

MARCH 2005 PRESIDENT'S COLUMN

CASD Members Really "Never Stand Alone"

by Robert J. Francavilla

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When CASD rolled out its new slogan "Never Stand Alone" I was really impressed. I thought nothing better captures that for which this organization stands. "Never Stand Alone" represents the commitment of our members among one another -- that no lawyer will be forced to stand alone in a courthouse battle with insurance companies or corporate America. CASD's slogan also represents, as a shining reminder, that no victim of injury will stand alone in battle with those perceived to be richer or more powerful.

Since our slogan was adopted, I continue to be amazed at just how much help this nearly 900-member CASD law firm provides to its members on a day-to-day basis. For example, the CASD website, so professionally constructed and maintained by Jon Williams and the Website Subcommittee, provides information instantly, simply by click of a mouse, which previously would have taken months to run down. Now, expert bios and depositions, motions of all types, including motions *in limine*, and even opening statements and closing arguments in personal injury cases are equally available to sole practitioners and to members of long-established plaintiffs' firms alike.

In addition, to the foregoing benefits, the *Trial Bar News*, so masterfully put together every month by Kerry Hoxie, is packed full of information providing answers to legal and practical questions which arise daily in our cases. Finally, the ListServ group e-mail service has proven itself to be one of the most useful tools yet provided by CASD to help level the playing field in the quest for justice on behalf of our clients.

Over the years, working with a firm of plaintiff trial lawyers has afforded me luxury. I simply walk up and down the halls at my firm to get answers to some of the toughest legal questions I encounter. If I want to strategize about an upcoming deposition, mediation or trial, my partners and associates are there for me. With that said, I still recognize the value of getting help from those outside my firm. As I approach trial, I am constantly running the facts of my case by lawyers and non-lawyers alike to get a different or better perspective on how to convince the jury that my client is right. Although this process is time consuming, it is particularly rewarding for me to see how willing other lawyers are to help me help my clients and I learn so much from them.

What I have found is that the tools CASD provides not only make my job easier, but allow me to accomplish things much faster. What used to take many months to gather can now be achieved in a few hours. We now have the ability to go to one source to get deposition

transcripts to impeach experts we go up against, to get examples of motions or oppositions to motions and to get answers to legal questions as well as strategies to best use.

Now, because of CASD's commitment to its membership, you don't need to be a member of a large firm or on the phone for weeks on end in order to get valuable information. It's all right here for all of us, from the sole practitioner all the way up to and including members of larger firms and from the most experienced attorney to the newest bar member.

I never underestimate the amazing benefits CASD provides to me in the day-to-day work-up of my cases. What really underscores how valuable this organization and these resources are to me, however, is how much I use them in the weeks leading up to trial and during trial. After recently finishing a trial, I sat down to evaluate just how much CASD helped me on just this one case. I was absolutely amazed at how far reaching the help provided to me by our organization was.

For example, in the months leading up to trial, the CASD website helped me by providing me with deposition transcripts of both the defense experts as well as my own. Thereafter, the CASD website was a perfect shortcut for me to take to obtain motions *in limine* and oppositions to defense motions *in limine*. I was able to see how talented and experienced lawyers faced with the same issues that I had in my case handled those issues. Finally, I went back to the website and learned that John Little, a great trial lawyer and one of our members, had scanned his opening statement and closing argument into the website for use by the membership. I obtained copies of those and I cannot begin to tell you how helpful they were in putting together my presentation in my case.

Finally, the professional relationships and friendships that I have developed as a member of this organization continued to enrich my life. In this most recent trial alone, I spoke with both John Little and Craig Clark before the trial and was able to brainstorm with them about strategies. They both asked when my trial started and I let them know. Craig happened to show up during a difficult cross-examination of the defendant's safety engineer. On the break, seeing that my efforts to get certain evidence in were being met with resistance, Craig calmly strategized with me about taking an alternative approach. When my cross-examination resumed after the break, I was able to get the evidence in. Similarly, John took time out of his busy day and sat in on my closing argument. My argument was completed right before we broke for lunch. During the lunch break, John called me and offered his insight into what he felt would be some important areas to go into after lunch in my rebuttal argument. Needless to say, the help and suggestions coming from these members truly made a difference. This is the kind of support our members provide for one another.

Over the years, people have asked me what I get out of CASD. I have and will proudly continue to tell them that I get so much that no matter how much I give back, it would not begin to repay the organization for the benefits it has provided me. So, if you are taking advantage of all that CASD has to offer, good for you and your clients. If you are not, please talk with our Executive Director, S.J. Kalian, the Associate Director, Chris Van Orshoven, any officer or member of the Board of Directors, or any lawyer in this nearly 900 member law firm. They will surely tell you how CASD can make your efforts on behalf of your clients better and easier and help you be a better lawyer.

I am proud of the Consumer Attorneys of San Diego -- proud of what it stands for; proud of what it provides; and proud that its membership stands alongside me in my fight for justice on behalf of my clients. I hope the organization makes you proud too.