

# THE Legal Secretary®

August 2012



IN THIS ISSUE

## **RISE TO THE CHALLENGE**

SANDRA T. JIMENEZ, CCLS



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## Features

Rise to the Challenge By Sandra T. Jimenez, CCLS .....	2
Fishing Expedition By Candice E. Caufield .....	7
Point of Order! By Astrid B. Watterson, CCLS .....	9
LSS 2012-2013 Membership Application .....	11
What Legal Professionals Need to Know Submitted by Andrew Bayer .....	12
In Memoriam Rhoda C. Spencer, PLS .....	14, 15
From Words of Wisdom By Kathleen Gorham and Erika Garduno .....	16
Legal Specialization Section Seminars .....	17
How Your Association Can Hold a Mock Trial By Jack-Lynn Sawyer, CCLS .....	18
Join Us at the Fair By Mary Rocca, CCLS .....	19
Your First Tool in Your Marketing Tool Box By Cathleen Siler .....	24
Nutrition Education: Necessity, Hope and Challenges By Kevin Fish .....	26
Your Facebook Password or Your Job? By Richard Fahey, Esq. ....	29
CCLS: My Thoughts About Certification By Sue Sampley, CCLS .....	30
Guidelines for Submission of Articles to The Legal Secretary By Michelle Tice, CCLS .....	31
2012-2013 LSI Officers and Chairman .....	32, 33
eService Simplifies Calendaring in California State Court by Julie A. Goren .....	34
Contest Winners .....	36

## Columns

President's Message By Sandra T. Jimenez, CCLS .....	2
---------------------------------------------------------	---

## Departments

LSI Conference Scrapbook .....	4, 5
CCLS Workshop Registration Form .....	6
LSS 2012-2013 Membership Application .....	11
LSS Seminars - August 2012 Quarterly Conference .....	17
November 2012 Conference Registration Form .....	22
November 2012 Conference Hotel Reservation Form .....	23
Dates to Remember .....	37
Helpful Websites .....	37
LSI Order Form .....	39
CEC Workshop Registration Form .....	42
LSI Benefits .....	43
LSI Roster .....	44

## Advertisers Index

Atkinson Baker .....	8
Barkley Court Reporters .....	IFC
Carol Nygard & Associates .....	35
First Legal Network .....	45
Hutchings Court Reporters .....	28
Janney & Janney .....	Back Cover
The Rutter Group .....	21, 38

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**SANDRAT. JIMENEZ**  
LSI PRESIDENT

Sandra T. Jimenez currently employed by the County of Imperial, Department of Social Services. Previously she was employed as a Legal Secretary/Paralegal by the Law office of Sutherland & Gerber, APC, in El Centro, CA, and prior to that, employed as a Legal Assistant to Richard W. Bohlander, also in El Centro, CA for 20 years. Sandra has been happily married to her husband Mike for 41 years. They have one wonderful son, Mike, who currently resides in Santa Barbara, CA. A California Certified Legal Secretary, since October 17, 1992, and a Certified Legal Assistant since June 10, 1988, she has an A.S. degree in Business from the Imperial Valley College.

# Rise To The Challenge

## May 2012 Annual Conference

### Acknowledgment/Recap:

SANDRAT. JIMENEZ, CCLS — LSI PRESIDENT

**H**appy Days — it certainly was! Special thanks to Imperial County LPA and San Diego LSA for a wonderful conference at the Bahia Resort in San Diego last May. To Conference Co-Chairs Elizabeth Adame, CCLS and Michelle Tice, CCLS, thank you for working jointly in planning a successful Annual Conference. I received many excellent reviews and comments. San Diego is certainly the perfect place for pleasure and fun. We appreciate and recognize the many sponsors and vendors who assisted in making the May Annual Conference a huge success. Expect a conference report to be given at the August 2012 Conference.

Our special thanks to Mark Schwartz of One Legal for an excellent reception on Thursday evening. It was a bit on the cool side; nonetheless, we enjoyed the presence of Judge Jeffrey Barton and Judge David Rubin, who provided an update on the current California court system cutbacks and closures.

On Friday we had the excellent Officer/Chairmen workshops on the William D. Evans and the Bahia Belle. Thank you to the many who attended -- the majority of the evaluations were excellent. The workshops are presented according to requested topics. J. Cori Mandy, CCLS, LSI Educational Program Coordinator, did a wonderful job of organizing informative workshops, and the handouts were excellent.

On Saturday morning we attended the Pre-Governors meeting to finalize business for the 2011-2012 fiscal year. Immediately following, all delegates, officers, and chairmen attended the main event, the General Assembly session.

Yvonne Waldron-Robinson, CCLS, did a wonderful job of introducing the Executive Committee members - it certainly took me back to my high school days! The election of new officers took place and chairmen reports were given. And later that afternoon we attended very informative and educational Legal Specialization Section (LSS) workshops under the supervision of the LSS Coordinator, Cheryl L.

Kent, PLS, CCLS. Cheryl and the new section leaders are all enthused about LSS this coming year with new and wonderful promotional ideas - I can't wait to join this year!

A special acknowledgment to our Saturday morning Welcome and Keynote Speaker, Steven Escalera, Esq., Imperial

County Bar President, who was able to join us on Saturday morning. He learned on Friday evening that a pending trial would be commencing the following Monday; therefore, he was not able to attend all the conference events.

We have a new Website Editor, Cathleen McGrath Siler of Long Beach LSA. Please direct all website inquiries or event information for posting on the website to her.

An additional Assistant Editor position was added to the Publications Revision Committee (PRC). The PRC, in coordination with the Continuing Education Council, will now have the duty and responsibility of updating the *Legal Secretary's Reference Guide* and the *Law Office Procedures Manual Instructor Guides*.

The Saturday evening reception provided everyone with some time to relax and network with LSI friends and colleagues. The Banquet



speaker, the Honorable William McCurine, Jr., was wonderful and very humorous. The Hillsdale Middle School Honors Drama Class was awesome! The 50s songs brought back wonderful

#### AUGUST 2012 CONFERENCE:

Cheryl L. Kent, PLS, CCLS, of Livermore-Amador Valley LPA and Mary S. Rocca, CCLS (LSI Past President 2004-2006) of Alam-

A Point of Order was made by Michelle Tice, CCLS of San Diego LSA regarding a pending violation or an existing illegal act pursuant to LSI Bylaws and *Robert's Rules of Order*. An article is included in this issue to clarify what the Point of Order was and why I ruled in favor of it.

memories – extremely talented youth. The evening concluded with award presentations to winners for 2011-2012 – congratulations to all!

Sunday morning Brunch/Installation provided me with a lifetime, memorable experience. Kay J. Thornburg, Installing Officer, of San Diego (LSI Past President 2002-2004) and Linda Duarte, Installing Marshal, of Long Beach (LSI Past President 1994-1996) performed their duties perfectly. Thereafter, it was my honor and pleasure to announce the 2012-2013 LSI Team. As a team, we **Rise to the Challenge** to improve and strengthen LSI in the coming year. The newly appointed officers and chairmen are listed and included in this issue.

The Post Board of Governors meeting brought me back to reality real quick. The 2012-2013 Budget was approved with a \$500 increase as requested by the CCLS Certifying Board. Beverly Miller of Mt. Diablo LPA requested that a notice for discussion and voting at the August 2012 Conference of LSI amendment to Article XIX 2 (b) of the Bylaws be noticed and sent to the Governors. I urge the Governors to review parliamentary procedure, to do their own research regarding this amendment, to survey their membership regarding the amendment, and come prepared to the August Conference ready to vote accordingly.

A Point of Order was made by Michelle Tice, CCLS of San Diego LSA regarding a pending violation or an existing illegal act pursuant to LSI Bylaws and *Robert's Rules of Order*. An article is included in this issue to clarify what the Point of Order was and why I ruled in favor of it. The duties and actions of the special committee now revert to the standing LSI Marketing Committee.

Unfortunately, we received sad news of the passing of an LSI Past President late Sunday afternoon, which clearly dampened our spirits. Included in this magazine is a tribute article to Rhoda C. Spencer, PLS, CCLS, LSI Past President 1982-1984.


Alameda County jointly invite everyone to the Hilton Pleasanton at the Club in Pleasanton for the August Conference, August 17-19, 2012. They promise a fun-filled, educational event, and invite LSI to celebrate a Blue Ribbon Fair. More detailed information regarding the August 2012 Conference is included in this issue.

The following is a brief review of some changes to be implemented at the August Conference. Basically, the conference schedule will remain the same, with the following exceptions:

- There will be an Officer/Chairman Training Luncheon on Friday at noon. This luncheon is only open to LSI officers and chairmen. We will review instructions and new deadlines for directives and reports, completion of expense claims, parliamentary protocol, etc.
- An MCLE educational program, scheduled and coordinated by the Continuing Education Council, will be held from 5:15 pm to 6:15 pm on Friday at the August Conference.
- The CCLS workshop will be regularly held on Saturday morning at 7:30 am at every quarterly conference.

**Let us Rise to the Challenge** of adhering to our motto: **Excellence Through Education**, and continually work toward being a leader in legal education, as LSI has always been. Legal education is what made us join as members, and it is what will keep us as members.

Please remember that my door is always open to new ideas, suggestions, and/or comments from members, chairmen, past presidents, and Executive Committee members. Feel free to send me your ideas or suggestions for improvement.

I look forward to seeing everyone in Pleasanton for the August Quarterly Conference being hosted by Alameda County LSA and Livermore-Amador Valley LPA, August 17 - 19, 2012, at the Hilton Pleasanton at the Club in Pleasanton, California. 





# LSI Annual Conference 2012

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Please make check payable to LSI. Mail registration to Terrie Quinton, CCLS, c/o Duckor Spradling Metzger & Wynne, 3043 4th Ave., San Diego, CA 92103, and email registration to [quinton@dsmwlaw.com](mailto:quinton@dsmwlaw.com).

CCLS CREDIT WILL BE GIVEN FOR THIS WORKSHOP





# Fishing Expedition

## Exploring The Benefits Of Networking

BY CANDICE E. CAUFIELD—SAN DIEGO LSA

One of my fondest childhood memories is a fishing trip with my father while camping in the Sequoia and Kings Canyon National Park. Shortly after we arrived at our campsite and pitched our tents, my sister and only sibling fell ill and did not want to leave home base, so my mom had no choice but to stay and take care of her. My father, a descendant of a long line of hyper, high-strung personalities, was itching to do something that day. Since I was his only option for a fishing buddy, he recruited me to join him on a fishing expedition.

We packed our fishing poles and bait box and treaded into the wilderness. After finding the perfect spot to cast our lines, my dad and I sat for what seemed like hours, waiting for a bite. Despite the serenity of watching the crystal clear water rush over the rocks and the unforgettable, glorious scent of pine trees and fresh air, what I remember most is that between the two of us, we only caught one rainbow trout. Fortunately for the trout, we threw him (or her) back into the creek toward freedom. There's not much you can do with a fish that's less than three inches long. Throughout the following years, I experienced the same with my father and other family members while fishing – spending hours casting a fishing line into creeks, streams, lakes and rivers with little to no results.

Last year during a trip to Italy, and thanks to credit cards, I was fortunate enough to visit Monterosso al Mare, one of the five beautiful villages of Cinque Terre. Cinque Terre consists of five villages located on the west coast of the region of Liguria, Italy. In addition to pristine waters and inviting scenery, Cinque Terre

boasts excellent fresh seafood. Yet I didn't see a single fishing pole. Instead, there were many small boats with nets cast into the water. As the fishermen went about their daily business, their nets collected octopi, crab, crayfish, squid, and other fish. At the end of the day, they collected their fresh catch and fed their families, made extra income by selling their catch to residents and local restaurants, and provided entertainment to visitors like me. During our first meal in Cinque Terre, I knew that I would never forget the delectable taste of their local cuisine and knew that I would recommend any traveler visit Monterosso at his or her first opportunity.

The fishermen of Cinque Terre were a stark contrast to my past fishing expeditions. I realized that like them, we must decide how to best utilize our resources in order to provide ourselves with more opportunities for personal, professional, economic, and social growth. We can only do so if we cast our nets out into the sea of our community, rather than standing alone, waiting for something to happen. This is purpose of networking: giving ourselves the chance to meet new people, participate in new experiences, and open ourselves to an ocean of new prospects.

By casting our nets into our legal community, we enable ourselves to not only share our knowledge, but learn through others. As much as I hate to write this, I do not know everything, especially when it comes to the practices and procedures of law. Ultimately, there is another person who knows more than I and has more experience with legal procedures and federal, state and local court rules. Through my involvement with SDLSA and LSI, I have been



CANDICE E. CAUFIELD

Candice E. Caufield graduated from the University of San Diego with a Bachelor of Arts in History. She has enjoyed working in Civil Litigation for approximately seven years and looks forward to many future years in litigation. Candice became a member of San Diego Legal Secretaries Association ("SDLSA") in 2007 and has previously served on SDLSA's Board of Directors as a Director and Membership Chair. She is grateful to be able to work and socialize with colleagues who share the same values of integrity, professionalism and passion for the legal field as she.

fortunate to connect with such persons, which begs me to ask, "Why would I wade through murky waters when instead, I could save my time (and my employer's time) and frustration through reaching out to a colleague who would be best able to send me to the best fishing spot?" Further, when I am able to help a colleague, my confidence and appreciation for my own fishing techniques are enhanced.

Sadly, as most of us know and understand, we face difficult economic times. The employment market is tough and is strongly in favor of employers. In order to remain competitive in these times, we must show that we are above competent in our field and that we are passionate about our profession. Such qualities can again be exemplified through our involvement with our local professional organizations, as this shows that not only do we care about the quality of our work, but we strive to maintain a competitive edge; we also demonstrate that we are ready, willing and able to go with the flow of the tide and accept change. Further, through sending our nets out, we are able to attract more opportunities for professional, personal, and career advancement. Perhaps you know that the pool you are wading in will soon dry up. Instead of waiting for that day to come, why not explore other shores?

Even if you decide that the legal community is not where you want to be, I encourage you to continue to network through LSI and local legal organizations like SDLSA. Each member of these organizations understands and is empathetic to every member's goals for professional and personal development, meaning that if you choose not to follow in our footsteps, we hope to see you grow on multiple levels and are willing and able to assist you in such endeavors. You may decide that the legal field is not a pool you want to wade in, yet by casting your net into our waters, you will discover options that you never before considered. You will meet people with whom you connect.

In addition to shared knowledge, professional growth, and developing long lasting personal connections, there is an ocean of benefits that comes with networking which I invite you to research. Instead of casting a single line, waiting for a bite, why not cast your net? Open yourself to a sea of new friends, new colleagues, and new opportunities. If you are still unsure of casting your net after reading this article, I hope I have at least reeled you in. <sup>LS</sup>

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# Point of Order!

ASTRID B. WATTERSON, CCLS — LSI PARLIAMENTARIAN

**D**o what you can, with what you have, where you are. ~ Theodore Roosevelt

At the post-Board of Governors meeting held during the May 2012 LSI Annual Conference hosted by Imperial County LPA and San Diego LSA, an interesting thing occurred. A point of order was made and so began my journey into the wonderful world of *Robert's Rules of Order* and LSI parliamentary procedure.

According to *Robert's Rules of Order*, 11th Edition, section 23, a point of order is made when a member believes that a violation of a rule has been made. When a member calls for a point of order, they are telling the chair (in LSI's case, the President) that a violation is occurring and what the violation is, then the President needs to decide if, in fact, there is a violation or not. A point of order calls for a ruling and an enforcement of the rules. However, a point of order is not open to debate or voting, unless the chair is in doubt of their ruling or their ruling is appealed.

*Robert's* tells us that a point of order has several characteristics, such as: (1) it takes precedence over any pending question out of which it may arise; (2) it can be applied to any breach of the assembly's rules; (3) does not require a second; (4) is not debatable, unless the chair consents and asks the assembly to decide; (5) is not amendable; (6) is normally ruled upon by the chair; and (7) cannot be reconsidered.

It is the right of every member who notices a breach of the rules to insist on their enforcement. Due to the nature of a point of order, it is not unusual for the presiding officer to engage in brief research or consult with the parliamentarian before ruling on the point of order. What of the timing? A point of order should be noted immediately upon the violation of the rule. Section 23 of *Robert's Rules* does say: "After debate on such a motion has

begun - no matter how clearly out of order the motion may be - a point of order is too late." However, there is an exception - if the violation is of a continuing nature - in which case a point of order can be made at any time during the *continuance* of the breach.

Now that we know what a point of order is, what happened at the post-Board of Governors meeting? A point of order was made indicating that there was an ongoing violation of LSI's Bylaw article XII, section 2, subsection (i), because LSI's Bylaws already provide for a standing marketing committee, whose function is to perform *various marketing activities* along with several other marketing-related items.

At the November 2011 Conference, an ad hoc committee was created for the specific purpose of *investigating* the hiring of a marketing expert and the costs associated with a possible name change. However, at the February 2012 Conference, that same ad hoc committee listed in its recommendations that a new special committee be created of four LSI members to work directly with Mr. Durant and Mr. Stern to *assist in all areas of this project*. That "project" refers to the various duties listed in the recommendation of the November 2011 ad hoc committee as being:

\* \* \*

2. Hire Jeremy Durant, MBA, Bop Design to perform the following duties, including, but not limited to:

- (a) Assist with the name change or modification.
- (b) Revamp LSI's logo and brand development.
- (c) Redesign and develop LSI's website.
- (d) Redesign all marketing materials.
- (e) Design a four-page membership recruitment brochure, an email newsletter, and direct mail recruitment.
- (f) Develop marketing strategies for the local



ASTRID B. WATTERSON  
LSI PARLIAMENTARIAN

Astrid B. Waterson, is employed as a paralegal at Somach Simmons and Dunn and specializes in the areas of environmental and land use law and civil litigation matters. Astrid has been the parliamentarian of her local chapter, Sacramento LSA, for two years, prior to being appointed as LSI's Parliamentarian for the 2012-2013 fiscal year. She has held many positions on the executive committee of her local chapter and has also served as an appointed chairman for LSI. Astrid graduated from CSU Stanislaus with her paralegal certification and obtained her California Certified Legal Secretary designation in 2003.

associations in accordance with the changes and modernization of LSI.

(g) Assist with ongoing marketing strategies.

This particular recommendation lists several marketing related duties being asked of Bop Design. The creation of a new special committee to work directly with Bop Design and to assist Bop Design in all areas of this project clearly includes marketing related activities.

After the point of order was made, a review of LSI's Bylaws, *Robert's Rules of Order*, the February 2012 Minutes, and a brief discussion, it was the decision of the chair to acknowledge the point of order and correct the violation. It was decided that while the President at the time the special committee was made had the right to create a special committee for any purpose under LSI's Bylaw, article XII, section 4, it could not do so if the Bylaws already have a standing committee that performs essentially the same function—in this case, handling the various marketing activities of LSI. According

to *Robert's*, section 50, "[a] special committee may not be appointed to perform a task that falls within the assigned function of an existing standing committee."

### **WHAT DOES THIS MEAN TO LSI AND THE LOCAL ASSOCIATIONS?**

The President stated that in order to correct the violation, the LSI Marketing Standing Committee would take over the duties previously given to the ad hoc committee, per LSI's Bylaw, article XII, section 2, subsection (i). The motion made in February remains the same – only the team members will change. The current Marketing Committee and those appointed to the Marketing Committee will lead the marketing efforts of LSI. Instead of having two Marketing Committees, LSI will have one – the one called for in LSI's Bylaws.

Parliamentary procedure is the key to making our association run smoothly and fairly for all. I do hope that in my term, I can continue the tradition of providing informative parliamentary workshops to all! **LS**

---

## ***How Your Association Can Hold A Mock Trial, And Have Lots Of Fun At The Same Time*** ***Continued from page 18***

let's just say she was not as pure as she appeared.

The cons are that you have to relax and trust your instincts! Your people are wonderful and by giving them the chance, you will see it. Sometimes you have to encourage your attorneys to step forward. We have found that even though they are willing, their time is so precious; they just cannot fit in one more thing. However, they earn extra MCLE's for preparation, which might be an inducement. I suggest that you have a backup attorney. At one of our trials we found out the day before that the attorney for the defense could not make it. Our substitute attorney came through like a champ and begged us to be first chair for the next one.

For a riotously fun time and a great way to share Day in Court, have a Mock Trial. They are a blast and we have had three so far. Who would have thought we could do this. Certainly, I didn't,

yet, I'm still laughing. If you have any questions, call me and I will give you a play by play example.

The cons, if there were any, were sudden conflicting attorney schedules. You have to be careful and not put just legal people on the jury, or it could take forever. At our first trial, the jury thought Goldilocks' attorney was negligent, because there was no cross-complaint. Their deliberations took so long that the judge polled them at the end. The judge polled the audience at the end of the other two trials, because the participants got so involved in the process, and lost track of time. The verdict can't be predicted. Goldilocks would have won, and might even have gotten damages. Another con of having your own Mock Trial is that you will have a hilariously good time. Remember that because there is no script, you never can tell how it will turn out.

**LS**

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## ***Your Facebook Password or Your Job? Continued from page 18***

video, Twitter's privacy control is binary, however, with Facebook it is a different story, and their privacy controls are very effective when used correctly."

Don't stop using social media, but learn how to use what's invented before you get used by it. And for some reason, the Goo-Goo dolls song "Name" seems to have suddenly popped into my head and the lyrics seem somehow to be apropos.

We grew up way too fast,  
Now there's nothing to believe  
When reruns all become our history.  
A tired song keeps playing on a tired radio,  
And I won't tell no one your name.  
And I won't tell 'em your name.  
And I won't tell em' your name.  
And I won't tell em' your name. **LS**



# LEGAL SPECIALIZATION SECTIONS

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Mail to: **Cheryl L. Kent, PLS, CCLS, Legal Specialization Sections Coordinator**  
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ANDREW BAYER

Andrew Bayer has over seven years experience within the litigation support industry. Andrew Bayer has established himself as a true eDiscovery consultant to a vast array of both corporate and outside-counsel clientele. Utilizing his extensive experience in this industry, Andrew is currently focusing his efforts on strategically consulting TERIS' clients with regard to information governance and compliance as it pertains to Electronically Stored Information (ESI). Additionally, Andrew is a Relativity Certified Sales Professional and has spoken at numerous seminars and conferences as to the various precedents that have been established and new technological trends within the eDiscovery field.

# What Legal Professionals Need to Know

SUBMITTED BY ANDREW BAYER—SAN DIEGO LEGAL SECRETARIES ASSOCIATION

**C**orporate counsel and law firms are becoming increasingly aware of the treasure-trove of potential evidence available through social discovery. Gleaning information from Facebook timelines and Twitter feeds is the modern-day equivalent of hiring a private investigator to “tail” a target. Legal professionals need to be aware of the importance of social media discovery and work accordingly.

## DIGITAL AGE DISCOVERY

The clear benefits to streamlining the discovery process through virtual records and digital storage have given rise to the e-discovery industry. With the increase in electronic data storage, the sheer volume of data collection has increased exponentially. Software tools have been developed to assist with sorting, storing, retrieving, and analyzing data for relevance. However, the main focus has been in mining emails, and only recently has there been a shift toward including social media.

## SOCIAL MEDIA DISCOVERY

Social media platforms such as Facebook and Twitter, are largely replacing email as the primary form of electronic communication. Although social media communication has largely been on a personal level, more and more businesses are taking advantage of these systems as well. As business communications expand to include social media, the evolution of e-discovery software will have to follow suit, and new methods for preserving, collecting, and reviewing this data will need to keep pace.

## X1 SOCIAL DISCOVERY

X1 Social Discovery is an e-discovery investigation platform launched by its parent company X1 Discovery. The tool is designed to probe Facebook, Twitter, and LinkedIn in order to search, preview, collect, and then index relevant data, and is geared toward preserving chain-of-custody in the process.

## REAL WORLD SOCIAL DISCOVERY

Over the last couple years, the legal world has seen a dramatic rise of cases that include social media, many of which are setting new legal precedents for discovery of social media. Below are a few recent and significant cases that are setting case law.

## LESTER V. ALLIED CONCRETE COMPANY

In Virginia, a state judge ordered attorney Matthew Murray to pay over \$500,000 in fines for telling his client to delete less-than-flattering information from his Facebook page. Mr. Murray reportedly resigned his position as managing partner and is no longer a practicing attorney. The client, Isaiah Lester, was separately sanctioned \$180,000 for listening to his lawyer's bad advice, and the lawsuit amount awarded to him was cut nearly in half. In this particular case, Mr. Lester had a photo of himself on his Facebook page wearing a T-shirt (“I heart hot moms”) and drinking a beer. His lawyer instructed him via email to clean up his account and remove the photo: “We do not want blow ups of other pics at trial so please, please clean up your Facebook and MySpace!” Counsel was concerned the pictures would send the wrong message to jurors and prejudice his case against Allied Concrete for the wrongful death of his wife. If a lawyer instructed a client to destroy physical documents, photos, or even delete emails, this would be considered a highly unethical destruction of evidence, yet Mr. Murray felt social media profiles were exempt from typical discovery rules. The Virginia court, however, did not agree, and as a result, legal precedence was set.

## ZIMMERMAN V. WEIS MARKETS

In this case, the court ruled that anyone posting information or photos to a public site has no reasonable expectation to privacy, which would exclude them from normal inclusion in



discovery. Zimmerman, the plaintiff in the personal injury suit, filed damages for a forklift injury incurred to his leg while at work for the defendant's subcontractor. Zimmerman was ordered to provide the defendant with all log-in information (usernames and passwords) for any social media accounts which were maintained by him; the public portions of the defendant's profiles showed information and photos relevant to the case, therefore it was assumed the private portions of the social media sites might also contain relevant evidence to Mr. Zimmerman's claims. For example, due to his visible scar, the plaintiff claimed that he was too embarrassed to wear shorts after his accident, yet pictures posted to these sites showed him wearing shorts with his scar in full view. In its ruling, the court stated: "By definition, a social networking site is the interactive sharing of your personal life with others; the recipients are not limited in what they do with such knowledge. With the initiation of litigation to seek a monetary award based upon limitations or harm to one's person, any relevant, non-privileged information about one's life that is shared with others and can be gleaned by defendants from the Internet is fair game."

#### **McMILLEN V. HUMMINGBIRD SPEEDWAY**

Similarly to *Zimmerman v. Weis Markets*, the plaintiff was ordered to turn over his usernames and passwords for Facebook and MySpace in order to allow opposing counsel to investigate whether comments made on those platforms might contradict his claims to damages and disability. McMillen was injured when his vehicle was rear-ended by another car during the cool-down lap portion of a race. Since the publicly visible portion of his Facebook page included comments about attending another race after the incident, and going fishing, the defendants demanded his login information in order to "determine whether or not plaintiff has made any other comments which impeach and contradict his disability and damages claims."

The Pennsylvania court stated that relevant materials are included as discoverable as long as it was not privileged. The State of Pennsylvania recognizes only very limited privileges, and social network sites are not included in the exceptions. The court stated: "Facebook, MySpace, and their ilk are social network computer sites people utilize to connect with friends and meet new people. That is, in fact, their purpose, and they do not bill themselves as anything else. Thus, while it is conceivable that a person could use them as forums to divulge and seek advice on personal and private matters, it would be unrealistic to expect that such disclosures would be considered confidential." Essentially, communications posted within social media platforms should be considered another viable piece of legitimate communication discovery, along with memos, emails, and documents. The court's final ruling declared that if "there is an indication that a person's social network sites contain information relevant to the prosecution or defense of a lawsuit ... access

to those sites should be freely granted."

#### **CRISPIN V. AUDIGIER**

This case involves a claim of copyright infringement brought by Crispin, an artist, against Audigier, a designer. Crispin alleged that Audigier used his works outside the bounds of their original oral agreement, including sub-licensing the artwork out to other individuals and companies (who were also named as co-defendants) without additional consent from Crispin. Defendant counsel served subpoenas to Facebook and MySpace requesting them to release communications between the two parties, and between Audigier and the other co-defendants. Crispin filed a motion fighting this move, citing protection under the Stored Communications Act (SCA) of 1986, which prohibits providers of Electronic Communication Services (ECS) and Remote Computing Services (RCS) from releasing such communications. The motion was denied; Judge John E. McDermott declared that social media platforms did not qualify for protection under the SCA guidelines.

Crispin appealed this decision, which was then partially reversed by District Court Judge Margaret Morrow. Judge Morrow found that the protections provided by the SCA and related discovery procedures did somewhat apply, since those platforms do provide private messaging features, which qualifies them as both CS and RCS providers. However, Judge Morrow added, there was not enough evidence to determine whether postings in public areas of these sites in comment fields or as wall postings qualified for the same protection, as they are dependent upon the user's privacy settings. This sets a legal precedent of potentially limiting social media discovery based on SCA protections in the future, although many feel the Stored Communications Act is severely outdated. This case is the first instance of the SCA being invoked as protection against social media discovery.

#### **THE FUTURE OF SOCIAL DISCOVERY**

As with any great shift in the status quo, the new era of e-discovery, and particularly social discovery, is still in its infancy. However, the nearly limitless potential for tapping into case-relevant information suggests the means of procuring this data will make tools like X1 Social Discovery indispensable. As privacy settings (and laws) take hold, it will create new challenges for those seeking information via social discovery – social discovery technologies and expertise will become increasingly important.

Forward-thinking firms and companies are recognizing this important stage and developing policies and processes to address the emerging practice of social discovery.

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# *In Memoriam*

**RHODA C. SPENCER, PLS  
SEPTEMBER 6, 1923 - MAY 20, 2012  
LSI PAST PRESIDENT 1982-1984  
SDLSA PAST PRESIDENT 1969-1971**

Rhoda Catherine Franks was born in Honolulu, Hawaii on September 6, 1923, and married George C. Spencer in her hometown in 1943. Rhoda is survived by her three children, Michael (Debbie), Marian (Roy), Patty (Dan), eight grand-children, 11 great-grandchildren, with one additional great-grandchild due in August, many nieces, nephews and innumerable friends. Rhoda passed away on Sunday, May 20, 2012, after returning home from the 2012 Annual Conference in San Diego. Her inurnment took place at Glen Abbey Memorial Park in Bonita, California on May 25, 2012. Memorial contributions in Rhoda's name may be sent to LSI's Scholarship Fund or St. Jude's Childrens Hospital.

Rhoda was a member of the San Diego Legal Secretaries Association since 1966. She has served as Charitable Projects Chair, Ways & Means Chair, Bosses' Night

Chair, Program & Legal Procedures Chair, Director, Second Vice President and President (1969-71). She was voted LSI's Secretary Cum Laude in 1972 and nominated five Bosses Cum Laude, all of whom were chosen.

Rhoda worked for Pacific Telephone Company and in 1969 during Rhoda's presidency, SDLSA hosted the LSI Convention. Rhoda was voted President of Legal Secretaries, Incorporated and held that office from 1982 through 1984. Taken from the March 1971 issue of San Diego's Legalines: "Rhoda has been an inspiration to all those who have had the pleasure to serve under her. The worst that could be said about Rhoda is that she was a great President, and the best that could be said is that she is a friend."

**MEMORIAL ADDRESS  
BY RHODA C. SPENCER, PLS  
LSI 78TH ANNUAL CONFERENCE  
BAHIA RESORT HOTEL, SAN DIEGO, CA  
MAY 20, 2012**

**AFFECTION,** Understanding and a wealth of memories are deep. We LSI members should share mutual feelings, especially when we review the accomplishments of the past and look forward to the new year.

**WE MUST TAKE THE TIME** to cherish many warm and endearing thoughts about those guiding forces for LSI these past 78 years. Today seems the perfect time to remember and pay special homage to our founder, Eula May Jett, those past presidents, and members who are no longer with us.

**MEMORIES OF THEM** are like pictures that hang on the walls of our minds. Time may have aged the photographs but how haunting and sweet they are.

**LIKE THE PATTERN** of life, they have woven the threads. Some have been blue, and some have been pure gold.

**TODAY WE MINGLE** the new and finer threads with the old. Some tiny threads may be broken, and a stitch or two may have been skipped.

**BUT WHEN LSI'S WORK** is finished, the pattern will not be ripped. It still forms a perfect blending of all our hopes and dreams. With love we frame the border, and with sorrow we sew the seams.

**SO BE SURE** to hold the pattern to your hearts and to remember that sweet memories are the dearest part.





KATHLEEN GORHAM

Kathleen Gorham is the newly appointed Parliamentarian for the Desert Palm Legal Professionals Association (DPLPA). Kathleen has worked in the legal field since 1987, and has been with the law firm of Slovak Baron & Empey, LLP in Palm Springs since 2011. Kathleen also resides in Palm Springs with her husband of 23 years and two Australian Shepherds.



ERIKA GARDUNO

Erika Garduno is the newly elected Vice President of the Desert Palm Legal Professionals Association (DPLPA) and, Editor of Full Disclosure. Erika has worked in the legal field since 1994, and has been with the law firm of Slovak Baron & Empey, LLP in Palm Springs since 2007. Erika also resides in Palm Springs with her two children, Alexis and Kira.

# From Words Of Wisdom

LORENCE ROSS, LPA BY KATHLEEN GORHAM & ERIKA GARDUNO — SUBMITTED BY DESERT PALM LEGAL PROFESSIONALS ASSOCIATION (DPLPA)

**E**rika and I sat down with Desert Palm Legal Professionals Association Member Florence Ross in the conference room of her office at Schlecht, Shevlin & Shoenberger to talk with her about her history with the Association.

Florence is a graduate of Soule Business College, New Orleans, Louisiana. She married her husband, Don, in 1951 and they moved to Cathedral City, California. In late 1952 she answered a call (by accident) that Warren E. Slaughter, Esq., needed a secretary for a one attorney law office. Without much thought of specifically becoming a legal secretary, Florence filled the needed position and worked for Mr. Slaughter until September of 1953, when she resigned to take care of her children.

After five years, Mr. Slaughter contacted Florence in September 1958. He needed a secretary again, so Florence returned to work for Mr. Slaughter with the agreement that it would only be for two weeks while he looked to hire a permanent secretary. That was 54 years ago!

Florence worked for Mr. Slaughter, who had been joined by attorneys Jim Schlecht and Robert Schlesinger, forming the firm of Slaughter, Schlesinger and Schlecht. About eight years went by when Mr. Slaughter was appointed to the Bench as a Superior Court Judge in 1966. Judge Slaughter wanted Florence to come to the Court with him as his secretary, but with three children in school in Palm Springs, she felt it would not have been a successful move for her. So Florence stayed on with the firm, eventually becoming Jon Shoenberger's secretary in 1978 and continuing to this date, now on a part-time basis. We asked Florence if she was considering retiring anytime soon and she said she would retire when Jon does. That time is presently unknown. In any event, she said she hopes not to retire before her 80th birthday next January!

Florence became a charter member of the Desert Palm Legal Secretaries Association

when it began in 1961. She attended the very first installation and has over the years held every office except Governor. Florence was elected and served as President of DPLSA in 1975 and 1976, and was appointed Parliamentarian in or around 1987 or so (no one can remember!).

Florence was nominated for and won "Legal Secretary of the Year 1993-94" for the State of California by the California Association of Legal Secretaries. Encouraged always by her family and co-workers to step out and up, Florence is to this day very proud and honored to have received it. After careful thought, Florence decided to step down as Parliamentarian this year but will continue to attend meetings and events and volunteer where she can. In fact, Florence has refused in the past an honorary membership because she didn't want to lose her right to vote. Although I suspect the Association will continue to make this offer to

*...Continues on page 20*







JACK-LYNN SAWYER

Jack-Lynn Sawyer Registered Parliamentarian. Jack-Lynn was the chairperson for the Conejo Valley LPA mock trials. She is a past-president, treasurer, secretary, vice president and governor of Conejo Valley LPA, and its parliamentarian. Jack-Lynn is also a mediator, specializing in the issues of Native Americans. She is the owner of an on-line business called "Kraft-It!", which supplies all manner of beads for the crafter. She and her husband, Jim, are the parents of Michael and Brent, and the grandparents of 4. If you give her the chance, she will tell you how excited she is that her grandson Michael and his wife have just made them great-grandparents with the birth of a new great-granddaughter last month.

# How Your Association Can Hold A Mock Trial, And Have Lots Of Fun At The Same Time

JACK-LYNN SAWYER, CCLS — SUBMITTED BY CONEJO VALLEY LPA

**A**re you a budding Thespian? Do Fairy Tales seem unrealistic to you? Is your boss a good-natured kind of person or an old stogy? Well, for an absolute blast of a time for a fundraiser that will raise the awareness of the public and our create MCLE's for your CCLS and paralegals, have I got an idea for you!

As the Day in Court Chairman for Conejo Valley Legal Professionals Association, it fell to me to come up with an idea to reach as many people as I could. Our association decided to put on a Mock Trial. Goldilocks and The Three Bears, well actually, it was called Grizzly Bear; Brownie Bear; and Baby Cub Bear, a minor v. Goldilocks.

The premise of our play was that Goldilocks broke into and destroyed private property when she entered into the Bears' residence against their explicit instructions. As the play progressed, we learn that Baby Bear Cub and Goldilocks are having an affair, and that he gave her permission to come over. Papa Bear was furious at this betrayal, Mama Bear cried, and Baby Bear and Goldilocks ended up running off together. Goldilocks was a freer spirit than the Bears had hoped Baby Bear would fall in love with.

Causes for hilarity, you betcha'. The attorneys, association members and, assorted volunteered family members played their parts well. We picked a random jury from the onlookers, who at our first Mock Trial were almost everyone in the room, and they decided whether or not Goldilocks was guilty. We had a ProTem judge who presided over the courtroom. The court reporter donated her time but laughed throughout much of the testimony

so our transcript was somewhat skewed. Our actors were family members, none of which had a clue as to how a bear should act. The witnesses, as forest animals were also unprepared for the questions given to them by the attorneys.

After three hours, the judge called a halt to the proceedings, the attorneys gave their closing arguments and the jury was empanelled. Too much legal knowledge was our downfall on that first Mock Trial. All of the people in our jury were paralegals and they tore the case apart, often asking for clarification of Jury Instructions.

Goldilocks was found guilty of destroying private property, not found guilty of breaking and entering and was sentenced to community service at the ASPCA.

The pros of having your own Mock Trial are that you will have a phenomenally good time. There are no scripts and the case can go wherever your attorneys want it to (i.e., the affair between Baby Bear and Goldilocks). The public, who is familiar with the storyline, is always delighted when that story makes a left turn. All filings are done with the judge, so the court system is not clogged with our pleadings, and the interviews that the attorneys have with their respective clients can only enhance the performance. The more the attorneys put into the trial, the funnier it will turn out. I was amazed at the way our attorneys could argue any point. Right or wrong, they were awesome! The attorney in the judge's role was trying extremely hard to be stoic, which only added to the fun. Our witnesses wore animal masks so we could distinguish them, and Goldilocks, well

*...Continues on page 10*



# Join Us At The Fair

MARY ROCCA, CCLS — SUBMITTED BY ALAMEDA COUNTY LPA



MARY ROCCA

The members of Alameda County LSA and Livermore-Amador Valley LPA look forward to serving as your hosts of the LSI August 2012 Quarterly Conference, to be held the weekend of August 17, 18, and 19, 2012.

Hilton Pleasanton at the Club is the venue for our Blue Ribbon Fair. Conveniently located within the East Bay, situated 35 miles southeast of San Francisco, and 17 miles from the Oakland Airport, the hotel offers guests complimentary shuttle transportation to/from the hotel and the Dublin-Pleasanton BART station, which is accessible to all BART stations.

visit Michael Katz Winery to enjoy exclusive single-vineyard wines created from hand-harvested grapes, or Ruby Hill Winery located on Vineyard Avenue in Pleasanton.

For golfers, there are numerous courses located less than 15 miles from the hotel. In addition to Wente, the fabulous courses at Poppy Ridge Golf Course and Sunol Valley Golf Club await you.

For shopaholics, Stoneridge Mall is less than two miles from the conference festivities. In addition, historic downtown Pleasanton offers an incredible array of shopping and

Mary Rocca is a native Californian, born and raised in the Bay Area. Mary has been a member of Alameda County Legal Secretaries Association since 1986 and served as President of Legal Secretaries, Incorporated from 2004 - 2006. She has worked with Margaret M. Hand for the past 16 years as a legal secretary/paralegal and office manager. The specialty areas at the Law Offices of Margaret M. Hand, PC are probate, estate planning, trust administration, probate and trust litigation. She has been married to Lou for 38 years, has one stepdaughter and three wonderful grandsons. As co-chair of the August 2012 conference, Mary looks forward to welcoming you to a Blue Ribbon Fair.

## For wine lovers, there are fabulous wineries

Hotel amenities include complimentary ClubSport Fitness Center access (the largest fitness center in the area), 24-hour business center, five-mile area shuttle, and complimentary parking. The hotel boasts newly remodeled bathrooms with luxurious bath amenities, flat screen HDTV, and Sweet Dream® beds.

### **THERE IS PLENTY TO DO NEAR THE CONFERENCE SITE.**


For wine lovers, there are fabulous wineries contained within Pleasanton and the Livermore Valley (a little more than ten miles away). Wente Vineyards is the oldest, continuously-operating winery in the country. Founded over 125 years ago, the winery features public and private wine tastings, an award-winning restaurant, and an 18-hole championship golf course.

In addition, you may wish to visit Concannon Winery, established in 1883. Concannon is renowned for introducing America's First Petite Sirah in 1961. And if you still have time,

dining opportunities. Walk through downtown and take a walk back in time. The wonderful buildings display a variety of historic architectural styles. Many of these old buildings were once connected by secret tunnels under Main Street. Each building has its own story to tell. You can explore all of the history and architecture that Downtown Pleasanton has to offer at your own pace with a downloadable self-guided, Historic Walking Tour brochure.

Just for fun, Blackhawk Museum, a 70,000 square-foot facility with 4 galleries showcasing over 90 cars with historic and/or artistic significance is a mere 8 miles away.

### **AND. . .**

Also in Pleasanton you will find the Alameda County Fairgrounds, the home of the Alameda County Fair, which celebrates its 100th birthday this year. Even though the fair will have ended by the time you arrive, we promise the fun will continue at our very own Blue Ribbon Fair! 

## ***Words Of Wisdom... Continued from page 16***

her, I also feel that she will continue to reserve her voting rights, staying just as involved as she's always been!

With all the history and wisdom Florence has to offer, we decided to take advantage with a little Q&A with questions from our members:

Q: Did you have a mentor? If so, who was that person?

A: I would have to say Warren Slaughter first, and second, the girls at the Courthouse.

But I must add that the Legal Secretary's Handbook in the beginning was tremendously helpful.

Q: What inspired you to become a legal secretary?

A: Well like I said, it was quite by accident. Mr. Slaughter was looking for a secretary in a recently opened law office. Mr. Slaughter was a sole practitioner. He was very patient with me, and we sort of learned together the preparation of documents, filing procedures, and how to run a law office. I enjoyed working with the clients and when I joined the Legal Secretaries Association, I met many wonderful friends in the legal field who encouraged and helped me. As the firm grew, we had many wonderful attorneys and employees who became dear friends and were always very helpful. I guess you could say SS&S is like a second home to me.

Q: Is your job easier now or before we had computers?

A: Yes! 100% easier with the computers. Before computers it was a hard, messy job in preparing documents, with all the carbon paper and white out. Yes, definitely love the computers.

Q: How do you handle having the same boss for 34 years?

A: What can I say, we work well together and I am so proud to work for the fine caliber of man that Jon Shoenberger is. I mean that. I respect him very highly.

Q: Have you ever considered leaving your position and becoming a paralegal?

A: No, raising my children and just being a secretary worked for me.

Q: How has your law firm changed over the years?

A: Well, we had about 32 employees at one time and of course downsized during the recession(s) much like everyone else. But the core has always been consistent. We had great partners and a wonderful office manager, Charlene Treatch, for many years who recently passed away. She added greatly to



the atmosphere of the office. We now still have a great team.

Q: What is the nicest thing your boss has ever done for you?

A: Oh, where do I start? I would have to say the first time my husband became ill with a heart problem. I came into work very upset as I didn't know of a cardiologist to take him to. Jon stopped everything he was doing and found me a doctor to help. When my husband passed away 10 years ago, he and all of the firm, together with my family were there for me. Also, he and Mrs. Shoenberger have been very kind to me over all of these years, remembering me on my birthday, secretaries' day and Christmas, which has made me feel very special.

Q: Florence, what is your opinion on dress code for the legal secretary?

A: Professional always! I feel you should always try to look your best. After all, you do represent your law firm.

Q: What do you think the key to longevity with a law firm is?

A: Do your job and don't get involved in office politics. (Girls, you know what I mean)! I think respect and communication is key!

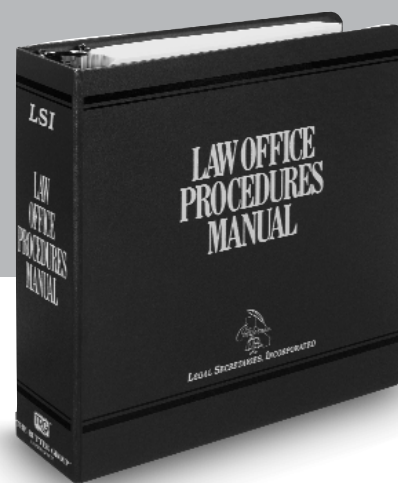
All of the members I emailed or spoke to in with regard to Florence and this article had the most wonderful comments about her, and those comments utilized all the best adjectives in our vocabulary. But most impressive was that in the span of 30 or so years to the present, everyone's description of Florence was consistently the same and that, I believe, is an amazing compliment to her character! **LS**

LEGAL SECRETARIES, INCORPORATED

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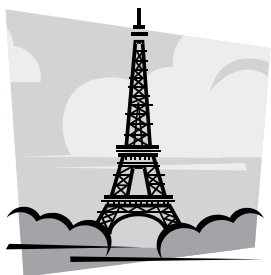
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CATHLEEN SILER

Cathleen Siler is a legal assistant with the firm Atkinson, Andelson, Loya, Ruud & Romo. She has been a legal assistant for 25 years. She has created and maintained Long Beach LPA's website for the past six years as well as her own business website.

# Your First Tool In Your Marketing Tool Box

CATHLEEN SILER — SUBMITTED BY LONG BEACH LPA

**A**re you a little overwhelmed at the thought of even trying? You do not know where to start? I totally understand, but do not be afraid - fear is a wall - education is an open door.

My goal this term as LSI's Website Editor is to get every local association to create a website - even if I have to do it myself! Don't get me wrong - I am absolutely no website guru. Everything I have learned thus far has been from long hours filled with headaches and frustrations while trying to figure out how to add a certain feature to our website. The little I do know is self-taught. So I KNOW I'm not expecting too much from any of you.

Most successful business owners have a marketing tool kit that consists of a business card, website, and some type of way to stay in touch with their customers - in our case, members - whether it is in the form of a newsletter, Facebook page, etc.

market ourselves - in turn marketing LSI. One great way to start is with a website.

There are a few free hosts that I am aware of: webs.com (formerly freewebs.com), Yahoo!, Go Daddy, and Wordpress.com. I like Wordpress the best because it has fresh templates and offers the most exposure for your association through keywords, tags, and links. We are an association of education so blogging should be a main focus for the local associations - I will go more into that later.

Since I like it, I will tell you how to start a very simple website on Wordpress.com. It is free and there are several templates from which to choose. When you start a free website on Wordpress, it is essentially a blog. The blog is your home page, but you can have several pages on this site. Many people/artists/writers are going this route as it is simple - simple is better, they all blog and you can pack the information necessary into this type

## LSI cannot do all the marketing alone. LSI is basically the shell and we are the meat.

Businesses and organizations are very, very much into the 21st Century by now. All successful businesses have a presence on the Web. I am surprised and annoyed when I look for a business on the Internet and it does not have a website. The other day a former co-worker contacted me and asked me if I knew anyone in her area that she could contact regarding secretarial training. I was very disappointed to have to tell her that when I referred to the association's website in her area, their website was outdated and I was not sure if the contact information that I was giving her was accurate.

LSI cannot do all the marketing alone. LSI is basically the shell and we are the meat. The shell would be empty without us. We need to

of website.

Go to Wordpress.com and click on "Get Started Here." You will be asked what you want your free blog address to be . . . for example, I would type "longbeachlpa," and the extension is already applied as you will see, if you want to have a free site. So, your address would be "[associationname].wordpress.com." Then you click the free "create blog." Simple, right? You bet! However, if you want to spend a very small amount of cash, buy a domain name and then your site has even more bells and whistles - most importantly, an easily locatable web name - like longbeachlpa.com instead of longbeachlpa.wordpress.com. Kind of long, huh?! But nevertheless, if you have no budget

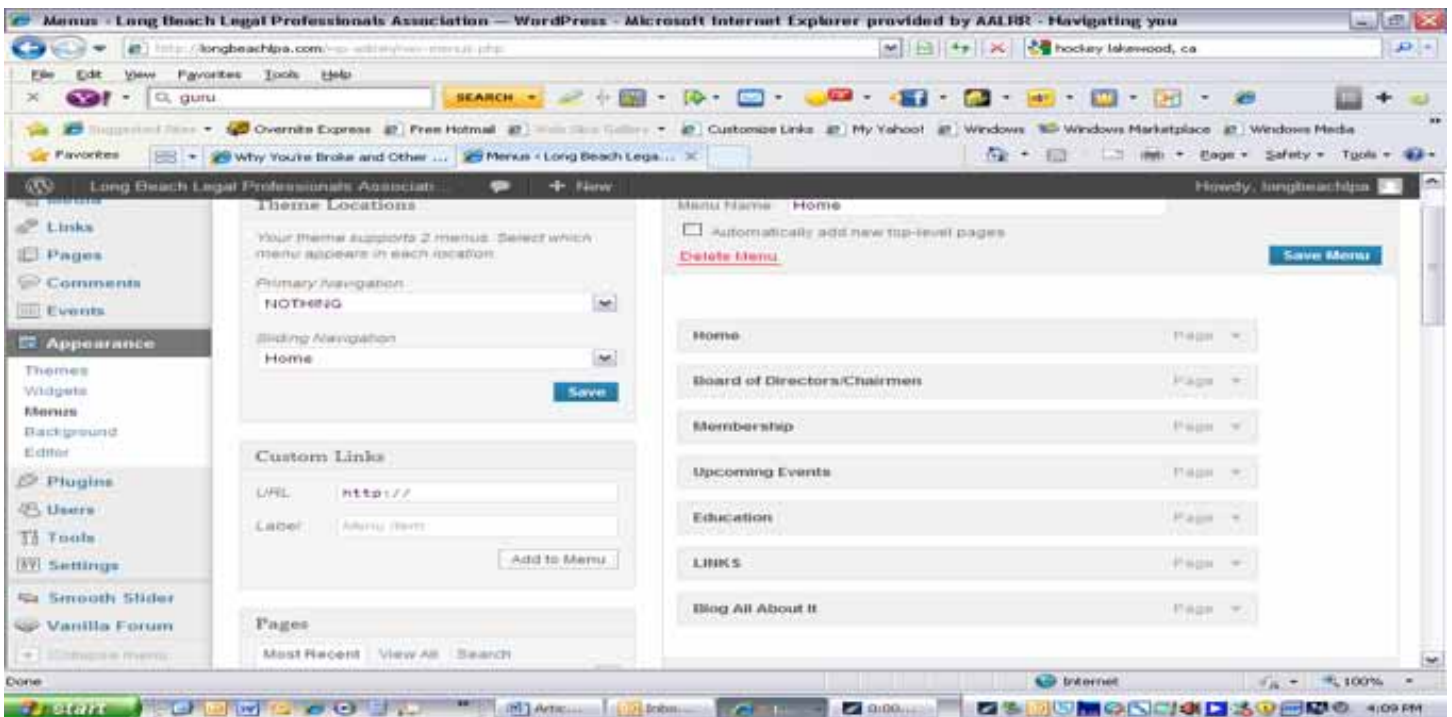


for a website, at least you have something and you will have a link on the LSI website – CHAPTER ACHIEVEMENT POINTS!

Next, you are asked to pick a starter theme or you can just go with the default and change colors later. There are free themes and there are themes available for purchase. After you choose a theme, you automatically get two pages: “Home” and “About.” Your “Home” page is your blog – I would put the latest news/events/legal updates on this blog. Talk about your association on the “About” page – contact info – what the association is all about. Just go to another association’s site that you like

page of your website, except maybe your blog page. So you go to “pages,” “all pages,” and for each page click on “quick edit.” There you can unclick “allow comments.” A default to your blog is that you have to approve all comments before they become public – great feature! Comments are good because that gives your site more exposure, but I have noticed I get a lot of spam comments – I just delete them.

You can customize your theme by uploading your own pictures. In the blog you can enter a bunch of keywords – tags so that when people search those keywords, yours will be one of



and copy theirs (always get permission first). You can add more pages – again, look at sites that already exist for ideas. Make sure you have a legal links page and put LSI at the top – more CHAPTER ACHIEVEMENT POINTS!


After you have added more pages, you will need to go to your “Dashboard” and click on “Appearance” then “Menus.” This is where you tell Wordpress you want the links to the pages to show up on the top of all pages, i.e. navigation bar. You will be asked to name your menu — I just named mine “navigation bar.” Then you select the pages you want to show up on your navigation bar. After you get really savvy at this, you will see that you will not want all pages to show up on your navigation bar. You can have subpages to your pages . . . Sorry, I’m jumping ahead. So on the left you will see a list of your pages (not home because that’s an automatic), click the pages you want to show up on your navigation bar, and click “add to menu” then save. And you’re done! If you do not like the order of the pages, just click on the page name and drag it to where you want it in the order.

You will not want people to be allowed to comment on every

the pages that comes up in the search.

Earlier when I spoke of subpages, if you happen to have a theme like Long Beach’s, you will be limited on the number of pages you have visible on the navigation bar – I have sliding doors and I can only have so many. My answer to that was to create an “Education” tab for example. Under the Education tab, you will find a link to our Legal Specialization Sections page, CCLS page, and Scholarship page. That way, I do not have to have that many pages showing in the navigation area, but I still have all the information needed for our association.

This kind of website will be easy to maintain, look nice, and again, it is free. Some themes come with automatic “like,” “twitter” and “Facebook” buttons. This is great because members of the association can “like” the page and share the page on Facebook, tweet the latest court news, and, as the administrator, you can also share the page on your association’s Facebook page.

You don’t have a Facebook page?! That’s for another day! I hope this helps. If you have any questions, contact me – mcsiler@yahoo.com 

# Nutrition Education: Necessity, Hope, and Challenges

KEVIN FISH – SUBMITTED BY SANTA CLARA COUNTY LPA

## KEVIN FISH

Kevin Fish was born in Syracuse, New York, on April 27, 1953, and grew up in the nearby town of Baldwinsville. He graduated from Lynbrook High School in San Jose in 1972, and earned an A.A. in history from DeAnza College in 1972, a B. A. in history from Southern Oregon State College (now called Southern Oregon University) in 1974; and an M.A. in social science (mainly history) from San Jose State University in 1984.

Mr. Fish has had articles and book reviews published in the scholarly *Journal Of Foodservice Business Research*, with the articles discussing certain laws as well as one on Fresh Choice Restaurant's community programs. In addition, he also had an article on his Grandfather, Orville Redenbacher, published in the Winter 2008, issue of the *Indiana Historical Society's Traces Of Indiana And Mid-western History*. He hopes to have a book on his Grandfather's career published, perhaps in 2014.

## NUTRITION EDUCATION LAW

Vocational education (now called career and technical education or CTE) has existed in the United States since the Morrill Act of 1862. This paper opens with a discussion of CTE. However, of most interest and greatest use to legal professionals who deal with nutrition issues will be discussions of the nutrition education laws, the issues that were raised in the relevant congressional debates, and some of the nutrition law litigation, although there were no court cases specifically dealing with nutrition education law.

Since nutrition education is part of CTE, it is necessary to open with general comments about CTE. Despite the current obscurity of CTE, most school systems around the country still maintain substantial programs and facilities, which are now called CTE even though they have traditionally been called vocational education. Not only do various state laws (Pennsylvania, Georgia, Indiana, California, etc.) authorize CTE for high schoolers and adults, very new relevant federal legislation has been enacted. The latest CTE law further amended the Carl D. Perkins Career and Technical Education Act (originally Carl D. Perkins Vocational Education Act of 1984) in 2006. Moreover, despite the fact that the first public high school opened in Boston, Massachusetts, in 1821, and public education as well as CTE have been authorized for many years, nutrition education was not included in federal law until certain laws were amended much later over a period of time between 1977 and 2008.<sup>1</sup>

Although school lunch law, food stamp law, and child nutrition law had been enacted "Nutrition Education: Necessity, Hope, and Challenges" at different times between 1946 and 1966, the first nutrition education provisions to be added to these laws were the 1977 and 1978 amendments to the Child Nutrition Act of 1966, partly due to frustration. Intro-

duced by such legislators as Congressman Carl D. Perkins of Kentucky and Senator George S. McGovern of South Dakota, these new provisions defined and authorized nutrition education. McGovern noted that a comprehensive nutrition education program was suggested in 1969, but that none had been created. He also pointed out that \$700,000 for nutrition education training and surveys was appropriated in Fiscal Year 1977, but that that was not a nutrition education program or a pilot program.<sup>2</sup>

Even more importantly, the new legislation was motivated by a sense of urgency. Mary Lou De Zeeum, the director of nutrition and nutrition education for the American School Food Service Association, characterized existing nutrition education as fragmented in that it had defeated the effectiveness of utilizing school food service facilities as learning laboratories. She also expressed fear that nutrition education could become necessitated by crisis rather than a preventive health program since much food was wasted after being prepared and served, making it important to teach all children and adults to eat a wide variety of foods. She further asserted that a lack of nutrition education in schools would lead to children's rejection of unfamiliar foods, especially fruits and vegetables. Helen Ullrich, the executive director of the Society of Nutrition Education of Berkeley, California, also asserted that much nutritional food was left by children, thus making it clear that children, at as early an age as possible, needed a nutrition education program. Moreover, she explained that pilot studies showed that nutrition education made a difference, with plate waste being reduced by eighteen percent.<sup>3</sup>

A more recent amendment to the Child Nutrition Act created the Team Nutrition idea. In 2004, this amendment defined the team nutrition network as a statewide multi-

disciplinary program to promote nutritional health and physical activity of United States school children through nutrition education. In other words, Team Nutrition is a comprehensive, integrated plan to promote good nutrition through the Child Nutrition Programs; and includes nutrition education materials for schools and technical assistance for food service providers.<sup>4</sup>

Only a few years later, the Food, Conservation, and Energy Act of 2008 stipulated that the Food and Nutrition Act of 2008 (originally the Food Stamp Act of 1964) was to authorize nutrition education. Introduced by Congressman Collin Peterson of Minnesota and Senator Tom Harkin of Iowa in 2007, this new law specified nutrition education as a basic component of the Food and Nutrition program, and authorized such programs, with nutrition education being advocated as a solution to the obesity epidemic while the legislation was being considered by Congress. The Society for Nutrition Education noted that lifestyle-related diseases, such as obesity and diabetes, cost the United States economy over \$117 billion annually. In urging support of nutrition education, the Society also asserted that such education was critical to lowering risks for these diseases and saving the United States economy these escalating costs. Moreover, Nancy Montanez-Johner, the Under Secretary of the United States Agriculture Department's Food, Nutrition, and Consumer Services, argued that overweight and obesity were critical issues for everyone, and that addressing these problems was most important early in life. Calling for strengthening efforts to integrate nutrition education into the Food Stamp program, she explained that nutrition education and services were provided to participants in the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) in conjunction with other parts of the WIC benefit to improve birth outcomes and promote childhood immunization and breastfeeding.<sup>5</sup>

In addition to the nutrition education for schools that is authorized by the Child Nutrition Act and the Food and Nutrition Act, such education has also been sanctioned by the Richard B. Russell National School Lunch Act (originally the National School Lunch Act of 1946). Since its original enactment in 1946, this law has prohibited the Secretary of Agriculture from imposing any requirements concerning teachers, curriculum, instruction, and materials of instruction in any school. It was not until 1989 that the law began to authorize nutrition education, with this section of that law now specifying (1) training of and technical assistance for Department of Agriculture employees, (2) assistance to state agencies for schools and school food authorities; and (3) a food service management institute to perform such duties as assisting state educational agencies in providing additional nutrition and health instructions and instructors. Later, in 1994, this act began to authorize food and nutrition projects by private nonprofit organizations and educational institutions, but this provision was replaced in 2004 with authorization for the Secretary to provide technical assistance and training to states,

state agencies, schools, and school food authorities for goods and services for programs under that law and the Child Nutrition Act.<sup>6</sup>

## **NUTRITION LAW AND THE COURTS**

Two court cases under the Nutrition Labeling and Education Act dealt with restaurant menus, which like health claims educate the public. According to its Public Citizen, Inc., Decision of 1996, the United States district court in the District of Columbia ruled that Congress intended to include restaurant menus under the Nutrition Labeling and Education Act's nutrition and health labeling provisions, and that the Department of Health and Human Services was not authorized to exempt menus from the labeling requirements.<sup>7</sup> The other restaurant menu case was the New York State Restaurant Association Decision of 2007, in which a United States district court in New York ruled that that law federally preempted New York City's regulation that required restaurants that had already made calorie content information of their menu items publicly available to post such information on their menu boards and menus. This decision also held that both mandatory nutrient disclosures and voluntary nutrient content claims, as encompassed by the city provision, were expressly subject to federal regulation.<sup>8</sup>

## **THE UPSHOT OF THE STUDY**

Several observations can be made as a result of this study. One is that career and technical education (CTE) and nutrition education are not immune to the challenges to education in general. Also, there is always hope, regardless of how much controversy arises. Still another point is that the need for reform is often shown by negative situations, an example being the fact that the obesity epidemic convincingly shows the need for nutrition education. In fact, since nutrition education laws were enacted during the obesity epidemic, one could logically conclude that the epidemic helped motivate the new legislation.

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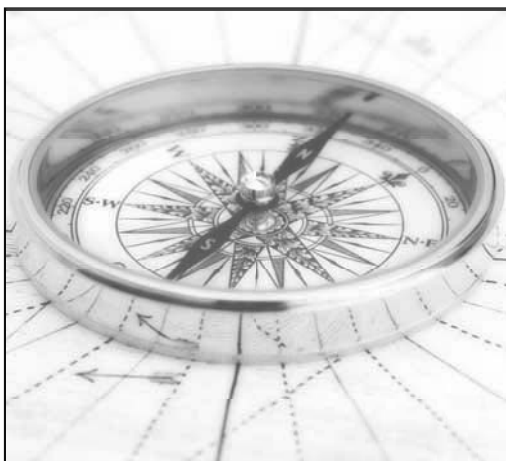
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*...Continues on page 41*



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# Your Facebook Password or Your Job?

BY RICHARD FAHEY, ESQ. – SUBMITTED BY SAN DIEGO LSA

The answer to that question might seem easy as you probably remember the nervous bad guy character from old movies and cartoons robbing someone at gunpoint. Faced with such a stark choice, “Your money or your life,” the victim always hands over their wallet and the robber makes his get away.

Change up the setting and imagine you’re sitting in an interview and your potential employer asks you to not only “Tell me about your greatest accomplishment of your career,” but also, comes up with, “What’s your Facebook password and username?”

Besides the fact that you might be panicking because you’d be wondering how to respond if you hadn’t thought about that question in the first place, you might also be wondering, “Is that legal?” In fact it is, at least for now in California.

Thankfully for everyone who has posted too much personal information on their Facebook page, California Senator Leland Yee (D-San Francisco/San Mateo) has introduced Senate Bill (SB) 1349 which is intended to prevent “employers and colleges from formally requesting or demanding employees, applicants or students provide their social media usernames and passwords.” But until that law passes, the question is fair game.

So as we approach the 4th of July and celebrate our freedom – freedom of speech, freedom of association and the right to pursue happiness, it’s a great time to think about all that freedom we have to post all those funny, compromising photos and updates on Facebook.

If nothing else, remember this: Social media is not your best friend who can always keep a secret, nor was it meant to be. Social media are great for keeping in touch with family and friends but like blogposts, they should not be constant nor a means to share every moment of your life.

It’s one thing to share pictures or a funny quote or even something insightful, informative or inspiring. Think about the awesome power of human creativity and how something called Twitter helped foster the downfall of dictators in the Arab Spring. Now consider how many people you know whose lives are like an overplayed song on the radio. Do you really need to know someone hates their boss or is sitting at their desk hungover? Answer: No.

For more on how embarrassing things can get these days check out a great new technological innovation at a website started by an 18 year old Brit: “We Know What You Are Doing...And We Think You Should Stop.” The URL is: <http://www.weknowwhatyouredoing.com/?action=about>. Billed as an experiment, the program he built scans Facebook and pulls out juicy posts, including people’s names and pictures.

According to the website’s FAQ, you should “make sure your Facebook privacy settings . . . don’t contain potentially risky material as ‘Public’ because then they have a good chance of showing up in the public Graph API.” To make sure you’re not one of the people who end up on that website, you are advised to do the following:

“Just go to <https://www.facebook.com/settings/?tab=privacy> and make sure *Control Your Default Privacy* is not set to ‘Public.’ You can set it to ‘Friends,’ but for the best privacy it is recommended you choose “Custom” and go through each option to choose who can see what.”

Apparently our young British friend whose forebears we revolted against came up with the idea from “Tom Scott’s I Know What You Did Five Minutes Ago” video. It demonstrates some very important points that consider the future of social networking and its impacts on a connected society. As Tom stated in the

**...Continues on page 10**



RICHARD FAHEY

Richard Fahey, Originally from Boston, Massachusetts, Richard was admitted to the California Bar in 2000.

After graduating in 1986, from the University of Massachusetts, Amherst, cum laude, with a degree in psychology, Richard worked as a counselor in the greater Boston area before moving to San Diego in 1989.

Richard’s areas of practice include general civil litigation, real estate, business and personal injury. You can find links to his blog on Twitter or on Lieb & Lieb’s website at [www.leiblaw.com](http://www.leiblaw.com).



SUE SAMPLEY

Sue Sampley has been a Legal Secretary since 1980, with 5 of those years in immigration, and 10 in corporate litigation with Morrison & Foerster.

Taking time off, she has been a stay-at-home, homeschooling mom volunteering her time as Girl Scout Leader; 4-H projects leader, a French foreign exchange student program coordinator, and, a dance team competition administrator. After re-entering the legal field in January 2012, she has passed the CCLS exam, has received a 2011-12 LSI Re-Entry Scholarship, has been appointed the San Fernando Valley Legal Secretaries Association's 2012-13 Parliamentarian, and currently works for Graham Vaage, LLC, which practices eminent domain, inverse condemnation and civil litigation in Glendale, California.

# CCLS: My Thoughts About Certification

SUE SAMPLEY— SUBMITTED BY SAN FERNANDO VALLEY LSA

**A**s many of you who were able to participate in the “happy days” of the Legal Secretaries, Incorporated’s 78th Annual Conference in San Diego this past May have already heard, I am Sue Sampley, a newly-honored CCLS. I am also a Eula Mae Jett Re-Entry Scholarship Awardee. And, I was hoping to share my certification story with you.

I am a Legal Secretary by profession. I have over fifteen years’ experience in the legal field. I have worked with partners, associates, junior associates, paralegals, legal assistants, summer associates, law clerks, and countless other legal secretaries. I transcribe. I file.

that my girls have grown, I want to get back to my work as a Legal Secretary.

Anticipating the transition back into the work force, I began attending meetings of the San Fernando Valley Legal Secretaries Association, participating in their California Certified Legal Secretaries workshops, studying an overwhelming amount of training material, and attending as many local chapter meetings I could afford to attend in order to get caught up in the legal field again.

When I was younger, I couldn’t see the value of certification. Why would I want to take a test on the stuff I do every day? Why

## CCLS Certification more than just taking a test.


And when I multitask, it’s with a capital “M.” I can type at 120 wpm, and I have enjoyed a fairly spot-on spelling, citation, and legal office administration career. But, even with this extensive culmination, the CCLS experience taught me more about the value of a Legal Secretary than my entire working career.

When I was in the fifth grade I was introduced to the typewriter. At that moment I knew I wanted to be a secretary when I grew up. It was when I was in my high school shorthand class that I discovered I wanted to be a Legal Secretary. Within one month of my high school graduation at 17 years of age, I was hired in a small law office, and I have never looked back.

I love being a Legal Secretary. I love the meaningful work, the challenge, and the rewards from working with enormous amounts of information, demanding lawyers, unreasonable deadlines, and the relentless intensity which is a normal work day in a law office. After 15 years as a Legal Secretary, I took on a new job as Mom. I took 10 years off from the industry to raise my two daughters. And, now

would I want to take a test on the stuff I don’t do every day? I already know how to do my job. And, well, the other stuff, I don’t need to know in order to do my job.

But CCLS Certification has turned out to be more than just taking a test. And being a Legal Secretary has turned out to be more than just doing my job. Legal Secretaries long before me have recognized that the California Certified Legal Secretary exam is a comprehensive legal analysis of the working knowledge of a Legal Secretary. Through a battery of questions, the valuation of a Legal Secretary is measured and prized. And, in preparing for the assay, I researched, and explored, and studied, and networked, and discovered that the CCLS exam was a catalyst for my ever-growing regard, admiration and appreciation of my job, my life, and my choice of career.

Certification is about respect for the profession. It’s about the history, honor and progress of being a Legal Secretary. It’s about furthering education. And, it IS about value. I am now certified and qualified and proud. 



# GUIDELINES FOR SUBMISSION OF ARTICLES TO THE LEGAL SECRETARY

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## DEADLINES FOR RECEIPT OF ARTICLES BY EDITOR

1. August issue (First Quarter) June 1st
2. November issue (Second Quarter) September 1st
3. February issue (Third Quarter) December 1st
4. May issue (Annual/Fourth Quarter) March 1st

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## SUGGESTED TOPICS FOR ARTICLES

1. Legal procedures
2. Law office management procedures
3. Word processing/computer hints/technology/internet/world wide web
4. Office equipment/environment
5. Personal safety
6. Career promotion
7. Keynote cases
8. CCLSs are encouraged to submit articles about their experience as a CCLS and/or pursuit for certification - e.g., CCLS mock exam (with answers)
9. Information about our publications: LSI Legal Professional's Handbook; Law Office Procedures Manual; The Legal Secretary magazine
10. Any Specialization area (Civil Litigation; Criminal Law; Family Law; Law Office Management; Probate/Estate Planning; Transactional Law) and appellate articles as well
11. Photographs and/or articles regarding the success of association(s) event(s) (how, when and why successful)
12. Other topics of general interest to the legal community

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## SUBMISSION GUIDELINES

1. Articles must be submitted by email as an attached document using word processing programs such as Microsoft Word or WordPerfect and saved as "doc", "txt", "wpd" or "ASCII" file. When sending email, include in subject line: "[Last Name of Author] and [contents], " i.e., Smith - Article, Bio and Photo.
2. All articles submitted must be at least 500 words and no more than 2500 words.
3. Articles sent in PDF format are not acceptable.
4. All articles submitted must be accompanied by the name, email address, contact information of person submitting the article, and name of submitting Association. Articles that do not have this information cannot be considered for publication.
5. Type all copy in Times New Roman 12 point type to fit across an 8-1/2" x 11" page, single spaced. Avoid using style attributes such as bold, italic, centering, columns or tabs.
6. Articles are subject to approval and/or editing. Editor cannot guarantee publication in any given issue, although every effort will be made to publish as soon as possible after acceptance.
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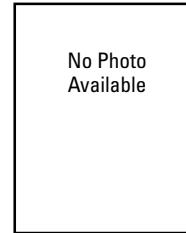


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JULIE A. GOREN

Julie A. Goren is the author of *Litigation By The Numbers* 7-Fourth Edition, a loose leaf updated every January and July with over 440 pages devoted solely to the intricacies of California civil litigation procedure, and the co-author of *California Civil Litigation and Discovery*, a more substantive text on California litigation. She frequently lectures and writes about California state court calendaring, and changes to rules, forms, and codes. For more information about her publications, visit [www.litigationbythenumbers.com](http://www.litigationbythenumbers.com).

# eService Simplifies Calendaring In California State Court

BY JULIE A. GOREN — SUBMITTED BY SAN DIEGO LSA

**eService provides significant advantages** over service by mail, fax, or overnight delivery; some pretty obvious, some not so much. The most obvious advantages relate to the savings of time, money, and time associated with document processing and service itself. In California State Court, another benefit, or more accurately, a series of benefits, relates to calculating deadlines.

In general, it is much easier to calculate deadlines triggered by eService than it is to calendar deadlines triggered by any method other than personal delivery. Even more significant, however, eService of notice of certain types of motions allows the moving party to avoid completely a little-known trap that could very easily result in insufficient notice to opposing parties.

## **THE EXTENSION OF TIME FOR ESERVICE IS MUCH LESS CONFUSING THAN EXTENSIONS FOR FAX OR OVERNIGHT DELIVERY.**

With certain exceptions (see *Calendaring Under the C.C.P. -- Extending Time Based On Service Method . . . or Not* (<http://litigationbythenumbers.com/CCP1013.html>)), documents not personally served require specific extensions of time. To calculate a deadline to act or respond or a non-motion notice period, one must add two court days for service by fax or overnight delivery. (C.C.P. § 1013) However, to calculate the last day to serve notice of a “regular motion” (i.e., not a motion for summary judgment or summary adjudication (“MSJ or MSA”)) by fax or overnight delivery, one must add two calendar days. (C.C.P. § 1005) Yet, to calculate the last day to serve notice of an MSJ or MSA by fax or overnight delivery, one must add two court days. (C.C.P. § 437c)

This difference among the statutes is unfortunate. It leads to confusion and calendaring errors. A significant number of practitioners and support staff are not even aware that the length of the extension for service by fax or overnight delivery depends upon which statute applies, which, in turn, depends upon what is being served. Indeed, the question: “how much time is added for service by fax or overnight service” is really a trick question; it cannot possibly be answered without more information. Yet, people answer it all of the time.

eService is so much simpler. Under C.C.P. § 1010.6, the extension, if any, is two court days. Period. This is true whether one is calculating the deadline to respond to a discovery demand, the last day to serve a motion to compel, or the last day to serve an MSJ or MSA. So, calendaring as it relates to any eServed document avoids the “is it two court days or two calendar days?” question.

## **ESERVICE DOES NOT REQUIRE ADJUSTMENTS FOR HOLIDAYS AND WEEKENDS.**

Deadlines based upon calendar days (e.g., service by mail in all instances, service of regular motions by fax or overnight delivery) may initially fall on a weekend or holiday, requiring an adjustment under C.C.P. § 12a(a). Unfortunately, many practitioners and support staff do not know whether to move the deadline forward or backward. With eService, that dilemma never arises. Why? If one is counting court days, the last day can never land on a weekend or holiday.

So, in California State Court, eService generally has benefits over service by mail, fax, and overnight delivery. However, the advantages of eServing notices of motion for regular motions are even more significant.

### **ESERVICE AVOIDS C.C.P. § 12C PROBLEMS.**

Calculating the last day to serve notice of a regular motion requires the application of at least two statutes: C.C.P. § 1005 and C.C.P. § 12c. C.C.P. § 1005 requires 16 court days' notice, with a five calendar day extension for service by mail within California, and a two calendar day extension for service by fax or overnight delivery. The need to combine court days and calendar days in a single calculation is fraught with problems. In that regard, deadline calculations will differ depending upon the order in which one counts the two sets of days (court days first or calendar days first) as well as the direction in which one counts those days (forward from the notice date or backward from the hearing date).

This ambiguity was resolved by the enactment of C.C.P. § 12c, which provides that the last day to serve notice is calculated by counting backward from the hearing date starting with the 16 court days, and then adding the applicable extension. However, there remains a trap that greatly complicates the other end of the motion-related calendaring equation -- determining the first available hearing date based on the notice date.

Significant detail and several examples may be found in *Certainty in Calculating Hearing-Related Deadlines in California State Court* (<http://litigationbythenumbers.com/CCP12c.html>). For now, however, suffice it to say that if, on a Monday or a Tues-

day, one were to calculate the first available hearing date for a motion, to be served by mail that same day, by counting forward 16 court days and adding five calendar days, insufficient notice would be given under C.C.P. § 12c. In that regard, if one were to count backward from that hearing date 16 court days plus the applicable calendar day extension as C.C.P. § 12c dictates, the last day for notice would actually be at least three days prior to the service date. Similarly, if, on a Thursday, one were to calculate the first available hearing date for a motion, to be served by fax or overnight delivery that day, by counting forward from the notice date, insufficient notice would be given. The disparity is caused solely by the fact that, sometimes, counting court days and calendar days forward yields a different result than counting them backward, i.e., the reason C.C.P. § 12c was enacted in the first place.

The good news is that if notice of motion is eServed, the problem disappears. Why? Because one simply has to add two court days to the 16 court day period, i.e., giving 18 court days' notice. 18 court days is 18 court days regardless of the direction in which one counts. Thus, if one counts forward 18 court days to determine the first available hearing date, one can be assured that a backward count of 18 court days from that hearing date will land on the notice date, resulting in sufficient notice under C.C.P. § 12c. <sup>LS</sup>

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## MEMBERSHIP GAIN CONTEST

GROUP A (5 to 30 members)	Santa Maria LPA, 42% increase
GROUP B (31 to 50 members)	San Francisco LPA, 48% increase
GROUP C (51 to 75 members)	San Fernando Valley LSA, 54% increase
GROUP D (76 to 95 members)	Orange County LSA, 47% increase
GROUP E (95+ members)	Sacramento LSA, 34% increase

## CHAPTER ACHIEVEMENT CONTEST

### CLASS A (5-30 members)

BUTTE COUNTY LPA	6,900
CONEJO VALLEY LPA	7,975
PLACER COUNTY LPA	8,400
SOUTHERN BUTTE COUNTY LPA	13,310****[winner]

### CLASS B (31 - 50 members)

BEVERLY HILLS/CENTURY CITY LSA	16,705
LOS ANGELES LSA	23,740
MERCED COUNTY LPA	32,920****[winner]
SAN FRANCISCO LPA	18,510
SAN GABRIEL VALLEY LSA	15,875
STANISLAUS COUNTY LPA	30,790
STOCKTON-SAN JOAQUIN LPA	25,075

### CLASS C (51 - 75 members)

LONG BEACH LPA	No Entries
MT DIABLO LPA	31,750 **** [winner]
SAN FERNANDO VALLEY LSA	18,235
SAN MATEO COUNTY LSA	25,355
	27,540

### CLASS D (76-95 members)

ORANGE COUNTY LSA	28,975
SANTA CLARA COUNTY LPA	30,635**** [winner]

### CLASS E (over 96 members)

SACRAMENTO LSA	49,110
SAN DIEGO LSA	67,465****[winner]

## HISTORY BOOK COMPETITION

### CLASS A (5-30 members)

First Place: Butte County LPA – Historians Kathy Nelson, CCLS & Susan Jarratt

### CLASS B (31 - 50 members)

No entries

### CLASS C (51 - 75 members)

First Place: San Mateo County LSA – Historians Shara J. Bajurin & Denise McNeil

### CLASS D (76-95 members)

First Place: Orange County LSA – Historian Angela Valles

### CLASS E (over 96 members)

First Place: San Diego LSA – Historian Linda L. Moore, CCLS

## SCRAPBOOK COMPETITION

First Place: Merced County LPA – Historians Julia Chacon-Larsen & Emily Boss

Second Place: Santa Clara County LPA – Historian Elise Dresser, CCLS

Third Place: Mt. Diablo LPA – Historian Maria Bishop, CCLS

Fourth Place: Conejo Valley LPA – Historians Barbara Haussmann, CCLS & Jack-Lynn Sawyer, CCLS

## MEMBERS' CHOICE AWARD

History Book: San Diego LSA – Historian Linda L. Moore, CCLS

Scrapbook: Santa Clara County LPA – Historian Elise Dresser, CCLS

## BULLETIN CONTEST

### CLASS A (5-30 members)

First Place	Desert Palm LPA
Second Place	Southern Butte LSA
Third Place	Santa Maria LPA

### CLASS B (31-50 members)

First Place	San Gabriel Valley LSA
Second Place	San Francisco LPA
Third Place	Los Angeles LSA

### CLASS C (51-75 members)

First Place	San Mateo County LSA
Second Place	no entry
Third Place	no entry

### CLASS D (76 -95 members)

First Place	Orange County LSA
Second Place	Santa Clara County LPA
Third Place	no entry

### CLASS E (over 95 members)

First Place	San Diego LSA
Second Place	Sacramento LSA
Third Place	no entry

## SCHOLARSHIP WINNERS

### PLAN A - COLLEGE STUDENT

1st Place	Laura Lopez	San Mateo County LSA
2nd Place	Lucia Perrin	Mt. Diablo LPA
3rd Place	Terri Spencer	Los Angeles LSA
1st Alternate	Veronica Jernigan	Stockton-San Joaquin LPA
2nd Alternate	Janet Jones	no local association
3rd Alternate	Alexis Ronney	San Diego LSA

### PLAN B - HIGH SCHOOL SENIOR

1st Place (tie)	Ann Breitler	Stockton-San Joaquin LPA
1st Place (tie)	Sue Sampley	San Fernando Valley LSA
3rd Place	Tiffany Douglas	Rio Hondo District LPA
1st Alternate	Laura Ragsdale	Orange County LSA
2nd Alternate	Kevin Fish	Santa Clara County LPA

### PLAN C - RE-ENTRY LEVEL

1st Place (tie)	Ann Breitler	Stockton-San Joaquin LPA
1st Place (tie)	Sue Sampley	San Fernando Valley LSA
3rd Place	Tiffany Douglas	Rio Hondo District LPA
1st Alternate	Laura Ragsdale	Orange County LSA
2nd Alternate	Kevin Fish	Santa Clara County LPA



# Dates to Remember in 2012

<b>August 1, 2012</b>	<b>Renewal of Legal Specialization Section Dues</b>
<b>August 17-19, 2012</b>	<b>LSI First Quarterly Conference</b> <b>Hosted by Alameda County and Livermore-Amador Valley</b>
<b>August 21, 2012</b>	<b>Last day to submit CCLS Exam Application to the CCLS Certifying Board</b>
<b>September 1, 2012</b>	<b>Deadline for submission of articles for November issue of The Legal Secretary</b>
<b>September 20, 2012</b>	<b>Last day to submit CCLS Exam Application to the CCLS Certifying Board (with late fee)</b>
<b>October 20, 2012</b>	<b>CCLS Exam</b>
<b>November 16-18, 2012</b>	<b>LSI Second Quarterly Conference</b> <b>Hosted by Desert Palm</b>

## Helpful Websites

### **Supreme Court of the United States**

<http://www.supremecourt.us>

### **Office of the Attorney General**

[www.ag.ca.gov](http://www.ag.ca.gov)

### **California Courts**

<http://www.courtinfo.ca.gov>

### **California Assn. of Legal Support Professionals**

[www.calspro.org](http://www.calspro.org)

### **California Codes**

<http://www.leginfo.ca.gov/calaw.html>

### **California State Bar**

[http://www.calbar.ca.gov/state/calbar/calbar\\_home.jsp](http://www.calbar.ca.gov/state/calbar/calbar_home.jsp)

### **California Legislative Information**

<http://www.leginfo.ca.gov>

### **U.S. Citizen and Immigration Services**

<http://www.uscis.gov>

### **Administrative Office of the U.S. Courts**

<http://pacer.psc.uscourts.gov>

### **American Medical Association**

<http://www.ama-assn.org>

### **American Association of Law Libraries**

<http://www.aallnet.org>

### **National Notary Association**

<http://www.nationalnotary.org/index.cfm>

### **California Secretary of State**

[www.sos.ca.gov](http://www.sos.ca.gov)

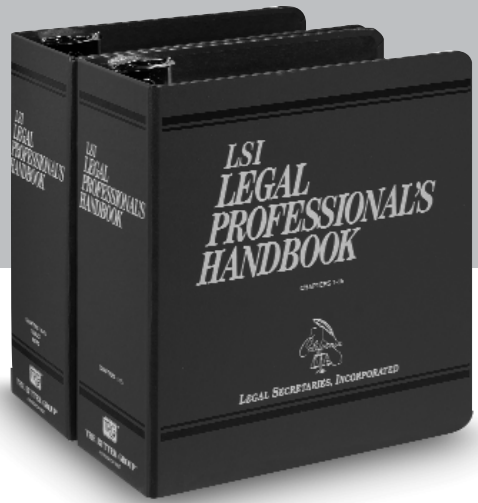
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<http://www.ncraonline.org>

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### ***Nutrition Education: Necessity, Hope, and Challenges Continued from page 28***

tion of H. R. 2419 of 2007, 22 May 2007, 110th Cong., 1st sess. Senate Committee on Agriculture, Nutrition, and Forestry, Food And Energy Security Act Of 2007, S. Rept. 110-220, on S. 2302, 110th Cong., 1st sess., 2007, p. 136. Subcommittee on Department Operations, Oversight, Nutrition, and Forestry of the House of Representatives Committee on 10 Agriculture, Review The Federal Food Stamp Program And Its Impact On Children's Health, Hearing On H. R. 2419, 110th Cong., 1st sess., 2007, pp. 83-85; 87; 89.

6. Richard B. Russell National School Lunch Act, sec. 21, added by Child Nutrition and WIC Reauthorization Act of 1989, sec. 109, November 10, 1989, 103 United States Statutes At Large, 1989 (Washington, D. C.: Office of the Federal Register, National Archives and Records Administration, 1991), pp. 877-919; 42 United States Code Annotated 1769b-1. Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2000, sec. 752, October 22, 1999, 113 United States Statutes At Large, 1999 (Washington, D. C.: Office of the Federal Register, National Archives and Records Administration, 2000), pp. 1,135-1,211. Richard B. Russell National School Lunch Act, sec. 11(c)(d)(m) (now called Section 12), June 4, 1946, 60 United States Statutes At Large, 1946 (Washington, D. C.: United States Government Printing Office, 1947), pp. 230-234; 42 United States Code Annotated 1760(c)(d)(m). Richard B. Russell National School Lunch Act, sec. 12(m), added by Healthy Meals for Healthy Americans Act of 1994, sec. 113, November 2, 1994, 108 United States Statutes At Large, 1994 (Washington, D. C.: Office of the Federal Register, National Archives and Records Administration, 1995), pp. 4,699-4,751; and replaced by Child Nutrition and WIC Reauthorization Act of 2004, sec. 114; 115; 203(i)(2), June 30, 2004, 118 United States Statutes At Large, 2004 (Washington, D. C.: Office of the Federal Register, National Archives and Records Administration, 2005), pp. 729-790. 11
7. Public Citizen, Inc., et al., v. Donna Shalala (United States District Court, District of Columbia, 1996), 932 Federal Supplement 13
8. New York State Restaurant Association v. New York City Board of Health, et al. (United States District Court, Southern District of New York, 2007), 509 Federal Supplement, Second Series 351 <sup>LS</sup>



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