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THREE GUIDING PRINCIPLES FOR SECURING ATTORNEY FEES IN FEDERAL COURT

BY SCOTTLYNN J. HUBBARD, ESQ.

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It shall be the duty of each member of Legal Secretaries, 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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Moving Onward and Upward in Unity

BY MARY J. BEAUDROW, CCLS



MARY J. BEAUDROW, CCLS

is President of Legal Secretaries, Incorporated and a member of Mt. Diablo Legal Professionals Association. Mary has worked in the legal field since 1977, and has worked for the law firm of Morrison & Foerster LLP since 2002, where she is currently a Senior Docket Coordinator. Mary is a former member and Past President of San Francisco Legal Professionals Association.

As we approach the end of the fiscal year, I am proud of what has been accomplished. We retired the LSI logo that had represented our association for over seventy-five years, and are moving forward with a new logo that more appropriately represents LSI. We have new stationery and a wonderful new marketing display. At the 81st Annual Conference, our members will be able to purchase newly designed membership pins with the new logo, and newly designed president pins. The Marketing Committee is working on new membership brochures to replace our current brochures. Lastly, the biggest accomplishment has been the launching of the new LSI website.

The development and design of the website started during my term as the LSI Vice President, and came to fruition in February 2015. LSI Vice President Jennifer L. Page, CCLS, has received a lot of favorable feedback on the website. Please let Jennifer know your opinion of the website and any comments and suggestions to improve the website. The website is an ever evolving project continually changing for the better.

As members of Legal Secretaries, Incorporated, we take pride in our motto *Excellence through Education*. We continue to provide educational opportunities to members and non-members not only at LSI conferences, but also through online courses. Shaylene Cortez, CCLS, LSI Legal Secretarial Training/Seminar Chair is hosting Beginning Legal Secretarial Training Classes, and also a workshop entitled "Overview of California State Court Discovery." The Beginning Legal Secretarial Training Class is an eight-week, work-at-your-own-pace online session, which utilizes video lectures, discussion boards, email, whiteboard sessions, chat rooms, and quizzes. The Overview of California State Court Discovery class is a six-week, work-at-your-own-pace online course that also utilizes video lectures, discussion boards, and quizzes. I applaud Shaylene for volunteering her time in a way that makes such a difference to LSI. When I tell people about these courses, they are amazed that the courses are done by a volunteer. These online sessions offer a new way for LSI to market itself.

Terrie Quinton, CCLS, California Certified Legal Secretary Chair is hosting a CCLS On-Line Study Group. This is for members and non-members of LSI, and provides an opportunity to study for the CCLS exam, which is offered in March and October of each year. The online sessions take place once a week via WebEx video conference, covering all topics that are contained in the CCLS exam. Many local associations are unable to provide a CCLS study group, so this is a terrific alternative for those who want to take the exam.

In January 2015, the Probate/Estate Planning Section of the Legal Specialization Sections hosted a Lunchtime Learning Webinar, entitled, "Same Sex Marriage Estate Planning Issues." A total of forty-one people signed up for the webinar with eighteen of them being section members. What a great way for attendees to earn MCLE/CCLS credit while sitting at their desk. Look for future webinars hosted by Legal Specialization Sections!

Speaking of the Legal Specialization Sections, a reminder that their fiscal year is August through July, which means membership renewals are just around the corner. Please be sure to renew your membership soon. If you are not a

PRESIDENT'S MESSAGE

member of one or all of the Legal Specialization Sections, you are missing a wonderful opportunity for quality education at a minimal cost. The Legal Specialization Section Leaders never fail to amaze me with the creative topic for their seminars.

San Fernando Valley Legal Secretaries Association did a fabulous job of hosting LSI's February 2015 Quarterly Conference at The Garland Hotel in North Hollywood with the theme, "What Happens at Conference, Stays at Conference." Conference Chair, Lisa De La O, along with the members of San Fernando Valley LSA, did an excellent job of taking care of every detail from food to entertainment.

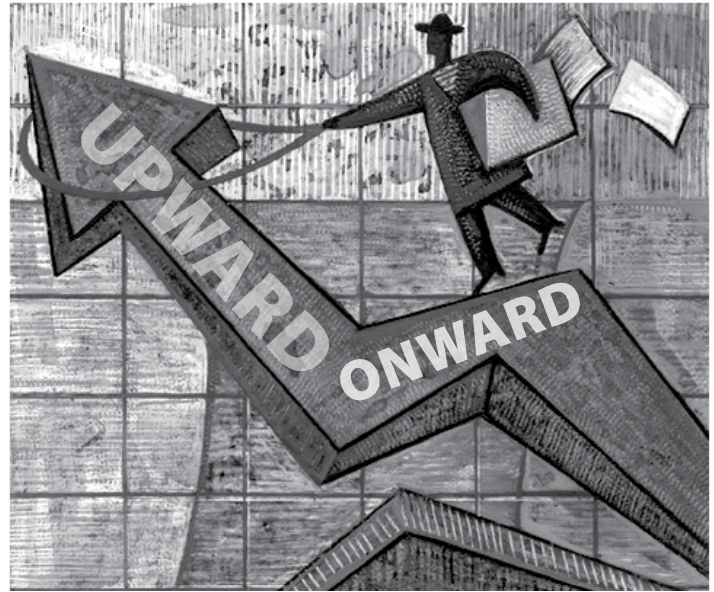
The Executive Committee is working very hard to attend to the business of this corporation. The following Executive Recommendations were adopted by the Board of Governors at Saturday session of the February Quarterly Conference;

- Standing Rule 2.7 was amended to increase the rates of the registration fee for a quarterly conference from \$25 to \$30 and if payment is received by the host association 30 days before the Conference commences the fee was increased from \$15 to \$20.
- Standing Rule 2.8 was amended to increase the rates for the Friday Night Reception at quarterly conferences from \$20 to \$25.
- Standing Rule 2.9 was amended to increase the amount that a host association may add to a charge for individual banquet and brunch tickets from \$3 to \$5 at quarterly conferences.
- Standing Rule 3.7 was amended to increase the rates for registration fee for annual conferences from \$30 to \$35 and if payment is received by the host association 30 days before the Conference commences the fee was increased from \$20 to \$25.
- Standing Rule 3.8 was amended to increase the rate charged at annual conferences for the Friday Night Reception from \$25 to \$30.
- Standing Rule 3.9 was amended to increase the rate that a host association may charge for each individual banquet and brunch ticket from \$3 to \$5 at annual conferences.

The Marketing Committee presented several recommendations related to advertising rates on the website, which were also adopted by the Board of Governors.

The Executive Committee received two bids to host LSI conferences, which were graciously accepted:

- Desert Palm Legal Professionals Association – November 2016 Quarterly Conference
- Stockton-San Joaquin County Legal Professionals Association – August 2017 Quarterly Conference.



The February 2017 Quarterly Conference, and May 2017 Annual Conference are still open to bidding. The deadline to accept bids for these conferences has been extended to April 30, 2015. The new submission of bids will be announced at the 2016 Annual Conference and will be voted on at the Post-Board of Governors meeting on Sunday, May 17, 2015. Please consider bidding to host a conference. It is a great experience and an excellent opportunity to show off your community to conference attendees.

Legal Secretaries, Incorporated will be hosting the August 2016 Quarterly Conference, August 18 – 21, 2016, at Sacramento Marriott Rancho Cordova, Rancho Cordova, California with a room rate of \$99 single/double.

The 81st Annual Conference will be held at the Bahia Resort hosted by San Diego Legal Secretaries Association, May 14 – 17, 2015. Annual Conference offers a variety of Officer/Chairmen Workshops from being Treasurer of your local association, to using social media to market your local association. The officers and chairmen of LSI strive to provide as much continuing education as possible and will continue to do so throughout the next year.

I hope you stepped outside of your comfort zone a bit and seized the opportunity to attend conference, educational workshops, rekindle old friendships, and make new friends. This is an exciting time for LSI. Choose to be part of this excitement. We continue to move onward and upward. Thank you for choosing to be a part of Legal Secretaries, Incorporation; I look forward to another great year of education, networking, and fun. **LS**



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PAUL EDMOND STEPHAN specializes in insurance-related matters, including property casualty, construction defect, rental car law, trucking, toxic torts and professional liability. He graduated from the University of Southern California in 1973 and thereafter graduated from Southwestern University Law School in 1976. He also completed the California State Bar Administrative Law College and is a graduate of the United States Army Judge Advocate General Corps Basic School. Mr. Stephan is licensed to practice in the state courts of California, the District of Columbia, the United States Military Court of Appeals and the Northern, Eastern, Central and Southern Districts of the Ninth Federal Circuit. He can be reached at pstephan@selmanbreitman.com.

Litigating PI in the Rental Car Context (Part Two)

PAUL EDMOND STEPHAN, ESQ., ORANGE COUNTY LSA

**AS PUBLISHED IN THE DAILY JOURNAL JUNE 7, 2012,
REPRINTED WITH PERMISSION**

Litigation involving drivers operating rental cars is more complex than it appears. While some familiar legal doctrines are involved, making sure they are correctly used is sometimes a challenge.

Some practitioners are raising an eyebrow due to a recent appellate decision dealing with insurance law finding that an “unlicensed driver” can be a permissive user of another’s automobile. See *Landros v Torres*, 2012 DJDAR 6813 (5th Dist. May 24, 2012). As a result, we need to define the context that the “permissive use” doctrine applies in rental car law.

Permissive use is discussed in great depth in cases such as *Hartford Accident & Indemnity Co. v. Abdullah* (1979) 94 Cal. App.3d 81 and *Elkington v. Cal. State Auto Assn.* (1959) 173 Cal. App.2d 338.

However, there is a critical distinction regarding the “use” of an automobile when we look at a rental contract versus an “auto lease.” Generally, the owner of the car (the “lessor”), pursuant to a written contract, gives permission to the contracting party (the “lessee”) to use the vehicle for a specific time period for a fee. The lessee can take the vehicle typically throughout the U.S. and allow others to use the vehicle.

Contrast that circumstance with a rental car transaction. The rental term, by Civil Code Section 1936, is for a period less than 30 days. Allowing another person to drive your rental vehicle may be a rental contract violation. A failure to timely return a rental car may subject the renter to criminal penalties.

Knowing who can use a rental car is important for vicarious liability purposes. Section 1936(3) addresses the class of “users.” Other than the renter, the typical user would be a spouse. That spouse does not need to be listed on the



rental contract and the spouse is presumed to be a permissive driver under the statute if he or she has a valid license. The next typical driver is the “additional authorized driver” whose name and license information must appear on the rental agreement. This driver is permissive only under the terms of the rental contract. A third driver is typically an employer or coworker of the renter. That driver is permissive based on the Civil Code if the driver “satisfies the rental company’s minimum age requirements.”

This brings up an important issue regarding who can rent both passenger vehicles and vans or trucks. Like many businesses, rental car companies can limit their risk by limiting who can rent their vehicles. In *Lazar v Hertz* (1999) 69 Cal.App.4th 1494, the plaintiff sued a rental car company asserting a civil rights violation for their refusal to rent to under 25-year-olds. The court found that the “legislative scheme anticipates and expressly approves” the adoption of minimum age requirements by car rental companies. Some companies will simply not rent to anyone under age 21.

Many rental car companies also limit the type of vehicles they will rent based on age minimums. For example, it would be very difficult to rent a pickup truck, a 12- or 15-passenger van at age 21 from most companies. The 15-passenger van is subject to specific federal regulations regarding their use as rental vehicles and some companies prohibit drivers under 25 from operating them. Renters of 15-passenger vans must be given a written memo regarding the special handling needed to operate such vehicles under the Civil Code.

Permissive use can be both express (verbal or by contract) and implied. See *Coulston v. Cooper* (1966) 245 Cal. App.2d 866. A party attempting to assert permissive use express or implied, must show that the vehicle's owner permitted that driver to use the vehicle. Such evidence asserted cannot be by speculation or assumption. See *Elkington*.

UNAUTHORIZED DRIVERS.

Case law has been very consistent that the general rule is that a rental car company that provides a rental passenger vehicle to a licensed driver may be vicariously liable for injuries and damages to third parties. *Rashtian v BRAC-BH, Inc.* (1992) 9 Cal.App.4th 1847. However, in the circumstance where the driver is neither an express or implied driver, the rental car company is simply not liable. In *Marquez v. Enterprise Rent-A-Car* (1997) 53 Cal.App.4th 319, the court found that a renter executed a rental contract which contained the statement "no others" in regards to additional drivers. The renter then gave the car to a friend and an accident occurred. The court found that the renter "acted outside the scope of permission given to him by Enterprise" and denied the plaintiff's recovery against the rental car company.

HOLDING OVER.

Many times a rental car customer will want to keep the vehicle past the initial rental period. That renter's credit card company may not authorize the additional charges. Renters that simply keep driving the car, promising to "make good on the charges," in such circumstances are at risk. In that case, the rental car company is required to place the renter on notice pursuant to Vehicle Code Section 10855 to immediately return the car. Once five days passes after the expiration of the rental period, the renter driving such an "embezzled" vehicle is subject to arrest and criminal prosecution under Penal Code Section 484(a) and 487(d)(1).

GOING TO MEXICO OR OUT OF STATE.

Taking a rental car vehicle into Mexico is permitted by some rental agreements. However, rental car companies protect their vehicles and require the renter to purchase an additional item-Mexican insurance. The renter gets an insurance card to carry with the vehicle. A third party insurer issues the Mexican insurance policy and these policies typically state that the "insured" is the rental car company.

Rental car companies can also restrict where a vehicle may be taken within the U.S. Many rental contracts state "Permission Granted to operate vehicle only in the state of rental" or alternatively listing one or more acceptable states.



FOREIGN RENTERS.

Since we are talking about Mexico, perhaps a discussion about "foreign renters" is appropriate. A foreign renter is referred to in AB 621, which modified Civil Code Section 1936 in January. A foreign renter is "any renter who is not a resident of this country." If a foreign renter purchases Supplemental Liability Protection or Supplemental Liability Insurance and is involved in an accident, the rental car company today is required to accept service of process on behalf of the renter. The insurer of the renter must confirm coverage of the SLP or SLI policy up to \$1 million to third parties. A plaintiff that uses this procedure waives any recovery against the renter in excess of the policy. This law expired on Jan. 1, 2015.

Renting a car to a licensed foreign renter, by itself, is not negligent entrustment. Compliance by the rental car company with Vehicle Code Section 14608 in such cases has been found to be the applicable standard. See *Osborne v Hertz Corporation* (1988) 205 Cal.App.3d 703; *Flores v Enterprise Rent-A-Car Company of Los Angeles* (2010) 188 Cal. App.4th 1055.

COLLISION DAMAGE WAIVERS.

Collision Damage Waivers are contract provisions placed in a rental contract allowing the renter to avoid responsibility to the rental car company for accidental damage to the rental vehicle while being operated by the renter. It does not protect the renter from claims for property damage to other vehicles and it does not protect the renter from liability claims from third parties. It is important to know that this "product" is regulated by Civil Code Section 1936 (g) (1). There is a fee to obtain this product and you have to initial the rental contract if you do not purchase it. Some credit cards provide limited amounts to cover accidental damage to the rental car. But be forewarned that some credit cards may require the renter's own insurance to reimburse the rental company as the first applicable damage policy. **LS**



LYNNE PRESCOTT, CCLS, is a member of Sacramento Legal Secretaries Association, and served as its President from 2013-2015. Lynne currently serves as LSI's Treasurer. She has been in the legal field for over 30 years and is presently employed as a legal secretary with Carroll Burdick in Sacramento, focusing on the area of public sector labor law.

Gardening 101: Pay Attention to What It Needs

BY LYNNE PRESCOTT, CCLS, LSI TREASURER

As the weather grows warmer and the days grow longer, many of us start thinking about our gardens. We excitedly pour over the seed and bulb catalogs, start visiting the local nursery, etc. But what about those who love the idea of gardening, but just don't know where to start? Gardening can be intimidating. Where to plant? What to plant? How much time will I have to devote to it? Do I have a green thumb? What if my efforts result in failure?



I know I used to feel this way. My first attempt was basically an experiment in survival – the garden's survival, that is! I literally just put the sprouts and seeds in the ground and figured that if I watered them once in a while and made sure they had sunlight, they would grow. Amazingly, some of them did, but most of them struggled or didn't survive at all. I'm happy to say that my gardening efforts are usually more successful and rewarding these days, mainly because I've learned that the most important thing is to just pay attention to what it needs.

I've been thinking a lot about that first garden, the lessons it taught me, and how those lessons relate to various areas of life. For example, when I first entered the legal field I had no legal training or experience at all. I was a very green 21-year-old with some basic office skills when I found myself planted in the Inyo County District Attorney's Office as the receptionist. It didn't take long for me to see that the legal field was huge, and I was definitely a little sprout surrounded by mature, well-established professionals! Thankfully, I also had a couple of very skilled gardeners who paid attention and knew just what to do to nurture my growth and coax this little sprout into establishing permanent roots in the field.

I've spent the last 30 years or so in that same field, and along the way there has always been someone who inspired me, who took the time to water my thirst for knowledge, who nudged me into the sunlight when I was lingering in the shade, who enthusiastically encouraged my strengths,

and gently pruned my weak spots. They were more than just great role models. They were great gardeners, planners, and cultivators who paid attention and understood the importance of ensuring the survival of the species – the legal professional.

What if the coworker who introduced me to my first legal secretaries association had never said anything? What if those who influenced my career had, instead, been too busy, apathetic, or intimidated by the prospect of tending to a fledgling sprout like me? Without those nurturing influences and all the ones that followed, I wonder if I, like the seeds in my first garden, would still have grown and flourished, or would I have struggled and eventually given up? How would my success as a legal professional have been affected?

One of the things that impresses me most about LSI is that we are still doing the same things today that we started out doing over 80 years ago – cultivating, nurturing and educating our members, paying attention to what they need, and working to ensure the survival of the legal professional. Where would LSI be today without the great mentors, planners, and cultivators of 1934? Where will LSI be 80 years from now without the same? Chances are, it won't be you or I doing the work or continuing the legacy in 2095, but it **will** be the ones who have taken the time and opportunity to do the nurturing **today**, and those that will follow them.

Continued on page 13



LEGAL SECRETARIES, INCORPORATED

CCLS ON-LINE STUDY GROUP

August 11, 2015 – October 13, 2015



If you are interested in studying for the California Certified Legal Secretary (“CCLS”) Exam,** join LSI’s CCLS On-Line Study Group. During the classes, all topics covered in the CCLS exam will be reviewed, including:

- California Legal Procedure (civil, family, probate, real estate, corporate)
- Legal Terminology (citations, terminology)
- Legal Computations (calendaring, math)
- Skills (proofreading, following directions)
- Ability to Communicate Effectively (grammar, punctuation, word usage)
- Law Office Administration (computers, filing)
- Reasoning & Ethics (ability to act reasonably and ethically)

CLASSES BEGIN TUESDAY, AUGUST 11, 2015

Classes will take place once a week via videoconference on Tuesday evenings from 7 p.m. to approximately 8:30 p.m., and will continue through October 13, 2015. Login information will be provided upon enrollment in the classes.

The cost of the Study Group (all classes) is \$100 for LSI members and \$125 for non-LSI members taking classes for first time; and \$50 for LSI members and \$75 for non-LSI members repeating. Each individual must register separately.

NEXT CCLS EXAM SATURDAY, OCTOBER 17, 2015

Students will be provided with homework and handouts. **Students are responsible for providing their own *Law Office Procedures Manual*, *The Gregg Reference Manual* (11th Ed.), *California Style Manual* (4th Ed.), and *Pocket Guide to Legal Ethics*, by the start of the classes.** Students are also encouraged to have the CCLS Study Guide.

***All examinees must meet eligibility guidelines outlined in the CCLS Information Kit on LSI’s website.*

CCLS STUDY GROUP REGISTRATION

(Please type or print clearly)

Name: _____ Association: _____ LSA/LPA

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Daytime Phone: _____ Evening Phone (during class time): _____

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Payment: Check # _____ Credit Card # (Visa/MC only) _____

Exp. Date: _____ Sec. Code: _____

Send registration form by NO LATER THAN July 31, 2015, to Terrie Quinton, CCLS, LSI CCLS Chair, c/o Duckor Spradling Metzger & Wynne, 3043 4th Avenue, San Diego, CA 92103, email lsiccls@outlook.com. You may also pay via PayPal at www.lsi.org. **NO REFUNDS AFTER AUGUST 4, 2015.**

STRIVE FOR SUCCESS – BE A CCLS!



MAE BROOKS, CCLS, began working as a legal secretary 53 years ago. She worked in Bakersfield, Long Beach, Oxnard and lastly in Ventura. Now retired (as of 1/31/14) Mae worked with her last attorney 32 years. She mainly worked in civil litigation, touching on estate planning and real estate law.

What do They Want?

BY MAE BROOKS, CCLS, VENTURA COUNTY LPA

In my many years of working as a legal secretary/assistant, I have often heard the comment from other secretaries and assistants - "I don't know what my attorney wants or expects." Short of having taken that elusive class called "Attorney Mindreading," it is sometimes difficult to know.

In an effort to find out the answer to this question, I have interviewed a few attorneys in our area to get their input on what they expect or want from their secretary/assistant, and here are the results of those interviews.

With the exception of one attorney, the majority of the attorneys want someone who is willing to learn, willing to put forth that extra effort to make the attorney (and/or firm) look good, as well as being knowledgeable about the particular type of law they are working in. Many times the first contact a client has is with the assistant or secretary. The assistant or secretary is also the person the client usually contacts with a question or information during the time their matter is pending with the attorney, whether it is a litigation matter, probate, dissolution, or other legal issue. The one attorney whose response was different was an attorney who said he expected his "staff" to do just as he said and do the task just the way he wanted - no questions asked.

Communication is important between the secretary/assistant and the attorney. Attorneys commented they want someone who is not afraid to ask questions. Apparently they had a bad experience with someone who didn't ask questions and the work was done improperly and as a result, was not completed timely. So - don't be afraid to ask if you are unsure or don't know, but, be mindful of the state of mind of your attorney. Is he or she getting ready for a trial or a particular hearing that is making them stress just a little? If so, be careful of the type of question you need an answer to. Sometimes when an attorney is concentrating on a particularly difficult matter, they don't appreciate interruptions, especially if it is something that can wait.

Initiative was another item mentioned. Could the employee take steps on their own to see that a job was completed? Did they have to have their hands held and given constant reminders about deadlines? How do you

measure up in this regard?

The attorneys also mentioned how much they appreciated someone who was willing to branch out and take on an area of law they were unfamiliar with. Some of the attorneys were evolving and changing the area of law they practiced due to the changing demands of clients, and appreciated having someone working for them who was not afraid to take on this challenge. Can you do this? Do you realize how much LSI's offerings can help you in this regard? The Legal Specialization Section workshops at conference are an excellent way to become acquainted with an area of law you might not be familiar with. Also, how about the on-line courses being offered by LSI.

Do you bring your personal problems with you to the office? Most of the attorneys appreciated the fact that everyone has a life outside the office, but did not appreciate these outside problems impacting the volume and quality of work their secretary or assistant was doing. When asked how they would want these matters handled, they indicated that if the problem was impacting the work, the secretary/assistant should advise the attorney what was going on so the attorney wouldn't think they were just not doing a good job because they were lazy or didn't care, but didn't appreciate the problem taking the time away from the job that needed to be done.

Confidentiality - it is assumed that anyone working in the legal field would know the importance of confidentiality, but it was mentioned by some of the attorneys interviewed. They felt that sometimes confidentiality is not stressed enough. The things that a client comes to an attorney for are usually very private and the attorney needs to know that those working for him are aware of this. So, think about where you are when you discuss a client or the client's matter. Better yet, don't discuss clients or their matters outside the office.

WHAT DO THEY WANT?

I also asked their feelings about education of their staff. Most indicated they would appreciate their secretary/paralegal making the effort and taking the time to gain more knowledge, but unfortunately, most were not willing to put forth the money to pay for any continuing education – at least for secretaries. They were more willing to pay for education of a paralegal – because the paralegal can charge for their time, but a secretary cannot. When I asked about why they were so reluctant to pay for education of secretaries, most commented that they were afraid that if they did this, the secretary would move on to other employment, and they just didn't want to "waste their money." Too bad these few don't see the advantage of having their staff gain knowledge and grow.

In summary – confidentiality, willingness to learn, initiative, ability to ask questions – these are important to your attorneys. There are rare exceptions – like the one attorney who stated he wanted his staff to do just as he said and ask no questions. Keep this in mind.

I was very fortunate in my legal career, having worked for the same attorney for 32 years. Even when the firm dissolved, I was taken with that attorney to the new firm. Some secretaries/assistants have not been so lucky. Their firms have closed or their attorney has moved on and they are left without a job. By being a part of LSI, and if they have taken advantage of the information offered for the various areas of law, they have a better chance of moving on to another attorney or firm by being able to offer more. By being a part of LSI the employee has demonstrated a genuine interest in becoming a better employee by taking advantage of the education offered.

Now, if we could only find a way to offer that "Mind-reading" Class, we would really have a leg up on working for attorneys.

LS

GARDENING 101

Continued from page 10

It's up to us. *You and I are now the ones responsible for ensuring the survival of the species.* And you know what? We ARE doing it! The Legal Specialization Sections work hard to bring you relevant, current information in the areas of litigation, probate/estate planning, transactional law, criminal law, family law, and law office administration. LSI's Continuing Education Council offers workshops for FREE at every quarterly conference and works with several different LSI committees (CCLS, LSS, PRC, Legal Procedures, Legal Secretarial Training, etc.) to ensure the accessibility and quality of education and resources to LSI's members. The CCLS, Legal Secretarial Training and Legal Specialization Sections are all delivering fantastic training through online classes, study groups and webinars. The Publications Revision Committee constantly reviews and updates the *Law Office Procedures Manual* and *Legal Professional's Handbook* to ensure that the resources you rely on are accurate and in line with current legal statutes and procedures. The Legal Procedures blog brings you updates from all over the state to keep you advised of the latest information from the

courts. LSI is paying attention to what our members need in order to grow and thrive as legal professionals!

Even in today's instant information world, with access to just about anything you want to know, most new members who join a local association and LSI state that they heard about the organization through word of mouth – either a friend, a coworker, or their employer. **Thank you, and keep up the good work!** Be proud of and promote your profession. Be a cultivator or nurturer! Share your experience and knowledge, give of yourself and your time, and encourage training and education. Introduce someone to LSI and your local association. Bring them to a meeting, bring them to an LSI conference, and show them the value of membership.

And remember, you don't have to have a green thumb to help a sprout grow – *you just have to pay attention to what it needs.*

LS



LINDSEY PARKS is a legal secretary and office administrator at Haws, Record & Magnusson, LLP in Santa Barbara. The firm specializes in real estate transactions and litigation, along with estate planning, probate and trust administration. Currently Governor and Past-President of Santa Barbara Legal Professionals Association, Lindsey has been a long-time member and firmly believes in networking to further educational opportunities and mutual interests in the legal fields.

Sleuthing Your Way to Success

BY LINDSEY PARKS, SANTA BARBARA LPA

The legal secretary often wears many hats, especially in small firms. There is more to do than answer phones, prepare pleadings and keep track of client matters, which alone can take all the hours of the day and more. It never fails that somewhere along the line, a bit of sleuthing is needed to get the job done, even if only in finding a misplaced file.

For instance, your will safe is overloaded with original estate planning documents that go back decades. The task of sending out reminder letters to review and update those documents keeps getting delayed and suddenly many addresses aren't current and it has been years since some clients have come in to the office. Now you have to search, using all your intuition and resources to discreetly discover where they may have moved, whether the documents are still valid, or even whether a client is still alive. Other times you need to locate heirs that have been estranged for years or are more distantly related and extended families have lost touch. You can use the Internet to great advantage, but it's also overloaded with inaccurate information. It takes common sense coupled with creativity to sift out the wheat from the chaff.

You can start by typing a name and last known location into a search engine. We had one client with an unusual last name. I traced her to France by finding her and her daughter referred to as surviving relatives in an online obituary. Another client was completely off the grid, which was somewhat mystifying as he was only in his late 30's, but I made a connection by tracking down what turned out to be a former stepmother. Though you have to pay a membership fee, Archives.com is a helpful resource, especially regarding elderly people. I traced other clients by finding indirect connections through their philanthropies and community service, or their political contributions, which are often published online by the organizations.

The online White Pages will give you a history of addresses and possible relatives. That can send you in

multiple directions and lots of dead ends, but you can tie into county grant deed registries, which are excellent places to look for information. Websites such as sitexdata.com through BlackKnight Financial Services are useful to get the latest vesting deeds and all important legal descriptions for transferring property titles into a trust. You also look especially brilliant when you discover someone hasn't put property back into a trust after a refinance, and you can artfully suggest that you would be happy to do that for your client and save someone a big headache later.

These websites offer way more information than recorder indexes, plus a copy of the document from their database for a nominal fee if you sign up with them and have a credit card on file. It's amazing the information you can find by looking up recorded documents simply by entering an address, assessor's parcel number or a person's name. Also, don't forget to look up addresses online, as that can give you pictures and maps of the property and surrounding area. This once came in handy when a tenant sued a landlord because they had stored personal items in an unsecured shed without appropriately boxing the items (bedding, blankets, clothing, pictures, document files, etc., some of which were irreplaceable). The shed was separated from the house, had gaps under the door, and they were living in an avocado orchard. The tenants would leave for months at a time and simply created a wonderland for orchard rats and other rodent vermin to inhabit and destroy. There was no problem with the house; the tenants just used a shed that was meant only for garden tools, and wanted the landlord to pay for their loss. Google Earth



photos showed the density of the trees (the tenants loved the privacy) and that the property was next to an urban wildlife corridor as well. Case dismissed.

Doing a little investigative work like this can also come in handy when deciding whether to collect on a judgment, or follow up on someone who may be delinquent in paying a bill. After all, it isn't enough to find information; you also have to be able to analyze its usefulness. LinkedIn and CorporationWiki are both fun to search because they make connections that are oftentimes unexpected. A quick check with the Secretary of State Business Portal in virtually any state will let you see if they are still active entities with contact information.

And don't forget Facebook! Oh my, the stuff people put out there for the whole world to see. We have served people who were evading service by gathering and monitoring social media information, giving it to the process server and having them do a stakeout. What could have been an expensive venture with low odds was done in short order because we knew when they were coming and going, what their cars looked like, and who drove which car. It didn't matter that they were in a gated community, as they were served when they stopped at the gate! With another defendant, we disclosed that we would not hesitate to have him served at one of his daughter's tennis matches, at which point he promptly made himself available to accept the documents.

A little background information on adversaries making increasing demands can give you the ammunition you just might need in your negotiations. Just recently we had a tenant move from Northern California to Santa Barbara and immediately complain that the immaculate premises were infested with wild animals under the house (the out-of-state landlord responded by immediately calling an exterminator and contracting to have the heating ducts completely replaced). The tenants had stalled vendors, didn't pay rent (\$5K/mo), wouldn't move out to alleviate the situation until forced so that the repairs could be made, and demanded exorbitant reimbursement for the high-priced hotel they chose to stay at. They alleged that the husband's allergies and COPD had been aggravated and wanted medical expenses covered. They got a doctor to write that it was specifically due to the house conditions and they needed to be released from the lease. However, they made an about face when confronted with evidence comparing their previous place of residence with Santa Barbara from Pollen.com, which gives you a daily report of the level of pollen in your zip code area and lists all the likely allergens. (Santa Barbara is a high pollen area thanks

to our wonderful horticultural diversity. We pay a price for paradise.) It was also discovered that it was probable that the doctor they got the letter from was an acquaintance, if not a friend of the doctor's wife. Additionally, the husband had litigated to collect money on a health issue of his previous wife. This was a sad tale found in an appellate decision that popped up when entering his name. Still, interesting ... and extremely effective when we ticked off these items in a settlement letter and the tenants immediately paid what they owed and agreed to move per the landlord's wishes.

Sometimes the attorneys I work for ask me to do some investigating, but more often I just get curious and follow a hunch and usually come up with some facts that are either concretely useful or at least give an indication of the kind of personality we are dealing with. These tidbits of information can flesh out discovery and debtors' exams in ways you never dreamed. Perhaps it was Santa Barbara local author, Sue Grafton, who wrote the Kinsey Millhone mystery series revolving around a female private eye, that got me interested in delving deeper into our cases. I do know I was always intrigued by the work of my friend, Lynn McLaren, who for years ran Investigations, Etc. across the street from the Santa Barbara Courthouse. I have tried unsuccessfully to have her speak at our meetings, but she really values the "private" in private investigator, and always declines. She'd rather talk about horses, which is how I got to know her, but that is another story.

I love working in the law and I love the different hats I wear. I'm lucky that the attorneys I work for have allowed me to wear my detective hat as often as I do. And when I get stuck or the stakes are much higher, we can hire a private investigator, like Don Fritsch at the Los Angeles office, President of First Legal Network's Investigations Department. Don will be doing an MCLE presentation for SBLPA in the near future about how investigators can take matters to a whole new level and keep a case moving to advantage. But no matter what, the more information we can give the professionals, the better the results will be, for our firms and for our clients.

LS



California Certified Legal Secretary
A Program of LSI®



APPLICATION TO TAKE CCLS® EXAM

Mail Application, copy of LSI Membership Card (if applicable), and fees to:
CCLS Certifying Board, 14403 Leibacher Avenue, Norwalk, CA 90650

(Select one)

☐

Northern California

(Select one)

☐

Saturday, October 17, 2015

☐

Southern California

☐

Saturday, March 19, 2016

- **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 14 days prior to the exam date.

EXAMINATION FEES PAYABLE TO "LSI"

LSI Members ☐

On Time Registration Fee \$ 25.00

Examination Fee* 100.00

Late Fee (if applicable) 30.00

TOTAL DUE w/o Late Fee \$125.00

Non-LSI Members ☐

On Time Registration Fee \$ 75.00

Examination Fee* 100.00

Late Fee (if applicable) 30.00

TOTAL DUE w/o Late Fee \$175.00

Personal Information

Name: _____

Mailing Address: _____

Last 4 digits of SSN: _____ Email: _____

Phone (Day): _____ Phone (Evening): _____

LSI Member: ☐ Yes (enclose copy of LSI Membership Card) ☐ No

Name of Local LSI 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 2015

CCLS QUIZ

DETERMINE WHETHER EACH STATEMENT BELOW IS TRUE OR FALSE.

1. Voidable marriages may become valid.
2. An LLC may dissolve upon the occurrence of an event specified in the Operating Agreement.
3. Subpoenas for production of consumer records may be served immediately upon issuance.
4. Declaring one's principal residence a homestead protects the dwelling from forced sale.
5. The personal representative in a probate action appraises all cash and money accounts, as well as insurance proceeds.
6. Dissolution of a marriage in California requires the filing party be a resident of California for a minimum of 12 months, and the county of filing for a minimum of 6 months.
7. A storage shed bolted to a cement slab in a backyard is still considered personal property.
8. A demurrer to a complaint objects to defects or legal errors appearing on the face of the complaint.
9. The basic types of corporations are stock and non-profit.
10. In a probate proceeding, the original will must be filed within 30 days of the actual date of death of the testator.
11. To terminate a tenancy of less than one year, a 30 day notice to quit must be served.
12. Corporations begin to exist upon filing the Articles of Organization.
13. A quitclaim deed contains no implied or express covenants concerning title or encumbrances.
14. Upon the death of an individual, no income taxes are required to be paid for that individual.
15. In determining child support, welfare assistance should be included in calculating the amount of support to be awarded.

SEE ANSWER KEY ON PAGE 27



SCOTTLYNN HUBBARD is a Ninth Circuit appellate lawyer in Chico, California. He has an LLM in International Taxation and Offshore Financial Services and fifty-four (54) published opinions.

Three Guiding Principles for Securing Attorney Fees in Federal Court

BY SCOTTLYNN J. HUBBARD, ESQ., SOUTHERN BUTTE COUNTY

Lawyers must eat (or so the Chief Judge for the Ninth Circuit Court of Appeals, viz., the Honorable Alex Kozinski, would have us believe). Yet, under the so-called *American Rule*, attorney fees are neither taxable as costs against the losing party, nor are they directly recoverable as an element of damages. In other words, parties are forced to bear the expenses of their litigation unless a statute or private agreement provides otherwise, which brings us to the federal government. To encourage private enforcement of public policy, Congress inserted fee-shifting provisions into a vast number of federal statutes, all but eroding the American Rule in federal question lawsuits. If you are lucky enough to prevail on a federal claim that includes just such a provision, three guiding principles can dramatically improve your chances of securing fees once the lawsuit has concluded.



1. REMEMBER WHO IS MAKING THE AWARD.

Unlike damage claims, attorney fees are solely awarded by the federal judge. Using Westlaw or LexisNexis, research how the judge in *your* case ruled on similar fee motions, paying close attention to the hourly-rates that that judge deemed reasonable. These prior awards can be used as evidence to establish the prevailing market rate for the district. But remember: historical rates serve as the floor (not the ceiling) for what the district court can award. Economic conditions change and rates naturally increase. Holding-the-line on hourly rates – at what was historically awarded – goes well beyond the discretion of the district court. For example, the Eastern District of California had an informal policy of only awarding attorneys \$300 per hour for over a decade, and was publicly rebuked by the Ninth Circuit for having done so. Such a policy, again, in the words of Chief Judge Kozinski, no matter how well intentioned or administered, is inconsistent with the methodology for awarding fees in federal court. The district court's function is to award fees that reflect economic conditions in the district; not hold-the-line at a particular rate, or resist naturally occurring inflation.

2. JUDGES LISTEN TO OTHER JUDGES.

The Supreme Court has explicitly held that the prevailing market rate for other lawyers in the community, i.e., the district, is indicative of reasonableness. What other judges consider a reasonable hourly-rate for attorneys in the district is therefore persuasive evidence (if not binding authority) for your fee motion. Again, using Westlaw or LexisNexis, research how other judges ruled on similar fee motions and then cite to those rulings as proof of reasonableness. Warning: Judges will not consider hourly rates awarded in *other* districts – i.e., don't cite Southern District rates when seeking Eastern District fees – as many lawyers have had their fee motions denied for having done so.

3. PACER IS YOUR NEW BEST FRIEND.

Affidavits from other attorneys regarding prevailing rates in the community, particularly those setting a rate for plaintiffs' attorneys, are – according to the Ninth Circuit Court of Appeals – satisfactory evidence of reasonableness. The Public Access to Court Electronic Records (PACER)

Continued on page 21

Inspirational Message

GIVEN AT FEBRUARY 2015 CONFERENCE

Don't compare your life to others. You have no idea what their journey is all about.

Don't have negative thoughts or things you cannot control, instead invest your energy in the positive present moment.

Don't overdo. Keep your limits.

Don't take yourself so seriously. No one else does.

Don't waste your precious energy on gossip.

Dream more while you are awake.

Envy is a waste of time. You already have all you need.

Forget issues of the past. Don't remind your partner with his/her mistakes of the past that will ruin your present happiness.

Life is too short to waste time hating anyone. Don't hate others.

Make peace with your past so it won't spoil the present.

No one is in charge of your happiness except you.

Realize that life is a school and you are here to learn. Problems are simply part of the curriculum that fade away like algebra class, but the lessons you learn will last a lifetime.

Smile and laugh more.

You don't have to win every argument. Agree to disagree.

Call your family often.

Each day give something good to others.

Forgive everyone for everything.

Spend time with people over the age of 70 and under the age of 6.

Try to make at least three people smile each day.

What other people think of you is none of your business.

Your job won't take care of you when you are sick. Your friends will. Stay in touch.

Do the right thing.

Get rid of everything that isn't useful, beautiful or joyful.

God heals everything.

However good or bad a situation is, it will change.

No matter how you feel, get up, dress up and show up.

The best is yet to come.

When you awake alive in the morning, thank God for it.

Your inner most is always happy. So, be happy.

IT'S A GREAT DAY FOR LAUGHING AND LIVING, BE INSPIRED THIS WEEKEND.



JUSTIN RICE is a trial lawyer at Tucker Ellis LLP in Cleveland, Ohio. He enjoys cases involving complex scientific, technical, and legal issues. Justin primarily practices in the areas of products liability and business litigation and is a member of Tucker Ellis's Medical and Pharmaceutical Liability Practice Group. Justin practices nationally in the areas of product liability and business litigation. He can be reached at justin.rice@tuckerellis.com.

Ten Steps to Ensure the Efficient Discovery of Pertinent Medical Records

BY JUSTIN RICE, ESQ., SAN GABRIEL VALLEY LSA

What could be easier? You want medical records? Just send out a request for production to plaintiff's counsel and you're done, right? Most likely not, unless you are confident that plaintiff's counsel will take care to diligently identify, locate and disclose every potentially relevant medical record, as early in the litigation as possible – all from the defendant's perspective. Without assigning blame, we can at least say that discovery in personal injury litigation “just does not work that way.” Useful and efficient discovery of medical records is not difficult, but does necessitate planning by the defense. What follows is one such plan: ten steps defense counsel can take to timely obtain helpful medical records with minimal conflict.

No. 1: Request a medical records authorization from the plaintiff right away.

Collecting medical records takes time – sometimes a very long time. At the earliest opportunity permitted by the court, send a request for production of medical records and a blank HIPAA authorization for the plaintiff's signature. Many plaintiffs' counsel do not want to be troubled with the effort and expense required to collect medical records – especially in litigation in which counsel represents multiple plaintiffs – and will gladly have their client(s) sign an authorization for defense counsel to obtain records directly from the providers. While it obviously makes sense to request the records already obtained by plaintiff, keep in mind that plaintiffs' counsel often limit their medical records requests to specific records and/or time frames. To ensure a complete production, request the set of records you need from the providers directly.

No. 2: Utilize a Plaintiff Fact Sheet (“PFS”) when appropriate.

In lieu of interrogatories, a PFS requests basic plaintiff information, including relevant medical history, in a single multi-page form. These are particularly popular in mass tort litigation, especially because they facilitate disclosure of more information than might otherwise be permitted in a limited number of interrogatories, without the usual form

objections from plaintiff. A PFS and signed HIPAA authorization will undoubtedly streamline plaintiff fact discovery, including saving time in deposition.

No. 3: Make sure the authorization is HIPAA-compliant.

HIPAA rules change from time to time. But the concern here is not solely plaintiff's right to privacy. You do not want to spend several weeks waiting for plaintiff's signed authorization and medical providers' production of the records only to receive a notification from the providers that your authorization form does not comply with HIPAA. The old adage “get it right the first time” applies here.

No. 4: Plan for simultaneous production to plaintiff's counsel.

Requesting and tracking medical records is an administrative burden in itself. Duplication and production to plaintiff's counsel only adds to that burden. One solution is to build into the medical authorization a box for plaintiff to check that asks the medical provider to make two productions – one to defense counsel, one to plaintiff's counsel – at each party's own expense. This saves time, eliminates hassle, and prevents the concern that one side is withholding or hiding certain records.

EFFICIENT DISCOVERY OF MEDICAL RECORDS

No. 5: Check the providers' websites for special requirements.

Right or wrong, some providers require patients to execute the provider's specific authorization form, send records requests to specific addresses, or issue separate requests each for the patient chart, billing, laboratory or imaging records. Fighting these requirements or learning of them after the fact is a waste of time. It is faster to discover the hoops early and jump through them. In your request for billing records, specify that you need the amount charged, paid and written off by third-party payors. Otherwise, you may only receive documentation of the total amount charged.

No. 6: Maintain a tracking log.

Particularly in cases involving lots of medical care providers over several years, assessing the status and following up on records requests can be burdensome. Let's face it, in litigation involving hundreds or thousands of plaintiffs – or even ten for that matter – you are not going to recall the status of every single pending medical records request.

Partners appreciate it when you can tell them on a moment's notice what requests have been sent, when they were sent, and their current status.

No. 7: Request justification for "no-records" statements.

Particularly in cases in which the statute of limitations is at issue, ask medical providers who simply claim to have no records to put their response in writing with as much detail as they are willing to offer. Demonstrating to the court that important records would have been available had plaintiff timely brought his or her lawsuit can only help the argument that the case is time-barred.

No. 8: Pay attention to primary care and pharmacy records.

Primary care physician records often contain helpful summaries of the plaintiff's entire medical history and notes of referrals to doctors that may not have been previously disclosed to the defense. Similarly, pharmacy records not only identify the medications used by the plaintiff – revealing potentially relevant medical conditions, alternative causation arguments and/or drug seeking behavior – but identify treating physicians who also may not have been initially disclosed.

No. 9: Bates label the records immediately to avoid future confusion.

Medical providers share records; that is a good thing. But it can lead to confusion as to the source of a given record. Bates labeling helps lawyers know whether they are reviewing the correct set of records and quickly identifies source documents for medical record chronologies.

No. 10: Maintain a current authorization.

For reasons too numerous to elaborate here, a great deal of time can pass between the date one receives the plaintiff's medical authorization and the date it gets sent to the medical providers. HIPAA authorizations are often explicitly – or via state law – limited in their duration. Make sure the authorization is not only current at the time it is sent, but will be current several days or weeks later when the provider finally processes it. Also, set up a reminder to request an updated authorization from plaintiff before the current one expires to avoid unnecessary delay. This is particularly important prior to trial, when a year or more may have passed since plaintiff's deposition and medical records production, yet current medical information is needed for trial and/or dispositive motions.

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SECURING ATTORNEY FEES IN FEDERAL COURT

system, which allows lawyers to view (and download) most pleadings filed in federal court, is an excellent source for obtaining them. Using PACER, you can download declarations from other fee motions, previously located using Westlaw and LexisNexis, and then attach them to your motion as proof of the prevailing market rate. More importantly, they (the affidavits) give you an opportunity to compare your rates with those charged by attorneys of similar skill and experience for legal services in the community – the cornerstone of any fee analysis. But remember: Your comparison must pass the giggle test, i.e., don't

compare your hourly rates to those of a thirty-year tax lawyer in a complex pension lawsuit, when you are fresh out of law school and can't find the courthouse.

Boiled to its essence, never forget that the party seeking fees has the burden of proving that those fees are reasonable. This may seem like a no brainer, but many a lawyer has had their fee awards substantially reduced (or denied entirely) because they failed to show that their hourly rates were reasonable and in-line with the prevailing market. These simple principles will help you avoid that.

LS



SUE SAMPLEY, CCLS, has been a Legal Secretary since 1980, with 5 of those years in immigration, and 10 in corporate litigation with Morrison & Foerster. Taking time off, she has been a stay-at-home, homeschooling mom. After re-entering the legal field in January 2012, Sue passed the CCLS exam, received a 2011-12 LSI Re-Entry Scholarship, was Parliamentarian for San Fernando Valley LSA in 2012-2014, and is currently serving as President. Sue works for McCune & Harber, specializing in Public Entities Defense, Product Liability, Personal Injury, Civil Litigation, and Corporate Defense.

CCLS: The San Fernando Valley LSA Point of View

BY SUE SAMPLEY, CCLS, SAN FERNANDO VALLEY LSA

Think you couldn't pass the CCLS Exam? Well, think again! With all the support and resources available, all that's left is you!

So, what is the CCLS? As most of us already know, the CCLS is the California Certified Legal Secretary examination given in March and October of each year. The examination is eight hours long, generally on the third Saturday of the month, with one site established in the northern portion of the state and one in the southern portion. The exam covers content in seven areas of a legal professional's career, including the ability to communicate effectively; California-specific legal practice and procedure (this is often the area that makes people nervous, as Cyndee Saucedo, CCLS of Alameda County LSA, noted in her article in the August 2014 issue of *The Legal Secretary*, "Taking The CCLS Exam," as it relates to civil procedure/litigation, real estate, probate and estate planning, corporate law, and family law, and not everyone works in all of these areas); Skills -- the area that tests the effective and readily-executed knowledge and performance of assignments; Computations -- the area that tests the computing and math skills we use when calendaring due dates and court fees. Another area measures knowledge and application of legal terminology, and how to properly cite citations, resource materials, and abbreviations, et seq. One area that we are probably most comfortable with is Law Office Administration, which tests our knowledge of filing procedures, computer technology, and notary public procedures, because we tend to use these procedures across most of the legal specializations. The final area takes some thinking, and measures reasoning skills and the ability to logically evaluate facts and reach rational conclusions.

So, as some of you who are interested in taking the exam may already know, to take the California Certified Legal Secretary exam a legal professional must have two or more years' experience as a legal secretary (or equivalent as approved by the Certifying Board of Legal Secretaries, Inc.). What some of you who are interested in taking the

exam may have already forgotten is that just applying to take the exam you already have a fairly good start with two or more years' experience. So, don't sell yourself short! Before you even take the exam you already have the basics of grammar, punctuation, spelling, and terminology under your belt just by doing the day-to-day duties of your job for the last two years.

As Terrie Quinton, CCLS, LSI CCLS Chair, and Elise Dresser, CCLS, CCLS Certifying Board Chair, pointed out in their "CCLS Grab Bag of Information" article in the November 2014 issue of *The Legal Secretary*, there is quite a bit of studying required to prepare for the CCLS exam, but there are also just as many resources available to help with the studying. The San Fernando Valley Legal Secretaries Association provides workshops and resource materials to prepare for taking the exam, and the LSI-sponsored CCLS online program offers study guides, homework, and resource materials. Even online resource materials are free. Most importantly, you have support.

The San Fernando Valley LSA is proud that a number of their legal secretary members passed the CCLS examination this past year. In fact, it's exactly true what Cyndee Saucedo, CCLS, stated in her article -- and as San Fernando Valley LSA members Nancy Bremner, CCLS, and Annabel Gray, CCLS, can testify to -- that studying opens doors to job security and better wages. Nancy Bremner, CCLS, attended the San Fernando Valley LSA workshops and passed the CCLS exam. Nancy received a substantial raise from her employer as a result. Annabel Gray, CCLS, took advantage of the workshops, online program, and created her own small study group, and passed. Annabel gained the confidence she needed and landed a legal secretarial job.

Consider adding a "CCLS" to your name. You can do it. You have our support.



MARK SCHWARTZ, Program Manager for One Legal's Justice Group, is responsible for the direction, coordination and implementation of new and existing court eFiling and eService projects.

He has over 35 years of experience in the legal support profession and did his first court filing at the age of 13. He is a former president and legislative chairman of the California Association of Legal Support Professionals and is a recipient of its highest honor, The Bert Rosenthal Memorial Award, for furthering and fostering the legal support profession.

Mark is a paralegal and is a subject matter expert on California service of process statutes and case law and California Rules of Court regarding eFiling and eService. He is also one of the developers of the CALSPro Certified Process Server program. He can be reached at mschwartz@onelegal.com.



Service of Process via Facebook... The New Paradigm?

BY MARK SCHWARTZ, ONE LEGAL, LLC, SANTA CLARA LPA

Lately there's been some chatter about service of process via social media, specifically Facebook. In case you haven't seen it, on September 18, 2014 nypost.com published an article entitled "Judge OKs serving legal papers via Facebook." The article speaks to a "ground-breaking court ruling" in which Staten Island Support Magistrate Gregory Gliedman ordered a party to serve his ex-wife via Facebook. The order, according to the judge, was the "first of its kind in New York, and also the first in the United States that didn't involve an attempt to serve someone overseas."



In 2011, Jeffrey N. Rosenthal, of The Legal Intelligencer, wrote an article entitled "You've Been Served – On Facebook?" His article speaks to a Minnesota case, *In re the Marriage of Jessica Mpafe v. Clarence Ndjounwou Mpafe* (Hennepin County, MN No. 27-FA-11-3453), in which the court told the plaintiff not to waste her time with service via publication and instead "held that 'publication on the internet' was acceptable so long as it followed the same 'information and timing' requirements that would go into a newspaper." "Soon may come a time," Rosenthal writes, "when service via Facebook isn't the exception – it's the rule." Okay, so we're not there yet but perhaps it depends on your definition of "soon." Sorry, I couldn't resist. On a less flippant note I should point out that Mr. Rosenthal's article also provides a concise analysis of what he calls "the origin of American service law: the U.S. Constitution."

In November of 2011, Lisa McManus, of LexisNexis Legal Newsroom, published a post about the same case. She voices a valid concern as well: how does one know that the person who holds the account is really the person he or she claims to be? "On the other hand," she writes, "neither notice by publication nor public posting provide actual notice to defendants." That's a great point and the essence of the judge's holding in *Mpafe*; service via the internet "provides a cheaper and hopefully more effective

way of finding respondent." I always found it interesting that service via publication, which is authorized by statute here in CA (Code of Civil Procedure 415.50), culminates with publishing an image of the summons in a newspaper "that is most likely to give actual notice to the party to be served." Even if the defendant doesn't see it, or answer, a judgment can still be entered. So in reality it doesn't matter if the defendant receives notice, does it? By the way, Ms. McManus also provides some additional resources from Australia, Canada, New Zealand the U.K. In those examples you'll notice a theme: that service via Facebook takes place via court order, either after traditional service has been attempted or because it could not be.

In a 2013 Federal case, *Federal Trade Commission v. PCCare247 Inc.*, Dist. Court, SD New York 2013, the FTC asked the court "for leave to effect service of documents other than the Summons and Complaint by alternative means...of both email and Facebook." The court did decide that service via email did comport with due process but raised the point that if the plaintiffs would have asked the court to serve via Facebook only, then it wasn't quite as clear as to whether due process was satisfied. "To be sure, if the FTC were proposing to serve defendants only

Continued on page 27

**STOCKTON-SAN JOAQUIN COUNTY LEGAL PROFESSIONALS ASSOCIATION
INVITES YOU TO**

A Visit to the Emerald Isle

**LSI 1ST QUARTERLY CONFERENCE
AUGUST 21-23, 2015**



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CHECK IN/OUT:

Check-in Time: 3:00 p.m. / Check-out Time: 12:00 noon

AIRPORTS:

Sacramento International (approx. 50 miles)



FOR FURTHER INFORMATION CONTACT:

Jan Kuykendall, CCLS, Co-Chair
ks24fanatic@aol.com, Phone: (209) 747-4781

or

Colleen Young, Co-Chair
youngns@comcast.net Phone: (209) 609-4042

**DEADLINE FOR GROUP RATE IS
JULY 30, 2015**

STOCKTON-SAN JOAQUIN COUNTY LEGAL PROFESSIONALS ASSOCIATION

INVITES YOU TO

A Visit to the Emerald Isle



LSI 1ST QUARTERLY CONFERENCE

AUGUST 21-23, 2015

The Stockton Hilton
2323 Grand Canal Blvd.
Stockton, California

CONFERENCE REGISTRATION FORM

Name (as it will appear on badge):

Mailing Address:

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Home/Cell Telephone:

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Email address:

Local Association (please spell out):

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Title

_____ State Officer

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_____ Governor

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SCRIP (includes Registration, Welcome Reception, Banquet and Brunch):

POSTMARKED ON OR BEFORE JULY 21, 2015 \$ 123.00

POSTMARKED AFTER JULY 21, 2015 \$ 133.00

\$ _____

\$ _____

INDIVIDUAL TICKETS:

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\$ 20.00

\$ _____

_____ Registration AFTER July 21, 2015

\$ 30.00

\$ _____

_____ WELCOME RECEPTION (Friday)

\$ 25.00

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LUNCHEONS

_____ Vegetarian Meal

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\$ 27.00

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_____ Governors' Luncheon (Saturday)

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\$ _____

_____ Open Luncheon (Saturday) - Open to All

\$ 27.00

\$ _____

_____ BANQUET (Saturday Evening)

\$ 58.00

\$ _____

_____ New York Steak

_____ Salmon

_____ Vegetarian

_____ BRUNCH (Sunday)

\$ 30.00

\$ _____

TOTAL AMOUNT ENCLOSED

\$ _____

Special Dietary Restrictions _____

PLEASE MAKE CHECKS PAYABLE TO SSJCLPA AUGUST CONFERENCE

RETURN THIS FORM WITH PAYMENT TO REGISTRATION CHAIR:

Debbie Burgoine, 222 East El Campo Avenue, Stockton, CA 95207;

For questions call Debbie at (209) 472.9676 evenings or email debbieburgoine@yahoo.com

For Questions/ general information, Contact Jan Kuykendall, CCLS, or Colleen Young, Conference co-chairs, at

ks24fanatic@aol.com or (209) 747-4781 (Jan) or youngns@comcast.net or (209) 609-4042.

NO REFUNDS AFTER AUGUST 1, 2015



JANICE A. SCHMIDT, CLA, has been the Director of the Stanislaus County Law Library since 2012 and has worked in the legal field since 1987. Janice is the 2014-15 Secretary for the Stanislaus County Legal Professionals Association and serves as the Treasurer for the Council of California County Law Librarians, whose mission is to strengthen, improve, promote and advocate for the unique legal information services provided by county law libraries that support access to justice for all Californians.

Access to Justice is Business as Usual for California's County Law Librarians

BY JANICE A. SCHMIDT, STANISLAUS COUNTY LPA

“Access to Justice” - the legal buzz words of the 21st Century. You hear them everywhere – in the media, in law school commencement speeches, at Bar Association and Legal Professionals meetings, and all around the courthouse. At every turn we vow to support the concept, and in general terms we all understand what access and justice are, but what does this mean in the real world? I like this definition:

Access to justice includes affordable legal services; readily available legal information and forms; the ability to bring a case to trial without hiring an attorney; the unbundling of legal services; fair treatment and equality in the justice system regardless of social standing; and confidence that the outcome will be fair and just.¹

Seen in this light, the phrase “Access to Justice” might be new, but the concept is business as usual for a class of California professionals who have been working to provide this kind of service for more than 100 years: The Public Law Librarian.

From the inception of California's public law library system in 1891, law librarians have facilitated access to legal information. Although open to the public, early law library patrons consisted primarily of judges and attorneys. Early law library resources consisted of scholarly works and bound volumes of cases and statutes. The law librarian was the link between the two. But the economic crises of the last three decades created an entirely new player in the legal system – the self-represented litigant. Untrained in the law, and unsure of how to navigate the often counterintuitive legal process, these non-attorney users began turning to law libraries to find information about serious legal issues such as foreclosure, child custody, eviction, and creditor's suits. The numbers of these low and middle-income self-represented users are growing; today many law libraries report that pro-se litigants account for at least half of their patronage.

So in the face of tightening budgets,² shrinking staff counts, and increased patron needs, how are California's law librarians continuing to provide access to justice? Innovation and education.

Law libraries still have books, and they still provide access to traditional legal databases such as Westlaw and Lexis; but, instead of a traditional hands-off approach, many are offering instruction in how to use them. Twenty years ago, legal research classes in a law library were a rarity, today they are almost the norm. Research isn't the only thing Law Libraries are teaching; many county law libraries are offering public education classes in substantive, practical and procedural areas of the law. Most public classes are offered free or at minimal cost. Many carry CLE credits for attendance.

In addition to offering education, many of California's county law libraries offer direct connections to legal assistance in the form of legal clinics or lawyer in the library programs. California law libraries also partner with local court self-help centers to assure access. In Stanislaus County, the Court's self-help packets are made available at the Law Library and plans are in the works for public cooperative education classes. In Kern County, the self-help center is in the Law Library and Library staff covers for the self-help center when they are short staffed. Virtually every county law library provides support to its Court's self-help center in one way or another.

Where physical access to information is a problem, California's county law libraries are also reaching out virtually. Need to ask a question now? Various county law libraries takes turns answering the Ask-A-Law-Librarian live chat program hosted on the California Courts' website. These staffers offer real-time reference help with instant access to resource information that might not otherwise be possible. In addition, many of California's county law libraries have invested substantial time and effort into creating electronic

self-help centers. Some of these law library websites contain not only written guides but audio and video instruction on a myriad of topics such as how to serve papers by mail, commence a civil suit, or prepare for a court hearing. Law library websites also maintain common legal forms such as mechanics liens, powers of attorney, deeds, and homestead documents and virtually all county law libraries provide links to simplified, plain language guides, form templates, and instructions online.

Although the focus of most “access to justice” programs is on the self-represented, county law libraries are ever mindful that attorney users have access issues of their own. The modern day reality is that while large firms may have libraries and access to online research programs, many small firms and sole practitioners simply cannot afford them. These practitioners would often have no access to legal materials at all if it were not for public law libraries; and where all attorneys don’t have adequate access, adequate representation of the public is at risk.

Balancing the needs of attorneys, the judiciary, and self-represented litigants is a difficult task, especially in the face of an ever-evolving justice system and dwindling resources with which to provide access. What is assured in all of this, however, is that your county law library will continue (as it has for the last 100 years) to be at the forefront of access to that system. While we do not suggest that every cause shares equal merit under the law, it is our continued collective goal to ensure that every litigant is provided with an equal opportunity to argue it.

Additional information about California’s county law libraries can be found at www.publiclawlibrary.org.

(Endnotes)

- 1 Report of the American Association of Law Libraries Special Committee on Access to Justice, July 2014
- 2 Over the last 5 years, California’s county law library revenues have dropped more than 14 million dollars while expenses have continued to rise at unprecedented rates.

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SERVICE OF PROCESS VIA FACEBOOK

Continued from page 23

by means of Facebook, as opposed to using Facebook as a supplemental means of service, a substantial question would arise whether that service comports with due process. As one court in this district has observed, ‘anyone can make a Facebook profile using real, fake, or incomplete information, and thus, there is no way for the Court to confirm’ whether the Facebook page belongs to the defendant to be served.” Ms. McManus would probably agree! I’ll take it one step further and posit that service via email can be just as perilous. To tweak the court’s language just a bit: Anyone can set up an email account using real, fake or incomplete information, and thus, there is no way to confirm it belongs to the party or that the party opened the email or viewed the document or documents.

I realize I’m taking some liberties. The point I am trying to make, though, is that while technology may provide some options that did not exist just 10 years ago, that doesn’t mean it’s the best option for effecting service. It’s also important to note that the services I discussed in this post were allowed by court order, not by statute.

I do expect that to change, and frankly I’m an advocate of such change, as long as the service is effected by a disinterested third party, e.g. a process server. Technology is forcing many of us to adapt, and the legal field is certainly not immune. As I’ve heard many times in my 35-plus years in the legal industry, judges want to hear the case on its

merits. They generally don’t like it when people evade service. So, if a court can get the party under its jurisdiction in a more creative manner, it should. Seems logical, doesn’t it? Perhaps as a first step here in the Golden State, we tackle our antiquated service via publication statute and allow for publication via social media? In any case, before we all start touting the benefits of service via social media I believe we need to better understand the pitfalls that lie therein and realize that service via Facebook is the exception, not the rule.

This article was originally published, with active links, in our blog. You can find it at: <http://community.onelegal.com/bid/108460/Service-of-Process-via-Facebook-The-New-Paradigm>.

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ANSWER KEY TO P. 17 QUIZ

- | | | |
|----------|-----------|-----------|
| 1. True | 6. False | 11. True |
| 2. True | 7. False | 12. False |
| 3. False | 8. True | 13. True |
| 4. False | 9. True | 14. False |
| 5. True | 10. False | 15. False |



MICHELLE D. TICE, CCLS, is currently serving as LSI's Chair of the 81st Annual Conference of Legal Secretaries (LSI). She is past Advertising Chair and Editor of The Legal Secretary magazine for LSI and past president of the San Diego Legal Secretaries Association (2008-2010). Michelle currently serves as an Executive Board Member of the San Diego Junior Lifeguard Foundation and remains actively involved in Waterproofing San Diego, a program dedicated to drowning prevention.

Are You Ready for Carnavale?

BY: MICHELLE D. TICE, CCLS, 2015 LSI ANNUAL CONFERENCE CHAIR

The San Diego Legal Secretaries Association (SDSLA) is honored to host the 81st Annual Conference of Legal Secretaries, Inc. (LSI) on May 14-17, 2015, at the Bahia Resort Hotel in San Diego. Each of us will be a part of this historic event as we witness the installation of LSI's Board of Directors, and we are excited to share our plans with all of you.

Our theme for this conference is "CARNAVALE." The entire weekend will feature feathery style décor and your committee will be easily recognized in their peacock feather accessories. With this theme comes a suggested dress code:

As One Legal will again host the Thursday night Bayside reception, be on the lookout for additional details from our friends at One Legal.

For our Friday Night Reception, imagine yourself in the Tropic of Capricorn, sailing along Guanabara Bay, playing poker with your friends and listening to festive Carnavale music. Attendees should feel free to dress in colorful clothing, as we enjoy this social time with our friends, colleagues and exhibitors. Bring your beads!

Saturday Night Banquet will honor those that passed the CCLS exam, the Chapter Achievement contest winners and include presentation of the President's Award. This is a celebration and all attendees should dress up. Picture yourself in the exclusive suites at the Sambadrome. With all eyes on you, you'll want to look your best.

After Sunday Brunch, the Election and Installation of Officers will begin. Immediately following, our LSI President will announce the appointed officers and chairs for the upcoming fiscal year. Everyone should dress in business attire, especially the appointees. This is one of the largest LSI photographic events and if you know that you will be photographed, please dress accordingly.

The Bahia Resort Hotel is a San Diego Landmark. It was the first commercial lessee on Mission Bay. It is secluded



on a 14-acre peninsula, and this scenic location is in the heart of San Diego's famous Mission Bay with spectacular views of the Pacific Ocean.

The Bahia Resort Hotel is a 314-room destination hotel, which includes beachfront cottages, studios with panoramic views and spacious bayside suites. The room rates for our conference include a very attractive \$149 single/double standard room, rate with the option to upgrade to a suite for an additional \$100-150 per night. For those looking to share a room with others, the rate is \$169 for triple occupancy and \$189 for quad occupancy.

The standard amenities in each room will include complimentary high-speed wireless Internet, HBO, AM/FM radio, coffeemaker, ironing board and iron, hairdryer, and signature bath supplies. The suites and studio suites are equipped with a kitchenette, including a refrigerator, cooking utensils, dining area for four, and one king bed or two double beds.

The Bahia's water sports rental center has everything you need to experience the beautiful Pacific Ocean and Mission Bay Aquatic Park and boardwalks. Resort Watersports, located just west of the Marina building, offers equipment for biking, surfing, kayaking, sailing, paddle boarding, and more. Complimentary beach cabanas are available along its secluded beach for relaxing and soaking up the sun.

The Hotel is located approximately 6.5 miles from the San Diego International Airport. Taxicabs are readily available and the Cloud 9 Shuttle is another transport option and will cost up to \$18 each way, per person. There

is always the option to rent a car as well. But the best way to travel to the Bahia will be via Uber. They have been approved to pick up people at the San Diego International Airport and many are sitting in the cell phone parking lot waiting for a call. If you don't have the app, it's free to download on your phone. And lastly, we are pleased to once again offer complimentary parking at the resort.

Our vendors will be located in the Shell/Ventana rooms, located along the Bay. They will be available to visit on Friday night up until the Welcome Reception, and this year, our vendors will once again have an opportunity to mingle with attendees and visit with the friends they have made over the years by attending the reception. The Welcome Reception will be held aboard the William D. Evans, a 19th century style sternwheeler. Each attendee will also be given a ticket to board the Bahia Belle (another sternwheeler) and cruise Mission Bay that same evening. The Bahia Belle features live music including swingin' blues and DJ's spinning great dance music for everyone to enjoy, with stops at both the Bahia and the Catamaran. Passengers can enjoy the Tangier Bar's locally-famous Piña Colada before boarding the Belle and can disembark at the Catamaran to enjoy entertainment at Moray's Lounge and then re-board for more fun on the bay.

We hope you will take advantage of the "three-day before" and "three-day after" room rates at the Bahia. It will give you an opportunity to visit some of San Diego's most popular outdoor destinations. At Mission Bay San Diego you can fly a kite, go bird watching or have a picnic, but water sports rule here. Eastern Mission Bay is popular with jet boats, jet skis and the like, while the seaward side attracts sailboats and sailboarders.

Besides the things you can do in Mission Bay San Diego parks, these are a few other area activities:

Visit Birch Aquarium: Located just north of San Diego in La Jolla. Birch Aquarium is not as big as some of the other aquariums in California or as flashy as the big sea-themed park down the road (Sea World), but instead is filled with interesting exhibits and home to leafy sea dragons and creatures so improbable, they look more like something from a children's book than from the ocean. At the Birch Aquarium, you can watch the creatures being fed, touch some in an outdoor tide pool and get mesmerized gazing into a 70,000-gallon kelp forest.

Tour the USS Midway: The USS Midway was the longest-serving U.S. Navy carrier of the 20th century and the largest ship in the world from 1945 to 1955, carrying

more than 4,000 people. Besides the big ship itself - which is impressive enough - you'll find more than 25 aircraft on display, a fraction of its theoretical capacity of more than 100. The Midway is located along the waterfront, between the cruise ship terminal and Seaport Village, easily accessible by foot from downtown and the Gaslamp.

Visit the world famous San Diego Zoo: The world's greatest zoo is committed to saving species worldwide by uniting its expertise in animal care and conservation science with its dedication to inspiring passion for nature. It is located adjacent to downtown San Diego in Balboa Park, and is 100 acres in size. It is well known for its lush, naturalistic habitats and unique animal encounters and is home to more than 3,700 rare and endangered animals representing approximately 660 species and subspecies, and a prominent botanical collection with more than 700,000 plants. The Zoo is a unique walking experience that exhibits its animals in the most natural way possible, adding shows and animal presentations throughout the day for additional enjoyment.

Take a Ghost and Gravestones Tour: Travel back in time and learn of the spirits of the notorious characters who lived & died in San Diego. Some say that schools are haunted and Grant Elementary School is no exception. Hear stories of spirits from long ago that still haunt our neighborhoods today.

For those of you driving, step back in time with a stop in Julian, a century-old gold mining town in the Cuyamaca Mountains. Pick up a free map at the Chamber of Commerce for a self-guided walking tour of the area's historic sites and later enjoy a slice of homemade apple pie - a Julian specialty!

Rollerblade, skateboard or bicycle along the Mission Beach Boardwalk, a scenic 3-mile boardwalk along picturesque Mission and Pacific Beaches.

With so many wonderful activities to choose from, the Bahia is offering LSI members the contracted room rate for three days prior to conference and three days after conference. Bring your families, make a mini-vacation of your time here and arrive in America's Finest City with extra time to spare. We look forward to welcoming all of you to San Diego!

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LEGAL SPECIALIZATION SECTIONS SEMINARS
LSI Annual Conference – May 14-17, 2015 – Bahia Resort

The deadline to register without a late fee is **Tuesday, May 5, 2015.**

LSI SECTION MEMBER: Free w/reservation by May 5, 2015 \$5 at the Door/After Deadline Handout Only: \$5	LSI NON-SECTION MEMBER: \$10 w/reservation by May 5, 2015 \$15 at the Door/After Deadline Handout Only: \$10	NON-LSI MEMBER: \$15 w/reservation by May 5, 2015 \$20 at the Door/After Deadline Handout Only: \$15
Friday, May 15, 2015 – 1:30 p.m. - 3:30 p.m.		
<u>Civil Litigation</u> Demystifying the Rules of Evidence Mary V.J. Cataldo, Esq. <input type="checkbox"/> I will attend <input type="checkbox"/> Handout Only <input type="checkbox"/> Section Member <input type="checkbox"/> Non-Section Member <input type="checkbox"/> Non-LSI Member		<u>Criminal Law</u> The Best And Worst Practices In Criminal Litigation Judge Richard S. Whitney of the San Diego Superior Court <input type="checkbox"/> I will attend <input type="checkbox"/> Handout Only <input type="checkbox"/> Section Member <input type="checkbox"/> Non-Section Member <input type="checkbox"/> Non-LSI Member
Friday, May 15, 2015 – 4:00 p.m. - 6:00 p.m.		
<u>Probate/Estate Planning and Family Law</u> Crossover Issues in Family Law and Estate Planning Miranda Franks, Esq. <input type="checkbox"/> I will attend <input type="checkbox"/> Handout Only <input type="checkbox"/> Section Member <input type="checkbox"/> Non-Section Member <input type="checkbox"/> Non-LSI Member		
Saturday, May 16, 2015 – 4:00 p.m. to 6:00 p.m.		
<u>Law Office Administration</u> Adobe Training 1 & 2 Barkley Court Reporters <input type="checkbox"/> I will attend <input type="checkbox"/> Handout Only <input type="checkbox"/> Section Member <input type="checkbox"/> Non-Section Member <input type="checkbox"/> Non-LSI Member		<u>Transactional Law</u> The Business of Craft Brewing Candace L. Moon, Esq. <input type="checkbox"/> I will attend <input type="checkbox"/> Handout Only <input type="checkbox"/> Section Member <input type="checkbox"/> Non-Section Member <input type="checkbox"/> Non-LSI Member

Name: _____ ☐ CCLS ☐ Paralegal ☐ PLS
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Name on Credit Card: _____
<u>Send completed form and payment (check made out to LSI) to:</u> Dawn R. Forgeur, CCLS, LSS Coordinator 500 Capitol Mall, Suite 1600, Sacramento, CA 95814 Email: dawn.forgeur@stoel.com

The Legal Specialization Sections are a program of Legal Secretaries, Incorporated, an approved provider, and certify that these seminars have been approved for minimum MCLE/CLE credit of 2.0 hours each, by the State Bar of California. California Certified Legal Secretary credit offered is 2.0 hours.

PER LSI STANDING RULES, CHECKS ISSUED TO LSI WHICH ARE NON-NEGOTIABLE BECAUSE OF INSUFFICIENT FUNDS OR OTHER REASON SHALL BE REPLACED IMMEDIATELY BY CASH, A CERTIFIED CHECK OR MONEY ORDER FOR THE AMOUNT OF THE ORIGINAL CHECK, PLUS \$25 PENALTY, PLUS THE ACTUAL COST CHARGED LSI BY THE FINANCIAL INSTITUTION FOR PROCESSING THE ORIGINAL CHECK.



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1. Reasonable annual dues. (\$20 per section; \$75 for all six sections)
2. Continuing education in several areas of the law.
3. Quarterly newsletters containing up-to-date information, including changes in the law, new forms and rules, and legal articles of interest.
4. Quarterly educational programs at LSI conferences - free to section members!
5. Educational webinars throughout the year - free to section members!
6. California Certified Legal Secretary/MCLE/Paralegal CLE credits offered at most of the educational programs and webinars.
7. Statewide roster of all members in all sections, for access to contacts in other counties.
8. Networking provides a forum for the exchange of information.
9. Professional and personal excellence.

For more information, please contact Dawn R. Forgeur, CCLS, Legal Specialization Sections Coordinator, at dawn.forgeur@stoel.com.

GUIDELINES FOR SUBMISSION OF ARTICLES TO THE LEGAL SECRETARY

DEADLINES FOR RECEIPT OF ARTICLES BY EDITOR

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

SUBMISSION OF ARTICLES

Each officer and chairman is expected to submit an article for at least one quarterly issue during the fiscal year.

Each governor is expected to submit an article for at least one quarterly issue during the fiscal year and a guest writer article.

Articles are submitted by email as an attached document using Word or WordPerfect. Biography should be included in the article and digital photos should be submitted as separate jpeg files.

All articles must be at least 500 words and no more than 2500 words.

Deborah Schmidt, CCLS • Editor, *The Legal Secretary*
3941 S. Bristol St. D 196, Santa Ana, CA 92704 • 714-957-5742 • lsi.dschiidt@yahoo.com

LEGAL SECRETARIES INCORPORATED (LSI) - BENEFITS

Note: This list is maintained for use by members of Legal Secretaries, Inc. Agents for insurance and financial providers are available as resources when members inquire about benefits. Please use this as a starting point; ask for information, compare policy coverage and prices. LSI wants its members to find the BEST coverage for each member's individual needs and location. For information call these representatives directly.

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QUESTIONS AND CONCERNS CONTACT:

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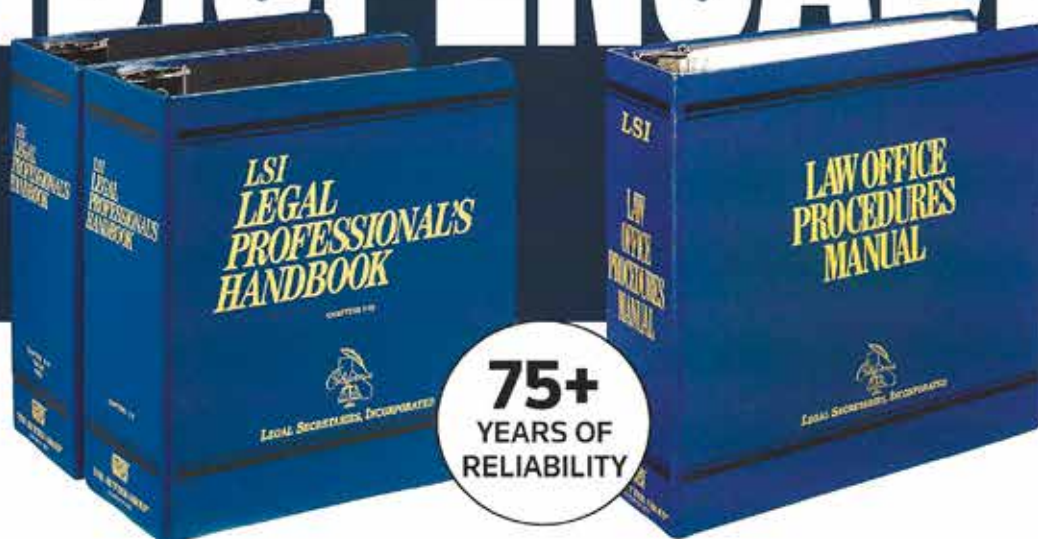
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