April 2012 Volume 4 Book 12



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#### Sacramento Legal Secretaries Association



# **April Event(s)**

• April Regular Dinner Meeting – April 19. This meeting will be held at the Courtyard Marriott - Midtown Sacramento, 4422 Y Street, Sacramento. You can register online through our website (www.slsa.org) or contact Maimie Chyinski at reservations@slsa.org. See page 14.

# **Mission Statement**

The Sacramento Legal Secretaries Association ("SLSA") is a nonprofit, educational organization whose purpose is to further knowledge of law and its procedures, promote a high standard of ethics, encourage a statewide networking system, and advance the interests of our members and the legal community.

**NON-MEMBERS ARE WELCOME!** 





SLSA would not have accomplished all that it did without all of the awesome volunteers that SLSA had! ~Dawn Forgeur,

# **President's Report**

by Dawn Forgeur, CCLS

e're at the end of the 2011-2012 fiscal year for SLSA, and time has really flown by for me. SLSA would not have accomplished all that it did without all of the awesome volunteers that SLSA had! I am so grateful that there are so many wonderful members who donate their time and energy to making this association and its events great for its members.

I would like to thank:

Sophia Albov, CCLS Johnny Bateman Ron Bodenmann Alexander Cain Sherri Lee Caplette, CCLS Jennifer Chastain Maimie Chyinski Yolanda De La Cruz Desiree Delonia, CCLS Jennifer Estabrook, CCLS Anne French Stevie Garcia Liz Gideon Rebecca Lerma Molly Mahoney Teri McClory, CCLS Lacy Monserrat Jaymie Moralez Lindsey Perry Shelly Reves Corene Rodder

Crystal Rivera Jennifer Shelton

Without these volunteers, some who held multiple chairmanships, I would have been so overwhelmed with all that needs to be done each year. I simply cannot express my gratitude enough.

I would also like to thank my executive board for everything they did this year. All of them have contributed something to make this year a success: stepped into a challenging position mid-year; given me endless advice and answered my neverending questions; brought enthusiasm and energy to our projects and meetings; kept things organized for meetings; taken on projects and tasks that needed to be done; and so much more – thank you!

Congratulations on the newly elected executive board for the 2012-2013 fiscal year:

**President** Dawn R. Forgeur, CCLS

Vice President Lynne Gomes **Secretary** Maimie Chyinski

**Treasurer** Deseree Gamayo

#### Governor

Melanie Herman

Congratulations to the following delegates who will represent SLSA at the May 2012 Annual Conference in San Diego: Anne French, Debbie Frias, CCLS, and Sherri Lee Caplette, CCLS. The alternate delegates, should any of the main delegates not be able to attend conference, are: Paula Lockard, CCLS, Jennifer Rotz, and Launa Atkinson, CCLS.

Our next dinner meeting will be held on April 19, 2012, and our guest will be Judge David I. Brown. Judge Brown is one of the Law and Motion judges from Sacramento Superior Court.



# **CHANGE OF ADDRESS:**

Please remember if you have moved offices or home, be sure to send us your Change of Address form so that we can update our records. This will minimize any delay in your receiving our monthly bulletin, any correspondence, and the LSI quarterly magazine. The change of address form can be found in this bulletin or on our website. They should be mailed to our Vice President and Membership chair, Lynne Gomes to her work address at Greenberg Traurig, LLP, 1201 K Street, Ste 1100, Sacramento, CA 95814.

### **Of Note** by Alex Cain

#### The Superior Court of California - County of Solano will have limited operation days on:

July 5-6, 2012 August 31, 2012 November 19 through November 21, 2012 December 24 through December 31, 2012 March 20, 2013

During the above days, all Clerks Offices and all but two courtrooms will be closed. The two open courthouses will be located in the Hall of Justice - 600 Union Ave., Fairfield, California. Drop boxes will be available at this location as well as the Solano Justice Center located at: 321 Tuolumne Street, Vallejo for same-day filing of documents which are deposited before 4:00 p.m..

#### Bankruptcy Court—Eastern District:

The United States Bankruptcy Court for the Eastern District of California has amended its Local Rules of Practice. Pursuant to General Order 12-01, the Local Rules will be effective as to all cases and proceedings filed or pending on or after May 1, 2012.

#### PACER—Fee Increase

In September 2011, the Judicial Conference of the United States authorized an increase in the Judiciary's electronic public access (PACER) fee from \$.08 per page to \$.10 per page. The fee increase will take effect on April 1, 2012.

#### Mileage:

.51 for GSA 55.5 for IRS

#### Federal:

28 U.S.C. § 1821 - Per diem and mileage generally; subsistence

(a)(1) Except as otherwise provided by law, a witness in attendance at any court of the United States, or before a United States Magistrate Judge, or before any person authorized to take his deposition pursuant to any rule or order of a court of the United States, shall be paid the fees and allowances provided by this section.

(a)(2) As used in this section, the term "court of the United States" includes, in addition to the courts listed in section <u>451</u> of this title, any court created by Act of Congress in a territory which is invested with any jurisdiction of a district court of the United States.

(b) A witness shall be paid an attendance fee of \$40 per day for each day's attendance. A witness shall also be paid the attendance fee for the time necessarily occupied in going to and returning from the place of attendance at the beginning and end of such attendance or at any time during such attendance.

#### State:

#### Government Code section 68093

Except as otherwise provided by law, witness' fees for each day's actual attendance, when legally required to attend a civil action or proceeding in the superior courts, are thirty-five dollars (\$35) a day and mileage actually traveled, both ways, twenty cents (\$0.20) a mile.

# **Membership Chair Report**

by Lynne Gomes



elcome, and congratulations to the following new SLSA member, who was inducted in absentia at the March 15, 2012, regular membership meeting.

#### Active Memberships:

**Cindy Perez** -- Cindy is a paralegal with the Howard Jarvis Taxpayers Association. She has been a legal professional since 2009, and specializes in litigation. Cindy celebrates her birthday on February 27, and enjoys reading, arts and crafts, her children, and education.

If you are interested in membership in SLSA, please contact Lynne Gomes at (916) 442-1111, or via e-mail at gomesl@gtlaw.com.





To SLSA Member Yolanda De La Cruz on the passing of her grandmother. Please keep Yolanda and her family in your thoughts and prayers.

#### On the Move:

Janae Long is now at the legal division of State Farm Insurance.

#### CONGRATULATIONS!!!

Congratulations to Molly Mahoney on the birth of her baby boy, Conrad Cassius Cote'. Molly says, "Conrad joined our family 3/15/2012 @ 9:38 a.m. He weighed 7 lbs., 2 oz. and was 18 inches long. His big brother Dresden (3) is super excited about his new role as big brother and we are thrilled to be able to share our special news with SLSA." We are thrilled for Molly and her family, and wish them every happiness during this special time!

Congratulations to Justine Gamayo, who gave birth to a daughter, Viviana Sophia Velasco, on March 16, 2012. Miss Viviana weighed in at 7 lbs., 7 oz., and was 19 inches long. Further congratulations to the proud Auntie, Deseree Gamayo, on such a cute little niece! We are thrilled for Justine and her family, and wish them every happiness during this special time!



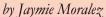
#### CHANGES?? UPDATES??

Are you an SLSA member who has moved? Changed jobs? Been promoted? Recently engaged or married? New addition to the family? We want to know about you!! Let us celebrate your accomplishments with you during the good times, and support you during the tough times. Please send your news to gomesl@gtlaw.com.



## Conrad

# **Employment Report/Positions Available**





his free benefit provides the legal community with a place to post job openings for all categories of job positions. SLSA assists in every possible manner to procure employment for members of this association, and cooperates with attorneys in filling positions in law offices, but in no event does this committee act as an employment agency.

Attorneys will need to give the following information to the Employment Chair: name, firm name, address, phone number(s), areas of law practice, software used, position available, years of experience required. The attorney/employer is requested to e-mail the Employment Chair with the advertisement formatted like those currently posted on the "Employment Opportunities" page. Ads are usually posted within 48 hours.

It is the responsibility of the applicants to contact the employers, schedule interviews, exchange résumés, and to discuss benefits and salary, etc. All information is listed until notification to drop the name/position is given to the Employment Chair.

Please contact Employment Chair Jaymie Moralez, at (916) 446-7979, or e-mail her at <u>imoralez@somachlaw.com</u>. A detailed message can be left, and your call will be returned within 24 hours. If you wish your listing to be placed on our web page, please indicate your authorization to do so.

- (4/3/12) Senior Paralegal E\*TRADE Financial is seeking a Senior Paralegal for our Roseville, CA office. The Senior Paralegal will split time supporting the Associate General Counsel in handling securities litigation and arbitration cases, and supporting the Manager of Legal Services in all aspects of corporate governance and other legal projects for E\*TRADE's foreign subsidiaries. Must have 5+ years of experience in a related field and paralegal support position; BA, AA and/or paralegal certificate preferred. If you are interested, please send your resume to Melissa Yu at melissa.yu@etrade.com.
- (3/28/12) Transcriptionists Transcription company providing transcripts of interviews, meetings, focus groups, and presentations is looking for qualified transcriptionists who can work part time from their homes. Excellent work ethic, grammar and punctuation skills, 80 to 100 wpm typing speed, and the ability to research items on the Internet are required. Transcription experience is extremely helpful, but not required. Must use Word, e-mail, and be able to transcribe from digital audio recordings. If you are not set up to do transcription from digital audio recordings, we can help you. Benefits are flexible work schedules, working from home, interesting subject matter, and great people to work with. Transcriptionists work as independent contractors. Please contact Gwen McCutcheon, Premium Business Services, gwen@premiumbusinessservices.com for more information.
- (1/27/12) Legal Assistant Education reform non-profit seeks full-time Legal Assistant to support the General Counsel. The Legal Assistant will prepare highly confidential legal documents, gather/analyze data, and perform administrative duties. At least 5 years experience and bachelor's degree required. Must be very detail-oriented and reliable. Compliance/non-profit/political experience helpful. Competitive salary and benefits. Job location is Sacramento. Please apply at <a href="https://www.StudentsFirst.org/Jobs">www.StudentsFirst.org/Jobs</a>.
- (1/11/12) Legal Secretary Small plaintiff's office (two attorneys, one legal assistant) seeks full time legal secretary. Work does not involve generic personal injury cases (auto, etc.). Rather, highly sensitive cases that require sensitivity and some psychological awareness. Superb typing, transcription and computer skills are more important than legal experience, as long as applicant is industrious, flexible and highly motivated to perform at a superior level. Salary is very competitive and DOE. Retirement, vacation and health benefits are available. Job location is in Sacramento. Please send cover letter and resume to jgeorgejr@psyclaw.com.





# Legal Procedures: New Removal and Venue Rules for Federal Courts

submitted by Kurt A. Kappes, Esq. and Greg Sperla, Esq. -- Greenberg Traurig, LLP (Reprint permission granted to Sacramento LSA by Mr. Kappes and Mr. Sperla.)

hanks to Congress and the president, Christmas came early for federal civil procedure aficionados. On December 7, 2011, President Obama signed into law the first changes in almost a decade to federal court jurisdiction and general removal procedures not involving class actions. The new law, the Federal Courts Jurisdiction and Venue Clarification Act of 2011, H. R. 394, P.L. 112-63 (the "Act"), contains significant changes to the removal statute, 28 U.S.C. § 1441, and will affect nearly every new case filed or removed next year invoking the courts' diversity jurisdiction. By clarifying the rules affecting the timing of removal in cases with multiple defendants, determinations of amount in controversy, and venue, Congress addressed several areas



of statutory confusion and disagreement among various courts. As a result, Congress has hopefully simplified removal and venue rules for both plaintiffs and defendants in federal court.

The centerpiece of the law is a provision addressing a longstanding conflict over the statutory 30-day period for "the defendant" to remove an action to federal court. Circuits disagreed over how to interpret the law in cases with multiple defendants served at different Compare Bailey v. times. Janssen Pharms., Inc., 536 F.3d 1202 (11th Cir. 2008) (30-day period runs from the date of service on the last-served defendant) with Marano Enters. v. Z-Teca Rests., LP, 254 F.3d 753 (8th Cir. 2001) (30 days to effect removal for each defendant, regardless of when others had sought to remove) with Getty Oil Corp. v. Ins. Co. of N. Am., 841 F.2d 1254 (5th Cir. 1988) (30 days after service upon the first -served defendant).

To address the issue, the new law provides that each defendant will have 30 days from his or her own date of service to seek removal. Earlier-served defendants would also be allowed to join in or consent to removal by another defendant. To avoid further confusion, the law also codifies the "rule of unanimity," set forth over a century ago by the Supreme Court, requiring all defendants to consent to removal.

In addition, the Act contains significant changes to how the amount in controversy for purposes of removal is ascertained, alleged and proved. First, the Act provides that defendants facing a state pleading without specific allegations of an amount in controversy may still remove, even after the 30-day period expires, if they receive discovery from the plaintiff indicating that the jurisdictional amount is met. In cases where state practice does not permit a specific monetary demand or where recovery may be in excess of the demand, defendants will now be authorized to allege the amount in controversy in the removal notice when the initial pleading seeks nonmonetary relief. Lastly, the Act adopts the majority view requiring that the amount be shown by "the preponderance of the evidence," rejecting the other conflicting standards.

With an eye to eliminating the need for, but still preserving, the roughly 200 special venue provisions found throughout the Code, Congress also undertook a complete revision of general federal venue statute, 28 U. S. C. § 1390 et seq. Among the notable changes made, the Act resolves the circuit split on the question of residency for the

See Legal Procedures, Page 12



# Parliamentarian's Corner

By Astrid Watterson, CCLS

#### **Rescinding or Amending Something Previously Adopted**

ccording to Robert's Rules of Order, 11th edition, section 35, a motion to rescind or amend something previously adopted is required when a meeting is over (as opposed to a motion to reconsider, which has to be made before the conclusion of the meeting) and you feel that the membership made the wrong decision when it adopted the motion. Robert's Rules of Order in Brief provides a great example. It says: assume the assembly has adopted a resolution authorizing the purchase of certain property, which you now think was a mistake. At the next meeting, you make a motion to Rescind the approval of the purchase. Or if you think that perhaps too much money was designated in the original motion for the property, you can make a motion to

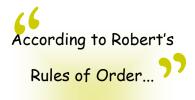
#### Amend Something Previously Adopted.

In order to properly handle such a motion, you must know a few rules. Both the motion to rescind and the motion to amend something previously adopted are main motions and therefore must be seconded, are debatable, and are amendable. You may make either motions regardless of how you voted on the original motion, there is no limit on making either of them, and they can be moved by any member regardless of how they voted on the original question. However, there is a difference in voting depending on notice. If you provide notice of your intent to make one of these motions prior to a meeting, so members are aware that you plan on making this motion, then you only need a majority vote to

adopt the motion. If previous notice is not given of an intent to make these types of motion, then you will need a two-thirds vote to pass it. It is most likely a good idea to provide notice before a meeting that you plan on making such a motion so that you only need a majority to have it passed.

So how do you make these motions? You simply say: I move to rescind the motion relating to \_\_\_\_\_\_ adopted at the May meeting.

Powerful words for such a small little sentence. As usual, these types of motions, while available to use, should be considered carefully before being introduced for consideration. If you require further detailed information, be sure to refer to your Robert's Rules.



~Astrid Watterson,

CCLS

# **Chapter Achievment Points**

It's the new fiscal year for earning Chapter Achievement Points ("CAPs"), time to start earning for the 2012-2013 competition. Our

main competitor is San Diego LSA and a little friendly rivalry is always good, right? Throughout the year, please let SLSA's governor know when you do things that might earn SLSA CAPs. The governor keeps a record of these points and submits the total to LSI in April to compete with the other associations in our membership class.

If you are a CCLS that will recertify during the 2012-2013 fiscal year, please send the governor an email letting her know, that counts for Chapter Achievement Points.

Did you know that members who use the LSI Hertz discount can earn SLSA 200 Chapter Achievement Points each time they rent a car?

Please send an email to Melanie Herman at governor@slsa.org with your CAPs information.

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Talents, Interests, Hobbies:		
YOUR SPECIALTY:	~	<b>D 1 D 1 E</b>
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Arbitration	Law Office Management	Other Specify:
Bankruptcy	Litigation Probate/Estate Planning	Specify:
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EDUCATION:		
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Please make your check payable to SLSA in the	e amount of \$40 (\$25 for students). Ma	ail payment with this form to:
Lynne Gomes, Vice President	•	
Greenberg Traurig LLP		
1201 K Street, Suite 1100		

# Benefit Highlights

by Jennifer Chastain

Working Advantage Spotlight

Spring has sprung! It's officially here!! Check out these great deals for springtime fun, spring cleaning and savings! Send an email to chastain.j@gmail.com to get LSI's member number to take advantage of these discounts. This is just a sampling of what is offered!

Nike Golf Up to 70% off

<u>24 Hour Fitness</u> Membership deals, \$10 off bodybugg calorie system, 10% off \$50+

<u>Monterey Bay Aquarium (Monterey, CA)</u> Save up to \$3.00 per ticket

Get Organized 10% off your order

Staples Free delivery on \$50+, E-Gift Cards

<u>Shindigz Party Supplies & Decor</u> Free shipping on \$85+, Deal of the Day

<u>Magazines.com</u> 2nd year for just \$1, Save up to 95% + an additional \$5 off select titles

#### Six Flags Discovery Kingdom (Vallejo, CA): Adult/Child

**Member Price: \$35.99** (Regular price\*: Adult \$56.36, including tax; Child \$38.94, including tax)

<u>Heavenly Mountain Resort (Lake Tahoe, CA)</u> Save up to \$4.05 per ticket



# **CCLS** Quiz

by Jennifer Estabrook, CCLS

Solid v. Compound Verbs & Nouns

Which is correct?

1.	A. A breakdown in communications B. A break down in communications
2.	<ul><li>A. A thorough follow up of the report</li><li>B. A thorough follow-up of the report</li></ul>
3.	<ul><li>A. They have the knowhow</li><li>B. They have the know-how</li></ul>
4.	A. Plan a crack-down on the violators B. Plan a crackdown on the violators
5.	A. When they give us a go ahead B. When they give us a go-ahead
6.	<ul><li> A. Let's have a run-through</li><li> B. Let's have a runthrough</li></ul>
7.	<ul><li>A. Devise another plan as a fall back</li><li>B. Devise another plan as a fallback</li></ul>
8.	A. After you complete the cleanup B. After you complete the clean-up
9.	<ul><li> A. Let's have a get-together on Friday</li><li> B. Let's have a get together on Friday</li></ul>
10.	A. We expect a turnaround in sales B. We expect a turn-around in sales

See Answers, Page 19

# Law Office Products/Management

by Allison Horak, Lori McCleerey, and Katelynn Poulos, Felderstein Fitzgerald Willoughby & Pascuzzi LLP

#### Checklist for New Hires and Exiting Employees

any legal secretaries for sole practitioners and in small
to medium-sized firms perform administrative functions in addition to their "regular" secretarial duties,
especially in the absence of an office manager. Part of these duties may include dealing with new hires as well as exiting (terminated or otherwise departing) employees. Naturally, each office has needs
specific to its practice of law, size, geographic location, etc.

The following is an effort to give a basic list for processing incoming and exiting employees that can be tailored to suit your office's needs. We have tried to cover all the bases: practical considerations, as well as risk management issues. We use the term "new employee" to apply to any new hire, whether a support person or an attorney. And, we use the designation "exiting employee" to apply to any employee severing ties with your firm, whether or not on favorable terms.

<u>Disclaimer</u>: The information in this article does not constitute legal advice and is not intended to do so. Anyone needing legal advice on employment matters should contact an attorney.

#### NEW HIRES

#### Before start date:

- Prepare employment offer letter, calendar follow-up deadline, ensure receipt of executed letter.
- Obtain names of all previous cases worked on by new employee at other firms and run conflicts check. Discuss outcomes with Managing Partner and need for possible ethics wall. Add all names to new employee's contact information in database and conflicts database.
- Add new employee contact information to internal database (include bar number and admission date, and any CM/ECF logins/passwords, etc.).
- Request bio/CV from new employee for website and for updating Martindale Hubbell profile.
- Order business cards.
- Notify building management re identity and start date of new employee. Request card key, suite key, directory strip for lobby.
- Submit work order to IT service provider to set up new work station, including email account, remote access, access to all programs, etc. (Make sure new employee is added to any internal groups in Outlook.)

- Establish online research account (Lexis or Westlaw) and arrange for training.
- Set up new employee as a timekeeper in time tracking software, including ascertaining new employee billing rate. Update existing contracts.
- Contact phone system technician to personalize extension and any other telephone related issues.
- Prepare new employee form DE34 for submission to EDD.
- Prepare and obtain approval of press release/announcement for local Bar and business publications.
- Establish cost recovery account for new employee.
- Establish signature block (for e-mails)/letterhead for new employee.
- Add new employee information to any company machines (copiers, fax) to which s/he will need access.
- Prepare new employee's work station/office.
- Circulate email notifying firm of name, position, and start date of new employee.

#### On/after start date:

• Furnish new employee with firm's employee handbook (and any other policy and procedures manuals) and obtain signed acknowledgment of receipt.



Pictured from l to r: Allison Horak, Lori McCleerey, and Katelynn Poulos

# **Governor's Report**

n February 29, 2012, LSI sent all local associations a Notice of Proposed Bylaw Amendment. This amendment seeks to amend LSI Bylaw Article V, section 1(a) by adding the bold, underlined section below:

An Qualifications. (a) active member shall be a person: (1) licensed to practice law; (2) employed as legal support staff in the office of any attorney engaged in the practice of law; (3) employed by the courts; (4) employed in any other institution or office directly engaged in work of a legal nature, in California; or (5) who possesses, or is in the process of obtaining, a degree of certificate from an educational institution

which is related to the field of law.

At the March 15, 2012, regular dinner meeting, after much discussion, voted to oppose this amendment. Sacramento LSA already offers a student membership at a discounted rate, if this amendment passes, SLSA would then have to raise its student membership rates to cover the per capita that SLSA pays to LSI for each active member. This amendment would also result in SLSA having to amend its Bylaws so that they are not in conflict with LSI's Bylaws. The members felt that the LSI Bylaw amendment was unnecessary as SLSA already has options for student members in its own Bylaws.

It's also time for LSI's election of officers. The nominees being:

President: Sandra T. Jimenez, CCLS

Vice President: Mary J. Beaudrow, CCLS

Secretary: Jennifer L. Page, CCLS

Treasurer: Heather Edwards Carrie Hughes, CCLS

At the April 19, 2012, regular dinner meeting, the membership will vote on which nominee for treasurer SLSA, through the delegates, should vote for in May.

# Legal Procedures (cont.)

submitted by Kurt A. Kappes, Esq. and Greg Sperla, Esq. -- Greenberg Traurig, LLP (Reprint permission granted to Sacramento LSA by Mr. Kappes and Mr. Sperla.)



purposes of venue, adopting the majority standard that residency is a natural person's state of domicile, the same standard used in the determination of citizenship for diversity jurisdiction. And beginning in 2012, Congress has provided that litigants may stipulate to the transfer of venue to a district where the lawsuit may otherwise have not originally been brought "for the convenience of the parties and witnesses and in the interest of iustice."

The Act makes a variety of other changes to supplemental jurisdiction involving unrelated state claims, suits between aliens, and residency of non-resident aliens and foreign corporations for venue purposes. Judges, federal practitioners and students of civil procedure will also note the law's reorganization of the jurisdictional statutes found in Title 28 of the U.S. Code, which have been graciously simplified for clarity.

The Act, and its numerous changes, take effect on January 6, 2012. The law will apply to all new state and federal lawsuits commenced on or after that date.

One immediate result: plaintiffs considering legal action must decide now if they prefer the current rules in their circuit and should immediately file, or prefer instead to litigate after the law takes effect. Looking further down range, no matter the subject area or party represented, the changes will require all federal practice litigators to reconsider longstanding litigation strategies. And one interesting footnote: while the Act does not eliminate the prior law's provision that the 30-day removal period is triggered by service or "receipt" of the pleading, there is no indication that Congress intended to abrogate the decision in Murphy Bros., Inc. v. Michetti Pipe Stringing, Inc, 526 U.S. 344 (1999), holding that formal service, not mere receipt, is required.



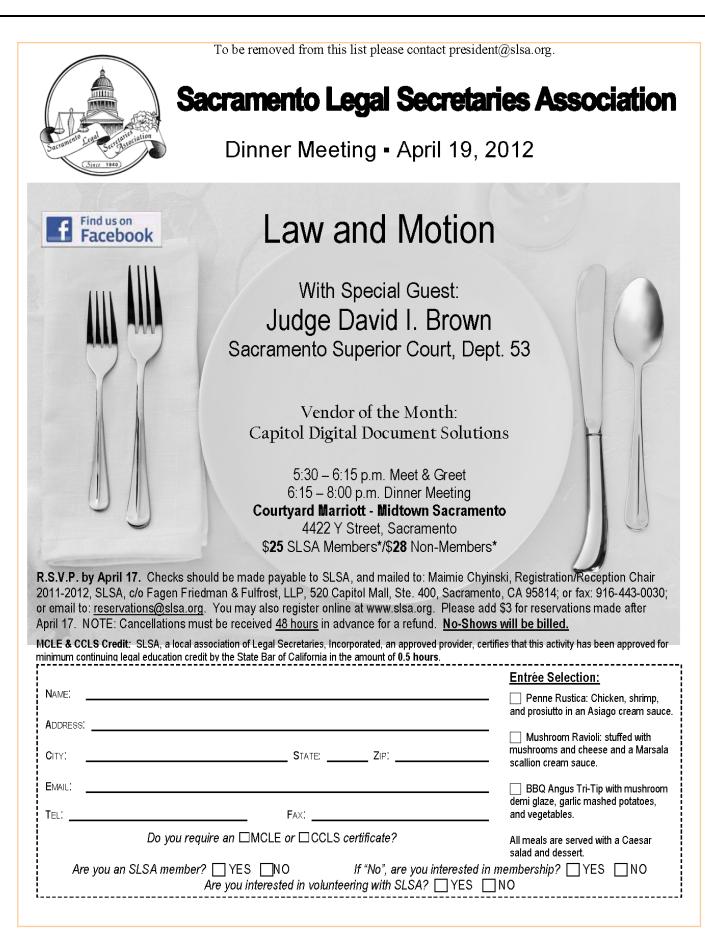
#### CHAPTER ACHIEVEMENT REPORTING FORM

Each association in LSI participates every year in the Chapter Achievement contest. An award of \$250 is presented by LSI to the highest scoring association in each membership category at the Annual Conference of LSI. Chapter Achievement Points (CAPs) are tracked during the year by SLSA's Governor. This covers activities from April 1, 2012, through March 31, 2013. This form's purpose is to track each member's activity during the course of the fiscal year. Please complete this form each time you attend a function and mail it to SLSA's Governor. If you attend a function and are not sure if it applies, include it below on the blank line provided and it will be determined if it applies.

<u>Date of Event</u>	Event
	I submitted an article to <i>The Legal Secretary</i> magazine. (50 points)
	l attended an LSI Quarterly or Annual Conference. (50 points)
	I attended an Officer/Chairman Workshop at the Annual Conference.
	How many? (25 points)
	I belong to an LSI-sponsored credit union. (100 points)
	l am insured through an LSI plan. (100 points)
	I rented a car through Hertz with the LSI discount. (200 points)
	I took the CCLS exam - Test Date: (100 points)
	I passed the CCLS exam - Test Date: (200 points)
	I submitted questions to LSI for use on the CCLS Mock exam.
	How many? (25 points per question)
	I recertified as a CCLS during the 2012-2013 fiscal year. (50 points)
	l attended another association's monthly meeting, installation, or other function. (50 points)
	I attended an educational workshop or seminar sponsored by SLSA or another local
	association. (25 points)
	I attended an educational workshop or seminar sponsored by a Forum, CEB, or
	The Rutter Group. (25 points)
	I am a member of at least one Legal Specialization Section. (50 points)
	I am a member of all six Legal Specialization Sections as of March 31, 2013. (100 points)
	I attended a Legal Specialization Section Seminar at Quarterly or Annual
	Conference. How many? (50 points per seminar)
	l attended a Legal Specialization Section Regional Seminar. (75 points)
	l submitted an article for use in a Legal Specialization Section newsletter. (50 points)
	I purchased the Legal Professional's Handbook (LPH) between April 1, 2012, and
	March 31, 2013. (200 points)
	I purchased the <i>Law Office Procedures Manual</i> (LOPM) between April 1, 2012,
	and March 31, 2013. (200 points)
	I purchased updates to the LPH between April 1, 2012, and March 31, 2013. (100 points)
	I purchased updates to the LOPM between April 1, 2012, and March 31, 2013. (100 points)
Name:	Email:

If you have any questions or would like to email this form, you can reach the Governor at governor@slsa.org, otherwise you can mail this form to:

> Sacramento LSA Attn: Melanie Herman, Governor Perkins & Associates 300 Capitol Mall, Ste. 1800 Sacramento, CA 95814



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1	
2	Announcing
3	The 2012 Edition of
4	Introduction to California Civil Litigation
5 6	(Emphasizing Superior Court Cases)
7	by Brenda Thomas Wilson, J.D.
8	Used as both a textbook and a reference book for over a decade, this 404-page edition focuses on the procedural
° 9	aspects of civil litigation before trial in California superior court cases. Various forms, documents, and rules are
10	explained, with many examples based on the Sacramento Superior Court local rules to show how the general aspects
11	of litigation are specifically implemented through the application of both state and local rules. In a practical "nuts
12	and bolts" approach, key information is provided on major topics, and tips that can only be learned through
13	experience are shared. Contents in the latest edition, updated with rules and statutes effective January 1, 2012,
14	include:
15	<ul> <li>Requirements for filing and methods of serving documents</li> <li>Civil case management rules, including Sacramento Superior Court's requirements</li> </ul>
16	<ul> <li>Definitions of foreign words and phrases, general legal terms, symbols, jargon, and acronyms</li> <li>Basic elements of letters, use of boilerplate forms, and requirements for formatting pleading paper</li> </ul>
17	<ul> <li>Discovery documents and procedures with California Electronic Discovery Act provisions</li> </ul>
18	<ul> <li>Motions, including formatting, filing, service, tentative rulings, and court orders, with specific information for motions filed in Sacramento Superior Court</li> </ul>
19	Basic calendaring demystified with step-by-step illustrations, sample entries, and timeline summaries
20	Please complete and mail the form below or place your order by fax, phone, or e-mail.
21	ThomasBooks LLC P.O. Box 205 • Roseville, CA 95678 • Phone 916.773.5803 • Fax 916.773.5851 • Toll-free 877.694.9282 ThomasBooks@surewest.net • <u>www.ThomasBooksLLC.com</u>
22	2012 Introduction to CA Civil Litigation @ \$76.50 each, plus \$ for mailing,* for a total of \$
23	*Priority mailing costs: one book = \$6.00; two books = \$7.50; three books = \$9.00; 4+ books = No charge Prices include sales tax!
24	Please make checks payable to ThomasBooks LLC
25	NameLaw Firm/Company
26	Address
27	City State Zip
28	Telephone FaxE-mail

# Law Office Products/Management (cont.)

by Allison Horak, Lori McCleerey, and Katelynn Poulos, Felderstein Fitzgerald Willoughby & Pascuzzi LLP

- Provide security photo and vehicle description to building security personnel.
- Submit new employee form DE34 to EDD within 20 days of start of work.
- Obtain completed I-9 Employment Eligibility form (for employee file not submitted to any agency) from new employee.
- Add new employee to any calendar entries re matters on which s/he will be working.
- In jurisdictions where there are existing CM/ECF logins, update user profile to reflect new employee's firm change/address information. In additional jurisdictions where new attorney is likely to practice, register attorney for CM/ECF logins and schedule training, if required.
- Prepare and send email blast and/or announcement by mail to firm contacts re addition of new employee.
- Notify California State Bar and other trade groups of employee's new firm and address information.
- If not already a member, obtain memberships to relevant trade groups and bar sections.
- Notify payroll service provider of new employee and have employee fill out direct deposit information, and W-4 form.
- Contact photographer to arrange for photo for website and press release.
- Update (or arrange for update of) firm website and Martindale Hubbell profile to reflect addition of new employee, using information from bio/CV.
- Submit approved press release/announcement for local Bar and business publications.
- Meet with new employee re building safety and security issues (within two weeks of start date).
- Provide new employee with firm's holiday schedule.
- Update company directory/phone extensions list and provide new employee with copy. Circulate updated directory to all employees.
- Make new employee aware of Forms folder and expectations of usage.
- Provide tour of office and facilities, and introduce new employee to all staff.
- Provide training to new employee on all software and office equipment.

#### EXITING EMPLOYEES

#### Before date of separation:

- Prepare severance letter (and check, if any).
- Notify IT service provider of exiting employee and request

immediate change of server password.

• Instruct all employees to change passwords to their workstation computers.

#### On date of separation:

- Have exiting employee return suite key and any other physical access card.
- Note date of separation on master calendar and in exiting employee's personnel file.
- Return access card to building management and request deactivation of card and removal of exiting employee's name from lobby directory.
- Contact building security re no access to suite by former employee.
- Call IT service provider to eliminate exiting employee's logins and passwords to all computers and programs. Request deactivation of exiting employee's email, set up auto-reply re inactive mailbox, and arrange for emails to be forwarded to another responsible staff member or supervising attorney. Ensure remote access rights and access to the cloud are terminated.
- Change security settings on sensitive (or all) documents to which exiting employee had access.
- Notify benefits administrator of date of separation. Complete Cal Cobra Qualifying Event form and forward to benefits administrator.
- Deactivate Lexis-Nexis and/or Westlaw logins via account representative.
- Call phone service provider to deactivate exiting employee's voice mail, obtain temporary password and change greeting to say that the voicemail box is currently inactive, and directing the caller to the receptionist for assistance.
- Destroy exiting employee's business cards.
- Update (or arrange for update of) website.

We are happy to provide these lists in Word format via e-mail, upon request. Additionally, we are always looking to improve our list, so if you have suggestions, please write to ahorak@ffwplaw.com.



www.SLSA.org

Sacramento Legal Secretaries Association

#### Page 17

# FOR SALE!

Sacramento Legal Secretaries Association is selling 2 GB flashdrives as part of its Ways and Means project this year. Help support SLSA and purchase your flashdrive today. They will be sold at the general meetings or you may contact SLSA President Dawn Forgeur, CCLS at drforgeur@stoel.com.

\$10 EACH

March Regular Meeting Speaker Spotlight: Bob Schabert of California Civil Process

There are several reasons why you would need to know the basics of skip tracing... ~Dawn Forgeur, CCLS

by Dawn Forgeur, CCLS

ur speaker for our March regular meeting was Bob Schabert of California Civil Process who gave us an introduction to skip tracing. Skip tracing involves contacting employers, relatives, and other known contacts or conducting research to try and obtain information about a debtor's or defendant's whereabouts. Why would you need to know the basics of skip tracing? There are several reasons why you would need to know this, but a quick example might be that you may encounter a defendant or witness who does not want to be found, they don't want to be served, or they don't want to be deposed or testify at all. Basic skip tracing techniques can help you try and locate someone without having to hire an expensive firm.

Mr. Schabert provided a handout for attendees that listed several ways that you can go about locating your subject. The very first thing you can do is write a letter to the Postmaster at the last known address for your subject. The postmaster can tell you if the subject still received mail at that address; if there is a new address; if the address is a post office box, does the subject still get mail there, what is the physical address of the box holder, who is the box holder: if the address is an apartment complex but you hold, they could be a security guard or a nurse and this website will tell you if the subject holds any licenses.

Department of Real Estate – When the real estate market was booming, it seemed like everyone had a realtor's license, you can find that information here.

Inmate Information – As Mr. Schabert says: never underestimate one's ability to end up in custody. Check the Sacramento County Sheriff's website or the California state prisons' website.

<u>CA</u> State Licensing Board – Your subject may be a contractor or he may work for a contractor. Even if he is only a salesman or personnel for a contractor, he will be listed on this site.

<u>Social Media</u> – Don't forget to search Facebook, Twitter, or other social media websites. A lot of times people will not have their privacy settings locked down and they will give away too much information on their Facebook page.

Robert Schabert has been a licensed private investigator since 1971 and is one of the principals of California Civil Process, a private investigative and process serving firm. He has also written books on skip tracing, judgment enforcement, asset location, and process serving; and has been an instructor for many MCLE classes for the past five years.

Pictured from 1 to r: Bob Schabert, Dawn Forgeur, CCLS and Brandi Richardson

the address is nplex but you have no apartment number, the Postmaster can provide

M r . Schabert then p r o v i d e d several websites that you can use to get information on your subject, a few of those websites are listed below.

that.

<u>Consumer</u> <u>Affairs</u> – You don't know what type of license your subject may

Answers

# **CCLS** Terminology List

by Jennifer Estabrook, CCLS

Terminology:	Conservatorships and Guardianships.
Conservatee:	A person under the protection of a conservatorship.
Conservator:	A person, entity or institution appointed by the court to care for the person and/or estate of a conservatee.
Developmental Disability:	A disability which originates before a person attains age 18, and which continues or can be expected to continue indefinitely and constitutes a substantial handicap for that person.
Guardian:	A person, entity or institution appointed by the court to care for the person and/or estate of a minor.
Guardian Ad Litem:	A person appointed by the court to protect the interests of an- other.
Incompetent:	A person for whom a conservator may be legally appointed.
Investigator:	A person appointed by the court to personally visit the proposed conservatee and inform him/her of the nature, purpose and effect of the proceeding and advise as to his/her various rights.
Limited Conservator:	A person appointed by the court to care for the person and/or estate of a developmentally disabled adult.
Minor:	A person under the age of 18 who is unmarried at the time of any petition for appointment of a guardian for his/her person.
Ward:	A minor person under a guardianship.

# **CCLS Quiz Answers**

by Jennifer Estabrook, CCLS

#### CCLS QUIZ ANSWERS (from page 10):

1.	А	6.	А
2.	В	7.	В
3.	В	8.	А
4.	В	9.	А
5.	В	10.	А



#### Sacramento Legal Secretaries Association Membership Renewal Invoice

Membership Period: May 1, 2012 – April 30, 2013 Due Date: May 1, 2012

Make check payable to: Sacramento Legal Secretaries Association

Amount Due: **\$40** Renewals are due May 1, 2012. There will be a late fee of \$5 after June 1, 2012. Return the completed invoice and full payment to: Deseree Gamayo, Treasurer Sacramento Legal Secretaries Association c/o Stone & Graves 2377 Gold Meadow Way, Ste. 210 Gold River, CA 95670

#### **MEMBER INFORMATION (PLEASE PRINT LEGIBLY):**

NAME:			
DIDTUDAY			
_			
CITY, STATE & ZIP:			
BUSINESS PHONE:			
BUSINESS FAX:			
		(for vital u	pdates/reminders)
		(for vital u	pdates/reminders)
YOUR SPECIALTY:			
Administrative Law	🗆 Appellate Law	Bankruptcy	
Corporate Law	🗆 Criminal Law	Environmental	
Family Law	Labor and Employment	🗆 Law Office Manag	gement
🗆 Legal Support	Litigation	🗆 Personal Injury	
Probate/Estate Planning	Real Estate	□ <b>Other:</b>	
MAILING/LISTING INFORM	LATION:		
Where do you want your SLSA/LSI r		Business	Residence
Nhere do you want e-mail delivere		Business	Residence
Which address should be listed in tl	•	Business	Residence
f you do NOT want to be listed in t	he membership roster, check here:	No roster listing	
INVOLVEMENT:			
lave you been awarded lifetime m	embership in SLSA? (If yes, return form only	w/out dues) 🛛 🗆 Yes	□ No
, .	as a committee chairperson or co-chairpers	son? 🗆 Yes	🗆 No
What topics and speakers would be	enefit you most this coming year?		

SLSA USE ONLY	Date Received:	On Roster:
SLOT COL OT LT	Check no.:	On LSI:
	On Email List:	To Editor:

# April 2012

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9 Executive Board Meeting	10	11	12	13	14
15	16	17	18	19 Regular Dinner Meeting లా Installation	20	21
22	23 Last Day to Submit Articles for Bulletin	24	25	26	27	28
29	30					

#### **Dates to Remember**

- April 9 SLSA Executive Board Meeting (Location: Stoel Rives - Time: 6:00 p.m.)
- April 19 Regular Dinner Meeting & Installation (Location: Courtyard Marriott— Midtown, 4422 Y Street, Sacramento, CA, 5:30 p.m.)
- April 23 Last Day to Submit Articles for the May issue of The Legal Eagle



# CONGRATULATIONS/



Congratulations to Jennifer Estabrook, CCLS and Crystal Rivera who are the winners of SLSA's Membership Contest! Both attended the most meetings during the 2011-2012 year. They each won a \$25 gift card.

Please remember to support our vendors, because they support us!!

~Lynne Gomes

))

# March Regular Meeting Vendor Spotlight: Sarnoff Court Reporters (A Veritext Company)

by Lynne Gomes

arnoff Court Reporters, a Veritext Company, is SLSA's Vendor of the Month. Sarnoff is a Veritext company focused on advanced technology and unsurpassed customer service. With offices across the nation, they are able to service the needs of its diverse client base. Sarnoff provides court reporting, digital video services, videoconferencing, and because of our vast knowledge of the

industry on a national and an international level, can provide services to clients anywhere in the world on a moment's notice. Their experienced management team understands clients' needs and exceeds their expectations. Sarnoff stands by their slogan:

## "The answer is yes...what's the question?"

Thank you very much to Marj Walker from Sarnoff Court Reporters for being at our March meeting and talking to us about the services Sarnoff provides, as well as being SLSA's Vendor of the Month! For more information on Sarnoff Court Reporters, please contact:

Marj Walker Senior Account Executive **Sarnoff, A Vertiext Company** 555 Capitol Mall, Suite 280 Sacramento, CA 95814 916.379.5553 (Ph.) | 916.379.5554 (Fax)

<u>mwalker@veritext.com</u> <u>www.veritext.com</u>

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- Exhibit Management Solutions



Sacramento Representative Marj Walker 555 Capitol Mall, Suite 280 Sacramento, CA 95814 916.379.5553 PHONE | 916.379.5554 FAX www.veritext.com





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Legal S	Imperial County Legal Professionals Association and San Diego Legal Secretaries Association celebrate the 50s with <b>HAPPY DAYS</b> Secretaries, Incorporated's 78th Annual Conf	ference
	Bahia Resort Hotel 998 W. Mission Bay Drive, San Diego, CA 92109 May 17-20, 2012 HOTEL REGISTRATION FORM	
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Roommate(s): Accommodations: Single/Double Triple Quad Add'I Person	\$139.00 per night \$159.00 per night \$179.00 per night \$20.00 per night Children 17 and under may stay in parents' room at no additional charge	AAIA SORT HOTEL
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For additional infor	mation, contact:	
Liz Adame, CCLS, C		(760) 460-1916 lame@sbcglobal.net
Michelle D. Tice, CC	LS, Conference Co-Chair <u>michelle@danstanfordlaw.com</u> a (please send emails	(619) 820-9525 and <u>mdtice@cox.net</u> s to both addresses)

at one of the examination venues:

# California Certified Legal Secretary A Program of Legal Secretaries, Incorporated APPLICATION

#### CCLS Certifying Board 24740 Oro Valley Road Auburn, CA 95602

Northern California		Saturday, March 17, 2012
Southern California		Saturday, October 20, 2012

Deadline: Application must be received 60 days prior to examination date. A late application <u>may</u> be accepted up to 30 days prior to the examination if submitted with a \$25 late fee, in addition to the fees listed below, <u>if space is available</u>.

EXAMINATION FEES*							
	LSI MEMBERS** Registration fee: Examination fee: Total			Non-LSI MEMBEF Registration fee: Examination fee: Total	\$ 55.00 <u>\$ 95.00</u>		
Enclosed is a check in the sum of \$, payable to LSI.  * Fees subject to change without notice. ** LSI members: Name of local association: LSA/LPA. Please enclose a photocopy of your local membership card. You must be a member upon application to be eligible for reduced fees. *** Include \$25 late fee if applicable.							
Name Last 4 Digits of SSN							
Mailing Address:							
City/S	tate/Zip:						
-							
Day Pl	tate/Zip:		Evening				

Page 27

Highest level of formal education completed: \_\_\_\_\_; Highest Degree: \_\_\_\_\_.

<u>EMPLOYMENT RECORD</u>: Please list legal secretarial employment, beginning with your most recent (or current) employment, to show a minimum of two full years of such employment. Attach a supplemental page if additional entries are necessary to show two full years of employment as a legal secretary.

Dates	Position	
Employer		
Address		
City/State/Zip		
Supervisor		
Summary of Duties		
Dates	Position	
Employer		
Address		
City/State/Zip		
Supervisor		
Summary of Duties		

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

Signature of Applicant

Date \_\_\_\_\_

# LEGAL SPECIALIZATION SECTIONS Of LEGAL SECRETARIES, INCORPORATED

#### 2011-2012 MEMBERSHIP APPLICATION/ANNUAL RENEWAL FORM

Complete and mail with your <u>check made payable to LSI</u>, for \$20 for each section, or a total fee of \$75 per year to join all SIX sections simultaneously if an LSI Member, or \$40 for each section or a total fee of \$150 per year to join all sections simultaneously if joining as a non-LSI member.

# Mail to: Cheryl L. Kent, PLS, CCLS, Legal Specialization Sections Coordinator 5534 Blackbird Drive, Pleasanton, CA 94566

Enclosed is payment of my dues for the fiscal year 8/1/11 through 7/31/12 for the following Section(s). Please check appropriate boxes below for the sections you are joining.

Method of Pay	<u>yment</u> : Che	ck, payable to "LSI," enclosed	VISA 🗌 MASTERCARD 🗌 AMEX 🗌
			Expiration Date: Month Year
Name on Cred	lit Card:		Card Verification Number
INSUFFICIEN CHECK OR	NT FUNDS OR ( MONEY ORDEI	OTHER REASON SHALL BE RI R FOR THE AMOUNT OF THE (	WHICH ARE NON-NEGOTIABLE BECAUSE OF EPLACED IMMEDIATELY BY CASH, A CERTIFIED ORIGINAL CHECK, PLUS \$25 PENALTY, PLUS THE TION FOR PROCESSING THE ORIGINAL CHECK.
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(PLEASE PR	INT OR TYPE)		
NAME: MR./	/MRS./MS		PLS/CCLS/CLA/PARALEGAL
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YEARS OF I	LEGAL EXPERI	ENCE:	
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LSI LEGAL SPECIALIZATION SECTIONS BROCHURE Lists Sections offered	N/C					
and reasons for joining. Includes Section Membership Application. (Rev. 2/08)						
LSI MEMBERSHIP BROCHURE Tri-fold brochure, extolling the advantages of LSI membership and programs. Contains request for membership application. (Rev.	N/C					
2/08)						
LSI MEMBERSIIIP PIN* (Magnetic) A <sup>3</sup> / <sub>4</sub> " high oval gold-tone pin with blue and	5.00					
white enamel overlay. LSI logo in center and "Legal Secretaries, Incorporated" inscribed on circumference. For all LSI members.						
LSI ROSTER* Booklet with current listing of LSI officers, chairmen, past-	N/C					
presidents, honorary members, scheduled conferences, local association presidents and	100					
governors.						
MEMBERSHIP APPLICATION FORM* An 8 ½" x 11" form adopted 5/01 by	N/C	□ E-mail				
LSI for use by all local associations. Includes request for Legal Specialization Sections		-or-				
information. Local associations may add second-page for supplemental information.						
(Rev. 5/08) Can be transmitted as an e-mail attachment (Word format), if so requested.		□ Printed				
NEW MEMBER PACKET* A 2-pocket folder containing letter from LSI President,	N/C					
LSI membership information, Specialization Sections Membership Application, list of						
benefits and providers, CCLS information, Legal Professional's and Law Office Procedures Manual flyer and Code of Ethics. Local associations may insert additional						
material. For new local association members only.						
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Total Members Fiscal Year-end			New Members	Transfer Members	Continuing Members	Total Members
4/30/11)	Association			Wembers	34	37
42	Alameda County	LSA	3	<u> </u>		
0	Antelope Valley	LSA	2		- 39	42
50	Beverly Hills/Century City	LSA	3	└───╉		19
22	Butte County	LPA	1			10
28	Capitol City	LPA	1		5	7
6	Conejo Valley	LPA	2	-		
17	Desert Palm	LPA	6	<u> </u>		21
16	El Dorado County	LPA_	2			45
49	Fresno County	LPA	8	-1		39
48	Humboldt County	LPA	4		35	
37	Imperial County	LPA	14		26	
27	Livermore-Amador Valley	LPA	4		21	25
64	Long Beach	LSA	18		52	70
46	Los Angeles	LSA	7		36	43
17	Marin County	LPA	1		12	13
38	Merced County	LPA	7	1	33	41
14	Monterey County	LSA				0
62	Mt. Diablo	L.PA	19		54	73
15	Napa County	LSA			13	13
78	Orange County	LSA	43		50	93
25	Palo Alto	LSA				0
39	Placer County	LPA	5		15	20
19	Redding	LPA			9	9
17	Rio Hondo District	<b>LPA</b>	6		15	21
20	Riverside	LPA	4		17	21
181	Sacramento	LSA	54		109	163
239	San Diego	LSA	59		146	205
	San Fernando Valley	LSA	22	<u> </u>	20	42
43	San Francisco	LPA	23		24	47
- 31	San Gabriel Valley	LSA	8		19	27
77	San Mateo County	LSA	7		60	67
26	Santa Barbara	LSA	4		22	26
- 59	Santa Clara County	LSA	33		46	79
8	Santa Cruz County	LPA	+		7 1	7
16	Santa Maria	LPA	- 5	+	7	12
39	Sonoma County	LISA	+ 5 -	<u> </u>	30	35
12	Southern Butte	- LSA	4		8	12
- 36	Stanislaus County	LPA	2		36	38
29	Stockton-San Joaquin	LPA	6		42	48
	Trinity County	LISA	+ ŏ-		4	4
22	Ventura County	LPA	3	+	20	23
36	Members at Large		+	-1	<u> </u>	28
30	Internoers at Large		+	+		
			+			
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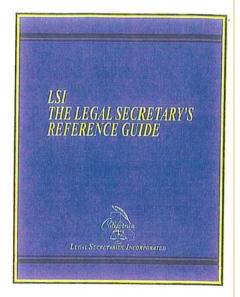
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compiled by Legal Secretaries, Incorporated published by The Rutter Group

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   Unlawful Detainer
- Commencement of Civil Actions
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- Pretrial and Judgment in Civil Actions
- Postjudgment Proceedings
- Civil Appeals and Writs
- ADR

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- · Federal Civil Procedure and Appeals
- Bankruptcy
- Family Law
- Adoptions
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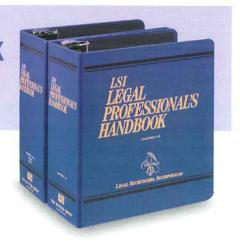
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#### LEGAL SECRETARIES, INCORPORATED LAW OFFICE PROCEDURES MANUAL FOR CALIFORNIA LAW PRACTICE

#### compiled by Legal Secretaries, Incorporated

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The Problem: Training new law office staff members is time-consuming and expensive. The adequacy of the training is often dependent on the ability of the existing staff. Loss of key personnel may make it impossible to train and supervise less experienced staff. The Solution: A system for training new staff and a reference source for all existing office personnel. The Law Office Procedures Manual, created by Legal Secretaries, Incorporated, provides everything you need to know about the forms, rules and procedures required in a law office.

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- Local Rules
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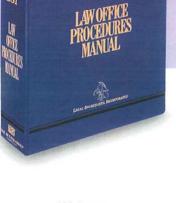
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by Liz Gideon

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