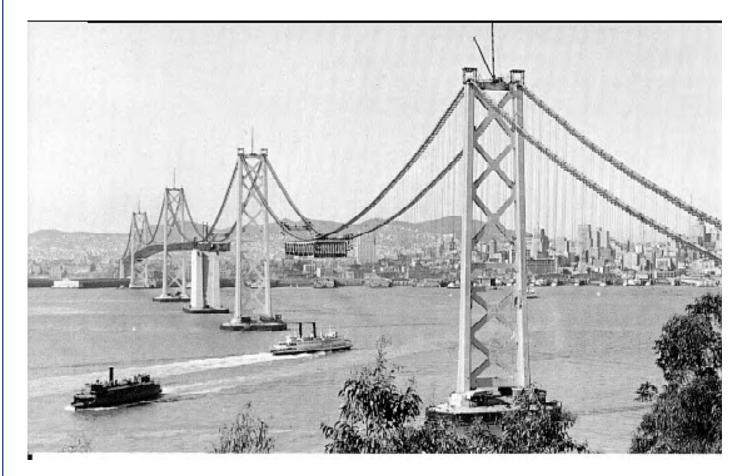




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April 2017

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HEARSAY



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April 2017

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President's Message April 2017

Greetings SFLPA Members and Friends:

We are just weeks away from bidding farewell to our 2016-2017 fiscal year. It was quite an historic year. We began our milestone 80th Anniversary year by co-hosting the 2016 Annual LSI Conference with our friends from Marin County LPA. It was quite a start. So the Board decided that we should end the year on a high note with a Milestone Celebration Event. With two pretty significant events and a milestone anniversary, I would say that qualifies as an historic year.

I hope you have plans to attend our year-end celebration. If you have not RSVP'd, please do so by Tuesday, April 18, 2017. Our event flyer is posted on our website and will be published in this month's issue of our newsletter. It has also been distributed through eBlast to our membership. Here are the event details below:

Saturday, April 22, 2017 6-10 pm Irish Cultural Center 2700 45th Avenue San Francisco, CA 94116 (415) 661-2700 \$30 per person includes Dinner Buffet and Wine No Host Bar Available Yes, we will have a DJ for dancing

We will also have our 81st Officer Installation Ceremony. Come May 1st, we begin a new chapter, and I am excited for what the future holds. I want thank each of our members for your continued support. Without you, none of this would be possible.

As we plan our program for the upcoming year, we welcome your ideas and/or suggestions. We encourage you to get involved. If you would like to be a part of our leadership team for the upcoming year, please let me know. You can also list that information on your Membership Renewal form. We have room for motivated and creative individuals who enjoy helping others, and I hope you will find it is a very rewarding experience. We will host an open house Board Meeting in June for those who are interested in it out. We invite you to stop by and learn more about the opportunities available.

Upcoming educational presentation: April Brown Bag, Tuesday, April 25, 2017:

 Topic: "The Legal Ethics of Working with Court Reporters" Presented by: Ana Fatima Costa, RPR, CSR (ret.) 12:30 – 1:30 p.m. at Altshuler Berzon, LLP, 177 Post Street #300, San Francisco, CA 94104 One hour MCLE and CCLS Continuous Education Certificates Available There is no charge. Invite a friend and or colleague.

#### Upcoming LSI Events:

 2017 Annual LSI Conference May 19-20, 2017
 Doubletree Hotel – Modesto, CA Registration Deadline: April 30, 2017

The following Legal Specialization Sections Seminars are currently scheduled:

<u>Criminal and Family Law</u> Domestic Violence Restraining Orders

<u>Probate/Estate Planning</u> Understanding Probate Code 17200 And 850 Petitions

<u>Federal Law</u> Immigration Law Updates Law Office Administration Employment Law Updates

<u>Civil Litigation</u> eFileCA: What's Happening, What's the future, and Rules of Court

<u>Transactional</u> Real Estate Transfers and Deciphering the Legal Description

For conference registration information, please visit the LSI Website: www.LSI.org – from the home page, click on *upcoming conferences*.

Lastly, if you have not renewed your membership, please do so as the new fiscal year begins on May 1, 2017. We hope that you continue your membership as we are planning to provide more educational opportunities for our members in the upcoming year.

I hope you have a wonderful Spring Holiday.

Respectfully,

Larry McGrew President 2016-2017



By: Ryan Halog

### April 2017

#### **FILING OF INCOME TAX RETURNS** 15 Most Overlooked Tax Deductions: <u>2017</u>



This tax season, taxpayers across all income levels looking to reduce their tax burden may overlook opportunities that they or their advisors are unaware of.

"You should take every deduction to which you're entitled because overlooked tax deductions are wasted opportunities to save money," GOBankingRates says.

Kiplinger is even more to the point – "Cut your tax bill to the bone by claiming all the tax write-offs you deserve."

Maria Alexeychuk, a certified public accountant for Hammer Financial Group who specializes in holistic financial services, says that in her experience, clients tend to overlook two ways to save on their tax bill – tuition and fees deduction for those who cannot take education credits, and miles for charitable and medical purposes.

Tax specialists at GOBankingRates and Kiplinger have compiled extensive lists of ways taxpayers can save money this year. They have picked out 15 of these:



# Estate tax on income in respect of a decedent.

"If one has inherited an IRA, that person may be able to deduct any estate tax paid by the IRA owner from the taxes due on the withdrawals you take from the inherited account," Alexeychuk said. Kiplinger notes that the taxpayer can save a lot of money if the IRA comes from an estate that is big enough to be subject to the federal estate tax, getting an income-tax deduction for the amount of estate tax paid on the IRA assets received.

Say someone inherited a \$100,000 IRA, and that the money was included in the benefactor's estate added \$40,000 to the estate-tax bill. The recipient gets to deduct that \$40,000 on his/her tax return as the money is withdrawn from the IRA. If the beneficiary withdraws \$50,000 in one year, for example, he or she gets to claim a \$20,000 itemized deduction on Schedule A. In the 28% bracket (\$91,150 to \$190,150), that would save \$5,600.



#### • Fees for investment counseling;

- Custodial fees you paid outside of the account;
- Software and online services you used to manage investments;
- Safety deposit rental fees;
- Transportation costs to and from an investment or financial advisor's office;
- Attorney costs you used to collect taxable income; and
- Costs to replace lost security certificates.



### Reinvested dividends.

**Investment fees and expenses.** 

account," Alexeychuk said.

"If one has inherited an IRA, that person may be able to deduct any estate tax paid by the IRA owner from the taxes due on the withdrawals you take from the inherited

Taxpayers can take a miscellaneous deduction for certain fees they paid to manage their investments. GOBankingRates lists these:

"When recording a stock sale on Schedule D, taxpayers sometimes forget to include the reinvested dividends in the cost of that stock," Alexeychuk said.

If the taxpayer, like most investors, has mutual fund dividends automatically reinvested to buy extra shares, Kiplinger says

it is important to remember that each new purchase increases the tax basis in the fund, which, in turn, reduces the taxable capital gain (or increases the tax-saving loss) when shares are redeemed.

Forgetting to include reinvested dividends in basis results in double taxation of the dividends: once in the year when they were paid out and immediately reinvested and later when they are included in the proceeds of the sale — a costly mistake.

#### HEARSAY

April 2017

If the taxpayer is unsure what her basis is, the fund can help. Funds often report to investors the tax basis of shares redeemed during the year. In fact, Kiplinger points out, funds must report the basis to investors and to the IRS for the sale of shares purchased in 2012 and later years.



#### Volunteer work donations.

Many charitably inclined Americans volunteer their services to nonprofit organizations in addition to, or in lieu of, donating assets.

GOBankingRates notes that taxpayers can deduct certain expenses for charity work, such as the cost of gas and oil for driving to and from the place one volunteers. It is not

necessary to calculate the value per mile to deduct; a standard rate of 14 cents per mile is acceptable.

Volunteers can also deduct the cost of purchasing and maintaining uniforms they wear to a place where they volunteer or parking in a garage if that is required.



#### State sales taxes.

Congressional action in 2015 made state sales tax deductions permanent. Kiplinger says this is important for those who live in a state that does not impose a state income tax.

Itemizers have a choice between deducting the state income taxes or state sales taxes they

paid. Those with the option of choosing either one should opt for whichever saves more money. In a state with no income tax, the sales tax write-off is clearly the way to go.

But even filers who pay state income taxes can come out ahead with the sales tax choice. Kiplinger points out that the IRS has tables showing how much residents of various states can deduct, based on their income and state and local sales tax rates. Not only that, purchasers of a vehicle, boat or airplane may add the sales tax they paid on that big-ticket item to the amount shown in the IRS table for their state.



#### Amortizing bond premiums.

"Bond premiums can be amortized over the life of the bond," Alexeychuk said. "The annual amortized amount should be deducted from the bond interest income. This helps reduce a taxpayer's income." According to Kiplinger, the federal government will effectively help pay the premium on a taxable bond purchased for more than its face value – as the buyer might have to capture a yield higher than current market rates deliver. That is only fair, as the IRS will get to tax the extra interest that the higher yield produces.

The bondholder has two choices about how to handle the premium.

Amortize it over the life of the bond by taking each year's share of the premium and subtracting it from the amount of taxable interest from the bond reported on the tax return. Each year, the bondholder reduces his tax basis for the bond by the amount of that year's amortization.

The alternative is to ignore the premium until the bond is sold or redeemed. At that time, the full premium will be included in the bondholder's tax basis so it will reduce the taxable gain or increase the taxable loss dollar for dollar.

Kiplinger says the amortization strategy could be more valuable, since the interest the bondholder does not report will avoid being taxed in her top tax bracket for the year—as high as 43.4% —while the capital gain the bondholder reduces by waiting until selling or redeeming the bond would be taxed only at 0%, 15% or 20%.



#### Home improvements.

Taxpayers have one more chance this April to claim a tax credit for installing energyefficient windows or making similar energysaving home improvements. They can claim up to \$500 in total tax credits for eligible improvements, based on 10% of the purchase cost (but not installation) of certain insulation, windows, doors and skylights. Kiplinger

notes that the credit is subject to a lifetime cap, and cannot be claimed by anyone who has already claimed the maximum.

The good news is that no such limit exists for those who install qualified residential alternative energy equipment, such as solar hot water heaters, geothermal heat pumps and wind turbines in 2016. This credit can be 30% of the total cost (including labor) of such systems.

In addition, GOBankingRates reports that although home renovation costs are not deductible, home improvements for medical purposes – such as adding exit-and-entrance wheelchair ramps or lowering cabinets for better accessibility – can be deducted as medical expenses. But if renovations are made to increase the value of the home, they cannot be claimed as medical-related expenses.



#### State tax paid last spring.

Kiplinger encourages taxpayers not to overlook taxes they paid when filing their 2015 state income tax return in the spring of 2016. They should include their state tax deduction on their 2016 federal return, along with state income taxes withheld from paychecks or paid via quarterly estimated payments during the year.



#### Childcare credit.

Taxpayers can qualify for a tax credit worth between 20% and 35% of what they pay for child care while they work, Kiplinger says. But if the employer offers a child care reimbursement account – which allows the employee to pay for the child care with pretax dollars – that is likely even better.

For those who qualify for a 20% credit but are in the 25% tax bracket (\$37,950 to \$91,900), for example, the reimbursement plan is preferable. Not only does money run through a reimbursement account avoid federal income taxes, but it also is protected from the 7.65% Social Security tax.

Double dipping is not allowed, Kiplinger warns. Expenses paid through a plan cannot also be used to generate the tax credit. However, even though only \$5,000 in expenses can be paid through a tax-favored reimbursement account, up to \$6,000 for the care of two or more children can qualify for the credit. Those who run the maximum through a plan at work, but spend even more for work-related child care can claim the credit on as much as \$1,000 of additional expenses. That would cut your tax bill by at least \$200.



# College credit for those long out of college.

College credits are not limited to just the first four years of college. According to Kiplinger, taxpayers can claim the lifetime learning credit for any number of years and can use it to offset the cost of higher education for themselves or their spouses, not just for their children.

The credit is worth up to \$2,000 a year, based on 20% of up to \$10,000 spent for post-high-school courses that lead to new or improved job skills. Classes taken at a vocational school or community college, even by retirees, can count.

The right to claim this credit phases out as income rises from \$55,000 to \$65,000 on an individual return and from \$110,000 to \$130,000 for couples filing jointly.

HEARSAY



#### Hobby expenses.

Most folks have a hobby of some sort. GOBankingRates notes that taxpayers can deduct some ordinary expenses they incur from a hobby. But unlike a business, a hobby is an endeavor from which they do not expect to profit. Losses from a hobby cannot be deducted from income.

The IRS offers several tips concerning hobbies. First, determine whether it is a business, which one engages in to make a profit, or a hobby, which people often engage in for recreation or sport, such as coin collecting, horsemanship and craft making.

The hobbyist can usually deduct both ordinary expenses — ones that are common and accepted for the activity and necessary expenses—ones that are appropriate for the activity. However, the hobbyist can deduct expenses only up to the amount of hobby income. If expenses exceed income, the resulting loss cannot be deducted from other income.

Deductions must be itemized on Schedule A in order to claim hobby expenses.



# Waiver of penalty for the newly retired.

Although not a deduction, with this waiver the taxpayer can duck a penalty. Those who do not pay what they owe during the year through withholding or estimated tax payments, or who owe more than \$1,000 at the time they file, can be hit with a penalty for underpayment of taxes. The current rate is 3%.

Kiplinger notes that a little-known exception to this penalty can protect taxpayers 62 and older in the year they retire and the following year. The taxpayer can request a waiver of the penalty — using Form 2210 – if he or she has a reasonable cause, such as not having realized the necessity of shifting to estimated tax payments after a lifetime of meeting the obligation via withholding from paychecks.



#### State income tax refund — Shh!

Most taxpayers can ignore the line on the tax form for reporting a state income tax refund. They did not itemize deductions on their previous federal return, so the state refund is tax free.

But even if they did itemize, part of the refund may be tax free, according to Kiplinger. It is taxable only to the extent that the deduction of state income taxes the previous year actually saved money. If the taxpayer would have itemized (rather than taking the standard deduction) even without the state tax deduction, then 100% of the refund is taxable – since 100% of the write-off reduced their taxable income. However, if part of the state tax write-off pushed the taxpayer over the standard deduction threshold, then part of the refund is tax free. "Don't report any more than you have to," Kiplinger says.



# **Deduction of Medicare premiums for the self-employed.**

Women and men who continue to run their own businesses after qualifying for Medicare can deduct the premiums they pay for Medicare Part B and Medicare Part D, plus the cost of supplemental Medicare policies or the cost of a Medicare Advantage plan.

Kiplinger notes that this deduction is available whether or not the taxpayer itemizes, and is not subject to the 7.5% of AGI test that applies to itemized medical expenses for those 65 and older.

However, the business owner cannot claim this deduction if he or she is eligible to be covered under an employer-subsidized health plan offered by either an employer (if the person has both a job and a business) or the spouse's employer if that job offers family medical coverage.



#### **Repayment of income.**

Taxpayers who had to repay income that they included in ordinary income in an earlier year might be able to deduct the repaid amount. In most cases, according to GOBankingRates, they can claim a deduction only for repayment of income if their repayment qualifies as an expense or loss they had at their business, trade or in a transaction

The claim has to be for income totaling more than \$3,000, and it is deductible only if they held the money under a claim that they included in income from a previous year because they believed they had an unrestricted right to the money.

\*\*\*

#### TRAVEL TIPS AND ADVICE



The following article was written recently by George Hobica, founder and editor-in-chief, President of airfarewatchdog.com, travel expert, and journalist.

Mr. Hobica's biography is available online by visiting <u>https://www.georgehobica.com/bio</u>.

Never Again Lose Anything While Traveling, But If You Do, Here's Help



Travel can be disorienting. With all the moving around, jumping from taxi to plane to hotel to the next destination, while suffering from jet lag and fatigue, it's a sure recipe for losing something along the way. Losing valuables is also frustrating and expensive. Lose a \$900 iPad or a \$200 set of electronic car keys and suddenly your trip costs a lot more than you planned.

And let us face it, losing stuff is emotionally draining.

There are three emotional reactions to losing something, whether traveling or not, according to Simon Fleming-Wood, chief marketing officer of San Mateo, California-based Tile, which describes itself as a "smart location company," much more about which further on down the page. "Some people just figure what the heck, it's only money and the item can be replaced; others feel bad about themselves," Fleming-Wood has discovered from research, "and for those who lose something through theft, there are feelings of violation." (I'm in the second category if you're wondering; I feel incredibly careless and stupid if I lose something while traveling).

But there are some simple ways to prevent loss, and to recover from it if prevention doesn't work.

#### • <u>List it</u>

Start with prevention. At the risk of appearing obsessive/compulsive, make a list of everything you brought on the trip and check it off before you leave the hotel or plane. Phone? *Check*. Headphones? *Check*. Passport? *Check*. And so on.

If that sounds too fussy, fine. It does work though. But even the most dedicated list-makers lose things. So...



#### • <u>Tile it</u>

Tile makes small plastic tracking devices that you can attach to virtually anything – a bike, a dog, a car, or a wallet, or a suitcase. Originally, Tiles were intended for finding things around the house, such as car keys stuck in the sofa, a coat pocket, a drawer. But as its user base has grown, Tile has become just as useful for finding items lost when you travel

Tile claims that 90% of Tiled items are eventually found; there are now over 8 million Tiles in operation and the company is growing rapidly.

Here is how it works: you put a Tile on or inside an item, register it, lose it, and mark it lost on the Tile app. There are millions of Tile users around the world now, and when one of them is within 100 feet of your lost Tiled item at any time, even for a few moments, then their phone will pick up the signal from your lost item. This will then alert you to where your device was last seen by your fellow-Tiler's phone, or in some cases, such as an item left on an airplane, it will show you multiple locations as the plane moves from city to city (this has really happened, and one guy actually got his lost item back after figuring out which plane it was on and asking an airline employee to search the seat he had been occupying).

Tile is not a GPS device as such, rather it's Bluetooth enabled. But it works in concert with GPS tracking on the millions of iPhone and Android mobile phones running the Tile app. The mobile phone that "finds" your device, by the way, does not know that its owner is near your item. Reporting is anonymous.

You will find more info on Tile at Amazon.com.

#### • <u>Claim it</u>

Now what if you did not Tile something, or if you did, but did not get your item back? Surprise: your credit card might come to the rescue.

I recently left a beloved umbrella, bought in London from the iconic James Smith shop, that I would managed not to lose for 10 years, in a plane's overhead bin. (Umbrellas are almost made to be lost, which is why Tile has teamed up with Blunt Umbrellas and now offers a Tile-enabled model.) Upon landing, I tried going back to the gate, but the aircraft was already on its way to the hangar. I called the airline's lost and found, filed a claim, but the umbrella was never found – at least not by me, that is ("we have honest people and dishonest people just like everyone," as the airline lost and found lady explained). Then I remembered that I bought the ticket with my American Express card, and there might have been free insurance for lost or stolen carryon items.

Your credit card might have similar protection, although I have to say that Amex is particularly good for carryon and checked luggage coverage.

HEARSAY

Before you get all excited though, realize that credit card insurance doesn't make it all that easy for people to make claims (obviously, the harder they make it, the fewer losses are paid out). You cannot just call them and say I lost something pay me back.

You will need the following:

- 1. the item's original receipt (merely having a copy of the charge as it appears on your credit card is not sufficient);
- 2. proof that you charged the entire cost of the flight on the card (again, your credit card statement is not enough, you need the sale confirmation that the airline sent you, and no, a flight obtained with frequent flier miles or any other non-paid trip does not qualify);
- 3. a copy of the loss report you made with the airline or other relevant party, such as law enforcement; and
- 4. a completed claim form. Many people do not keep receipts for things they buy, so that is the main hurdle to reimbursement.
- <u>Lesson</u>: If you buy something that might be traveling with you, ever, keep the receipt in a nice safe shoebox.

Luckily, I could find all the bits and pieces, and American Express paid up promptly with minimal fuss, in the form of credit to my account. For the record, Amex covers up to \$3,000 per trip for carry-on baggage and up to \$2,000 for checked bags – if you hold their Platinum card; for Green Card holders, maximum coverage is \$1,250 and \$500, respectively. Other credit cards also offer free insurance, in varying amounts, both for lost items and trip cancellation/delay, as outlined here.

Naturally, this is secondary insurance on top of whatever the airline pays you (airlines will not cover loss or damage to carryon bags unless negligence can be proved, and they never cover "valuables" such as electronics, whether in checked or carry-on bags, so your credit card insurance automatically defaults to primary in such cases).

So, to make sure you are triply-protected against losing stuff when you travel, know your three-point plan: **list it**, **Tile it**, and **charge** your trip with a credit card that has your back.

### **BOOKING STRATEGY**

#### New Website Lets You Resell Unused Flights and Hotel Stays

If you have a pre-paid travel accommodation you find you cannot use, TransferTravel will list it for a possible resale to someone else. Although based in the U.K., TransferTravel is targeting an international market, including the U.S. and Canada. The idea sounds great, but the travel industry throws up a lot of roadblocks to any sort of trade.

Trading, or reselling, has been around for a long time for theater and event tickets: You see lots offered on eBay and many specialized websites. While some offers are obviously from ticket scalpers, many are just from ordinary folks who originally wanted to attend, but found they could not. Unlike the scalped tickets, these tickets are often offered at <u>below</u> their original price, and represent a win-win: Sellers get at least some return from something they cannot use, and buyers get a good deal.

TransferTravel posits that this idea can and does apply to travel services: air tickets, hotel accommodations, package tours. and such. A few years ago, you could see lots of such offers on eBay, Craigslist, and such. Although you still see some, however, industry rules get in the way.

HEARSAY

#### Air Tickets

The big barrier to trading and reselling is inability to change the name on a ticket. Most big airlines, including the U.S. giants, prohibit name changes other than to correct obvious misspellings and such. In the "good old days," nobody checked your ID before you boarded a flight: You could buy a ticket issued in someone else's name and use it without a problem. Of course, that was a long time ago, and today's security requirements make it completely impossible. Airline tickets can be traded only in a few limited cases:

- A few lines, including Norwegian and WOW, allow name changes, with a fee. If you do not change anything else the destinations or dates you need not pay anything other than the nominal name change fee.
- Occasionally, tickets won as prizes allow the winner to designate the names.
- Some airline vouchers are transferable.
- Many airlines allow a traveler holding an unusable ticket to cancel the ticket and apply the value of the ticket, less a stiff change fee, towards another ticket. But that value must be applied to a new ticket at the then-current price, not the original fare. Thus, although you cannot change the name on your old ticket, you can sell the remaining cash value, less the change fee, and use the residual value to buy a ticket for another traveler.

#### **Other Travel Services**

Hotels have varying rules for name changes on reservations, and much of the inventory currently posted on TransferTravel consists of hotel offers. Ditto a few tour packages.

Cruise lines also vary in their name change policies. Carnival and Royal Caribbean, for example, allow name changes on some bookings as long as one of the original travelers remains on the booking. Otherwise, you have to cancel and rebook – not a feasible trade.

#### **Ready for Prime Time?**

The critical issue for potential users is whether the original name can really be changed, either free or for a charge. And even then, if you have to cancel a flight or other booking, the need arises shortly before you're scheduled to travel. The net result is that, for many potential users, the time window is too short to be practical.

In addition, at least now, TransferTravel's inventory is scant. And your chances of finding both buyer and seller for any given trip are pretty slim.

Currently, you see a few legitimate trade/sale offers on Craigslist. TransferTraveler says its register-and-join "community" business model provides "secure" transactions, and it may. But some of the claims seem a bit naive. Beyond that, TransferTravel really offers no more than Craigslist – but no less, either.

Thus, at least for now, I conclude that TransferTravel is not really ready for prime time. Still, the idea is intriguing, so take a look. If you see something you like, make sure to verify that you can change the name(s) and the applicable fee, if any, to do so. If the answers are positive, give it a try.



#### FEDERAL COMMUNICATIONS COMMISSION

The following article was written and reported by Alina Selyukh on March 28, 2017, a technology reporter at National Public Radio (NPR) and host of the *All Tech Considered* blog, where she writes and edits stories about digital culture and how technology is changing the way we interact with each other and the world around us.

#### As Congress Repeals Internet Privacy Rules, Putting Your Options in Perspective



Both chambers of the U.S. Congress have voted to overturn the Federal Communications Commission's (FCC) privacy rules for Internet service providers.

President Trump is expected to sign into law a decision by Congress to overturn new privacy rules for Internet service providers.

Passed by the FCC in October, the rules never went into effect. If they had, it would have given consumers more control over how Internet Service Providers (ISPs) use the data they collect. Most notably, the rules would have required explicit consent from consumers if sensitive data — like financial or health information, or browsing history — were to be shared or sold.

These rules would not have applied to the likes of Google or Facebook — massive data collectors and digital advertisers — and that has been a major point of contention for ISPs. But consumer groups argue that is no reason to roll back restrictions on Internet providers. Plus, they point out, you could abandon those companies in favor of other websites, if you disagree with their policies; switching Internet providers is not so easy.

ISPs have long attempted to break into the "ad-targeting" and "online marketing" world, where the competition is intense. For context on what that market looks like, let us turn to Jules Polonetsky (<u>https://fpf.org/jules-polonetsky/</u>), a privacy expert and CEO of the Future of Privacy Forum (FPF), a non-profit organization promoting responsible data collection. Also, as America Online's (AOL) former **Chief Privacy Officer and SVP for Consumer Advocacy**, Jules was responsible for ensuring that AOL's users could trust the company with their information and for educating employees about best practices for advertising, content, and product development.

Below, for your information, are excerpts of the interview, edited for clarity and length.

#### **Interview Highlights**

#### On what's going on and what changes

For the average consumer, just about every site they visit online is sharing data with other ad networks, with other third parties, for either measuring or targeting ads. Even most privacy organizations end up using Google Analytics or some other basic tools.

For better or worse, the predominant business model online has become ad-supported. So, for the average user, the experience is not likely to change one way or another — today they see ads targeted based on their activity; tomorrow they will see ads based on their activity.

Now, what choices people have maybe has gotten a little bit more complicated. ISPs have historically played a very small role in (the ad targeting) market for a range of reasons. The most interesting and valuable data is search, social media data — and that is typically only available to the big portals that have that data. The ISPs do not have it if it is encrypted (meaning – converted (information or data) into a cipher or code, especially to prevent unauthorized access).

The big challenge for big advertisers is that their audience is dispersed across laptop, and mobile, and tablet, and TV and elsewhere. And linking that user's identity is a challenge. And this is a place where ISPs can play a role. They now have something to offer — cross-device capabilities — that others can do, but others must do it differently.

#### On existing opt-out options

The ad networks of the world offer an opt-out of ad targeting today. If there is a triangle "i" on your banner ad, that means that that company is tailoring ads based on your Web surfing and is offering you an opt-out.

Mobile devices offer a bunch of options to allow or not allow information about apps to be used. My iPhone lets me clear my ad ID if I do not want apps to be able to track me or work with their ad network partners to track me. Apps do not support cookies, but the ad ID supplied by the operating system — Apple now lets you wipe that out, Google lets you reset it. So, that is a pretty effective opt-out system for apps at least. Use of location, similarly.

# On ISPs' argument that Google, Facebook, et al. are collecting more data and yet have less stringent regulation

For better or worse, online data has been democratized, and there are third-party ad exchanges where anybody can show up and have access to a big swath of your Web surfing.

The BlueKai Bluebook (*a buyer's guide by Oracle Data Cloud Data Directory*), which is provided to potential advertisers, has 80 sources of data where Oracle's BlueKai data exchange has linked together data from Web surfing, from offline purchases, from all sorts of providers who have pulled data about you that they have online.

So, I have kind of looked at some of this debate with a bit of bemusement because I see the activity in these third-party data markets, and that horse is out of that barn. I think for consumers who are more privacy-protective experience, there are a few options, none of them are perfect — other than, perhaps using a Virtual Private Network (VPN) – a network technology that creates a secure network connection over a public network such as the Internet or a private network owned by a service provider, which may not be easy for everyone to use.

The good news is that an increasing amount of the activity online is encrypted, due to lots of advocacy. Increasingly, much of what you do is shielded from third parties because of encryption in place.

The ISPs typically — in their efforts to use this data even before this (FCC) rule — have been providing consumers with ISP-level opt-outs. People should look for emails — typically, they do push out an announcement when they roll out an ad-targeting program.

#### On the regulatory oversight of privacy

The Federal Trade Commission (FTC) has generally been the lead privacy enforcer, and I think has been very aggressive at doing so. If you look at the recent *Vizio* case (U.S. District Court, District of New Jersey, Case No. Case 2:17-cv-00758), they could take very strong action against sharing of your viewing history.

At the end of the day, the willingness of the FCC and the FTC to use their authority effectively is what will determine whether the consumers are protected. The FCC (has in the past) used even its high-level authority very aggressively, and the FTC certainly historically has. We obviously do not know exactly how the new chairs will.

#### On how ISPs' data collection compares to that of Google, Facebook and others

The ad networks of the world typically share, swap and trade data via various exchanges. Google and Facebook have policies that to some degree *use* your data for ad targeting, but may limit the *further* use of it. For instance, Facebook does not want your Facebook data being shared — they would like advertisers to come to Facebook to (place) ads on Facebook.

That may be a nuance because ... to a consumer, data being used to tailor their experience is probably what makes a difference — whether it is being sold or used in a way that tracks and targets them.

So, the implementations that we see in the market of ISPs have focused on allowing the ISP to help ad network partners to do a better job of recognizing users.

I think at the end of the day, for consumers, it ends up being parsing hairs. So, the question is ... *Do the sites I visit get information that allows ads to be targeted based on other information about me*? And that information is not just Web browsing — a big part of ad-targeting today involves pinging on offline data, my actual purchases at a supermarket, my actual transactions.

What the advertisers are often looking to do is to work with partners who are able to put them and their offers in front of the users they want to reach. Sometimes, that is "here's the Web browsing history," which they can get from an exchange, or they can get by going on one of the big portals, or presumably they will be able to get by going to ISPs.

The market does not think about it in terms of selling data — the market thinks about it in terms of "how does an advertiser find the audience that it thinks it wants." And different providers in the market will create those audiences.

#### On what users can do to restrict or entirely limit their data from being collected

It pays to opt out of the behavioral advertising, when you see that triangle "i," because thousands of companies will at least not target you — they may still be collecting data, but they are not going to be tailoring the ads that you see.

I think turning on <u>Do-Not-Track</u> on your browser, despite the fact that only a small number of companies respect it — a *significant* number of companies like Twitter, Medium, and others do respect it. Choosing encrypted tools when you use email or make decisions about what sites and services (to use) — far less information about what you do during the day is going to be available.

For the changes that have been made today, those tools are going to be effective, because the uses that the ISPs are likely to be interested are, frankly, these tailoring and targeting uses — and so (these tools) for most people

are going to be reasonable. They are not going to promise you absolute privacy, but neither would have the FCC rule.

If you are really looking to disengage from the commercial world, it is hard to take advantage of much of the Web without being technically savvy. If today's vote allows ISPs broader latitude with how they can use data, *primarily* for *advertising* and *marketing uses*, most of these tools will turn off those functions. And consumers should look for the options that the ISPs should offer in addition.

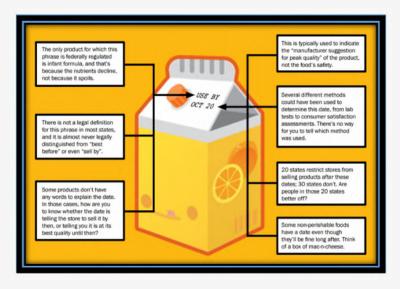
#### How To Protect Your Privacy

CEO Jules Polonetsky of the Future of Privacy Forum (FPF) offers some suggestions, though he says they will not deliver absolute privacy.

- Use a virtual private network (VPN).
- Look for emails from your Internet service provider allowing you to opt out of ad-targeting programs.
- Turn on your browser's do-not-track feature.
- Clear or reset the ad ID on your smartphone.
- Turn off location-based ads on your iPhone.

#### **\*\*\*** FOOD & AGRICULTURE

You're About to See a Big Change to the "Sell-by Dates" on Food



(Courtesy of Harvard Food Law & Policy Clinic and Natural Resources Defense Council)

Many Americans have no clear idea what "sell by" labels are trying to tell them. But after 40 years of letting us guess, the grocery industry has made moves to clear up the confusion.

On Wednesday, the Food Marketing Institute and the Grocery Manufacturers Association, the two largest trade groups for the grocery industry, announced that they have adopted standardized, voluntary regulations to clear up what product date labels mean. Where manufacturers now use any of 10 separate label phrases, ranging from "expires on" to "better if used by," they will now be encouraged to use only two: "Use By" and "Best if Used By."

The former is a safety designation, meant to indicate when perishable foods are no longer good. "Best if Used By" is a quality descriptor — a subjective guess of when the manufacturer thinks the product should be consumed for peak flavor.

That is what most "Use-By" dates indicate now, though studies have shown that many consumers believe they signal whether a product is okay to eat. In fact, it is totally fine to eat a product even well after its so-called expiration date.

These dates typically indicate one of two things: a message from the manufacturer to the grocery store, telling the store when the product will look best on shelves, or a subjective measure — often little more than a guess — of when consumers will most "enjoy" the product. Methods for setting those dates have been left to manufacturers, rather like the phrasing of the labels themselves. But when consumers see a date labeled "Use-By" (or, even worse, not labeled at all), they often tend to assume that it is a food-safety claim, regulated by some objective standard.

Both the Department of Agriculture and a coalition of environmental groups have been urging the industry to clear this up. In addition to costing average Americans, in the form of prematurely tossed groceries, the waste represents a significant use of landfill space and source of greenhouse gas emissions.

"I think it's huge. It's just an enormous step," said Emily Broad-Leib, the director of Harvard's Food Law and Policy Clinic. "It's still a first step — but it's very significant."

#### The best solutions to food waste.

The eight methods that will divert the most tons of waste, according to an analysis by the ReFED coalition.

Advocates and environmentalists have been warning for years that many people interpret date labels as a sign that food is no longer good to eat. As a result, one industry survey found, 91 percent of consumers have mistakenly thrown away past-date food, when the label only signals the manufacturer's guess at its peak quality.

Shoppers should not expect to see the new labels the next time they buy groceries; the change will not be immediate. While FMI and GMA are urging manufacturers and retailers to make it now, they have until July 2018. Even then, the standards are voluntary, so there is no guarantee that they will be adopted by every single company.

Some states also have labeling regulations that preempt the industry standards. In Montana, for instance, milk must come with a "sell by" label. That means milk in the state will still say "sell by," even if every other product gets the new labels.

Still, many major manufacturers have already signaled their enthusiasm, including Walmart, the largest seller of American groceries. And both FMI and GMA are expecting to see widespread adoption, in part because the standards were written by a working group comprised of representatives from large food companies.

The voluntary standards are also a way to influence, or preempt, pending federal regulation; there has been growing interest in a federal standard for label dates, which would both align the contradictory patchwork of state rules and guarantee corporate compliance. Last May, Sen. Richard Blumenthal (D-Conn.) and Rep. Chellie Pingree (D-Maine) introduced legislation that would standardize both date labels and food donation laws. They are expected to reintroduce the bill in the coming weeks. In mid-December, the USDA also published nonbinding guidance that encouraged manufacturers to switch to the "Best if Used By" phrasing.

This all delights Broad-Leib, who made similar policy recommendations in a 2013 report with the Natural Resources Defense Council. According to NRDC, Americans throw \$218 billion worth of food away each year.

The anti-food-waste coalition ReFED estimates that 398,000 tons, or \$1.8 billion, could be saved through standardized date labels.

#### Natural Resources Defense Council ad aims to curb food waste.

Of course, that is just a drop in the waste bucket: To make a real dent in America's food waste problem, Broad-Leib said, more will have to be done. The Food Law and Policy Clinic is arguing for several federal interventions, including policy changes that make it easier for companies and farms to donate food and incentives to encourage them to do so. [Some of this appears in the Food Donation Act of 2017, which Rep. Marcia Fudge (D-Ohio) introduced a week ago.]

Broad-Leib would also like to see the Department of Agriculture designate more funds for local composting and anaerobic facilities, as well as education campaigns for consumers. NRDC and the Ad Council are currently running one such campaign, called "Save the Food."

After all, Broad-Leib points out, if Americans do not understand food waste the new labels will not help. And ultimately, neither will anything else.

### **WORK ETHICS** Exactly How to Spend the Last Hour of Your Workday

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Below is a typical scenario, which some if not all of us experience as we reach the end of our regular work schedule. Often than not, but it is very common so I thought of passing this along to our group for purposes of guidance.

It is 4:00 p.m., and you are having a hard time focusing. So, you stare at your computer and click in and out of lots of tabs. But when you look up, you see it is only 4:03 p.m. Then, you get a glass of water, which takes all of seven minutes. You are not feeling inspired to tackle something important, but ducking out early—or sitting at your desk and twiddling your thumbs for 50 minutes—are not options either.

The answer is soft projects. They do not demand much attention, investment, or effort, but they will still get you through that final hour.

Sure, this may sound like a dream problem to someone who is buried in piles of work, but if it is your reality, it absolutely sucks. If you have a smaller-than-usual workload, or are lacking motivation, the feeling of being trapped at work—with time passing agonizingly slowly—can be especially strong.

How can you beat this? The answer is *soft projects*. They do not demand much attention, investment, or effort, but they will still get you through that final hour of the workday – and help you make some progress on your to-do list. <u>Bonus</u>: They will also make you look busy (read: dedicated) to your boss.



But since you cannot just reorganize your workspace day after day, here is a list of what you can do to be productive. As a bonus, we paired each task with a certain day to maximize how much you get out of it.

#### **Monday: Organize Your Emails**

The average person spends more than three hours a day checking work-related email. And I will bet that number is even higher on Mondays, when you have let your inbox lie dormant all weekend.

And while you are right to stay away from writing tricky messages when your brain is fried, getting your inbox organized does not take a ton of focus, and it can help cut down on wasted time in the long run. Here are easy ways to get started:

- Unsubscribe from any newsletters you never read.
- Create folders (or labels) for different types of emails, such as ones from different departments, or based on who they are from, or what projects they are related to.
- Delete or archive old messages that are just cluttering your inbox at this point.
- Mark the emails you still need to act on.

#### Tuesday: Think Through Your Next Big Project

Sometimes people avoid starting something new after a certain time of day because they know they will be unable to finish it. If you have a four-hour task, the last thing you want to do is get started only to break your train of thought in the middle when it is time to go home.

In this instance, I suggest you start thinking about how you will go about it, and getting organized. How often have you started that four-hour project to realize you do not have everything you need or you have questions? A short burst of proactive research could equip you with better information—and spare you that time when you are more motivated and ready to work on the project itself.

Pull this off early in the week, and you will be more likely to put those plans into practice over the next few days.

#### Wednesday: Work On Your Thought Leadership

Being a better professional is not all about executing tasks and planning projects. It often pays to take a step back and work on your knowledge, skills, and reputation—and it does not take much effort to do it.

Work on becoming more of a thought leader in your industry by catching up on the latest content in your niche. Get up to speed on any new developments and engage with others by sharing articles on LinkedIn and starting discussions. It is a great way to feel productive during your midweek slump.

#### Thursday: Declutter Your Desk

There is research that implies that creative, intelligent people tend to be messier. However, there is also a study that shows that clutter distracts you, inhibiting your overall productivity—plus, I doubt it will go very far in impressing your boss.

Sometimes people avoid starting something new after a certain time of day because they know they will be unable to finish it.

So, cleaning up your desk is a great task for a day when you are counting down the minutes until Friday, and do not want to do much more than straighten up. It is as simple as discarding unnecessary papers, filing away anything urgent, washing out your coffee mug, and giving your desk and keyboard a thorough clean.

#### Friday: Make A Schedule For Next Week

The most successful people create and adhere to a schedule. Not only will it save you time in the days ahead, it can help you transform a "meh" afternoon into a plan to be productive moving forward. That, in turn, can boost your mood and positively affect your momentum.

So, pull a plan together in three simple steps:

- 1. *Make* a task list for everything you would like to accomplish next week. Include everything that is currently on your radar—big or small. Break any larger projects into smaller, more manageable tasks.
- 2. *Rank* everything on your list, and assign priorities.
- 3. *Create* a realistic timetable for getting everything done.

It is a perfect Friday task, because even you were lacking focus at this week was winding down, you will be getting a head start for the week ahead.

No matter how optimistic or energetic you are, you are bound to have off days – and that is perfectly okay. Forcing yourself to tackle a complex task (assuming there is no deadline leaving you without a choice) can result in shoddy work and dissatisfaction, so embrace those free hours and do what you can with them.

#### **\*\*\*** WORK-LIFE BALANCE

The following article was written by <u>Ran Zilca (https://hbr.org/search?term=ran+zilca</u>), the Chief Data Science Officer at Happify, Inc. (<u>http://www.happify.com/</u>), author of the book *Ride of Your Life: a Coast-to-Coast Guide to Finding Inner Peace*, former founder of Signal Patterns, and was published online on March 12, 2017, at Harvard Business Review. I find it interesting, something that affects all of us as we continue to achieve our goals, and I am confident you will find the contents thereof useful. Please feel free to share this with your coworkers and friends as well.

#### If You Want to Be Happy at Work, Have a Life Outside of It!



Having the time and money to afford leisure affects your job satisfaction.

We spend most of our adult waking hours working. Half of Americans continue to work (<u>https://smartasset.com/retirement/average-retirement-age-in-every-state</u>) when they reach their mid-sixties, and,

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according to a 2015 Gallup survey, full-time American employees work an average of 47 hours a week (http://www.gallup.com/poll/175286/hour-workweek-actually-longer-seven-hours.aspx). If you are keeping track at home, that is six days' worth of hours packed into five. Moreover, many of us today expand the role of work beyond just earning a living and expect our careers to provide opportunities for personal growth and fulfillment.

With more of us wanting and expecting our jobs to provide not just a paycheck, but also human needs like learning, community, and a sense of purpose, we wanted to know what specifically makes people happy at work.

- Is it fair pay and benefits?
- Having a great boss?
- A clear career path?
- Opportunities to learn?
- Working at an organization with a clear sense of purpose?

These are all the kinds of things that Human Resources managers and talent developers obsess over, and the sorts of questions people ask themselves when they are deciding between job offers:

- Should I work at Company A, where I would have better benefits, but a worse commute, or
- Company B, which does important work, but does not pay very well?

But when you ask people directly, or force them to rank a list of benefits, you do not always get a clear picture of what they really value. People often have a poor understanding of what makes them happy, and this applies at work, too.

To figure out what *really* matters to employees, we analyzed data from our app, Happify. Users engage in various behavioral activities, including gratitude exercises, in which they are asked to write about things they appreciate and value in their lives. Such exercises have been empirically shown to <u>increase</u> well-being (<u>https://www.ncbi.nlm.nih.gov/pubmed/16045394</u>) by allowing people to recognize the good things in their lives, and the reasons they matter. Our data science team analyzed the anonymized data to uncover elusive measures of work satisfaction.

As a first step, we extracted 200 different topics from the entire text coming from Happify users who were asked to "Jot down three things that happened today or yesterday that made you feel grateful." Based on the way this question is phrased, we expected to get a glimpse into the things that people recognize and value daily. Of the 200 topics that were extracted, we identified 14 that prominently featured words that are work-related and were used frequently. The primary themes these topics covered were general job satisfaction, commute and work breaks, positive peer interaction, having time off, achieving high work performance, benefits and compensation, and interviewing and landing a new job.

We noticed that overall job satisfaction followed a U-shaped curve: starting high, dipping in one's forties and fifties, and then going back up as retirement approaches. The U-shape is expected, and validates prior research (<u>https://www.ncbi.nlm.nih.gov/pubmed/24885685</u>). When we zoomed in on different age groups, we noticed that different things are more important at different stages in a person's career.

This detailed analysis showed us that, around ages 25–34, there is a peak of gratitude for topics related to landing a new job, positive work relationships, and external work conditions, such as an easy commute, breaks, or time off.

For ages 35–44, we saw a decline in gratitude in several areas, particularly work-life balance, time off, and pay. It may be that around this age people are overwhelmed by responsibilities and expenses, and thus are not feeling particularly grateful.

A different pattern emerges starting one's late fifties, showing a peak of gratitude for topics related to finances and benefits. We can speculate that, at that age, people value getting their finances on track for their upcoming retirement, and so are less occupied with new opportunities, their job performance, or having more time off.

Taking a step back to put these findings in perspective, it seems that early on in one's career, people appreciate a job that will bring *future* benefits as they continue to perform. The present job may not be ideal, as one tries to balance hard work with enough time to play. In midlife things get generally tougher: It is harder to balance work and life, and people struggle to make ends meet. But as one gets older, one begins to be more satisfied with one's *present* job, and to have more resources to achieve personal aspirations.

The bottom line: Satisfaction at work is influenced by factors such as benefits, pay, relationships, and commute length. But this boils down to two things being important, regardless of your circumstances: (1) *having a life outside of work*, and (2) *having the money to afford it*. If you have a job that grants you both, you might be happier than you realize.



Heading to trial? Start your planning by preparing a trial outline. Here are the key things to include and a sample outline to give you an idea how it looks.

The basics for any trial outline are:

- A list of all essential elements of the case.
- For each element of the case, a designation of which side has the burden of proof (Evid. Code, §§ 115, 500) and, if different, of producing evidence (Evid. Code, §§ 110, 550).
- For each element of the case, the evidence for and against, e.g., witnesses, demonstrative evidence, stipulations, judicial notice.
- Any significant evidentiary problems followed by relevant Evidence Code and case law citations.

Once you have all of this information outlined, review the relevant jury instructions—the Judicial Council's plain English civil jury instructions (JC Cal. Civ. Jury Inst. (CACI)) and criminal jury instructions (JC Cal. Crim. Jury Inst (CALCRIM))—and your notes for your opening statement and closing argument to make sure that your outline is complete.

Keep in mind that your outline does not need to be formal—it should organize your evidence in a way that makes sense to you. But do not skip the "simple" essential elements. Until the other side has formally stipulated

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or otherwise conceded an element, it remains a potentially fatal failure of proof. If there is a stipulation or other concession, then substitute it for the evidence in the outline so that you can track the situation.

Here is a portion of a sample trial outline by a plaintiff's attorney covering one element of the case:

#### I. Did Acme manufacture the bolt that failed?

- A. <u>Plaintiff's evidence (burden of proof):</u>
  - 1. Deposition testimony of Mr. White (former Acme Vice President), p 12.

Exhibits: Deposition testimony (Plaintiff's Exhibit 5); broken bolt (Plaintiff's Exhibit 6).

<u>Problem</u>: Will defense object on basis of lack of competence because White was on vacation during period the bolt was manufactured? But testimony is admissible as habit/custom. (Evid. Code, § 1105.)

2. Testimony of Ms. Johnson (repair person) whose shop bought all bolts from Acme.

Exhibits: Invoices (Plaintiff's Exhibits 7–9); canceled checks (Exhibits 10–14); shop specifications (Exhibit 15); parts list (Exhibit 16).

Problem: She has vacation plans from 6/20 to 6/27.

- B. <u>Possible defense evidence:</u>
  - 1. Testimony of Dr. Black (Acme engineer).

<u>Problem</u>: Deposition not yet taken/scheduling problems with Black. Will court allow testimony if expert deposition not arranged before trial?

For more on preparing for trial, including preparing your trial notebook, turn to CEB's <u>Effective Introduction of</u> <u>Evidence in California</u>, ch. 2. And get guidance on preparing your case generally in CEB's <u>California Trial</u> <u>Practice: Civil Procedure During Trial</u>, ch. 3.

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For recent court updates, please visit our website at <u>http://www.sflpa.org</u>. Thank you for your continuing support of our local association.

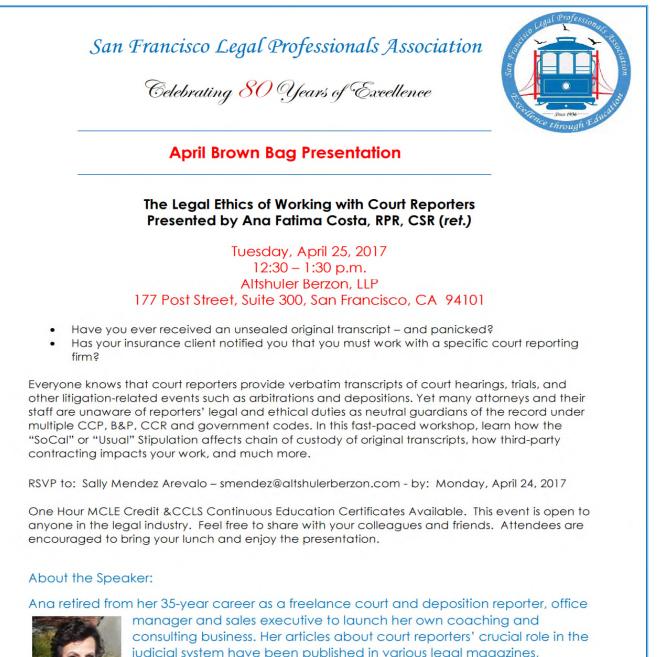
#### SAN FRANCISCO LEGAL PROFESSIONALS ASSOCIATION CHAPTER ACHIEVEMENTS

(Please submit this form each month.) Month: <u>April 2017</u>

Your Na	ame: Position held, if any:	
	Category - Description	
1.	ATTENDANCE - LSI Conference (Circle all that apply)         Quarterly       Annual	
2.	BENEFITS - Belong through LSI sponsored (Circle all that apply)         Credit Union         Insurance         Hertz         Retirement Plans	
3.	CALIFORNIA CERTIFIED LEGAL SECRETARY (CCLS) (Circle all that apply)         Participated in a CCLS Study Group	
4.	<b>COMMUNITY/CHARITABLE PROJECTS</b> ( <i>Circle all that apply</i> ) Volunteer/help at Legal Aid and/or charitable organizations in the community	
5.	INTERCLUB Attend another association's meeting, installation, or other function Attend Local Bar Association's meeting	
6.	EDUCATION         Attend seminar/workshop sponsored by SFLPA         Attend seminar/workshop sponsored by other association         Attend seminar/workshop sponsored by a Forum, CEB or Rutter         (Check all that apply)	
7.	LEGAL SPECIALIZATION SECTIONS         Enrolled in at least one section         Enrolled in all six sections         Attend a Legal Specialization Section meeting at LSI Conference         Attend Legal Specialization Section Regional Seminar         Submit article for use in Legal Specialization Section Newsletter	
8.	PUBLICATIONS         Purchased LSI Legal Professional's Handbook         Purchased Updates to LSI Legal Professional's Handbook         Purchased Law Office Procedures Manual         Purchased Updates to Law Office Procedures Manual	

Please return completed form to the Chapter Achievement Chairperson or the Governor. Thank You.

### **Upcoming** Events



judicial system have been published in various legal magazines, including *The Legal Secretary* and *The Bulletin*, a publication of The Bar Association of San Francisco. As a litigation secretary since early 2016, Ana has a greater appreciation for the myriad responsibilities of her former clients. Contact her at ana@anafatimacosta.com.

The SFLPA is an accredited MCLE Provider through Legal Secretaries, Incorporated. For more information about the programs offered through the SFLPA, visit our website at: www.SFLPA.org.

### INSTALLATION OF SAN MATEO COUNTY

### LEGAL PROFESSIONALS ASSOCIATION

Tuesday, April 25, 2017, @ 6:30 p.m.

The Van's, 815 Belmont eve., Belmont, CA

Cordially invites you, your family, and friends to our 52nd Installation of

forward

**Officers Dinner** 

Celebrating the following Incoming Officers:

President: Tanya Tate 1 st Vice President: Pauline Balestrino 2nd Vice-President: April Vanderbilt Treasurer: Cynthia Woodman Recording Secretary: Kim Ratto Governor: Tanya Tate

> RSVP no later than April 21, 2017

Price: \$40 per person. This is a prepaid event.

Please forward your check(s) payable to SMCLPA 10:

Pauline Balestrino Bay Wealth Legal Group 909 Laurel Street San Carlos, CA 94070

Any questions, please contact Pauline Balestrino at pbalestrino@baywealthlegal.com

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PLEASE MAKE CHECKS PAYABLE TO: MAY 2017 CONFERENCE FUND MAIL TO: JANICE WILLIAMS, 3212 PROVINCE TOWNE CT., MODESTO, CA 95355



For General Information Contact: Registration Chair –JANICE WILLIAMS - (209) 499-8911 JANICEWILLIAMS@FCADOPTIONS.ORG

#### NO REFUNDS AFTER MAY 10, 2017



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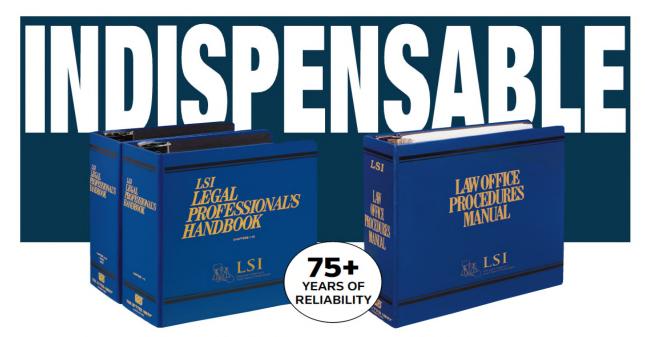


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	FOR RESERVATIONS, 209-526-6000. Use code " <u>LSI</u> " TO IDENTIFY
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# Legal Secretaries, Incorporated LEGAL SPECIALIZATION SECTIONS

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



## ARE YOU A MEMBER OF THE LEGAL SPECIALIZATION SECTIONS?

### IF NOT, HERE ARE TEN GREAT REASONS WHY YOU SHOULD BECOME A SECTION MEMBER:

- Reasonable annual dues. (\$20.00 per section; \$75.00 for all six!)
- Continuing Education in all areas of the law.
- ➢ Quarterly educational programs—<u>Free</u> to Section Members.
- Spring Regional Seminar (So. California) and Fall Regional (Northern California) offering a discount on registration fees to section members.
- Quarterly newsletters containing up-to-date information, including changes in the law, new forms, and legal articles.
- Statewide roster of all members in all sections, for easy access to local procedural information in other counties.
- California Certified Legal Secretary®/MCLE/Paralegal CEU credits.
- Networking provides a forum for the exchange of information.
- Respect from employer when you pass on valuable information obtained at workshops and seminars.
- Professional and personal excellence.

For more information, contact Dawn R. Forgeur, CCLS, Legal Specialization Sections Coordinator, 500 Capitol Mall, Suite 1600, Sacramento, CA 95814, email: <u>drforgeur@stoel.com</u>



## LEGAL SPECIALIZATION SECTIONS

### 2015-2016 MEMBERSHIP APPLICATION AND ANNUAL RENEWAL FORM

August 1, 2015 - July 31, 2016

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

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

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 Me	ember at Large:	
Phone:		I prefer communication via USPS
FOR THE AMOUNT OF THE ORIGINAL CHECK, \$	Check payable to "LSI" enclosed Is which ARE NON-REGOTIABLE BECAUSE OF INSUFFICIENT FUNDS OF 25 PENALTY, AND THE ACTUAL COST OWNEED TO LSI BY THE RINANCIA to: Dawn R. Forgeur, CCLS, Legal Sp c/o Stoel Rive 500 Capitol Mall, Ste. 1600, Si	ecialization Sections Coordinator s LLP
	<u>dawn.forgeur@s</u>	
FAMILIAR WITH THE COU	INTIES OF (Please indicate each County,	not area):
-		



## LEGAL SPECIALIZATION SECTIONS SEMINARS

May 19 and 20, 2017

Doubletree Hotel Modesto, CA

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

LSS MEMBER Free with Advanced Reservations	NON-LSS MEMBER \$15 with Advanced Reservation			
\$5 at the Door/After Deadline Handout Only: \$5	\$20 at the Door/After Deadline Handout Only: \$15			
Friday, May 19 – 1:30 p.m. to 3:30 p.m.				
Criminal and Family Law	Law Office Administration			
Domestic Violence Restraining Orders	Employment Law Updates			
Stacy Speiller, Esq. Cash-Dudley Speiller & Torres	Jeanine DeBacker, Esq. McPharlin Sprinkles & Thomas LLP			
□ I WILL ATTEND OR □ HANDOUT ONLY □ SECTION MEMBER - □ NON-SECTION MEMBER	☐ I WILL ATTEND OR ☐ HANDOUT ONLY ☐ SECTION MEMBER - ☐ NON-SECTION MEMBER			
Friday, May 19 – 4:	00 p.m. to 6:00 p.m.			
Probate/Estate Planning	Civil Litigation			
Understanding Probate Code 17200 and 850 Petitions	eFileCA: What's Happening, What's The future, and Rules of Court			
Kimberly G. Flores and Beau C. Correia Berliner Cohen, LLP	Lilibeth Daniel One Legal, LLC			
□ I WILL ATTEND OR □ HANDOUT ONLY □ SECTION MEMBER - □ NON-SECTION MEMBER	☐ I WILL ATTEND OR ☐ HANDOUT ONLY ☐ SECTION MEMBER - ☐ NON-SECTION MEMBER			
Saturday, May 20 – 4	l:00 p.m. to 6:00 p.m.			
Federal Law	<u>Transactional</u>			
Immigration Law Updates	Real Estate Transfers and Deciphering the			
Emily Chrim, Esq.	Legal Description			
The Law Office of Emily M. Chrim	Brett Dickerson, Esq. Gianelli & Associates			
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Name:	CCLS Paralegal PLS			
E-mail:				
Local LSI Association (if applicable):				
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REGISTER AND PAY ONLINE OR SEND COMPLETED FORM AND PAYMENT TO:	C/O DAWN R. FORGEUR, CCLS, LSS COORDINATOR 500 CAPITOL MALL, SUITE 1600, SACRAMENTO, CA 95814 QUESTIONS? EMAIL: <u>DAWN.FORGEUR@STOEL.COM</u>			
	prporated, an approved provider, and certify that these seminars have been of California. California Certified Legal Secretary credit offered is 2.0 hours.			
	FICIENT FUNDS OR OTHER REASON SHALL BE REPLACED IMMEDIATELY BY CASH, A CERTIFIED CHECK FUAL COST CHARGED LSI BY THE FINANCIAL INSTITUTION FOR PROCESSING THE ORIGINAL CHECK.			

## INTRODUCTION TO THE SAN FRANCISCO LEGAL PROFESSIONALS ASSOCIATION

("SFLPA")

A Professional Association for Legal Secretaries and Other Law Office Professionals (Formerly San Francisco Legal Secretaries Association ("SFLSA")) Established 1936 Member Legal Secretaries, Incorporated, A California Nonprofit Corporation Established 1934

### **SFLPA Objectives**

• The objectives of SFLPA are to provide its members with educational programs, personal benefits, networking and the promotion of professionalism.

### **Membership Information**

• SFLSA has been in existence since 1936, and in October 2003 changed is corporate name to San Francisco Legal Professionals Association. It is a nonprofit corporation. SFLPA is one of nearly 60 local chapters affiliated with Legal Secretaries, Incorporated ("LSI"), a California nonprofit corporation.

### **Membership Eligibility**

• Membership is available to anyone with a minimum of one year's experience in a law office or engaged in work of a legal nature; permanent employment in the legal field at the time of application; attendance to two SFLPA sponsored functions; and sponsorship by an active member. Associate Membership is available to individuals with less than one year's experience.

### **Membership Benefits**

- CLE-Approved Educational Programs each month
- Multi-Week Legal Secretaries Training Course
- Major Medical Insurance
- Cancer and Intensive Care Policy
- Individual Retirement Account
- Network (local/statewide)
- Provident Central Credit Union
- Automatic membership with LSI
- Employment Listing Service
- Subscription to "The Hearsay" a monthly SFLPA newsletter
- Members are eligible to join the Provident Central Credit Union throughout California.
- LSI Legal Specialization Section:
- Criminal Law
- ♦ Family Law
- Law Office Administration
- Civil Litigation
- Probate/Estate Planning
- Transactional Law (Corporate/Business, Real Estate)
- Each Section includes timely newsletters, a statewide membership roster for the section, periodic regional seminars and workshops at LSI's quarterly conferences.
- Employment listing services available to members and attorneys at no charge.
- California Certified Legal Secretary ("CCLS")

• SFLPA supports the California Certified Legal Secretary certification program. A study course is available for those who wish to sit for the one-day examination, which is given semi-annually. The CCLS examination tests California legal procedure, terminology, ethics, administrative, bookkeeping, communication, and performance skills.

## San Francisco Legal Professionals Association (SFLPA)



P.O. Box 2582, San Francisco, CA 94126 www.sflpa.org

### **APPLICATION FOR ACTIVE MEMBERSHIP**

Please fill out this application completely, sign it and give to your sponsor or mail it to the post office box listed above, along with a check for \$55.00 made payable to SFLPA. This payment covers a onetime SFLPA initiation fee and your first year\* of annual membership dues for both the SFLPA and Legal Secretaries, Incorporated (LSI).\*\* Use a copy of your completed form as a receipt if needed.

PERSONAL:	BUSINESS:				
NAME:	Your Title:				
Sponsor's Name:	Former Employer:				
How did you find out about SFLPA?	City, State:				
Why do you want to join SFLPA?	Total Experience: LegalLitigation: Areas of Practice:				
List any previous SFLPA & other memberships & dates:					
List at least one SFLPA-Sponsored function that you attended as your pre-requisite for membership and include date(s):	1MoYr:       2MoYr:				
IF I AM ACCEPTED AS A MEMBER, I AGREE TO BE BOUN INCORPORATED AND THE SAN FRANCISCO LEGAL PROFESSION INCLUDING THE FOLLOWING CODE OF ETHICS:	HE INFORMATION ABOVE IS ACCURATE AND YOU SWEAR AS FOLLOWS: ID BY THE BYLAWS AND STANDING RULES OF LEGAL SECRETARIES, DNALS ASSOCIATION TO WHICH I AM APPLYING FOR MEMBERSHIP,				

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. "

**APPLICANT'S SIGNATURE:** 

DATED:

For fiscal year beginning the previous May 1st through April 30. Applications accepted after March 1 will have dues pro-rated. \*\* Accompanying membership in LSI, a California non-profit mutual benefit association, includes subscription to The Legal Secretary magazine published quarterly, discounted prices on LSI publications such as The Legal Professional's Handbook and The Law Office Procedures Manual and more. Visit http://lsi.org/ for more details.

To be completed by SFLPA Officer: Approved by Board on:		Initials:
Revised 05/2013		
HEARSAY	April 2017	42



### San Francisco Legal Professionals Association MEMBERSHIP RENEWAL FORM For The Fiscal Year Of May 1 Through April 30

IT'S THAT TIME AGAIN! Please fill out the renewal form below and mail a hard copy along with your check for <u>\$45.00</u> made payable to SFLPA to:

SFLPA Treasurer, P.O. Box 2582, San Francisco, CA 94126

For Active Members, your annual dues consist of \$25.00 for your SFLPA annual membership renewal and \$20.00 for your Legal Secretaries, Inc. membership renewal for the fiscal year beginning May 1st of this year. Checks must be received by June 1st or members will be charged an additional <u>\$5.00 late fee</u> for their membership renewal.

Please:

• Complete the entire form even if your contact information has not changed over the past year. You can also fill out and print this form at <u>www.sflpa.org</u>.

- Do not indicate "same" or "no change" for any of your answers.
- List your name as you would like it to appear on the SFLPA Roster and on your Membership Card.
- Life Members should complete and return this form also.

MEMBER INFORMATION				
NAME:		Check as applicable:		
		$\Box$ CCLS $\Box$ PLS $\Box$ CLA		
Where do you prefer to receive post		Work Where do you prefer to receive		
Email?:	🗆 Home	□ Work		
Please indicate your type of member	-			
Active \$45.00 Associa	te \$25.00 🛛 Life \$500	0.00 🛛 Honorary (Board Approved)		
DATE SUBMITTED:	AMOUNT ENCLOS	ED: \$		
E-Mail Addresses: <sup>(Office)</sup>	(Home	- optional)		
	BUSINESS			
Employer:		Title:		
Areas of Practice:				
Office Address:				
City:	State:	ZIP Code:		
Phone:	s this information different	from last year? 🛛 Yes 🗌 No		
PERSONAL				
Home Address or P.O. Box:				
City: S	itate:	ZIP Code:		
Telephone Numbers	lome:	Cell:		
Is this information different from las	st year? 🛛 Yes 🗆	No		
OTHER				
Would you consider becoming a committee member? 🛛 🛛 Yes 🗖 No				
If yes, list committees you would be	If yes, list committees you would be interested in serving:			

Note: Your contact information above will not be distributed outside SFLPA without your consent. Upon receipt of your complete application and your accompanying check, a current membership card will be sent to the address you listed above as your mailing reference. If you have any questions regarding your renewal of membership with the SFLPA, please contact any of the current officers listed on our website at <u>www.sflpa.org</u>. Thank you for your continued support as a member of the San Francisco Legal Professionals Association.

Revised 05/2013



**CHANGE OF ADDRESS FORM** 

Member Name						
New Address	City			State	Zip	
New Home Telephone		New Office Telephone		one		
New Personal Email Address		New Work E-Mail Address				
New Employer Name						_
New Address	City			State	Zip	-
Please indicate preferred contact method:		Home		Work		
YOUR SPECIALTY: Administrative Appeal Arbitration Business/Corporate Probate/Estate Taxation		<ul> <li>□ Criminal</li> <li>□ Family</li> <li>□ Law Office</li> <li>□ Litigation</li> <li>□ Real Estate</li> <li>□ Other (Spe</li> </ul>	e ecify):			
<b>Please submit to:</b> SFLPA P.O. Box 2582 San Francisco, CA 94126-2582						

## **Member Benefits**

### Advantages of Membership

LSI® provides educational, professional, and personal development information to legal support staff throughout the state of California. Many educational opportunities are available to members (and non-members, for a nominal fee) throughout California.

- Monthly educational programs and newsletters are provided by local associations
- General educational programs are offered at each LSI conference free to anyone wishing to attend. Topics vary among specialized areas of law, ethics, law office products and management, and personal development. Click on LSI Events for more information about upcoming LSI Events.
- Members (and non-members) are given the opportunity to join one or all six Legal Specialization Sections. Each specialization section offers seminars and newsletters on specific areas of law. Seminars are presented at each LSI quarterly and annual conference free to LSI section members and at a reduced cost to non-section members. For more information, click on "Legal Specialization Sections."
- Many local associations offer study groups for members interested in preparing to take the California Certified Legal Secretary (CCLS®) examination. Information on the CCLS examination can be found by clicking on "California Certified Legal Secretary."

These programs are designed to provide current material and educational tools to enable law office support staff to remain current with the changes in general law, as well as in their respective areas of practice.

### MAKE A CAREER CHOICE – BECOME A LEGAL PROFESSIONAL

### Why Become a Legal Professional?

- Competitive salaries and benefits
- Knowledge and skills allow the freedom to work anywhere
- Competent legal professionals are well respected in the legal community
- Legal professionals fulfill a vital and meaningful role for law firms and attorneys
- Continuing education enhances legal professionals, making them an asset to every employer

### Why Join Legal Secretaries, Incorporated?

- Become one of the 2000 elite legal professionals in California
- Build a network of knowledge by meeting other legal professionals
- Continuing education is the main focus of Legal Secretaries, Incorporated
- Our motto: Excellence through Education
- Expand your personal and professional development and skills through a multitude of educational opportunities offered statewide
- Enjoy discounted educational benefits through the Continuing Education of the Bar
- Become a California Certified Legal Secretary (CCLS®) through a course of study and a comprehensive examination
- Easily maintain your CCLS credits and your MCLE credits through workshops and seminars sponsored by the Legal Specialization Sections of Legal Secretaries, Incorporated

### How You Can Become a Legal Professional:

- Learn basic secretarial and computer skills
- Enroll in a legal secretarial or paralegal course through business schools and college courses
- Enroll in a training course offered by a Legal Secretaries, Incorporated, association in your area
- Legal Secretaries, Incorporated, offers scholarships to non-members interested in pursuing a career in the legal field

### **Discounts for LSI Members**

In addition to the many educational and networking opportunities, LSI members may receive discounts for certain educational seminars and publications offered through Continuing Education of the Bar (CEB). Agents for insurance and financial providers are available as resources when members inquire about benefits in an effort to obtain the best coverage for each member's individual needs and location. Access to credit unions and rental cars are also available.

#### 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 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

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By: Sally Mendez

# CONGRATULATIONS SFLPA BOARD OF DIRECTORS 2017-2018

Dear SFLPA Members and Friends:

I want to thank you all for allowing me the opportunity to serve another year as your *Hearsay* Editor as well as Secretary to SFLPA. We have a lot going on and we look forward to this journey into the new year with all of you!

Best wishes everyone and on to the New Fiscal Year!

Sally Mendez, Editor Judy Nakaso, Assistant Editor HEARSAY San Francisco Legal Professionals Association Post Office Box 2582 San Francisco, CA 94126-2582

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> Dedicated in Memory of Joan M. Moore, PLS, CCLS LSI President 1980-1982