An Interview With…

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What was the main motivation behind choosing a career in the legal sector?

I wish I had some fantasy story about how I always wanted to be a lawyer since I was a little girl; however, my journey to this profession was not nearly so profound. Although, when I was born - yelling - my mother's obstetrician told her that; with those lungs, I would undoubtedly become a lawyer. I happened to represent myself in a trial in which I, along with six other defendants, were tried for disturbing the peace arising from a melee during a demonstration against the Vietnam War. So my introduction to my legal career was largely inadvertent. After graduating from college, I went to a graduate school, intending to be a history professor. I sound on graduate school, however, and simply needed a job. I saw an ad in the LA Times for a legal secretary. The only qualifications I was to be able to type, which I could do. I applied and obtained the job. When I started working, I had to type letters, pleadings, etc. In addition to taking my boss if I could correct his grammar and syntax, I became fascinated with the legal concepts I was typing. Being blessed with a boss who loved to teach, I started learning about legal concepts, such as equity. I began talking to the attorneys at the firm, most of whom then encouraged me to go to law school, and so did I. I have been fascinated by the law ever since.

What challenges did you face along the way and how did you overcome them?

Practicing law has never been easy. As I have always loved the law, I suppose the biggest challenge was dealing with the politics of the firms where I worked. I simply persevered. I learned early on that the key to success in the business of practicing law was to control the source of funds – clients – and I devoted myself to providing the best service I was capable of to my clients. I have clients today whom I have represented for over 25 years.

What has been the biggest change you have witnessed in the legal sector that affected homeowners?

I began representing homeowners’ associations in 1985, when the law was in its infancy, and there were very few practitioners involved in representing associations. Since then, a number of those have been passed, some would say they are indicative of Legislative micro-management. I was personally involved in two published seminar decisions that impacted the law. Miller v. Lakeside Village, a case involving mold exposure to a homeowner asserted to have been caused by water intrusion and alleged personal injuries as a result. I was able to obtain summary judgment based upon the statute of limitations. In which the court found that the doctors’ advice to the plaintiff that “nothing was wrong with her” was not sufficient to delay the discovery of her injuries so as to avoid the bar of the statute of limitations; and Nahrstedt v. Lakeside Village, the leading case in California which held that provisions in the CC&Rs are presumed to be reasonable and enforceable. Since the Nahrstedt case involved a restriction prohibiting cats, which the Court of Appeal found unenforceable but the California Supreme Court upheld, I received hate mail from cat lovers. (By the way, I love animals and am the proud owner of two beautiful and wonderful cats!)

What is the biggest difficulty of setting up your own firm? What challenges did you face along the way that you were not expecting?

I miss the camaraderie of a law firm, and the ability to bounce ideas off others. I first opened my office in an executive suit. Thinking there would be networking and other opportunities. Unfortunately, most of the attorneys do not socialize. I still talk with my former partners about legal issues from time to time.

Nevertheless, in what ways would you recommend setting up your own firm?

I do not miss the politics which are ever present in a law firm, and I like being in control of my own destiny.

You have represented associations with general corporate issues – which issues are the most challenging to resolve and why?

The most difficult issues involving homeowners’ associations generally occur in smaller associations, who don’t have the funds to hire top-notch management and other professionals. Invariably, disputes arise over whether repair should be made, and disparate interests in small associations can wreak havoc on associations’ obligations to maintain and repair the property, so as to keep it in a first-class condition. Generally, the mandate to the association found in the CC&R’s should be made, and disparate interests in small associations can wreak havoc on associations’ obligations to maintain and repair the property, so as to keep it in a first-class condition. Generally, the mandate to the association found in the CC&R’s.

Persuasion is an important tool when called to cases – in what ways have you developed this skill?

I have been a litigator since I began practicing law. I do believe that litigation is an essential skill to being a rounded attorney. I have the utmost respect for transactional lawyers who never set foot in a courtroom, but I do believe that their experience leaves a bit of a vacuum. I tend to see situations from a different perspective than the way that you were not expecting.

What challenges did you face along the way that you were not expecting?

Nearly every client thinks his or her case is a slam-dunk winner, and most clients refuse to believe otherwise. But the California Supreme Court overturned the lower court decision in the Nahrstedt case involving mold exposure to a homeowner asserted to have been caused by water intrusion and alleged personal injuries as a result. I was able to obtain summary judgment based upon the statute of limitations. In which the court found that the doctors’ advice to the plaintiff that “nothing was wrong with her” was not sufficient to delay the discovery of her injuries so as to avoid the bar of the statute of limitations; and Nahrstedt v. Lakeside Village, the leading case in California which held that provisions in the CC&Rs are presumed to be reasonable and enforceable. Since the Nahrstedt case involved a restriction prohibiting cats, which the Court of Appeal found unenforceable but the California Supreme Court upheld, I received hate mail from cat lovers. (By the way, I love animals and am the proud owner of two beautiful and wonderful cats!)

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