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At Paramount?**

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SOUTHERN CALIFORNIA 2006 Super Lawyers RISING STARS

SOMEDAY, YOU OR SOMEONE YOU KNOW WILL NEED A LAWYER.

Imagine if you could ask nearly all Southern California Super Lawyers to recommend an outstanding attorney who is 40 years old or younger, or who has been in practice for 10 years or less. In the following pages, you'll find the 2006 Southern California Rising Stars — the top 2.5 percent in Los Angeles and Orange counties — arranged by primary area of practice.

Individual
Profiles of
Rising Stars
Begin on
page S-24

HOW RISING STARS ARE SELECTED

SURVEY OF SUPER LAWYERS

Each year Law & Politics mails a ballot to all Southern California Super Lawyers, asking them to nominate the best up-and-coming attorneys they've *personally observed in action*. The intent is to discourage votes based purely on reputation.

Each vote a candidate receives carries a point total, with votes from lawyers outside the nominee's firm weighted more than votes from within the firm.

Law & Politics monitors balloting for indications of manipulation, and eliminates such ballots from consideration.

PICTURED ON THE RISING STARS COVER:

Former federal prosecutor Orly Degani is at the forefront of animal rights law in California.

Photo by Larry Marcus

THE RESEARCH PROCESS

Interviews and contacts: Throughout the selection process, Law & Politics meets and corresponds with law firms in Southern California to identify the top young lawyers in those firms.

Independent research: The Law & Politics attorney-led research team actively searches for outstanding new attorneys to complement the state-wide survey of Super Lawyers. The research team evaluates prospective candidates for indicators of peer recognition and professional achievement. Civic service and pro bono activities are also considered.

Data verification: Each candidate is contacted to verify the lawyer's professional information, including primary area of practice. Even if selected, a Rising Star candidate's name will not be published unless all information is verified prior to publication.

Good standing review: Law & Politics reviews the discipline record of each candidate and verifies that the lawyer is active and in good standing with The State Bar of California.

THE FINAL SELECTION PROCESS

Candidates are divided according to firm size and city. Top candidates from each group are selected as Rising Stars.

In addition to attorneys in private practice, Rising Stars include prosecutors, in-house counsel and public service lawyers.

Southern California Rising Stars are listed by practice area beginning on page S-4. Rising Stars are on the Web at superlawyers.com where they can be searched by name, practice area and city.

What is the policy on salaried employees and overtime pay?

Rising Star Perry Smith of
Barritt Smith in Irvine



If you think that simply being paid a salary as opposed to an hourly rate somehow exempts an employee from being paid overtime under California law, think again. Indeed, this can ultimately be an extremely expensive misunderstanding of the law. Before an employee qualifies for exemption, multiple requirements must be met. Generally, the employee must be paid a monthly salary of at least two times the minimum wage; currently, that works out to at least \$2,340 per month. In addition to this salary basis requirement, the employee's job duties must be of a certain nature before an exemption will apply. The actual duties of the employee are what matter, not the position title or job description. Conducting a proper duties analysis can be tricky, and improper analyses have led to several multimillion-dollar verdicts against employers.

