

The LEGAL PROFESSIONAL

AUGUST 2022



Eula Mae Jett
Founder
1929



Louise Cord
First LSI President
1934-1936



Heather Edwards, CCLS
First LPI President
2018-2020



Rod Cardinale, Jr.
Current and First
Male LPI President
2022-2024

"TOUCHDOWN TO EDUCATION" - LPI'S FIRST QUARTERLY CONFERENCE

by Deborah Schmidt, CCLS
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LPI CODE OF ETHICS

It shall be the duty of each member of Legal Professionals, Incorporated, to observe all laws, rules, and regulations now or hereafter in effect relating to confidentiality and privileged communication, acting with loyalty, integrity, competence and diplomacy, in accordance with the highest standards of professional conduct.

*Dedicated to LSI Past President,
Joan M. Moore, PLS, CCLS*

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PRESIDENT'S MESSAGE

STRONGER TOGETHER

[Excerpts from acceptance speech at LPI's 88th Annual Conference.]

BY ROD CARDINALE, JR.

I am honored to be elected as the 48th and first male Legal Professionals, Incorporated ("LPI") President in the 88 years since Louise B. Cord was elected as our first President. My journey with LPI began 12 years ago. I joined LPI and Santa Clara County Legal Professionals Association ("SCCoLPA"). In late 2009, after attending two meetings, I was asked if I would be interested in serving SCCoLPA as their President. Because I had not yet met the qualifications to be president, the SCCoLPA membership voted to change their bylaws so that I would be eligible. I then attended my first conference in May of 2010 with other members of SCCoLPA. After that conference, I was energized to return to SCCoLPA and make things happen. Elise Dresser, CCLS, and I drove together, and on the way home, I told Elise that we needed to host a conference, which we did in 2013 and again in 2018 and that I would be LSI President someday. Elise laughed and said, "Ya right!" If you become LSI President, I'll be your Parliamentarian." And the rest, as they say, is history!

The theme for my term as your President is "Stronger Together." As LPI members, we have a special bond and a shared purpose, and I hope you will share in my vision for where we can take LPI over the next two years and beyond. To quote Andrew Carnegie, "Teamwork is the ability to work together toward a common vision. The ability to direct individual accomplishments toward organizational objectives. It is the fuel that allows common people to attain uncommon results."

We are all stronger together! I'm stronger because of the unwavering

support of the LPI and SCCoLPA members and the love and support of my immediate and extended family and friends. Honestly, as I'm writing this, I'm reminded of a saying I often use, which says 10% of life's success is based on what you know, and 90% is based on who you know.

Now that we know a little about how I got here, let's talk about what we can accomplish together.

While I'm very proud of the great strides that we have made over the past six years, we have more to accomplish. Before I decided to run for Treasurer in 2016, I outlined all I wanted to accomplish while on the Executive Committee. We have already accomplished many of those goals together. We have built out an incredible online educational presence, we have gone green with our reports and magazine, we have streamlined the Board of Governors meeting by not reading the Treasurer's report and Executive Committee Resume in full, and most importantly, we changed the name of our corporation from Legal Secretaries, Incorporated to Legal Professionals, Incorporated, to name a few.

There's more to be done. Over the next year, we will present the membership with a new direction for LPI's education and conferences. We need to increase membership in the local associations by interweaving membership and LPI's ever-expanding online presence. To continue one of Past President Lynne Prescott, CCLS's missions, we will work together to educate the legal community that LPI and the local associations are the go-to places for legal education in California.

STRONGER TOGETHER

← Continued from page 2

Over the last 12 years, fellow members have shared their thoughts with me and their thoughts on what LPI offers, how we offer it, and how we can make the conference experience more enjoyable. I have heard you, and your feedback is the driving force for our new conference schedule and how we offer our education. First, the new leadership team has presented a plan that will eliminate the Legal Specialization Sections ("LSS"). No longer will members have to pay \$75 to join all six sections. This new education plan consists of three education silos.

The first silo is "LPI University," which will include our multiweek courses and NextGen webinars. After conversations with the Legal Professionals Training Chair, Cyndee Saucedo, CCLS, of Alameda County LSA, it seemed prudent that we create an Intermediate and an Advanced Legal Professionals Training Programs, in addition to the Beginning Legal Professionals Training Class already being offered. I'm happy to announce we will be adding both of those classes to the new proposed LPI University. Past President Lynne has agreed to create and teach both new classes for us. Thank you, Lynne!

The second silo is LPI Technology Training which is the classes taught by Legal Professionals, Incorporated's newest training partner, June Hunter. June teaches TOA/TOC, Word, Excel, and Adobe, among other things. All the offerings in these first two silos will be well worth the nominal additional fee, and we will, of course, offer member and non-member pricing for all classes.

The last silo is LPI Continuing Education. This silo will be the Legal Specialization Sections replacement and included with your membership dues. The LPI Continuing Education silo will offer at least 1-2 webinars per month and all the educational opportunities at conferences. You will still have the opportunity to take three educational

classes at each of the quarterly conferences, and you will now be able to take four educational classes at the annual conference. Much more to come on this over the next few months.

Next, starting at this conference, we are implementing a different structure for conferences with the theme of "Stronger Together" as the driving force.

The Friday Night Reception will only be an hour and will not include food. Instead, there will be an optional social event on Friday night at an additional cost that the hosting association will decide upon.

LPI is co-hosting this conference with Orange County LPA, and we are planning to have a pizza party and bingo night. It should be a blast!

On Saturday morning, instead of a coffee break at 10:30, a continental breakfast will be made available from 8 a.m. to 9 a.m. The Board of Governors meeting will be set up entirely in a classroom-style format so members can enjoy breakfast and prepare for the meeting comfortably. The Board of Governors meeting will be even more streamlined, with only one session on Saturday morning. Only the elected officers will give oral reports, but any other officer or chair can request to give an oral report. Instead of having three separate optional lunches, one mandatory Roundtable Lunch will be offered, where we will discuss the Executive Committee Resume as a group. This is an opportunity for everyone to discuss the questions and answers at the same time rather than having to repeat them at the meeting.

All the educational opportunities will be offered in-person and via Zoom.

The Saturday evening reception will begin one-half hour before the banquet, and the reception will be held in the banquet room.

In the past, after the Saturday night banquet, the officers and chairmen would gather in the President's suite to thank the hosting association for putting on a successful conference. In order to provide an opportunity for all conference attendees to thank the hosting association, we will hold this celebration in the banquet room; immediately following the banquet. We will toast the hosting association together.

Lastly, the Sunday morning brunch will become a continental breakfast, and any remaining business will be conducted, including voting on any motions or recommendations presented that weekend.

This new conference structure should provide a better experience for conference attendees, streamlining the schedule to make better use of our time, and provide more educational opportunities, thus giving more value overall.

My mom always preached that actions speak louder than words, and during my term, I promise you that the Executive Committee and Chairmen will work tirelessly to ensure Legal Professionals, Incorporated provides the highest quality education available, provides better support for the local associations, and becomes the best legal organization in the State of California; and we will do it all together.

We have great challenges and great opportunities ahead, and with your help, we will meet them and make this next year the best year yet. After all, we are stronger together!

Thank you for entrusting me to be your President. I hope that I will make you proud.



ROD CARDINALE, JR.

is LPI's President and a member of the Santa Clara County Legal Professionals Association ("SCCoLPA"). He is a Sr. Paralegal and Officer Manager at The Law Office of Janet L. Brewer. Rod served as President of SCCoLPA from 2010-2014. In Rod's spare time he likes to cook, travel, watch sports and spend time with his family.

Stronger Together

Continued on page 3 →

ROD CARDINALE, JR. INSTALLATION PHOTOS



ROD CARDINALE, JR. INSTALLATION PHOTOS



QUARTERLY ASSIGNMENTS | 2022-2023

THE FOLLOWING ASSOCIATIONS ARE EXPECTED TO SECURE ARTICLES FROM GUEST WRITERS FOR PUBLICATION IN THE MAGAZINE ISSUES SPECIFIED BELOW.

- a. *August Issue (to be submitted no later than June 1st):*
Alameda County, Beverly Hills/Century City, Conejo Valley, Contra Costa County, Desert Palm, Fresno County, Humboldt County
- b. *November Issue (to be submitted no later than September 1st):*
Livermore-Amador Valley, Long Beach, Los Angeles, Marin County, Merced County, Mt. Diablo, Orange County
- c. *February Issue (to be submitted no later than December 1st):*
Placer County, Rio Hondo District, Riverside, Sacramento, San Diego, San Fernando Valley, San Francisco
- d. *May Issue (to be submitted no later than March 1st):*
San Gabriel Valley, San Mateo County, Santa Clara County, Santa Cruz County, Santa Maria, Stanislaus County, Stockton-San Joaquin County



California Certified Legal
Secretary
A Program of LPI®



APPLICATION TO TAKE CCLS® EXAM

Mail Application, copy of LPI Membership Card (if applicable), and fees to:
Vivian L. Shreve, CCLS, c/o WSGR, 650 Page Mill Road, Palo Alto, CA 94304

(Select one)	(Select one)	
<input type="checkbox"/> Northern California	<input type="checkbox"/> Saturday, September 17, 2022	<input type="checkbox"/> Saturday, March 18, 2023
<input type="checkbox"/> Southern California	<input type="checkbox"/> Saturday, September 17, 2022	<input type="checkbox"/> Saturday, March 18, 2023

- **Deadline:** Applications must be received **60 days** prior to the examination date.
- **Late Application:** Late Fees apply when Applications are received less than **60 days** (but not less than 30 days) prior to the examination date, and accepted only if space is available.
- **Deferral:** Requests to defer to the next exam must be received at least **30 days** prior to the exam date.

EXAMINATION FEES (Select Payment Type)	Check <input type="checkbox"/> Payable to "LPI" Mail to above address	PayPal <input type="checkbox"/> Email exam application to CCLSCertifyingBoard@gmail.com . Payment link will be provided upon confirmation of eligibility to sit for exam.
LPI Members <input type="checkbox"/>	Non-LPI Members <input type="checkbox"/>	
On Time Registration Fee \$ 25.00	On Time Registration Fee \$ 75.00	
Examination Fee* 100.00	Examination Fee* 100.00	
Late Fee (if applicable) 45.00	Late Fee (if applicable) 45.00	
TOTAL DUE w/o Late Fee: \$125.00	TOTAL DUE w/o Late Fee: \$175.00	

Personal Information

Name: _____
Mailing Address: _____
Last 4 digits of SSN: _____ Email: _____
Phone (Day): _____ Phone (Evening): _____
LPI Member: <input type="checkbox"/> Yes (enclose copy of LPI Membership Card) <input type="checkbox"/> No
Name of Local LPI Association: _____

Employment Information

Provide your legal secretarial employment information beginning with your most recent (or current) employment in order to confirm that you have at least two years' experience. Attach a supplemental page if you have not been in your current position for two years.

Position: _____	Dates of Employment: _____
Employer: _____ (name and address)	
Supervisor: _____	Supervisor's Phone: _____
	Supervisor's Email: _____
Summary of Duties: _____	

I certify that I have completed this application truthfully. I understand that a false statement may result in the rejection of this application or revocation of my certification. I understand and agree that the contents of the examination are confidential and not to be discussed with anyone, and that my employment record will be verified by a member of the California Certified Legal Secretary Certifying Board.

Date: _____
Applicant Signature _____

*Fees subject to change without notice.

Rev. March 2022

CCLS RECERTIFICATION CHECKLIST

- Complete 15 hours of CLE ☐
 - Self-Study – no more than 5 hours ☐
 - Administrative/Mechanical (Secretarial science) functions performed by legal support staff – no more than 6 hours ☐
 - Topics not unique to legal support staff – no more than 2 hours ☐
- Certificates of Attendance/CLE for completed classes/workshops/seminars ☐
 - **If submitted in paper, please submit copies – not originals
- Certificates signed / co-signed (CCLSs cannot sign their own certificates)** ☐
- Handouts for classes of more than 1.0 hour ☐
 - **If handouts are voluminous, please send front and back pages, TOC and speaker's biography; if necessary Certifying Board will request copy of entire handout
- Payment of \$25 (check or PayPal) ☐
- Electronic submission to cclsrecertification@gmail.com ☐

THE ABOVE IS NOT AN EXHAUSTIVE LIST. THE CERTIFYING BOARD ("CB") STRONGLY RECOMMENDS THAT ALL CCLSS READ THE STANDARDS FOR RECERTIFICATION THAT IS POSTED ON LPI'S WEBSITE FOR MORE DETAILED INFORMATION AS WELL AS ANY UPDATED INFORMATION BEFORE RECERTIFYING.

**Paralegals – if you signed your own certificate, it must be co-signed by your supervising attorney

HOW TO MAP OUT YOUR LAW FIRM'S DIGITAL TRANSFORMATION

BY FRANK LONG, MS AND KATHLEEN POPE-SANCE, MBA

There's no better time than now for law firms to reimagine the role technology plays in improving operational efficiency and delivery of service. That's why firms looking to use technology to meet long-term challenges in the marketplace need a well-planned digital transformation road map.

It's a big job but it can deliver big results. If you're on the fence about whether this transformation is right for your law firm, consider that a growing majority of California courts now accept electronic court document filing (eFiling) and many courts make eFiling mandatory.

With that in mind, you may be wondering whether you'll need that map sooner than you think.

Here's how to build it.



What Digital Transformation Means for a Law Firm

Lawyers have been said to embrace change at roughly the same speed as molasses flowing in winter. That may be changing, however, according to recent statistics that suggest law firms and legal professionals are ready to embrace technology.



Here are a few numbers that shake up the stereotype:

58%
Percentage of law firms that use the cloud. [American Bar Assoc.](#)

60%
Percentage of lawyers who Believe their firm is ready to adopt new technology to perform routine tasks. [Deloitte.](#)

27%
Percentage of law firm senior executives who believe digital transformation is a matter of survival. [Cleverism.](#)

The 27% of firm executives who consider digital transformation a matter of survival send a compelling message that things are changing. But it's not a change that should be feared.

On the contrary, for many law firms digital transformation indicates a shift toward automating processes that will yield greater efficiencies.

One of the automated processes that can lead a law firm to undertake a digital transformation is eFiling. That is because California courts are increasingly accepting electronic document filing, which means law firms must adopt eFiling if they want to operate in those courts.

In the middle of this change are litigation support service providers, which facilitate eFiling and the exchange of digital documents between law firms, courts, and other parties.

Litigation support service providers also equip law firms with the technology to adopt a paperless, online workflow. That new process reduces the amount of human labor needed to complete a court document filing, thereby lowering costs and increasing efficiency.

By using a litigation support service provider's technology platform, a law firm can execute eFiling and many other court services 24/7 from anywhere an internet connection is available.

These benefits are highly strategic and mark digital transformation as a smart business move.

Can your litigation support service provider help your digital transformation?

Find out which future-ready technologies your provider must have.
Read: [5 Signs It's Time to Switch Your Legal Support Service Provider.](#)

... YOUR LAW FIRM'S DIGITAL TRANSFORMATION

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The Value of Digital Transformation

Firms that pursue a digital transformation must view the change through a macro lens, because the transformation offers far more advantages than the more granular benefits of eFiling.

Digital transformation touches nearly every operational and financial aspect of a law firm. It can change the amount of work legal professionals can accomplish as well as when and where that work gets done.

But it's also got something for accounting staff, purchasing staff, and law firm clients. Here are five ways digital transformation spreads value across office disciplines and across the firm itself:

- **Creates Efficiencies:** eFiling reduces the amount of human participation needed to file court documents, making these services faster, more affordable, and more accurate. Likewise, migrating paper-based litigation support services to electronic-based, paperless services saves the firm money.
- **Tracks Service Performance:** Firms can use data from their litigation support service provider to evaluate how well the business is running. For example, data about service of process can uncover wasteful spending by analyzing:

- Service level distribution
- Orders by type
- Service of process orders by pricing zone
- Service of process performance

Did you know service of process data can protect your bottom line? Find out how.
Read: [Technology Your Process Server Should Be Using.](#)

- **Controls Costs:** System-to-system technology integrations with vendors can help firms reduce spending and control costs. Once again, by leveraging the firm's relationship with a litigation support service provider, invoices and service fee data can be automatically integrated with a law firm's CRM. This reduces the time needed for accounting staff to reconcile expenses and matters.
- **Provides Scalability:** Systems that rely on paper documents are slow and unwieldy. In contrast, automated online processes are flexible and can be scaled up or down depending on the volume of e-filing, process serving, and other services your firm needs—and how quickly they are needed.
- **Transforms Billing and Payment Systems:** E-commerce transforms how your firm makes payments and receives payments. The benefits of E-commerce show in the form of billing and invoicing that is cleaner and more timely than waiting for checks to crawl through the mail.

E-commerce also uses credit card or ACH to make payments easier to manage, track, and archive. Most importantly, making payments electronically means you have a high level of transparency between your firm and your vendors.

Developing the Map

You've seen some of the benefits of digital transformation. Now it's time to build the map.

The first step is to identify the specific challenges and demands of your firm's business. Each firm's path may vary but in general you can keep the transformation on course by following these three practices:

1. Set a goal

Digital transformation requires careful planning. Part of that planning must identify major business improvements digital transformation is expected to facilitate, which may be quite diverse.

Some firms, for example, will be interested in presenting a more tech-savvy face to clients. Others will expect the transformation to boost their operational horsepower, facilitate a remote workforce, or create greater accountability among office personnel.

Still other firms may focus on uncovering blind spots they can address with technology.

Whatever your goal, it is important to think differently about how every aspect of the firm's technology affects clients, competition, innovation, and value.

2. Define Your Technology Strategy

Your road map should clarify the strategic role technology will play for the law firm. Make no mistake, technology ranging from the firm's practice management software to its HR infrastructure can be used strategically. Everything should be considered.

Likewise, firms should expect strategic help from the solutions their litigation support service provider offers.

These vendors should help improve the firm's bottom line by reducing its labor needs and paper-based work.

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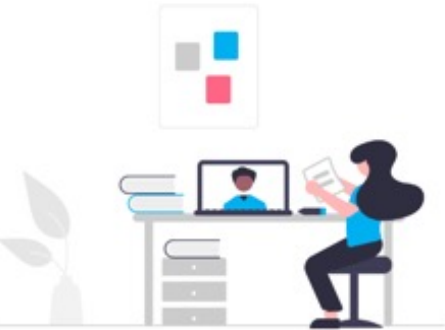
3. Implement the Plan

A rolling stone gathers no moss. Neither should your law firm’s digital transformation.

Develop an implementation plan and timeline to make sure your vision takes shape. These three questions will help build out your timeline and organize resources:

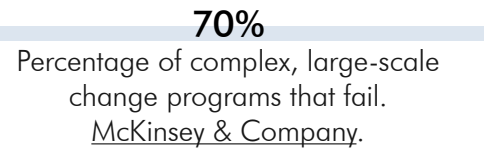
- What is the ideal time to begin the transformation?
- How much time will be needed to complete the transformation?
- What roles/people are needed to implement the digital transformation initiative?

Some firms will need to work around predictable peak business seasons or time off scheduled by mission-critical staff. Firms will also need to address whether traditional and digital systems should run in parallel for a brief period.



Don’t Forget About Training

Training plans are an absolute must for any digital transformation map. This single data point crystallizes the reason behind that:



Despite that sobering statistic there are measures you can take to assure an optimum outcome for your law firm’s digital transformation. Here are four things that commonly sabotage large-scale transformation. Make sure you guard against them:

- Lack of employee engagement.
 - Inadequate management support.
 - Poor cross-functional collaboration.
 - Lack of accountability.
- If you’d like to know more about how to execute a successful digital transformation, the advice from a global management consulting firm is highlighted below.
- **Due Diligence** - Think like an investor. Establish the arc and full potential of the transformation.
 - **Plan From the Ground Up** - Know the initiatives, see the financial projections, know who owns what.
 - **Implement, Implement, Implement** - Pick a launch date that makes sense and go all-in. Quickly execute on early opportunities.
 - **Manage Change** - Communicate internally, appoint champions, change mindsets. If money is no object get a change management consultant such as KPMG, Bain & Company, or Deloitte.
 - **Unleash Progress** - You know who your standouts are. Give them the tools and agency to assure superior execution, then stand back and let it happen.

Roll With the Changes

On the whole, a law firm’s digital transformation means attorneys will have more time to focus on doing better, more creative and innovative work with the firm’s clients. That’s because tasks such as document drafting and review, legal research, eFiling, document retrieval, process serving, and more can be handed over to technology.

But digital transformation is never completely finished. It is an ongoing process that requires one eye to continually look for ways to improve the firm while maintaining buy-in from internal staff.

Advanced technology isn’t going away any time soon, so start planning your law firm’s digital transformation map today. You’ll discover that despite the challenges ahead you can get there from here.



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CONGRATULATIONS!

PRESIDENT AWARDS

RIISING STAR AWARD:

- Rita Burnett, CCLS – LPI CCLS Chair
- Ron Ackland – LPI Advertising Chair

LEADERSHIP AWARD:

CCLS CERTIFYING BOARD

- Vivian Shreve, CCLS (Chair)
- Brenda Johnson, CCLS
- Linda Gubba-Reiner, CCLS
- Sally Butterworth, CCLS
- Maria Bishop, CCLS

ELEVATE ("ELLY") AWARDS:

- Melissa Bettencourt, CCLS
– President of San Mateo County LPA
- Blanca Grijavla
– President/Governor of Rio Hondo District LPA
- Carolina Ramos, CCLS
– President of Mt. Diablo LPA
- Carla Clark, CCLS
– President of San Diego LSA
- Francie Skaggs, CCLS
– President of San Francisco LPA
- Scott Herman – Honorary Member

PRESIDENT'S AWARD:

- Erika Garduno – LPI Social Media Chair
- Renee Evans, CCLS – LPI Webinar Chair

LEGACY AWARD:

- Mary S. Rocca, CCLS – LSI Past President 2004-2006

SCHOLARSHIP WINNERS

PLAN C

- 1ST PLACE - \$2,000**
Jennifer Bowne
– Sponsoring Association: Orange County LPA
- 2ND PLACE - \$1,000**
Rebecca Phillips (No association sponsor)
- 1ST ALTERNATE**
Bess Ho
– Sponsoring Association: Santa Clara County LPA
- 2ND ALTERNATE**
Jasmine Molina
– Sponsoring Association: San Francisco LPA



CONTEST WINNERS

MEMBERSHIP GAIN CONTEST

- GROUP A (29% INCREASE)**
– Santa Maria LPA

- GROUP B (63% INCREASE)**
– San Mateo County LPA

CHAPTER ACHIEVEMENT CONTEST

- GROUP A**
– First Place: Conejo Valley LPA (15,600 points)
– Second Place: Stockton-San Joaquin County LPA (11,600)

- GROUP B**
– First Place: Orange County LPA (24,750 points)
– Second Place: Los Angeles LSA (9,150 points)
– Third Place: Beverly Hills/Century City LSA (7,450 points)

- GROUP C**
– First Place: Santa Clara County LPA (44,750 points)
– Second Place: Sacramento LSA (36,900 points)
– Third Place: San Francisco LPA (32,125 points)

- GROUP D** - No entries

- GROUP E**
– First Place: San Diego LSA (45,500 points)

BULLETIN CONTEST

- CLASS A (5-30 MEMBERS)**
– First Place: Stanislaus County LPA
– Second Place: Conejo Valley LPA

- CLASS B (31-65 MEMBERS)**
– First Place: Orange County LPA
– Second Place: San Francisco LPA
– Third Place: Sacramento LPA

- CLASS C (66+ MEMBERS)**
– First Place: San Diego LSA

- HISTORY BOOK CONTEST**
San Francisco LPA

LPI'S 88TH ANNUAL CONFERENCE OF DELEGATES AND BOARD OF GOVERNORS MEETING

LPI's 88th Annual Conference of Delegates and Board of Governors meeting was hosted by Santa Clara County Legal Professionals Association at the Santa Clara Marriott. They did an outstanding job on our last leg of the S.S. LPI cruise with a "Weekend in Italy"! On Friday morning, it started out with the unveiling of the much-anticipated Legacy Project Room by LPI Curator Heather Edwards, CCLS. What an unbelievable job her and Lynne Prescott, CCLS did! Next was incredible round table Officer/Chairmen Workshops where every 15 minutes an LPI officer or chairmen would join your table and discuss the procedures or tips for their specific chairmanship and answer any questions attendees had. It was a great success and so much fun! On Friday afternoon, there were several Legal Specialization Section and Technology seminars to attend, followed by the Welcome Reception. On Saturday at the Board of Governors meeting, excitement was in the air since several awards were announced for the Membership Gain Contest, Annual Bulletin Contest, and Eula Mae Jett Scholarship awards. At lunchtime, the Kalman S. Zemplyny II CCLS Luncheon was hosted by the CCLS Certifying Board to honor the 18 most recent CCLSs. On Saturday night at the banquet, the Golda J. Cooper Chapter Achievement Awards were announced and LPI President, Lynne Prescott, CCLS, gave out her Elevate Awards, Leadership Team Award, Rising Star Award and President's Award. To top off the weekend, on Sunday, history was made with the installation of our first male LPI President, Rod Cardinale, Jr.!



"TOUCHDOWN TO EDUCATION"

August 12-14, 2022 First Quarterly Conference

BY DEBORAH SCHMIDT, CCLS
- AUGUST 2022 CONFERENCE CO-CHAIR

LPI and Orange County Legal Professionals Association are looking forward to hosting you in Orange County for the August 12 – 14, 2022 Conference at the Doubletree Hotel – Orange County. The Outlets at Orange are next door and have something for everyone including clothing and jewelry, restaurants and quick eating stops including Carl's Jr., Panda Express, Subway, Krispy Kreme and Starbucks. Also nearby are the Angel Stadium, Disneyland, Knott's Berry Farm and Discovery Cube Museum.

We are excited to celebrate Rod Cardinale, Jr.'s first conference as LPI President with a sports theme "Touchdown to Education." We will be experiencing a new schedule of events throughout the weekend and it will definitely be a fun time!

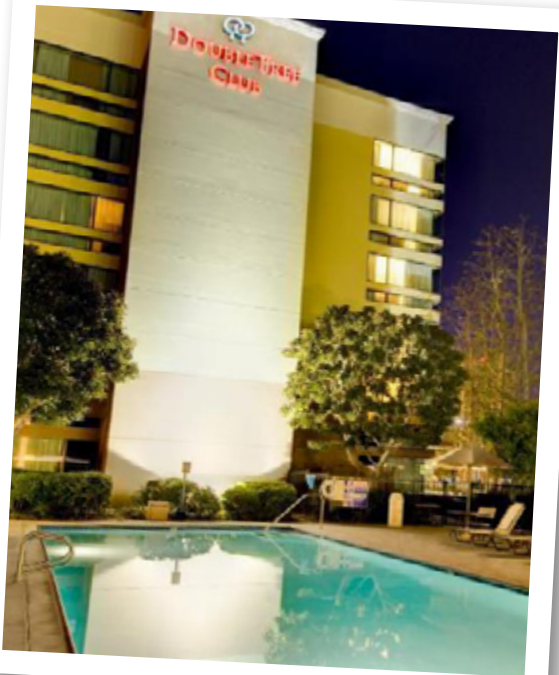
At the Friday night reception you will meet the EC Officers and Chairmen and socialize with LPI members; this will be followed by an optional Pizza Night / Social Event – come sporting your favorite team jersey. The Board of Governors meeting will be business casual, and banquet is a dressy affair. For the brunch on Sunday it is all about football, be sure to wear your favorite team colors.

Room rates are \$139 and the room reservation deadline is July 19, 2022. Guest rooms offer movies on demand, coffee makers, ironing boards with irons and hair dryers. There is an on-site restaurant, fitness center and outdoor swimming pool.

The script ticket, which includes Registration, Continental Breakfast on

Saturday and Sunday, Saturday Lunch, and Banquet is \$187.00 (if purchased prior to July 11, 2022). Individual ticket prices are: Registration \$30 (after July 10, 2022 price increases by \$10); Breakfast \$30, Saturday Lunch \$37, Banquet \$75; and Friday Night Pizza Party/Social Event \$25.00.

Many educational opportunities are being scheduled. Topics may change slightly as speakers are currently being confirmed.



Saturday, August 13, 2022 – 11 a.m. to 12:00 p.m.

Civil/Law Office Administration

Conveying the Point: Using Citations Effectively and Correctly
Speaker: David Samani, Esq., (Lewis Brisbois)

Federal

Branding Battles: Oppositions, Cancellations, and Other Matters at the USPTO's Trademark Trial and Appeal Board
Speaker: Jon Jekel, Esq. (Pillsbury Winthrop Shaw Pittman LLP)

Saturday, August 13, 2022 – 1:45 p.m. – 2:45 p.m.

Legal Technology Training

Microsoft Word: Table of Contents & Table of Authorities
Speaker: June Hunter

Specialty

California Appellate Procedure
Speakers: Cheron J. McAleece, CCLS and Cyndee Saucedo, CCLS

Saturday, August 13, 2022 – 3:00 p.m. – 4:00 p.m.

Legal Technology Training

Adobe: Getting Your Pleading Ready for E-Filing
Speaker: June Hunter

Probate

Probate: Inventory and Appraisal
Speaker: Alan D. Davis, Esq.

TOUCHDOWN TO EDUCATION

← Continued from page 14

A quarterly conference is a great place for education, networking and meeting other professionals working in the legal field (some of whom will become your forever friends). This is a great opportunity to begin your career advancement through education.

"The game of life is a lot like football. You have to tackle your problems, block your fears, and score your points when you get the opportunity."
Lewis Grizzard

Orange County LPA eagerly awaits your arrival at "Touchdown to Education" and looks forward to being your host



while you score

DEBORAH SCHMIDT, CCLS has been a member of Orange County LPA since 1986. Deborah is currently the Governor and has held LSI Officer and Chair positions of LSS Civil Litigation Leader, PRC Assistant Editor, Registrar and Editor of The Legal Secretary. She has held many positions in the Orange County Association including President, Vice-President, Treasurer, Parliamentarian, Governor, and Editor.



Photo Credit: Outlets at Orange, courtesy of visitbuenapark.com

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Continued on page 15 →



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or Via Zoom

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QUARTERLY CONFERENCE
AUGUST 13, 2022



LSS Seminars

11:00 AM - 12:00 PM - Civil/LOA

Conveying the Point:

Using Citations Effectively and Correctly
Speaker: David Samani, Esq. of Lewis Brisbois

11:00 AM - 12:00 PM - Federal

Branding Battles:

Oppositions, Cancellations, and
Other Matters at the USPTO's Trademark
Trial and Appeal Board
Speaker: Jon Jekel, Esq. of
Pillsbury Winthrop Shaw Pittman LLP

1:45 PM - 2:45 PM - Specialty

Topic: California Appellate Procedure

Speakers: Cheron J. McAleece, CCLS
and Cyndee Saucedo, CCLS

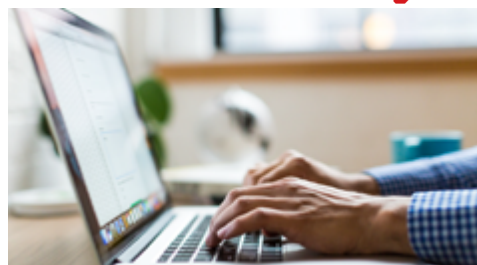
3:00 PM - 4:00 PM - Probate

Probate: Inventory and Appraisal

Speaker: Alan D. Davis, Esq.

Pre-register: LSS Members FREE; All others \$15
Walk-ins: LSS Members \$5; All others \$20

Bring your
Computer for
Hands-On Training



Legal Technology Training

Speaker: June Hunter

Microsoft Word

1:45 PM - 2:45 PM

Table of Contents and
Table of Authorities

Adobe

3:00 PM - 4:00 PM

Getting Your Pleading Ready for E-filing

Two Classes - One Low Price
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Classes will take place online utilizing video lectures,
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SOME OF THE TOPICS THAT WILL BE COVERED:

- Introduction to the Law Office
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- Effective Telephone Skills
- Effective Oral Communication Skills
- Calendaring and Timetables
- Basic Grammar Skills
- Transcription and Proofreading Techniques
- Court Structure
- Citations
- Service of Legal Documents
- Preparing a Proper Caption
- Preparation of Documents Filed with the Court
- Basics of Civil Litigation Interrogatories
- Demand for Production of Documents
- Request for Admissions
- Depositions/Deposition Subpoenas
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- Discovery Timelines, Service and Verifications

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The last day to pre-register at the discounted rate is August 5, 2022.

The August Quarterly Conference will be held at:
DoubleTree by Hilton, Orange/Anaheim, 100 The City Drive, Orange, CA 92868

To Register go to: <https://www.legalprofessionalsinc.org/events/>
or click on the QR Code



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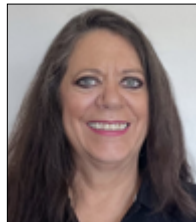
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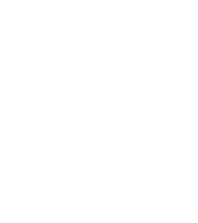
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THE DO'S AND DON'TS OF SOCIAL MEDIA DISCOVERY IN CALIFORNIA

BY MONICA MONTANARI – SUBMITTED BY CONEJO VALLEY LPA

Facebook, Instagram, Twitter, LinkedIn, Snapchat, and TikTok. If you haven't heard of them, you're in the minority now.

A 2020 study found that California is the third most popular state in the nation in terms of connections across all six major social networks, with each respondent averaging over 2,100 connections. Californians had the highest average number of social connections on Facebook of any state in the country, since over 19 million citizens in the state have a Facebook account; that's roughly half of the population (Teneo Digital).

Social media has completely changed the way we do everything in life these days, and the legal industry is no exception. Now that people proudly document so many intimate details of their daily lives, an entirely new method of discovery has been unveiled, and it's up to the legal professional to know what to do with it.

Frequently, social media discovery is a task given to legal assistants, so while it's on the attorney, it's also up to us to know the do's and don'ts of social media discovery in California.

Do: Know what social media is within the bounds of discovery.

Federal Rule of Civil Procedure 26(b)(1) provides that parties "may obtain discovery regarding any nonprivileged matter that is relevant to any party's claim or defense." This rule is intentionally broad to allow for various types of information to be sought and brought into evidence for a case.

A party's private messages on social media platforms, however, have previously been determined to be immune from disclosure. See *Crispin v.*

Christian Audigier Inc., 2010 U.S. Dist. Lexis 52832 (2010).

Don't: Think that the Court is just going to let you go "fishing" for information.

Without proof of relevance, most California courts will not allow overbroad requests for social media discovery. *Montgomery v. Wal-Mart Stores, Inc.*, No.: 12cv3057-JLS (DHB), 2015 U.S. Dist. LEXIS 188010, *25 (S.D. Cal. July 17, 2015) made this clear in agreeing with the Plaintiff that "producing any and all social media information" was a "dramatically overbroad and harassing fishing expedition."

Another frequently cited case on the matter, *Mailhoit v. Home Depot U.S.A.*, (2012) 285 F.R.D. 566 (C.D. CA), specified that there is a limited right for parties to discover social media content, limited to "particularized requests." This suggested that as long as relevance is shown, courts are more likely to permit additional social media discovery.

Do: Consider a public social media profile fair game.

Someone whose social media profile is set to a public setting has no expectation of privacy as proved in *Moreno v. Hanford Sentinel, Inc.* (Cal.App. 2009). Any social media profile that is set to a "public" setting has no reasonable expectation of privacy and is therefore not protected. In some out of state cases, even profiles set to "private" were deemed to not have a reasonable expectation of privacy.

In *Facebook, Inc. v. Superior Court*, 4 Cal.5th 1245, 1271-77 (2018), the court explained that any social media configured as "public" by the user and

that remained "public" at the time the subpoena was issued fall under Stored Communications Act's "lawful consent exception."

Don't: Make a fake profile to discover more information.

While no litigation has set a precedent for this yet, the California Rules of Professional Conduct do not allow for "communication with a represented party", which "friending" someone on social media might be considered. The San Diego County Bar Association has released an Opinion (2011-2) that "no one – represented or not, party or non-party – should be misled into accepting such a friendship." The Opinion goes on to state that if the motive behind the "friending" or "following" of a social media profile is to obtain information about the litigation, then it could very well violate Rule 2-100 and be considered "deceptive conduct" under the California Business and Professions Code. The American Bar Association's Model Rule 4.2 prohibits attorneys and their agents from requesting a connection to a represented party through social media networks, while Model Rule 8.4 states that an attorney violates ethical obligations "when using deceptive tactics to gain access to a private account."

Do: Play it safe.

While there aren't specific rules on this yet, asking a third party who happens to be a friend of the other party on social media is a gray area. When in doubt, make a specific document request that is "reasonably particularized and reasonably calculated to lead to the discovery of admissible evidence" as set forth in *Mailhoit v. Home Depot U.S.A. Inc.*, (2012) 285 F.R.D. 566 (C.D. CA).

THE DO'S AND DON'TS OF SOCIAL MEDIA...

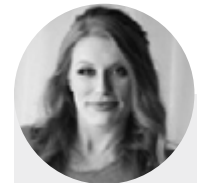
← Continued from page 20

Remember that the requesting party has the burden to demonstrate that the pertinency of the information they seek outweighs the party's need for privacy. *Britt v. Superior Court*, 20 Cal.3d 844, 859 (1978).

In cases such as *Juror No. One v. Superior Court*, 206 Cal.App.4th 854, 855 (2012), the court ordered a party to execute a consent form authorizing a social media network to release all items that party posted during a trial.

As social media evolves and cases get introduced, the nature of this kind of discovery will undoubtedly change. It's a subject that legal assistants should definitely stay ahead of like it or not.

Do you think your social media posts are yours to dictate? Think again. Many litigants hear about the discoverability of their social media and attempt to clean house to get rid of incriminating information- but that's a big no-no. Deleting social media posts or profiles has been considered the same as destroying evidence.



MONICA MONTANARI

earned a Bachelor's in Business Administration from Menlo College in 2015, and a Master's in Sports Business from The University of Alabama in 2016. Monica is a Certified Paralegal and the Director of Social Media at Michaelis, Montanari & Johnson. She is a member of the Conejo Valley Legal Professionals Association, and currently serves as its Secretary.



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QUIZ

THE REDBOOK (Section 11) GRAMMAR

DIRECTIONS: USING THE CALENDAR PROVIDED, PLEASE
DETERMINE THE LAST DAY FOR EACH ACTION BELOW.

- Which of these words does not have an irregular plural: *(Please choose one from A - E)*
 - _____ foot
 - _____ life
 - _____ child
 - _____ mouse
 - _____ house
- What is an appositive: *(Please choose one from A - E)*
 - _____ a word that stands in for a noun.
 - _____ a word that appears before a pronoun and that the pronoun refers to.
 - _____ a noun or noun phrase that further identifies or further describes another noun or noun phrase (its referent).
 - _____ an -ing verb functioning as a noun.
 - _____ none of the above.

True or False:

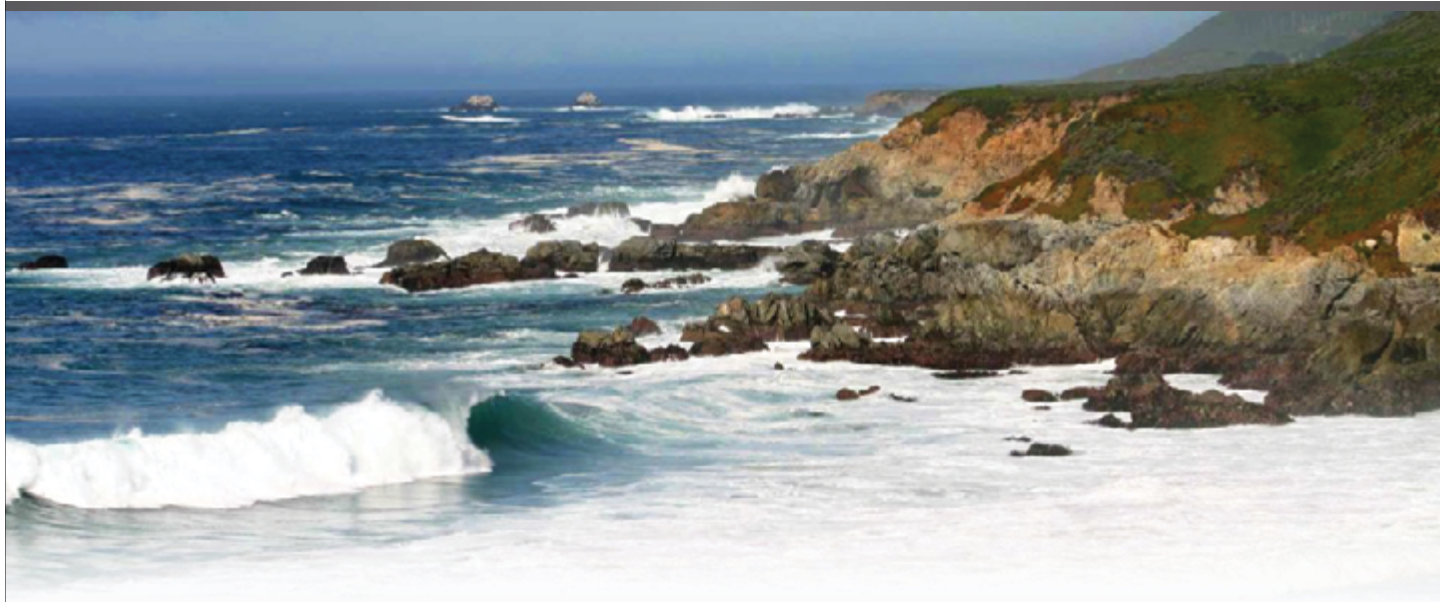
 - A pronoun that refers to two or more singular antecedents joined by or or nor is singular.
 - _____ True
 - _____ False

True or False:

 - The terms either and neither, when acting as the subject of a sentence, take a plural verb.
 - _____ True
 - _____ False

- Which parts of speech are the when-, where-, why-, and how- words: *(Please choose one from A - E)*
 - _____ nouns
 - _____ adverbs
 - _____ verbs
 - _____ adjectives
 - _____ prepositions
- Which sentence is grammatically correct: *(Please choose one from A - E)*
 - _____ Both young lawyers played the negotiations close to their vest.
 - _____ Each candidate kept an eye on the prize.
 - _____ Despite a firm job offer, graduating students must keep their nose to the grindstone.
 - _____ The faculty members meets at the end of each semester to discuss how the first-year classes performed on final exams.
 - _____ There was a number of reasons for the failure.
- Which sentence correctly refers to a jointly owned property: *(Please choose one from A - E)*
 - _____ Clark and Buchanan's offices are in Albuquerque.
 - _____ Clark's and Buchanan's offices are in Albuquerque.
 - _____ Clark's offices and Buchanan's offices are in Albuquerque.
 - _____ Clark and Buchanan offices are in Albuquerque.
 - _____ Clark's offices, as well as those of Buchanan, are in Albuquerque.

CCLS QUIZ ANSWERS ON PAGE 25



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ANSWERS FROM QUIZ ON PAGE 23*

CCLS QUIZ

ANSWER KEY

- | | |
|--|-------------------------------------|
| 1. E - See Redbook § 11.8(a), at 199. | 5. B - See Redbook § 11.40, at 230. |
| 2. C - See Redbook § 11.7(a), at 197-98. | 6. B - See Redbook § 11.3, at 196. |
| 3. A - See Redbook § 11.10(d), at 202. | 7. A - See Redbook § 11.4, at 196. |
| 4. B - See Redbook § 11.23(j), at 217. | |

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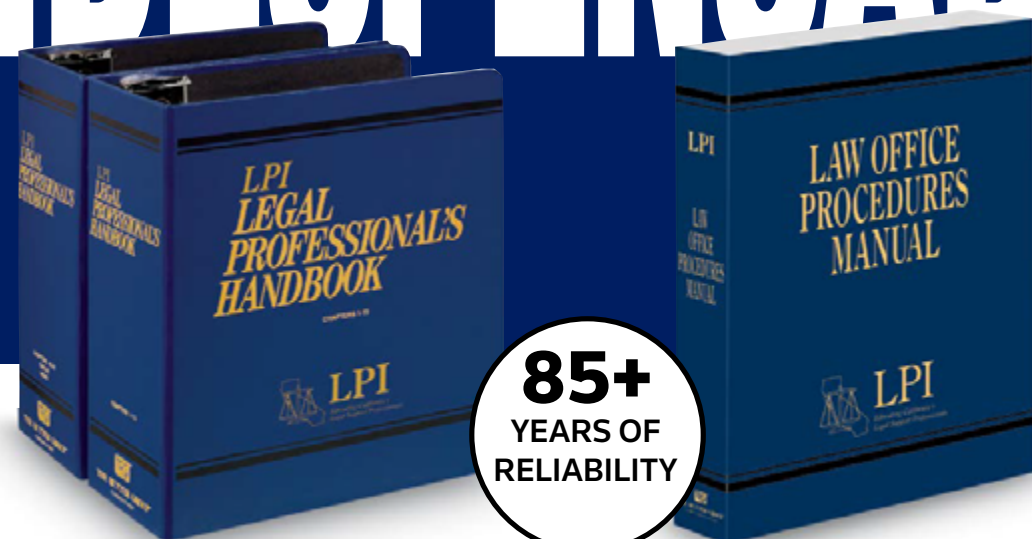
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