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# California Litigation

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# Editor's Foreword:

## Full Courts

By Benjamin G. Shatz, Editor-in-Chief



**Benjamin G. Shatz**

**W**e now have full supreme courts again, with our high benches at full strength in Washington, D.C. and here in California. Our Golden State wait lasted 18 months, during which time the six sitting justices were joined by a parade of pro tems to fill the vacant spot. How the Supreme Court handled that situation—and much more—is discussed in Kirk Jenkins' article, *The California Supreme Court, 2017-2018: Coping With a Short Bench*. Kirk takes over as our California Supreme Court correspondent from

Professor Jerry Uelmen. Just as we've lost our long-time, Peter Siu, to retirement (see page 2), Jerry too has decided to hang up his court-watching/writing spurs. But we are fortunate to have Kirk crunch the numbers for us and share the insights that come from a quantitative attention to detail.

As we all now know—but didn't know when Peter painted our cover—the open seat on our Supreme Court has been bestowed on Josh Groban. Many non-lawyer music-lovers were no doubt confused by the headline Josh Groban Joins The Supremes. But we know who the real star is and look forward to displaying his shayna punim in this publication sometime soon.

From the judiciary's pinnacle, we plunge to the depths of trial court practice. In *Strengthening the Civil Jury* authors Anna Offit and Richard Jolly explore how changes to business as usual could improve jury trials. With improvement as a theme, our Section's Federal Courts Committee provides us with a primer on *Resolving Discovery Disputes in Federal Courts*, written by Alyson Berg and Kristina Strotzman.

We next transition to a trio of pieces on ADR. First, Gary Benton offers *A Dozen Brilliant Litigation Strategies that Backfire in Arbitration*. Next, Zee Claiborne presents *Ten Tips for Writing a Winning*

*Arbitration Brief*. Finally, Rob Christopher and Sonya Sigler explain a different form of ADR in *What is Neutral-Driven Dispute Resolution (NDR) And When Do I Need It?*

This issue's book review comes from Marc Alexander, who tackles Professor Hasen's *The Justice of Contradictions: Antonin Scalia and the Politics of Disruption*.

On the practice front, Michael Dawe and Brian Cronin cover the recent *Liberty Surplus Insurance Corporation* opinion, in *New Liberty From Liability Insurance Coverage Worries*. We close with a timely article by Marie Jonas, *The E-Word: Emotions, Women, And the Law*. With so many great articles in this issue, why are you still reading this foreword? Turn the page already!

Still here? If so, you're probably the sort of reader who also has ideas for articles you'd like to see in this journal. Please share those ideas with me or any other member of our editorial board. Better yet, draft your masterwork and submit it to us! Can't wait to hear from you.

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