

THE Legal Secretary®

NOVEMBER 2018



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LEGAL SECRETARIES INCORPORATED (LSI) - BENEFITS

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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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President's Message

BY HEATHER EDWARDS, LSI PRESIDENT



HEATHER EDWARDS is LSI's newly elected President and has been a member of San Fernando Valley Legal Secretaries Association since 1991, the same year she joined the legal field. She obtained her Bachelor's Degree from California State University Northridge. In May 2006, LSI President Mary S. Rocca presented Heather with the President's Award. Heather resides in Northridge, California with her husband of 27 years Ernie, and their 4 children, Kennedy, Koree, Kaden and Kamden.

Wikipedia defines being "In the Flow" or "In the Zone," as the mental state of operation in which a person performing an activity is fully immersed in a feeling of energized focus, full involvement, and enjoyment in the process of the activity. LSI was definitely "In the Zone" at our first quarterly conference and thank you to the members of Stockton-San Joaquin County LPA (SSJCLPA) for hosting us in August. We certainly had a very fun, enjoyable, and memorable "California Road Trip" from start to finish!

LSI kicked off the weekend with the Continuing Education Council's (CEC) educational program on Friday afternoon which was very well-attended and was a very successful seminar. Caitlin M. Casey, San Joaquin County's Deputy District Attorney was our speaker and the topic was Grand Juries – The Differences Between the Civil and Criminal Grand Jury Process and How Important the Criminal Grand Jury Process is to Justice. Our sincerest thanks to J. Cori Mandy, CCLS, and the CEC team for such a wonderful program. Members received Continuing Education Credit (CLE) for attending this seminar.

The Friday Night Reception was poolside and there was definitely a tempting array of appetizers which included a very yummy mashed potato bar complete with delicious toppings. The evening was filled with camaraderie between colleagues and friends.

LSI CCLS Chair, Terrie Quinton, CCLS, led a very successful CCLS workshop on Legal Computations - Calendaring at 7:00 a.m. on Saturday morning which was very well-attended. Attendees learned the intricacies of calendaring in preparation for the CCLS exam which was held in September. CCLS Workshops will be held at all Quarterly Conferences. Don't miss the next one in November on Legal Computations – Basic Math.

Our welcome speaker was unable to join us on Saturday morning, but we had the most amazing inspirational message given by Shannon Quigley, President of Santa Clara County LPA who made up for it. Shannon shared with us how due to her career change into the legal field that became the motivator to join LSI. How it took attending a couple of different local association meetings for her to finally find her membership "home" with Santa Clara County LPA. Shannon expressed how she was so moved when she first visited her association by the warm welcome she received. Such affection motivated her to get involved. Shannon shared with us two new words – Generativity and Volunesia. Generativity means a concern for establishing and guiding the next generation. Volunesia means that moment when you forget you're volunteering to help change lives, because it's changing yours. Thank you Shannon for motivating us and sharing your inspiration!

PRESIDENT'S MESSAGE

The Board of Governors meeting on Saturday went smoothly. The Governors reviewed the reports prior to the meeting and were ready to comment and vote; therefore, business was transacted in a very efficient manner. The governors are commended for their efficient and professional conduct while transacting the business of the corporation. Special thanks to our page during both sessions of the Board of Governors meetings on Saturday, Joseph Rubianes, adorable son of SSJCLPA's President, Kristina Rubianes.

One of the highlights on Saturday morning was the Marketing Committee's Launch of the Meet LSI Marketing Campaign. Lynne Prescott, CCLS, LSI Vice President and Marketing Coordinator introduced us to #MeetLSI and it went viral throughout the weekend on social media! Lynne also announced that we now have E-Subscriber capability on our website, www.lsi.org. You can read more about #MeetLSI and becoming an E-Subscriber in Lynne's article in this magazine.

The following recommendations were approved at the afternoon Second Session: The CCLS Certifying Board recommended to amend LSI Standing Rule 12.9 to increase the CCLS Exam Deferral Fee and the CCLS Exam Late Fee each by \$15. The recommendation was adopted, and the CCLS Exam Deferral Fee is now \$45 and the CCLS Exam Late Fee is \$45.

The Editor of *The Legal Secretary*, Barbara Barregar, recommended amending LSI Standing Rule 1.1 to increase the monetary prizes awarded for 1st and 2nd places. The recommendation was adopted and the monetary prizes for the bulletin contest are as follows: 1st Place, \$75; 2nd Place, \$50; 3rd Place \$25.

LSI member Betty Thomas of San Gabriel Valley LSA moved to amend LSI Bylaw Article VI, Section 1 to increase LSI per capita tax by \$10 per year, raising the annual per capita tax from \$20 to \$30. The motion was passed 18 to 8 in favor of the increase. LSI annual per capita tax shall now be \$30 for each active member. Student and associate members shall pay one-half the annual per capita tax paid by active members. This change becomes effective on May 1, 2019.

Many attended the Legal Specialization Sections (LSS) seminars on Saturday. The section leaders are a very energetic and enthusiastic group and have also planned excellent seminars for the November Conference. If you

have not renewed your LSS membership or have not yet joined the sections, please consider joining. You can still benefit from all the great seminars coming up this year.

The Saturday night speaker, Judge Barbara Kronland was enjoyable, and to cap off our weekend was the Sunday Brunch keynote speaker, Lt. Bradley Burrell who brought his K-9 Commander along with his canine partner, Roscoe. Definitely a highlight of the morning. Congratulations to Fresno County LPA; San Francisco LPA; Santa Clara County LPA; and Stockton-San Joaquin County LPA, winners of four free scrip tickets for the November 2018 Quarterly Conference to be held in Reno, Nevada!

Santa Clara County LPA invites everyone to the Silver Legacy Resort in Reno, Nevada for the November Conference, November 9-11, 2018. They promise a fun-filled, educational event, and invite LSI to "Fall Into Winter". Detailed information regarding the November 2018 Quarterly Conference is included in this issue. We hope to see you in Reno – the "Biggest Little City in the World."

Please remember what keeps LSI strong - our faith, commitment, and dedication to this organization. Promote LSI wherever and whenever possible. Promote our legal publications, the Legal Specialization Sections, membership in LSI, and our Quarterly and Annual Conferences. This is OUR organization and Together we can Empower and Accomplish More as one. We are a T.E.A.M.

LS





PHYLLIS W. CHENG, ESQ., is a mediator and arbitrator on the neutral panels at ADR Services, Inc., U.S. District Court, Central District of California, and California Court of Appeal, Second Appellate District. She was formerly a Partner at DLA Piper, LLP, and was Director of the California Department of Fair Employment and Housing (DFEH), the largest state civil rights agency.

Complying With the Unruh Civil Rights Act in the Law Office

BY PHYLLIS W. CHENG, ESQ. – SUBMITTED BY LOS ANGELES LSA

The California Unruh Civil Rights Act (Civ. Code, §§ 51-52) provides persons within California protection from discrimination by all business establishments, including, but not limited to:

- Hotels and motels
- Non-profit organizations that have a business purpose or are a public accommodation
- Restaurants
- Theaters
- Hospitals
- Barber and beauty shops
- Housing accommodations
- Public agencies (including courts)
- Retail establishments

Law offices are business establishments under the Unruh Act, because they are open to and serve the public. The Act prohibits discrimination against anyone at business establishments on the basis of (Civ. Code, § 51(a)):

- Sex
- Race
- Color
- Religion
- Ancestry
- National origin
- Disability (also protected under the federal Americans with Disabilities Act (ADA) 42 U.S.C. 12101 et seq.)
- Medical condition
- Genetic information
- Marital status
- Sexual orientation
- All arbitrary and intentional discrimination

Violations of the Unruh Act can result in:

- Statutory damages
- Out-of-pocket expenses
- Cease and desist orders (ADA also)
- Damages for emotional distress
- Punitive damages
- Attorney's fees (ADA also) and costs
- Court-ordered damages may include a maximum of three times the actual damages



Here are some examples on how to comply with the disability provisions under the Unruh Act.

1. Guests to the office

Hypothetical: Your law firm specializes in commercial real estate. During your first meeting with opposing counsel, you learn that: (1) she uses a wheelchair, and (2) the women's restroom in your suite is not accessible. For the next three days of deposition, opposing counsel must use an accessible restroom on another floor of the building. On the last day, she says, "I guess I won't have to look too hard for my next lawsuit!" Is your law firm liable?

Duty to provide physically accessible office: Yes, the firm faces liability. A law firm is a business that serves the public subject to state and federal laws prohibiting discrimination against people with disabilities, including: the ADA, the California Unruh Civil Rights Act, and the California Disabled Persons Act (DPA, Civ. Code, §§ 54-55.32). The law firm has a duty to remove the barriers to restroom access. The firm is not excused in that it is a tenant and is not an owner of the property.

2. Decision to accept or decline work

Hypothetical: You receive a call from a building owner who entered into a purchase and sale agreement without legal counsel. He has decided to terminate the agreement because he is having mental health issues and "just can't

deal with” the transaction right now. You are reluctant to get involved because you fear that the client will be too difficult to manage. If you reject the case, do you run the risk of a suit for discrimination on the basis of a disability?

Duty to provide services without discrimination:

Yes, the firm runs the risk of discriminating on the basis of disability. “All persons within the jurisdiction of this state are free and equal, and no matter what their ... disability ... are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever.” (Civ. Code, § 51(a).)

3. Hiring an ASL interpreter

Hypothetical: You receive a call via the California Relay Service from a potential client. The caller tells you that she is deaf and wants to come in for an appointment to explain the potential case. She asks you to provide her with an American Sign Language (ASL) interpreter. You have never hired an ASL interpreter, do not know if you will accept the case, and do not want to pay for anything expensive. You wonder why the caller cannot hire her own interpreter. Does the firm have a duty to provide an interpreter?

Duty to provide auxiliary aids and services: Yes, the firm has the duty to provide some kind of effective auxiliary aid or service, i.e., communications in writing. “When necessary to ensure effective communication with individuals with hearing, vision, or speech impairments,” unless doing so would pose an undue burden or fundamentally alter the business operation.

4. Accommodating an allergy

Hypothetical: You have a scheduled appointment at 9:15 a.m. with a new client, who informed you that he is extremely allergic to perfume. When you walk in the door at 9:00 a.m., you immediately smell your receptionist’s cologne, even though you have told everyone to avoid wearing scents that day. You do not want to send your receptionist home. What should the firm do?

Duty to modify policies, practices and procedures: One possible solution is to temporarily move the receptionist to a different part of the office and temporarily reassign a non-scented employee to the reception area. Another possibility is to provide another entrance to the office, if one is available. An undue hardship would be to rent another office for the client meeting.

5. The service animal

Hypothetical: Your newest client shows up for his first meeting at your office accompanied by a German Shepherd. The client is not obviously blind and the dog does not have any special tag or leash. Your receptionist phones you and asks whether the dog is permitted into your office. The office has a “no pets” policy. What should the firm do?

Special rules for service animals: The law firm cannot bar the animal outright. If the firm cannot ascertain that an animal is a service animal, it may ask the person who has the animal if it is a service animal required because of a disability. The ADA definition of “service animal” is limited to dogs or miniature horses “Individually trained to do work or perform tasks for the benefit of an individual disability.”

Under the employment provisions to the Fair Employment and Housing Act (FEHA, Gov. Code, § 12900 et seq., Cal. Code Regs. tit. 2, § 11065(a), (n)(1), (p)(2)(B)), an assistive animal can be: a “guide dog” trained to guide a blind or visually impaired person; a “signal dog” or other animal trained to alert a deaf or hearing impaired person to sounds; a “service dog” or other animal individually trained to the requirements of a person with a disability; or a “support dog” or other animal that provides emotional, cognitive, or other similar support to a person with a disability, including, but not limited to, traumatic brain injuries or mental disabilities, such as major depression. Note that California law is not limited to any particular animals.

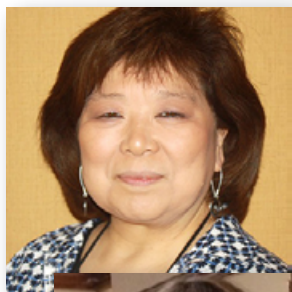
Minimum standards for assistive animals include, but are not limited to the standards that the animal: (A) is free from offensive odors and displays habits appropriate to the work environment, for example, the elimination of urine and feces; and (B) does not engage in behavior that endangers the health or safety of the individual with a disability or others in the workplace.

6. Accessible Web site

Hypothetical: Your law firm has a web site showcasing its lawyers and accomplishments. At a networking event, you meet a wealthy developer who has failing eyesight. He mentions to you that he visited your law firm’s web site but chose not to retain you because the web site was not compatible with his screen magnification program. Is the firm obligated to make its web site accessible?

Duty to make web site accessible: Yes, the law firm has a duty to make its web site accessible. Goods and services offered over the internet should be made equally available to people with disabilities. The U.S. Department of Justice is considering revising Title III regulations to require web site accessibility.

CONTINUED ON PAGE 7



ELISE DRESSER, CCLS, is a Legal Assistant at the law firm of McManis Faulkner in San Jose, CA. Elise is the immediate Past President of Santa Clara County LPA (2016-2018) and has served on its Executive Committee since 2008 as Governor and Executive Secretary. Elise attained the designation of California Certified Legal Secretary in 2009 and has served as the CCLS Certifying Board Chair for LSI.



LINDA NEUMAN has worked in the legal field, primarily in personal injury for 39 years. She joined Santa Clara County LPA in 1987, where over the years she has participated in a wide variety of activities, chairmanships and also served on its Executive Board. The last four years she has served on the Executive Board as Governor. Recently retired, Linda enjoys spending her time with her newly inherited 97-lb. Weimaraner, Hans.

Join Us in The Biggest Little City in The World as we “Fall Into Winter” at LSI’s 2nd Quarterly Conference

BY ELISE DRESSER, CCLS AND LINDA NEUMAN

Santa Clara County Legal Professionals Association invites you to celebrate the changing of the seasons at LSI’s 2nd Quarterly Conference, to be held November 9-11, 2018, at the Silver Legacy Resort Casino.

The theme of this conference is “Fall Into Winter,” and your hosts will take you on a journey starting with a fall foliage-themed reception on Friday night on Rumbullion’s patio, where you can also enjoy music and dancing until the wee hours of the morning! On Saturday night, all attendees will enjoy a delicious banquet dinner in an eye-catching winter wonderland setting, and then at the Sunday brunch, we’ll celebrate by wishing you all good tidings and cheer for the new year!

The elegant Silver Legacy is located in the heart of Reno, also known as the “Biggest Little City in the World.” It is connected to the Eldorado Resort Casino and Circus Circus by newly remodeled walkways, and offers every amenity you’ll need for the weekend, including collectively 26 restaurants, cafes, and coffee shops, along with lively bars, elegant lounges, and endless gaming, all within steps from your hotel rooms. The Silver Legacy also offers some of the best star-studded live musical entertainment in Reno, and is home to the world-famous “Laugh Factory” comedy club.



Make yourself at home in the recently renovated guest rooms that come complete with rich modern furniture and plush carpeting, 32-inch high definition LCD televisions and ergonomic chairs and desks. Mini-fridges can be rented for \$10.00/night.

Room rates for this conference can’t be beat! Mid-week rates (Sunday-Thursday) are \$55.00 for single/double, and Friday-Saturday the room rates are \$110.00 for single/double, less applicable taxes and resort fees. Included in the \$20.00 resort fee is roundtrip airport shuttle service; valet and self-parking at hotel; unlimited local and toll-free telephone calls; complimentary in-room wireless internet

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for two devices per room and in-meeting spaces; property-wide high speed WiFi; use of the health spa; and boarding pass printing at the concierge desk.

Need some well-deserved pampering? Relax at the newly remodeled Spa at the Silver Legacy, a 21,000-square-foot spa treatment area that includes treatment rooms for facials and massages, relaxation lounges, a salt inhalation chamber, private hospitality suites, hydrotherapy soaking tubs, steam rooms and saunas. The al fresco natatorium—a rejuvenating swimming pool and focal point of the additional 8,000-square-foot deck area—includes a waterfall and fire feature, hot soaking tubs, and shaded seating and sunbathing lounges intended for pre- and post-treatment relaxation.

If you're looking for something to do outside the Silver Legacy, within walking distance and at the center of Reno's downtown urban renaissance is the one and only Riverwalk, a sparkling medley of shops, bistros and cafés, taverns, indoor and outdoor entertainment venues and even a whitewater park. The Riverwalk began in 1990 as a means of celebrating Reno's scenic downtown district, and is the go-to place for a healthy dose of Reno's arts, culture and heritage any day of the year. Shopping, noshing, grabbing a drink, taking in a show or just soaking up the

scenery, you can do it all right here!

Getting to Reno is easily accessible by car or plane. Air travelers should fly into the Reno/Tahoe International Airport (RNO), which is a mere four miles from the Silver Legacy, and a 12-15 minute drive by car.

The Silver Legacy daily shuttle service runs from 5:00 a.m. to midnight, departing Reno/Tahoe International Airport from the North exit in Baggage Claim. Schedules vary but pick-ups are scheduled approximately every 20 to 30 minutes. Taxi service is available for approximately \$20.00.

The Silver Legacy has graciously arranged for discounted car rental rates for attendees. The Enterprise rental desk is located in the hotel lobby; cars can be rented and returned at the airport or hotel. For Enterprise reservations, call (775) 322-4755 and use discount code L54HI76.

If you have any questions or need additional information in connection with the conference, please contact co-chairs Elise Dresser (endresser@gmail.com) or Linda Neuman (neumanlinda@hotmail.com).

So help us celebrate "Fall Into Winter," and join us at the Silver Legacy in Reno!

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COMPLYING WITH THE UNRUH CIVIL RIGHTS ACT...

CONTINUED FROM PAGE 5

7. The remodeling project

Hypothetical: Your firm decides to redecorate and remodel the reception area. You hire a design firm to reconfigure your lobby, build new, glass-walled conference rooms, upgrade the bathrooms, and install a deep-piled carpet. Are your firm's remodeling plans consistent with disability rights laws?

Remodel accessibility: Alterations that affect the "primary function" of the office must be accessible. The ADA and California law act as an accessibility building code. (Cal. Code Regs., tit. 24.) Any new construction or substantial alterations must comply.

8. Allocation between landlord and tenant

Hypothetical: The parking structure adjacent to your office building has the requisite number of accessible parking spaces, but not the number of van accessible spaces required by law. A prospective client with a disability who drives his own van comes to visit you and finds that there is no place to park where he can use the van's lift. Can your firm, the tenant, be liable even though it does not have the right or ability to alter the parking lot?

Landlord and tenant are both liable: Yes, both the landlord and tenant are liable. "Any person who owns, leases (or leases to), or operates a place of public accommodation" must comply with the Act. Negotiated lease should also specify the allocation between landlord and tenant.

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BOLD SIMPLE MEMORABLE



TRIAL GRAPHICS | PRESENTATIONS | MARKETING

REDROMAN creative

LORI McELROY
Creative Director

redromancreative@gmail.com | www.redromancreative.com | **619.772.3335**



LEGAL SECRETARIES, INCORPORATED CALIFORNIA CERTIFIED LEGAL SECRETARY WORKSHOP REGISTRATION FORM

“Legal Computations – Basic Math?”

Second Quarterly Conference
Silver Legacy, Reno, NV

Saturday, November 10, 2018, 7:30 a.m. – 8:30 a.m.

Cost: \$5.00 for LSI members/\$10.00 for non-LSI members

Addition, subtraction, multiplication, and division – simple math, right? If you're like me, sometimes $1 + 1$ adds up to 3. Come to this workshop to find out how to do the basic math that is required for the Legal Computations section of the CCLS Exam. (Don't forget your calculator for the mini quiz at the beginning of class!)

REGISTRATION DEADLINE: November 2, 2018

Name: _____ Email: _____

Address/City/State: _____

Phone (Work): _____ Local Assn.: _____ LPA/LSA

Please make check payable to LSI. Mail registration to Terrie Quinton, CCLS, c/o Duckor Spradling Metzger & Wynne, 101 W. Broadway, Ste. 1700, San Diego, CA 92101, and email registration to quinton@dsnw.com.

November 10, 2018



Deadline to register without late fee: November 5
Section Member - Free | All others - \$15

11:00AM - 12:00PM

Federal Law

Human Trafficking

Mark Lasser, Esq.

Law Office Administration

Working In A Law Firm:

Get The Job - Keep The Job

Diana Anderson, CCLS, Office Manager

3:00PM - 4:00PM

Probate and Estate Planning

Overview of Probate Administration

Patricia A. Wenthe

Probate & Estate Services, Inc.

Specialty Law

**Evolving Standards for Prequalification
for Public Works Projects:**

Avoiding the Berkeley Balcony Tragedy

Aaron Gest, Esq.

4:30PM - 5:30PM

Civil Litigation / Criminal & Family Law

**Gambling Addiction And The Drug Court Programs:
Treating a Difficult Population**

Dani Danley, MS, Alison Ormaas, Esq., and Henry Sotelo, Esq.
Reno Municipal Court Department 1

REGISTER ONLINE AT WWW.LSI.ORG

The Legal Specialization Sections are a program of Legal Secretaries, Inc., an approved provider, and certify that these seminars have been approved for minimum MCLE/CLE credit of 1.0 hours each, by the State Bar of California unless otherwise specified.

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Director of Faculty Development and Online Education

JUDGE'S SCHOOL

**What Are Judges Taught at the National Judicial College?
Who Attends the National Judicial College?**

FRIDAY, NOVEMBER 9, 2018*

5:15 p.m. to 6:15 p.m.

Silver Legacy Hotel

Email reservations to: J. Cori Mandy, CCLS
jcmandy5@gmail.com
619-515-3256 or 619-954-3603

*Seminar is free with a paid conference registration

Legal Secretaries, Incorporated, an approved provider, certifies that this activity has been approved for minimum continuing legal education credit by the State Bar of California in the amount of 1.0 hour.



LYNNE PRESCOTT, CCLS, is a legal secretary with Messing Adam & Jasmine LLP, a labor and employment law firm specializing in public sector labor law in Sacramento. She has been a legal professional for over 30 years, primarily focusing on litigation, legislative/regulatory law, and administrative law. She is a past president and member of Sacramento LSA, and currently serves as LSI's Vice President.

Meet LSI – A Global Reintroduction

BY LYNNE PRESCOTT, CCLS, LSI VICE PRESIDENT

At the May 2018 Annual Conference in North Hollywood, LSI's Executive Committee gave a presentation to the Governors on "Where We've Been, Where We're At, Where We Need to Be, and How Do We Get There?" It was essentially a thorough, eye-opening look at the "State of the Corporation." So, what does it all mean?

LSI and the legal marketplace will likely never see the return of law firms and legal support staff on the scale it was in the 80s and 90s; therefore, LSI has to meet and anticipate the needs of the market, not let the market dictate how we operate. Membership must remain a priority; however, we must remember that no matter how small or large our membership numbers, those numbers do not have to determine the level of our success.

Technology advancements/demands and business needs have surpassed the skill level, capabilities and expertise of LSI's volunteers. Let's be honest, we are not MBAs, accountants, teachers, marketing gurus, and we are not technology experts - we are legal secretaries, paralegals, etc. On the plus side, LSI has evolved to the point that the job is now bigger than we are. On the down side, we have evolved to the point that the job is now bigger than we are. We need help from business development/management professionals, while understanding that technology and online education IS the future of LSI.

People are clamoring for our classes, but that doesn't always translate into new members. We need to find ways to keep these people coming back to LSI, even if they never become members - we should still be their "go-to" source. LSI should be setting the pace, driving and leading the legal marketplace, and helping to shape the future of the industry, rather than watching it happen and simply reacting to it. LSI needs to establish its place as the first choice for legal professionals seeking education, training, and professional development.

In response to the above, LSI has developed a one-year and two-year plan to move us forward. We are preparing to

mount a massive and aggressive campaign to reintroduce LSI to the world. That's right, the world. Because as we expand our online and social media presence, as we claim our place as the leader in affordable and accessible education for legal professionals, we cease to operate in a contained, confined space. Our name and our presence begin to take on global properties.

From this moment forward, we do not allow the size of our membership to determine the level of our success.

From this moment forward, our bold message is that LSI is as important to the legal professional as the Bar Association is to the lawyer. You will be hearing this a lot, because the more we drive that home, the more it begins to settle and resonate as truth. As I said previously, we should be driving this legal market, not watching it pass us by and then desperately trying to catch up.

From this moment forward, you will be witnessing the rebirth and reintroduction of this great organization.

Meet LSI

At the August Quarterly Conference held in Stockton, the social media component of LSI's new campaign went absolutely viral! The #MeetLSI hashtag was everywhere. The entire weekend, Facebook posts, Instagram and Twitter posts flooded the internet and social media. Videos of inspirational speeches, educational presentation videos, inter-association activities, and luncheons were all sporting the #MeetLSI hashtag. It was an awesome and inspiring thing to watch this simple, yet amazingly effective campaign come alive and then take on a life of its own!



Please keep it up. When you attend your local association meeting, attend another association's event, or even if you take an LSI/LSS webinar or class, give a shout out and tag LSI! You never know who you never know, and it could be that someone who really needs to meet LSI finally gets to do so, all because you used #MeetLSI.

The next phase of the Meet LSI campaign is still in the development phase, but the plan is to aggressively flood as much of the legal market as possible via social media, print media, strategic partnerships, internet introductions, and in-person introductions/presentations. Stay tuned for more on the Meet LSI campaign. A campaign of this size and scale can only be accomplished by working as a T.E.A.M. -- officers, chairmen, and you, the local association leaders and members.

E-Subscriber Capability

Another way to Meet LSI is to "Become an E-Subscriber." This capability has gone live on our website and now appears on the mobile version of the website, also. Anyone browsing the website can now click on the "Become an E-Subscriber" button and sign up to receive electronic notifications of classes, webinars, news, events, conferences, etc. There is no cost to become an E-Subscriber, and anyone can sign up. Even if the E-Subscriber never becomes a member, as long as they continue to receive our notifications they continue to see our name and what we offer. As I mentioned earlier, we become important to them.

Being an E-Subscriber is also a great way for those who don't "do social media" to still receive important information directly to their inbox. So, check it out, pass the word, and become an E-Subscriber!

A Look Into the Future

In the very near future, and perhaps by the time of the printing of this article, we will be able to help the world Meet LSI through the addition of recorded webinars and classes to our online library. We will also be upgrading the features and capabilities of our website to better engage the user and increase web traffic. You could even see the possibility of an LSI App for your smartphone with mobile learning (commonly referred to as "mLearning") capability. Imagine sitting in the parking lot waiting to pick up your child up from school and taking a class on your smartphone, where you have connectivity with other users! mLearning is real, folks, and it's already in use in the legal marketplace.

I cannot stress it enough -- we have to meet the needs of the legal professional where they are, and then we need to exceed those needs. We can do it. We know how to provide the education, we know how to provide the training, and we know how to help legal professionals realize their value. We have been doing it for almost 85 years -- we are experts at this! If not us, then who?? Remember that we can have tremendous success and solid placement in the legal marketplace by being that go-to, first choice for every legal professional!

LSI has a long legacy that is inspiring and unquestioned, yet the world still asks, "Who are you? How come I've never heard of you?" No more. From this moment forward, we not only extend our hands and our voices in introduction, we back it with the experience, expertise, and collective power of 85 years as we proudly issue the global invitation -- Meet LSI.

LS



AUGUST, 2018 | STOCKTON, CA

1st Quarterly Conference







BOBBY HENDRIX, CPA, MBA is the Audit Manager at Osborne Rincon. Mr. Hendrix was raised in Coachella Valley and has worked in this capacity since 2004. Having his MBA and CPA gives Mr. Hendrix a unique perspective on consulting with non-profit entities including golf club, private schools and charitable organizations, where his expertise is in audits, board development, organizational consulting and tax planning.

2018 Tax Changes Around Our Homes

How the Tax Cuts & Jobs Act Impacted Three Popular Deductions

BY BOBBY HENDRIX, CPA, MBA – SUBMITTED BY DESERT PALM LPA

Three recent tax law changes impact homeowners and home-based businesses. They may affect your federal income taxes this year, too.

The SALT deduction now has a \$10,000 yearly limit. You can now only deduct up to \$10,000 of some combination of (a) state and local property taxes or (b) state and local income taxes or sales taxes, annually. (Taxes paid or accumulated due to trade activity or business activity are exempt from the \$10,000 limit.)^{1,2}

If you have itemized for years and are continuing to itemize this year, this \$10,000 cap may be irritating, especially if there is no state income tax or a very high state income tax where you live. In the state of New York, for example, taxpayers who took a SALT deduction in 2015 deducted an average of \$22,169.^{1,2}

Connecticut, New Jersey, and New York all recently passed laws in reaction to the new \$10,000 limit, essentially offering taxpayers a workaround – cities and townships within those states may create municipal charities through which residents may receive property tax credits in exchange for charitable contributions.²

So far, the Internal Revenue Service is not fond of this. I.R.S. Notice 2018-54, released in May, warns that “despite these state efforts to circumvent the new statutory limitation on state and local tax deductions, taxpayers should be mindful that federal law controls the proper characterization of payments for federal income tax purposes.” Both the I.R.S. and the Department of the Treasury are preparing rules to respond to these state legislative moves.^{2,3}

The interest deduction on home equity loans is not quite gone. The Tax Cuts & Jobs Act seemed to suspend it entirely until 2026, but this winter, the I.R.S. issued guidance noting that the deduction still applies if a home equity loan is arranged to help a taxpayer “buy, build or substantially



improve” the involved house. So, you may still deduct interest on a home equity loan if your receipts show that the borrowed amount is used for a new 30-year roof, a kitchen remodel, or similar upgrades. Keep in mind that the Tax Cuts & Jobs Act lowered the limit on the total home loan amount eligible for the interest deduction each year – it is now set at \$750,000. That cap applies to the combined home loans a taxpayer takes out for both a primary and secondary residence.^{1,4,5}

The home office deduction is gone, unless you are self-employed. Before 2018, if you dedicated an area of your home solely to business use and defined it as your principal place of business to the I.R.S., you could claim a home office deduction on Schedule A. This was considered a miscellaneous itemized deduction. Unfortunately, the Tax Cuts & Jobs Act did away with miscellaneous itemized deductions. If you work for yourself, though, you can still claim the home office deduction using Schedule C, the form used to report income or loss from a business activity or a profession.⁵

Are you strategizing to maximize your 2018 federal tax savings? Are you looking for ways to legally reduce your federal and state tax obligations? Talk to a financial professional to gain insight and plan for this year and the years ahead. Give me a call or shoot me an email, if I can help you plan for this sweeping tax law change impacting everyone.

Bobby Hendrix has unique skillset as both a CPA and MBA with an emphasis in Accounting. He may be reached at 760.567.7712 or rhendrix@osbornerincon.com. The firm he works for is based in the Palm Springs area. www.osbornerincon.com

Citations.

- 1 - investopedia.com/taxes/how-gop-tax-bill-affects-you/ [1/3/18]
- 2 - cnbc.com/2018/05/23/irs-treasury-have-set-their-sights-on-blue-states-tax-workarounds.html [5/23/18]
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- 5 - fool.com/taxes/2018/05/20/say-goodbye-to-the-home-office-deduction-unless-yo.aspx [5/20/18]

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CCLS QUIZ:

LEGAL TERMINOLOGY (LATIN TERMS)

DIRECTIONS: FOR EACH WORD IN COLUMN 1, CHOOSE THE CORRECT DEFINITION FROM COLUMN 2. NOT ALL DEFINITIONS WILL BE USED.

COLUMN 1

1. ad hoc (l)
2. duces tecum (e)
3. stare decisis (n)
4. de jure (j)
5. caveat (o)
6. flagrante delicto (a)
7. sua sponte (g)
8. ibid. (c)
9. corpus juris (b)
10. id. (d)

COLUMN 2

- (a) in the very act of committing a crime
- (b) body of law
- (c) in the same place, at the same time, in the same manner
- (d) Same citation, at a different place or page
- (e) bring with you
- (f) for a specific, limited purpose
- (g) of his/her own will; voluntarily
- (h) flagrant perjury
- (i) body of the offense
- (j) of right; lawful
- (k) by what right or authority
- (l) for this particular purpose
- (m) a thing decided
- (n) to abide by decided cases
- (o) let him beware; a warning

CCLS QUIZ ANSWERS ON PAGE 19

Meet the CEC - *Continuing Education Council*

The Continuing Education Council (“CEC”) is one of LSI’s standing committees. The members of the CEC are the Educational Program Coordinator (who chairs the CEC), Legal Procedure Chair, Legal Professional Training/Seminar Chair, and California Certified Legal Secretary Chair. These four Chairs meet at every LSI Conference to discuss LSI’s educational goals and the various programs it offers. Also members of the CEC are the Editor-in-Chief for LSI’s publications, and the Legal Specialization Sections Coordinator, who report to the CEC before heading to their own meetings at Conferences.

At each of LSI’s Quarterly Conferences, the CEC offers a one hour educational program that is free to all attendees with paid Conference registration. The programs offer a wide range of topics. A few topics offered in the past were amusement park law, Grand Juries and a seminar on Cannabis-A Combined Medical and Recreational System.

Educational Program Coordinator

The Educational Program Coordinator is an appointed officer of LSI. The Coordinator wears several hats: chairing the CEC; selecting and introducing the speaker for CEC programs at Quarterly Conferences; putting together the Officer/Chair Workshops at Annual Conference; and assisting the Executive Committee with LSI’s educational endeavors. The Coordinator is also the keeper of LSI’s MCLE records and coordinates with the California Bar as to those records. The Coordinator is also a member of LSI’s Marketing Committee.

J. Cori Mandy, CCLS, of San Diego LSA, has been the Educational Program Coordinator for eight years. Prior to being chosen as Educational Program Coordinator, Cori was the LSI Legal Procedure Chair. Cori has been a legal secretary at Procopio Cory Hargreaves & Savitch for 18 years, and works for four attorneys, one of which she has been with since 1987 (almost as long as she has been married)!

Legal Procedure Chair

The Legal Procedure Chair advises and recommends means of educating all members of LSI with respect to legal forms and procedures, and disseminates, as soon as possible, information concerning new legal procedures. A large part of carrying out these duties is regularly posting court notices and information to LSI’s Legal Procedure Blog.

Becky J. Neidhardt, CCLS, of San Diego LSA, has been the Legal Procedure Chair since May 2014. She has been a legal secretary for over 37 years and a member of San Diego LSA for over 35 years. She received her paralegal certificate from the University of San Diego in 1985.

Legal Professional Training/Seminar Chair

The Legal Professional Training/Seminar Chair is in charge of conducting on-line training classes for legal professionals, including the Beginning Legal Secretaries Training classes. Along with the on-line training classes, the Chair works and coordinates with NextGen Legal putting on educational webinars. The Chair is also the editor of LSI’s *Legal Secretaries Resource Guide*.

Donna Day, of Alameda County LSA, is our newly appointed Legal Professional Training/Seminar Chair. Donna joined Alameda County LSA in 1986 as a result of winning a scholarship. Donna is very active in the legal community. Besides being the Legal Professional Training/Seminar Chair, she is President of both Alameda County LSA and the Bay Area Legal Forum. Donna previously served as LSI’s Day in Court/

Professional Liaison Chair and the LSS Chair for Civil Litigation under two presidents. Donna attributes the ongoing legal education LSI provides with her success as a legal secretary and the many close friends she has acquired as a result of statewide networking. Donna has been a legal secretary for over 30 years and has been at Nixon Peabody LLP in San Francisco for 24 years.

California Certified Legal Secretary Chair

The California Certified Legal Secretary (“CCLS”) Chair’s duties include offering on-line study groups twice a year to help examinees prepare for the CCLS Exam, offering CCLS workshops at LSI Quarterly Conferences, and maintaining the LSI CCLS Study Guide and CCLS Study Kit. The Chair works closely with the California Certified Legal Secretary Certifying Board to keep LSI members apprised of major changes to the CCLS Exam or program, as well as gathering information from LSI members through quarterly directives to provide to the Certifying Board. The CCLS Chair is also a member of the Marketing Committee.

Terrie Quinton, CCLS, is in her eighth year as the CCLS Chair, during which time she started the on-line CCLS Study Group. Terrie previously served four years on the CCLS Certifying Board, and before that spent two years as the Legal Specialization Sections’ Civil Litigation Section Leader. Terrie has been a legal secretary since 1985. She has worked for the San Diego firm of Duckor Spradling Metzger & Wynne for 14 years, and has worked for Attorney Anna Roppo for over 21 years. Terrie passed the CCLS Exam in October 1997.

ANSWERS FROM QUIZ ON PAGE 17

CCLS QUIZ: ANSWER KEY

- | | |
|--------|---------|
| 1. (L) | 6. (A) |
| 2. (E) | 7. (G) |
| 3. (N) | 8. (C) |
| 4. (J) | 9. (B) |
| 5. (O) | 10. (D) |

SAN DIEGO LEGAL SECRETARIES ASSOCIATION

Presents

VIVA LAS VEGAS

February 15–17, 2019

Viejas Casino and Resort, 5000 Willow Road, Alpine, CA 91901

<https://viejas.com/>

Legal Secretaries, Incorporated
2019 Third Quarterly Conference

HOTEL REGISTRATION INFORMATION

ACCOMMODATIONS:

(Plus applicable taxes and fees)

Single/Double \$149.00 per night
Triple \$169.00 per night
Quadruple \$189.00 per night

Check in is 4 p.m.

Check out is 12 p.m.

RESERVATIONS:

1.800.938.2532

GROUP CODE: 190214Legal



Deadline to reserve your room is January 21, 2019—No Room Rate Guarantee After This Date!

Parking: Complimentary Self-Parking or Valet Parking
Airport: From San Diego International Airport, it is 39 miles to Viejas
Transportation: Super Shuttle <http://www.supershuttle.com/default.aspx?GC=CT8WB>
A shared ride shuttle offers 5% discount one way; 10% discount round trip
Reserve online or call 1-800-Blue-Van and use the code: **CT8WB**
Internet: Complimentary in guest rooms and meeting rooms

Viejas Casino and Resort offers eight dining venues, and of course—a casino! Right across the street you will find an outlet mall, additional dining options, an outdoor roller rink, bingo, bowling alley, and arcade.

PLEASE NOTE: Viejas will not allow ice chests on the premises.

For additional information contact:

THIRD QUARTERLY CONFERENCE CO-CHAIRS

Leanna Pierce
619.248.0970

lpierce@morrislawfirmapc.com

Renee Evans, CCLS
619.823.7332

renee.evans915@yahoo.com

SAN DIEGO LEGAL SECRETARIES ASSOCIATION

Presents

VIVA LAS VEGAS

February 15–17, 2019

Viejas Casino and Resort, 5000 Willow Road, Alpine, CA 91901

<https://viejas.com/>

Legal Secretaries, Incorporated
2019 Third Quarterly Conference

CONFERENCE REGISTRATION INFORMATION

NAME (AS IT WILL APPEAR ON BADGE): _____

MAILING ADDRESS: _____

CITY/STATE/ZIP: _____

HOME TELEPHONE: _____ WORK TELEPHONE: _____

EMAIL ADDRESS: _____

LOCAL ASSOCIATION (DO NOT ABBREVIATE): _____ LSA ☐ LPA ☐

PLEASE CHECK IF APPLICABLE (INCLUDE TITLE):

STATE OFFICER: _____ STATE CHAIRMAN: _____

☐ GOVERNOR ☐ CCLS ☐ PLS

SCRIP TICKET (INCLUDES REGISTRATION, WELCOME RECEPTION, BANQUET, AND BRUNCH):

POSTMARKED ON OR BEFORE JANUARY 18, 2019 _____ @ \$150.00 \$ _____

POSTMARKED ON OR AFTER JANUARY 19, 2019 _____ @ \$160.00 \$ _____

INDIVIDUAL TICKETS:

REGISTRATION ON OR BEFORE JANUARY 18, 2019 _____ @ \$25.00 \$ _____

REGISTRATION ON OR AFTER JANUARY 19, 2019 _____ @ \$35.00 \$ _____

WELCOME RECEPTION (FRIDAY) _____ @ \$30.00 \$ _____

*GOVERNORS LUNCHEON (SATURDAY) _____ @ \$32.00 \$ _____

*PRESIDENTS LUNCHEON (SATURDAY) _____ @ \$32.00 \$ _____

*OPEN-NEWCOMERS LUNCHEON (SATURDAY)** _____ @ \$32.00 \$ _____

☐ SOUTHWESTERN CHICKEN WRAP ☐ ROAST BEEF ON SOUR DOUGH ☐ ROASTED VEGETABLE SANDWICH

BANQUET (SATURDAY):

☐ MACADAMIA MAHI MAHI ☐ HERB GRILLED CHICKEN ☐ ROASTED VEGETABLE WELLINGTON _____ @ \$73.00 \$ _____

BRUNCH (SUNDAY) _____ @ \$38.00 \$ _____

TOTAL AMOUNT PAID: \$ _____

SPECIAL DIETARY REQUEST (INCLUDING VEGETARIAN): _____

MAKE CHECKS PAYABLE TO:

SEND TO:

SDLSA FEBRUARY 2019 CONFERENCE FUND

CYNTHIA HALVAX, CCLS C/O NEIL DYMOTT

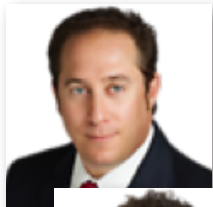
110 WEST A STREET, SUITE 1200, SAN DIEGO, CA 92101

OR

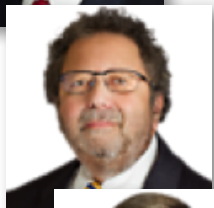
REGISTER ONLINE AT WWW.SDLSA.ORG

A PAYPAL FEE OF \$5 WILL BE ADDED TO YOUR TOTAL

** THE OPEN-NEWCOMERS LUNCHEON IS FOR EVERYONE. LEARN ABOUT MEMBERSHIP, MARKETING, AND THE BENEFITS OF BEING A MEMBER OF LSI.



SCOTT S. SACHS, ESQ., began his legal career as a clerk at the Michigan Department of Environmental Quality and the Michigan Attorney General's Natural Resources Division. He represents private and governmental entities in complex litigation in the areas of data privacy and security issues, construction and environmental law.



ROBERT FRIED, ESQ., serves as defense counsel, mediator and expert witness. He maintains an extensive regulatory and policy practice on state and federal issues at the agency level. His practice includes representation at the U.S. Department of Labor, the Office of the Solicitor, the National Labor Relations Board, Department of Housing and Urban Development and the Occupational Safety and Health Administration as well as various state based agencies.



JONATHAN VICK, ESQ., started his career working for the U.S. Department of Labor, Office of the Solicitor. He is a member of the Facilities, Construction, and Property Practice Group and has more than 30 years of experience in state and federal courts and administrative agencies.

New Prop 65 Warning Requirements Take Effect on August 30, 2018

BY SCOTT SACHS, ESQ., ROBERT FRIED, ESQ. AND JONATHAN VICK, ESQ. – SUBMITTED BY LONG BEACH LPA

On August 30, 2018, new regulations under California's Safe Drinking Water and Toxic Enforcement Act, better known as Proposition 65 ("Prop. 65") will take effect. The new regulations concern what constitutes a clear and reasonable warning. This is a significant overhaul to current regulations and applies to businesses with 10 or more employees. Prop. 65 regulations affect many industries including food, beverage, prescription drug, dental care, consumer product, cosmetic, agricultural products, furniture products, diesel engines, vehicles, recreational vessels, medical device manufacturers, workplaces and commercial businesses.

Businesses operating in California or selling products or components in California have been required to provide a "clear and reasonable warning" before "knowingly and intentionally" exposing any person to "a chemical known to the state to cause cancer or reproductive toxicity." The failure to comply with Prop. 65 subjects manufacturers, distributors and retailers to potential liability, including penalties of up to \$2,500 per day, per violation, as well as injunctive relief (for example, a court order requiring a product to be reformulated to remove the listed chemical) and attorney fees.

These new regulations mandate that businesses operating in or supplying or manufacturing products or components that are sold in California assess and if necessary, overhaul their Prop. 65 compliance programs by August 30, 2018.

Current/Pre-August 30, 2018 Rules

Under current Prop. 65 regulations, businesses with 10 or more employees are required to provide a "clear and reasonable" warning before exposing individuals in California to any chemical listed by the state for its potential to cause cancer or reproductive toxicity. Products manufactured prior to August 30, 2018, can continue to be sold in California using the pre-August 30, 2018 Proposition 65 warning

requirements; however, the new requirements must be reflected on all products manufactured after August 30, 2018.

The New Regulations


The new regulations significantly alter the safe harbor warning rules for Prop. 65 by changing the form and content required for the "safe harbor" warning provided to California consumers. The new warning requirements apply to "consumer products", which includes any article, or component part thereof, including food, that is produced, distributed, or sold for the personal use, consumption or enjoyment of a consumer where a "consumer product exposure"¹ is reasonably contemplated. Additionally, warnings are required in certain situations where "environmental exposure"² or "occupational exposure"³ may occur.

The new regulations clarify that manufacturers have the primary responsibility for providing Prop. 65 warnings. Manufacturers can choose whether to put warning labels on their products or to provide notices to their distributors, importers or retail sales outlets that a product may cause an exposure to a listed chemical that requires a warning, provide warning signs, or other warning materials. Additionally, the new regulations require that retailers

that receive warning signs or other warning material from a manufacturer, producer, packager, importer, supplier, or distributor must confirm in writing that they received the notice and must use the warning signs or other materials provided by the manufacturer. This expressly includes products offered for sale over the internet.

(1) New Safe Harbor Clear and Reasonable Warning Requirements

Products containing Prop. 65 listed chemicals can be sold in California and generally do not need to be reformulated if they contain a proper Prop. 65 safe harbor warning. However, as of August 30, 2018, the new Prop. 65 regulations change the appearance, form and content for the safe harbor warnings. Some of the more significant changes in the labeling requirements include:

- The word “WARNING” which must appear in bold print and in all capital letters.
- The warning must include a pictogram comprised of a black exclamation point in a yellow equilateral triangle with a black outline if the sign, label or shelf tag for the product uses the color yellow. The equilateral triangle must be placed to the left of the warning and in a size no smaller than the height of the word  “WARNING”
- Language must be changed from “This product contains...” to “This product can expose you to...”
- The warning must include the full chemical name of at least one chemical found in the product that is known to cause cancer or birth defects or other reproductive harm. If the product contains a chemical on both lists, at least one chemical from each list must be identified. Additionally, there is a shortened on-product safe harbor warning that allows the person providing the on-product warning to not include within the text of the warning the name or names of listed chemicals known to cause cancer or birth defects or other reproductive harm.
- The entire warning must appear in at least 6 point font size and be in a font size that is no smaller than the largest font size used for other consumer information affixed to the product.
- Additionally, if a consumer product sign, label or shelf tag includes consumer information in a language other than English, the warning must also be provided in that language, in addition to English.

(2) Internet and Catalog Sales

The new regulations make the warning requirements applicable to all Internet purchases. The Internet warning on the product display page must be prominently displayed, have the word “WARNING” hyperlinked or the warning can be prominently displayed to the purchaser prior to completing the purchase. An Internet warning is not considered prominently displayed if the purchaser must search for it in the general content of the website. If the

product has an on-product warning then the website may use the same content. The warning must also appear in languages other than English if consumer information on the website is in a language other than English.

For catalog purchases, the warning must be in the catalog in a manner that clearly associates it with the item being purchased. If the product has an on-product warning then the website may use the same content. The warning must also appear in languages other than English if consumer information in the catalogue is in a language other than English.

(3) Specific Warning Methods and Content for Certain Products and Exposure Types

In addition, the new Prop. 65 regulations require specific warning methods and content for certain products (including food, dietary supplements, alcoholic beverages, furniture) and types of exposures (including restaurants, dental care, wood dust, diesel engine, enclosed parking facility, amusement parks, service stations, hotels). For example, a new regulation has been added to require specific warning methods and content for a product commonly used in construction, such as raw wood.

Conclusion

While Prop. 65 regulations continue to require a warning label to be placed on any consumer product containing a chemical(s) that cause cancer or reproductive harm as identified by the Office of Environmental Health Hazard Assessment, the safe harbor language has been changed to allow for a short form warning on products or a long form warning requiring the identification of at least one offending chemical contained in the product. Additionally, the warning requirements are now applicable to internet and catalogue purchases. Lastly, tailored warnings are required for specific products, industries and areas, including food, alcohol, restaurants, prescription drugs, dental care, raw wood, furniture, diesel engines, vehicles, recreational vessels, enclosed parking facilities, service stations, vehicle repair facilities and smoking areas.

(Endnotes)

- 1 25600.1(e) defines “consumer product exposure” to mean an exposure that results from a person’s acquisition, purchase, storage, consumption, or any reasonably foreseeable use of a consumer product, including consumption of a food.
- 2 25600.1(f) defines “environmental exposure” to mean an exposure that occurs as the result of contact with an environmental source, such as ambient air, indoor air, drinking water, standing water, running water, soil, vegetation, or manmade or natural substances or objects, through inhalation, ingestion, or skin or other contact with the body. All exposures that are not consumer product exposures or occupational exposures are environmental exposures.
- 3 25600.1(k) defines “occupational exposure” to mean an exposure to any employee at his or her place of employment.

LEGAL SPECIALIZATION SECTIONS

2018-2019 Membership Form

MAY 1, 2018 - APRIL 30, 2019

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; free webinars put on by the LSS; roster of all LSS members in each Section for easy access to local procedural information in other counties; and networking opportunities. The Legal Specialization Sections offer continuing legal education credit for California Certified Legal Secretaries and paralegals and California MCLE for attorneys.

JOIN OR RENEW AT WWW.LSI.ORG

PAY VIA CREDIT CARD OR PAYPAL

SECTIONS

(check which sections you are joining)

- ☐ Civil Litigation
- ☐ Criminal/Family Law
- ☐ Federal Law
- ☐ Law Office Administration
- ☐ Probate/Estate Planning
- ☐ Specialty Law
- ☐ All Six Sections

LSI Member Rates:

Individual Section: \$20

All Six Sections: \$75

Non-LSI Member Rates:

Individual Section: \$40

All Six Sections: \$150

If paying by check, make payable to "LSI" and mail to the LSS Coordinator. This information is distributed to all members of the Legal Specialization Sections on the LSS Roster.

Name: _____

Email: _____

(Important: please make sure your email is legible.)

LSI Member, Local Association/MAL: _____

Legal Specialty(ies): _____

Counties/Courts: _____

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Dawn R. Forgeur, CCLS
LSS Coordinator

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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, Moraga, CA in 1991, and she obtained her CCLS designation in October 2008. In 2012 Jennifer joined the firm Ragghianti Freitas LLP embarking on the next adventure in her legal career working for seven 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. She is currently serving as LSI Executive Advisor.

My CCLS Journey

BY JENNIFER L. PAGE, CCLS – SUBMITTED BY MARIN COUNTY LSA

When I originally considered the legal field as a career, I decided to obtain my paralegal certification. To confirm my decision, I obtained a job as a legal secretary for a bankruptcy attorney. I stayed with that employer while attending St. Mary's College in Moraga, California - not a fun chore by any means. I worked a 40-hour week, attended two 2-hour classes per week (traveling upwards of 2 hours just to get to school), with 4+ hours of homework per class, per week. This went on for a year and a half. I graduated from the program and received my certification in October 1992.

While employed with the bankruptcy attorney, a flyer advertising Marin County Legal Secretaries Association came across my desk and I decided to join for the networking and camaraderie. I attended the monthly meetings for a while and then, when I was installed as Governor in 1993, I began attending LSI conferences. That is where I first encountered the CCLS designation. I was impressed by those who were brave enough to study and then sit for the exam but, I thought I was done with studying and taking tests, and decided that wasn't the path for me.

Over the years, several other members of my local chapter decided to sit for the exam. One member had a particularly difficult time passing the exam but she persisted and eventually became the first member of our association to attain the CCLS designation. Some time passed and I decided to join another association's study group. I found myself, once again, commuting a long distance after work, with no time for dinner before class started. The class was held in a law library making it impossible to talk amongst each other and really learn, so, I stopped going. Then a few years later, another one of our members studied for the exam, passed on the first go round, and then formed a study group. By this point I thought, "Okay, I'm going to do this," and I joined the group. Unfortunately, it still wasn't the right time. A few more years passed and our association decided

to assemble another study group. We were not very formal about our study habits and didn't always have weekly classes. But, I committed to it this time and finally sat for the exam on October 21, 2006. I figured, "What did I have to lose?" I'd at least have an idea of what I really needed to study afterwards.

I won't sugar coat it, sitting for the exam was an exhausting chore. I honestly don't remember even driving home afterwards and of course, I doubted almost every answer I selected.

I began waiting for my results thinking, "wouldn't it be nice if I passed a few and, of course, even better if I passed four or more?" Well, wouldn't you know it? I passed five of the seven sections! I nearly fell out of my chair.

My confidence level was restored. I only had two more sections to study for and pass; how hard could that be? Well, I opted to review my results and was floored when I discovered that I had completely misread the directions for part of one of the sections that I hadn't passed. If I'd read them correctly, I probably would have passed that section, too! Confidence was once again shot.

So began my quest to conquer Ability to Communicate Effectively and California Legal Procedures. I sat for the exam on March 17, 2007, and I managed to pass California Legal Procedures. Phew, one more to go! I thought, "Piece



of cake!” And, my love affair with Gregg began in earnest. I studied, sat for the exam October 20, 2007 – didn’t pass. I studied, sat for the March 15, 2008 exam – didn’t pass. This time, I only missed by one lousy point!!! Now I was getting pretty frustrated and mad at myself. My boss even offered to pay someone to take the exam for me. I reviewed my results to see if there was a specific thing I wasn’t understanding; no such luck.

I started to study again and honestly I wasn’t fully engaged in the process at this time. I was completely frustrated and angry with myself but, I was determined to finish what I had started.

Then, in August 2008, the LSI CCLS Chair, Astrid Watterson, CCLS, announced that LSI would be putting on a statewide study group for those interested in participating.

By this point, I was so committed to sitting for and passing the exam I felt I was obligated to share that with others who were interested in studying for the exam. With firsthand knowledge, I could share with my students my very own journey, offer guidance and support, and help keep them on the right path. I became the instructor for my local association. By this point, everyone thought I had lost my mind. Study for the exam and teach a class?

I ended up with four very eager students. And I thought this would be the perfect way for me to study. I’d have to review the lesson plan each week, go over the class work to be covered, and the homework that would be handed out. And, of course, I’d be correcting the homework, too. I thought, “I’ll just do the work with the class and that will help me get ready to pass the darn test.” Hah! I was sorely misleading myself there. In order to be a thorough and effective teacher, I found that I had to really concentrate on “teaching” and not be a student. This left little time for me to actually study the one and only section I had left to pass.

When the October 18, 2008 exam came up, I went, completed my section, and went home feeling utterly lost and confused. I again doubted every answer I selected and figured I would have to pass in March 2009, which, by the way, would be my last opportunity to sit for the only section I hadn’t yet passed before having to sit for the ENTIRE EXAM ALL OVER AGAIN!

Needless to say, I was a complete basket case waiting for the results to come in. I even pestered the chair of the Certifying Board to see if she could give me some insight as to when the results would be ready.

Then, one afternoon, I was sitting at my desk at work and saw an email come in. It had the usual subject line: “CCLS Exam October 18, 2008.” The agony of waiting was finally over and I prepared myself for the worst. However, when I opened the email, I screamed so loudly, “I did it!” that the entire office came running, thinking something horrible had occurred. My boss congratulated me and said “Now, get back to work!”

When I got home that night and told my husband and daughter the amazing news, my daughter came to me, gave me a big hug and said, “Mommy, I’m so proud of you.”

Deciding to study for and take the CCLS exam was a personal decision. While my boss supported my efforts and encouraged me during the journey, he wasn’t offering a bonus or raise at the end of the rainbow. It became a mission to prove to myself that, with knowledge of civil litigation procedures only, I could conquer other areas of the law. I also felt that it would benefit me to see how other areas of the law are handled. As I studied, I was continuing to learn and this helped me with the day-to-day performance of my job. I continue to refer to the reference materials I studied to clarify or answer a question that comes up. I have become more confident in my ability to find answers.

I am now proudly taking educational classes and gathering those precious CLE hours to maintain my certification. I strongly believe that there is never a perfect time to take the exam but you do need to be in the right place to study and sit for the exam. And, more importantly, you have to believe in yourself.

LS



KRISTI L. EDWARDS, CCLS has been a legal secretary for over 26 years. She is legal assistant and office manager for Froneberger & Leviloff in San Rafael, an estate law firm specializing in probate litigation and conservatorships. She is an honorary member and has held all offices of Marin County LPA, along with many chair positions. She served LSI as Probate Section Leader for 3 years and is now in her third year as Parliamentarian. She is a member of the Marin County Bar Association in the non-attorney category. She and her husband of 44 years live in Novato and enjoy following the local Pacifics baseball team, the SF Giants, and Golden State Warriors.

Membership and Mentorship

BY KRISTI L. EDWARDS, CCLS, LSI PARLIAMENTARIAN

When I attend LSI conferences and observe the membership from the Executive Committee dais, I see a vast network of knowledge. There must be a way for us to share this information and mentor the newer members of our profession. Declining membership numbers concern us all. What can we do about it?

One answer is to widen the pool of prospective members. LSI membership had long been limited to those people currently employed in the legal profession (Active Members). In August 2017, the Governors voted to allow students enrolled in a course of study leading to employment in the legal profession (Student Members) and people actively seeking employment in the legal profession (Associate Members) membership in LSI. These new Student and Associate Members have all the rights of an Active LSI Member, but they are not eligible for elected or appointed office and may not serve as Governor or delegate of a Local Association. Just like Active Members, they are not eligible for the LSI Scholarship.

This becomes a powerful tool for local associations to reach out to new people and offer the many benefits Active LSI Members enjoy. The LSI Marketing Committee held a terrific workshop at the May 2018 Annual Conference and their presentation is available for download from the LSI website. Having a great website and reaching out through social media are excellent ways to reach both students and legal employment seekers. The LSI Career Promotion and Scholarship Chair also has a great handout with suggestions on how to attract these prospective members. You don't have to re-invent the wheel; use these ideas and other helpful information you can find on the LSI website or pickup while networking at an LSI conference. LSI is continuing to develop marketing programs and will be happy to incorporate new ideas you may have for increasing membership – if something works for your association, please share it!

So, now you have some potential new members and



you want to welcome them to your association. How will everyone know what the membership rules are? How much are dues? What are the new members' rights? How does all this work? The answers are in your bylaws and standing rules.

Every member should have access to their local association bylaws and standing rules, and board members should always have copies at the ready during all meetings. If your bylaws, for instance, say you allow student members, but you may not collect LSI per capita tax from them, that is a problem. They cannot be LSI members and your bylaws need to be amended. Perhaps your bylaws define associates as members who are taking legal education courses. LSI defines associates differently and that is confusing, so your bylaws need to be amended to conform with the LSI definition.

These are the questions you need to ask as you review your bylaws and standing rules:

- Do we allow Student and/or Associate Members? (LSI allows both categories.)
- How do we define "student"? (LSI defines "student" as a person enrolled in a course of study leading to employment in the legal profession.)
- How do we define "associate"? (LSI defines "associate" as a person actively seeking employment in the legal profession.)

- What local dues do Student and Associate Members pay? (Most associations charge ½ local association dues, but this issue is entirely up to your membership.)
- Are we allowed to collect LSI per capita tax for Student and Associate Members? (LSI per capita tax for Student and Associate Members is ½ per capita tax charged for an Active Member.)
- What rights to Student and Associate Members have? (After paying ½ LSI per capita tax, Student and Associate Members of LSI have all the rights of Active Members, except they are not eligible for elected or appointed office and may not serve as Governor or delegate of a Local Association. The rights these members have at the local level are entirely up to your membership.)
- If you need help amending your bylaws, follow the procedure in LSI Brass Tacks and LSI Bylaw Article XIII, Section 3. Contact me with any questions you may have.

Now you have members new to your local association and LSI, and the mentoring begins. Warmly greet these people and make them feel welcome. Make sure LSI has their contact information, so they will receive notices and *The Legal Secretary* magazine. Tell them about the online education that is available. Make sure they know about the Legal Specialization Sections and the California Certified Legal Secretary program. Offer them a job serving on a committee, if your bylaws allow that, and get them involved right away. Encourage them to come to an LSI conference where, chances are, they will be hooked by the networking and the live educational seminars. Be the spokesperson for LSI, share your knowledge, and everyone will reap the benefits.

LS

Dates to Remember in 2018-19

November 1, 2018	Lunch and Learn LSS Webinar – Ethics, Rules of Professional Conduct, Part Two
November 2, 2018	Registration deadline for CCLS Workshop (“Legal Computations – Math Basics?”) at LSI 2nd Quarterly Conference
November 5, 2018	Registration deadline for Legal Specialization Sections Seminars at LSI 2nd Quarterly Conference
November 9-11, 2018	LSI 2nd Quarterly Conference Silver Legacy Resort, Reno, Nevada Hosted by Santa Clara County LPA
December 1, 2018	Last day to submit articles for February 2019 issue of <i>The Legal Secretary</i>
December 5, 2018	LSS Webinar – Bankruptcy – A 60,000 Foot View
December 26, 2018	Deadline to register for CCLS On-Line Study Group
January 6, 2019	CCLS On-Line Study Group begins
January 18, 2019	Registration deadline without late fee for LSI 3rd Quarterly Conference
February 15-17, 2019	LSI 3rd Quarterly Conference Viejas Casino & Resort, Alpine, CA Hosted by San Diego LSA



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CCLS ON-LINE STUDY GROUP

January 6, 2019 – March 10, 2019



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 (see *CCLS Information Kit* on LSI website for a description of the sections of the exam).

Lectures (MP4) and materials will be posted no later than 7 pm on Sundays. Students may complete the material at their convenience. Access information will be provided upon enrollment in the classes.

***** NEW *****

Individual modules for each section of the CCLS Study Group are now available!

If you only need to study for a few sections, you may purchase individual modules for immediate upload at any time during the then-current Study Group class. You may also purchase all sections if you would prefer to study at your own pace.

Reminder – all material is intended for individual use only, and not for local association study groups

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
Phone: _____ Email: _____

10-Week Study Group:

First time participation: _____ \$100 Members _____ \$150 Non-Member
Subsequent participation: _____ \$ 50 Members _____ \$ 75 Non-Members

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DEADLINE TO REGISTER IS DECEMBER 26, 2018. 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 (with credit card information). You may also pay via PayPal at www.lsi.org. **NO REFUNDS AFTER DECEMBER 28, 2018.**

STRIVE FOR SUCCESS – BE A CCLS!



JASON JASMINE, ESQ. is a partner with Messing Adam & Jasmine LLP. His practice focuses primarily on representing public employees and employee associations regarding a wide range of labor and employment issues, including internal and other administrative investigations, disciplinary and termination proceedings, grievances, arbitrations, civil litigation and appellate work, collective bargaining, and actions before the California State Personnel Board, the California Public Employment Relations Board and the National Labor Relations Board. He serves as the Chief Negotiator for a number of public sector employee associations. Jason has previously been a presenter for LSI at the CEC's workshop on "Protecting the Protectors: Legal Issues Facing Law Enforcement."

CCLS Certification: An Attorney's Perspective

BY JASON JASMINE, ESQ. - SUBMITTED BY SACRAMENTO LSA

When I got my first job with a law firm, even before I passed the Bar Exam, I was repeatedly told to listen to and learn from my legal secretary because they knew more about the practice of law than I did. Having had the added benefit of being married to a legal secretary at the time (who worked at the same firm), I knew it was true. And if I ever forgot, my wife would remind me. However, I also pretty quickly discovered that the skills, quality, training and experience of the various legal secretaries that I would come to work with in my career varied dramatically. I worked with a number of secretaries who had been in the profession for many years, but who lacked the confidence, skills, knowledge and resources to be effective team members – in many ways making my job harder rather than easier.

When we formed Messing Adam & Jasmine several years ago, we brought with us from our previous firm three secretaries for our Sacramento office (Lynne Prescott, Heather Rodriguez, and Lacy Monserrat), two of whom had already achieved the CCLS designation, and one who had been working toward it and achieved the designation shortly after we formed the firm. Now closing in on my 20th year of practice, I can comfortably say that our CCLS-certified staff is the best team of legal secretaries I have ever worked with, and there are several things that reflect this.

The overall quality of their work is higher.

They have a level of confidence and willingness to question (appropriately) attorneys they are working with in order to make sure everything is being done correctly.

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I rarely have to deal with significant mistakes, and when the inevitable mistake does happen, I'm presented with solutions and fixes.

The CCLS network is also a great resource that our legal secretaries can draw from when a particularly complicated issue arises.

Of course people work for a paycheck. But for many people, it seems like they couldn't care less what they were doing to earn that paycheck. The CCLS-certified secretaries I have the pleasure of working with on a daily basis are truly part of the team, are professional, responsible, and truly care about the work they are doing.

LS



GALIA AHARONI, ESQ., is founding attorney of Aharoni Business Law, a full-service modern law firm that assists small and growing businesses with corporate, employment, and intellectual property issues. Ms. Aharoni graduated from Tulane University Law School in 2009. In 2010, Ms. Aharoni moved back to California and joined the California Bar, and worked as a Business Development Attorney for Continuing Education of the Bar. While at CEB, Ms. Aharoni acted as a liaison to new and young California lawyers, and worked with all departments to develop and tailor products and programs to the needs of a new generation of attorneys. Ms. Aharoni then moved back into private practice and joined a family law litigation firm. In 2013, Ms. Aharoni decided to fulfill her lifelong dream of entrepreneurship, and opened her own law firm. Since then, Aharoni Business Law, PC, has grown into a thriving law firm with a bustling team.

Are Your LLC Interests Actually Securities?

BY GALIA AHARONI, ESQ. – SUBMITTED BY MT. DIABLO LPA

Securities law is a complex minefield that terrifies even the most seasoned lawyers. As a small business owner, it is your responsibility to make sure you're complying with all the securities laws, both federal and state, that may apply to your business.

Most people think that only corporate stock qualifies as securities, but did you know that LLC ownership interests might be considered securities, too? Here's what you need to know about whether your LLC interests might be securities, resulting in onerous federal and state securities law implications.

Is it a security?

To put it simply, a security is a transaction in which someone invests money in a company with the expectation of receiving profits from the efforts of someone else. In other words, if someone is buying shares of a company primarily as an investment vehicle, and that investor is not going to be participating in the day-to-day operations of the business, the shares would likely qualify as a security. All securities must be registered with the U.S. Securities and Exchange Commission (SEC) and appropriate state agency, unless they fall into an exemption. But even if they are exempt, you may still have to file documentation showing that you're exempt.

For instance, in California, shares of an LLC in which any member is not continuously and actively involved in the management of it would qualify as securities. This would usually happen if the LLC is manager-managed and



at least one member does not participate in the day-to-day operations of the business. Therefore, if you have an LLC where there are certain members who have bought in as investors, but any one of them will not manage the company on a day-to-day basis, your LLC ownership shares would qualify as securities. Likewise, even if all members intended to participate, but at least one does not participate on a continuous basis, your shares may be considered securities.

Alternatively, if all of the LLC owners are also managing the day-to-day operations, your membership interests would not be considered securities, relieving you of the obligation for any additional filings.

Is it exempt?

If your LLC interests qualify as securities, you are required to register your securities with the SEC and the appropriate state agency. However, most small businesses are exempt from having to register.

In California, for example, you may sell your securities without registration if the following criteria are met:

- You are selling to 35 or fewer members;
- Each purchaser is competent to purchase the securities;
- Each purchaser is buying the securities for their own account and “not with a view to or for sale in connection with any distribution of the security”; and
- There was no public advertisement for the sale.

The purchaser’s competence to buy the shares is satisfied by a showing of any of the following:

- Purchaser has a preexisting personal relationship with the seller (like a family member or friend);
- Purchaser has the capacity to protect their own interests due to their own business or financial experience; or
- Purchaser’s interests will be protected because they have retained qualified professional advisors to assist.

If you are exempt, you must file a notice of exemption, although you avoid the more burdensome registration filing. In California, the required notice form is called a Notice of Transaction (commonly referred to as a 25102(f) Notice) and must be filed with the California Department of Business Oversight. This notice informs the state of California that you are exempt for the allowed reasons listed above. You must file this notice within 15 days of issuing your securities, and the filing fee fluctuates based on the value of the interests to be sold.

Most small businesses will not be required to file an exemption notice with the SEC. However, it’s always best to check with your business lawyer about whether any notice or registration is required for your individual business, and in your particular state.

Do you need to register?

If your LLC interests count as securities, and those securities don’t qualify for an exemption, you will have to register your securities with the SEC and appropriate state agency. Registration of a security is an involved process subject to a complex web of securities laws. You will need the assistance of a skilled securities lawyer to make sure you’re in full compliance.

Conclusion

Even if your business entity is an LLC, your membership interests may be considered securities, requiring you to determine whether any filings are necessary. As always, make sure to check your local, state, and federal laws to ensure you’re always in compliance. If you need any assistance determining what steps you need to take with your business or LLC interests, give us a call. We can help you make sure you’re not setting yourself up for expensive trouble down the road.

LS

LSI ACRONYMS

BLST – Beginning Legal Secretary Training

CCLS – California Certified Legal Secretary

CEC - Continuing Education Council

EC – Executive Committee

LOPM/LPH – *Law Office Procedures Manual/ Legal Professionals Handbook*

LSA/LPA – Legal Secretaries Association/ Legal Professionals Association

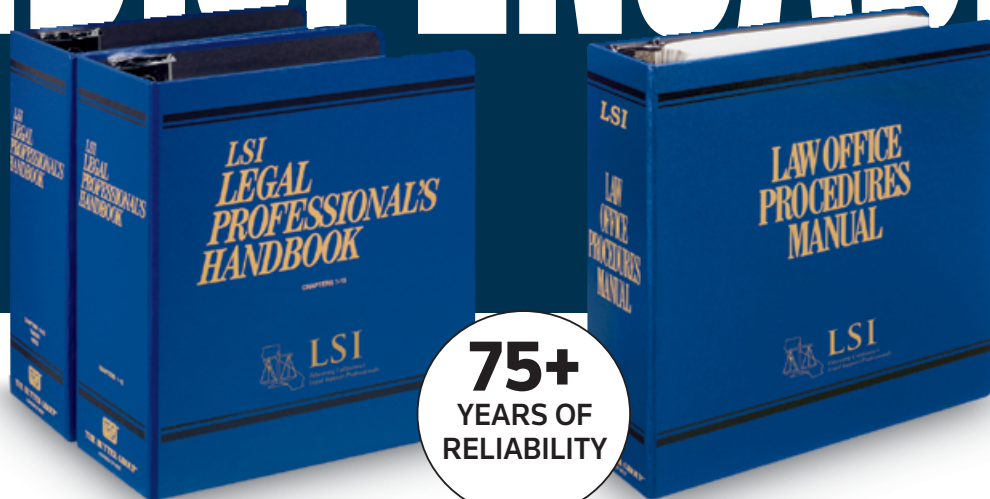
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Mail Application, copy of LSI Membership Card (if applicable), and fees to:
April K. Ignaitis, CCLS, CCLS Certifying Board, P.O. Box 2879, Cupertino, CA 95015

(Select one) ☐ **Northern California** ☐ **Saturday, March 16, 2019**
☐ **Southern California** ☐ **Saturday, September 21, 2019**

- **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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LSI Members <input type="checkbox"/>		Non-LSI Members <input type="checkbox"/>	
On Time Registration Fee	\$ 25.00	On Time Registration Fee	\$ 75.00
Examination Fee*	100.00	Examination Fee*	100.00
Late Fee (if applicable)	45.00	Late Fee (if applicable)	45.00
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Personal Information

Name: _____

Mailing Address: _____

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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: _____

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(name and address)

Supervisor: _____ Supervisor's Phone: _____

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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.

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*Fees subject to change without notice.

Rev. February 2018



SKYE EMERY, ESQ., is a family law attorney at the firm Aitchison & Emery, practicing in Merced and Mariposa counties. Ms. Emery graduated from San Joaquin College of Law with a Juris Doctor degree in May 2016. Ms. Emery has the distinct privilege of employing the fabulous Stephanie Harrison as her secretary and will dearly miss Ms. Harrison upon her upcoming retirement.

Finding a Balance Between a Love of Family and Career

BY SKYE EMERY, ESQ. – SUBMITTED BY MERCED COUNTY LPA

“So, what did you end up being? Doctor? Lawyer?” I stared at the Facebook message that had popped up on my computer screen after “friending” an old acquaintance from high school. I considered my possible responses; “I dropped out of college, got married, and had four kids,” “I dropped out of college and worked to put my husband through medical school,” “I dropped out of college with three semesters to go, my parents were thrilled!” All true answers and it hit me - while I had always assumed I would finish college and graduate school one day, “one day” was something I had stopped expecting right around the corner.

I went online and started researching nearby colleges, transfer requirements, and ordering transcripts. This would be my fifth attempt at my undergraduate degree. Every time I started at a new school, we would either move for my husband's education or I would get pregnant. At this point, my husband was completely through residency, had been working as a pathologist for nearly five years, and we had finished our family at four children - two boys, two girls. I enrolled at University Nevada, Reno. Two semesters in, and my husband's company was sold. I started packing and we resettled in Merced, California. This time, I was not going to stop. I enrolled at an online university. I completed my Bachelor of Arts degree in May of 2012 and started law school three months later.

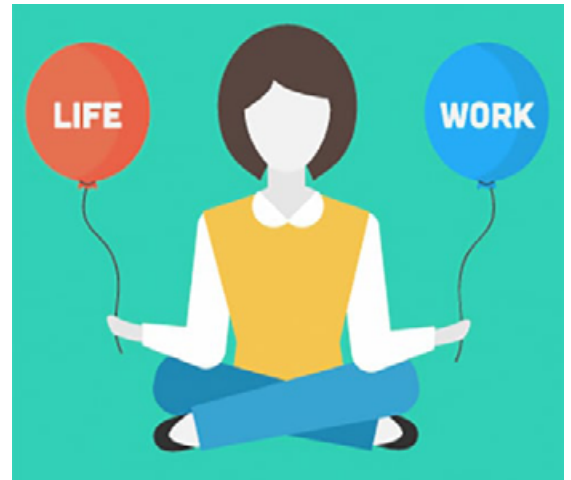
The law school that I attended was 68 miles each way from my home. I took night classes and summer school. I woke up every morning and got my kids ready for school, dropped everyone off, came home, and briefed cases until it was time to pick up everyone. Afternoons were when I handed out snacks, helped with homework, made dinner, and headed to school. I had to be out the door by 5:00 PM in order to be on time for my 6:30 PM class. Class ended at 9:30 PM and I would get home around 11:00 PM. Except for winter break, I maintained this schedule Monday through Thursday for four years. Halfway through law school, I

added a part-time internship at the District Attorney's office and started handling pre-trial calendars, motion hearings, and jury trials as a Certified Law Clerk. I did not think I could possibly work as hard as I was or juggle more than I had in the air.

I passed the California State Bar Exam on my first attempt, left the District Attorney's office, and joined a family law firm. Somehow, I found that I was stretched even more thin than while I was in law school or studying for the bar. I had to come up with strategies that would balance my work and life or I would fail spectacularly at both.

Partnership, The Homefront

Behind every working mother, it sure helps if there is an amazing partner. I have one, for sure. Together, we text, email, call, and meet up throughout the average day to coordinate school drop-offs, my court hearings, his call schedule, sports practices, Girl Scout meetings, orthodontist appointments, which of us is working late, and who has an evening committee meeting. I am not going to pretend that there has not been the occasional heart-stopping realization when I look at the time on my computer screen and realize I have a kid sitting on a curb across town, or that TODAY had been my dentist appointment, but for the most part, things run smoothly.



Priorities: Breaks, Academics, Achievements

I have several non-negotiable family priorities. One weekend a month, I do not work. I know that sounds like a small thing, but I tend to bring my work home if not in a tangible way, then definitely in a mental way. Just one weekend a month, I leave it behind and concentrate on my family: boba tea with my daughters, watching football with my sons, cooking as a family, slow dinners with a lot of talking and debating. Hey, I don't completely turn off being an attorney.

I attend all parent-teacher conferences. My children need to know that school is important. They had a front-row seat to my legal education. I want to stress to them that the struggles of 6th grade are no less meaningful than trying to parse out The Rule Against Perpetuities. It is a matter of scale; learning new things should be a little bit of a struggle and a little bit of what Carl Sagan was talking about when he said that "understanding is a kind of ecstasy."

It is not always both my husband and myself, but if there is an awards ceremony for one of the kids, one of us is there to clap and take pictures. It does not matter if they met their reading point goal for the semester or it's varsity football senior night. A parent is there to share the achievement.

Getting it Together

Organization is key. At some point each weekend, I make a meal plan and grocery list for the week. I have an adorable Pinterest-style meal chart next to the kitchen table that has every night's dinner for the week because there are some days that coming home to "What's for dinner?" is enough to push my very last button. There is something

soothing about planning out 5-6 complete dinners. I say 5-6 because I'm realistic that there will be pizza mixed in there somewhere. This might not work for everyone, but cooking is something that I find relaxing as long as it is not a mad dash to figure out what to do with a few chicken breasts and something wilted from the drawer in the fridge. I get home, switch out my suit for sweats, and look at the wall chart. Ah, tonight is quiche and caesar salad.

Wrapping it Up

Working in the legal profession means that we are managing our client's scariest and most stressful times in their lives. Often that means that we sacrifice our own sanity and personal lives in service to others. I do not have to quote the thousands of studies that show (1) attorney's relationships fall apart more often, (2) an attorney's risk for substance abuse is higher than nearly any other field, and (3) our suicide rates are higher than most careers. Spoiler alert, it's not good news. What I found while writing this article is that what works for me and my family is to apply workplace rules to home - strict timelines, scheduled meetings to reconnect, good communication, and calendaring important events.

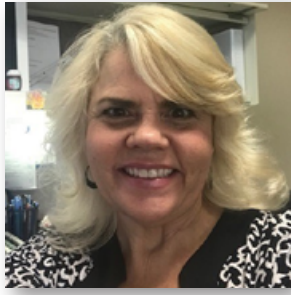
Lastly, when I am having a bad day and I've lost a contested hearing that I was sure was going my way, I get home and the kids are cranky, the cat has scattered litter all over the bathroom, the dogs have gotten into the trash, and I get a text that my husband won't be home until late, I take a deep breath and think about how lucky I am to have a life full of love and purpose. Or I hide in my room with some chocolate. Whatever works!

LS

Quarterly Assignments

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

- **A. AUGUST ISSUE (TO BE SUBMITTED NO LATER THAN JUNE 1ST):**
Alameda County, Beverly Hills/Century City, Conejo Valley, Contra Costa County, Desert Palm, Fresno County, Humboldt County, Imperial County
- **B. NOVEMBER ISSUE (TO BE SUBMITTED NO LATER THAN SEPTEMBER 1ST):**
Livermore-Amador Valley, Long Beach, Los Angeles, Marin County, Merced County, Mt. Diablo, Orange County, Placer County
- **C. FEBRUARY ISSUE (TO BE SUBMITTED NO LATER THAN DECEMBER 1ST):**
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- **D. 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



KIRSTEN MORRIS is a former Deputy Clerk for both the Superior and U.S. District Courts, and a Legal Secretary for the Sacramento City Attorney's Office. Kirsten has over 33 years of experience in the legal field, and is a member of the Placer County Legal Professionals Association. She is currently a Legal Assistant at the law firm of Cole Huber LLP (formerly Cota, Cole & Huber, LLP), located in Roseville, CA., where she specializes in Civil, Municipal, and Employment Law.

A Personal Business

BY KIRSTEN MORRIS – SUBMITTED BY PLACER COUNTY LPA

Like any career or profession, if you've been at it a while, you probably have a treasure trove full of stories, interesting experiences and amusing anecdotes specific to that field. Legal secretaries, clerks and paralegals ("legal assistants") are no exception. Regardless of which area of law you support, legal assistants often endure heavy workloads, stressful deadlines, technological challenges, and long work hours, not to mention the high emotions emitting from both client and counsel.

Whether it's criminal, family law, civil litigation, or even estate planning, let's face it, our work is very personal. It's an emotional business; one that can have lasting effects not only on the principle parties, but also on the attorneys and support staff who help facilitate a particular outcome. We are dealing with highly sensitive and sometimes disturbing information - lives are affected. It's not always pretty, and depending on who you ask, the final decision isn't always just. Nonetheless, it's the process we must adhere to and most of the time it works. What about when it doesn't? How do we keep ourselves from becoming jaded, consumed or immune to the everyday emotions and demands that surround our profession?

Find the humor and show some compassion. From my early-early days as a Deputy Civil Clerk for the Courts, I will forever remember the woman who came into the Clerk's Office, crying, angry, and her hair a mess. Exasperated, she asked me for the forms to "emasculate" her daughter. What?! I was only in my early 20s at the time - was that even possible? As I sat there dumbfounded and concerned by her request, my supervisor came out, and without skipping a beat or cracking a smile, calmly said "I'm sorry, but I think you want to emancipate your daughter." She gave her a tissue and gently directed her to the Family Law Department. The woman seemed comforted by the corrected information and thanked her for the guidance. Yes, we all had a good giggle after she left, but this woman was clearly distraught, confused and frustrated by a process she knew nothing about. Our line of work can be daunting and intimidating. A little patience, and a well-rounded legal vocabulary, proved calming and set the tone for the rest of the day.

Glean what's useful, discard what's not. I know that sounds a little Pollyanna, but after years in this business, I'm a firm believer that every career decision, good or bad, offers potential for growth and helps direct us to where we are needed most. Draw from those experiences, follow that path and trust your instincts. Don't be afraid to make a change or take a class if your current position doesn't feel right. Branch out, diversify yourself, and find your fit. The right type of law office can make all the difference in how satisfied you are with your position and the work you do. Also, know your (emotional) limitations. I only lasted two days in a Family Law department after I witnessed a bailiff peel a screaming child away from his parent in a child custody case. Not every legal assistant is cutout for the daily emotional drain that comes from handling such cases - that's okay. I have a fierce appreciation for you family law folks, but it's not for everyone. Find your niche or specialty, and do what makes you happy. LSI is a great place to start.



Take pride in your work and the attorneys you support. Most of us in this line of work already do this. It's a common trait among legal support professionals – we're perfectionists, we're detailed, we are the last line of defense before the work product goes out. No legal assistant wants their attorneys or firm to look bad. Yet, with constant rule changes, and if you're regularly filing in multiple jurisdictions, it's easy to slip up. As much as I want to say "slow down, take your time and pay attention" that's not always realistic – you have a 1:00 p.m. filing deadline and a booming workload hanging over you. You may not have time to fully proofread all 84 pages, but before you slap your proof of service on the back of that brief, give it a second look, give it a third look. Become familiar with your attorney's common oversights and flaws. Know what to look for and use your programs and resources (i.e., spell check, grammar check, cite-check, or ask a co-worker to give it a glance). Check the local rules for that particular venue to make sure you've complied with their filing procedures before you hand it off to the runner. Each of

these steps only take a few minutes, but are well worth the peace of mind and pride that comes from knowing you did your best. Mistakes will still happen, and when they do, don't beat yourself up. Learn from them and move on. Correcting something is the best way to learn about it.

Lastly, enjoy the ride! Don't just network, make life-long friends. Share your experiences with others in the field and draw from theirs. Cultivate these relationships and try to appreciate the idiosyncrasies and quirks of the people you work with instead of getting irritated with them. Our work is challenging, and life is stressful. We are all dealing with something outside the office. Patience, compassion and a genuine effort to understand someone can produce wonderful results and make our work environment a positive and more fulfilling place to be.

LS

Thank You

TO: LSI, ALL ITS ASSOCIATIONS and MEMBERS

This is the thank you note that I never expected to have to write at this time in our lives.

Ray had overcome cancer, a double bypass, another round of cancer and completed rehab.

He was expecting to come home and had asked me to plan another train trip
for our 55th anniversary. Life takes so many unexpected turns
and now I find myself with my grammar school sweetheart gone.

The support given, comforting calls, prayers, beautiful flowers, many thoughtful cards and
much needed telephone calls have given me strength to help me with this sad journey.

I will never be able to repay each of you and the associations, or say thank to each,
so for now just a simple, "much appreciated and my heart felt thank you!"



DIANA E. ESTABROOK, PLS
Sonoma County LSA
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ELECTED OFFICERS

President
HEATHER EDWARDS
Cell: 818-482-7040
E-mail: heatheredwardslsi@aol.com

Vice President
LYNNE PRESCOTT, CCLS
Cell: 916-398-0120; Work: 916-551-3360
E-mail: slprescott7@gmail.com

Executive Secretary
ROD CARDINALE, JR.
Cell: 408-461-0972
E-mail: rodcardinalejr@sbcglobal.net

Treasurer
DIANE MECCA, CP, CBA
Cell: 209-918-0796; Work: 209-529-7254
E-mail: dianemecca@hotmail.com

APPOINTED OFFICERS

Executive Advisor (Nominations and Elections Chair)
JENNIFER L. PAGE, CCLS
Cell: 415-710-3402; Work: 415-526-0113
E-mail: jlpagexix.netcom.com

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)
KAREN J. JONES
Home: 818-269-5750
E-mail: karenjacobsonjones@gmail.com

Editor, *The Legal Secretary*
BARBARA BARREGAR
Cell: 949-285-5271
E-mail: LSI.TLSeditor@gmail.com

Educational Program Coordinator (CEC/Marketing)
J. CORI MANDY, CCLS
Work: 619-515-3256
E-mail: cori.mandy@procopio.com

Historian
LINDA BROWN, CCLS, CP
Cell: 209-534-1236; Work: 209-529-7254
E-mail: linda.lstclasslegals@gmail.com

Legal Specialization Sections Coordinator (CEC/Marketing)
DAWN R. FORGEUR, CCLS
Cell: 916-601-1380; Work: 916-319-4786
E-mail: dawn@forgeur.com
or dawn.forgeur@stoel.com

CHAIRMEN

2019 Annual Conference Chair
CYNDEE SAUCEDA, CCLS
Work: 510-861-2336
E-mail: csauceda@meyersnave.com

Advertising (Marketing)
DEBORAH SCHMIDT, CCLS
Cell: 714-270-8478
E-mail: lsi.dschmidt@yahoo.com

California Certified Legal Secretary (CEC/Marketing)
TERRIE QUINTON, CCLS
Cell: 951-294-1246; Work: 619-209-3056
E-mail: Quinton@dsmw.com

Career Promotion/Scholarship (Marketing)
RACHEL MALERBI
Cell: 916-217-5569; Work: 916-472-6228
E-mail: rachel.malerbi.lsi@gmail.com

Editor, *The Legal Professional's Handbook* (PRC)
LINDA LANE, CCLS
Cell: 818-434-6600
E-mail: llane44@yahoo.com

Editor, *Law Office Procedures Manual* (PRC)
LISA DE LA O
Cell: 818-590-3441; Work: 818-715-7025
E-mail: ldelaofitcheven.com

Legal Procedures (CEC)
BECKY J. NEIDHARDT, CCLS
Cell: 619-892-0197; Home: 619-334-2524
E-mail: becky.neidhardt@gmail.com

Legal Professional Training/Seminars (CEC)
DONNA DAY
Cell: 510-303-8725; Home: 510-247-1208
E-mail: wilderdays@sbcglobal.net

Professional Liaison/Day In Court (Marketing)
HEATHER NOWAK
Cell: 714-642-3985
E-mail: hillme02@hotmail.com

Social Media (Marketing)
ERIKA GARDUÑO
Cell: 760-777-0380
E-mail: lsi.socialmediachair@gmail.com

LSI Liaison to the Law Practice Management & Technology Section of the California Lawyers Association (Marketing)
GWENDOLYN EDWARDS, CCLS
Cell: 310-228-8044
E-mail: gwenyam@gmail.com

LEGAL SPECIALIZATION SECTIONS

Coordinator (CEC/Marketing)
DAWN R. FORGEUR, CCLS
Cell: 916-601-1380; Work: 916-319-4786
E-mail: dawn@forgeur.com
or dawn.forgeur@stoel.com

Civil Litigation
BELINDA OWENS
Cell: 619-261-9323; Work: 858-451-0291
E-mail: belinda@thesandiegolemonlawyer.com
or bowens0913@aol.com

Criminal/Family Law
MARY LOU FLOYD, CCLS
Cell: 707-533-0128
E-mail: louloux7@yahoo.com

Federal
BETTINA JACOBSON
Home: 916-616-8158
E-mail: bettinajacobson@gmail.com

Law Office Administration
ANNETTE DAVIS
Home: 661-839-3423; Work: 213-330-8899
E-mail: amarie50@me.com

Probate/Estate Planning
CARMEN VASQUES
Phone: 805-757-2184
E-mail: cvasques11@yahoo.com

Specialty
CYNDEE SAUCEDA, CCLS
Work: 510-861-2336
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Webinars
RENEE EVANS
Cell: 619-823-7332; Work: 619-235-3437
E-mail: lsiwebinar@gmail.com

PUBLICATIONS REVISION COMMITTEE

Editor-in-Chief (CEC)
KAREN J. JONES
Home: 818-269-5750
E-mail: karenjacobsonjones@gmail.com

Editor, *The Legal Professional's Handbook* (PRC/Marketing)
LINDA LANE, CCLS
Cell: 818-434-6600
E-mail: llane44@yahoo.com

Editor, *Law Office Procedures Manual* (PRC)
LISA DE LA O
Cell: 818-590-3441; Work: 818-715-7025
E-mail: ldelaofitcheven.com

Assistant Editor
NORMA MARQUEZ
Cell: 714-900-2010
E-mail: norma.a.marqz@gmail.com

Assistant Editor
PAMELA SCHULD, CCLS
Cell: 714-797-5520; Work: 949-475-9200
E-mail: kraftymomm@yahoo.com

Assistant Editor
JUDY JOHNS, CCLS
Cell: 760-533-1405; Work: 619-338-6545
E-mail: jjohns@sheppardmullin.com

Assistant Editor
SUE SAMPLEY, CCLS
Cell: 661-557-8123
E-mail: suesampley@gmail.com

Assistant Editor
DIANA ANDERSON, CCLS
Cell: (818) 877-6353
E-mail: danderson@nsplc.com

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Member (Chair)
APRIL IGNAITIS, CCLS
Cell: 408-373-3306; Work: 408-795-3437
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Work: 408-998-4150
E-mail: mmuraco@littler.com

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EMILY J. LYNCH MORISSETTE, ESQ.
Home Office: 619-437-8621
E-mail: elmorissette@cox.net

CORPORATE OFFICE

Administrator
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Work: 916-239-4089 or 800-281-2188
E-mail: kim@lsi.org

CONTINUING EDUCATION COUNSEL (CEC)

Educational Program Coordinator
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(714) 953-9451

Inland Empire

455 W. La Cadena Ste. 17
Riverside, CA 92501
(951) 369-8369

Ventura

801 S. Victoria Ave. Ste. 304
Ventura, CA 93003
(805) 650-9077