

# THE Legal Secretary®

MAY 2017

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## Cruisin' to Conference Graffiti Style

BY DIANE MECCA  
*See Page 12*





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

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# President's Message

BY JENNIFER L. PAGE, CCLS, LSI PRESIDENT



JENNIFER L. PAGE, CCLS has been in the legal field since 1989, starting out as a legal secretary to a bankruptcy attorney. She obtained her Paralegal Certification from St. Mary's College, Orinda, CA in 1991. In 2012 Jennifer joined the firm Ragghianti Freitas LLP embarking on the next adventure in her legal career working for five partners of the firm and learning new areas of law.

Jennifer has been a member of Marin County LPA since 1990; has held virtually every officer and chairmanship position. Marin County LPA presented her with Honorary Life Member status in 2001. Jennifer began serving LSI in 1999 when she was appointed as the Legal Procedure Chair and continued to serve LSI until she was elected Treasurer in 2010. In May 2008, President Lorraine Bettencourt, PLS, CCLS, presented Jennifer with the President's Award.

Jennifer obtained her CCLS designation in October 2008.

Jennifer resides in Novato, California with her husband of 20 years Tony, their 15 year old daughter Emma and Midnight the cat.

As I write this message, I am reflecting on the events that took place during the Third Quarterly Conference held in February at the Ramada Plaza Hotel in Chico. If you were unable to attend, you missed quite the adventure. From invasions of ants and cockroaches, sparks shooting out of hair dryers, plastic wrap on the cheese served at the Welcome Reception, cold tasteless food, frozen cheesecake, and overall lack of staff to serve at our events. From this description, why would you ever want to attend conference? There are many reasons why.

First and foremost, the host association Southern Butte County Legal Professionals Association (SBCLPA), despite all that went wrong with the hotel, did a phenomenal job of hosting LSI. Every member of SBCLPA pitched in, was gracious, courteous and happy to see us. The decorations for every event were spot on, the array of raffle prizes were plentiful, the vendors were happy to greet us, the entertainment and added activities created a wonderful event. And of course, let's not forget the education; there were eight opportunities to get educated over the 3-day conference. I would like to extend a special thank you to everyone who attended, for being patient, gracious and helpful. Even though one association was hosting the event, when push came to shove, members from every association stood up and helped out.

Looking ahead, LSI's 83rd Annual Conference will be held May 18-21, 2017, at the Doubletree Hotel in Modesto, California and our gracious host will be Stanislaus County LPA. We will have six educational opportunities for you. The Section Leaders are working hard to find excellent speakers to present important and informational topics. In addition, on Friday, the Officer Chairmen Workshops take place. These will include a President's Roundtable, Newcomers, Treasurer, Governor, Membership/Marketing, Legal Secretarial Training/Seminars and one more workshop that has yet to be finalized. These workshops offer members an opportunity to learn about being a President, Treasurer, and Governor. The President's workshop is open to current President's. The Newcomers Workshop is for anyone attending conference for the first time and provides insight into LSI and what attending conference is all about. The Governors workshop provides insight into what this important position entails. During the Membership/Marketing workshop you will have a chance to learn about increasing and maintaining your association's membership along with potential marketing tools. And Legal Secretarial Training/Seminars will encourage you to hold training seminars at the local level. These workshops really offer a lot of information and I encourage you to make your travel plans to allow you to attend these workshops. Along with the workshops there will be several luncheons on Friday, the Presidents luncheon, Governors luncheon and Newcomers luncheon.

On Saturday, May 20, 2017, we will be celebrating those who have passed the CCLS exam this past year at the Kalman S. Zemplyny, II CCLS Luncheon. Those who attend will be able to help honor and celebrate the newest members to the CCLS Club. I again encourage you to attend this very special and important event.

In between the luncheons and workshops, LSI will also be conducting the business of the corporation starting with the Pre-Annual Board of Governors Meeting early Saturday morning, followed by the General Assembly, which will include Nominations and Elections of the Executive Committee of LSI for the fiscal year 2017-2018. Saturday evening Banquet will finish off the events of the day where the winners of the Chapter Achievement Contest will be announced, we will again honor those who have passed the CCLS exam and I will have the honor of announcing the recipient of the President's Award.

Finally on Sunday, we finish with Installation of Officers and announcement of the 2017-2018 Appointed Officers and Chairmen. Lastly the Post-Board of Governors Meeting will allow us to finish the business of the corporation.

Yes, there's a lot going on at Annual Conference and it's over before you know it. I encourage everyone to attend, to be educated, entertained, and to learn what LSI has to offer, and yes, to visit with friends and make new ones.

As I near the end of my first term serving as your President, I am happy to say, "I survived!" I am proud to be your President and I hope that I have served you well. As always, my door is open to each and every one of you. If you have a question, comment, complaint, I'm here. I encourage you to use your voice and let your governor and the Executive Committee know what you want from your membership in this great organization.

I think this next year is going to be an exciting time for LSI. There are many ideas to be discussed and decisions to be made. I look forward to hearing from the Ad Hoc Committee regarding the possibility of LSI having a Student Membership category. We will continue to offer online classes with the possibility of outsourcing the classes so more can be offered and more topics can be covered. We're looking to embrace technology even more this coming year with the possibility of adding another section leader to coordinate videotaping the section workshops and making them available online. And yes, we are looking at the possibility of increasing per capita tax. However, we are also looking at what benefits can be added along with the increase.

I want to continue to encourage members to have open dialogue about these ideas and any others they think might help LSI move forward and grow. I encourage you all to participate, become a chairman, run for office, and use your voice to be heard.

I hope to see many of you in Modesto in May as Stanislaus County LPA has been working hard to put together a memorable conference. The theme is "Cruisin to Conference – Graffiti Style." With Diane Mecca serving as Conference Chair, you know we're in for a great time.

Until May – Cheers!

LSI

## CHECK OUT THE NEW LSI BENEFIT!

LSI is proud to announce LegalShield, a new benefit being made available to you as a valued LSI member. LegalShield offers legal, identity theft protection, along with a massive Perks Program where you will have significant savings to over 500 local and national companies. Be sure to attend the Membership, Marketing & Member Benefits workshop for a more thorough description of our new benefit provider on Friday, May 19 at May 2017 Annual Conference in Modesto. Also, see flyers on pages 4-5.

# How Identity Theft Affects You



\$15.1 Billion stolen from  
**13.1 Million**  
Americans in 2015 <sup>1</sup>

**47%**

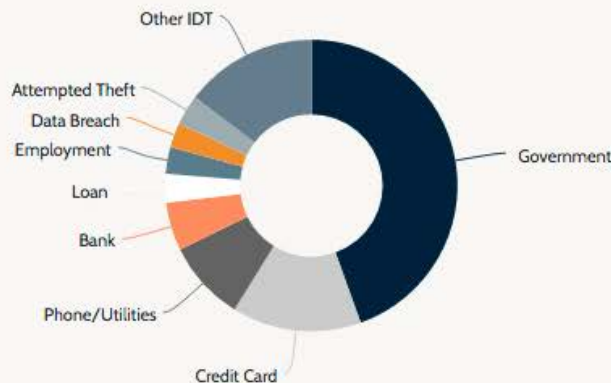
Increase in identity theft  
complaints 2014-2015 <sup>2</sup>



**#7 Reported Fear by  
Americans <sup>3</sup>**

Higher than economic collapse  
and just below bio-warfare

## TYPES OF IDENTITY THEFT



## 4 AREAS OF GOVERNMENT IDENTITY THEFT

1. Tax/Wage Related Fraud
2. Government Benefits
3. Driver's License
4. Other Government Docs

See source 2

## Data Breaches in 2015

**780** Breaches =  
**177,866,236**  
Records Exposed <sup>4</sup>

### Breaches by Industry <sup>5</sup>



**35.5%**  
Healthcare



**39.9%**  
Business



**9.1%**  
Financial /  
Credit / Banking



**8.1%**  
Government/  
Military



**7.4%**  
Education

- ① 191 Million - U.S. Voter Database
- ② 164 Million - MySpace
- ③ 80 Million - Anthem

**2015**

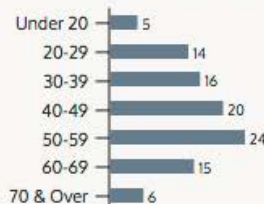
Biggest  
Breaches <sup>6</sup>

## WHY DO I CARE

**5%**

of consumers had errors on 1  
of their 3 major credit reports <sup>8</sup>

### All ages are affected <sup>2</sup>



Victims of identity theft who  
will spend **over 55 hours**  
resolving their issues. **HALF**  
of those victims will spend  
**over 130 hours.** <sup>7</sup>

## Dark Web is a Thief's Playground

Personal information is available for  
thieves to buy, sell and trade, such as:

- SSN
- Name/DOB
- Phone Number
- Email Address
- Driver's License
- Passport
- Credit Cards
- Debit Cards
- Bank Accounts
- Address
- Login Credentials
- Medical IDs

Created by IDShield <sup>SM</sup>

1. Javelin 2016 Identity Protection Services Scorecard 2. FTC Consumer Sentinel Network Data Book for Jan-Dec 2015 3. The Chapman University Survey of American Fears 2015 4. [www.idtheftcenter.org/images/breach/DataBreachReports\\_2015.pdf](http://www.idtheftcenter.org/images/breach/DataBreachReports_2015.pdf) 5. [www.idtheftcenter.org/Data-Breaches/data-breaches.html](http://www.idtheftcenter.org/Data-Breaches/data-breaches.html) 6. [www.informationisbeautiful.net/visualizations/worlds-biggest-data-breaches-hacks/](http://www.informationisbeautiful.net/visualizations/worlds-biggest-data-breaches-hacks/) 7. [www.ftc.gov/news-events/press-releases/2007/11/ftc-releases-survey-identity-theft-usstudy-shows-83-million](http://www.ftc.gov/news-events/press-releases/2007/11/ftc-releases-survey-identity-theft-usstudy-shows-83-million) 8. [www.ftc.gov/news-events/press-releases/2013/02/ftc-study-five-percent-consumers-had-errors-their-credit-reports](http://www.ftc.gov/news-events/press-releases/2013/02/ftc-study-five-percent-consumers-had-errors-their-credit-reports)














## HAVE YOU EVER?

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> Needed your Will prepared or updated</li> <li><input type="checkbox"/> Been overcharged for a repair or paid an unfair bill</li> <li><input type="checkbox"/> Had trouble with a warranty or defective product</li> <li><input type="checkbox"/> Signed a contract</li> <li><input type="checkbox"/> Received a moving traffic violation</li> <li><input type="checkbox"/> Had concerns regarding child support</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Worried about being a victim of Identity theft</li> <li><input type="checkbox"/> Been concerned about your child's identity</li> <li><input type="checkbox"/> Lost your wallet</li> <li><input type="checkbox"/> Worried about entering personal information on-line</li> <li><input type="checkbox"/> Feared the security of your medical information</li> <li><input type="checkbox"/> Been pursued by a collection agency</li> </ul> |
|--|---|

## WHAT IS LEGALSHIELD?

Founded in 1972, LegalShield has 1.5 million memberships protecting and empowering 4.1 million lives and serving 140,000 businesses throughout the United States and Canada. Our members can talk to a lawyer on any personal legal matter, no matter how trivial or traumatic, all without worrying about high hourly costs. LegalShield has provided identity theft protection since 2003 with Kroll, the world's leading company in ID Theft consulting and restoration.

### THE LEGALSHIELD® MEMBERSHIP INCLUDES:

-  ✓ Personal Legal advice on unlimited issues
-  ✓ Letters/ calls made on your behalf
-  ✓ Contracts & documents reviewed (up to 15 pages)
-  ✓ Residential Loan Document Assistance
-  ✓ Lawyers prepare your Will, your Living Will and your Health Care Power of Attorney
-  ✓ Moving Traffic Violations (available 15 days after enrollment)
-  ✓ IRS Audit Assistance
-  ✓ Trial Defense (if named defendant/ respondent in a covered civil action suit)
-  ✓ Uncontested Divorce, Separation, Adoption and/or Name Change Representation (available 90 days after enrollment)
-  ✓ 25% Preferred Member Discount (Bankruptcy, Criminal Charges, DUI, Other Matters, etc.)
-  24/7 ✓ 24/7 Emergency Access for covered situations

*LegalShield legal plans cover the member; member's spouse; never married dependent children under 26 living at home; dependent children under age 18 for whom the member is legal guardian; never married, dependent children up to age 26 if a full-time college student; and physically or mentally disabled dependent children. An individual rate is available for those enrollees who are not married, do not have a domestic partner and do not have minor children or dependents. No family benefits are available to individual plan members. Ask your Independent Associate for details.*

### THE IDSHIELD<sup>SM</sup> MEMBERSHIP INCLUDES:



#### Privacy Monitoring

Monitoring your name, SSN, date of birth, email address (up to 10), phone numbers (up to 10), driver license & passport numbers, and medical ID numbers (up to 10) provides you with comprehensive identity protection service that leaves nothing to chance.



#### Security Monitoring

SSN, credit cards (up to 10), and bank account (up to 10) monitoring, sex offender search, financial activity alerts and quarterly credit score tracking keep you secure from every angle. With the family plan, Minor Identity Protection is included and provides monitoring for up to 8 children under the age of 18.



#### Consultation

Your identity protection plan includes 24/7/365 live support for covered emergencies, unlimited counseling, identity alerts, data breach notifications and lost wallet protection.



#### Full Service Restoration

Complete identity recovery services by Kroll Licensed Private Investigators and our \$5 million service guarantee ensure that if your identity is stolen, it will be restored to its pre-theft status.

*IDShield Plans are available for Groups at individual or family plan rates. A family rate covers the member, member's spouse or domestic partner and up to 8 dependents up to the age of 26\*.*

*\*Dependents that are over 18, under 26, and either live at home or are a full time student, and have never been married will receive unlimited consultation and complete restoration by Kroll licensed private investigators. Monitoring is not available for dependents in this category.*

Payroll Deduction Monthly	Individual	Family
<b>LegalShield</b>	\$16.95	\$18.95
<b>IDShield</b>	\$8.95	\$18.95
<b>Combined</b>	\$25.90	\$33.90

For more information, please call your independent associate:

**Courtney Coats**  
925.580.6446  
coats8@legalshieldassociate.com  
coats8.legalshieldassociate.com

*This is a general overview and is for illustrative purposes only. Plans and services vary from state to state. See a plan contract for your state of residence for complete terms, coverage, amounts, conditions and exclusions.*



## LEGAL SECRETARIES, INCORPORATED Officers and Chairmen Workshops

May 19, 2017

Moderator: J. Cori Mandy, CCLS, Educational Program Coordinator

Schedule: 8:30 a.m.

Introductions and Workshop Overview – J. Cori Mandy, CCLS

**Location:** TBD

**10:15 -10:30 a.m. Coffee Break**

President's Roundtable (Incoming/Outgoing Presidents Only) Moderators: Mary S. Rocca, CCLS (LSI Past President 2004-2006) <b>Location:</b> TBD		9:00 a.m. to 11:45 a.m.
First Session – 9:00 a.m. – 10:15 a.m.		Second Session – 10:30 a.m. – 11:45 a.m.
<u>Treasurer's Workshop</u>  Moderator: Rod Cardinale Jr. LSI Treasurer <b>Location:</b> TBD		<u>Newcomer's Workshop</u>  Moderator: Kristi L. Edwards, CCLS LSI Parliamentarian <b>Location:</b> TBD
<u>Membership/Marketing/Benefits Workshop</u>  Moderator: Heather Edwards LSI Vice President <b>Location:</b> TBD		<u>Governor's Workshop</u>  Moderator: Lynne Prescott, CCL LSI Executive Secretary <b>Location:</b> TBD
Servicing LSI-Running for Office or Accepting a Chair Position  Moderator: Jennifer L. Page, CCLS LSI President <b>Location:</b> TBD		<u>Legal Secretary Training Workshop</u>  Moderator: Shaylene Cortez, CCLS LSI Legal Secretary Training Chair <b>Location:</b> TBD

Please note: Locations are subject to change.

Please r.s.v.p. E-mail: [jcmandy5@gmail.com](mailto:jcmandy5@gmail.com) or 619-515-3256/619-954-3603





## LEGAL SPECIALIZATION SECTIONS SEMINARS

May 19 and 20, 2017

Doubletree Hotel  
Modesto, CA

The deadline to register without a late fee is Friday, May 12, 2017.

<b>LSS MEMBER</b> Free with Advanced Reservations \$5 at the Door/After Deadline -- Handout Only: \$5	<b>NON-LSS MEMBER</b> \$15 with Advanced Reservation \$20 at the Door/After Deadline -- Handout Only: \$15
<b>Friday, May 19 – 1:30 p.m. to 3:30 p.m.</b>	
<u><b>Criminal and Family Law</b></u> <b>Domestic Violence Restraining Orders</b> Stacy Speiller, Esq. Cash-Dudley Speiller & Torres <input type="checkbox"/> I WILL ATTEND OR <input type="checkbox"/> HANDOUT ONLY <input type="checkbox"/> SECTION MEMBER - <input type="checkbox"/> NON-SECTION MEMBER	<u><b>Law Office Administration</b></u> <b>Employment Law Updates</b> Jeanine DeBacker, Esq. McPharlin Sprinkles & Thomas LLP <input type="checkbox"/> I WILL ATTEND OR <input type="checkbox"/> HANDOUT ONLY <input type="checkbox"/> SECTION MEMBER - <input type="checkbox"/> NON-SECTION MEMBER
<b>Friday, May 19 – 4:00 p.m. to 6:00 p.m.</b>	
<u><b>Probate/Estate Planning</b></u> <b>Understanding Probate Code 17200 and 850 Petitions</b> Kimberly G. Flores and Beau C. Correia Berliner Cohen, LLP <input type="checkbox"/> I WILL ATTEND OR <input type="checkbox"/> HANDOUT ONLY <input type="checkbox"/> SECTION MEMBER - <input type="checkbox"/> NON-SECTION MEMBER	<u><b>Civil Litigation</b></u> <b>eFileCA: What's Happening, What's The future, and Rules of Court</b> Lilibeth Daniel One Legal, LLC <input type="checkbox"/> I WILL ATTEND OR <input type="checkbox"/> HANDOUT ONLY <input type="checkbox"/> SECTION MEMBER - <input type="checkbox"/> NON-SECTION MEMBER
<b>Saturday, May 20 – 4:00 p.m. to 6:00 p.m.</b>	
<u><b>Federal Law</b></u> <b>Immigration Law Updates</b> Emily Chrim, Esq. The Law Office of Emily M. Chrim <input type="checkbox"/> I WILL ATTEND OR <input type="checkbox"/> HANDOUT ONLY <input type="checkbox"/> SECTION MEMBER - <input type="checkbox"/> NON-SECTION MEMBER	<u><b>Transactional</b></u> <b>Real Estate Transfers and Deciphering the Legal Description</b> Brett Dickerson, Esq. Gianelli & Associates <input type="checkbox"/> I WILL ATTEND OR <input type="checkbox"/> HANDOUT ONLY <input type="checkbox"/> SECTION MEMBER - <input type="checkbox"/> NON-SECTION MEMBER

Name: \_\_\_\_\_ ☐ CCLS ☐ Paralegal ☐ PLS

E-mail: \_\_\_\_\_

Local LSI Association (if applicable): \_\_\_\_\_

PAYMENT: CREDIT CARD & PAYPAL AVAILABLE AT [WWW.LSI.ORG](http://WWW.LSI.ORG)

☐ CHECK MADE PAYABLE TO **LSI**

**REGISTER AND PAY ONLINE OR SEND COMPLETED FORM AND PAYMENT TO:**

c/o DAWN R. FORGEUR, CCLS, LSS COORDINATOR  
500 CAPITOL MALL, SUITE 1600, SACRAMENTO, CA 95814  
QUESTIONS? EMAIL: [DAWN.FORGEUR@STOEL.COM](mailto:DAWN.FORGEUR@STOEL.COM)

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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.



SHERYL BOARDMAN is the Vice President of Marketing for Santa Clara County Legal Professionals Association and has been a Senior Account Manager for Compex Legal Services for 10 years. In her spare time, Sheryl enjoys, camping, being outdoors with her family and baking.

# How To Get The Most Out Of Your Legal Support Vendor

BY SHERYL BOARDMAN – SUBMITTED BY SANTA CLARA COUNTY LPA

Before working for Compex, I spent 10 years as a claims adjuster for various insurance companies and was a legal assistant in a law firm. Both jobs were extremely fast-paced, crazy busy which showed me how important it was to rely on legal support vendors to do my job. Whether you need subpoenaed records, deposition reporting, court filings or other such services, we are here to help obtain the information to properly handle your case. Our goal is to make your job easier and more efficient. By planning ahead, providing all the necessary information and being responsive to your inquiries, we can work together to make your case run more smoothly.



As is the case with the majority of your job, planning is key. The more notice we have, the better the results will be. Don't procrastinate in sending over orders as it will only delay the process. Some locations are very responsive while others take their time in releasing documents. Completing the request properly is also very important. The more information that is provided, the more accurate the results will be. Most medical providers will not release information without a date of birth and/or social security number. Kaiser is now requiring three identifying factors before releasing records. For example, they want at least three of the following: the Kaiser medical record number, date of birth, social security number, home address, etc. Most facilities will accept just the last four digits of the social security number as they understand the threat of identity theft. If the scope of the records is to be limited, please provide the necessary dates. Kaiser will only release the last five years of records unless you include a letter explaining why a longer time period is needed.

We strive to respond to your inquiries or requests for status whether it be via email or telephone call in a timely manner. Please keep in mind, in order for us to fulfill your orders, sometimes additional information from your firm is required. A few facilities will require original signatures on subpoenas, which will be sent to the law

firm for completion. In order for the dates to be valid, the documents need to be returned quickly. If films are requested, we send a list of all available x-rays and ask which ones need to be duplicated. Please keep a lookout for these documents, as the quicker you respond, the faster we are able to complete your order.

I cannot stress how important communication is with your vendors. I enjoy visiting my clients and putting a face to the name. Building relationships and forming that bond is very important to me. I need to hear the good, the bad and the ugly. When a Customer Service representative goes above and beyond to track down those records, or a Court Reporter does an excellent job on a depo, please let me know. Everyone enjoys hearing positive feedback and that their work is valued. On the other side of the coin, I also want to hear about any issues that might have come up. We are all human and mistakes will happen. I can't fix a problem if I don't know it exists. When an issue arises, please pick up the phone, send the vendor an email or jot down a note to discuss next time the vendor visits. Be specific with order numbers and a description of the issue(s). The feedback will help us grow and become a better company.

## HOW TO GET THE MOST OUT OF YOUR LEGAL SUPPORT VENDOR

We understand circumstances may require you to switch vendors. If that's the case, please be honest with your existing vendor. Is it something we did wrong? Is there something we could have done better to keep your business? What can we do to earn it back?

Establishing firm preferences when you first start working with a vendor is the best way to ensure orders are processed to meet your firms' expectations. For example, do you prefer to be contacted by email, phone or fax? Occasionally there are additional fees associated with

obtaining records. Set a preapproved dollar amount with your vendor to expedite the order.

Lastly, please visit the vendor tables when you're at conference. Besides offering financial support to the hosting association and some great swag, know that we enjoy coming to the conferences to meet you and learn more about your firm. It's a great opportunity to share what services we offer to help you and your firm.

LS

*Make it...  
simple, memorable & fun to look at.*

ALL OF YOUR DESIGN NEEDS



REDROMAN creative

LORI M<sup>C</sup>ELROY  
Creative Director



redromancreative@gmail.com | [www.redromancreative.com](http://www.redromancreative.com) | 619.772.3335





FEBRUARY, 2017 | CHICO

# Fourth Quarterly Conference











DIANE MECCA, CP, CBA has been a member of Stanislaus County LPA since 1996. She is a Certified Paralegal and a Certified Bankruptcy Assistant. She is the Program Director/Instructor of the Certified Paralegal Program at Abrams College in Modesto since 2004. She is the Co-owner of First Class LeGals Attorney Support Services. In her spare time she enjoys cooking, spending time with her grandchildren and she Marshalls PGA and USGA golf tournaments.

# CRUISIN' TO CONFERENCE – GRAFFITI STYLE

BY DIANE MECCA – SUBMITTED BY STANISLAUS COUNTY LPA

Stanislaus County LPA is excited to welcome LSI members to the 83rd Annual LSI Conference, to be held May 18 – 21, 2017 in Modesto. Since Modesto is “Home of American Graffiti” we figured there was no better way than to Cruise into Conference. Our association has been working for months to make sure this conference will provide a weekend full of educational opportunities, relaxing environment and the quarterly “fix” to hook up with friends and colleagues.

Get ready for the Sock Hop on Friday night, roll those jeans up and get ready for some 60's trivia. We will also have a scavenger hunt going on throughout the weekend, so get ready for a little bit of competition. Banquet on Saturday night will be turned over to members of the Executive Committee: LSI President will make a special presentation; LSI Vice President will be presenting the Golda J. Cooper Chapter Achievement awards and we will again honor those who have passed the CCLS exam this past year. As we head to the finish line, and prepare to put a close to the weekend, we will enjoy a relaxing brunch before everyone cruises home.

Located in the heart of downtown Modesto, the DoubleTree by Hilton Hotel Modesto offers you a warm welcome with a famous DoubleTree cookie and a great place to stay while exploring Modesto or attending an event at Centre Plaza. Stay busy and keep in touch in the 24-hour business center. Complimentary WiFi lets you get work done in your bright and airy California-style guest room or suite. Room rate for the conference is \$109.00 a night, and parking is complimentary. The cost for the Scrip is \$125.00 as long as it's received by April 30, 2017.



Soak up the sun as you take a swim in the outdoor pool, open from 6AM-10PM. Keep up your exercise routine with a visit to the fully equipped 24-hour fitness center. Refuel and catch up with friends in Maxi's restaurant.

Situated in the bustling center of Modesto, our hotel is ideally placed in the city's business district and the Centre Plaza. Enjoy the vibrant cultural scene with a show at the iconic State Theatre or the modern Gallo Performing Arts Center. Grab a bite to eat in one of the numerous restaurants and enjoy a drink in a stylish bar. Modesto is the perfect place to explore Northern and Central California. The central location of the city gives you easy access to the breathtaking natural beauty of Yosemite National Park and various ski resorts, and puts you close to the world-famous Napa Valley wine-making region.

Stanislaus County LPA looks forward to meeting and greeting you all in Modesto in May!

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ANDREA M. LEAVY is an associate attorney with Goss & Goss, Inc., a firm specializing in complex family law matters including high asset divorce cases, family law appeals, complex custody matters, and family law contracts. Andrea received her Juris Doctor from Humphreys University, Laurence Drivon School of Law, in 2016, graduating with Honors and as Valedictorian of her graduating class. Andrea passed the California State Bar Exam and was admitted to practice law in California in 2016. Prior to being admitted to practice law, Andrea worked as a legal secretary and then a paralegal from 1997 to 2016, including more than a decade of experience in family law matters. Andrea was born and raised in Modesto, California, where she lives with her two sons and their various pets. She enjoys spending time with her family and friends, reading, and being outdoors.

# Date of Separation: “Apart” or “Not Apart”... Is That Even The Question?

BY ANDREA M. LEAVY, ESQ. – SUBMITTED BY STANISLAUS COUNTY LPA

In every dissolution of marriage case (“divorce”) filed in California, there is an early question that seems simple, but rarely is . . . What is the “date of separation?” It is one of the first pieces of significant information required on the Petition form. It is significant because, for most purposes, the “date of separation” signifies the end of the “community.” This means that in most cases, the post-separation earnings of the respective parties are separate property. It also means that, in most cases, any assets thereafter acquired and any obligations thereafter incurred are also separate property. The point is that significant spousal rights terminate as of the date the parties separate.

So, how does one know when the official date of separation has occurred? This seemingly simple question, which must be answered by every pair of divorcing persons, has bedeviled the Courts for as long as people have been filing for divorce in California. The breakdown of a marriage, whether of 6 months or 42 years in duration, is a highly personal and, therefore, subjective matter.

Let’s use Hal and Wanda to illustrate the complexity of these question(s):

What if Wanda (wife) wants to separate, but the Hal (husband) doesn’t? What does Wanda have to do, if anything, before she and Hal are officially separated? Does she have to tell him? Does she have to move out or kick him out of the house? What if he won’t go? Does she have to file for divorce?

What if both Hal and Wanda have been tired of each other for years, they don’t share a bed or accounts, and neither party has ever said anything to the other, until one day, Wanda moves out of the house? When did they separate? When they split the ‘sheets’ and accounts? When they each knew, although no words were spoken? When Wanda finally moved out?

What if Hal told Wanda that he loved Mimi and he moved out of the house, but then he came home every weekend for years, bringing his laundry for Wanda to handle, and they continued to act as



husband and wife, sharing a bed, taking vacations together, and attending his public events as husband and wife. Are they separated? If so, since when?

Until recently, there was no statute that expressly defined what the term “date of separation” meant or how it was to be determined, although the term “date of separation” was referenced in other statutes including the former Family Code § 771(a) related to income and accumulations acquired while the parties were living ‘separate and apart.’ For many decades, the cases, across the State, dealing with this complicated and, often emotional, issue were split, mostly on whether the test was primarily “subjective” which focused on the feelings and thoughts of the parties or whether the test was primarily

“objective” which focused on the outward words and conduct of the parties. By the late 20th Century, the test had been fairly well refined to include both the “subjective” and “objective” aspects of the issue. “Simply stated, the date of separation occurs when either of the parties does not intend to resume the marriage and his or her actions bespeak the finality of the marital relationship.” (In Re Marriage of Hardin (1995) 38 Cal.App.4th 448, 451). Hardin also stated that “all factors bearing on either party’s intentions ‘to return to or not to return to the other spouse’ are to be considered”, but “no particular facts are per se determinative.” (Hardin, Id. at 452). Under this test, Hal and Wanda could live together indefinitely and still be separated if the “subjective” and “objective” standards were otherwise met. The issue was decided on a case by case basis, based upon each case’s unique facts and with some guidance, but few hard-line factors.

But, on July 20, 2015, the Supreme Court of California frustrated practitioners across the State with the decision in *Marriage of Davis* (2015) 61 Cal.4th 846. Davis construed the Family Code’s reference in section 771(a) to the phrase ‘living separate and apart’, literally. Davis held that parties must be living ‘separate and apart’ to be separated and that if the parties are living under one roof, they are not living separate and apart. Davis did, in a footnote, leave the door open for possible instances where parties could show that they were in fact living separate and apart, although under one roof. Davis was briefly the law of the land.

Following Davis, the outcry was extremely loud and legislative action was swift. Urgency legislation in the form of SB 1255 was introduced on February 18, 2016, which essentially codifies the prior case-law approach wherein date of separation was determined based upon the intent (subjective) and conduct (objective) of the parties based upon all of the relevant facts. After some tweaking in the form of several amendments, it was approved by Governor Brown on July 25, 2016. Family Code § 70, formerly SB 1255, was effective January 1, 2017, and provides that:

- (a) “Date of separation” means the date that a complete and final break in the marital relationship has occurred, as evidenced by both of the following:
  - (1) The spouse has expressed to the other spouse his or her intent to end the marriage.
  - (2) The conduct of the spouse is consistent with his or her intent to end the marriage.

- (b) In determining the date of separation, the court shall take into consideration all relevant evidence.
- (c) It is the intent of the Legislature in enacting this section to abrogate the decisions in *In re Marriage of Davis* (2015) 61 Cal.4th 846 and *In re Marriage of Norviel* (2002) 102 Cal.App.4th 1152.

So, once again, date of separation is determined by a combination of “subjective” and “objective” standards based upon all of the relevant facts. What about all of the cases that were pending during the upheaval caused by Davis? Well, that is a good question.

The Family Code, at section 4, contains what amounts to an “automatic retroactivity provision” (ACFLS Family Law Specialist, Winter 2017, No. 1, p.2) which applies to additions to the Family Code unless specifically stated otherwise or unless a Court determines that retroactive application would “substantially interfere” with the effective conduct of the proceedings or the rights of the parties. The issue of retroactive application of a statute is complex. Family Code § 70 does not expressly provide that it is not to be applied retroactively. So, if retroactivity is contested, on a case-by-case basis, then those Courts will have to grapple with the issues related to retroactive application until some aggrieved party takes the matter up on appeal and some guidance, or possibly more confusion, is announced.

As has always been the case, the issue of “date of separation” is not to be overlooked as a substantive issue, recent changes in the law aside. The “date of separation” selected has a direct effect on the outcome of the property division and special care should be taken to ensure that the correct date is identified from the outset.

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**FOR FURTHER INFORMATION CONTACT:**

Jan Kuykendall - Conference Co-Chair [ssjclpa@gmail.com](mailto:ssjclpa@gmail.com), or phone: (209) 747-4781

or

Colleen Young - Conference Co-Chair [ssjclpa@gmail.com](mailto:ssjclpa@gmail.com) or phone: (209) 609-4042

**DEADLINE FOR GROUP RATE IS  
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Colleen Young at 209- 609-4042 or email [ssjclpa@gmail.com](mailto:ssjclpa@gmail.com)

NO REFUNDS AFTER AUGUST 1, 2017



JUDYE RELEFORD is director of client development for BigHand. She has worked with Esquire Innovations since 2002, before it was acquired by BigHand in 2014. She can be reached at judye.releford@bighand.com.

# Removing the Stumbling Blocks to Using Styles

BY JUDYE RELEFORD

Are you one of the many legal secretaries who have developed their own shortcuts for editing and formatting documents in Microsoft Word? Have you shied away from using styles?

Styles allow you to automatically format your entire document at once instead of having to do it as you go along. Although learning to use styles can seem a bit daunting at first, the benefits are worth the time and effort to implement better formatting practices.

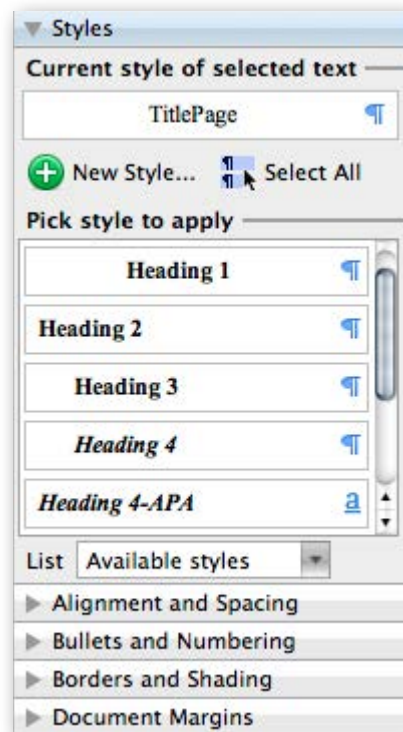
Those who have not yet mastered styles often rely on a few quick, familiar fixes to navigate edits and updates – perhaps using the “format painter” or the right-click function to apply or modify formatting. Yet these workarounds can represent traps. These tricks do not achieve the consistency using styles does. When these manually formatted documents go through multiple rounds of editing, the formatting may change or fail to update through every version.

While informal approaches may seem to work fairly well, choosing not to use styles can create greater problems.

Consider the experience of one law firm:

While the legal secretaries were working to adopt styles into their best practices, some of the attorneys were less willing to change their ways. When one such attorney emailed a document to a client familiar with styles, the client rejected the product and refused future work with the firm.

Of course, that firm immediately adopted a policy that all documents should be formatted properly with styles after that, but it was a hard lesson to learn.



## SAVE TIME AND LOOK GOOD

Once you master using styles, you can significantly reduce the amount of time it takes to navigate the document, add/delete/rearrange numbered paragraphs, check cross-references for accuracy, generate and update a table of contents and reformat a scanned document. For a busy legal secretary, this can impact an entire day.

It is particularly valuable when attorneys and staff are on deadlines to submit briefs or other documents. Even a minor change to a citation or numbering scheme can create a lot of work when you have to make updates manually. The consistent use of styles allows you to update documents within minutes, not hours.

Using styles also improves standardization. Favorite styles can be saved as schemes for each attorney in your group and shared between users.



## REMOVING THE STUMBLING BLOCKS TO USING STYLES

Some may not consider document formatting as carefully as they do logos and other brand marketing, but small details matter. When a firm sends out a product that doesn't demonstrate skill in formatting, clients may question the levels of expertise, skill and efficiency across the firm.

### FINDING YOUR STYLE

You do not need to master every single style that exists in Microsoft Word. The key is to identify which are the most common or important to your work and learn to use them until they become second nature. Some good places to target include: numbered paragraphs, body paragraphs, block indents and titles.

Adopting styles doesn't have to be difficult. It is possible to incorporate styles into your office routine without resorting to hours of training or dramatically reworking the way you manage and complete tasks.

Often a firm will bring in a third-party provider who offers tools, training and support to make this transition easier. It's important to work with knowledgeable partners who can give you short, practical training sessions that will teach you what you need to know in ways that are efficient and easy to remember.

Learning to use styles in Microsoft Word takes a little time and lots of practice, but the overall rewards of consistent, easily editable, stable and professional-looking documents can give your firm faster response times and show your clients a very high appreciation for attention to all the important details.

Not only that, but it can make your job as a busy legal secretary just a little a bit easier every day, and that's always in style.

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## Helpful Websites

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

<http://www.supremecourt.gov>

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

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

### **California Courts**

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

### **California Association of Legal Support Professionals**

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

### **California Codes**

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

### **California State Bar**

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

### **California Legislative Information**

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

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

<http://www.uscis.gov>

### **Public Access to Court Electronic Records**

<http://pacer.gov>



### **American Medical Association**

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

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

<http://www.aallnet.org>

### **National Notary Association**

<http://www.nationalnotary.org>

### **California Secretary of State**

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

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MARIJA STEVANOVIC has been a member of San Mateo County Legal Professionals Association for the last few years. Additionally, Marija was serving on its Board as a Co-Recording Secretary in fiscal year of 2015/2016. She enjoys spending her spare time with her family in the Bay Area.

# Legal Considerations of the Individualized Educational Plan (IEP)

BY MARIJA STEVANOVIC – SUBMITTED BY SAN MATEO COUNTY LPA

*\* The information presented in this document generally is informal guidance representing the interpretation of the Department of the applicable statutory or regulatory requirements in the context of the specific facts presented and is not legally binding.*

Our nation's special educational law – the Individuals with Disabilities Education Act, or IDEA requires that a child who is attending public school is entitled to special education and its services needs to have an Individualized Education Program (IEP). The IDEA requires certain information to be included in each child's IEP, but it leaves some flexibility to school systems to design their own IEP forms that have met certain aspects of federal or state law. However, IEP must be designed to meet individual needs of the student.



By law, certain individuals must be involved in writing a child's Individualized Education Program: parents, teachers, an individual who can interpret what the child's evaluation results mean, as well as the individual representing the school system. These individuals, so called the IEP team, may also include additional professionals with knowledge or special expertise about the child: an advocate who knows the child, a professional with special expertise about the child and his or her disability, or occupational or physical therapists, adaptive physical education providers, psychologists, or speech-language pathologists. The student may also be a member of the IEP team.

## **SPECIAL EDUCATION PROCESS UNDER IDEA**

Prior to IEP, a child needs to be requested and referred to get early intervention services through their local school district. Once the determination has been made that a child needs services or educational placement, the school district is required to pay necessary expenses, tuition and

transportation to implement the IEP in the least restrictive educational environment. Conducting so called "Child Find" activities relates to the system of an evaluation of a child that is referred or requested either by a school professional or a child's parents/guardians in order to determine the child's disability. This request may be verbal or in writing. Parental consent is needed before the child may be evaluated. Evaluation needs to be completed within a reasonable time after the parent gives consent.

After the child is evaluated in all areas of the child's suspected disability, the results will be used to decide the child's eligibility for special education and related services. If the child is found eligible for services, aka "child with a disability," as defined by IDEA, the IEP must meet within 30 calendar days after this determination. Before the school can provide a child with special education and related services for the first time, the child's parents must give their written permission.

*Continued on page 22*



The school system schedules and conducts the IEP meeting. School staff would contact the participants, including the parents/guardians, by sending notifications to them, making sure they have an opportunity to attend at a time and a place agreeable to parents and the school. At the time the IEP team gathers to talk about the child's needs and write the student's IEP, the parents must give informed consent. If so, the child will be placed in a special education program and will begin receiving services as soon as possible after the meeting. The school makes sure that the child's IEP is being carried out as it was written. Parents are given a copy of the IEP. Each of the child's teachers and service providers has access to the IEP and knows his or her specific responsibilities for carrying out the IEP. This includes the accommodations, modifications, and supports that must be provided to the child, in keeping with the IEP.

It is important that progress is measured and reported to parents. The child's progress toward their annual goals is measured. The Present Levels of Academic Achievement and Functional Performance (PLOP aka PLAAFP) provides baseline information about the child's knowledge and skills. Those levels are the starting point for setting IEP goals and measuring progress towards these goals. His or her parents are regularly informed of their child's progress and whether that progress is enough for the child to achieve the goals by the end of the year. These progress reports must be given to parents at least as often as parents are informed of their nondisabled children's progress.

Although the IDEA requires this IEP review at least once a year, the team may review and revise the IEP more often. Either the parents or the school can inquire to have an IEP meeting to revise the child's IEP. For example, the child may be making great progress toward completion of his or her IEP goals, so the new ones need to be written or parents disagree with the child's placement. Absent any significant reasons, the parents or the school could request review and/or revision at any time.

If the parents disagree with the evaluation, under the law, they challenge decisions about their child's eligibility, evaluation, placement, and the services that the school provides to the child. For example, they have the right to take their child for an Independent Educational Evaluation (IEE) and request that the school system pay for this IEE. Parents can also try to reach an agreement that may be temporary, for a specified period of time. Additionally, parents may ask for a hearing to challenge the eligibility decision.

Parents may discuss their concerns with other members of the IEP team and try to work out an agreement. Also, the parents/guardians could ask for mediation (if available) or a due process hearing – a formal, contested, adversarial trial where parties present evidence to an Impartial Hearing Officer or Administrative Law Judge whose decision may be appealed to a state or federal district court depending on state's systems of due process hearings: "one-tier" or "two-tier" system. Lastly, parents may file a complaint with the state education agency. To file a complaint, generally parents write directly to the State Educational Agency (SEA) and state what part of IDEA they believe the school has violated. The agency must resolve the complaint within 60 calendar days. An extension of that time limit is permitted only if exceptional circumstances exist with respect to the complaint. When parents substantially prevail in administrative due process or court actions against school districts in special education cases, they are eligible to recover reasonable attorney fees and costs.

The child is reevaluated at least every three years, so called a "triennial." Its purpose is to find out if the child continues to be a "child with a disability," as defined by IDEA, and what the child's educational needs are. However, the child must be reevaluated more often if conditions warrant or if the child's parent or teacher asks for a new evaluation.

### CONTENTS OF THE IEP

By law, the IEP must include certain information: child's current performance - level of educational performance that comes from teachers' evaluation results, service providers, parents, and other school staff. It should include a statement about the child's disability and its effects on his or her involvement and progress in the general curriculum. The annual goals (academic, social or behavioral needs, any physical needs, or other educational needs) set in the IEP need to be measurable – that the child can reasonably accomplish them in a year. Special education and related services listed in the IEP include (but are not limited to): audiology services, counseling services, early identification and assessment of disabilities in children, medical services, occupational therapy, orientation and mobility services, parent counseling and training, physical therapy, psychological services, recreation, rehabilitation counseling services, school health services, social work services in schools, speech-language pathology services, transportation, etc. Also, the IEP must explain the child's participation with nondisabled children in the regular

class and other school activities. An interesting fact is that certain states and districts will administer the same tests as to general education children and to children with special needs following some modifications in their administration. The IEP will state what the modifications are or, in case modifications are not appropriate, the IEP must state how the child will be tested. Beginning at least one year before the child reaches the age of maturity, the IEP must include a statement that the student has been told of any rights that will transfer to him or her at the age of maturity.

A parent's participation and collaboration with the school on behalf of the child is crucial since the parent has the ability to review and copy all school records related to testing, eligibility, IEPs and services for his or her child. Federal law does not prohibit a parent or school official from recording IEP meetings; instead, schools require advance notice from parents that IEP meeting be recorded.

A serious problem can arise in the case of separated or divorced parents. All parental rights under the IDEA apply to both parents unless this is otherwise specified in a written agreement granted by the court. It is important, however, that the noncustodial parent cannot control consent for special education decisions.

## OSEP MONITORING

The U.S. Department of Education's Office of Special Education Programs (OSEP) regularly monitors states to see that they are complying with IDEA. Every two years OSEP requires that states report progress toward meeting established performance goals that, at a minimum, address the performance of children on assessments, drop-out rates, and graduation rates.

This article is intended to inform you about basic legal considerations of IEP and its compliance with IDEA. If completed correctly, the IEP should improve teaching, learning and results. If you would like more information about special education, children with disabilities, the IEP process, or the IDEA, contact your state education agency or your local education agency.

For more references, please visit U.S. Department of Education.

## Dates to Remember in 2017

- |                           |   |
|---------------------------|---|
| <b>May 12, 2017</b>       | Registration deadline for Legal Specialization Sections Seminars at Annual Conference             |
| <b>May 18-21, 2017</b>    | LSI Annual Conference - DoubleTree Hotel, Modesto<br>Hosted by Stanislaus County LPA              |
| <b>June 1, 2017</b>       | Last day to submit articles for May issue of The Legal Secretary                                  |
| <b>June 30, 2017</b>      | Registration due for CCLS Online Study Group  |
| <b>July 9, 2017</b>       | CCLS Online Study Group starts  |
| <b>July 16, 2017</b>      | Last day to submit CCLS Exam Application to the CCLS Certifying Board for September 16, 2017 exam |
| <b>July 18, 2017</b>      | LSI First Quarterly Conference registration due   |
| <b>August 16, 2017</b>    | Last day to submit CCLS Exam Application to CCLS Certifying Board with payment of late fee        |
| <b>September 16, 2017</b> | CCLS Exam   |



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## APPLICATION TO TAKE CCLS® EXAM

Mail Application, copy of LSI Membership Card (if applicable), and fees to:  
**April K. Ignaitis, CCLS, CCLS Certifying Board, P.O. Box 2879, Cupertino, CA 95015**

(Select one) ☐ **Northern California** (Select one) ☐ **Saturday, September 16, 2017**  
☐ **Southern California** ☐ **Saturday, March 17, 2018**

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

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Examination Fee*	100.00	Examination Fee*	100.00
Late Fee (if applicable)	30.00	Late Fee (if applicable)	30.00
<b>TOTAL DUE w/o Late Fee:</b>	<b>\$125.00</b>	<b>TOTAL DUE w/o Late Fee:</b>	<b>\$175.00</b>

### 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. February 2017





TERRIE QUINTON, CCLS has been the LSI CCLS Chair from 2012 - present.



ELISE DRESSER, CCLS has been a member of the CCLS Certifying Board since 2010. She was the CCLS Certifying Board Chairman from 2014-2015 and is now serving a six-month term as CCLS Certifying Board Chairman.

# CCLS PROGRAM UPDATES

BY TERRIE QUINTON, CCLS, LSI CCLS CHAIR AND ELISE DRESSER, CCLS, CHAIR OF THE CCLS CERTIFYING BOARD

## CHANGES TO THE EXAM

Historically, the CCLS exams were administered in March and October each year. Starting in 2017, the CCLS exams will be conducted annually in March and September. The examinations are given generally on the third Saturday of the month. The next CCLS exam is scheduled for September 16, 2017.

## RECERTIFICATION

The Standards for Recertification may be revised and posted on the LSI website at any time. While notice is usually given through CCLS directives and/or reports, it is best practice to check the LSI website and review the Standards sufficiently before submitting your Application for Recertification to ensure you meet the guidelines.

The most common questions that come up during the recertification process include the following:

1. When is a substantive handout required? The requirement for a substantive handout has been revised. A substantive handout is now required for all programs lasting more than 1 hour. If a program is 1 hour, no handout is required. If the program lasts longer than 1 hour, a substantive handout is required. If no substantive handout is provided, the Certifying Board may reduce the credit hours to 1 hour.
2. Do webinars count toward self-study credit? As more and more webinars are being offered as a form of obtaining continuing education credit, they have been included as an option for self-study. Remember, you are only allowed 5 credit hours of self-study within any recertification period. The same requirements for handouts apply to self-study.
3. What programs qualify as continuing education credit? To count as credit, educational programs must focus on the duties of legal support staff. Of the 15 hours, no more than 6 will be allowed for education regarding administrative and/or mechanical functions performed by legal support staff, and of those 6, no more than 2 hours shall be allowed for educational courses where the topics are not unique to work done by legal support staff (i.e., notary – as notarial work is not solely performed by legal support staff).

Applications for Recertification may now be submitted online in electronic format. The CCLS Certifying Board no longer requires original certificates of attendance. Payment of recertification fees may be completed via PayPal/credit card upon request.

When submitting MCLE certificates for CCLS recertification credit, your supervising attorney or the approved provider must sign the certificate. If the supervising attorney or approved provider does not sign the certificate, the credits will be rejected. You may not sign your own certificate.

When sending in your Application for Recertification, do not send it too far in advance of your recertification period. The members of the Certifying Board are busy preparing for the upcoming CCLS Exam each February and August. To make it easier for the Recertification Chair to do what is necessary to prepare for the exam, please do not send in your Applications for Recertification until March 1 or September 1/October 1. This is plenty of time for the Chair to review your Application and certificates and notify you of any questions they may have. Do NOT send in your Application for Recertification before your recertification period (i.e., do not send in your Application in March if you recertify in September or October). If you have any questions about when your recertification is due, contact the Certifying Board Chair.

We all want to make sure our Application for Recertification is received by the Certifying Board. But please do NOT send your Application using a method that requires a signature to the Post Office Box. If you would like to send your Application via certified mail or overnight mail requiring a signature, please contact the Certifying Board Chair or Recertification Chair to obtain an alternate address.

## OTHER CCLS NEWS

Look for information coming soon about how your association may be able to win an exam fee waiver. More details will be provided in a future CCLS Directive.



## LEGAL SPECIALIZATION SECTIONS

### 2016-2017 MEMBERSHIP FORM

August 1, 2016 – July 31, 2017

Membership includes access to free quarterly workshops at LSI conferences for those sections you are a member of; quarterly newsletters that include changes to the law and forms; discounted LSS webinars; statewide roster of all LSS members in each section for easy access to local procedural information in other counties; and networking opportunities.

	✓	LSI Member New/Renewal	Non-LSI Member New/Renewal
<b>I would like to join all six sections!</b>		<b>\$75</b>	<b>\$150</b>
Civil Litigation		\$20	\$40
Criminal/Family Law		\$20	\$40
Federal Law		\$20	\$40
Law Office Administration		\$20	\$40
Probate/Estate Planning		\$20	\$40
Transactional Law		\$20	\$40
<b>Total Paid:</b>			

*This information will be listed in the roster that is distributed to all LSS members.*

Name: \_\_\_\_\_ ☐ CCLS ☐ PLS ☐ CLA ☐ Paralegal

E-Mail Address: \_\_\_\_\_

Firm/Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

If LSI Member, which Local Association or Member at Large: \_\_\_\_\_

Phone: \_\_\_\_\_ *I prefer to receive my newsletters via USPS* ☐

**Method of Payment:** ☐ Check payable to "LSI" enclosed ☐ Pay Online at [www.lsi.org](http://www.lsi.org) via credit card

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, \$25 PENALTY, AND THE ACTUAL COST CHARGED TO LSI BY THE FINANCIAL INSTITUTION FOR PROCESSING THE ORIGINAL CHECK.

**Send to:** Dawn R. Forgeur, CCLS, Legal Specialization Sections Coordinator  
c/o Stoel Rives LLP, 500 Capitol Mall, Ste. 1600, Sacramento, CA 95814

YEARS OF LEGAL EXPERIENCE: \_\_\_\_\_

SPECIALTY(IES): \_\_\_\_\_

FAMILIAR WITH THE COUNTIES OF (Please indicate each County, not area):

\_\_\_\_\_

# CCLS QUIZ:

## CALIFORNIA LEGAL PROCEDURE - CIVIL

**DIRECTIONS: FOR EACH PAIR OF SENTENCES BELOW,  
DETERMINE WHICH SENTENCE IS NOT PUNCTUATED CORRECTLY.**

- |   |  |
|---|--|
| 1A. Her only question is whether the deposition is going forward?                     | 6A. We traveled to Portland, Oregon; Las Vegas, Nevada; Phoenix, Arizona; and Santa Ana, California. |
| 1B. Looking through the file for the missing correspondence, I found the smoking gun. | 6B. The incident took place on June 20, 2016 at noon.  |
| 2A. I believe you are correct in your assumptions, Ruth.                              | 7A. You did reserve a court reporter didn't you?   |
| 2B. Bob is somewhat opposed (not completely opposed to) the discovery plan.           | 7B. When is this deposition going to end? is the next question.                                      |
| 3A. You, too, are welcome to attend the meeting.                                      | 8A. Her best friend is her only sister Beth.   |
| 3B. He asked, "Are we leaving yet"?   | 8B. Ms. Smith asked, "Have you seen my folder marked 'Confidential'?"                                |
| 4A. Joanne said, that she prefers to wait for the hard copy to review.                | 9A. Did you read "The Effective Business Meeting" in Time last week?                                 |
| 4B. Oh no!  | 9B. Please review the deposition right away, we need it back by Friday.                              |
| 5A. Unless I hear from you within one year (May 13, 2018,) the home will be sold.     | 10A. "The best practice is . . . (b) keeping an open mind."  |
| 5B. Will you please call our office the minute you receive the information.           | 10B. The participants chose Option X. as their favorite.   |

**CCLS QUIZ ANSWERS ON PAGE 29**



# California Certified Legal Secretary Dates and Deadlines You Need to Know

One section of the California Certified Legal Secretary Exam is “Legal Computations,” which includes calendaring. Here is your first exercise – calendaring all of those dates and deadlines associated with the CCLS program. We suggest that you make a note of these dates and deadlines (perhaps in Outlook or whatever calendaring program you have in your office) to ensure that you are in compliance and that there are no surprises.

## **TAKING THE EXAM**

March and September – The CCLS Exam is given twice a year in March and September. The Exam date is generally the third Saturday of those months.

60 Days Before Exam Date – The deadline to send in applications for the CCLS Exam is 60 days prior to the exam date. The application must be received by the Certifying Board by no later than the deadline. If the deadline lands on a weekend or a holiday, it is still timely for it to be received by the next business day. If you need to send your application via overnight mail, please contact the Certifying Board to obtain the address to which you should send the application. These deadlines apply to those who are retaking either the full Exam or portions of the Exam. Of course, you may also submit your application online at [www.lsi.org](http://www.lsi.org).

30 Days Before Exam Date – Late applications to take the Exam may be accepted up to 30 days prior to the exam date, if space is available. Again, the application must be received by the Certifying Board by no later than the deadline. Please remember that if you submit an application late, you must include the applicable late fee. Again, if you need to send your application via overnight mail, please contact the Certifying Board for an address, or you may also submit your application online at [www.lsi.org](http://www.lsi.org). These deadlines apply to those who are retaking either the full Exam or portions of the Exam.

14 Days Before Exam Date – If you are unable to sit for the Exam on the date you have applied for, you must notify the Certifying Board no later than two weeks before the exam that you will be deferring. You must send in your request to defer, along with the applicable fee. If an emergency occurs and you are not able to submit a timely request to defer, please contact the Certifying Board Chair as soon as possible to request an exception.

45 Days Before Exam Date – The Certifying Board will send a confirmation of receipt of your application to take the Exam.

30 Days Before Exam Date – The Certifying Board will send an email providing you with your Exam location, names of your proctors, and Exam schedule, along with other pertinent information you will need for Exam day.

## **AFTER THE EXAM**

6 Weeks After Exam Date – Results of the CCLS Exam will be emailed to examinees within 6 weeks after the Exam.

20 Days After Exam Results Sent – Within 20 days after the Exam results are sent to examinees, those examinees who did not pass the Exam may submit a request to review those portions of the Exam that they did not pass.

60 Days Prior to Next Scheduled Exam Date – Exam reviews must be completed no later than 60 days prior to the next scheduled Exam date. The Certifying Board will contact you to schedule the Exam review, however, it is the examinee’s responsibility to follow up to ensure the review occurs by this cut-off.

LSI Annual Conference – At LSI’s Annual Conference each year, a special luncheon is held on Saturday to honor those new CCLSs who passed the Exam during the last fiscal year.

### RECERTIFICATION

Every 3 Years – CCLSs must recertify every 3 years, during the month that they passed the Exam (either March, September, or October).

March 31/September 30/October 31 – Applications for Recertification must be submitted to the Certifying Board by the last day of the month in which the CCLS is to recertify. If you are unable to meet this deadline, you must contact the Certifying Board as soon as possible to request an extension, which may be granted upon approval of the Certifying Board. The Certifying Board will send out reminders to CCLSs needing to recertify, however, it is ultimately the CCLS's responsibility to ensure they submit their Application for Recertification, along with the appropriate fees and certificates, in a timely fashion.

60 Days from Returning to California – A CCLS who moves out of state, upon notifying the Certifying Board, can put a hold on continuing education requirements; however, upon returning to California, the CCLS must notify the

Certifying Board within 60 days of their return and continue with the recertification requirements.

Immediately – A CCLS who is no longer working in the legal field may, upon notifying the Certifying Board, change their status to inactive and put a hold on continuing education, and cease using the CCLS designation during this time. If the CCLS returns to the legal field, they must notify the Certifying Board immediately and continue with their educational and recertification requirements in order to once again use the CCLS designation.

Immediately – In order to keep the CCLS records current (and to keep those Recertification reminders coming), notify the Certifying Board immediately if your address changes. The form is available on LSI's website.

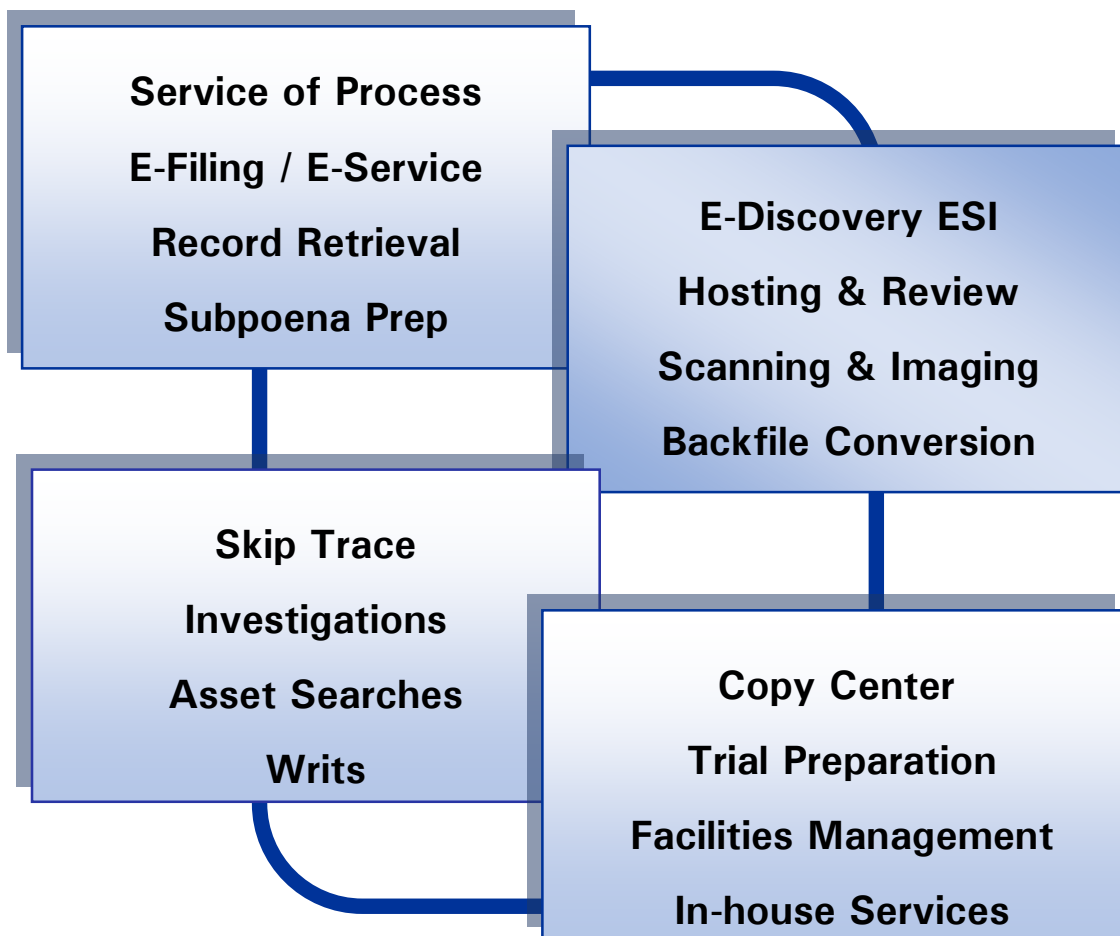
#### ANSWERS FROM QUIZ ON PAGE 27

## CCLS QUIZ ANSWER KEY:

- 1A. Her only question is whether the deposition is going forward?
- 2B. Bob is somewhat opposed (not completely opposed) to) the discovery plan.
- 3B. He asked, "Are we leaving yet?"?
- 4A. Joanne said; that she prefers to wait for the hard copy to review.
- 5A. Unless I hear from you within one year (May 13, 2018;), the home will be sold.
- 6B. The incident took place on June 20, 2016, at noon.
- 7A. You did reserve a court reporter, didn't you?
- 8A. Her best friend is her only sister, Beth.
- 9B. Please review the deposition right away; we need it back by Friday.
- 10B. The participants chose Option X: as their favorite.



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*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.*

<p><b>*NEW BENEFIT: LEGALSHIELD/IDSHIELD</b>  Contact: Courtney Coats, Independent Associate  (925) 580-6446; <a href="mailto:coats8@legalshieldassociate.com">coats8@legalshieldassociate.com</a>  LegalShield offers legal, identity theft protection, along with a massive Perks Program where you will have significant savings to over 500 local and national companies.</p>	<p><b>QUESTIONS AND CONCERNS CONTACT:</b>  Heather Edwards, LSI Vice President  LSI Marketing Committee Coordinator  (818) 482-7040  <a href="mailto:heatheredwardslsi@aol.com">heatheredwardslsi@aol.com</a></p>
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# ***LSI Vendor Recognition***

LSI would like to extend its thanks and appreciation as well as acknowledge the vendors that supported Southern Butte County LPA at the 2017 LSI February Quarterly Conference.

Your support is very important to our organization.

## Exhibitors

Damsel in Defense, Lisa J. Fanos

Compex Legal, Sheryl Boardman

Gifts Galore, Judy Barsuglia

Looks Good on You! Bags, Joe Fontes

Lotus Metal Art & Crafts, Kreg and Gayle Brawley

Marcus Deposition Reporters

Origami Owl, Lequita Hodge, CCLS

Pickering Designs, Linda Monroe

Scentsy, Melissa Wise

Shaklee, Steve and Becky Harper

Windrock Creations, Cyndi and Barry Duensing

Young Living Essential Oils, Christine Williams





LEGAL SECRETARIES, INCORPORATED

## CCLS ON-LINE STUDY GROUP

JULY 11, 2017 – SEPTEMBER 12, 2017



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)

Lectures and materials will be posted no later than 8 pm on Sundays. Students may complete the material at their convenience. Access information will be provided upon enrollment in the classes.

### FIRST LECTURE WILL BE POSTED SUNDAY, JULY 9, 2017

The cost of the 10-week Study Group 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, SEPTEMBER 16, 2017

**PLEASE NOTE THE SECOND EXAM OF THE YEAR IS NOW THE THIRD SATURDAY IN SEPTEMBER**

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*, NO LATER THAN 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

Address: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Evening Phone (during class time): \_\_\_\_\_

Email (during class time): \_\_\_\_\_

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

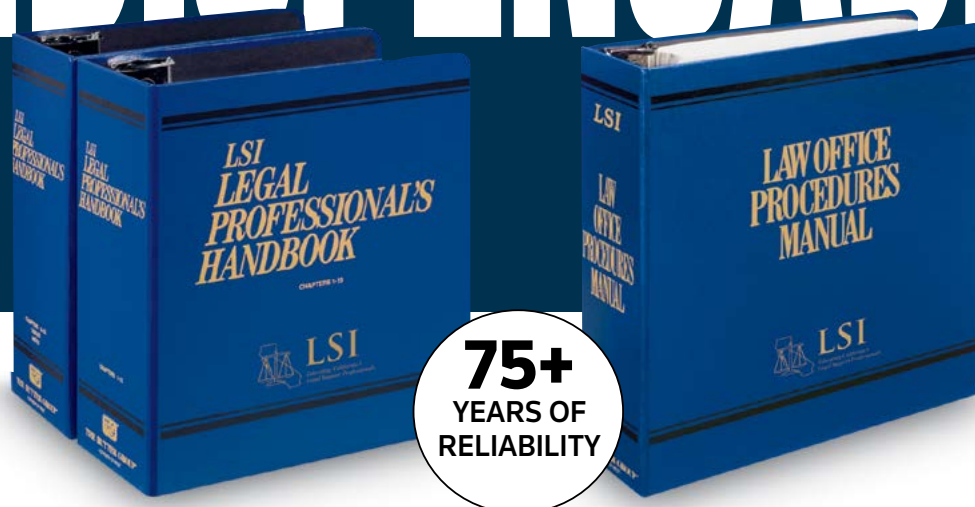
Exp. Date: \_\_\_\_\_ Sec. Code: \_\_\_\_\_

**DEADLINE TO REGISTER IS JUNE 30, 2017.** Send registration to Terrie Quinton, CCLS, LSI CCLS Chair, c/o Duckor Spradling Metzger & Wynne, 101 W. Broadway, Ste. 1700, San Diego, CA 92101 or email [lsiccls@outlook.com](mailto:lsiccls@outlook.com) (with credit card information). You may also pay via PayPal at [www.lsi.org](http://www.lsi.org). **NO REFUNDS AFTER JULY 5, 2017.**

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## Looking to Contribute an Article?

---

LSI is always looking for articles geared toward the legal community.

If you are interested, please contact:

Editor, *The Legal Secretary*

*Barbara Barregar at LSI.TLSeditor@gmail.com*

## Quarterly Assignments

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

- **AUGUST ISSUE (to be submitted no later than **June 1st**):**  
*Alameda County, Beverly Hills/Century City, Conejo Valley, Contra Costa County, Desert Palm, El Dorado County, Fresno County, Humboldt County, Imperial County*
- **NOVEMBER ISSUE (to be submitted no later than **September 1st**):**  
*Livermore-Amador Valley, Long Beach, Los Angeles, Marin County, Merced County, Mt. Diablo, Napa County, Orange County, Placer County*
- **FEBRUARY ISSUE (to be submitted no later than **December 1st**):**  
*Rio Hondo District, Riverside, Sacramento, San Diego, San Fernando Valley, San Francisco, San Gabriel Valley, San Mateo County, Santa Barbara*
- **MAY ISSUE (to be submitted no later than **March 1st**):**  
*Santa Clara County, Santa Cruz County, Santa Maria, Sonoma County, Southern Butte County, Stanislaus County, Stockton-San Joaquin County, Trinity County, Ventura County*



# 2016-2017 LSI Roster



## ELECTED OFFICERS

### President

JENNIFER L. PAGE, CCLS

Cell: 415-710-3402

E-mail: jlpagexix.netcom.com

### Vice President

HEATHER EDWARDS

Cell: 818-632-6647; Work: 818-827-5159

E-mail: heatheredwardslsi@aol.com

or hedwards@alpertharr.com

### Executive Secretary

LYNNE PRESCOTT, CCLS

Cell: 916-398-0120; Work: 916-551-3360

E-mail: slprescott7@gmail.com

### Treasurer

ROD CARDINALE, JR.

Cell: 408-461-0972

E-mail: rodcardinalejr@sbcglobal.net

## APPOINTED OFFICERS

### Executive Advisor (Nominations and Elections Chair)

MARY J. BEAUDROW, CCLS

Cell: 415-717-5675

E-mail: marybeau59@att.net

### Parliamentarian

KRISTI L. EDWARDS, CCLS

Cell: 415-497-9600; Work: 415-491-6000

E-mail: kledwards@justice.com

### Editor-In-Chief, Publications

#### Revision Committee (CEC)

MARIA BISHOP, CCLS

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E-mail: maria@mtdiablolpa.info

### Editor, The Legal Secretary

BARBARA BARREGAR

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E-mail: LSI.TLSeditor@gmail.com

### Educational Program Coordinator

#### (CEC/Marketing)

J. CORI MANDY, CCLS

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E-mail: cori.mandy@procopio.com

### Historian

BRYANA SCHRODER, CCLS

Phone: 415-796-5412

E-mail: schroderb.lshistorian@gmail.com

### Legal Specialization Sections

#### Coordinator (CEC/Marketing)

DAWN FORGEUR, CCLS

Cell: 916-601-1380; Work: 916-319-4786

E-mail: dawn@forgeur.com or dawn.

forgeur@stoel.com

## CHAIRMEN

### 2017 Annual Conference Chair

DIANE MECCA, CP, CBA

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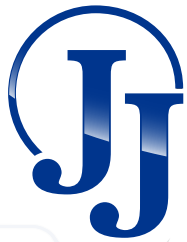
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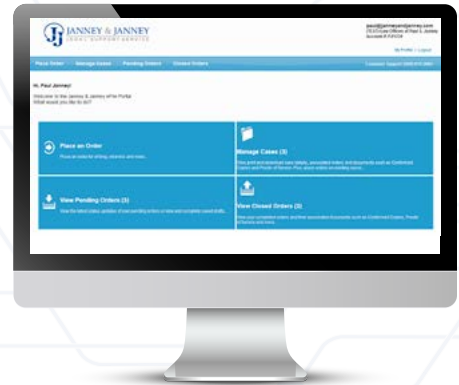


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