Francisco for the Consumer Attorneys of California ("CAOC") Convention. On the flight up, I was looking through the convention brochure to figure out which speakers and programs I wanted to hear. Going to this convention is one of the professional highlights of my year. Not only do I get to spend time with my wife in a great city, I get to catch up with great friends and fellow trial lawyers from Los Angeles, Orange County, San Francisco and, of course, San Diego.

But when we arrived, I noticed that something was very different this time. Despite the fantastic programs and speakers lined up by CAOC, attendance was down. I have also noticed the same thing is true of our wonderful CASD education programs. There is a drop-off in attendance, interest and enthusiasm, and I want to know what we as an organization can do to improve this situation. At this time, with George W. Bush winning the recent presidential election and poised to place even more power in the hands of corporations and insurance companies through an aggressive tort "reform" campaign, it would be easy for us to throw in the towel, hang our heads, and feel defeated. That's what the people in power want -- to curb our enthusiasm. We're not going to give in to them!

I love being a trial lawyer. I am proud of the work we do as trial lawyers. I am proud of the fact that we provide a voice for those who cannot speak for themselves. But most of all, I am proud of the fact we can stand by our clients who need us now more than ever.

What I also know is that if I'm going to be there for my clients, I can't curb my enthusiasm. So, as I have done for years, in my continuous effort to improve as a trial lawyer, I am going to keep reading everything I can on trial techniques, keep listening to every tape or watching every video and DVD on trial techniques that I can get my hands on, and I'm going to keep going to conventions and educational programs so that I will continue to learn my craft as a trial lawyer from the best.

Whatever accomplishments I have achieved for my clients have come through hard work, dedication and, above all, mentoring from the finest lawyers in San Diego, as well as up and down the state. Over the years, I constantly strive to get better by asking great lawyers how they do it and what I can do to improve my trial skills to better serve my clients. All of them have willingly shared with me and I am grateful for that. Mentors such as T. Michael Reed, David S. Casey, Jr., Craig McClellan and Harvey Levine, just to name a few, have not only taught me a

lot but have filled me with the love and enthusiasm to be the best trial lawyer that I can be. No matter how many years I have done this, or how many speakers I have listened to, or how many books I have read, I still seek to learn as much as I can to help my clients.

Representing our clients well not only requires trial skills, but calls for us to open our hearts to our clients for the wrongs heaped upon them by the negligent or wrongful conduct of another, be it a corporation, an insurance company or an individual. Because here's the thing: **enthusiastically caring** about our clients and caring about righting the wrongs that have been inflicted upon them is the most powerful trial technique that we as lawyers can call upon to protect our clients.

I am going to continue to strive to be a better human being, as I always have, and to be a better trial lawyer so that I can always be improving my representation of my clients – they truly do need me now more than ever.

Look into yourselves and remember why you picked the job of trial lawyer. Then ask yourselves, “Am I going to let President Bush, Governor Schwarzenegger, corporate America or insurance companies curb my enthusiasm?” I think we all know what the answer is and where to find it. In our hearts.