

The **LEGAL PROFESSIONAL[®]**

FEBRUARY 2021



"OUR MISSION AND OUR PURPOSE HAVE NOT CHANGED"

By Lynne Prescott, CCLS
PAGE 2

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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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LYNNE PRESCOTT, CCLS, is LPI's President, and a member of Sacramento Legal Secretaries Association. She first became a member of LPI in 1990 while working as a legal secretary in Fairfield, CA. She is currently employed by the law office of Rich, Fuidge, Bordsen & Galyean in Marysville, CA. Lynne is a two-time past president of both Solano County LSA and Sacramento LSA, and obtained her CCLS certification in 2013. She resides in Yuba City with her husband, Randy, and four fur-babies, and is a proud mother and grandmother.

PRESIDENT'S MESSAGE

BY LYNNE PRESCOTT, CCLS

"Our Mission and Our Purpose Have Not Changed"

While we are all aware of the effects COVID-19 has had on how we do business, I want to assure you that LPI is, indeed, still in business and working harder than ever to provide educational and professional development opportunities to our members and the legal community. Has the pandemic affected jobs? Certainly. Has it affected the economy? Yes. Has it affected our ability to hold in-person meetings? Yes, it has. But consider this - - the pandemic does not change our mission or our purpose.

Let me say that again. *The pandemic does not change our mission or our purpose.*

I and the other elected officers of LPI have been charged with the responsibility of running this corporation as well as carrying out its mission. And that is exactly what we have done. From the moment COVID-19 began a national shutdown, we developed options for Board of Governors meetings, handled corporation business, and continued delivering the education we are known for and you have come to expect. Doing otherwise was not even considered. This pandemic had the potential to immobilize LPI, but it did not. Why? *Because it did not change our mission or our purpose.*

What did change was the way we went about carrying out that mission and purpose. They say necessity is the mother of invention, and this pandemic has certainly forced us to be inventive, think outside the box, and find solutions where there seemed to be insurmountable obstacles. Fortunately, because we have been focused on

establishing LPI as a leader in the legal industry over the past couple of years, as well as anticipating industry trends and changes (rather than just reacting to them), we were in a very good position to make adjustments, be inventive, and be responsive when the pandemic hit.



LPI's officers and chairs are committed to elevating our purpose, elevating our people, and elevating our profession. COVID-19 has not changed that. In fact, since the pandemic hit in March 2020, LPI has presented: 21 Legal Specialization Section webinars; 20 Continuing Education Webinars; 2 Online Beginning Legal Secretarial Training Courses; 2 Online State Court Discovery Courses; 1 Trial Preparation Series; 1 Advanced Discovery Course; 5 technical training webinars; 5 free webinars; and, two "Day of Education" presentations featuring a total of 7 webinars. We even had a free and fun virtual Bingo party!

As of the date of this publication, **that's a total of 64 educational opportunities delivered by LPI over the past 11 months!** To say that this is extraordinary, especially during such challenging times, is an understatement. *Our mission and our purpose have not changed.*

I am incredibly proud of our officers and chairmen. They take their responsibilities to heart and truly believe in what we do and why we do it. They do it for you, and they do an outstanding job.

Continued on page 3 ➔

← Continued from page 2

If your associations are not already holding virtual meetings and educational events, they soon will be. LPI has created a free resource program that every association can utilize by accessing our recorded educational webinars and using LPI's Zoom or GoToWebinar virtual platforms. This allows associations *to continue meeting their mission and purpose by providing the quality educational resources you need.*

Thanks to the technological opportunities that have arisen from the pandemic, we were able to hold the November 2020 Quarterly Board of Governors Meeting via a hybrid platform of both in-person and virtual attendees. Wearing masks, conducting wellness screenings, and maintaining social distance allowed us to safely conduct the business of the corporation while protecting our members. We are still learning and getting the hang of Zoom, video technology, and the equipment that makes it all come together. A huge thank you goes out to our Vice President Rod Cardinale, Jr., our Administrator Kim Oreno, and our Tech Committee Chair Erika Garduño for all their hard work and diligence in making sure we were all connected.

We are also grateful to our vendor partners, Rhino Process Serving and Compex Legal Services, for their support. Lindon Lily of Rhino Process Serving sponsored all three of the luncheons, and personally attended the conference in a show of support for LPI. Compex Legal Services was represented

by our own Sheryl Boardman, who not only conducted all of our wellness checks, but provided a \$100 gift card for our opportunity drawing. Visiting with the vendors is one of the things we enjoy most about conferences, and it was great to be able to do that, even in a small way.

The Continuing Education Council presented an excellent educational workshop featuring Wim Van Rooyen, Administrative Law Judge with the Office of Administrative Hearings ("OAH"). Judge Van Rooyen discussed the types of cases that are handled by OAH as well as the differences in civil procedure in the Superior Court and procedure in administrative hearings before the OAH. CEC workshops are included with conference registration, and this presentation offered both CLE and CCLS credit.

Finally, congratulations to Catherine Culver, CCLS, on becoming LPI's newest Honorary Member. The governors voted to confer this honor upon her at the November 2020 Board of Governors meeting in recognition of and deep appreciation for her dedication, loyalty, professionalism, and years of devoted service to LPI.

The Third Quarterly Conference Board of Governors Meeting will be held on February 20, 2021, in an entirely virtual platform via Zoom. Please register online at www.legalprofessionalsinc.org/events. This event is free. The theme for the conference is "Eye on LPI," with a focus on all that LPI has to offer.

At the February 2021 Conference, we will be announcing bids for upcoming conferences. A request for bids and available conferences was previously sent to all associations. It is always such a pleasure to visit and meet the legal professionals in your community, in addition to exploring the wonderful sites and scenery in your area. I hope your association will invite us to come see you and submit a bid to host an LPI conference.

We continue to elevate LPI's mission and purpose through our quality programs and education. We continue to provide avenues to elevate you - our members - and your careers. We continue to elevate this profession because of you. We are proud and grateful for the opportunity to do so.

Warmly,



THE
CONTINUING EDUCATION COUNCIL
PRESENTS

REAL-LIFE CSI

PRESENTED BY
CRIMINALIST CORDELIA WILLIS
SANTA CLARA COUNTY CRIME LABORATORY

FEBRUARY 20, 2021 | 2:30 P.M.

PRESENTED VIRTUALLY THROUGH ZOOM - FREE WITH
CONFERENCE ADMISSION, NO RSVP NEEDED

Learning about the science can help your case!

The Santa Clara County District Attorney's Crime Laboratory is an internationally accredited forensic laboratory serving all criminal justice agencies in Santa Clara County. Their examiners evaluate and analyze evidence, interpret results, provide expert testimony related to the full spectrum of physical evidence recovered from crime scenes, and offer technical assistance and training to all user agencies. Service is provided in the major analytical forensic disciplines of: controlled substance analysis; firearms; forensic biology (DNA); forensic toxicology; latent print processing; trace evidence; digital and multi-media evidence (computer forensics, audio and video analysis); and crime scene analysis and reconstruction (including bloodstain pattern analysis and footwear/tire impression evidence). The laboratory employs over 60 criminalists, plus support staff, and analyzes thousands of evidence items each year.

Legal Professionals, Inc. is an approved provider, and certifies that this seminar has been approved for minimum continuing education credit in the amount of 1.0 hours by the State Bar of California.



LPI

*Educating California's
Legal Support Professionals*

"EYE ON LPI"

BY THE LPI EXECUTIVE COMMITTEE, LYNNE PRESCOTT, CCLS, ROD CARDINALE, JR., DONNA DAY, BETTINA JACOBSON, HEATHER EDWARDS AND JENNIFER PAGE, CCLS

LPI's Third Quarterly Hybrid Conference Board of Governors Meeting will take place virtually, on Saturday, February 20, 2021, via Zoom platform. This conference, hosted by LPI, is free to all registrants. Registration can be found at www.legalprofessionalsinc.org/events.

The theme for the conference is "Eye on LPI." Taking a cue from our new Tech Committee, which has been bringing you exciting live videos, YouTube videos, informational spotlights and interviews, we will be focusing on all the great education and networking that LPI offers. We will also be showcasing our vendor partners and sponsors who so generously and faithfully support LPI.

All eyes will turn to the Board of Governors meeting when we begin the business meeting at 9:00 AM, with reports of officers and chairmen. We will break at Noon, where the focus will be on three different networking luncheons: the Governors Luncheon is open to all local association Governors; the Presidents Luncheon is open to all local association Presidents; and, the Open Luncheon welcomes everyone not attending the other luncheons. All luncheons will be presented via Zoom "breakout rooms" so that everyone has the opportunity to participate.

The afternoon session will once again feature an educational workshop presented by the Continuing Education Council, from 2:30-3:30 PM, featuring Cordelia Willis, Criminalist from the

Santa Clara County Crime Laboratory. The workshop is free with conference registration and offers CLE and CCLS credit. Please register in advance with Educational Program Coordinator Dawn Forgeur, CCLS, at cec@legalprofessionalsinc.org.

After the educational presentation, we will conclude any unfinished business, then draw the names of four lucky associations who will receive a free scrip ticket to the May 2021 Annual Conference.

We hope you keep your "Eye on LPI" and attend the February 20, 2021 Quarterly Conference!



CCLS QUIZ

Legal Computations - Math

DIRECTIONS: USING THE TABLE PROVIDED BELOW, DETERMINE THE CORRECT EXECUTOR FEES FOR EACH ESTATE VALUE LISTED. YOU MAY USE A CALCULATOR FOR THIS EXERCISE.

On the first	\$100,000 of the estate, 4%	1.	\$13,954,573
On the next	\$100,000 of the estate, 3%	2.	\$736,598
On the next	\$800,000 of the estate, 2%	3.	\$9,287,529
On the next	\$9,000,000 of the estate, 1%	4.	\$243,756
On the next	\$15,000,000 of the estate, $\frac{1}{2}$ of 1%, and	5.	\$1,000,072
All Over	\$25,000,000 to be determined by the Court		

DIRECTIONS: PERFORM THE CALCULATIONS NECESSARY TO ARRIVE AT THE CORRECT ANSWER FOR EACH QUESTION BELOW. YOU MAY USE A CALCULATOR FOR THIS EXERCISE.

6. You purchased your house for \$450,000, and it was later reassessed for \$300,000. What is the documentary transfer tax if the tax rate is \$1.10 per \$1000 of the purchase price?
7. You have taken a loan of \$19,000, with interest at 12% per annum. Your minimum payments are \$500 per month. What is your principal balance after six months?
8. What is the daily rental rate for a property whose monthly rent is \$1,032?
9. On March 15, 2017, your salary was \$63,900 per year. You will receive a 3% rate every year on January 1. What will your annual salary be on March 15, 2019?
10. If your client does not pay settlement funds of \$32,456 to plaintiff within 30 days of settlement, interest will accrue in the amount of 15% per annum for each day the payment is late. Your client pays the settlement funds on the 63rd day from the date of settlement. What is the total payment being made?

CCLS QUIZ ANSWERS ON PAGE 20

EMPLOYEE ENGAGEMENT: WHAT DOES THAT HAVE TO DO WITH ME?



Presented by Dr. Thomas Steele

February 11, 2021
12:00 pm to 1:00 pm



- Members of ALL Six (6) Legal Specialization Sections (LSS) - FREE!
- LPI Member/Local Association Member - Free
- Non-LPI Member or Attorney - \$30
- The price increases \$5 after January 28, 2021
- Registration closes February 4, 2021

Online registration and payment available at:
<https://www.legalprofessionalsinc.org/events/> or

Click Here



**LEGAL
SPECIALIZATION
SECTIONS**

***This Webinar
is FREE to all
LPI Members!!***

**This webinar is approved for
1.0 hours of CCLS credit.
MCLE credit is not available.**



LPI

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Legal Support Professionals*

LPI Facebook Comments

Monica Elizabeth recommends LPI

LPI is the perfect organization for legal professionals looking to network and continue their education in the field. Everyone who is a part of it is so friendly- and they have become resources for me both professionally and personally. It's a privilege to get to be a part of LPI and I look forward to continuing to be a member for years to come!

Debbie Murphy recommends LPI

LPI is a terrific networking association with many great educational opportunities. I am happy to be a member and have made many great friends and met lots of terrific people!

Ron Ackland recommends LPI

Great networking and resource!

Cyndee Saucedo recommends LPI

A great organization for educational opportunities in the legal field, whether you are brand new or have been around for years. The networking opportunities and depth of knowledge of the membership is priceless

Angie Grego recommends LPI

It is a great organization to belong to. Besides the education, the quarterly and annual conferences are a great way to meet up and keep in touch with dear friends. A person who works in the legal industry is missing out by not joining LPI.

Mary Hartmann Rocca recommends LPI

It is the perfect professional organization for those employed in the legal field. Exceptional education available on line and in person!

Christine Flores recommends LPI

It is the perfect organization for legal professionals. The education is valuable. The network is my lifeline.

Mae Chester recommends LPI

SFVLSA recommends and thanks LPI Social Media Chair, Erika Garduno for her great Facebook assistance.

Corinne Patera recommends LPI

LPI is a great organization supporting legal professionals all over California! Take a look! Www.LPI.org

PeterJanice Williams recommends LPI

Check Out LPI - it is a great group.

Maria Bishop recommends LPI

Offers many continuing education classes and workshops which qualify for MCLE and CCLS credit.

Lillian Wong recommends LPI

This organization provides legal educational training throughout California.

Elena Schneider recommends LPI

LPI is dedicated to educating both today's and tomorrow's legal professionals.

BAD HABIT: PROCRASTINATION. WHAT IS YOUR PROFESSIONAL BAD HABIT?

BY CARLA CLARK

Everyone has good habits. Do you consistently arrive to work on time? Everyone also has bad habits that encumber some part of their daily work life. Do you frequently sleep in?

From home to the law office, bad habits are performed every day. In the office, it is important for legal professionals to understand how their bad habits are affecting them and those around them. Bad habits in the workplace can lead to additional stress, a bad reputation, lost opportunities or even loss of employment. It is important to be aware of bad habits and work hard to break them before they negatively impact your career. Of course, as with so much in life, identifying the bad habit is the first step.

What are your bad professional habits? Are you frequently tardy or absent? How is your email etiquette? Are you a team player? Do you procrastinate?

I PROCRASTINATE.

Procrastination is the act of delaying or postponing something. It's a timeless bad habit. Believe it or not, Leonardo da Vinci was an incredible procrastinator. Today he is known as the genius of the Italian Renaissance, but at the time he had a reputation as a daydreamer and never finished projects on time.

Procrastination is a common bad habit that is demonstrated in the legal field. We all know someone who puts tasks off until the last minute. It's that person who wants to wait until the day the moving papers are due to start drafting the memorandum of points of authorities. Or, that co-worker who is always running late because they

habitually wait until the last minute to head out the door. Everyone knows someone who procrastinates; however, do you procrastinate?

I have been a legal assistant for many years, and I have made a career choice to work for law firms that specialize in civil litigation. I personally enjoy working against "that" deadline. I have found that there are a few positive effects of procrastination, either self-inflicted or assisting a procrastinator. Procrastination has helped me prioritize better and I am to get more tasks completed within a short period of time. I am essentially forced to focus on what are the necessary tasks, like juggling and problem solving the "what-ifs." Regardless, it is a bad habit!

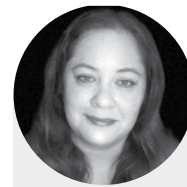
As common as procrastination is, it is not a favorable trait for the office. Procrastination habits can lead to poor work performance often resulting in missed deadlines, poor quality of work, or not living up to the expectations of your bosses, co-workers and clients. It is important to avoid procrastinating on the job so that your work does not suffer simply because you failed to allot enough time for the "what ifs" that can and do inevitably come up. What if you are up against a deadline and the computer crashed or the Court's e-filing site is down? Did you give yourself enough time to complete your task?

Name one of your professional bad habits? First step, identify it!



REFERENCES:
Oxford Dictionary

M. Admin. "Leonardo Da Vinci Was an Incredible Procrastinator." <https://knowledgenuts.com/2014/01/23/leonardo-da-vinci-was-an-incredible-procrastinator>



CARLA CLARK

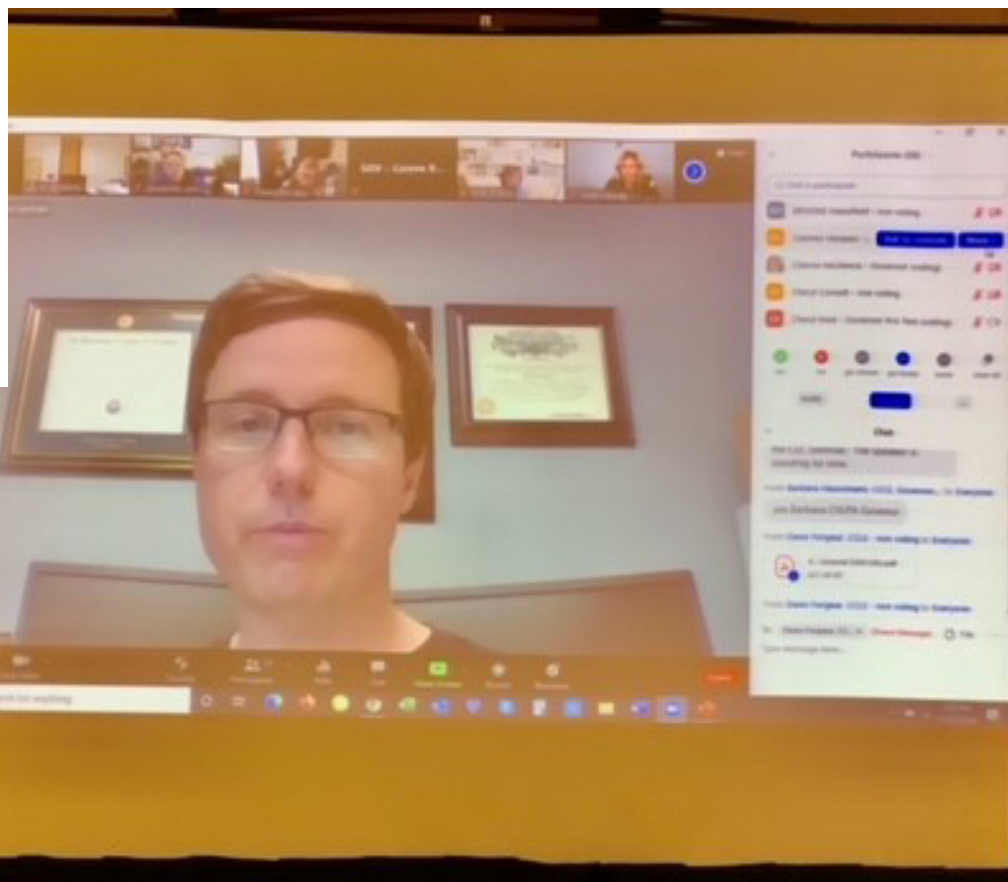
is the owner, author and publisher of Alexander's Legal Seminars providing continuing education training for legal professionals throughout Southern California. Her Civil Litigation Manuals cover San Diego, Orange and Los Angeles Counties.

NOVEMBER 21, 2020 | STOCKTON, CA

2ND QUARTERLY HYBRID CONFERENCE BOARD OF GOVERNORS MEETING



LPI's 2nd Quarterly Board of Governors Meeting was held via a hybrid platform of both in-person and virtual attendees at the Stockton Hilton which allowed us to safely conduct all of the business of the corporation. During the afternoon session, the Continuing Education Council presented an educational workshop featuring Wim Van Rooyen, Administrative Law Judge with the Office of Administrative Hearings (OAH) (*pictured below*), who discussed the types of cases that are handled by OAH as well as the differences in civil procedure in the Superior Court and procedure in administrative hearings before the OAH.



CONGRATULATIONS



CONGRATULATIONS, PATRICIA E. MILLER, PLS, CCLS!



Congratulations to Patricia E. Miller, PLS, CCLS, LSI Past-President (1998-2000), on the honor of receiving the 2020 Lifetime Achievement Award from the Law Practice Management and Technology Section of the California Lawyers Association!

Clayton Dodds, Chair of the Executive Committee of the Law Practice Management and Technology Section (LPMT) of the California Lawyers Association (CLA), announced on September 23, 2020, at its meeting held via Zoom, that it had unanimously approved that the 2020 LPMT Lifetime Achievement Award be presented to Patricia E. Miller (Patty). Clayton and members of the Executive Committee felt that Patty was a worthy candidate to receive the Lifetime Achievement Award for all she has done for LPMT and to promote practice management. The award has previously been given to attorneys, Ed Poll, Carol Levitt, Perry Segal and Neil Pederson. The award is not given annually, but is presented only when a worthy recipient is determined.

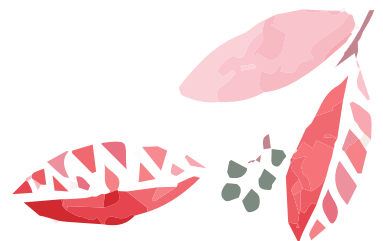
Patty is the fifth recipient of the LPMT Lifetime Achievement Award. The award is bestowed on a member of the Law Practice Management and Technology Section who has made tangible contributions, who has taken an active leadership role and who has served the LPMT Section, as well as other organizations. Patty has demonstrated all these qualities during the 16 years she served on the LPMT Executive Committee. She is a paralegal and began her service on the LPMT Executive Committee as the Liaison from Legal Secretaries, Incorporated (2004-2006); she was a public (non-attorney) voting member (2006-2010; 2011-2014); and was later selected to serve as a special advisor (2010, 2015-2020). During her years of service, she was a member of several subcommittees, Membership, Bylaws and Standing Rules, The Bottom Line and eNewsletter. She was a speaker at the

State Bar Annual Meeting and submitted articles for The Bottom Line and the eNewsletter. She served as the Secretary for the Executive Committee for over fourteen years, often referred to as the "Secretary for Life." While chairing the eNewsletter subcommittee (2007-2020), she facilitated producing an eNewsletter every other month, making sure the LPMT Section members received a publication regularly containing timely and informative articles on technology and practice management.

Patty was surprised to have been considered for the award, but is very proud to receive it and join the prior recipients, all of whom she has served with. She encourages non-attorneys to join the LPMT Section and benefit from the information being distributed regarding technology and practice management for the law office. She also hopes LPI will continue to work with the LPMT Section to promote law practice management through webinars, Zoom presentations, and articles for the publications.

For 16 years, Patty has been a stellar representative from LSI to the Law Practice Management and Technology Section. She retired this past quarter amidst much consternation. Per Gwendolyn Edwards, CCLS, LPI's current Liaison to the LPMT Section, the LPMT Executive Committee is now trying to find multiple individuals to take over and perform all of the duties Patty did singularly—something that is proving quite daunting!

We are so proud of Patty and owe her a debt of gratitude for the amazing legacy she left behind on behalf of LSI/LPI.



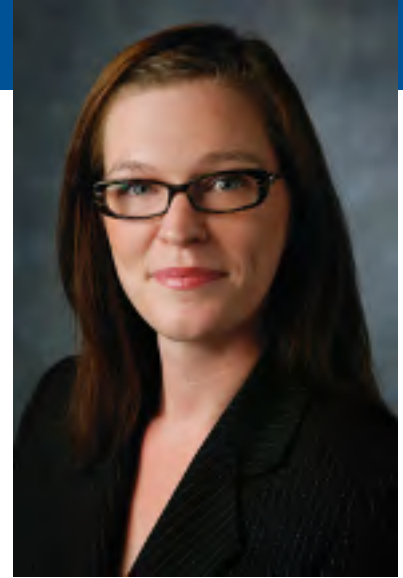
Congrats!

CONGRATULATIONS, KIM!

Congratulations to Kim Oreno, LPI Administrator, on the honor of earning the designation of Certified Association Executive (CAE). Kim is a Senior Account Executive and Director of Processes and Operations with California Advocates Management Services (CAMS).

The CAE is the highest professional credential in the association industry. To be designated as a Certified Association Executive, an applicant must have experience with nonprofit organization management, complete a minimum of 100 hours of specialized professional development, pass a stringent examination in association management, and pledge to uphold a code of ethics. To maintain the certification, individuals must undertake ongoing professional development and activities in association and nonprofit management. More than 4,500 association professionals currently hold the CAE credential. The CAE program is accredited by the National Commission for Certifying Agencies (NCCA).

Kim joined CAMS in 2004 and provides professional association management services, alongside a terrific team, to a number of CAMS clients, including LPI. Kim has been part of the LPI family since 2015. We congratulate Kim on this tremendous accomplishment and prestigious designation.



BOLD SIMPLE MEMORABLE



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LORI McELROY
Creative Director

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LEGAL
SPECIALIZATION
SECTIONS

Day of Education

Saturday, February 6, 2021

FEDERAL LAW

USDC, Northern District of California Overview and Impact of COVID-19

Presented by: Kathleen Shambaugh
Chief Deputy of Operations



LPI

Educating California's
Legal Support Professionals

9:00 am - 10:00 am

PROBATE AND ESTATE PLANNING

What is a Professional Fiduciary?

Presented by: Russell Pottharst, PPF
SoCal Private Fiduciary®

10:30 am - 11:30 am

SPECIALTY LAW

The Changing Role of the Legal Professional

Moderator:

Gerri Vidmar, Legal Support Manager
Dentons US LLP

Panelist:

Brandon Randolph, CLM, Director of Administration
Pillsbury Winthrop Shaw Pittman LLP

Panelist:

Christa (Davis) Palamides, Office Administrator
Hogan Lovells, US LLP

Panelist:

Linda Quindt, CLM, Firm Administrator
Finch, Thornton & Baird, LLP

**Panel
Presentation!**

12:30 pm - 1:30 pm

The deadline to register is February 4, 2021.

**REGISTER AT WWW.LEGALPROFESSIONALSINC.ORG/EVENTS/ OR
[CLICK HERE](#)**

LSS Members - Free

LPI Members - \$15/webinar

Non-LPI Members - \$30/webinar

The Legal Specialization Sections is a program of Legal Professionals, Inc., an approved provider, and certifies that this seminar has been approved for minimum continuing education credit in the amount of 1.0 hours by the State Bar of California.

THE EVOLUTION OF AMAZON'S MARKETPLACE PRODUCT LIABILITY STRATEGY

BY JEREMY ROBINSON, ESQ. – SUBMITTED BY SAN DIEGO LSA

Until recently, Amazon had a unified, and mostly successful, approach to avoiding lawsuits over defective products sold on its Marketplace. But now things have changed, and Amazon finds itself in a bind. With courts starting to turn against Amazon, does it accept liability for Marketplace products, and thus enable itself to claim responsible corporate citizenship, or does it continue to resist?

First, some background. Amazon's Marketplace is where different entities, often located overseas, can list products for sale. When buying products from the Marketplace, you will see an inconspicuous "sold by" on the product description page. Amazon does most of the heavy lifting for the sale, including specifying the type of product that can be listed and how it is listed, confirming the order and sale, taking the money from the buyer, and, in some cases, storing the product in its warehouse.

Nevertheless, when a product sold on its Marketplace injures someone or causes property damage, Amazon argues it is not the "seller" of the product. Despite exercising near total control over the transaction, Amazon claims it is merely a service provider to a third-party seller; a claim bolstered by Amazon's refusal to take title to the product and, in many cases, possession.

This strategy has allowed Amazon to garner a string of victories in courts around the country. But then things started to change. The first blow was a panel opinion from the Third Circuit in *Oberdorf v. Amazon*. *Oberdorf* was a personal injury case involving a defective dog collar that partially blinded the plaintiff. The Third Circuit found that under Pennsylvania law, Amazon could be potentially strictly liable for the plaintiff's injuries.

Amazon successfully petitioned for rehearing en banc in *Oberdorf*, so the panel opinion has since been vacated and is no longer good law. And following certification of the question to the Pennsylvania Supreme Court by the en banc court, the parties settled the case and the appeal was abandoned. Thus, Amazon avoided having any final published disposition of that case.

Nevertheless, *Oberdorf* signaled a willingness of courts to potentially hold Amazon liable for products sold on its Marketplace. In the months following, a few district courts found in favor of plaintiffs pursuing these types of cases, including in *State Farm v. Amazon*, from Wisconsin, and *McMillan v. Amazon*, from Texas. Still, Amazon was winning more cases than it was losing, and the district court opinions going the other way carried little weight.

In the midst of all this, the California Legislature began considering a bill aimed at holding online marketplaces, including Amazon, potentially liable for products sold on those marketplaces provided the transaction or marketplace met certain criteria. Initially, Amazon took no stance on the bill and it passed the House easily.

But then, our Fourth District Court of Appeal issued a published decision in *Bolger v. Amazon*. In that case, the court held under California law, Amazon could be held strictly liable for an exploding laptop battery sold on its Marketplace. *Bolger* marked the first time a state appellate court anywhere ruled against Amazon on this issue and currently is the only published appellate opinion in the nation finding Amazon liable.



Following the *Bolger* decision, Amazon announced publicly that it was supporting the California bill, AB 3262. In a posting on its website, Amazon proclaimed: "We share the California Legislature's goal of keeping consumers safe. To further that goal, this legislation aimed at protecting consumers should apply equally to all stores, including all online marketplaces. Injured consumers should be able to seek compensation regardless of how a particular online marketplace makes money."

This was a bold and unexpected move from Amazon. Once word got out about this, several other online marketplace providers accused Amazon of trying to leverage its market might and drive the other providers out of business. The basic argument was that Amazon was urging the adoption of a liability model that Amazon could easily handle but that smaller competitors might struggle with. The truth of these accusations is debatable, but they did kick up a lot of dust around AB 3262. Ultimately, time ran out and AB 3262 did not make it out of the Senate. But, expect to see another bill on the topic next year.

Having voiced support for AB 3262, Amazon now faces a dilemma. There are still several appeals pending against Amazon over product liability claims,

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including the *McMillan* case in the Fifth Circuit and another case in the California Court of Appeal, *Loomis v. Amazon*. And doubtless there are more cases being filed or already in litigation at the trial court level.

How does Amazon respond? It can continue to fight liability in court, but that fight is made harder by the fact that it agreed to support legislation that would hold it liable for exactly the same conduct. Or it could accept liability as a general proposition, while obviously retaining all of the defenses available to any other defendant in a product liability case.

How that plays out remains to be seen. But we got a preview in Amazon's Petition for Review in the *Bolger* case. In its Petition, Amazon argued,

as expected, the Court of Appeal overstepped its bounds and improperly expanded product liability. But, interestingly, Amazon also specifically mentioned AB 3262 and argued the court should have deferred to the Legislature to decide these kinds of questions.

This perfectly exemplifies Amazon's problem. Amazon says the *Bolger* court should have left the liability calculus to the Legislature while that Legislature was considering a bill, *supported by Amazon*, that would hold Amazon liable under the exact same circumstances. If this seems contradictory to you, you are not alone.

At a minimum, this seems to lend some credence to the argument that Amazon is trying to wield product liability as a

competitive advantage. Amazon wants online marketplace liability to be all or nothing and isn't willing to lose the liability battle unless it can lose on its own terms.



JEREMY K. ROBINSON

is a partner with San Diego-based Casey Gerry Schenk Francavilla Blatt & Penfield, LLP, and chair of the firm's Motion and Appellate Practice.

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MEET THE TECH COMMITTEE

The Tech Committee is still taking shape, but its overall goals are to encompass, and expand all aspects of technology to support LPI's educational, operational, and marketing objectives. The first steps have already been taken through new videos (check out LPI's YouTube channel!), conducting live "Eye on LPI" media events, expansion of the blog, etc.

ERIKA M. GARDUNO – LPI SOCIAL MEDIA CHAIR AND LPI TECH COMMITTEE CHAIR



Erika Garduno was introduced to the legal field in 1995, when Thris Van Taylor, Esq., a Judge Pro Tem of the Inglewood Municipal Court, approached her, asking if she was seeking employment in the legal field. Erika was so puzzled that this matured gentleman approached her and was already assuming the worst. After confirming his identity, they scheduled her interview; shortly thereafter, Erika was hired as his receptionist. This was the beginning of Erika's legal career and through the years, she has held many positions (i.e. secretary, interpreter, administrator, relationship advisor, nanny and jack of all trades) – ahhh, a true statement for those who work with a sole practitioner.

In 2001, Erika was hired by a firm in the Mid-Wilshire area in Los Angeles and obtained experience in complex litigation. One case that touched her heart was the *Castillo v. Nathan Korman*. *Castillo* was a civil litigation case about a minor that severely burned himself on a stovetop burner that his mother turned on because the landlord failed to maintain the apartment heater. Her supervisor at the time, Paula Lawler, was also Erika's mentor. Ms. Lawler inspired Erika to think outside the box;

therefore, after work one day, Erika conducted some investigating and visited Defendant's property. It only took some mouse/insects traps and her ability to communicate in Spanish for her to be invited by several tenants. Erika was able to obtain several declarations supporting the client's claim that Defendant had prior knowledge of the deteriorating conditions of the property and confirming negligence. These declarations were presented at trial and, at the conclusion of the trial, Plaintiff was awarded over \$3 million in punitive damages.

In 2007, Erika and her daughters relocated to the Coachella Valley. She was hired by Slovak Baron Empey Murphy and Pinkney LLP and is currently a Senior Litigation Assistant. The change of the quality and pace of life in the Coachella Valley allowed her to begin volunteering in her community (i.e. Cheer Director for the Coachella Valley Pop Warner, secretary/newsletter editor for the Raymond Cree Middle School choir, the Palm Springs Animal Shelter and Desert Palm Legal Professionals Association (DPLPA) to name a few).

Erika became a member of DPLPA in 2012. She was elected Governor in 2015 and has held other positions within the association.

At the August 2016 Quarterly Conference, Past President Jennifer Page, CCLS appointed Erika as the LSI's Social Media Chair at which time Erika became part of LSI's Marketing Committee. Due to her hard work and dedication, Erika was presented LSI's first ever Rising Star Award in August 2017.

As she has gained experience and expertise in the area of social media, LPI has authorized Erika to explore additional social media platforms and continues to promote hashtags (#meetlpi, #legalprofessionals,

#elevate and many others) in order to facilitate the online searches for flyers, posts, blogs, advertisers and court updates. As the demands of LPI's internet technology and social media have grown, so have the duties and responsibilities of the Social Media Chair. As a result, the Tech Committee was formed to handle these expanding and ever-changing needs. The Committee consists of all chairmen that have direct interaction with our website, internet technology, and social media platforms. Erika chairs this special committee, with oversight from the LPI Vice President.

Please like, follow, share and subscribe! With that said, meet the TECH COMMITTEE.

1. LPI Advertising Chair – Amber Kennedy
2. LPI Educational Program Coordinator – Dawn R. Forgeur, CCLS
3. LPI Legal Professional Training/ Seminars Chair – Cyndee Saucedo, CCLS
4. LPI Legal Procedure Chair – Larry McGrew
5. LPI Legal Specialization Section Webinar Chair – Renee Evans, CCLS
6. LPI Legal Specialization Section Webinar Co-Chair – Frances Skaggs

AMBER KENNEDY – LPI ADVERTISING CHAIR



Amber Kennedy has been a member of Marin County LPA since 2014, and has served as Governor since 2016. She has worked in the

legal field since high school, and after completing a college degree for environmental studies, she went back to school and received her Paralegal certificate in 2005. She currently works

MEET THE TECH COMMITTEE

← Continued from page 18

as a Legal Assistant with Sonoma County Counsel's Office since 2018, having worked prior at Marin County Counsel's office for 13 years. She specializes in civil litigation in the government sector.

Amber's personal interests include volunteering with animal rescue organizations, crafts, and spending time with her husband, her dog, and taking jeep rides out to the ocean.

DAWN R. FORGEUR, CCLS – LPI EDUCATIONAL PROGRAM COORDINATOR



Dawn Forgeur, CCLS has been a member of Sacramento LSA for over 15 years and has held several positions on its Executive Board and committees.

She was also LSI's Legal Specialization Sections Coordinator from 2014-2020. Dawn has been in the legal field for over 20 years and got her start as a file clerk, runner, and office services for a solo practitioner. She now works for Stoel Rives LLP and has been there for 9 years, specializing in civil litigation. Since May 2020, all of her free time has been taken up by Sir Winston, her 10-month old puppy; and pre-Covid-19 her and her husband enjoyed going to live events, such as concerts, movies, and comedy shows.

CYNDEE SAUCEDA, CCLS – LPI LEGAL PROFESSIONAL TRAINING/ SEMINARS CHAIR



Cyndee Saucedo, CCLS has been a member of Alameda County LSA for over 10 years and has held several positions on its Executive Board and committees. In 2016,

she was elected as its Governor and still holds that position. Cyndee was also LSI's Legal Specialization Section Specialty Law Leader from 2018-2020. She has been in the legal field for over 20 years and started as a secretary for a solo practitioner and a construction defect expert. She now works for Meyers Nave and has been employed for 17 years, specializing in writs and appeals.

Fun Fact: In 1996, Cyndee was one of the top 6 female wrestlers in her weight class to qualify for tryouts to represent the US on the World Team in Women's Wrestling -- but instead she decided to get married that weekend.

LARRY MCGREW – LPI LEGAL PROCEDURE CHAIR



Larry McGrew has over 30 years of legal support experience. His journey began in Southern California in data processing and his eagerness to learn coupled

with his synergistic perspective toward Customer Service allowed him to excel and grow through a variety of positions leading to Management and Learning & Development.

In May of 2003, Larry joined First Legal as the Operations Manager of the San Diego office. A year and a half later, he was transferred to the San Francisco Office serving in the same position. After developing a rapport with the customer base and successfully handling their needs and concerns, he was later offered and accepted a position in the newly formed 'Customer Service Department' as its director. After heading up the Customer Service team for seven years, Larry transitioned into another newly developed department for First Legal, Learning & Development.

He moved from San Francisco and now works in the Corporate Office of First Legal in Henderson, Nevada where he works to serve First Legal's customer base throughout the United States.

Larry has also been an active member of the San Francisco Legal Professionals Association for about 10 years. He has served as Vice President, President, Executive Advisor and is currently serving as Co-Editor and Legal Procedure Chair. He also served as LSI Advertising Chair for 4 years. Through his many years of service in the legal community, Larry possesses a very strong understanding of the court system on both State and Federal levels. He has a wide range of knowledge on handling Service of Process requests from Small Claims, to Family Law, to Civil, Unlawful Detainer actions, as well as handling Writs of Possession. He works diligently with his staff and is instrumental in developing and educating any changes in the Court System to ensure everyone is up to speed on rule/policy changes so that the customer has a great user experience First Legal.

Larry has also served on a variety of positions within several organizations. As a competitive Roller Skater, he was a member of the National Team from 1988 through 1991 winning 5 World Medals, two of which were Gold. As an elite competitor, he was elected by his peers to serve as the 'Athlete Representative' for roller sports, on the United States Olympic Committee's Athletes Advisory Council. As a result, he also served on the US Roller Sports Board of Directors as an athlete representative. He served in this capacity for 8 consecutive years.

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MEET THE TECH COMMITTEE

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**RENEE EVANS, CCLS – LPI
LEGAL SPECIALIZATION SECTION
WEBINAR CHAIR**



Renee Evans, CCLS has served as LPI's Legal Specialization Section Webinar Chair for three and a half years, and she also serves on the Tech Committee. When

she's not working on her LPI tasks, she enjoys spending time with her family, traveling and going "shelling" at the beach in Imperial Beach. She has been a member of LPI and the San Diego Legal Secretaries Association (SDLSA) for more than half of her life. In 1995-96 and again 2015-2016 she served as SDLSA's President. Renee is an Intellectual Property Litigation Legal Secretary at Pillsbury Winthrop Shaw & Pittman.

**FRANCIE SKAGGS – LPI LEGAL
SPECIALIZATION SECTION,
WEBINAR CO-CHAIR (2020-2021)**



Francie Skaggs is a Litigation Secretary at San Francisco-based law firm, Coblenz Patch Duffy and Bass LLP, where she has been for almost five years. She serves

on the Legal Specialization Section as the Webinar Co-Chair with Renee Evans, CCLS. She is also the President of San Francisco Legal Professionals Association (SFLPA) and has served as every officer position on SFLPA before becoming President.

When serving as the SFLPA Education Chair, she organized a three-day Legal Professionals Workshop at San Francisco State University, which

allowed all levels of legal secretaries and paralegals to earn a certificate showing that they completed the class. She has also presented on a panel with an attorney about the California Rules v. the Local Rules of the Court in the presentation, "Cracking the Code," as well as on a panel of attorneys and one paralegal at the Bar Association of San Francisco Paralegal Section called "50 Days to Trial."

Francie is committed to continuing education and enjoys being a part of a wonderful team that supports that cause. She is on her way to become a CCLS and looks forward to having the honor of putting those four letters after her name.

ANSWERS FROM QUIZ ON PAGE 6

CCLS QUIZ

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| 2. \$17,731.96 | 7. \$17,140 |
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| 4. \$7,875.12 | 9. \$67,791.51 |
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MEET DON LEE

LSI HONORARY MEMBER

There is an old adage a college education is important, but it doesn't have to be a four-year university. I was born in '39 to parents who emigrated from Canton, China, in the early 30's. Life was tough arriving in America with nothing but they persevered and raised five kids, including yours truly. Immigrants from Canton were considered the "Okies" who didn't speak Mandarin. We spoke Cantonese, were the uneducated, were the poor folks. But we were the ones who helped build the railroads, who dug into mines to help the 49ers find gold, who placed dynamite in mountains to build tunnels throughout the Rockies, who helped build America and, of course, Chop Suey!

My parents, like all Chinese parents, stressed education. When we finished grammar school at 2:30 in San Francisco, we packed our "other" school bag and headed for Chinatown for Chinese school from 4:30 to 7:00 each evening, including Saturdays from 10:00 to noon. We had to learn to speak proper Chinese and how to use a brush to write Chinese characters and to learn the history of China.

When I graduated from Galileo High School located near Fisherman's Wharf in 1957, the only high school with an observatory on its roof, I told my parents that I was not going to attend UC Berkeley. They were devastated and heartbroken. They worked and saved for this goal. All Chinese were expected to attend UC. UC also stood for "University of China." Today, the number of Chinese attending UC is restricted so other minority groups can attend. I told my parents that I would be attending SF City College (SFCC) with my friends because that's where they were all going and I wanted to be with my friends.

I really didn't have a major at that time, so attending a university was a waste of money since the first two years is just getting acclimated and after SFCC, I did enroll at San Francisco State. Both of these higher education schools were considered "streetcar" schools because everyone commuted by public transportation to attend. No one thought of owning a car in San Francisco since public transportation was so readily available and cheap.

While in college I took a shorthand course because a professor once said that if we listened to him and took notes, we wouldn't have to read our books. Lazy me, that made sense and that's where I learned Gregg shorthand. Following City College I decided to look for a job and attend State College at night. I took the California typing and steno test and got a job right away . . . in a steno pool with twelve other ladies. My supervisor at the California Public Utilities Commission introduced me to the court reporters that worked there and I dropped State College and enrolled in court reporting school at night from 1961-63.

In May of '63, I received a letter saying "Greetings." No, joke, it really does say "Greetings." So off I went for two years with the US Army. Born and raised in San Francisco, I was sent off to Monterey, 120 miles from home for basic and advanced training. And there I sat for two years in battalion headquarters, 120 miles from home. It was "rough," because the cost of living in Monterey is high and I only made \$98 a month. Hey, better than Vietnam where young kids were being sent at that time.

Returning home I again enrolled in court reporting school at night and in 1968 I took the California Certified Shorthand Reporters exam and passed, License CSR #1813, and took my first court



reporting job in Fresno. Where the heck is "Fresno"? From 55 degrees in SF to 102 degrees in Fresno? What a culture shock! I immediately traded my '63 Volkswagen for a '68 Ford Fairlane with air conditioning.

I worked for the Department of Employment and reported unemployment insurance hearings: "You fired me." "No, I didn't." "You called me an A-hole." "No, I didn't." "You made fun of me." "You couldn't do the job." The worst part of my job was when I was sent to Bakersfield from Fresno the last six months every week from Tuesday thru Friday. Driving a state car, no air-conditioning, leaving Bakersfield Friday at 11:00 a.m. and driving back to Fresno at 4:00 p.m. . . . four windows down at 60 miles an hour in 100 degree heat was no fun.

In 1970, an opportunity arose to purchase a deposition firm in Merced, a city I visited a few times during my state employment and I always loved Merced, just the right-sized community with lots of trees, so different from Fresno and Bakersfield. But before I could purchase the business, my boss had to inquire around the legal community, remember this is 1969-70, if there was any opposition to the purchaser not being Caucasian. I've been in Merced ever since.

Not only did I work depositions and covered the Merced Courthouse when they needed assistance, but I was also the Official Court Reporter for

DON LEE - LSI HONORARY MEMBER

the Mariposa Courthouse, the oldest existing and still operating courthouse in California since 1856. I also assisted in Fresno, Madera, Stanislaus, San Joaquin and Tuolumne Counties which gave me an opportunity to really see and enjoy the history of Central California. During breaks, I would visit the local museums.

During my forty years as a court reporter, I worked on two death penalty cases and both Defendants were found guilty and death sentences were imposed. One case involved a college professor from Merced who met someone in Fresno and was murdered in his home here in Merced. This entire case I reported by myself and typed up the transcript on my IBM Selectric typewriter and made copies from a Xerox machine as this was in the early '80s.

The second case was in Mariposa County where the "Nob Hill Rapist" from San Francisco killed three women in a rampage through town and it was never brought out how he ended up in Mariposa as he never testified. The trial was held in Mariposa's Historic Courthouse and was the biggest event in Mariposa's history since the discovery of gold. When the proceedings ended, I returned to the Mariposa Courthouse two days later to report a short one-day hearing, and as I was packing up my equipment to leave, a bailiff approached me and handed me a piece of paper. I unfolded the paper from a yellow legal pad, about four by four, and on it was a pen-and-ink drawing of my profile done by the Defendant and he wanted me to have it before he left for San Quentin.

Another interesting trial I covered by Court, no jury, concerned who owned

the gold that traveled along a vein in a mine. This issue was settled in California's long mining history and that is the person whose mine the vein was discovered has the right to all gold no matter how far the vein traveled even into other people's property or mines. We visited the site and the entire court staff went in three sheriff's cars, including yours truly, and since I couldn't bring my stenograph machine plus a chair with me, I used the Gregg shorthand that I learned at San Francisco City College back in 1958 to record that part of the trial at the mine site and transferred it later to my stenograph machine. Yes, my college education did pay off.

My boss, Spike, incidentally, his CSR license was #2, always supported the legal secretaries association and told me that they were the backbone of Merced's legal community and I wholeheartedly followed his sage advice. I surprised Spike in '73 when I told him that I joined the Merced-Mariposa Counties Legal Secretaries Association (MMCLSA) and in 1976 became President of MMCLSA. I remember back in the 70s and 80s attending LSI conferences where everyone was always dressed, no pants suits, and evening dresses or cocktail attire for banquets. There were more men involved who were big sponsors and they had cocktails and card games going on during the conferences.

In 2006-08, Lorraine Bettencourt from Merced County Legal Professionals Association became President of LSI. In her honor, I hosted a hospitality suite with just wine and then added margaritas. It started innocently with pouring drinks from the bottle during her tenure and then when she became

Past President, Lorraine asked me if I was going to continue the hospitality suite, I said "Yes," and Lorraine surprised me with a margarita machine whereby the drinks were dispensed from a machine where you helped yourself and that became the hit of the conferences, and I have hosted a hospitality suite since.

Another side of attending the conferences I enjoy immensely is taking pictures of the activities and then providing a CD of all the pictures, usually over a hundred, to all members of the EC, the sponsoring associations, contributors and exhibitors to thank them for supporting LPI. It's been a while since I've taken pictures due to the epidemic crises and I've almost forgotten how to use my camera. In fact, at the last hybrid conference in November I attended in Stockton, I brought my camera but I forgot the battery in it. But, I'm looking forward to May, 2021, for the annual conference in Sacramento.





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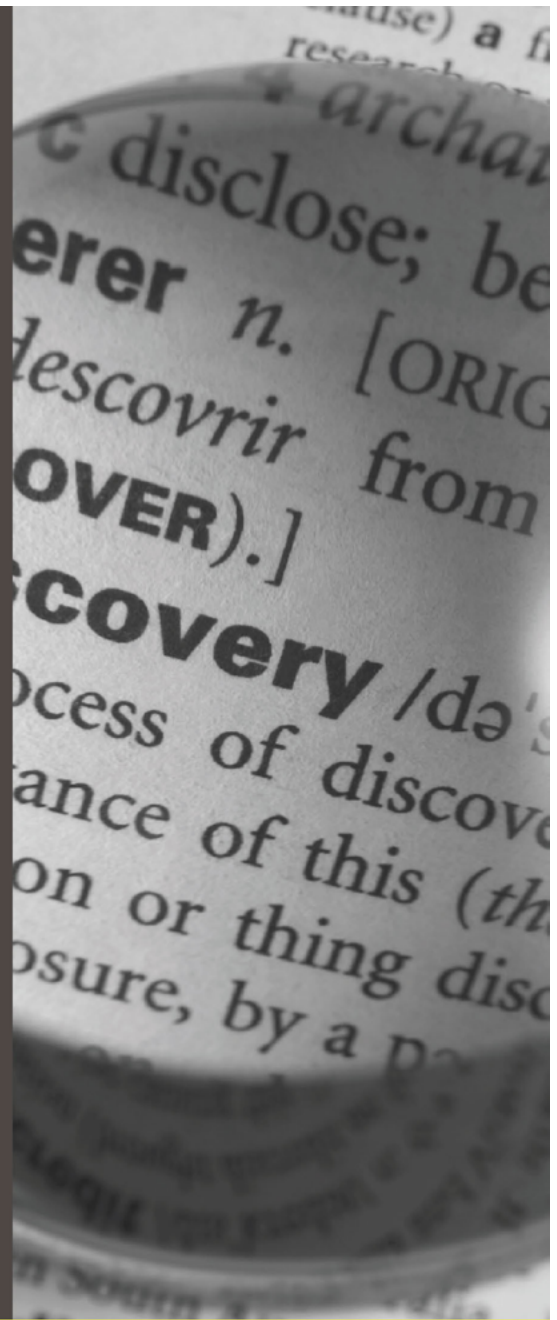
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IS YOUR WEBSITE ADA- AND UNRUH-COMPLIANT?

Recognizing and Eliminating Bias In Websites as Accommodations

BY ALISON FOSTER DAVIS, ESQ. – SUBMITTED BY STANISLAUS COUNTY LPA

Title III of the Americans with Disabilities Act (“the ADA”) prohibits bias in accommodations. California’s Unruh Civil Rights Act (Civil Code §§51-52, “the Act”) likewise provides persons within California protection from discrimination by all business establishments. Many attorneys and law firms are unaware of how these laws apply to them. Many would be horrified to learn that they are unwittingly violating these laws and subjecting themselves to significant liability, not to mention the time drain and professional embarrassment that comes from being sued or subjected to administrative proceedings – or both.

For instance, unbeknownst to many attorneys, business websites are considered “accommodations” under the ADA and the Act. Alarming, many business websites – including lawyer websites – violate the accessibility requirements.

According to the author of “Website Accessibility Litigation,”
© 2018, Richard M. Hunt:

Modern website accessibility litigation began in 2015, when plaintiffs’ lawyers began to realize that the absence of statutory references to the Internet could be exploited to create the kind of uncertainty necessary to drive lucrative settlements. *Id.* at pg. 4.

Beyond ensuring accessible websites, lawyers and law firms have duties under the ADA and the Act to be “accessible” in other ways. In “Complying With

the Unruh Civil Rights Act in the Law Office,” © 2018 Phyllis W. Cheng, Esq., the author outlines these and other accessibility minefields lawyers must navigate. For instance, such accommodations may require hiring a sign language interpreter for deaf clients; making adjustments due to allergies of clients and employees; and making meeting rooms and bathrooms physically accessible to clients, employees, and opposing counsel/parties.

What’s the takeaway? Unless your web developer has reviewed your website for accessibility within the last few months, you are at risk for a lawsuit that could eat up valuable time and resources. Without firm legal standards to guide them, most web developers are taking one of two approaches for clients interested who want to make their website to be more ADA compliant.

The first option is to install a free 3rd party tool available here: <https://userway.org>. This program installs a small icon in the bottom right corner of your website that adds some tools to help visually impaired visitors use your website. Your IT professional can match the color of the icon to the website color scheme. They can also add an Accessibility page to your website, with a link to that in the footer. This approach typically costs less than \$200.

A more in-depth approach is to run every page on the website through a few accessibility testing tools. Your IT

professional can then fix the identified issues, which may involve altering the colors and or design of that element. Depending on the size and complexity of the website and how many issues it detects, this approach takes anywhere from a few hours hour to 10+ hours.

Whatever route a legal professional may choose for updating the website, hopefully this article has made it clear that doing nothing is not a good option for legal professionals who want to ensure equal access for clients of all abilities, while simultaneously avoiding the time and headache of an ADA lawsuit.



ALISON FOSTER DAVIS is in-house

legal counsel for a state-wide adoption agency, and a member, past-president, and past Legislation Committee Chair of the Academy of California Adoption Lawyers.

WORKPLACE WELLNESS – KINDNESS

BY MARCI FRAZIER – SUBMITTED BY SACRAMENTO LSA

Every moment of every day brings an opportunity to show kindness to others – and the benefits are long-lasting. Within the workplace, kindness plays a critical role in the overall office culture.

What is kindness? Kindness is defined as the quality of being friendly, generous and considerate. While kindness can sometimes have a connotation that someone is naïve or weak, true kindness often requires courage and strength. Some have defined being kind as the secret to a successful and fulfilling life.

What are some of the benefits of kindness? According to *RandomActsOfKindness.org*, some of the benefits of kindness are outlined as follows:

KINDNESS INCREASES:

The Love Hormone – Have you ever noticed that when you do something nice for someone else, it makes you feel better too? Witnessing acts of kindness produces oxytocin, occasionally referred to as the 'love hormone' which aids in lowering blood pressure and improving our overall heart-health.

Serotonin – Like most medical antidepressants, kindness stimulates the production of serotonin. This feel-good chemical heals your wounds, calms you down and makes you happy.

Happiness – A 2010 Harvard Business School survey of happiness in 136 countries found that people who are altruistic – in this case, people who were generous financially, such as with charitable donations – were happiest overall.

Pleasure – According to research from Emory University, when you are kind to another person, your brain's pleasure and reward centers light up, as if you were the recipient of the good deed—not the giver. This phenomenon is called the "helper's high."

KINDNESS DECREASES:

Anxiety – As pointed out in a study on happiness from the University of British Columbia (UBC), a group of highly anxious individuals performed at least six acts of kindness per week. After one month, there was a significant increase in positive moods, relationship satisfaction and a decrease in social avoidance in socially anxious individuals.

Depression – When we give of ourselves, everything from life satisfaction to self-realization and physical health is significantly improved. Mortality is delayed, depression is reduced and well-being and good fortune are increased.

Blood pressure – Committing acts of kindness lowers blood pressure. According to Dr. David R. Hamilton, acts of kindness create emotional warmth which releases a hormone known as oxytocin. Oxytocin causes the release of nitric oxide, a chemical which dilates the blood vessels. This reduces blood pressure and, in turn, protects the heart by lowering blood pressure.

Now that we know the outstanding benefits of kindness, how can we demonstrate kindness in the workplace?

We've all heard the quote from Maya Angelou, "**People will forget what you said, people will forget what you did, but people will always remember how you made them feel.**" Here are a few ways to spread kindness at work:

- **Lead by example** – Pledge to be kind to everyone you encounter, from the security guard in your lobby to clients and colleagues. Try one kindness initiative and see if you can get the kindness bug to spread.



- **Put an end to petty criticism** – It's easy to slip into negativity as a default behavior at work. We may hear others being negative so we join in to stay out of the crossfire. We need to remind ourselves to stay out of that negativity and instead be kind, nice and thoughtful.
- **Smile** – Saying good morning or hello and smiling as you do so can have a ripple effect. Notice what happens and how you feel.
- **Welcome new employees with open arms** – Try to remember your first day on the job, then extend kindness to the new person. Offer your assistance in helping the new person acclimate into their new work environment.
- **Show empathy** – Empathy is about perceiving and understanding the emotions of another. One way to do this is through active listening. You show that you are actively listening by nodding, paraphrasing what they said, and actively asking follow-up questions.

Continued on page 27 ➔

← Continued from page 26

- **Be considerate** – When you make yourself a cup of tea or go for a coffee refill, ask others if they would like one too. Fill the printer with paper when it's running low. Open the door and say "Thank You" when someone does the same for you.
- **Praise when possible** – A pat on the back can go a long way. Everyone loves feeling appreciated. Acknowledge the contributions of others timely and publicly.

- **Practice teamwork** – Even though you may work in different departments, remembering that we are all in this together can make a difference. Help a stressed coworker with their deadline. Ask, "how can I help?" whenever possible.

Practicing kindness in the workplace goes a long way. Let's all resolve to treat each other with kindness.



MARCI FRAZIER

is a litigation secretary at Downing Brand LLP and President of Sacramento LSA.

Dates to Remember | 2021

FEBRUARY 4 2021

Deadline to register for LSS Day of Education Webinar

FEBRUARY 6, 2021

LSS Day of Education Webinar

9:00 a.m.–10:00 a.m.

Federal Law – A Tribute to Justice Ruth Bader Ginsburg

10:30 a.m.–11:30 a.m.

Probate & Estate Planning – What is a Professional Fiduciary?

12:30 p.m.–1:30 p.m.

Specialty Law – The Changing Role of the Legal Professional

FEBRUARY 9, 2021 | 12:00 P.M. – 1:00 P.M.

LPI/NextGen Legal Webinar

– Calendaring Basics: State and Federal Court Litigation

FEBRUARY 11, 2021 | 12:00 P.M. – 1:00 P.M.

LSS Webinar

– Employee Engagement: What Does That Have To Do With Me?

FEBRUARY 17, 2021 | 12:00 P.M. – 1:00 P.M.

LPI Webinar

– CCC Macro Pro Styles and Numbering Basics

FEBRUARY 18, 2021

Deadline to register for 3rd Quarterly Conference Board of Governors Meeting

FEBRUARY 20, 2021 | 9:00 A.M. – 4:00 P.M.

3rd Quarterly Conference Board of Governors Meeting
(Virtual Only via Zoom)

FEBRUARY 23, 2021 | 12:00 P.M. – 1:00 P.M.

LPI/NextGen Legal Webinar

– Advanced Calendaring: A Detailed Look

MARCH 2, 2021 | 12:00 P.M. – 1:00 P.M.

LPI Webinar

– Outlook – Get Control of Your Inbox!

MARCH 4, 2021 | 12:00 P.M. – 1:00 P.M.

LSS Webinar

– Discovery Requests, Responses and Document Productions

MARCH 17, 2021 | 12:00 P.M. – 1:00 P.M.

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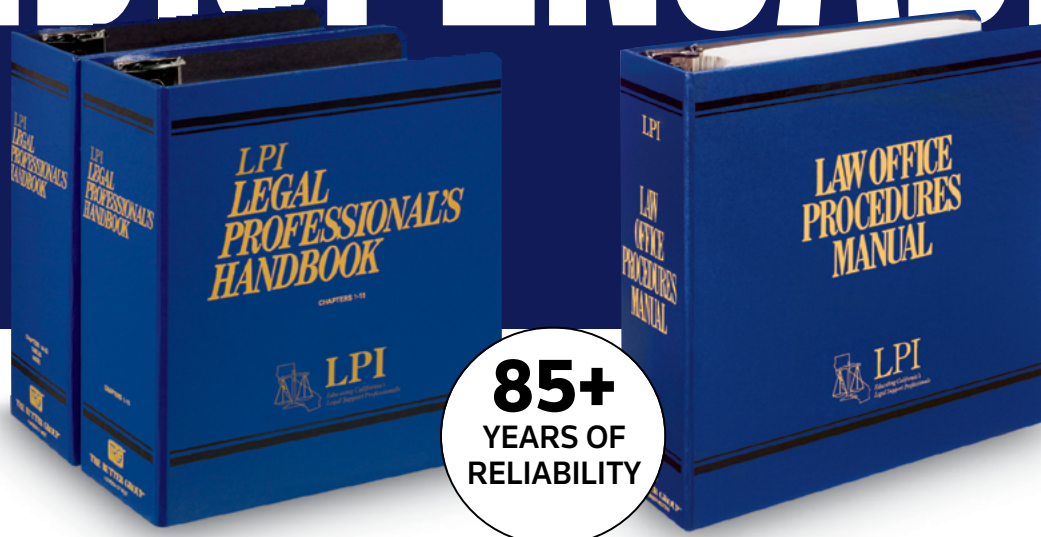


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12:00-1:00 PM

CALENDARING BASICS:

STATE AND FEDERAL COURT LITIGATION

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FEBRUARY 23

12:00-1:00 PM

ADVANCED CALENDARING:

A DETAILED LOOK

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LIST OF EVENTS

FEBRUARY 9

12:00-1:00 PM

Calendaring Basics:

State and Federal Court Litigation

This webinar will provide you with the foundation of both state and federal court litigation deadlines.

We will go over topics such as counting backwards v. counting forwards, motions, discovery deadlines, method of service and time extended, and more.

FEBRUARY 23

12:00-1:00 PM

Advanced Calendaring:

A Detailed look

You probably know off the top of your head the typical deadlines to calendar in a civil litigation lawsuit. Depending on the type of case you're dealing with, calendaring will not always be clear-cut. This webinar will examine various calendaring events such as when a consumer may move to quash or modify a subpoena, or when to file a motion for attorney's fees and more.

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