



PARALEGAL ASSOCIATION OF SANTA CLARA COUNTY

GENERAL MEETING

**TO ALL ATTORNEYS, PARALEGALS & OTHER LEGAL PROFESSIONALS:**

DATE: December 15, 2011 \* Register at [www.pascco.org](http://www.pascco.org)  
TIME: 6:00 PM  
TOPIC: Ethics: Lawyers Behaving Badly – Recent Appellate Decisions and the Experiences of a Trial Attorney (1.0 hour of MCLE/CLAE Ethics credit - pending)  
SPEAKERS: Timothy J. Schmal, Esq.

This presentation will address the ethical duties of counsel and examine recent appellate decisions that raise the issue of intentional and negligent misconduct in the courtroom and beyond.

Timothy J. Schmal , a Partner in the Santa Cruz law firm of Burton, Schmal & DiBenedetto, LLP, specializes in civil litigation with an emphasis on Governmental Tort Liability and real property damage cases. Mr. Schmal also has extensive experience handling bodily injury cases in both motor vehicle and premises liability contexts. He has tried over 30 jury trials in over a half dozen counties' state courts, and in federal court, and has handled literally hundreds of arbitrations, court trials and other disputed proceedings, in over 28 years of active civil practice. Mr. Schmal was the prevailing trial and appellate attorney in *Lussier v. San Lorenzo Valley Water District*, a leading published appellate decision regarding natural disasters and public entity liability. He has also represented Joe and Jennifer Montana in property damage litigation. As a San Jose and Santa Clara County resident, Mr. Schmal has handled public entity cases in Santa Clara, Santa Cruz, Monterey, San Mateo, Alameda, Contra Costa, and San Joaquin Counties, and has tried more cases for ABAG (PLAN) members than any other attorney. Mr. Schmal serves as both an Arbitrator and Judge *Pro Tem* for the Santa Clara County Superior Court and as a Court-appointed Special Master, Discovery Referee and Judge *Pro Tem* in Santa Cruz County Superior Court. Mr. Schmal has also served as a Mediator and Special Master by stipulation of the parties in litigated disputes.

Mr. Schmal is the proud father of two adopted daughters. As an avid distance runner and marathoner for over 27 years, he has been a participant, mentor, captain and has served as a 6+ year on-staff coach for the Leukemia & Lymphoma Society's Team In Training (“TNT”) program. Mr. Schmal has raised over \$25,000 for TNT, was the 3<sup>rd</sup> highest fundraiser, and was a nominated candidate for the 2011 Silicon Valley and Monterey Bay Chapter Leukemia and Lymphoma Society “Man of the Year”, raising over \$28,000 in a ten week campaign. He has run 20+ marathons, including the Boston Marathon (2x) where he finished in the top 25% in 1996. Mr. Schmal also hopes to have completed, before the end of 2011, 40 half-marathons, including once each calendar month of the year 2011.

LOCATION: Sheraton Sunnyvale  
1100 North Mathilda Ave.,  
Sunnyvale, CA 94089 (408) 745-6000

COST: Students: \$23.00 (\*\$28.00) PASCCO Members: \$25.00 (\*\$30.00) Non-Members \$35.00

RSVP: By Dec. 1, 2011 (regular mail); by \*Dec. 13, 2011 (electronic)  
\*after Dec. 11, 2011 \$5.00 increase in cost applies

**RESERVATION SLIP – General Meeting – December 15, 2011 –Ethics**

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**(Please call or text (510) 378-3766 by 12/12/11 to verify receipt of checks)**

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\_\_\_\_\_ \$23 Students \_\_\_\_\_ \$25 PASCCO Members \_\_\_\_\_ \$35 Non-Members  
\_\_\_\_\_ Request a vegetarian meal

*PASCCO is a California State Bar Association approved MCLE provider and CLAE credit is approved by the National Association of Legal Assistants (“NALA”)*

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