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August 2017 President's Message

Greetings SFLPA Members & Friends,

As we say "so long" to July of 2017, we next turn around and say "hello" to August and September. This month typically represents the return of the new school year for most if not all of the youth across the Bay Area. Some get excited while most dread heading into another year of scholastic studies. With all the negative things going on in the world today, this August, we have a once in a lifetime event that has many people excited across the US. So I ask you this, what are your plans for the Solar Eclipse of 2017?

Well, if you plan to participate in solar mania, please be sure to be careful as it is harmful to your eyes if you do not have the protective eye gear. For those that will be carrying on like a normal day, there are some exciting SFLPA events to look forward to in the upcoming future. But before I reveal the exciting information, I would like to say 'Thank You' to Marc Siegel, Esq. of Jones Day for a very informative presentation at our recent General Membership Meeting last month. Mr. Siegel's topic "When Companies & Their Executives Engage in Price Fixing" was fascinating and those in attendance really enjoyed the presentation.

Also, I would like to thank Jeff Knowles, Esq. of Coblentz, Patch, Duffy & Bass for a spectacular presentation on IP Litigation, "Why It's So Important to Protect What Your Mind Creates." Unfortunately, I was unable to attend but I heard very good feedback about the presentation. We appreciate the programs that these two wonderful speakers were able to provide to our members.

As far as the exciting events that are on the horizon, we are working on a 6 to 8 week Legal Secretarial Training Program. We are hoping to host it at the beginning of the 2018 calendar year. Our Education Committee is working hard to get this training program together for our members. A special thanks to our Education Chair Francie Skaggs for organizing her team. We are extremely excited about this project. Be sure to stay tuned for future updates.

Another exciting event we have on calendar is our SFLPA Open House which is scheduled for Wednesday night, September 13, 2017. Our Vice President, Carol Romo as well as her Membership Committee have planned a very fun and informative Membership event. The event flyer has all the details. If you have not received it, please check it out as it is posted on both the SFLPA and LSI's websites. Enroll some of your colleagues to become members and bring them to our Open House.

Another fantastic presentation on calendar is our August Brown Bag which is scheduled for Tuesday, August 22, 2017. Kevin Nichols, founder of The Social Engineering Project, Inc., is our guest presenter. The hot topic is: "Insuring Your Own Job Security." If you have not RSVP'd for this event, be sure to do so. It will be a timely presentation that touches on the changes in the legal industry. We hope you can join us for this lunch time presentation.

Our next membership meeting is scheduled for Tuesday, October 17, 2017. It will be hosted at the offices of Ogletree, Deakins, Nash, Smoak, & Stewart. Our special guest speaker will be Michael Thomas, Esq., an associate at Ogletree. The topic of his presentationis "Laws Impacting Diversity and Inclusion." Given the climate of the events going on in our world today, this is a very hot topic. So please be sure to put this on your calendar and RSVP once the information has been distributed.

And bringing back fun, we are planning to have our popular Jersey Night and our Halloween Bingo fundraisers. We are also planning to host our first Crab Feed in February of 2018. Those are just more examples of things we have on the horizon for the future. So as you can see, your Board is working hard to provide more educational, more networking as well as more opportunities to elevate your skillsets so that you can be the rising star on your legal team.

Upcoming SFLPA Events:

- August Brown Bag Tuesday, August 22, 2017, 12:30 pm 1:30 pm Presentation: "Insuring your own Job Security"
 by: Kevin Nichols of the Social Engineering Project, Inc.
- September Bonus Brown Bag Tuesday, September 12, 2017, 12:30 pm 1:30 pm Presentation: "Employment Law"
 by: Jeanine DeBacker, Esq. of McPharlin, Sprinkles & Thomas
- SFLPA Open House Wednesday, September 13, 2017, 6:00 pm 8:00 pm
 Sheppard Mullin 4 Embarcadero Center, #1700, SF, CA 94111
 No Charge Members bring potential members as guests
- September Brown Bag Tuesday, September, 26, 2017, 12:30 1:30 p.m. Presentation: TBD
 by: Tony Klein, of the Process Institute
- General Membership Meeting Tuesday, October 17, 2017
 Ogletree, Deakins One Market Plaza, Suite 1300, San Francisco, CA
 Guest Speaker: Michael Thomas, Associate at Ogletree
 Topic: "Laws Impacting Diversity and Inclusion"

Upcoming LSI Events:

Beginning Legal Secretary Online Training Course
 September 5 – November 1, 2017
 For Registration and course information – www.lsi.org/classes/

Save the Date:

- Jersey Night Fundraiser September 23, 2017
- SFLPA Holiday Party December 7, 2017
- Crab Feed February 18, 201882nd Officer Installation April 28, 2018

To access our event calendar, please go to our website at www.sflpa.org. Enjoy the rest of August and we hope to see you very soon.

Respectfully,

Larry McGrew President



Respectfully, Larry McGrew President

Do you enjoy helping others?

We are looking for a few individuals that enjoy the rewards of volunteer work. There are a number of committees within the SFLPA that could use some assistance.

Please review the committee list as well as the job description. If you find one that interests you, please contact the appropriate

committee chair

Bay Area Legal Forum: Looking for up to 5 members to serve on the forum's planning team. The BALF hosts educational events throughout the calendar year. The most popular is the Annual Changes in the Law which is presented each January and covers recent changes in civil, family, corporate, and estate planning/probate law. Depending upon the number of changes, additional information regarding federal or appellate law changes may also be presented. Chair currently vacant.

California Certified Legal Secretary: Promotes the CCLS program established and administered by LSI. The Chair shall organize and conduct a study program to assist those interested in obtaining such certification. Chair currently vacant.

Career Promotion/Scholarship: Encourage participation in scholarship programs offered through LSI and SFLPA. This committee shall present the names of students eligible to be placed in competition in the scholarship program to the Board for approval. Chair: Aubrey Miller – alm@sommerschwartz.com

Education: Responsible for the preparation and presentation of educational programs designed to assist those employed or interested in the legal secretarial field. Chair: Frances Skaggs – francieskaggs@gmail.com

Employment: Assist members to obtaining employment by distributing employment opportunities made available to the SFLPA. Chair: Suddie Scott – sscott5204@yahoo.com

Historian: Prepares a history book which shall conform to the rules established by LSI. The book is provided to the President at the end of the fiscal year. Chair: Chris Flores – <u>cflores@orrick.com</u>

Interclub: Encourage the exchange of ideas for the advancement of this Association in the community, visit neighboring Legal Secretaries Association and represent this association at meetings of other organization whose ideals and purposes are compatible with those of this association. Chair: Sue Hammer — shammer@firstlegal.com

Legal Procedures: Must be employed in the work of a legal nature. Shall devise and recommend means of educating members in the use of legal forms and procedures and disseminate information relative to new forms and procedures. Chair: Ryan Halog — rhalog@hotmail.com

Membership: Stimulate interest in membership by presenting the advantages of such membership to prospective members and the legal community. This committee shall also disseminate information to the membership about the credit union, the insurance program and other benefits available to members through LSI. The chair shall present to the Board of Directors at a regularly scheduled meeting the applications of those who have the necessary qualifications for active and associate membership. Chair: Carol Romo – cromo@crowell.com

Marketing/Public Relations: Shall have charge of all newspaper, radio, television and other publicity in connection with activities of this association. All publicity involving LSI shall be cleared with the LSI President pursuant to Brass Tacks prior to submission. Chair: Anthony Tang — anthony.tang@e-arc.com
Professional Liaison/Day in Court: Shall promote harmonious relations and cooperation with various organizations of the legal profession. This committee shall prepare for and present a Day in Court program. Chair: Lilian Wong — lwong@JonesDay.com

Program: Shall arrange for speakers, entertainment and restaurants for regular membership meetings and for such special programs as the President or the Board of Directors shall direct. This committee shall take reservations and provide a list of thereof to the Vice President and Treasurer. Chair: Terralyn Graff – terralyng@barkley.com

Ways & Means: Shall have charge of and sole responsibility for all fund raising activities of this Association. Chair: Shannon Thompson—shannon.thompson@behmke.com

Website Maintenance: Shall work this the Association's webmaster to distribute timely and pertinent information regarding the Association's activities and other items of interest through the Association website. Chair: Ryan Halog — rhalog@hotmail.com

If anyone is interested in any of the above, please contact the committee chairman. If you are interested in a position that is vacant, please contact Larry McGrew – lmcgrew@firstlegal.com.

Also, we are looking for a qualified individual that specialize in training legal professionals. We have plans to provide an 8 week Legal Secretarial Training Course.

Vice President's Message

By: Carol Romo

From your VEEP...

This year, I am working to increase our membership of legal secretaries and legal support staff who work at all the law firms in the Financial District. To do this, I will need the help of you, our current members.

On Wednesday, September 13, 2017, the Membership Committee (me, Lillian Wong, Malou Sana and not-yet-member but we're working on her, Judy Nakaso) will have our first membership drive event of the fiscal year: Open House. It will be held at the offices of Sheppard Mullin on Wednesday, September 13, 2017 at Four Embarcadero Center and will start at 6:00 pm and run through 8:00 pm. This will be a fair-like event, meaning those who attend are welcome to arrive anytime during the two-hour time period, although our live presentations will start at 7:00 p.m. We are asking that each current member invite another legal secretary to accompany them as their guest(s) to get an idea of what the San Francisco Legal Professionals Association and Legal Secretaries Incorporated has to offer its members.

There will be tables featuring educational programs and events –past and future; publications and resources including past and current bulletins like *The Hearsay* and LSI's *Legal Secretary*; a marketing table displaying flyers of upcoming events and marketing giveaways. We have also recruited Sephora and a local nail salon to have their own kiosks featuring tips and touchups for those interested in participating. A representative from Legal Secretaries Incorporated and one of our officers will give short presentations scheduled to start at 7:00 pm in an adjacent conference room.

There is **no charge** to attend SFLPA's Open House which includes beer, wine and catered refreshments. Two door prizes valuing \$100 each will be drawn: one for a lucky guests and one for the SFLPA member who brought the guest.

Perhaps you have a co-worker who would be interested in checking this out or a clerk who wants to be a legal secretary; paralegals are also good candidates for guests. Think about attending future events with a co-member from your office so you don't have to go alone in the future. If you know someone from another law firm in the City who may be interested in coming to our Open ouse, that would be great too. This is also an excellent opportunity to invite your legal administrators so that they may learn about SFLPA's educational programs and support paying membership dues or dinner meeting costs in the future. The success of this membership drive event will be in the hands of our members so please invite all your co-workers and professional associates to come with you to our first (hopefully) annual Open House on Wednesday, September 13, anytime between 6:00 and 8:00 p.m.

One special benefit at the Open House that I would like to make our readers aware of is that any new support staff members who apply for membership and do not get reimbursed by their law firms for the membership fee will receive a \$25.00 discount courtesy of a generous donation by attorney Faye Lee, Esq. a past president and active member to this day.

An invitational flyer will be emailed out to everyone on the San Francisco LPA mailing list. If you want more information, have any questions, or want to sign up, please contact any one of the Membership Committee members, including yours truly at: cromo@crowell.com; lwong@jonesday.com; malou.sana@bryancave.com

Please help bring legal secretaries back into the fold and make our Open House a success.

Your Veep and Membership Committee Chair, Carol Romo

How to juggle five or more attorneys at a time without dropping one on your head. Part Two

By Carol Romo

ORGANIZE, ORGANIZE, ORGANIZE

If you have a variety of practice areas to support or just one, you will always be more competent at doing your job by spending just a little time staying organized. Case Binders, like case lists, fall into this category. And the saying: "more knowledge equals more power" applies here as I hope to help you see.



Color Coding – This is a way to identify something you will need to find, quickly and effortlessly. For example, I use red colored folders for anything that needs to be signed by an attorney. That way the attorneys know when they see a red folder anywhere in their office, it has something in it that they need to sign. It also helps me to find the folder in their office for those attorneys that keep a messy desk/office. I also use yellow folders for timesheets for the same reasons, and blue folders for incoming U.S. Mail (after I have scanned those documents and saved them to the firm docmanagement system). Some secretaries I know will designate a particular folder color to each attorney they support to keep track of paperwork by attorney rather than the contents. Either way, using color folders can be helpful when passing paper between you your attorneys and where the paper needs to end up at.

Outlook email program also allows you to color code categories for the purpose of keeping track of different appointments for any one calendar. For example, most attorneys have at least a handful of active cases with related appointments, deadlines, hearing dates, depositions, etc. I found it useful when working with attorneys that relied on me for keeping their calendars, to use the color-category feature in Outlook to identify each matter by an assigned color. So that when one looks at the attorney's calendar, they can see all the calendar activity by matter which tends to be useful for both the attorney and the secretary who has been give full authority or permission to an attorney's Outlook calendar.



<u>Case Binders</u> – If you don't already keep a case binder at your desk for each attorney you support that has a variety of clients or matters they are assigned to and appear on their case lists, you must start. Here's why.

Attorneys often forget that you have five times them to support and know details about all their own matters. Often times, I have to remind them individually, that they only have one secretary whereas I have five of them and that's why I don't remember whatever detail they are throwing at me at that moment when it is the most important thing in the world to them. It's an honest mistake and I'm sure I would be guilty of it if I were an attorney without any secretarial background or experience sharing with other attorneys on staff. But here's the thing: even though the odds are 5 to 1, you can still stay on top of each case by creating a binder for each attorney with tabs representing each active case OR you can have one binder with a tab for each attorney by name when there is less case activity

such as tort or probate matters. Either way, using case binders will make it easier for you (and your attorneys) to refer to by having hardcopies of the following behind each case tab:

- hard copies of the original complaint for caption purposes (and to read through if such an interest should come to you and you have time . . .)
- a copy of the case management schedule that is usually served with the complaint;
- a hard copy of your own (or the firm's) caption template for each matter;
- a printout of the current master calendar;
- current service lists including copies of any agreements that may be in place for service by email;
- a copy of the pertinent local rules
- the Judge's or courtroom standing orders by case; and
- handwritten notes, court contact phone numbers, clerk's names, etc. that may save you time by not having to look up info online more than once.

[I also keep a "reference binder" which has tabs labeled "phones" "out of office greetings" "Client matter numbers" and other administrative related subjects that I will get into in a future part of this essay.]

Three-hole binders are easy to update and you should color code the spine and cover slip sheets so that you can identify which binder to grab when you are reaching for one on your desk. Case binders can prove to be invaluable when you keep hand notes in it, for example, to identify the courtroom hours, court clerk phone numbers, courthouse address, judge's courtroom, clerk, etc.; who you talk to in this matter on any specific subject, etc. All the details that you should spend time looking for the first time, rather than repeatedly because we cannot possibly remember all these details for every case in our heads. This is a great way to stay on top of the cases for all of your attorneys with the best use of precious time.

Well, that's all for this part of this five part series. If you have any comments or things to add to this part of the series, or any suggestions of your own for giving the most attorney while spending the least amount of time at it, please send me an email: carolromo1@gmail.com and I will publish it and address it timely.

Thank you for reading and I hope you find something to help you in this five part series titled: 'How to juggle five or more attorneys at a time without dropping one on your head."

SFLPA Membership Recruiting at San Francisco State University Paralegal Program Open House July 20, 2017





This fiscal year, we are planning to gain attention from various sources to attract new memberships to SFLPA, so I reached out to Pat Medina, the Director of San Francisco State University's Paralegal Program. Pat graciously invited me to attend their Fall Open House on July 20, 2017. I'm not very good at public speaking and very new as an SFLPA chairman, so I requested our Governor, Christine Flores, to accompany me to the Open House as she has had many years of public speaking experience as past-President of SFLPA.

We left work and headed together to the SFSU's Downtown Campus located in the beautiful Westfield Center at the Powell BART station. We had an adventure finding the school in the big mall, but we made it. When we arrived at the school's Fall Open House, we were introduced by Pat to several faculty members, alumni and recruiters who were there as well to speak to the new students.

Pat introduced us to talk about what the San Francisco Legal Professionals Association is all about; and Christine gave an excellent and well-detailed speech about SFLPA. Afterwards we waited around for students who might have questions and we were successful in generating some interests. At the end of the Open House, Pat and a recruiter from the Robert Half staffing agency spoke to us and we exchanged our contact information. Networking is the way to go.

Pat recommended we keep her apprised of all SFLPA's upcoming events and classes from our website and said she would post them to SFSU's website. She was interested in having active participation from SFLPA to connect with SFSU's website so the students can stay informed. The Director announced to the potential new students about a few past students who had received

scholarships from SFLPA. We encouraged the students to join and get benefits out of being a SFLPA member.

Larry, our President, provided the SFLPA cinch backpack into which I assembled materials of: the Scholarship flyer, the Introduction flyer about SFLPA, a Membership Application, Checklist, and SFLPA's 82nd Anniversary flyer for the students. Hopefully, all the information will excite the prospective students to become members.

I want to acknowledge great support from Larry McGrew, President; Christine Flores, Governor; and Aubrey Miller, Scholarship Chair, for all the materials provided for the Open House. This has been a great learning experience for me. Next recruiting assignment will be targeting law firms for memberships.

Lillian Wong, Day-in-Court Chair

Legal Blog

By: Ryan Halog

August 2017

TRAVEL UPDATES

Transportation Security Administration (TSA) to Scan More Than Just Laptops



New screening methods are being tested at certain airports.

As you travel this summer you may be required to remove your Kindle, paperback book, food and any tech item larger than a cellphone from your carry-on bag. A new procedure being tested at 10 airports is designed to enhance security screenings.

The TSA's pilot program is to address an increase in passengers cramming more and more stuff into their carry-on bags, according to NBC News. The tight packing makes it harder for screeners to properly inspect bags using the X-ray machine and has increased the number of bags sent on for an additional manual inspection.

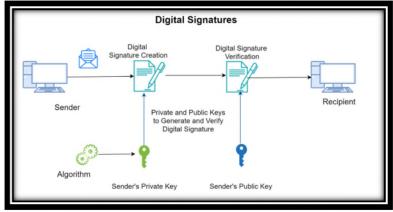
Passengers traveling through Boise, Idaho, Colorado Springs, Colorado, Detroit, Fort Lauderdale, Fla., Boston, Los Angeles, Lubbock, Texas, San Juan, Puerto Rico, Las Vegas, and Phoenix will be subject to the additional screenings. The new process will require passengers to unpack flagged items from their carry-on and place them in a bin, like the requirements in place nationwide for laptops. Passengers with TSA PreCheck will be exempt from the screenings, according to NBC News.

While it may seem, this proposed change would make security lines longer, the TSA hopes for the opposite, by cutting down on bags sent for additional screening. The additional testing is not associated with any threat or a laptop ban on certain flights announced this year.

Passengers who fail to comply with the new procedures at the 10 airports could be subject to having their bags screened manually. Exceptions to the policy were not immediately known. Currently, TSA allows passengers 75 and older to leave their shoes and a light jacket on during screening.



Electronic Signatures v. Digital Signatures



Many people think that electronic signatures are the same as digital signatures, but that is not the case. In fact, digital signatures are a highly secured way to implement electronic signatures.

Digital signatures use a public and private key generation framework, signature algorithm and a verification algorithm to match public and private keys and validate the authenticity of electronic signatures.

Ever since the passing of the E-Sign Act in 2000, electronic signatures have acquired as much weight as the traditional wet or ink signature. As a result, electronic signatures have become widely used to conduct business online. This term is quite broad; however, and not all electronic signatures constitute as digital signatures, which are guaranteed to fulfill the requirements decreed by the E-Sign Act. These terms include:

- The customer's intent to sign, as well as the consent to sign electronically;
- The software's ability to maintain document integrity through unique identifiers; and
- The company's responsibility to retain all documents for legal purposes.

What does it mean? In a nutshell, every document requiring a digital signature has, in effect, a unique key attached to it. This is done using a public key infrastructure (PKI). Public key is generated and attested by the operator of the PKI called a Certificate Authority, and is held by the document owner, who can then pass on copies to his/her clients. Once the client signs, a unique key (private key) message becomes embedded inside the document. If anyone tries to tamper with the document, the software algorithm will detect it and invalidate the document.

Due to increased identity theft in recent years, it has become ever more important for documents to be signed under a watchful eye, whether that be through digital or in-person witnesses. Companies that value your security will enact several layers of protection to ensure that every document is using digital signatures and is legally secure. For example, at eSign Genie, they use industry-standard encryption, time stamps, in-document visibility control, and email authentication to discourage electronic forgery. eSign Genie complies with the E-Sign Act, as well as UETA, HIPAA, and more.

Should you have any more questions regarding the nature of digital signatures, just contact eSign Genie by phone at (408) 560-3900 or email at http://www.esigngenie.com/support/.



The Difference Between an Expert and an Expert Witness

We think how we speak after a while. An expression can become detached from its origins and then lead to blinders. In litigation world, saying "expert" and not "expert witness" is one of the particularly bad ones, made worse by its near universality. Here's why we should knock that off.

The Evidence Code creates two types of witnesses. One is the person who perceived something related to the dispute; hence *percipient witness*, and they talk about *facts*. The other is a person who has specialized knowledge that the court believes might help the fact-finder; hence *expert witness*, and they can give *opinions*. When we universally and exclusively talk among ourselves about "the expert," we are focusing on the wrong part of the two-word phrase we are short handing. Jurors don't like experts. Sorry. Someone had to tell you.

Lawyers would be much better off thinking and talking about their expert witnesses as expert witnesses, and not reducing them to the less valuable of the two words. It makes us focus on the wrong stuff.

I recently watched the opposing lawyers in a case be literally stunned to find out that jurors did not like their expert witness. Their witness is a true superstar doctor in a particular autoimmune condition, surely in the conversation of "most knowledgeable doctor in America" on this topic. Unparalleled credentials. But we spoke to the jurors after the trial ended, and they found her to be annoying and off-putting as a person and "too full of herself." Stellar expert. Middle-rate *witness*. Too bad for their side that they didn't need a great expert. They needed a great expert witness.



Research shows many unwilling to auto-accept expert's word.

Jurors Don't Like Experts, Nor Automatically Buy Expertise on Your Say-So.

Two things to know from studies of jurors:

- (1) They overwhelmingly believe that attorneys can always find an expert to support their point of view, and
- (2) They believe that there are disagreements within any profession.

Hence, there is no automatic swooning just because a lawyer they don't know who is pushing an agenda is standing in front of them saying, "Behold—my expert. He's an expert." Rather, the opposite: jurors are building resistance to us and the expert witness as we pitch them too soon.

What I am suggesting here is a significant mind-shift in the legal world. To downplay the "expert" part of the phrase "expert witness" because of juror disregard and disdain for expert witnesses is to break with a long history of built up faith that jurors think and believe how we tell them to. They don't. It's a fiction. But it is a dearly held fiction. And a scary one to let go.

The Psychology of Jurors and the Value of Your Expert Witness.

First, it is critical to understand this one fact about jurors: while they do not particularly like or trust expert witnesses, they do like people who can help them understand the material in a case. Remember that jurors got their job because they specifically do not really know anything about the subject matter of the case—those with extensive knowledge in the subject likely got dismissed during jury selection. So, they are grateful for help. And how can your expert witness help?

Be a Teacher, Never an Advocate.

And one other way:

Be a Teacher, Not Just a Concluder.

In other words, their value to you is in being an excellent *witness*, not an uber-credentialed expert. Very few individual jurors and zero collective juries are going to say, "Well, that side must be right—after all, they have an expert." Merely having an expert witness doesn't move anything forward for your client. You must *win* the so-called "battle of the experts." And you don't win it by credentials. You don't win it by out-arguing the other side's expert. You don't win it by having a witness who looks the part.

You Win it By Having the Expert Witness Who is the Best Teacher.

That means being able to explain the basic concepts of their area with **clear language** and **good metaphors** that make their ideas sticky for laypeople's brains. That means that that he or she figures out how to present the important ideas of their field with **good visuals**, or else find someone who is good at visuals to help. (Please, for the sake of humanity, no slides filled with bullet points.)

It means that they follow a **two-step process** in delivering their opinions to jurors: Step One is explain the methodology for approaching and analyzing cases *like* this *in general*, and why this is the right approach. (E.g., "In cases where there is no external bleeding, we doctors are trained to do this, that, and the other thing. If there were external bleeding, we would do something else because that's a very different situation, almost nothing to do with these kinds of cases. But there was no external bleeding, so I would then look at . . .")

Step Two is leading the jury step-by-step in this case, showing how they arrived at their conclusions. ("With Ms. Patient's case, the notes from the attending doctor as well as one nurse shows that there was no external bleeding. So, like I said before, that means that the doctor on duty should have done X, and then when that was done, then do Y. With Ms. Patient, the records give us a complete picture of what happened. Dr. Defendant did . . .")

What Else Makes a Good (Expert) Witness?

In addition, though, a good witness does one other huge thing well that teachers don't usually have to deal with: cross-examination by the opponent.

It is crucial that your expert witness not engage emotionally with the opposing lawyer. We see it all the time, folks—expert witnesses who are the life of the party when talking to you, and turn into cold, reluctant almost-jerks when talking to the other side. Jurors notice that, and now – presto – the expert witness is an advocate.

Credence plummets; jurors no longer feel safe and confident relying upon this person for good input about the subject matter.

The expert witness must make eye contact with jurors from time to time. They become uncomfortable when too long goes by without it. It's a human instinct.

At some point in your relationship with your expert witness, video record him/her during prep. Watch it with your witness – and maybe a consultant. Check for distracting mannerisms, facial expressions they might not be aware they make, staying positive and calm, and really assessing how they would come across to layperson jurors.

Again: it's not the *expert* that is going to add the value to your case; it's the *witness*.

Depositions: Maybe the Last Best Chance to Avoid a Disaster.

In the age of video recorded depositions, it is crucial that you do a clear-eyed, cold-blooded analysis of how skilled a witness your expert is. Why? Because some of those video clips might eventually get shown to jurors if the case goes to trial. Why might the other side do that? Because they think the expert witness said some things that really help their side. Or did so in a way that will bother jurors just enough.

You already know this: **your expert's performance at deposition will affect the other side's calculation of their chances at trial.** The better your expert witness does at deposition *as a witness*, the greater the chances that you will be able to settle the case on better terms and sooner, rather than having to pour more resources into this thing to settle it, or even eventually ending up in trial. Therefore, picking the right expert witness and investing in some high-quality witness preparation before deposition can often be the smartest investment you can make to bring your case to an advantageous close short of trial.



That sad, reflective breakfast the morning after the verdict.

Bonus tip: As I have said <u>elsewhere</u>, never refer to your expert witness as "expert" in front of jurors. They don't like experts, so don't default to a term from of the Evidence Code just out of bad habit. Instead, your expert witness is "an outside engineer we brought in to help us understand the widget," or "one of the top cancer doctors in the region," or "an independent accountant." That is the frame you want your jurors to adopt about these people anyway.



BIOMETRICS PRIVACY LAW

Washington's New Biometric Privacy Law: What Businesses Need to Know

By Ben Byer

July 24, 2017 – With the rise in hackings and data breaches, companies and government agencies are looking for ways to protect their data that offer more security than passwords. Because passwords are easily lost, stolen, guessed, and cracked by hackers, companies are shifting to the use of biological characteristics that uniquely identify you, called biometric identifiers. For example, financial institutions and online retailers are developing ways to authenticate a purchase by requiring a user to take a selfie and smile, wink, or make another gesture. A stolen password could be easily reused, but faking a user's arbitrary facial expression is more complicated.

But along with the strength of biometric identifiers comes new risks. When hackers steal your password, you change it. But when hackers acquire your fingerprint or facial scan, you cannot change either. Indeed, biometric identifiers are often selected for their permanence. For example, many companies are investing in scanners that identify a person based on the pattern of veins in their fingertip, rather than their fingerprint. A person's vascular identity is harder to forge than a fingerprint and it changes less over time.

Another new risk comes from the ability to collect biometric identifiers surreptitiously. When a website or company asks for your password, you actively decide whether to share it and know when you have done so. But some biometric identifiers can be collected from cameras or microphones without your knowledge or consent. As a result, more and more states are regulating the use and collection of biometric data.

New Regulation of Biometric Identifiers.

In 2008, Illinois enacted a biometric privacy law, and Texas followed with its own in 2009. Today, Washington becomes the third state with an active biometric privacy law. The express purpose of the statute is to address increasing concern with the collection and marketing of biometric information without an individual's consent or knowledge. The legislature therefore "intends to require a business that collects and can attribute biometric data to a specific uniquely identified individual to disclose how it uses that biometric data and provide notice to and obtain consent from an individual before enrolling or changing the use of that individual's biometric identifiers in a database."

Under the statute, a company (or individual) may not "enroll biometrics in a database for a commercial purpose without first providing notice, obtaining consent, or providing a mechanism to prevent the subsequent use of the biometrics for a commercial purpose." The statute thus requires either notice, consent, or a mechanism to prevent the subsequent use of the biometrics for a commercial purpose. The exact notice and type of consent required is context-dependent and, thus, need not be written. This potentially allows brick and mortar business to obtain your consent orally or over the phone.

Under the statute, to "enroll" means to capture a biometric identifier of an individual, convert it into a template, and store it in a database that matches the biometric identifier to a specific individual. Thus, if an entity does not enroll biometric information in exactly this way, the statute does not impose its notice and consent requirements.

But, importantly, the statute regulates commercial use of biometrics. Namely, it imposes its requirements on entities only when they enroll biometric identifiers in a "commercial database" and prevents the subsequent use of the biometrics for a "commercial purpose." The statute allows entities to use biometric identifiers for security purposes. Indeed, the statute broadly defines this as preventing shoplifting, fraud, or any other misappropriation or theft of a thing of value, including tangible and intangible goods, services, and other purposes in furtherance of protecting the security or integrity of software, accounts, applications, online services, or any person.

The statute defines "biometric identifier" as data generated by "automatic measurements of an individual's biological characteristics, such as a fingerprint, voiceprint, eye retinas, irises, or other unique biological patterns or characteristics that is used to identify a specific individual." But the statute also expressly excludes "a physical or digital photograph, video or audio recording or data generated therefrom." Depending on how courts interpret this exception, it would potentially exclude the speaker recognition technology financial institutions have been developing to automatically authentic customers to their call centers. Likewise, this also potentially excludes the facial recognition technology social networking and photo storage websites use to automatically tag users in digital photographs.

In addition to the notice and consent requirements, the statute requires companies who possess a biometric identifier enrolled in a commercial database to take reasonable care to guard against unauthorized access to and acquisition of biometric identifiers. They may retain the biometric identifier no longer than is reasonably necessary to provide the services for which the biometric identifier was originally enrolled. But again, the statute allows the company to keep the biometric identifiers longer if done to protect against actual or potential fraud, criminal activity, claims, security threats, or liability. The statute also prevents companies from using or disclosing biometric identifiers in a manner that is materially inconsistent with the terms under which the biometric identifier was originally provided without obtaining consent for the new terms of use or disclosure.

When it comes to enforcement, the statute limits consumer options. Namely, it prevents a private lawsuit from being filed. Instead, it may be enforced solely by the attorney general under the Consumer Protection Act. In contrast, the Illinois biometric privacy law allows consumer suits and has generated numerous class action lawsuits around the country.

The protections and restrictions of Washington's biometric privacy statute reflect a balancing of consumer privacy rights with the need for data security greater than those traditional passwords provide. The statute thus attempts to prevent unwanted or undisclosed commercial use of biometric identifiers while allowing companies more freedom when using biometrics to protect security data or transactions.

What Businesses Need to Know About the Washington Statute.

Washington's biometric privacy law has some key differences with the Illinois and Texas statutes that may affect businesses. These differences may have the greatest impact on technology companies operating social networking and photo storage websites, as well as financial institutions using speaker identification software in call centers. Unlike Washington, both Illinois and Texas lack a carve-out for data generated from digital photographs and audio recordings. And, most importantly, the Illinois statute allows private entities to bring lawsuits to enforce the statute.

These differences reflect the way Washington and Illinois have each chosen to balance consumer's privacy rights with the growing need to improve security and technology through use of biometrics. The Illinois statute more heavily weights consumer privacy while the Washington statute gives companies greater freedom to use biometrics for security and in commerce.

Indeed, the more protective Illinois statute has recently spawned a string of class action lawsuits targeting social networking and photo storage websites for using facial recognition technology on digital photographs. Even where their user agreements say they should be governed by the laws of a different state, courts have found that Illinois law may still apply when those states have not expressed a policy interest in biometrics through their own statute.

A court may view Washington's statute as a policy decision to exclude from regulation data generated from digital photographs and audio recordings. A court may also view the Washington statute as a policy decision that only the attorney general should be permitted to bring any lawsuits, even when companies use biometrics beyond facial or speaker recognition. Selecting Washington's law as governing user agreements may therefore help

companies avoid being subject to any private lawsuit, such as class actions, under the more protective Illinois statute

Nonetheless, all companies intending to collect and use biometric identifiers must proceed carefully. It is difficult to predict with certainty which state's law a court will apply. To minimize risk, companies should therefore consider ensuring compliance with Washington's statute, along with Illinois and Texas, and staying vigilant as more biometric privacy laws come into effect.

Disclaimer

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PASSENGER RIGHTS

Can a Flight Attendant Force You to Close the Window Shade?

By Ed Perkins

A nationally recognized reporter, writer, and consumer advocate, Ed Perkins, focuses on how travelers can find the best deals and avoid scams.

He is the author of "Online Travel" (2000) and "Business Travel: When It's Your Money" (2004), the first step-by-step guide specifically written for small business and self-employed professional travelers. He was also the co-author of the annual "Best Travel Deals" series from Consumers Union.

Perkins' advice for business travelers is featured on MyBusinessTravel.com, a website devoted to helping small business and self-employed professional travelers find the best value for their travel dollars.

Perkins was founding editor of Consumer Reports Travel Letter, one of the country's most influential travel publications, from which he retired in 1998. He has also written for Business Traveller magazine (London).

Perkins' travel expertise has led to frequent television appearances, including ABC's "Good Morning America" and "This Week with David Brinkley," "The CBS Evening News with Dan Rather," CNN, and numerous local TV and radio stations.

Before editing Consumer Reports Travel Letter, Perkins spent 25 years in travel research and consulting with assignments ranging from national tourism development strategies to the design of computer-based tourism models.

A reader recently sent me an intriguing question. The email, edited for length, detailed the circumstances of a dispute between him and the flight crew on a long flight.

"After dinner," he writes, "a flight attendant demanded that I pull the window shade. It was a beautiful star-studded sky with clouds below and it was at least five hours before sunrise. There was 'no harm; no foul.' [Passengers] who sit by the window do so for the psychological relief the window view provides them. 'That's what windows are for,' I said to the flight attendant. Her response was, 'This is the policy so that passengers can sleep.' And I replied, 'This is not bothering them, it's night time.' But she insisted. So, the result was the place was sealed up like a tomb, with television screens and iPods flashing all over the place."

Here's what I can tell you. No federal rules govern the use of window shades during a flight. For safety reasons, airlines require that windows be open during takeoff and landing. Beyond those brief periods; however, each

airline sets its own policy. And because no airline contracts of carriage say anything about window shades, establishing the "policy" often devolves to individual flight attendants.

If you have flown recently, this story probably does not come as much of a surprise. My recent experience is that even on long daytime flights, when hardly anyone is trying to sleep, flight attendants still try to get everyone to pull down the shades immediately after takeoff.

My experience has also been that the person at the window seat is generally in control. If he/she wants to keep the window shade open, it stays open, although the passenger may be expected to lower the shade partially.

I have three suggestions for passengers facing a window shade dilemma:

First, if you are in a window seat, try to retain control of the window shade—but do not make a scene out of it if the attendant asks you to close your shade.

Second, if you prefer to sleep, keep a good eyeshade in your carry-on bag.

And third, if you are interested in looking out the window regardless, fly on a 787. Instead of pull-down shades, these planes have windows that darken electronically. The darkest they get blocks only about 90 percent of the light, leaving enough to let you look out even in a dark cabin.

Readers, have you experienced a situation like the one described by this reader? How do you resolve conflicts with the flight crew or other passengers? You may want to share your comments appropriately.



SECURITY

Here's Every Country That Requires a Visa for Americans

May 5,2017 – American citizens are fortunate in terms of passport power, but your little blue booklet may not be quite as powerful as you think. The list of countries that require visas for Americans includes some travel hotspots, for example Australia, Brazil, Cuba, and China.

The United States has the 12th-most powerful passport in the world: 157 foreign countries allow U.S. citizens with a passport in without any visa, 43 require you to get one upon arrival, and 45 require or recommend visas ahead of arrival. This, according to PassportIndex.org, puts the U.S. on the third tier of passport power: alongside South Korea, Spain, Denmark, and the U.K., and just behind Sweden, Singapore, and Germany—which have the three most powerful passports.

Countries That Require Visas for Americans:

So, where in the world will you need to have a visa to support your passport?

For short-term travel, there are a few primary ways to acquire a tourist visa. The most common route is simply getting one upon arrival by paying a fee at the airport—this occurs in most visa-requiring places that are popular for travel, and is known as "visa on arrival." Some nations, however, may require you to secure one before your arrival by pre-registering or purchasing a visa online, usually called an <u>Electronic Travel Authorization (eTA)</u> or eVisa, or by applying for one in person at an embassy.

Advance Visa Required or Strongly Recommended:

The following countries require or recommend visas are secured before your arrival. Terms and conditions vary: some may need to be acquired online. Some countries may simply recommend purchasing one beforehand in case the airport is busy—Australia, for example, may offer visas at your departure airport, but it's wise (and may be necessary) to get your eTA beforehand. (Starred nations offer eTA or eVisa, which means you will get electronic approval rather than a physical visa—check their Entry Requirements page on the State Department's website for more details.)

STRON	GLY RECOMN	NENDED
Afghanistan	Eritrea	Pakistan
Algeria	Gabon*	Russia
Angola	Ghana	Saudi Arabia
Australia*	Guinea	Sierra Leone
Azerbaijan*	India*	Somalia
Benin	Iran	South Sudan
Bhutan	Iraq	Sri Lanka
Brazil	Liberia	Sudan
Burundi	Libya	Syria
Cameroon	Mali	Tajikistan*
Chad	Myanmar*	Turkmenistan
China	Nauru	Uzbekistan
Congo	Niger	Venezuela
Cuba	Nigeria	Vietnam
D.R. of Congo	North Korea	Yemen

Visa Upon Arrival:

Here are all the countries that require visas for Americans and offer them upon arrival. Starred nations use eTA or eVisa. Check your destination's Entry Requirements page on the State Department's website for more details, and note that some or all visa rules may not apply if you're entering the country via cruise ship.

Bahrain	Kuwait*	Solomon Islands
Bangladesh	Laos	Suriname
Bolivia	Lebanon	Tanzania
Burkina Faso	Madagascar	Togo
Cambodia*	Malawi	Tonga
Cape Verde	Maldives	Turkey
Comoros	Mauritania	Tuvalı
Djibouti	Mozambique	Uganda
East Timor	Nepal	U. Arab Emirates
Egypt	Oman	Zambia
Ethiopia	Papua New Guinea	Zimbabwe
Gambia	Paraguay	
Guinea-Bissau	Qatar	
Ivory Coast*	Rwanda	
Jordan	Samoa	<u>.</u>
Kenya*	Seychelles	

There is hope, however, that some parts of <u>Southeast Asia could soon be visa-free</u> for American travelers. This list will be updated if that happens.



RETIREMENT

Would not it be great if there was one simple thing you could do to help you better prepare for retirement and make you feel more confident about your prospects for financial security at the same time?

Well, there is: Put your retirement plan in writing.

A recent Schwab report shows that people who have a written retirement plan were 60% more likely to increase their 401(k) contributions and twice as likely to stick to a monthly savings goal than people without such a plan.

Similarly, a Wells Fargo/Gallup survey released earlier this year found that investors who had written down their plans for retirement were almost twice as likely as those who did not to feel they would have enough money to maintain their lifestyle after they retired.

"Putting your plan in writing makes planning for retirement less intimidating" says Joe Ready, head of Wells Fargo Institutional Retirement and Trust. "It helps you see what steps you need to take, which builds confidence and makes it more likely you'll follow through."

Unfortunately, not enough people go to the trouble of putting pen to paper (or, as is more likely the case today, fingers to keyboard). According to the Schwab study, only 24% of Americans say they have a financial plan in writing.

Which is a shame, because it is not as if you must produce a magnum opus to significantly improve your shot at a secure retirement. Indeed, I would say you should be able to reap the benefits of a written plan with a straightforward document that includes these three basic elements:

1. A Target Savings Rate



© Mary Morgan/Getty Images Young man in silhouette taking aim with his bow and arrow at sunset.

This is the cornerstone of any retirement plan, as the amount you stash in 401(k)s, IRAs, and other retirement accounts during your career will have a major impact on how comfortably you will be able to live in retirement.

The amount you should be saving each year depends on, among other things, how much you earn, how much you already have saved, and the age at which you plan to retire. But many pros recommend you shoot for a target of 15% a year, a figure that would include any employer contributions to your accounts. The Boston College Center For Retirement Research's Target Your Retirement tool can help you arrive at a rate that makes sense given your financial situation.

If you cannot hit your target savings rate now, fine. Do the best you can, but make sure your plan includes a specific route to reach your target, say, by increasing your savings rate a percentage point a year or saving a portion of each pay raise you receive.

2. A Long-Term Investing Strategy



© David Ramos—Getty Images

I am not talking about anything complicated here, like moving in and out of stocks and bonds or different market sectors based on Fed policy or technical market indicators. Rather, you just want to set a stock/bond mix that can generate the returns you will need to build a nest egg that will be able to support you throughout retirement yet also provide protection during market setbacks.

One way to arrive at such a mix is to rev up a tool like Vanguard's Investor Questionnaire, which will suggest a mix of stocks and bonds based on your risk tolerance and how long you intend to keep your money invested.

Click on the "other allocation mixes" link, and you will see how your suggested mix as well as other allocation strategies have performed in the past as well as in especially good and bad markets. If you do not feel you are up to creating your own stock/bond allocation, then you might consider investing in a target-date retirement fund or managed account, options that set and manage an asset mix for you.

You might also include a note in this section of your plan to make sure you are not overpaying in fund fees. You can find low-cost funds of all types and styles, including index funds and ETFs, by checking out the MONEY 50, MONEY's list of the 50 best index funds and ETFs.

3. A Regular Monitoring Plan



© StockRocket/Getty Images - Couple working on finances

It is not enough just to have a plan or even set it in motion. You need to make sure it is working and plan if it is not. Which is why your written retirement plan should include a provision for regular monitoring.

I would say annual reviews should suffice, although you may want to do an occasional spot check if the market appears vulnerable to a pullback or has actually sustained a loss of, say, 10% or more.

Among the questions you will want to ask yourself during these periodic reviews:

- 1. Are you hitting your savings target or making acceptable progress toward it?
- 2. Can you afford to raise that target?
- 3. Have stock gains or losses thrown your portfolio's allocation out of whack?
- 4. Do you need to rebalance to bring your portfolio back in line?
- 5. Do you need to change your asset mix as you draw closer to retirement?

You might also review your holdings to make sure that over time you have not larded up your portfolio with new funds or ETFs that may have seemed like a good idea at the time, but do not really fit into your long-term strategy.

The most important part of your regular monitoring exercise; however, is to confirm that you are making adequate progress toward a secure retirement. You can do that by going to a retirement tool like T. Rowe Price's Retirement Income Calculator, which you will find in RealDealRetirement's Tools & Calculators section.

You plug in such information as your retirement account balances, how much you are saving each year, how your money is apportioned between stocks and bonds, when you expect to retire, and how much income you will need, and the calculator estimates the probability that you will be able to retire on schedule. If your chances are uncomfortably low — or, worse yet, trending downward from year to year — you can then see how making changes like saving more, investing differently, or staying on the job a few more years might improve your outlook.

None of this is to say that a written plan is some sort of a silver bullet. It is not; you will still have to do the actual saving and investing.

But by putting in writing the steps you will need to take and then monitoring your progress and adjusting as you go along, you will be much less likely to find yourself on the threshold of the date you hoped to retire, but woefully unprepared to do so.

Walter Updegrave is the editor of RealDealRetirement.com. If you have a question on retirement or investing that you would like Walter to answer online, send it to him at walter@realdealretirement.com. FollowWalter on Twitter at @RealDealRetire.

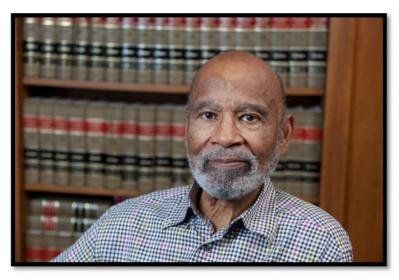
More from RealDealRetirement.com: How A Roth IRA Can Jump Start Your Retirement Plan.

P.S. This article was originally published on Money.com, http://time.com/money/4860595/how-to-retire-wealthy/.



MISCELLANEOUS

Near Retirement, Judge Thelton Henderson Chafes at 'So-Called Judge' Label



U.S. District Judge Thelton Henderson, Northern District of California. (Photo: Jason Doiy)

San Francisco — U.S. District Judge Thelton Henderson says his last "official" day on the bench will be Friday, August 11, 2017.

"I say it that way because I've got 37 years of things," Henderson said during a recent interview in his chambers. "You can see them around—pictures, awards, books, collections of things—and I suspect if I don't have them out by August 11, they're not going to evict me."

Such are the luxuries of "living legend" status.

Prior to being appointed to the federal bench by President Jimmy Carter in 1980, Henderson was the first black lawyer to work for the U.S. Department of Justice on voting rights issue in the Deep South during the Civil Rights Movement. Henderson also helped lead Stanford Law School's effort to recruit and retain a more diverse student body. On the bench, he has handled landmark cases on prisoner rights, police oversight, affirmative action, and a host of other issues

Henderson discusses why he decided to leave the bench and the "slight pause and regret" he has about leaving at this political moment. A more extensive transcript of the interview is set to run on The Recorder's website on Henderson's last day.

##

For recent court updates, please visit our website at http://www.sflpa.org.

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SAN FRANCISCO LEGAL PROFESSIONALS ASSOCIATION CHAPTER ACHIEVEMENTS

(Please submit this form each month.)

Month: August 2017

Your Name:	Position held, if any:
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	Category - Description	
1.	ATTENDANCE - LSI Conference (Circle all that apply)	
	Quarterly Annual	
2.	BENEFITS - Belong through <i>LSI</i> sponsored (<i>Circle all that apply</i>)	
	Credit Union	
	Insurance	
	Hertz	
	Retirement Plans	
3.	CALIFORNIA CERTIFIED LEGAL SECRETARY (CCLS) (Circle all that apply)	
	Participated in a CCLS Study Group	
	Participated in a CCLS Mini Mock Exam	
	Took CCLS Exam	
	Passed CCLS Exam	
	Submitted questions to Continuing Education Council	
	Recertification	
4.	COMMUNITY/CHARITABLE PROJECTS (Circle all that apply)	
	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



San Francisco Legal Professionals Association

August 22, 2017 Brown Bag Presentation

INSURING YOUR OWN JOB SECURITY

Tuesday, August 22, 2017
12:30 – 1:30 p.m.
Coblentz Patch Duffy & Bass LLP
One Montgomery Tower (Enter through 120 Kearney St.), Suite 3000,
San Francisco, CA 94104

Topic: Insuring your own job security

With the new political climate, emerging technologies, and artificial intelligence automating lots of basic job functions in the legal industry, people want to know to increase job stability. This workshop will focus on how to become an indispensable employee, anticipate new trends, how to obtain the necessary training and resources in order to succeed in these trends, and how to develop and strong professional network that you can leverage for future opportunities either inside or outside your current job.

RSVP to: Francie Skaggs – francieskaggs@gmail.com - by: Friday, August 18, 2017

One Hour MCLE Credit &CCLS Continuous Education Certificates Available. This event is open to anyone in the legal industry. Feel free to share with your colleagues and friends. Attendees are encouraged to bring your lunch and enjoy the presentation.



About the Speaker:

Kevin L. Nichols is the Founder, President & CEO of The Social Engineering Project, Inc., an Oakland based, Google and Microsoft funded social impact venture with Stanford University designed to address the lack of diversity in the tech industry. Kevin is also the founder of two professional networking LinkedIn groups in the Bay Area with roughly 8,000 members combined, that meet regularly to identify business goals and objectives and facilitate referrals to achieve same. He organizes monthly and quarterly events to bring the Bay Area business community together and creates career-networking opportunities for those

who encounters. Mr. Nichols's social networking prowess and capabilities have been featured on LinkedIn's Hall of Fame, Yahoo's Blog, in the Examiner, CNN Money, MarketWatch and the Wall Street Journal. Millions saw Kevin for 2 years when they logged into LinkedIn's Homepage. For more information, please visit http://bit.ly/KLNport.

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.

San Francisco Legal Professionals Association

proudly presents its first annual Membership Drive event

Please join us in celebrating our

Open John Control of the Control of

Wednesday, September 13 Anytime between 6–8 p.m.

- DOOR PRIZES REFRESHMENTS
 - INFORMATIONAL BOOTHS +
 - LIVE PRESENTATIONS •
- KIOSKS FOR MAKE-UP TIPS AND NAIL TOUCH-UPS +
 - GIFT BAGS FOR ALL ATTENDEES +

Come learn what we are all about and what we have to offer to the Legal Secretaries of San Francisco

Sheppard Mullin Richter & Hampton LLP 4 Embarcadero Center, Suite 1700 San Francisco, California 94111

Special thanks to:

Sheppard Mullin • Legal Secretaries Incorporated Sephora • Pretty Nails

Support MDLPA and Purchase Your Tickets to the OAKLAND ATHLETIC's Game



Mt. Diablo Legal Professionals Association will be selling Oakland A's baseball tickets to <u>Saturday</u>, <u>September 23</u>, <u>2017</u> game vs. Texas Rangers. Game time is at 6:05 p.m.

WE HAVE ONLY SEVEN (7) TICKETS left! Please RSVP to Natalie Chop, CCLS at nchop@bpbsllp.com or call/text her at 925-984-5418 to grab these last few tickets.

Tickets are <u>only \$20 per person</u>, which includes awesome seats for the game/fireworks show AND \$6 credit at food/drink concessions. WHAT A DEAL!

***Money for ticket(s) (via check made payable to MDLPA) should be sent to Natalie Chop, 1334 Louisiana Drive, Concord, CA 94521. Deadline for payment is August 31, 2017.

Thank you for your support of our Association!





San Francisco Legal Professionals Association

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

MEMBERS QUARTERLY DINNER MEETING

(NON-MEMBERS WELCOME)

Date: Tuesday, October 17, 2017

Time: 5:30 to 7:30 p.m.

Place: Ogletree, Deakins, Nash, Smoak & Stewart

One Market Plaza, Suite 1300, San Francisco

Speaker: Michael Thomas, Esq., Associate at Ogletree

Topic: "Laws Impacting Diversity and Inclusion"

Dinner Menu: Bucca di Beppo, dessert, soft drinks, coffee, beer and wine.

Cost: \$25.00 for Members / \$30.00 for Non-Members

You can also pre-pay using Venmo, by mail (to the address above) or bring a check/cash with you to the meeting.

Please RSVP: By Friday, October 13, 2017 to sflpa.event.reservations@gmail.com

<u>PLEASE NOTE: 24-hr cancellation required to avoid being charged for meals. No-shows will be</u> charged for their meal.

1/2 Hour MCLE & CCLS Continuous Education Certificates Available

About Our Guest Speaker

Michael Thomas – Mr. Thomas' practice focuses on representation of employers in wage and hour class actions and PAGA claims. Michael also advises and defends employers on all aspects of labor and employment matters, including wrongful termination, discrimination, and whistleblower retaliation. Michael also represents employers in traditional labor law matters. He advises and represents employers before the National Labor Relations Board, including in unfair labor practices and representation hearings. In addition, he represents employers in discharge and contract interpretation arbitrations. Michael also speaks regularly on issues of diversity and unconscious bias.

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



California Certified Legal Secretary A Program of LSI®



APPLICATION TO TAKE CCLS® EXAM

April K. Ignaitis, CCLS, CC	•		.O. Box 2879. Cuper		015
(Select one)			ect one)		
Northern 0	California	Sat	urday, Septembe	er 16, 201	7
	California	Sat Sat	urday, March 17,	2018	
 <u>Deadline</u>: Applications must be rece <u>Late Application</u>: Late Fees apply 				s than 30 days	prior
to the examination date, and accepte	ed only if space is	available.			pho
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			Payment link will be payment l		
LSI Members			Non-LSI Members		
On Time Registration Fee	\$ 25.00	On Tim	ne Registration Fee	\$ 75.00	
Examination Fee*	100.00	1 -1-	Examination Fee*	100.00	
Late Fee (if applicable) TOTAL DUE w/o Late Fee:	30.00 \$125.00		Fee (if applicable) DUE w/o Late Fee:	30.00 \$175.00	
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Name:					-
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LSI Member: Yes (en	close copy or	f LSI Membe	ership Card)	No	* # # *
Name of Local LSI Associat	ion:				_
	Employm	ent Informa	ation		
Provide your legal secretarial employr order to confirm that you have at least your current position for two years.					
Position:		Dates of Em	ployment:		_
Employer:					
(name and address)					
Supervisor:		Supervisor's	Phone:		—
		Supervisor's	s Email:		—
Summary of Duties:					
I certify that I have completed this appli this application or revocation of my cer confidential and not to be discussed wi California Certified Legal Secretary Cer	tification. I unders th anyone, and tha	stand and agree t	hat the contents of the exami	nation are	of
Date:					_
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*Fees subject to change without notic Rev. February 2017	e.				

HEARSAY August 2017 36



LEGAL PROFESSIONAL'S HANDBOOK

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

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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: drforgeur@stoel.com

LEGAL SPECIALIZATION SECTIONS 2017-2018 Membership Form

MAY 1, 2017 - APRIL 30, 2018

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. The Legal Specialization Sections (through LSI) offer continuing legal education credit for California Certified Legal Secretaries and MCLE for paralegals and attorneys.

JOIN OR RENEW AT WWW.LSI.ORG

PAY VIA CREDIT CARD OR PAYPAL

SECTIONS

(circle which sections you are joining)

- Civil Litigation
- · Criminal/Family Law
- Federal Law
- Law Office Administration
- Probate/Estate Planning
- · Transactional Law

LSI Member Rates:

Individual Section: \$20

All Six Sections: \$75

Non-LSI Member Rates:

Individual Section: \$40

All Six Sections: \$150

Dawn R. Forgeur, CCLS LSS Coordinator

c/o Stoel Rives LLP 500 Capitol Mall, Ste. 1600 Sacramento, CA 95814

E-mail: dawn.forgeur@stoel.com www.lsi.org

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

Jame:	
mail Address:	
SI Member, Local Association/MAL:	
egal Specialty(ies):	
Counties/Courts:	

Newsletters are emailed to members, if you would like to opt out, please email the LSS Coordinator.



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 read the definition of an Active Membership given on the reverse side of this application. If you have any questions regarding your application for Active Membership, please ask your sponsor or any of the officers of this Association as listed on our website at www.sflpa.gov

Please fill out this application, sign it and submit it to your sponsor along with a check for \$55.00 made payable to SFLPA.¹ This payment covers a one-time initiation fee and your first year² of annual membership dues for Legal Secretaries, Incorporated (LSI).³ A copy of this completed form is your receipt for your annual dues. Upon becoming a member, this information will be included in the Membership Roster which is shared with current members only. You will receive a membership card for the current fiscal year by U.S. Mail.

PERSONAL:	BUSINESS:				
NAME:	Your Title:				
Hm Address:	Employer:				
City ST Zip:	Address:				
Hm Ph:Cell:	City ST Zip:				
Email:	Email:				
[Note: Your contact information will not be distributed	Wk Ph: Hov	v long?			
outside SFLPA or LSI without your consent.]	Contact Preference:	☐ Busine	SS		
SPONSORSHIP:	FORMER EMPLOYMENT				
Sponsor's Name:	Former Employer:				
How did you find out about SFLPA?	City, State:				
V	How long?				
Why do you want to join SFLPA?	Total Experience: Legal		n:		
	Areas of Practice:				
Have you ever been a member of this Association or any others in the past? If so, when?					
	Have you completed or are you curr	ently enrolled	in an SFLPA		
	Civil Litigation course? ☐ Yes	□ No			
List at least one SFLPA-Sponsored function that you attended as	1.	Mo	Yr:		
your pre-requisite for membership and include date(s):	2.				

MEMBERSHIP OATH - BY SIGNING BELOW YOU DECLARE THAT THE INFORMATION ABOVE IS ACCURATE AND YOU SWEAR AS FOLLOWS:

(CONTINUED NEXT PAGE)

Revised 05/2017 Page **1** of **2**

Payment can also be made by U.S. mail to the post office box listed above or by using an app called Venmo

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.

IF I AM ACCEPTED AS A MEMBER, I AGREE TO BE BOUND BY THE BYLAWS AND STANDING RULES OF LEGAL SECRETARIES, INCORPORATED AND THE SAN FRANCISCO LEGAL PROFESSIONALS ASSOCIATION TO WHICH I AM APPLYING FOR MEMBERSHIP, INCLUDING THE FOLLOWING CODE OF ETHICS: "IT SHALL BE THE DUTY OF EACH MEMBER OF LEGAL SECRETARIES, INCORPORATED TO OBSERVE ALL LAWS, RULES AND REGULATIONS NOW OR HEREAFTER IN EFFECT RELATING TO CONFIDENTIALITY AND PRIVILEGED COMMUNICATION, ACTING WITH LOYALTY, INTEGRITY, COMPETENCE AND DIPLOMACY, IN ACCORDANCE WITH THE HIGHEST STANDARDS OF PROFESSIONAL CONDUCT."

APPLICANT'S SIGNATURE:	DATED:				
To be completed by an SFLPA Officer:					
Approved by Board on:	Initials:	Initiation Date:			

An **Active Member** shall be a person who is licensed to practice law in this state, or who has been actively engaged for a period of not less than one year in any one, or a combination, of the following-named occupations: secretary (whether staff, freelance, or employed fulltime by an employment agency regularly employed to provide legal secretarial support or law office support staff), legal assistant, office administrator, stenographer, typist, clerk or reporter in any law office or court, or in work of a legal nature in a trust department of a bank or trust company, any business which provides legal support services, including legal placement, copying or document processing, process serving, or, the legal department of any public or private institutions, including governmental offices.

Active membership in this Association for a period of not less than one (1) year shall entitle an individual who is no longer engaged in work of a legal nature to continue as such member with all rights, privileges and obligations of an active member except eligibility for elective office.

Application for Active Membership. An application for active membership may be presented to the Membership Chair only after a prospective member has attended one function of this Association, or a seminar or workshop presented by LSI or the Bay Area Legal Forum. The application shall be presented in writing on the form prescribed by Legal Secretaries Incorporated (LSI) and endorsed by a member in good standing. Such application shall be accompanied by the first year's dues, this Association's current initiation fee, the current initiation fee of LSI, if any, and satisfactory proof that the applicant is currently employed in an occupation described in Section 1(A) of this Article II. Membership is contingent upon approval by a majority vote of the members of the Board of Directors present at the meeting at which such application is considered.

Revised 05/2017 Page **2** of **2**



San Francisco Legal Professionals Association

MEMBERSHIP RENEWAL FORM For The Fiscal Year of May 1st Through April 30th

IT'S THAT TIME AGAIN! Please fill out the renewal form below and mail a hard copy along with your check for \$45.00 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 \$5.00 late fee 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 www.sflpa.org.
- 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: □ CCLS □ PLS □ CLA
Where do you prefer Where do you prefer	The second secon		□ Home □ Home			Nork Nork
Please indicate your and Active \$45.00	type of membe		☐ Life	\$500.0	0	☐ Honorary (Board Approved)
DATE SUBMITTED:			AMOUNT EN	CLOSE	D:	\$
E-Mail Addresses:	(Office)			(Home -	opt	ional)
			BUSINESS			
Employer:					Titl	le:
Areas of Practice:						
Office Address:						
City:		State	e:			ZIP Code:
Phone:		Is this info	rmation diffe	erent f	ron	n last year? 🔲 Yes 🔲 No
PERSONAL						
Home Address or P.O. Box:						
City:		State:				ZIP Code:
Telephone Numbers		Home:				Cell:
Is this information different from last year? Yes No						
OTHER						
Would you consider becoming a committee member? ☐ Yes ☐ No						
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 preference. 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 www.sflpa.org. Thank you for your continued support as a member of the San Francisco Legal Professionals Association.

Revised 01/2015



CHANGE OF ADDRESS FORM

Member Name					
New Address	City			State	Zip
New Home Telephone		New Office	Telepho	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		□ Criminal □ Family □ Law Offic □ Litigation □ Real Estat □ Other (Spe	e ecify):		

Please submit to:

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.

*NEW BENEFIT: LEGALSHIELD/IDSHIELD

Contact: Courtney Coats, Independent Associate (925) 580-6446; coats8@legalshieldassociate.com
LegalShield offers legal, identity theft protection, along with a massive Perks Program where you will have significant savings to over 500 local and national companies.

QUESTIONS AND CONCERNS CONTACT:

Heather Edwards, LSI Vice President LSI Marketing Committee Coordinator (818) 482-7040 heatheredwardslsi@aol.com

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Discount on event tickets, movie tickets,
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All LSI members are eligible to join.

Revised 03/2017

SAN FRANCISCO FESTIVALS AND EVENTS 2017

AUGUST 5-6

Nihonmachi Street Fair

Japantown and Japan Center, 415-771-9861

www.nihonmachistreetfair.org

A celebration of the Asian and Pacific communities in the Bay Area, with an emphasis on the nonprofit organizations that provide vital services. Live musical and cultural performances, Asian artisans, food, information tables, exhibits, and Children's World.

AUGUST 6

Jerry Day

Jerry Garcia Amphitheater, 40 John F. Shelley Dr., 415-272-2012

www.jerryday.org

The Excelsior District celebrates native son and Grateful Dead leader Jerry Garcia with an outdoor concert and family fun.

AUGUST 11-13

San Francisco's Outside Lands Music & Arts Festival

Golden Gate Park

www.sfoutsidelands.com

This huge event in Golden Gate Park has upped the ante on music festivals going green and "leveraged San Francisco's food, wine, technology and activism cultures,' according to Rolling Stone, "for a one-of-a-kind world-class experience."

AUGUST 17

Noe Valley Wine Walk

24th Street from Diamond to Chattanooga, 800-310-6563

www.sresproductions.com

The tasting event will include merchants offering wine samples and special treats inside their stores throughout 24th Street from Diamond to Chattanooga and on Castro Street.

AUGUST 24-27

Eat Drink SF

Fort Mason Center

www.eatdrink-sf.com

Chefs, wine and spirits are celebrated in this interactive urban food and wine festival featuring local talent and regional ingredients in a series of tastings, classes, dinners and events.

AUGUST 27

The Giant Race

AT&T Park, 415-972-1881

www.thegiantrace.com

The Giant Race features a half marathon, 10K, and 5K distances, that all lead through San Francisco's historic streets and finish on the field at AT&T Park – home of the San Francisco Giants. Families can participate in the Kids Race and Family Relay.

AUGUST-NOVEMBER

AfroSolo Arts Festival

Various venues, 415-771-AFRO (2376)

www.afrosolo.org

The 23nd annual event features celebrity and emerging African American artists in various performances such as a jazz concert, visual art exhibit, solo performances, a youth performance extravaganza and more.

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FIRST CLASS MAIL

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