

## The Bar Association of San Francisco Issues Statement Regarding Recent Actions Taken By Judge Garaufis Against Kirkland & Ellis

**September 29, 2016 – San Francisco** --In light of Judge Nicholas Garaufis's (E.D.N.Y.) reprimand last week of the law firm of Kirkland & Ellis for sending an associate to a status conference instead of a partner, The Bar Association of San Francisco (BASF) reaffirms its commitment to advocating for courtroom opportunities for newer lawyers. BASF believes that allowing less experienced associates to appear in court on behalf of clients is important to the development of courtroom advocacy skills. Rather than discouraging law firms and their clients from sending associates to cover appearances in court, judges should encourage opportunities for newer attorneys. Many San Francisco judges agree and have included provisions in their standing orders encouraging law firms to allow junior attorneys to argue in court.

### BARRISTERS PRACTICAL SKILLS INITIATIVE

This year, as part of the Barristers Practical Skills Initiative (PSI), BASF's Barristers Board of Directors has put together a task force to work with members of the bench and the bar to create more opportunities for junior attorneys to sharpen their practical skills. The initiative primarily focuses on making room for newer attorneys on the front lines in the various stages of litigation. The Barristers Board created this initiative to encourage judges, at both the state and the federal level, to issue orders similar to those issued by many judges in the Northern District of California, which incentivize firms to give their newer attorneys the opportunity to argue motions in Court.

The San Francisco Superior Court has teamed up with the Barristers in these efforts to advocate for BASF's junior members. This year, Judge Angela Bradstreet created the Barristers Practical Courtroom Skills program, which invites new attorneys to come to the courthouse for an informal, candid discussion with the bench. After meeting with Barristers about their initiative, Presiding Judge John Stewart added a statement to the Presiding Judge/Master Calendar page on the San Francisco Superior Court's website:

### NOTICE TO ATTORNEYS REGARDING NEWER PRACTITIONERS

The Court believes in supporting the development of our next generation of trial attorneys. To that end, the Court encourages parties and senior attorneys to allow newer practitioners in Civil actions the opportunity to participate in court, either by arguing motions or examining witnesses at trial.

The federal bench in the Northern District of California has also voiced support for the Barristers' efforts. Judge William Alsup, Judge James Donato, and Judge Lucy Koh, all of whom have issued orders encouraging appearances by junior attorneys, have met with the Barristers PSI Task Force to discuss ways to advance their initiative and have continued to play a key role in the success of this initiative.

BASF encourages other members of the bench to value the participation of newer attorneys rather than discourage their

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involvement in court hearings, or view their participation (rather than a more senior lawyer) as a sign of disrespect or lack of concern by law firms and their clients. We [the bench and the bar] have a shared responsibility to contribute to the professional development of the next generation of attorneys.