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2020 SPRING EDUCATION CONFERENCE

SATURDAY, APRIL 4, 2020
Renaissance Walnut Creek
2805 Jones Rd
Walnut Creek, CA 94597

SATURDAY, MAY 9, 2020
Newport Beach Marriott
900 Newport Center Drive
Newport Beach, CA 92660

Register Online: CALAWYERS.ORG/WORKERSCOMP

PROGRAM SCHEDULE

REGISTRATION AND CHECK-IN

8:00 a.m. – 4:20 p.m.

SUBSTANTIAL MEDICAL EVIDENCE—THE ART OF AVOIDING SURPRISES: A PRACTITIONER'S GUIDE TO SUBSTANTIAL EVIDENCE AND THE WCAB'S POWER TO DEVELOP THE RECORD

8:30 a.m. – 9:30 a.m.

Don't be caught by surprise! Have you had a case where you were certain you would win your case only to have the Board find you did not have substantial evidence? Worse yet, then you have to explain to your client why the Board is ordering additional medical reports. Get it right the first time and you'll impress your client with your skills! This program will provide a step by step guide to the Board's power on substantial evidence and development of the record. Learn how to identify whether a report is substantial evidence on several commonly litigated issues including compensability, permanent disability, and apportionment. After this training you may not be a clairvoyant, but you'll come real close!

SPEAKERS: **Walnut Creek and Newport Beach:**
Randy Pollak, Managing Attorney Pacific Compensation
Alan Riffel, Rose, Klein & Marias

2020 NEW WCAB RULES OF PRACTICE AND PROCEDURE

9:40 a.m. – 10:40 a.m.

Effective 1/1/20, the WCAB has instituted a major overhaul of its practice rules. There were substantial changes enacted in those reforms and if you are practicing Workers' Compensation Law in this state, knowing what was changed, and how it impacts you, is essential to competently representing your clients before the WCAB. Take charge of your practice skills by attending this 1 hour presentation. Panelists will offer valuable instruction and insights into the most significant changes that every workers' compensation practitioner needs to know.

SPEAKERS: **Walnut Creek:**
Commissioner Jose Razo
Commissioner Craig Snellings

SPEAKERS: **Newport Beach:**
Presiding Judge Robert Rassp, Los Angeles District Office
Randy Pollak, Managing Attorney Pacific Compensation

PERMANENT DISABILITY: CVC VS ADDITION METHOD

10:50 a.m. – 11:50 a.m.

Over the last several years there have been a plethora of cases by the WCAB applying the Kite decision, which is the case that paved the way for the adding of permanent disability ratings instead of using the Combined Values Chart (CVC). Through those decisions the WCAB has clarified the parameters for when it is appropriate to add vs. use the CVC and the results can be very significant. For example, a non-life pension case can become a life pension case. Or a below 100% case can result in a 100% award. In this 1 hour presentation, the workers'

compensation practitioner will be updated on this essential area of the law and will be well prepared to navigate settlement, discovery and trial effectively for their clients.

SPEAKERS: **Walnut Creek and Newport Beach:**
Dr. Osep Armagan, M.D. (Newport Beach only)
Monica Fairwell, Gordon, Edelstein, Krepack, Grant, Felton, &
Goldstein, LLP
Erin Wintersteen, Managing Partner Michael Sullivan & Assoc.

NETWORKING LUNCH

11:50 a.m. – 1:00 p.m.

IMPEACHING A WITNESS: HOW TO PROPERLY IMPEACH AND REHABILITATE A WITNESS USING PRIOR TESTIMONY, INCONSISTENT STATEMENTS AND OTHER SOURCES

1:00 p.m. – 2:00 p.m.

Learn or re-learn the 1, 2, 3 of how to properly impeach a witness. Learn the ins and outs of rehabilitating an impeached witness. It's been a while since mock impeachments in law school. Have you impeached anyone lately? Do you remember how? You may not be doing it right. Get back to the basics and join us for a panel discussion on how to properly impeach and rehabilitate witnesses. Hear it from the defense perspective and the applicant perspective. More importantly, what does the judge think?

SPEAKERS: **Walnut Creek:**
Judge Therese Da Silva, Oakland District Office
Janet Zamecki, Law offices of Janet Zamecki
Viviana Santiago, Ratto Law Firm

SPEAKERS: **Newport Beach:**
Presiding Judge Jamie Spitzer, Anaheim District Office
Janet Zamecki, Law offices of Janet Zamecki
Viviana Santiago, Ratto Law Firm

GETTING ROLDA RIGHT

2:10 p.m. – 3:10 p.m.

What's the first thing you think of when you think of Rolda? If you thought of a quirky 70's sitcom starring Valerie Harper, you owe it to yourself to come to the CLA Workers' Compensation Spring Conference. The panelist will discuss psychiatric injuries involving good faith personnel actions, predominant cause, and what evidence needs to be provided. Brian Jacks, M.D. (one of the original reporters in the Rolda case), Judge Alicia Hawthorne and Senior Deputy County Counsel Alec Beyer will present a step-by-step guide to getting psychiatric reports Rolda compliant. The presentation will be a unique blend of analysis of this frequently complex issue from the differing perspectives of an evaluating physician, a WCJ, and a day-to-day practitioner. The analysis will include a historical perspective of the issue as well as the medical-legal issues as seen by both physicians and lawyers.

SPEAKERS: **Walnut Creek and Newport Beach:**
Dr. Brian P. Jacks, M.D.
Judge Alicia Hawthorne (San Diego District Office)
Alec Beyer, Office of County Counsel, San Diego

PQME LITIGATION

3:20 p.m. – 4:20 p.m.

Even before the applicant is seen by the PQME, a lot can be litigated about the PQME. This presentation addresses the most frequent issues that arise before the PQME evaluation, including how the WCAB addresses disputes about the medical specialty, timing of the PQME request, cancellation of the PQME evaluation, replacement panels and timeliness of the reports, and more. Knowing how these common issues are handled by the WCAB will allow the workers' compensation practitioner to identify disputes that are worthwhile to litigate vs. ones that may just be a "dead end."

SPEAKERS: **Walnut Creek:**
Amy Shen, Boxer and Gerson
James Cotter, Associate Partner, Mullen & Filippi

SPEAKERS: **Newport Beach:**
John Hernandez, Law office of John Hernandez
Jamie Ann Louie, Louie Stettler

REGISTRATION INFORMATION

PRE-REGISTRATION DEADLINE:

The deadline to pre-register is 7 days prior to the event.

CANCELLATIONS/REFUND POLICY:

Requests must be received in writing 7 days prior to the event. A \$50 processing fee will be charged for requests received less than 7 days prior to the event. For more information, call (916) 516-1757.

QUESTIONS:

For registration information call 916-516-1757. Telephone registrations will not be accepted. For program content and/or Section information call 916-516-1756

SPECIAL ASSISTANCE:

For special assistance, please call 916-516-1756.

ON-SITE:

On-site registration is subject to availability. Call to confirm space availability.

PROGRAM MATERIALS:

Registrants will receive a USB storage device with an electronic version of all program materials the day of the conference. Before the Conference, registrants will receive a link with information on how to review and download the program materials. It may be helpful to review a program's reference material before the class. This website is not available to the public, and access is given only to Conference registrants. Late-breaking supplemental materials not available before the Conference will be added at a later date.

PHOTO RELEASE:

This event may be recorded. By attending this event, you consent to be photographed, filmed, and/or otherwise recorded, and to any use, by the CLA, of your likeness, voice, and name in any and all media including social media. If you do not want your name or photo to be used, please let us know in advance. We cannot, however, honor requests to opt out of the use of your image or voice if you choose to ask a question during one of the event sessions.

2020 SPRING EDUCATION CONFERENCE

April 4, 2020 • Renaissance Walnut Creek, Walnut Creek, CA

May 9, 2020 • Newport Beach Marriott, Newport Beach, CA

REGISTRATION FORM

Note: One registrant per form. Photocopies may be used.

☐ Walnut Creek: April 4, 2020

☐ Newport Beach: May 9, 2020

Bar Number: _____

Name: _____

Firm: _____

Firm Address: _____

City, State: _____ Zip Code: _____

Phone Number: _____

Email Address: _____

(Required for email confirmation)

Emergency Contact Information

Name: _____

Phone Number: _____

Program package includes 6.0 hours of MCLE and legal specialization credits in Workers' Compensation, program materials, continental breakfast and lunch.

☐ Check here if you do not want your information released.

PRE-REGISTRATION FEES (check the appropriate circle)

- ☐ **\$295** Workers' Compensation Section Members
- ☐ **\$390** Non-Section Members
(includes enrollment in the Workers' Compensation Section)
- ☐ **\$195** Claims Specialist
- ☐ **\$95** CYLA

**Onsite registration fees are \$345 for Section Members and \$440 for Non-Section Members

AMOUNT ENCLOSED OR TO BE CHARGED

\$ _____

REGISTRATION INFORMATION

DEADLINE: In order to pre-register, your form and check, payable to California Lawyers Association, or credit card information, must be received by 7 days prior to the program.

REGISTER ONLINE: CALAWYERS.ORG/WORKERSCOMP

MAIL TO: Program Registrations, California Lawyers Association
400 Capitol Mall, Suite 650, Sacramento, CA 95814

EMAIL TO: Program Registrations at ProgramRegistrations@CALawyers.org. In order to email your registration, credit card information is MANDATORY.
(Photocopies of checks will NOT be accepted.)

CREDIT CARD INFORMATION (VISA/MASTERCARD ONLY)

I authorize California Lawyers Association to charge my program registration to my VISA/ MasterCard account. **(No other credit card will be accepted.)**

Account Number: _____

Expiration Date: _____ (VISA or MasterCard only)

Cardholder's Name: _____

Cardholder's Signature: _____

California Lawyers Association is an approved State Bar of California MCLE providers.

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