In Summary:
December 1, 2015
Changes to the FRCP

By Ann Marie Murphy and Celine Cutter
See Page 4
NATIONWIDE / WORLDWIDE COVERAGE
24-hour easy online scheduling. Friendly and helpful calendar staff. E-mailed or faxed confirmations.

MOBILE VIDEO CONFERENCING
Instantly see and interact with anyone, anywhere in the world using Barkley Mobile Video Conference, our network of video conference rooms, or through video/text streaming.

ON-TIME DELIVERY OF TRANSCRIPTS
Download transcripts and exhibits 24/7 from anywhere through our secure website.

CONFERENCE ROOMS WORLDWIDE

BARKLEYAPP
Access your transcript files and see your deposition calendar. Find directions to the deposition and view details and status of invoices.

TRIAL TECHNOLOGY
Present your case for settlement, arbitration or trial, with state-of-the-art equipment, graphics, video and animation.

Celebrating 40 Years of Personal Service on a Global Scale

San Diego • Los Angeles • San Francisco • Irvine • Carlsbad • Sacramento • San Jose • Palm Springs • Riverside • Woodland Hills • Manhattan • Brooklyn • Albany • Garden City • White Plains • Chicago • Las Vegas • Paris, France • Hong Kong • Dubai

(800) 222-1231
Features

Moving Onward and Upward in Unity ......................... 2
by Mary J. Beaudrow, CCLS

In Summary: Changes to the FRCP .......................... 4
by Anne Marie Murphy and Celine Cutter

Congratulations to LSI's Newest CCLSs ...................... 5

Bear It All In Yosemite ...................................... 9
by Stephanie Harrison

The Last Hoorah ............................................. 10
by Sandra T. Jimenez, CCLS

Wellness Health & Fitness .................................... 12
by Jane Benson-Keast, M.P.A

The Ramifications of Restricted Stock Units ................. 14
by Steven A. Leff, Esq.

Do You Have a Legal Toolbox ................................ 17
by Robert Mansour, Esq.

Stuck with a New Technology Problem .................... 20
by Sean McNealis

What's In It for Me ......................................... 26
by Lynne Prescott, CCLS

The Changing Role of Legal Support Staff .................. 30
by Cynthia Thomas

How to Improve Outcome in Questioned Document Cases .... 33
by Mike Wakshull MS, CQE

Departments

CCLS Quiz – Law Office Administration ...................... 5

CCLS Workshop – Law Office Administration Registration ...... 16

Beginning Legal Secretarial Training Class .................. 19

CCLS Exam Application ....................................... 23

May 2016 Conference Hotel Reservation Form .................. 24

May 2016 Conference Registration Form ......................... 25

Legal Specialization Sections Seminar Registration ............. 27

LSI Benefits ..................................................... 28

Answer Key to CCLS Quiz ...................................... 31

Overview of California State Discovery ....................... 32

Quarterly Assignments ........................................ 34

CCLS On-Line Study Group .................................... 35

Legal Specialization Sections .................................. 36

Guidelines for Submission of Articles .......................... 36

Legal Specialization Sections 2015-2016 Application ............ 37

LSI 2015 Roster .................................................. 40

Advertisers Index

Barkeley Court Reporters ...................................... IFC

Translation by Design ........................................ 3

US Legal Support .............................................. 8

Behmke Reporting and Video Services ......................... 15

Redroman Creative ............................................. 16

Huseby.com ...................................................... 18

Kern Legal Services .......................................... 29

Knox Attorney Service ......................................... 38

The Rutter Group ............................................. 39

First Legal Network ............................................ IBC

Janney & Janney ................................................ Back Cover

THE LEGAL SECRETARY MAGAZINE is published Quarterly by Legal Secretaries, Incorporated

Editor: DEBORAH SCHMIDT, CCLS
Designer: LORI MCELROY, REDROMAN CREATIVE
Printer: MODERN LITHO
Cover Photo: TENAYA LODGE

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

Copyright © 2015 by Legal Secretaries Incorporated, 2520 Venture Oaks Way, Suite 150, Sacramento, CA 95833. All rights reserved. Reproduction in whole or in part without the express permission of Legal Secretaries, Incorporated is prohibited. “The Legal Secretary” is a registered trademark of Legal Secretaries, Incorporated.
Happy New Year! My warmest of wishes to everyone for a year filled with health, happiness, and success to all of you.

Riverside Legal Professionals Association did a wonderful job of hosting LSI’s November 2015 Quarterly Conference at the Riverside Marriott in Riverside with the theme, “LSI Superheroes.” The superhero of the weekend was Conference Chair Shaylene Cortez, CCLS, who did an outstanding job. Riverside LPA is a small association, so when Shaylene made the call for assistance in hosting the conference, several local associations answered. As your LSI President, I was extremely proud to see this collaborative effort being brought forth.

During the last year and one-half, the Executive Committee and the chairmen have worked very hard to move Legal Secretaries, Incorporated forward in unity. The Continuing Education Council has presented several online classes. The Legal Specialization Sections continued to provide six seminars at each of the conferences, along with quarterly newsletters, and as of this date, they have presented two webinars. The Marketing Committee has been very busy with redesigning all of LSI’s marketing materials, which includes new Membership and President’s pins, along with new Membership Packets. They are now working on designing a Governor’s pin, which they hope to present to the Board of Governors at the February 2016 Quarterly Conference.

At the February 2016 Quarterly Conference, the slate of officers for the 2016-2017 fiscal year will be presented, which reminds me of when I saw my name on the slate for the office of LSI Treasurer in 2008. Now, I move forward as I am halfway through my second year as your LSI President. Being a member of the Executive Committee has been an amazing experience both personally and professionally. My time as your President has been a rewarding and challenging experience; however, in May, I will be ready to hand the gavel to our next LSI President.

In continuing with the Local Association Promotion Program, on Sunday morning the following five associations were selected to receive a free scrip ticket for the February 2016 Quarterly Conference: Los Angeles LSA; Río Honda District LPA; San Francisco LPA; San Gabriel Valley LSA; and Santa Maria LPA. My vision for this program was to provide an opportunity for someone to attend their first conference or for some associations to enable them to have their Governor attend the conference.

At the February 2016 Quarterly Conference, LSI will be accepting bids to host the following upcoming conferences: November 2017, February 2018, and the 2018 May Annual Conference. The bids will be voted on at the Post-Annual Board of Governors meeting at the 2016 May Annual Conference in Santa Rosa. Don’t let another opportunity to show off your city pass you by. Work with your local association members and hold a conference in your own backyard.

I hope many of you will join us at the February 2016 Quarterly Conference at the Tenaya Lodge at Yosemite in Fish Camp for the weekend of February 26-28, 2016. It is a beautiful location for a conference and to bring the family to enjoy the sites of Yosemite.
Translation & Interpretation
for Legal Matters

- 50+ Languages
  español  官話  日本語  tiếng việt
  한국말  le français  русский язык
deutsche  ελληνικά  tagalog  ਪੰਜਾਬੀ

- Interpreters - Any Location
  Depositions  Statements  Court
  Trial  Hearings  Witness Prep

- Certified Document Translation

- Multilingual Contract Attorneys

- Video/Phone Remote Interpreters

Every assignment is personal. We are
passionate about the success of all
of our clients — no matter how
challenging the language or
location. We never give up
because we truly care!

Sandra DeLay, President
Translation By Design

决心

☎ 831.655.9588
✉ info@translationbydesign.com
www.translationbydesign.com
90 DAYS FOR SERVICE OF SUMMONS

Rule 4(m) has been amended to reduce the time for serving the defendant from 120 to 90 days after the complaint has been filed. As in the old rule, if service is not completed by the deadline, the case may be dismissed without prejudice. This change means that plaintiffs will need to have a service plan ready when they file. The amended rule also includes a new form of summons.

EARLY RFPDS

New language in Rule 26(d)(2) permits requests for production of documents (under Rule 34) to be sent to a party 21 days after the summons and complaint are served on that party—before the parties meet for the 26(f) conference. These early RFPDs will be considered served at the first Rule 26(f) conference. Note that only Rule 34 RFPDs may be sent early, other forms of discovery must be sent after the 26(f) conference.

RESPONDING TO RFPDS

If a party sends RFPDs before the 26(f) conference, the recipient has 30 days after the conference to respond. For RFPDs sent after the conference, the deadline to respond remains the same—30 days after being served.

Rule 34 has also added some new requirements. Responding parties who object must state the specific grounds for objecting, and whether they are withholding any documents on the basis of the objection. If a party states that it will produce copies of a document, it must also give a deadline for when it will produce those copies—but as a default under the revised Rule, the production is supposed to happen on the date the written response is due. The intent of the changed language is to clamp down on endless rolling productions.

SCHEDULING ORDERS

Rule 16(b) now requires judges to issue scheduling orders within the earlier of 90 days after any defendant has been served, or within 60 days after any defendant has appeared. However, the court may find good cause to extend the time to issue the scheduling order.

Scheduling orders may now also include new material: instructions on preservation of electronically stored

Continued on page 11
Congratulations to LSI’s Newest California Certified Legal Secretaries

THE FOLLOWING INDIVIDUALS ARE TO BE RECOGNIZED AND COMMENDED FOR PASSING THE CCLS EXAMINATION ON OCTOBER 17, 2015:

Dora Akillian, CCLS  Non-LSI Member
Ashley Ann Barnes, CCLS Non-LSI Member
Amber Burns, CCLS  Non-LSI Member
Erin Gama, CCLS  Stanislaus Co. LPA
Renata Marquez King, CCLS Los Angeles LSA

Passing the CCLS examination is a tremendous achievement and these new CCLCs deserve kudos for rising to the challenge and proving that hard work, dedication, and commitment can lead to fantastic results!

When you see any of these ladies, please offer your congratulations on their achievement. We invite you all to join us at LSI’s Annual Conference in May 2015 as we honor these new California Certified Legal Secretaries at the CCLS Luncheon and Saturday Banquet.

CCLS QUIZ:

LAW OFFICE ADMINISTRATION – ALPHABETIC FILING

FOR EACH SET OF NAMES BELOW, DETERMINE THEIR CORRECT ORDER BASED ON GREGG’S RULES FOR ALPHABETIC FILING.

1. (a) Mr. Howard B. Neat
   (b) Major Howard R. Neat
   (c) Mrs. Howard B. Neat

2. (a) Yosemite Valley Lithographics
    (Yosemite, Valley, Lithographics)
   (b) Yosemite-Merced Linoleum
    (Yosemite merced, Linoleum)
   (c) Yosemite Sam (Sam, Yosemite)

3. (a) OSHA
    (b) Ontario Restaurant Supply
    (c) O’Shaughnessy’s Towing

4. (a) XIII O’Clock Bar
    (b) Third Street Grill
    (c) 9th Street Bistro

5. (a) Genevieve St. Clair
    (b) Peter Staggins
    (c) Suzanne St. Marie

6. (a) A Touch of Class Interiors
    (b) The Touch of Class Bistro
    (c) The Touch-of-Class Bar & Grill

7. (a) U. S. Trucking
    (b) US Train Depot
    (c) UNESCO

8. (a) U. S. Coastal Mining Corporation
    (b) US Coal Mining Corporation
    (c) U.S. Coal Mining Company

9. (a) Javier Torres
    (b) Javier de la Torre
    (c) Javier dela Torres

10. (a) Howard Hanson
    (b) Hanson’s Hardware
    (c) Howard Hanson’s Hardware

CCLS QUIZ ANSWERS ON PAGE 31
LSI Second Quarterly Conference

Educational Programs
- California Certified Legal Secretary (CCLS)
- Beginning Legal Secretary Training (BLST)
- Online Courses

Legal Specialization Sections (LSS)
- Civil Litigation
- Criminal Law
- Family Law
- Law Office Administration
- Probate/Estate Planning
- Transactional Law

Educational Materials
- Legal Professional’s Handbook (LPH)
- Law Office Procedures Manual (LOPM)
- Instructor’s Guides for LOPM
- Study Guide & Kit for CCLS
- The Legal Secretary - LSI Magazine
- LSS Newsletters
THE LEGAL SECRETARY

LSI Quarterly Conference
Riverside
November 13-15, 2015

FEBRUARY 2016 | 7
U.S. Legal Support provides court reporting, record retrieval, electronic discovery and trial support services to local and national law firms, major corporations and insurance carriers. We stand out in a field of many choices by offering tailored solutions and exceptional personalized service.

National Presence. Local Expertise.

800.993.4464

Costa Mesa | Fresno | Inland Empire | Los Angeles | Sacramento | San Diego
San Francisco | Sherman Oaks | Woodland Hills

Visit www.uslegalsupport.com for a listing of our national locations.
STEPHANIE HARRISON has been employed as a Legal Assistant for Marvin J. Brown since 1984 and has been a member of the Merced County LPA since its induction. She has been a very active member of MCLPA, holding almost all positions on the board and otherwise, and was a past LSI Family Law Section leader.

**Bear It All In Yosemite**

**BY STEPHANIE HARRISON, LSI THIRD QUARTERLY CONFERENCE CHAIR**

Ahhhh there is nothing like breathing in fresh mountain air - welcome to Yosemite! Merced County LPA is excited to welcome you to the beautiful Tenaya Lodge for the LSI. Third Quarterly Conference (February 26-28, 2016). Tenaya Lodge is a gem, built in 1990 and located just two miles from the south entrance of Yosemite National Park. The Lodge offers AAA Four-Diamond Yosemite accommodations, including Lodge and Cottage rooms. The hotel has recently been renovated; a wonderful addition to the lodge is the Ascent Spa, which is located on the subterranean floor.

We hope you also are able to make this a family vacation, and visit beautiful Yosemite National Park and its nearly 1,200 square miles of splendor. The Park which recently celebrated its 125th Anniversary, is home to one of the tallest waterfalls in the world, and one of the largest granite monoliths in the world. The majestic redwoods on the opposite side of the south entrance are a must see.

Plan on this conference being casual, but of course dress appropriately and warm - there may even be some snow! Prior to your departure, check the road conditions to see if chains are required.

For the reception Friday night, bring your appetite. Because the Lodge is in a fairly remote location, we have planned on a little heartier-than-usual menu. The Lodge has 5 different food venues, ranging from casual to candlelit - all serving fresh, local, sustainable fare. In addition to the restaurants, the Lodge has a gift shop with snacks and items relating to Yosemite for purchase. You might think about stopping in Oakhurst on your way to the Lodge to pick up a few munchies and drinks. The drive from Oakhurst to the Lodge in Fish Camp is about 20 minutes (12 miles) and the road is a little winding, but worth the views.

There are refrigerators in each room. The Lodge features a very nice bar/lounge with indoor and outdoor seating (with a huge fire pit outside! can you say s’mores?). The Lodge was awarded the 2015 Trip Advisor Certificate of Excellence Award as well as the Sunset Travel Award.

Just recently, the Yosemite Area Regional Transportation System has included service from the Fresno Yosemite International Airport. No need to rent a car, enjoy the ride on YARTS. Their schedule should accommodate just about everyone flying in and out of Fresno Yosemite International Airport. See their website for a schedule (http://yarts.com/). The airport is approximately 1 hour from the Lodge. If you choose to drive from the North, you would take Highway 99 to Highway 140 East once in Merced, then to 49 South (sharp right turn as you enter Mariposa), travel through Oakhurst, then left on 41 about 12 miles. From the South you would take 41 North from 99 out of Fresno, also through Oakhurst; or 145 from 99 out of Madera to 41N.

Conference registration will be just past the Hotel registration. All meeting rooms are on the first floor and within a short distance of each other; the same is true of the luncheon rooms.

There will be an abundance of opportunity drawing prizes available and of course an array of vendors - please check them out so they do not feel lonely. Our vendors always have awesome giveaways and door prizes. The Lodge has an ice rink just outside if you are feeling adventurous. Don Lee will, of course, be the host with the most at his hospitality suite Friday and Saturday so be sure to visit! It’s Chinese New Year time of the year during conference, and it is the YEAR OF THE MONKEY - but no monkeying around in his room!

Continued on page 11
The Last Hoorah!

BY SANDRA T. JIMENEZ, CCLS, LSI EXECUTIVE ADVISOR

As we all know, *The Legal Secretary* magazine, is OUR magazine, and every association, chair, and Executive Committee member must do their part to contribute articles to the magazine for publication. As Executive Advisor, I did not want to write an article on Inter-Association or Ways and Means, because everyone knows basically everything there is to know about those committees; however, instead I want to share insight into my experience of all my years volunteering with LSI, and it all starts with deciding to run for office - Nominations and Elections.

As I reminisce over all the years of volunteering as a member, chair and officer of LSI and also my years volunteering for my local association, I think of the achievements, successes and my own personal growth as a legal professional – and all because I was “urged” and “pushed” to say yes. I can now say that I made the right decision to roll up my sleeves and participate. LSI afforded me the greatest opportunity to learn, to grow, to gain confidence in myself, and above all provided me with many great memories.

Coming from a family of 16, I knew that a college education was out and I would not be attending a university. I had to be job ready out of high school, and I was. My typing speed was 80 wpm and shorthand 100 wpm upon graduation. My goal was to start at the bottom of a large corporation and work my way up. One could say that I did reach my goal as LSI is a non-profit corporation. I didn't end up making a six figure salary; however, the knowledge gained through working in the legal field and my volunteer work with LSI, was very rewarding and the experience will remain with me forever.

I bumped into the legal field through a temp agency in Sacramento. I worked for a corporate and tax law firm near the Capitol. Upon moving to El Centro, I checked in with the Employment Department and was sent to a law firm which practiced probate and bankruptcy. I worked for that law firm for over 8 years. The day I left that firm, another attorney heard I was leaving and offered me a job. He specialized in real estate, collections, and contracts – the best job I ever had and the best boss that I ever had. I worked with him for 20 years. After he took a judgeship position, I went to work for another law firm which specialized in employment law and I worked for them until the firm downsized.

During the time that I worked in the legal field and mainly due to my membership in a professional association, I obtained my legal assistant certificate and became a California Certified Legal Secretary. I am honored to have received various awards including LSI President’s Award, ICLPA Member of the Year, and Imperial County Bar Association Professional of the Year Award; and because I am now a Past President, have been awarded lifetime membership in LSI – how great is that!

Multi-tasking is never easy, especially being an officer of a state-wide corporation, work, and family responsibilities – however, it can be done. All the Past Presidents did it! I am fortunate to have assisted LSI in various capacities: Day in Court, Professional Liaison, Transactional Law Section Leader, CCLS Chair, Member of the CCLS Certifying Board, LSI Treasurer, Executive Secretary, Vice President, President and finally Executive Advisor/LSI Past President which brings me to **my last Hoorah**. Why the last Hoorah? Because I did it – I committed to ten years of participating in LSI as an officer, improving an organization that was good, not just for me, but for all members. Do you agree that now, finally reaching the status of an LSI Past President, is cause for celebration? Absolutely!

Continued on page 11
THE LAST HOORAH!

The last conference that I will be required to attend as an Executive Committee member will be May 2016 Annual Conference – my last Hoorah. Another dedicated member will step up to join in and participate assisting in maintaining and running our corporation. If you want to make a difference, run for office. Delegates will be electing a new Treasurer at the May 2016 Annual Conference --- will it be you? If you have any questions about duties and responsibilities, contact me or any Executive Committee member.

I have enjoyed my career in the legal field, as I learned so much. I am now retired; however, I would do it again in an instant. I have enjoyed participating at the local level and the state level for the last 25+ years. I am ready to go on with the next chapter in my life.

Meanwhile, I look forward to seeing everyone at Fish Camp and Santa Rosa to celebrate my last LSI Hoorah.

BEAR IT ALL IN YOSEMITE

Our Association is lucky enough to have our Saturday morning break sponsored by several local attorneys, a few local businesses, and the Merced County Bar Association; so enjoy the fresh breakfast items as well as coffee and tea.

Susie Fagalde has been busy securing speakers and topics for the LSS seminars Friday night, Saturday morning and Saturday afternoon – be sure to sign up early. There will also be a few other workshops to be set out in the Official Notice.

Thanks to Don Lee we will have very special guests for the Saturday night banquet in conjunction with our National Park setting, so bring your cameras.

As a side note, the luncheon selections, as well as Banquet and Sunday brunch selections will be set out on the registration form, for your convenience. Please note you have a choice of soup or salad at Banquet. The Lodge boasts mouthwatering menus, and it was difficult to narrow the selections.

Sign up early for the conference as well as your room, I have a feeling the rooms will fill up quickly. We have terrific room rates, starting at $125/night. If you plan on coming to the Lodge earlier than Friday or leaving a day or two after the conference, phone in your reservation directly with the Group Code “30W4XK” so you can obtain the same room rate for those extra nights, if available.

Come join us and Bear it all in Yosemite while having a relaxing, educational, informative, and unforgettable weekend.

CHANGES TO RFCP

information, and agreements about disclosure of privileged or protected information. The scheduling order might also require parties to have a conference with the court before filing any discovery motions.

Note that parties may participate in scheduling conferences via any form of simultaneous communication, including phone calls.

DISCOVERY IN GENERAL

Rule 26 has gone through important changes, most notably the description of the scope of what is discoverable has undergone wordsmithing. More emphasis will now be placed on whether the discovery that is requested is proportional to the needs of the case. From a litigation support staff perspective what that means is that you will likely see more running of vendor cost estimates for electronic (ESI) discovery and more meet and confer efforts between counsel that is focused on the nuts and bolts costs associated with running search terms and producing data. There will also be more motion practice – especially over the next few years as the Courts grapple with interpreting the import of the changed wording of the rules – especially Rule 26 (discovery).

FOR MORE INFORMATION

If you are unsure about a rule, check the online version at: https://www.law.cornell.edu/rules/frcp. This website also includes the Advisory Committee Notes, which accompany each rule and explain the significance of the amendments.
WELLNESS HEALTH & FITNESS
As a Legal Professional - What’s in it for YOU?

BY JANE BENSON-KEAST, M.P.A., MARIN COUNTY LPA

Wellness, health and fitness are positive vital components of our lives, not only for individuals, but for corporations as well. Individuals at any age can realize the benefits of participating in regular exercise and by taking part in personalized wellness programs designed to delay, control or even completely avoid chronic illnesses. Employers have realized that the rapidly rising cost of providing healthcare coverage to their employees can be reduced dramatically and even controlled by encouraging employee participation in corporate wellness programs. As a legal professional, what’s in it for you?

The benefits of regular exercise are many, including increased energy, improved health, sense of well being and confidence, and improved appearance. Research shows that consistent exercise in conjunction with high-level nutrient dense (natural, organic, non-processed) foods can dramatically enhance your life by delaying the aging process by 10, 20 or even 30 years (please note: physical age vs. chronological age are not the same). The benefits of physical activity and nutrient dense foods go a long way in controlling weight, reducing health risks of type 2 diabetes, high blood pressure, cardiovascular disease, some cancers and, of course, prolonging the quality of your life. For those who don’t exercise, it’s never too late to start reaping the benefits of a healthy lifestyle. I have seen people at all stages of life completely turn their lives around by simple lifestyle changes to the degree that it simply amazes me.

What is wellness? Wellness has aptly been referred to as an “alternative to doctors, drugs and disease.” It is a combination of your total health and fitness levels through the healthy lifestyle choices you make daily. Wellness is mental, emotional, physical and social well-being. Wellness means living longer while enjoying a high quality of life. As a legal professional, wellness translates into more energy, greater effectiveness and productivity at work and, as mentioned, personal fulfillment. Wellness is holistic - it’s a dynamic, positive approach to your work and personal life.

My experience is that the health-related areas in which the legal professional often has the greatest influence over their own lives is in nutrition and physical exercise. It’s about personal responsibility.

Making it Personal - A Journey into Wellness, Health and Fitness

Throughout my legal career, I have been a weekend athlete. Among other things, to offset work stress and long hours, on weekends I regularly took to wilderness challenge events such as hiking, mountain biking, backpacking - and led these events as well with various populations (from the physically fit to chemically dependent, disabled and even wheelchair groups). Out of these experiences, I observed significant behavioral changes, not only in myself, but also with the individuals I worked with as they successfully met wilderness challenges with a sense of adventure and courage. I decided to return to graduate school to earn a master’s degree in health and secondly, recreational therapy.
While graduate school was an incredible experience, over time I not only gained a great deal of weight but also earned a diagnosis of Diabetes 2 (adult-onset). This in spite of my interspersed jogging and aerobic classes. Diabetes is at epidemic proportions in this country and there is no question this disease is a combination of our population’s diet of processed food and sedentary lifestyles. My diagnosis was the result of my increasing overweight condition, the foods I was consuming and, from what is known today as “inactivity physiology.” A major component of inactivity physiology is prolonged computer sitting.

Graduation was the beginning of another learning experience. After earning my M.P.A. in Health Care, I joined Weight Watchers, worked the program and became a staff member. In Weight Watchers I learned - to lose weight you have to eat! Consuming small nutritient dense meals consistently throughout the day keeps the metabolism active - this metabolic process in itself burns Kcals! (Kcal is the symbol of kilocalorie. One kilocalorie is equal to 1000 calories.)

The next component of wellness is exercise! Exercise and nutrition are integrated issues. While you ARE what you eat - moving throughout your work day is critical - not only for overall health but also to preventing chronic diseases such as high blood pressure, diabetes, heart disease, cancer, clinically relevant HDL (“good”) cholesterol, as well as other medical concerns including an overall higher risk of death.

Now, there’s more here. Are you aware that prolonged sitting - even if you exercise regularly - is bad for your health? Research shows that regardless of how much we workout and otherwise exercise, the effects of prolonged sitting will profoundly cancel out the benefits of exercise. When we sit, the enzymes that are responsible for burning fat just shut down. Too much sitting has very potent effects on the body contributing to the most common diseases. In fact, sitting is killing us.

What can YOU, as a legal professional, do to proactively avoid the negative health effects of prolonged sitting? In addition to your regular exercise program, Len Kravitz, Ph.D. (Professor, University of New Mexico) offers these suggestions.

- Stand up and walk around the office every 30 minutes - set a timer (computer) to remind you.
- Stand up and get some water. (Note: Ice cold water burns more Kcals - perhaps also keep a pint at your desk.)
- Always stand and/or walk around the room while talking on the telephone (e.g., with clients, court clerks, your attorney).
- Consider getting a sit-stand workstation for the computer (most of these work desks can be raised and lowered to enable a user who becomes fatigued to lower the station and sit on a physioball instead of standing).
- Take a 5-minute walk break during your coffee break.
- Don’t e-mail office colleagues; walk to their desks and actually talk to them instead.

When you are healthy and fit, your direct contribution to the law firm you work for can increase proportionately to your level of health and fitness. Many corporations have opted to introduce wellness programs so that they can realize the benefits of a fit and healthy workforce. However, many fail to accomplish their long-term goals because the wellness programs are introduced with much fanfare and ceremony but with little, if any, follow up to keep employees focused on improving and sustaining an overall higher level of physical and mental wellbeing.

On the other hand, organizations that offer all-encompassing employee-wellness programs in combinations of employee education (e.g., nutrition), easy access to organized exercise programs, free weight management programs, reductions in employee share of healthcare premiums (or other economic incentives) in return for participation in wellness programs and continuously reinforce health and fitness in every employee-communications medium – actually change the organizational culture. When employee health and wellness becomes a shared goal amongst the employer and employee alike - positive culture change occurs. While there is an initial and sometimes significant capital expenditure associated with implementing corporate wellness programs, a simple cost-benefit-analysis will illustrate the long-term benefits to the organization, both financial and in terms of employee satisfaction.

Commit today to make healthy lifestyle choices - eat healthy nutrient-dense foods and build exercise into your day - every day. Not only you, personally, but your law firm as well will benefit from a healthier you. As someone who has implemented worksite wellness programs in law firms, the return on investment (ROI) can be measurable and even dramatic.

Get Moving & Be Well!

(Endnotes)
1 Donald B. Ardell, PhD., High Level Wellness: An Alternative to Doctors, Drugs and Disease (1977)
2 Len Kravitz, PhD., Too Much Sitting is Hazardous to Your Health, IDEA Health Fitness Journal, October 2009
STEVEN A. LEFF has been practicing law for more than 30 years. Mr. Leff specializes in family law, with particular emphasis on divorce, child custody, property division, spousal and child support. He also has significant expertise in handling modification orders, court order enforcement, and litigating domestic violence cases. Mr. Leff earned his law degree from Southwestern Law School, where he was selected for participation in the Law Review. Prior to starting his own practice, he was an agent with the United States Customs Service (now U.S. Customs and Border Protection) and served as counsel for the Airline Pilots Association, International. Because of his knowledge of the law, Mr. Leff has been a guest on numerous television and radio programs.

The Ramifications of Restricted Stock Units in a Dissolution of Marriage Action

BY STEVEN A. LEFF, ESQ., SAN MATEO COUNTY LPA

The Silicon Valley has produced a plethora of startup companies, some successful, some not so successful, and a few mega successful. The latter includes notables such as Facebook and Twitter. Before going public these companies have offered their employees, as additional compensation and incentives, Restrictive Stock Units (RSUs). In the event the company becomes publically traded, these RSUs can and often do, become quite valuable. For instance Facebook, at least in the years preceding its going public, granted its employees, many in mid-level positions, RSUs in the tens of thousands, and even in the hundreds of thousands. At last observation Facebook was trading at about $90 per share. Those RSUs, now stocks, available to sell by the employee near the end of 2012, could total millions of dollars.

This sudden wealth, or at least expectation of wealth has come with some unforeseen problems, both socially and economically, including many issues related to an employee’s dissolution of marriage. Questions include:

1. How are the shares, or monies, if the shares are sold, distributed between community and separate property interests?
2. Once distributed, or in anticipation of the distribution, is the separate property of one party considered additional income for purposes of child or spousal support determination?
3. Does the sale of the RSUs, now publically traded stock, and monies derived from such sale, reinvested into stock of other companies, perhaps multiple times, cause a stay in computing additional income for support purposes?

These questions and considerations are causing family law attorneys and judges to advocate positions and make decisions which can cause a major shift in the party’s wealth.

The cases relating to the characterization of stock options, which RSUs at their core are In Re Marriage of Hug (1984) 154 CA 3rd 780; In Re Marriage of Nelson (1986) 177 CA 3rd 150; In Re Marriage of Harrison (1986) 179 CA 3rd 1216; and In Re Marriage of Walker (1989) 216 CA 3rd 644.

In Hug the time line formula was adopted. This formula specifies that the community interest in stock option (RSUs) is determined by dividing a numerator which is the period between the spouse’s commencement of employment and the parties’ date of separation, by a denominator which is the period between the spouse’s date of employment and the date when each option is exercisable.

For example, if the spouse was hired by, let’s say Facebook, Inc., on January 1, 2010, and his date of separation was January 1, 2011; and his RSUs vested on January 1, 2012, the formula would be 12 months/24 months which equals 50 percent. Therefore the employee’s wife would be entitled to one-half of the community interest in the RSUs which in turn has a one-half interest. Thus wife would be entitled to 25% of all of her spouse’s Facebook RSUs, or stocks, once it has gone public.

The other cases cited stand for much the same rule and apply the same time line formulas with slight variations. However, the court, as in Hug, has also given the trial court broad discretion in order to achieve an equitable result according to the facts of each particular case.
Once determining the community interest in these potentially valuable RSUs, one would reasonably assume that any further calculations are unnecessary. That person would be wrong. There could also be issues of spousal support, of if minor children are involved, child support, pertaining to the RSUs. For instance, in our analysis of the characterization of RSUs as discussed above, using the Facebook example, let’s say there were 100,000 RSUs involved. That would give the community a 50,000 share interest. It would also leave the employee spouse with 50,000 shares of Facebook stock as his or her separate interest. Now at $100 per share that separate interest equates to $5,000,000.00 before taxes. The other spouse could then claim additional spousal and child support based on the case of In Re Marriage of Osler and Smith (1990) 223 Cal App 3d 33. This might equal additional total support of as much as 10 to 50 percent of the employee spouse’s separate interest in the stock, causing the employee spouse to pay an additional one time support payment to his spouse of between $500,000.00 and $2,500,000.00. A very significant sum.

But what if the employee spouse merely retains his stock in a brokerage account without selling any of his separate shares? What if he sells some or all, but reinvests the proceeds by purchasing different stocks, but still maintains the new shares in a brokerage account without withdrawing them for personal use? Some trial courts have ruled that unless and until the stocks, either the originals, or the subsequently purchased shares, are withdrawn from the brokerage account and the employee spouse uses the resultant funds, the amounts in the accounts are not subject to an Osler and Smith determination.

To further complicate the situation, let’s say that the initial stocks or their derivatives are sold for a profit above the base profit of the original stock at the time that a determination of the character of the stock was made. Is the employee spouse subject to a Osler and Smith calculation for additional support using the price of the stock at the time of characterization; at the time the RSUs first vested; or at its current value?

The courts have not conclusively ruled on these issues and it may be some time before an appellate court does. You can be assured that due to the ever expanding tech industry and the grants of RSUs bestowed on their employees, this issue will be litigated both often and with great passion by family law attorneys for many years to come.
LEGAL SECRETARIES, INCORPORATED
CALIFORNIA CERTIFIED LEGAL SECRETARY

WORKSHOP REGISTRATION FORM

“LAW OFFICE ADMINISTRATION”
Third Quarterly Conference, February 26-28, 2016
Tenaya Lodge, Fish Camp, CA
Saturday, February 27, 2016, 7:30 a.m. – 8:30 a.m.
Speaker: Terrie Quinton, CCLS
Cost: $5.00 for LSI members/$10.00 for non-LSI members
What exactly is covered in the Law Office Administration section of the CCLS Exam? The section includes alphabetic filing (according to Gregg), computer knowledge, notary public practices, forms and formats of letters, etc., and other general law office practices. Attend this workshop to learn what you need to know to pass this section.
REGISTRATION DEADLINE: February 23, 2016

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, 3043 4th Ave., San Diego, CA 92103, and email registration to quinton@dsmw.com.
Do You Have A Legal Toolbox?

BY ROBERT MANSOUR, RIO HONDO DISTRICT LPA

People generally don’t have any idea what is involved with an estate plan. They don’t really get what it is. It sounds very mysterious, and many people think it’s only for rich people. However, an estate plan is for people of all income levels. A good estate plan answers two important questions:

1. What happens to my estate when I pass away?
2. Who has the legal authority to act on my behalf if I cannot do so?

An estate plan is nothing more than a legal “toolbox.” Most toolboxes have several “main” tools – a hammer, wrench, screwdrivers, nails, etc. If something breaks in your home, how can you fix it if you don’t have a toolbox? If you don’t have a legal toolbox, then how can your loved ones help you when things go wrong? A solid “legal plan” also has some main tools – basic legal documents that most clients should have in case something occurs.

In most cases, the four major “tools” in the Estate Planning “Toolbox” are:

1) A Living Trust – an enforceable legal document that outlines who is entitled to manage your affairs if you can no longer handle them (these people are your “successor trustees”). The trust governs everything in the name of the trust or payable to the trust. Also, everything in the name of the trust avoids the court system. A living trust keeps matters private for the family versus a will which can end up in court which is a public forum. Also, a living trust can be used for your benefit in the event of your incapacity versus a will which only goes into effect after you pass away. A single person, married couple, or any number of people, can create a living trust.

2) A Will – Some people wonder, “Why would I need a will if I have a living trust?” You see, there are different “kinds” of wills just like there are different kinds of trusts. The type of will used in conjunction with a living trust is known as a “pour over” will. Most estate plans use this tool as a backup to the trust. If court involvement is necessary regarding one or more of your assets (i.e., the asset was not in your living trust), the will directs the judge to place your asset(s) into your living trust. The assets “pour over” into your trust. The person in charge of your will is called your “executor.”

3) A Durable Power of Attorney – This legal document allows someone known as your “agent” to act on your behalf in most other circumstances. While the “successor trustee” handles assets in the name of the trust, your named agent under durable power of attorney can act on your behalf when dealing with issues not directly trust-related. In life, there are many matters that need to be handled that don’t directly involve the living trust. By calling it a “durable” power of attorney, it means the document is effective even if you are incapacitated - which is basically when you’d want it to be effective after all.

4) An Advance Health Care Directive – This document allows someone also known as your “agent” to make health care decisions on your behalf. A solid health care directive addresses more than simply “end of life” issues such as the proverbial “pulling of the plug.” Your agent can be your advocate when necessary and direct your health care in your best interests. Also, you want health care documents

Continued on page 22
Worldwide Court Reporting, Videography, Interactive Real-time Streaming Solutions

Web Based Scheduling and Calendar Management

Worldwide Web Conferencing

Web Based Repository and Online Invoicing Access

Transcripts Synchronized with Video

Call Huseby today to learn more at (800) 333-2082

Huseby.com
Every experience inspired by excellence.
LSI will be offering its Beginning Legal Secretarial Training Class online. This class will be an eight-week, work-at-your-own-pace online session commencing January 11 and ending March 7, 2016. During the classes, the following topics will be covered:

- Introduction to the Law Office
- Duties of the Legal Secretary
- Effective Telephone Skills
- Effective Oral Communication Skills
- Effective Written Communication Skills
- Calendaring and Timetables
- Basic Grammar Skills
- Transcription and Proofreading Techniques
- Court Structure
- Citations
- Service of Legal Documents
- Preparing a Proper Caption
- Preparation of Documents Filed with the Court
- Basics of Civil Litigation

**CLASS SESSION OPENS ON MONDAY, JANUARY 11, 2016**

Classes will take place online utilizing video lectures, discussion boards, email, whiteboard sessions, chat rooms, and quizzes. Login information will be provided upon enrollment in the class.

The cost of the training class, which includes the Legal Secretary’s Reference Guide, is $150 for LSI members/$200 for non-LSI members. Each individual must register separately. Upon completion of the class, students will receive a certificate from LSI.

---

BEGINNING LEGAL SECRETARIAL TRAINING CLASS REGISTRATION

(Please type or print clearly)

Name: ___________________________  Email: ___________________________
Address/City/Zip: ___________________________________________________
Telephone: ___________________________  Association: ___________________________  LSA/LPA

$150 LSI Member [ ]  $200 Non-LSI Member [ ]

Payment: Check #__________ (made payable to LSI)
(Note: Checks must clear before books will be mailed and may cause a delay in access to the class.)

Visa/MC Credit Card # ___________________________
Exp. Date: ________ 3-digit CVV No.: ________ Zip Code: ________

Email registration form NO LATER THAN January 4, 2016, to Shaylene Cortez, CCLS, LSI Legal Secretarial Training/Seminar Chair, training@lsi.org or mail to LSI (see website for mailing address). Registration will also be offered online at www.lsi.org with PayPal. Keep in mind books will not be mailed until registration is processed. For further information or inquiries, email training@lsi.org. No refunds after January 12, 2016.

LSI – Educating California’s Legal Professionals
Many people are painfully aware that technology is great when it works, yet infuriatingly frustrating when it does not. Many also have a horror story about technology failing (likely when it was needed most). A printer skipping lines of text in an important document, PowerPoint presentations not starting, email access being denied because of some inexplicable error. Being the most tech-savvy member of my family, I am the one they turn to when these problems need solving. But here is my secret: I never actually know what to do, nor do I figure it out on my own. I search the Internet for someone who has had the same problem, and I just do what they did. The purpose of this article is to share with the reader some of the tips, notes, and concepts I have gleaned from many hours spent trying to find answers online.

This article was inspired by What Great Legal Secretaries Know About Technology, which appeared in the May 2012 issue of The Legal Secretary magazine. While much of the advice the author, Ms. Rothwell, included in that article would be equally at home here, the purpose of this article is to expand on one particular note she makes about the Internet. As she put it, by using the correct search terms, “you will be amazed at how often you can find exactly what you are looking for.” I would take that a step further and say that one can find the answer to nearly any technology problem on the Internet. And, while it is true that using refined search terms is important, as discussed below, there are other lessons I have learned, which I think will guide the reader to useful information online.

**SEARCHING**

Internet search engines use complex algorithms to determine both what the user is asking and what search results to display. These algorithms take hundreds of factors into account, and have fundamentally changed the way one acquires information. When I was in college, my parents often reminded me that when they did research, they went to the library and used something called a card catalog. A mysterious, paper-based search engine that returned not the information itself, but just where to find it in the stacks. Mercifully, the Internet and search engines saved me from burning all those calories walking from stack to stack.

**Iterate Search Terms.** Instead of searching a card catalog by author, title, or subject, one simply types keywords into a search engine like Google. While keywords do play an important part in ensuring the search returns the information needed, in my experience at least, a search engine like Google is sophisticated enough to point users in the right direction, even when they are not using the best or most accurate search terms. This is especially helpful when it comes to problems with newer technologies, whose parlance has not yet become mainstream. For example, I recently tried to connect an older external monitor to a newer laptop, but whenever the connection was made, the monitor screen would flicker constantly. So I typed “screen flicker” into Google’s search engine, and the first search
result returned was titled: “Correct monitor flicker (refresh rate) – Windows Help.” Thus, without actually reading a single search result, I knew that the problem was with the refresh rate, which gave me a more accurate search term. Knowing this, I could refine my next search to something like “change refresh rate.” Even if the first search result is not so helpful, I have found that after skimming through a few results, I usually get a better sense of the parlance people are using to talk about a particular issue online. In this way, one can, and should, make searching an iterative process by using additional information from one search to quickly improve the next.

Lastly, regarding search terms, it is helpful to include the specific hardware or software with which one is having problems. Although product and service providers try to remedy problems with older software and hardware though patches and updates, many issues persist and sometimes remain unique to a certain model or software release. Similarly, newer software and hardware can have problems older versions did not. Additionally, how one actually implements fixes they find online fluctuates between versions as well. For example, turning on track changes might be done differently in Word 2007 than in Word 2013. Thus, in the prior example about refresh rates, since the laptop I was using was running Windows 10, it would have been more helpful to search “change refresh rate windows 10.”

**Move beyond the official resources.** When I searched for how to change the refresh rate in Windows 10, unsurprisingly the first search result was from Microsoft. But, do not be afraid to move beyond official resources from the manufacturer. Unfortunately, in my experience, they can often be less useful and sometimes even outdated. Instead, I find the most useful information comes from forums and blog posts. Blog posts are simply short articles, which can cover a nearly limitless number of topics. Like articles in a magazine, tech-centric blog posts, for example, appear on tech-centric websites. Forums are simply a place where a user can post a question or comment, and then other users can post questions or comments in response to the original poster (sometimes called the “OP”). The original post and these replies form what is called a thread. Many websites, in addition to their main content (like blog posts and news stories), host forums with thousands of threads. Conveniently, a search engine like Google actually includes that content in its search results. Meaning that if someone is having problems with, say, their Lenovo U430p laptop, they do not need to go to Lenovo’s website and search Lenovo’s forums directly.

While reading blogs is relatively straightforward, first-time visitors to a forum might find some things confusing. For example, along with OP for original post, the short-hand “mods” refers to moderators who regularly visit the forum to help keep the reply posts on-topic, and to remove any offensive posts. These mods may also close threads that cover a topic that has already been discussed in a different, earlier thread. Some mods (and users) will also post a link to those earlier threads. Nevertheless, an OP may never receive a satisfactory answer and the forum may eventually go way off-topic. So, when reviewing forums, which can have hundreds of reply posts, take a look but do not read every reply. If the thread seems like it is not going to be helpful, cut the losses and move on to another resource.

Along with blog posts and forums, instructional videos on YouTube are another place to find solutions. These are especially helpful when the other resources one has found have been written in a way that presumes the reader already has some technical knowledge of the issue. With a good instructional video, one can just follow the steps shown. Conveniently, Google gives users the option to filter its search engine results to return videos only.

**The dreaded customer support call (and why it is not so bad).** Lastly, when one cannot find the answer on their own, it is time to turn to customer support. Most people tend to avoid calling customer support, either because they expect to be on hold for hours or they expect to get transferred to multiple departments, none of which can seem to provide the answer they are seeking. Fortunately, users now almost always have the option to send an email or to instant message (usually called “chat”) customer support, instead. In my experience, messaging has much shorter wait times than calling. Of course, with email, one has to wait for a response. But, unlike being on hold on the phone, waiting for an email frees one up to do other things. Further, I have found that most emails receive a response in as little as twenty-four hours. However, because it is hard to convey tone in an email or instant message, I have personally noticed that sometimes the customer support representative and I just are not on the same page when it comes to them understanding my problem. When that happens, I am not afraid to pick up the phone (though I am prepared to be put on hold).

Lastly, and this probably goes without saying, do try to be kind to the person on the other end. I have had customer support bend over backwards to help me when I have been exceedingly nice. (For example, I have received personal callbacks, free shipping, bonus services, and free merchandise.) Counter-intuitively, the less upset the caller seems about something, the more it appears customer support wants to offer them something extra to make up for trouble the problem has caused.

**IMPLEMENTING**

**Backup data.** When it is time to start trying fixes, it is important to make sure one does not create additional
problems. While, in my opinion, it is actually quite difficult to damage hardware or software beyond repair, sometimes the fixes will require one to make changes that could potentially cause further issues. This is most often the case when installing, updating, or removing software. Fortunately, there are ways users can protect themselves, the most important being to always back up data.\(^6\) This is very simple, especially with the advent of cloud storage services like Dropbox.\(^7\) Microsoft’s Windows 10 has a suite of backup utilities built right in, including a cloud storage service like Dropbox called OneDrive.\(^8\) Of course, users can find a lot of information online, from forums, blogs, and official guides, on how to use these utilities.\(^9\)

**Bookmark tabs.** After installing, updating, or deleting a software, computers often require a restart. Bookmarking the open webpages or, better yet, having a second computer available for searching (a smartphone can make a good substitute) is useful. It is very annoying to restart, lose all one’s tabs, and then find out the problem is not fixed. Often I will have come across several potential solutions, in multiple open tabs, and I want to be ready to try the next one right away, rather than search though my browser history to find it.

**Avoid malicious software.** Because computer viruses are the same type of file as useful software like Microsoft Word and Adobe Reader, one will almost always get a warning before installing new software. Of course, when the software comes from major providers like Microsoft or Adobe, one can very well assume it is safe. However, there is a lot of trustworthy, useful software on the Internet, available for free. Much of it comes from providers most people have never heard of before. Often though, one can download this software from a reliable third party like Download.com, which is run by CNET and hosts thousands of programs,\(^10\) doing so ensures that the software is safe.

**KNOW WHEN ENOUGH IS ENOUGH**

Not every problem has a solution, or at least not one that can be found in a reasonable amount of time. For example, I have a Wi-Fi extender that drops the connection to my laptop and Xbox (but not my iPhone, oddly) daily, necessitating me coming down and restarting it. I have spent hours trying to fix it because, like walking to the stacks to pick up books, I cannot be bothered to spend the energy. Nevertheless, I gave up on fixing the extender, because it just was not worth the time. I used every tip I mentioned above, and more, to try to solve the problem, but came up empty handed. I share this here not to discourage the reader, but to let them know that, yes, technology is great, and I would much rather have an intermittent wireless connection than no wireless connection at all. But technology can also be fickle and frustrating, yet sometimes that is a tradeoff one has to make in order to benefit from all the advantages it brings. Hopefully this article helps readers continue to leverage technology, rather than be frustrated by it.

(Endnotes)

1 “Technology” is an extremely broad term, but today it usually refers just to electronics. Readers will likely appreciate this article’s advice as it pertains to electronics such as computers, computer monitors, human interface devices (such as mice, trackpads, touchscreens, and keyboards), and printers.


3 Google’s search engine is probably the most ubiquitous. But others, like Yahoo, Bing, and DuckDuckGo are available. While I stick to one search engine (Google) when I am trying to solve a problem, if I am not making progress giving another a try is not out of the question, but it is rare that I feel doing so is necessary.

4 I highly recommend skimming, as opposed to reading, most information that comes up in a search. Ms. Rothwell also noted in her article that “[g]etting information off the internet is like taking a drink from a fire hydrant.” Rothwell, supra note ii, at 11 (quoting Mitchell Kapor, founder of Lotus Development Corporation).

5 In a similar vein, I never use the help feature on programs like Excel or Word. Partly because their search algorithms are not as sophisticated as ones available with a search engine like Google.

6 Digital storage is, in some ways, more fragile than physical storage. Fortunately, it is much easier to back up, and yet worryingly few people do so. In fact, a World Backup Day (March 31) has been christened in an effort to increase awareness about the necessity (and ease) of backing up digital data. WORLD BACKUP DAY, http://www.worldbackupday.com/en/ (last visited Nov. 20, 2015).

7 Cloud storage, a term that is increasingly mainstream, just means the data is stored on a hard drive separate from the one inside a computer. It is another way of saying the data is stored remotely, as opposed to locally.


9 E.g., id.

**APPLICATION TO TAKE CCLS® EXAM**

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

(Select one)  
☐ Northern California  ☐ Saturday, March 19, 2016  
☐ Southern California ☐ Saturday, October 15, 2016

- **Deadline:** Applications must be received 60 days prior to the examination date.  
- **Late Application:** Late Fees apply when Applications are received less than 60 days (but not less than 30 days) prior to the examination date, and accepted only if space is available.  
- **Deferral:** Requests to defer to the next exam must be received at least 14 days prior to the exam date.

### EXAMINATION FEES

<table>
<thead>
<tr>
<th>Payment Type</th>
<th>LSI Members</th>
<th>Non-LSI Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>On Time Registration Fee</td>
<td>$25.00</td>
<td>$75.00</td>
</tr>
<tr>
<td>Examination Fee*</td>
<td>$100.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>Late Fee (if applicable)</td>
<td>$30.00</td>
<td>$30.00</td>
</tr>
<tr>
<td><strong>TOTAL DUE w/o Late Fee</strong></td>
<td><strong>$125.00</strong></td>
<td><strong>$175.00</strong></td>
</tr>
</tbody>
</table>

### Personal Information

Name: ________________________________  
Mailing Address: ________________________________  
Last 4 digits of SSN: ____________  Email: ________________________________  
Phone (Day): ____________________________ Phone (Evening): ____________________________  
LSI Member: ☐ Yes (enclose copy of LSI Membership Card) ☐ No  
Name of Local LSI Association: ____________________________

### Employment Information

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

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

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

Date: ____________________________  Applicant Signature ____________________________

*Fees subject to change without notice.

Rev. September 2015
HOOPLAY FOR LSI! A Tribute to Hollywood
MARIN COUNTY LEGAL PROFESSIONALS ASSN. and
SAN FRANCISCO LEGAL PROFESSIONALS ASSN.
MAY 19-22, 2016
LSI 82ND ANNUAL CONFERENCE
FLAMINGO CONFERENCE RESORT and SPA
SANTA ROSA, CALIFORNIA

HOTEL REGISTRATION FORM
FLAMINGO CONFERENCE RESORT and SPA
2777 Fourth Street
Santa Rosa, CA 95405
PH: 800-848-8300 or 707-545-8530

NAME: ____________________________________________
MAILING ADDRESS: __________________________________
CITY/STATE.ZIP: _______________________________________
HOME PHONE: ___________________ WORK PHONE:_________
E-MAIL ADDRESS: _________________________________
LOCAL ASSOCIATION: ____________________________ LSA/LPA (FULL NAME)
ARRIVAL DATE: __________________________ DEPARTURE DATE: ____________

Accommodations: (Plus Applicable Taxes and Fees)
☐ Double/Double or Superior King - $169, plus $10 each for 3rd & 4th person
☐ Executive King - $199
☐ Suite - $269
Includes complimentary Wi-Fi in guest and meeting rooms, complimentary Self-Parking, and complimentary Continental Breakfast for all registered attendees on Friday and Saturday.

Please use the following link or call hotel directly for reservations, 707-545-8530. Use code “LSI CONFERENCE 2016” to identify yourself as being a part of LSI in order to get the group rate.

A credit card is required to hold your reservation, but the hotel will not charge your card at the time of reservation.

Please ensure you receive a written confirmation and bring it with you to conference.

LSI Conference 2016 Reservation Link

For General Information Contact:
Registration Chairman: Alison Gardner, CCLS, 415-419-2012, agardner@freitaslaw.com
Conference Co-Chair: Kristi L. Edwards, CCLS, 415-491-5000, kledwards@justice.com
Conference Co-Chair: Christine Flores, CBA, 510-388-7918, cflores@orrick.com

HOTEL REGISTRATION DUE BY APRIL 24, 2016
The Hotel is expected to sell out during our dates. Please make your reservations early!
CONFERENCE REGISTRATION FORM

Name (on Badge): __________________________
Mailing Address: __________________________
City/State/Zip: ____________________________
Home Phone: ____________________________ Work Phone: __________________________
E-mail Address: ____________________________
Local Association: ____________________________ LSA/LPA (Full Name)

Please Check If Applicable and Include Title: __________________________
Please Check if You Are: __________________________

☐ State Officer ☐ Governor ☐ CCLS ☐ PLS
☐ State Chairman ☐ DELEGATE

Scrip (Includes Registration, Welcome Reception, Banquet and Brunch)

☐ Postmarked on or Before APRIL 19, 2016 ☐ Postmarked APRIL 20, 2016 or later

$135.00 $145.00 $_________

Individual Tickets
Registration by APRIL 19, 2016 $25.00 $_________
Registration APRIL 20, 2016 or Later $35.00 $_________
Welcome Reception (Friday) $30.00 $_________
Luncheons
Governors’ (Friday) $30.00 $_________
Presidents’ (Friday) $30.00 $_________
Newcomers’ (Friday) $30.00 $_________
CCLS Luncheon (Saturday) $30.00 $_________
Saturday Night Banquet $55.00 $_________
Chicken $35.00 $_________
Pork Tenderloin $35.00 $_________
Salmon $35.00 $_________
Total Amount Enclosed $_________

Special dietary needs (including vegetarian): __________________________

Please make checks payable to: MCLPA MAY 2016 ANNUAL CONFERENCE FUND
Mail to: Alison Gardner, CCLS
775 E. Blithedale Avenue #122
Mill Valley, CA 94941
For General Information Contact:
Registration Chair – Alison Gardner, CCLS (415) 419-2012 – agardner@freitaslaw.com
or Conference Co-Chair – Kristi Edwards, CCLS (415) 491-5000 – kledwards@justice.com
Christine Flores (415), CBA 773-5566 – cflores@orrick.com

NO REFUNDS AFTER May 5, 2016
What’s In It for Me?

BY LYNNE PRESCOTT, CCLS, SACRAMENTO LSA

I recently had the opportunity to chat with a member I had not seen in quite a while, and as we talked about our local association, the value of membership, how to reach more members of the legal community, meeting our members’ needs, etc., she made the following statement:

“People are always looking at the bottom line. They want to know what’s in it for them.”

So, I started thinking about that. What’s my bottom line when it comes to my local association and LSI?

IS IT MONEY?

Am I getting enough of a return for the $40 I pay in dues every year? Is it worth it to pay $25 every time I attend my association’s dinner meetings, on top of the yearly dues? Is my membership in the LSI Legal Specialization Sections a good investment?

IS IT TIME?

Do I believe it’s worth my time to attend monthly meetings? Is it a good investment of my time to read the monthly bulletin, the LSI quarterly magazine, or the Legal Specialization Section newsletters? Do I consider it worthwhile for me to be involved with and volunteer to serve my local association and LSI? Do I really want to take the time to read the e-mails and updates I get from my association and LSI relating to resources, employment opportunities, court news, meetings, educational workshops, etc.?

IS IT MY JOB?

Does my membership really help me in my job? Do I feel supported and respected by my bosses and my peers because of my membership? Does my employer believe that membership in my association and LSI makes me a valuable asset?

IS IT THE NETWORKING?

Does being a member of my association and LSI increase my access to resources? Is it important to me to have professional connections outside of my workplace? Do I find value in the networking opportunities available to me through membership?

IS IT THE EDUCATION?

How much value do I place on continuing education? Do I believe my association and LSI provides me with quality legal education? Does that education directly benefit me as a legal support professional? Do I believe that these educational programs and publications provide me with information and training that would be difficult to find and/or afford elsewhere?

What’s in it for me, being a member? I think you get the idea.

So, let me ask you - - What’s in it for you? What’s your bottom line? I’d truly love to know.
LEGAL SPECIALIZATION SECTIONS SEMINARS
February Quarterly Conference – February 26-28, 2016
Tenaya Lodge - Fish Camp

The deadline to register without a late fee is Friday, February 19, 2016.

SECTION MEMBER:
Free with Advanced Reservations
$5 at the Door/After Deadline -- Handout Only: $5

NON-SECTION MEMBER:
$15 with Advanced Reservation
$20 at the Door/After Deadline -- Handout Only: $15

Friday, February 26, 2016 – 7:30 p.m. to 9:00 p.m.

Probate/Estate Planning
Conservatorships 101
Kimberly G. Flores, Esq.
Berliner Cohen LLP
☐ I WILL ATTEND
☐ HANDOUT ONLY
☐ SECTION MEMBER - ☐ NON-SECTION MEMBER

Civil Litigation
Legal Research and Writing Techniques Applicable to Law and Motion
Nanette M. Beaumont, Esq.
Jamison & Chappell
☐ I WILL ATTEND
☐ HANDOUT ONLY
☐ SECTION MEMBER - ☐ NON-SECTION MEMBER

Saturday, February 27, 2016 – 10:30 a.m. to 12:00 p.m.

Transaction Law
California Leases
Eric Tetrault, Esq.
Berliner Cohen LLP
☐ I WILL ATTEND
☐ HANDOUT ONLY
☐ SECTION MEMBER - ☐ NON-SECTION MEMBER

Family Law
Final Judgment - Now What?
L. Carmen Ramirez, Esq.
Kelsey Souders & Ramirez, LLP
☐ I WILL ATTEND
☐ HANDOUT ONLY
☐ SECTION MEMBER - ☐ NON-SECTION MEMBER

Saturday, February 27, 2016 – 4:00 p.m. to 5:30 p.m.

Criminal Law
An Overview of Criminal Gang Law/Child Abduction Law
Nicole Silveira, Deputy District Attorney
Merced County District Attorney’s office
☐ I WILL ATTEND
☐ HANDOUT ONLY
☐ SECTION MEMBER - ☐ NON-SECTION MEMBER

Law Office Administration
Court Appointed Special Advocates What are they?
Caroline Fruth
Director of Casa of Mariposa County
☐ I WILL ATTEND
☐ HANDOUT ONLY
☐ SECTION MEMBER - ☐ NON-SECTION MEMBER

Name: ____________________________________________________________ ☐ CCLS ☐ Paralegal ☐ PLS
E-mail: ______________________________________________________________________________________
Local Association (if applicable): _____________________________________________________ ☐ LSA ☐ LPA

PAYMENT:
☐ CHECK MADE PAYABLE TO LSI
☐ CREDIT CARD & PAYPAL AVAILABLE AT WWW.LSI.ORG

REGISTER AND PAY ONLINE OR SEND COMPLETED FORM AND PAYMENT TO:
DAWN R. FORGEUR, CCLS, LSS COORDINATOR
500 CAPITOL MALL, SUITE 1600, SACRAMENTO, CA 95814
EMAIL: DAWN.FORGEUR@STOEL.COM

The Legal Specialization Sections are a program of Legal Secretaries, Incorporated, an approved provider, and certify that these seminars have been approved for minimum MCLE/CLE credit of 1.5 hours each, by the State Bar of California. California Certified Legal Secretary credit offered is 1.5 hours.
**LEGAL SECRETARIES INCORPORATED (LSI) - BENEFITS**

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

### WORKING ADVANTAGE
Toll Free: (800) 565-3712
[www.workingadvantage.com](http://www.workingadvantage.com)
Discount on event tickets, movie tickets, theme parks, Broadway theater, sporting events, ski tickets, hotel certificates, family events, gift cards and more.
Member ID: Contact LSI Corporate Office, lsiorg@suddenlink.com, or LSI Vice President

### HERTZ CORPORATION
Effective Date: June 1, 1996
CDP Card #447698
(800) 654-3131
[www.hertz.com](http://www.hertz.com)

### FINANCIAL PROVIDERS

<table>
<thead>
<tr>
<th>CAPITAL INVESTMENT ADVISERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emerson J. Fersch, CFP, ChFC, CLU, CASL</td>
</tr>
<tr>
<td>3780 Kilroy Airport Way, Suite 320</td>
</tr>
<tr>
<td>Long Beach, CA 90806</td>
</tr>
<tr>
<td>Office: (562) 420-9009 or (877) 270-9342</td>
</tr>
<tr>
<td>Fax: (562) 420-9955</td>
</tr>
<tr>
<td>Email: <a href="mailto:efersch@ifgrr.com">efersch@ifgrr.com</a></td>
</tr>
<tr>
<td><a href="http://www.ciadvisers.com">www.ciadvisers.com</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LEGACY WEALTH MANAGEMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daniel R. Henderson, MBA, CFP</td>
</tr>
<tr>
<td>3478 Buskirk Avenue, Suite 300</td>
</tr>
<tr>
<td>Pleasant Hill, CA 94523</td>
</tr>
<tr>
<td>Office: (925) 296-2853 or (877) 679-9784</td>
</tr>
<tr>
<td>Fax: (925) 944-5675</td>
</tr>
<tr>
<td>Email: <a href="mailto:daniel@legacywealthmanagement.biz">daniel@legacywealthmanagement.biz</a></td>
</tr>
<tr>
<td><a href="http://www.legacywealthmanagement.biz">www.legacywealthmanagement.biz</a></td>
</tr>
<tr>
<td>Offering discounted John Hancock Long Term Care Insurance and Life Insurance, Annuities, Retirement, Investment and Estate Planning, Mutual Funds, and 401K</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DAVID WHITE &amp; ASSOCIATES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wealth Accumulation and Preservation</td>
</tr>
<tr>
<td>3150 Crow Canyon Place, Suite 2000</td>
</tr>
<tr>
<td>San Ramon, CA 94583</td>
</tr>
<tr>
<td>(800) 548-2671</td>
</tr>
<tr>
<td>Contact: Ryan Gonzales (ext. 2682), <a href="mailto:rgonzales@dawassociates.com">rgonzales@dawassociates.com</a>, or Matt Kay (ext. 2628), <a href="mailto:mkay@dawassociates.com">mkay@dawassociates.com</a></td>
</tr>
<tr>
<td>Offering Investments, Retirement Plans, Education Savings Accounts, Medical Insurance, Life Insurance, Disability Insurance, and Long Term Care Insurance</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ATHLETES BUSINESS CONSULTANTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jory Wolf, President/Founder</td>
</tr>
<tr>
<td>350 10th Avenue, Suite 1000</td>
</tr>
<tr>
<td>San Diego, CA 92101</td>
</tr>
<tr>
<td>Office: (858) 886-9842</td>
</tr>
<tr>
<td>Cell: (510) 919-9062</td>
</tr>
<tr>
<td><a href="mailto:jory@athletesbiz.com">jory@athletesbiz.com</a></td>
</tr>
<tr>
<td>California Insurance License: 0E88330</td>
</tr>
<tr>
<td>10% discount on Long Term Care, call for information on life, long term, and disability insurance, as well as commercial and residential lending</td>
</tr>
</tbody>
</table>

### CREDIT UNIONS

<table>
<thead>
<tr>
<th>LA FINANCIAL FEDERAL CREDIT UNION</th>
</tr>
</thead>
<tbody>
<tr>
<td>P.O. Box 6015</td>
</tr>
<tr>
<td>Pasadena, CA 91102-6015</td>
</tr>
<tr>
<td>(800) 894-1200</td>
</tr>
<tr>
<td><a href="http://www.lafinancial.org">www.lafinancial.org</a></td>
</tr>
<tr>
<td>Open to anyone living, working or worshiping in Los Angeles County, or referral from existing member.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PROVIDENT CREDIT UNION</th>
</tr>
</thead>
<tbody>
<tr>
<td>303 Twin Dolphin Drive</td>
</tr>
<tr>
<td>P.O. Box 8007</td>
</tr>
<tr>
<td>Redwood City, CA 94603-0907</td>
</tr>
<tr>
<td>(800) 632-4699 - (650) 508-0300</td>
</tr>
<tr>
<td><a href="http://www.providentcu.org">www.providentcu.org</a></td>
</tr>
<tr>
<td>All LSI members are eligible to join.</td>
</tr>
</tbody>
</table>

QUESTIONS AND CONCERNS CONTACT:
Jennifer L. Page, CCLS, LSI Vice President
LSI Marketing Committee Coordinator
PO Box 150427, San Rafael, CA 94915
Home: (415) 989-1010
Cell: (415) 710-3402
jlpage@ix.netcom.com
Kern Legal Services offers a full range of litigation support services.

- Process serving nationwide
- Skiptracing/Investigation
- Courthouse filing
- Records research
- Online tracking
- Document reproduction
- Offices throughout California

We have offices statewide and offer level pricing to all of the major metropolitan areas of California.

Call us or visit us on the web now!

Southern California
Headquarters
1614 W. Temple Street
Los Angeles, CA 90026

Northern California
Headquarters
1155 N. 1st St., Ste. 100
San Jose, CA 95112

(800) 675-KERN (5376)
Fax (866) 241-0051

www.kernlegal.com
E-mail: orders@kernlegal.com

*This is for routine non-ruh service (per defendant) or per court filing in most major metropolitan areas of California. Rush charges and notary are more. Please call for details.
The Changing Role of Legal Support Staff

BY: CYNTHIA THOMAS, SAN DIEGO LSA

Recent advancements in technology used by law firms have blurred the lines between legal assistants/paralegals and legal secretaries. What were once two separate and distinct positions now overlap, and both jobs have changed significantly.

Traditionally, the terms legal assistant and legal secretary were used interchangeably, with both referring to a nonlawyer legal support staff member who, after education and training, performed substantive legal tasks. Legal assistants generally have an advanced understanding of the law and legal proceedings, and routinely perform tasks such as researching cases, preparing discovery, interviewing people involved in cases, preparing case summaries and general case management. These tasks are generally performed independently and are billed to the client. A legal secretary, on the other hand, performs clerical and administrative tasks under the supervision of an attorney or a paralegal. Historically, the legal secretary’s tasks commonly include word processing, dictation, handling incoming and outgoing mail, court filings and answering an attorney’s telephone. These tasks are not billed to the client. While serving very different functions and having distinct job requirements and responsibilities, legal assistants/paralegals and legal secretaries work very closely together and often rely on each other to play instrumental roles in providing support to attorneys and to the practice of law.

WHAT’S HAPPENING TO LEGAL SECRETARIES?

Times are changing. Goodbye typewriter; hello laptops, smartphones and tablets. The increased use of these electronic devices in law firms allows attorneys to work independently anywhere, any time. These devices, along with voice recognition software, are just a few of the technological advancements that have vastly affected legal secretaries’ duties. More attorneys type their own correspondence and use email rather than having a secretary type a letter and send it by U.S. mail. Younger tech-savvy associates need no encouragement to adopt the new technology and, as new generations enter the workplace, it will become the norm. A decrease in traditional clerical duties is also causing a major change in the role of legal secretaries.

Some law firms, wanting to cut costs and increase efficiency, are eliminating legal support staff positions, including secretaries. Those remaining secretaries, who once supported one or two attorneys, are now often supporting five or more, especially when assigned to younger lawyers. In addition, some law firms have retitled “legal secretaries” as “legal assistants,” not only so they can bill certain tasks of the secretary (such as drafting correspondence or organizing documents) to clients, but also to entice a new generation of entry-level college-degree workers who view a secretarial job as temporary or transitional.

LEGAL ASSISTANTS/PARALEGALS?

Legal secretaries, however, are not the only legal support staff affected by computer technology. The role of the legal assistant/paralegal is changing as well. Legal assistants are now required to perform legal research—another activity that the firm can bill the client for doing. This requires that a legal assistant know precisely where to go for any necessary information. Twenty years ago, this would often require going into the law firm’s law library and searching through books, spending countless (billable) hours reading and Sheparding cases. Today most firms have discarded their books in favor of online services such as Westlaw and Lexis for legal research, not to mention the use of the Internet. This allows a legal assistant to perform the research in

CYNTHIA THOMAS is the founder of PLMC & Associates, a management consulting firm for small and midsize law firms, and is a member of the editorial board of Law Practice magazine. She was also a firm administrator for law firms in Los Angeles and San Francisco.
less than half the time, and with this faster technology the answer is often expected within minutes.

Another major change in the role of legal assistants involves the handling of discovery. Paralegals play a critical role in assisting attorneys with discovery. They help manage the discovery process, especially when large volumes of documents are involved. These documents are no longer housed in banker boxes with spreadsheets. Instead, through the use of computer technology, digital scanners and document management software, discovery documents are stored in electronic format. This use of document management software is another major technological change affecting legal support staff.

Therefore, the traditional role of a legal assistant has transformed into a more tech-savvy one, and paralegals are now training and working with IT personnel to assist in managing the discovery process. Thus, successful litigation legal assistants must now be familiar with document management software, and state and federal e-discovery rules, and they must be able to coordinate with outside litigation support vendors. As a result, the evolution of document management technology has created a new legal support staff member who merges the skills of a paralegal and a computer specialist into a legal technology specialist.

LEGAL TECHNOLOGY SPECIALISTS

A legal technology specialist provides technical support for large e-discovery projects, document production and document reviews. This position did not exist 15 years ago. If a specialized database was needed, the firm’s IT technician or department would assist a legal assistant in creating one. However, a legal technology specialist not only requires advanced knowledge of document management software programs and database manipulation, but also a thorough understanding of federal and state rules of civil procedure. Not to mention attention to detail, multitasking, analytical skills and great customer service skills. And let’s not forget someone who works well with attorneys, legal assistants and legal secretaries.

MOVING FORWARD

So what is the future role of legal secretaries and legal assistants? As technology continues to develop, legal and litigation support staff will continue to grow and remain to fill a vital function within law firms. For current legal secretaries and legal assistants to remain gainfully employed in the legal field today, they must first embrace technology as a survival tool and be willing to become proficient at the emerging software. Second, legal secretaries and legal assistants must adapt to change, demonstrate flexibility, be receptive to new projects and responsibilities, be willing to take on challenges to gain experience, and exhibit a desire for continuous learning and professional development. Third, to accommodate new technology and workflows, they will need to adjust their communications with lawyers so that more information can be shared regarding current projects and clients. Finally, they must be willing to work together and in teams.

Therefore, law firms need to begin to reclassify and create new job descriptions, duties and titles to better reflect the support staff’s actual responsibilities. In addition, they must reorganize and restructure their organization to deliver the best client services. One possible new support structure is the development of client service teams. A client service team is based upon all members working collectively as a group. The team is comprised of partners, associates, paralegals and legal secretaries dedicated to performing the necessary tasks to provide quality services to clients and to ensure that the firm is running in a highly efficient and cost-effective manner. In a client service team concept, three roles dominate: (1) the client service coordinator, (2) the production coordinator, and (3) the production assistant. However, a team concept is only effective and successful if training programs assist all team members to retool and shift their thinking and approach to work in a more technologically advanced law firm world.


ANSWER KEY TO P. 5 QUIZ

1. (a), (c), (b)
2. (c), (a), (b)
3. (b), (a), (c)
4. (c), (a), (b)
5. (b), (a), (c)
6. (a), (b), (c)
7. (a), (c), (b)
8. (a), (c), (b)
9. (b), (c), (a)
10. (a), (b), (c)
LSI will be offering an online class on an Overview of California State Court Discovery. This class will be a six-week, work-at-your-own-pace online session commencing March 14 and ending April 25, 2016. During the classes, the following topics will be covered:

- Interrogatories
- Demand for Production of Documents
- Requests for Admissions
- Depositions
- Demand for Physical Examinations
- Deposition Subpoenas
- Discovery Timelines and Service
- Verifications

**CLASS SESSION OPENS MONDAY, MARCH 14, 2016**

Classes will take place online utilizing video lectures, discussion boards, email, whiteboard sessions, chat rooms, and quizzes. Login information will be provided upon enrollment in the class.

The content of this class is designed for legal secretaries and those studying for the California Certified Legal Secretary examination.

The cost of the class is $30 for LSI members/$50 for non-LSI members. Each individual must register separately. Upon completion of the class, students will receive a certificate of completion from LSI.

---

**OVERVIEW OF CALIFORNIA STATE COURT DISCOVERY CLASS REGISTRATION**

(Please type or print clearly)

Name: ___________________________ Email: ___________________________
Address: ___________________________ City/Zip: ___________________________
Telephone: ___________________________ Association: ___________________________ LSA/LPA

$30 LSI Member [ ] $50 Non-LSI Member [ ]

Payment: Check #__________
Visa/MC Credit Card #
Exp. Date: ________ 3-digit CVV No.: ________ Zip Code: ________

Email registration form NO LATER THAN March 7, 2016, to Shaylene Cortez, CCLS, LSI Legal Secretarial Training/Seminar Chair, training@lsi.org or mail to LSI (see website for mailing address). Checks should be made payable to LSI (Note: checks must clear before access will be released). Registration will also be offered online at www.lsi.org with PayPal. For further information or inquiries, email training@lsi.org. No refunds after March 15, 2016.

**LSI – Educating California’s Legal Professionals**
How to Improve Your Outcome in Questioned Document Cases

BY MIKE WAKSHULL, SAN FERNANDO VALLEY LSA

As in all professions, document examiners have a range of expertise and experience. As important as it is for your client to make a clear assessment of your abilities to serve them successfully, it is up to you to determine in advance, with a high degree of accuracy, whether the document examiner you plan to hire will perform the most accurate assessments and be ready to back up those assessments with a scientifically-repeatable methodology in court.

You can improve the chances of proving your questioned document case (provided your client’s claim is meritorious) by selecting an expert forensic document examiner who follows a generally-accepted practice for forensic document examiners. It is surprisingly common that not all experts do.

In Frye v. U.S., 293 F.2d 1013 (D.C. CA 1923), the D.C. Court of Appeals adopted the test for “general acceptance.” As relevant in California, the Kelly rule, People v. Kelly (1976) 17 Cal.3d, provides that the expert testimony must be based on a technique that is “sufficiently established to have gained general acceptance in the particular field to which it belongs.”

Following are three examples of cases in which the opposing document examiner failed to follow generally-accepted practices for handwriting identification of a questioned signature.

In this case, the opposing document examiner eliminated the decedent as the writer of a holographic will (handwritten and not witnessed) based on observed differences between two known signatures and the questioned signature. The examiner failed to state that there were also differences between the two known signatures, which were stipulated to have been written contemporaneously (in this case during the same sitting) by the decedent.

No one writes their signature exactly the same way each time. Therefore, accepted methodology requires determining both similar and dissimilar traits between the questioned writing and the known writings. The variability in the handwriting of the author of the known writings must be analyzed.

An individual can only be eliminated as the writer of a questioned document when the range of variability of the known writer has been determined. Established authorities state that a sufficient number of samples of a person’s writing (exemplars) are required to show this variability.

The exact number of exemplars cannot be determined until the document examiner starts working the case. Exemplars written prior to the date of the questioned writing are best. I prefer to start with at least 15 exemplars.

Examining more exemplars increases the validity of the results. Generally, more exemplars are needed to opine that a person did not execute a writing than to opine that a person did execute a writing.

Only after a careful review of the findings can it be determined with a degree of accuracy the extent to which the questioned writing has the same traits as and falls within the known variability of the known writing.

The opposing examiner in this case made no effort to determine the variability of the decedent’s known handwriting. She made no attempt to examine the original will that was available in the court’s records room.

I examined the original holographic will and displayed the scanned copy as an exhibit.
In another case, the opposing examiner collected 43 exemplars of the decedent’s signature. This was proper, generally-accepted practice.

However, for the report, the examiner selected seven of the 43 exemplars. These seven exemplars supported the retaining attorney’s contention the decedent had not signed the will.

After we exchanged evidence, I discovered that most of the remaining exemplars he had collected supported the hypothesis the decedent did sign the will. Using his evidence at trial, I showed that he had cherry-picked the exemplars for the report. This is called confirmation bias.

In a federal criminal case, the opposing document examiner presented a report that was not in conformance with Rule 26 of Federal Rules of Evidence.

As a result, my retaining attorney said I did not need to drive to Los Angeles to testify at trial—that my report would stand on its own. He was correct. The judge threw out the other examiner’s report.

It is important for an attorney to ask an expert to describe the methodology he or she will use to research the case. After describing the methodology, the prospective document examiner should be able to cite authorities that support the claim that the methodology is accepted in the practice of forensic document examination.

A proper research methodology removes the expert’s bias from the analysis. The expert must be able to support their opinion with a scientific basis. The job of the expert is to research the evidence and report what the evidence uncovers. The expert is not an advocate for either side in a dispute.

Ask your prospective expert how he or she plans to follow generally-accepted practices during the examination. Learn whether the document examiner is able to support the methodology used.

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, Butte County, Conejo Valley, Desert Palm,
   - El Dorado County, 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,
   - Napa County, Orange County

c. FEBRUARY ISSUE (to be submitted no later than December 1st):
   - Placer County, Redding, Rio Hondo District, Riverside, Sacramento, San Diego, San Fernando Valley,
   - San Francisco, San Gabriel Valley, San Mateo County

d. MAY ISSUE (to be submitted no later than March 1st):
   - Santa Barbara, Santa Clara County, Santa Cruz County, Santa Maria, Sonoma County, Southern Butte County,
   - Stanislaus County, Stockton-San Joaquin County, Trinity County, Ventura County
If you are interested in studying for the California Certified Legal Secretary (“CCLS”) Exam,** join LSI’s CCLS On-Line Study Group. During the classes, all topics covered in the CCLS exam will be reviewed, including:

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

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

Classes will take place once a week via videoconference on Tuesday evenings from 7 p.m. to approximately 8:30 p.m., and will continue through March 15, 2016. Login information will be provided upon enrollment in the classes.

The cost of the 10-week Study Group is $100 for LSI members and $125 for non-LSI members taking classes for first time; and $50 for LSI members and $75 for non-LSI members repeating. Each individual must register separately.

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.

NEXT CCLS EXAM SATURDAY, MARCH 19, 2016

Students are also encouraged to have the CCLS Study Guide.

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

CCLS STUDY GROUP REGISTRATION
(Please type or print clearly)

Name: ___________________________ Association: ___________________________ LSA/LPA
Address: ___________________________
Daytime Phone: ____________________ Evening Phone (during class time): ____________
Email (during class time): ______________
Payment: Check #_________ Credit Card # (Visa/MC only)
Exp. Date: ________________ Sec. Code: ____________

DEADLINE TO REGISTER IS DECEMBER 31, 2015. Send registration to Terrie Quinton, CCLS, LSI CCLS Chair, c/o Duckor Spradling Metzger & Wynne, 3043 4th Avenue, San Diego, CA 92103, email lsiccls@outlook.com. You may also pay via PayPal at www.lsi.org. NO REFUNDS AFTER JANUARY 5, 2016.

STRIVE FOR SUCCESS – BE A CCLS!
GUIDELINES FOR SUBMISSION OF ARTICLES TO THE LEGAL SECRETARY

DEADLINES FOR RECEIPT OF ARTICLES BY EDITOR

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

SUBMISSION OF ARTICLES

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

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

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

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

Deborah Schmidt, CCLS • Editor, The Legal Secretary
2781 W. MacArthur Blvd. B 218, Santa Ana, CA 92704 • 714-957-5742 • lsi.dschmidt@yahoo.com

Legal Specialization Sections

CIVIL LITIGATION | CRIMINAL | FAMILY | LAW OFFICE ADMINISTRATION | PROBATE/ESTATE PLANNING | TRANSACTIONAL

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

For more information, please contact Dawn R. Forgeur, CCLS, Legal Specialization Sections Coordinator, at dawnforgeur@stoel.com.
Membership includes access to free quarterly workshops at LSI conferences for those sections you are a member of; quarterly newsletters that include changes to the law and forms; discounted LSS webinars; statewide roster of all LSS members in each section for easy access to local procedural information in other counties; and networking opportunities.

<table>
<thead>
<tr>
<th>Section</th>
<th>LSI Member New/Renewal</th>
<th>Non-LSI Member New/Renewal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil Litigation</td>
<td>$20</td>
<td>$40</td>
</tr>
<tr>
<td>Criminal Law</td>
<td>$20</td>
<td>$40</td>
</tr>
<tr>
<td>Family Law</td>
<td>$20</td>
<td>$40</td>
</tr>
<tr>
<td>Law Office Administration</td>
<td>$20</td>
<td>$40</td>
</tr>
<tr>
<td>Probate/Estate Planning</td>
<td>$20</td>
<td>$40</td>
</tr>
<tr>
<td>Transactional Law</td>
<td>$20</td>
<td>$40</td>
</tr>
</tbody>
</table>

Total: $20

Name: ________________________________
☐ CCLS ☐ PLS ☐ CLA ☐ Paralegal

E-Mail Address: ________________________________

[Please note that newsletters, rosters, and other communications will be sent via email unless regular mail is requested.]

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

Firm/Business Name: ________________________________

Address: ________________________________

Local Association or Member at Large: ________________________________

Phone: ________________________________  ☐ I prefer communication via USPS

Method of Payment:  ☐ Check payable to “LSI” enclosed  ☐ Pay Online at www.lsi.org via credit card or PayPal

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

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

YEARS OF LEGAL EXPERIENCE: ________________________________

SPECIALTY: ________________________________

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

______________________________

______________________________
Knox Attorney Service, Inc.
1-800-99-KNOX-IT
619-233-9700
sales@knoxservices.com
www.KnoxServices.com
LEGAL PROFESSIONAL’S HANDBOOK

...THE ULTIMATE RESOURCE GUIDE!

Busy lawyers rely on their staff to handle many details of their practice. They look to you, as a professional, to know what to do, and when and how to do it. The Legal Professional’s Handbook provides you with the answers...just as it has for over 75 years! Each chapter contains detailed practice forms and step-by-step instructions covering every major area of California law practice. The Handbook is an invaluable resource to add to your entire reference library!

LSI MEMBERS-ONLY PRICE .................$273
Nonmembers Price .........................$390

Price includes shipping. Add applicable sales tax.
This title is updated annually for subscribers by replacement pages.

LAW OFFICE PROCEDURES MANUAL

...THE IDEAL TRAINING MANUAL FOR NEW STAFF!

This Manual contains detailed practice forms for every major area of law practice, along with step-by-step instructions for completing them. This is a "must-have" forms guide for legal secretaries, paralegals and new lawyers; and it’s a great resource for training your office staff. In fact, the Manual is frequently used in schools, workshops and legal secretaries classes. You’ll also find handy miscellaneous aids, such as procedural checklists and guidelines, tips on transcription and proofreading, law office abbreviations and legal terminology, and a list of useful reference books.

LSI Members-Only Price .......................$164.50
Nonmembers Price ............................$235

Price includes shipping. Add applicable sales tax.
This title is updated bi-annually for subscribers by replacement pages.

Buy both LSI books together and get a discount!
Combo price for both books ..........$425
Price includes shipping. Add applicable sales tax.

COMPILED BY
LEGAL SECRETARIES, INCORPORATED

PUBLISHED BY
THE RUTTER GROUP™
THOMSON REUTERS

TO ORDER OR FOR MORE INFO, CALL
(800) 747-3161 (EXT. 2)
www.RutterGroup.com™
First Legal Network

National Litigation Support Services

- Support Services
- Investigations
- Digital Solutions
- Deposition Services
- Records Retrieval
- National Division

To speak with someone directly, feel free to contact us at one of the numbers below depending on your location.

- Northern California, Bay Area: 415.626.3111
- Northern California, Sacramento: 916.444.5111
- Southern California, LA & Inland: 213.250.1111
- Southern California, OC & SD: 714.541.1110

www.firstlegalnetwork.com

NEW

e-filing portal
Orange County!

REGISTER YOUR NEW E-FILING ACCOUNT NOW AT janneyandjanney.com

- User Friendly - E-Service Capable - Searchable Filing History -
- Multiple Users - One Account - Helpful/Knowledgeable Customer Service -

THREE FORMS OF PAYMENT

1. ACH (link directly with bank account)

   2. CREDIT CARD (Visa, Mastercard, American Express)

   3. BILL YOUR JANNEY ACCOUNT (with approved credit)

If you have any questions, please contact Jay Roll, our Director of e-filing. You can reach him at (714) 953-9451 or at jay@janneyandjanney.com

Los Angeles
1545 Wilshire Blvd. Ste. 311
Los Angeles, CA 90017
(213) 628-6338

Orange County
840 N. Birch Street
Santa Ana, CA 92701
(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