

Hearsay

"We Are Each Valuable, But Together Invaluable"

San Francisco Legal Professionals Association



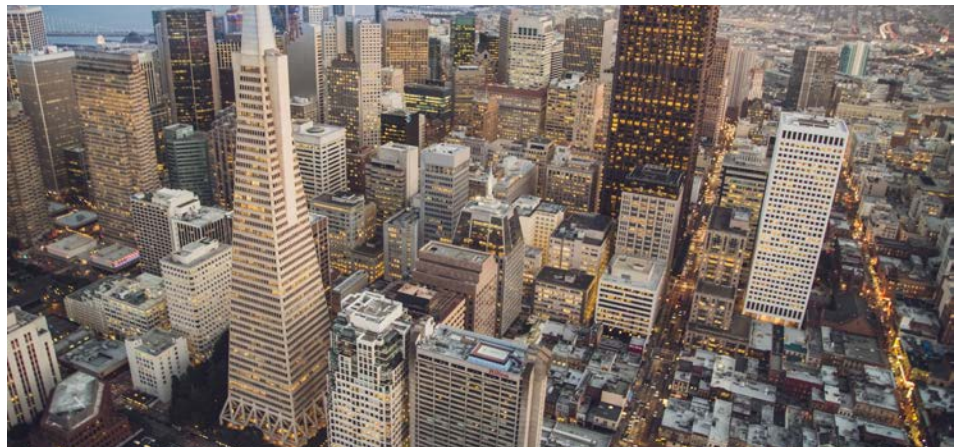
PO Box 2582, San Francisco, CA 94126
www.SFLPA.org

In This Issue...

Feature Article: Taking Care of Yourself

Law Firm Landscape: Will it Change?

Working Remotely: Member's Home Workspaces



Farewell to 2020!! What Will 2021 Bring?

By Larry McGrew

2020 must go down in the books as one of the worst years in modern history. Although there have been some good things that have happened towards the end, how will it affect the New Year?

Positive things are on the horizon. Most of us imagined that 2021 could only get better. Although many thought we would carry most of the bad aspects of 2020 over, things are starting to look as though we may be heading out of the fog of what we called a grim year.

With a new administration that has ties to California and a vaccine being deployed, it is time that we start looking forward to something good as we hope that this pandemic and dark cloud over the world will lift. Many good things are on the horizon for us within the SFLPA and we look forward to what this new year will bring. Happy New Year!

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Cover Photo: Financial District San Francisco

Photo Above: Downtown San Francisco Skyline from East Bay



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San Francisco Legal Professionals Association 2020-2021 Elected Officers



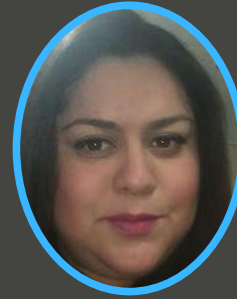
Frances Skaggs
President



Jenny Ha
Vice President



Kristen Craig-Reed
Secretary



Sally Mendez
Treasurer



Christine Flores, CBA
Governor

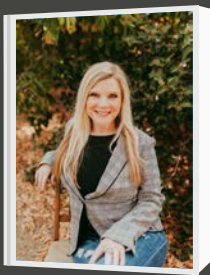
Appointed Officers, Chairs & Committee Members

Executive Advisor: May Sene - executiveadvisor@sflpa.org
Parliamentarian: Christine Flores, CBA - governor@sflpa.org
CCLS Program: Melissa Dallas, CCLS & Lorri Nicollini - ccls@sflpa.org
Chapter Achievement: Christine Flores, CBA - governor@sflpa.org
Education: Frances Skaggs, Chair & Lillian Wong - education@sflpa.org
Hearsay Editors: Kate Cochran & Larry McGrew, Co-Chairs - editor@sflpa.org
Interclub: Lillian Wong, Chair - interclub@sflpa.org
Legal Procedure: Larry McGrew, Chair - legalprocedure@sflpa.org
Membership: Jenny Ha, Chair - membership@sflpa.org
Professional Liaison/Day-in-Court: Lillian Wong, Chair - dayincourt@sflpa.org
Program: Terralyn Graff, Chair - program@sflpa.org
Ways & Means: Lillian Wong, Chair & May Sene
Website: Kristen Craig-Reed, Chair - secretary@sflpa.org

Open Positions:

Career Promotions & Scholarship, Employment, Historian, Public Relations, and
Bay Area Legal Forum





PRESIDENT'S MESSAGE

FRANCIE SKAGGS

Dear Valuable Members:

The year 2020 was like no other year, but together, we made it and here we are. We have new words in our vocabulary like “SIP,” “WFH,” “Rona,” and “Hybrid Meetings.” The legal industry proved to be an essential business. There may have been a little pause in March and April, but changes were implemented that allowed us to continue working while maintaining social distancing guidelines. Some of these changes, initially a temporary solution, have now become permanent procedures in our legal environment.

The pandemic did not stop the SFLPA Brown Bags. Instead, we used Zoom as a platform. Fortunately, SFLPA has amazing members and Board members that helped us learn about Zoom, such as Larry McGrew, Kristen Craig-Reed, and Brook Braunschweig. Ultimately, we found out that there were many benefits to this new platform. No longer did our members have to leave a busy desk and run down to One Montgomery Tower during their lunch break and hurry back to their offices. No longer did the location of a member’s office present an obstacle, whether it was located at Spear Tower, Embarcadero Center, or the Ferry Building. The location did not prevent anyone from participating.

For a few months, our Brown Bags educated us on ways to help us work through the pandemic, including a presentation on Zoom and several on remote depositions. Though remote depositions had been an option, now they were mandatory for social distancing guidelines. To take care of our mental health, Dr. Eileen O’Grady discussed ways to take care of ourselves during this time and how healing nature can be. Thank you to all our presenters who were there for us, helping our association persevere.

Other changes came about with Emergency Rule 12(b), which allows us to now serve documents by email. Now a new Senate Bill has allowed us to continue serving by electronic mail indefinitely.

I could not have gotten through this time without the support of one of the best boards. Our board members have endured so much, which is what makes them superheroes. The strength of this board is what helped us survive. We are here for our members and we will continue to be here to take on 2021.

It’s a new year and we have some exciting upcoming events for San Francisco Legal Professionals Association. What will be in store for us? We already have our January and February Brown Bags ready with topics such as Foreign Defendants and White Collar Crimes with Marc Siegel and Immigration Law with Lucy Fong Lee. A special thank you to Lillian Wong for helping with these speakers.

Let’s have a fabulous 2021 together!



VICE PRESIDENT'S MESSAGE

JENNY HA

Hello everyone,

Happy New Year! We've made it past 2020! I hope you all had a restful and peaceful holiday season.

Now that a new year has begun, I look forward to the events and opportunities that SFLPA will provide you in 2021. I would like to thank all my fellow SFLPA board members for quickly adjusting to shelter-in-place, and planning and executing so many great Zoom events without missing a beat.

I am pleased to report that we have slowly been gaining new members even during shelter-in-place. Welcome to all our new members, and thank you to those of you who introduced them to us!

Please be on the lookout for an upcoming membership event. The details are to be determined, but it will be a great chance for everyone to mingle, share some laughs, and bring in new friends and colleagues who would benefit from being a part of SFLPA.

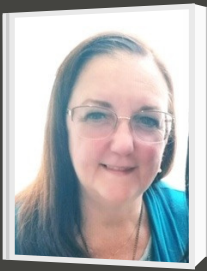
Thank you for continuing to participate in our association! I highly encourage you to continue attending events when you can. I know that between work, family, and other responsibilities you have in your life, it can be hard to make time. I think it is important to our mental health to have a fun outlet which is not tied to our other commitments, and to feel connected to a community of supportive colleagues.

If you have any questions or comments, please feel free to reach out to me, or any other board member. If you have any ideas on new events, or are interested in being more active, do let us know - it is nomination season after all!

Welcome back to a new year with SFLPA. See you on Zoom soon, take care, and cheers to a new beginning!

Invite a friend or colleague to join the SFLPA. Membership information is contained on page 45 or simply visit our website at www.sflpa.org - select the Membership Tab.





GOVERNOR'S MESSAGE

CHRISTINE FLORES, CBA

The November 2020 Quarterly Hybrid Conference Board of Governors Meeting was held on November 21, 2020, at the Stockton Hilton, and was hosted by Legal Professionals, Incorporated. Most of the attendees participated in the Conference virtually. The Executive Committee, a limited number of Governors, and other participants were present at the meeting. I was able to attend the meeting in person.

For those who might wonder about the safety of doing so, the Hilton Hotel did a fabulous job of assuring that we were physically distanced from each other, and they have implemented appropriate sanitation protocols throughout the building. The room was equipped with two very large screens which were visible to those in the room. Each Governor had a six-foot table to sit at. Francie Skaggs, Jenny Ha, May Sene, Larry McGrew, Lillian Wong, and Sally Mendez attended virtually.

The meeting was called to order at 9:00 a.m. by President Lynne Prescott, CCLS. LPI Honorary Member Don Lee led the Pledge of Allegiance. The Code of Ethics dedicated to the memory of LPI Past President Joan M. Moore, PLS, CCLS was read by Leisel Hart, Governor of Stockton-San Joaquin County LPA. President Lynne then introduced Past Presidents and others who were attending the meeting. Executive Secretary Donna Day called roll. There were 22 Governors present, which constitutes a quorum.

The Minutes of the August 2020 Pre-Annual Hybrid Conference Board of Governors Meeting were approved as distributed. The Minutes of the August 2020 Post-Annual Hybrid Conference Board of Governors Meeting were also approved as distributed. The business meeting continued with the reading of the Executive Committee Resume and the reports of the Elected Officers. The reports are available on the LPI website or you may request a copy from me, and I will email it to you.

During the lunch break, there was a Governor's Luncheon – with attendees in the room and virtually via Zoom. There was also an Open Luncheon for all members, which was also a hybrid luncheon. These luncheons are an opportunity to exchange ideas with members from other local associations, and the time spent is usually beneficial to all who attend.

At the conclusion of the luncheons, the Board of Governors Meeting was called to order. Roll was called and 24 Governors were present, constituting a quorum. The reports of the officers were completed.

Governor's Message Cont'd.

The Continuing Education Council presented an educational program, “A Conversation With An Administrative Law Judge.” The very informative speaker was Wim van Rooyen, Administrative Law Judge with the Office of Administrative Hearings, State of California. It was interesting to hear what the Office of Administrative Hearings does and to learn the differences between this agency and civil courts.

Following the educational program, the meeting concluded with announcements. 2021 Annual Conference Chair Corene Rodder announced that the Annual Conference will be held May 20-23, 2021, and is scheduled to be an in-person conference. Everyone in the room agreed that this is something to look forward to! Sacramento is an easy drive from the Bay Area and is an easy Amtrak ride for those who prefer not to drive. Here's hoping we have a good representation from SFLPA at this Conference!

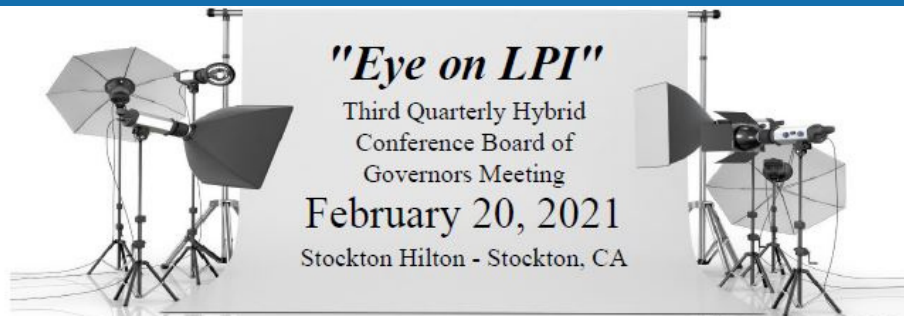
San Diego LSA announced that they would be holding their membership meeting on November 22, which featured a speaker from Free to Drive – an organization devoted to human trafficking survivors. This was a very informative meeting and I was happy to have the opportunity to attend. Several associations announced their plans for a Holiday Party. While I miss the in-person meetings, it has been nice to drop in virtually to those associations that are a little farther away.

President Lynne Prescott, CCLS then awarded a scrip ticket to the February 2021 Quarterly Hybrid Conference Board of Governors Meeting to the following associations: Long Beach LPA, Santa Maria LPA, Rio Hondo District LPA, and Sacramento LSA.

The meeting was thereafter adjourned.

The next conference will be the February 2021 Quarterly Hybrid Conference Board of Governors Meeting to be held on February 20, 2021, at the Stockton Hilton, and will be hosted by Legal Professionals, Incorporated. Mark your calendars now to attend. Logging in to Zoom will give you the opportunity to see how LPI works with the local associations. Remember, the Governor is your voice to LPI. I vote as per the will of the membership. If you ever have a question regarding LPI and its relationship to SFLPA, please do not hesitate to ask.

ATTEND FEB. 2021 LPI CONFERENCE



CONFERENCE REGISTRATION FORM

Name (on badge): _____

Mailing Address: _____

Home Telephone: _____ Work Telephone: _____

E-mail Address: _____

Local Association (full name): _____ ☐ LSA ☐ LPA

Please check if applicable (include title): ☐ State Officer _____

☐ State Chairman _____ ☐ Local Assoc. President

☐ Governor ☐ CCLS

~~~~~

Attendance Choice: ☐ In-Person (\$35) ☐ Virtual (\$35) \$ \_\_\_\_\_

OPTIONAL: Luncheon – Boxed Lunch\* \_\_\_\_\_ @ \$22 each \$ \_\_\_\_\_

*\*Includes Sandwich, Pasta/Potato Salad, Dessert & Drink*

☐ Turkey Sandwich ☐ Ham Sandwich ☐ Veggie Sandwich

Special Dietary Requests: \_\_\_\_\_

**To Register, Go To:** [www.legalprofessionalsinc.org/events](http://www.legalprofessionalsinc.org/events)

I will attend the following luncheon:

|                  |                 |                 |
|------------------|-----------------|-----------------|
| ____ Governor's  | [Virtually ____ | In Person ____] |
| ____ President's | [Virtually ____ | In Person ____] |
| ____ Open        | [Virtually ____ | In Person ____] |

FOR INFORMATION, PLEASE CONTACT: Kim Oreno at (916) 239-4089 or [Kim@legalprofessionalsinc.org](mailto:Kim@legalprofessionalsinc.org)

**REGISTRATION DEADLINE: FEBRUARY 18 AT 5 PM**

**NO REFUNDS AFTER FEBRUARY 10, 2021**



## *"Eye on LPI"*

Third Quarterly Hybrid  
Conference Board of  
Governors Meeting

February 20, 2021

Stockton Hilton - Stockton, CA



## HOTEL INFORMATION



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**Stockton, California 95207**

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- Free Parking
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(Approx. 50 Miles)
- No Airport Shuttle Service Available
- Check In: 3:00 PM
- Check Out: 12:00 Noon

Room Rate: \$139/night (Single/Double)

Deadline: February 1, 2021

Group Code: Legal Professionals, Inc.

Please book online at: [https://www.hilton.com/en/hotels/scksthf-hilton-stockton/?SEO\\_id=GMB-HF-SCKSTHF](https://www.hilton.com/en/hotels/scksthf-hilton-stockton/?SEO_id=GMB-HF-SCKSTHF)

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For Conference Information, Contact: Kim Oreno

(916) 239-4089 | [Kim@legalprofessionalsinc.org](mailto:Kim@legalprofessionalsinc.org)



# MEMBERSHIP

Established in 1934, Legal Professionals Inc., also known as “LPI,” is a nonprofit, mutual benefit corporation organized for the purposes of providing educational, professional, and personal development programs to its members.

Membership is open to anyone within the legal profession. In addition to legal support professionals, the membership includes court clerks, court reporters, paralegals, legal assistants, legal administrators, banking/trust department personnel, legal support vendors, and attorneys.

Local associations, located throughout the state, offer monthly educational and professional programs. Many sponsor lunchtime learning, evening, and weekend long-term educational workshops.

## Advantages of LPI Membership:

- Continuing education and professional development
- Local association educational meetings
- Networking with other legal professionals
- *The Legal Secretary* magazine (published quarterly)
- Benefits available to members on an individual basis:
  - Discounts on LPI’s Rutter Group publications
  - Financial consulting
  - Disability income plan
  - Long-term care plan
  - Medical plan
  - Credit union memberships
  - Rental car discounts

## LPI Conferences:

Conferences are held May, August, November, and February at various locations throughout California. Continuing educational seminars and workshops are offered at each conference, conducted by respected attorneys, judges, and educators. Updated materials are provided for each workshop.

## Membership-At-Large:

There are over thirty associations within the State of California. Legal professionals may join LPI as a Member-at-Large if a local association is not within a reasonable distance. Members-at-Large are eligible for all of the benefits of membership, but joining LPI through a local association provides instant access to the benefits of the local association as well as LPI.

## LPI Publications:

*Legal Professional’s Handbook* – This best-selling, two-volume publication sets out procedures and forms in most areas of law in a clear, concise manner.

*Law Office Procedures Manual* – This publication, an excellent training tool, contains completed Judicial Council forms, procedural guidelines and a glossary formulated for legal procedure.

*Legal Secretary’s Reference Guide* – The essential, handy desk reference guide for busy legal professionals.

*The Legal Secretary* – This quarterly magazine, published by LPI and distributed to all members, contains educational and professional development articles from LPI officers, chairmen, members, and guests.

## LPI Programs:

California Certified Legal Secretary – Become more valuable in your office, maintain and increase your skills, gain more confidence, earn more respect, and achieve greater financial security by achieving certification through the CCLS program. Online study courses are offered.

Legal Specialization Sections – Further your legal education by joining one or all of the Legal Specialization Sections: Civil Litigation, Criminal/Family Law, Law Office Administration, Probate/Estate Planning, Federal Law, and Specialty Law. Classes are offered free to members at each LPI conference, as well as online. Members receive a statewide roster of counterparts and quarterly newsletters.

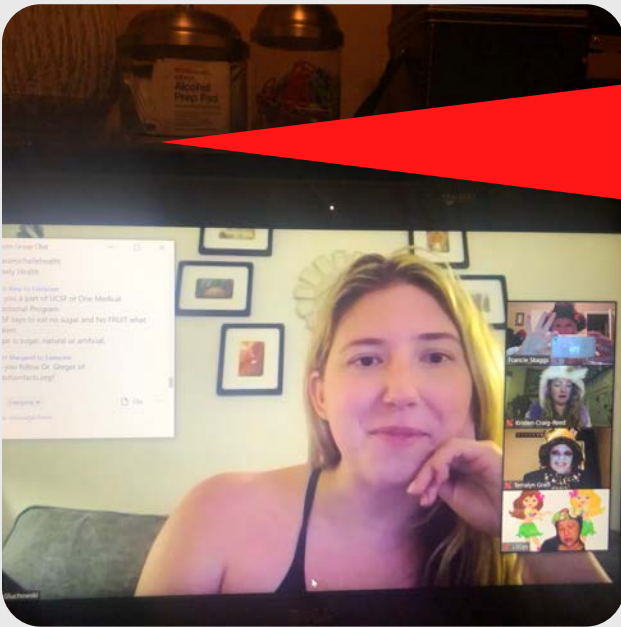
Legal Secretary Training – Online classes are offered, including Beginning Legal Secretary and Advanced Discovery. Classes are work-at-your-own-pace, and are designed for legal staff at all levels.

**For more information about membership or an association near you, contact LPI’s Corporate Office: Kim Oreno, [kim@legalprofessionalsinc.org](mailto:kim@legalprofessionalsinc.org); [www.legalprofessionalsinc.org](http://www.legalprofessionalsinc.org). Find us on Facebook, Instagram, LinkedIn & Twitter!**

Take a step in the right direction. Advance your legal career, improve your professional and personal skills.  
**BECOME A MEMBER OF LPI TODAY.**

*What have we been up to?*

## Recent Events & Fundraisers



Amy Gluchowski hosts a virtual wellness program for our members.

### October Fitness Challenge

**By Terralyn Graff**

What a year, huh? So many new things we all have faced and tackled together as we have navigated through the unknown. During our Zoom “Spa Date,” I heard so many folks talk about how since the pandemic, they are not moving as much as they used to and many of us gained what we are now calling the “COVID 15.” I heard you and wanted to put something together where we could all encourage and motivate one another. I put out a calendar of daily exercises, goals for water intake, and for the real brave ones, no alcohol consumption! With the help of our fabulous members, I also sent out some yummy recipe ideas.

We had weekly winners of the daily challenges. They all received a time tracker water bottle and gift card. We focused the whole month around fitness. Not only did we have a personal trainer, Amy Gluchowski, who spoke about the 5 Pillars of Health at our membership meeting, but we also had our first-ever fitness brown bag! Louis Armstrong led us all through exercises that we can easily do anywhere, anytime, with no equipment required.

Our grand prize winner at the final drawing was Amber Burns. She not only got the water bottle and the gift cards, she also received a free personal training session with Amy. Congratulations again, Amber!

I am so thankful that you all expressed your concerns for health and I am happy that we were able to encourage and cheer one another on. We all have different reasons for wanting to change our diet, exercise or just move...but just like so many things in life, it's so much easier to do as a team.

# What have we been up to?



## Successful Fundraisers

### Christmas Fundraiser Through Boon Supply Company

By May Sene

Many thanks to Elise Dresser from the Santa Clara County Legal Professionals Association and our own Larry McGrew for telling us about the fundraiser through Boon Supply Company. Boon is defined as “Extremely useful, beneficial, or helpful” and all their products are 100% eco-friendly. Boon provides a platform to “Give Back While You Shop.” It has “beautiful items that are good for you, good for the planet, and good for your cause.” The Ways and Means Committee decided to commence the Christmas fundraiser with Boon Supply just before Thanksgiving through Christmas Day. Thanks to the generosity of our members, we have sold products totaling \$1,735.84 as of Dec. 19th, 2020. SFLPA gets 40% of that amount which came to \$694.34. Thank you so much for everyone’s support and generosity. It is deeply appreciated!

### Face Mask Fundraiser with CustomInk

By Lillian Wong

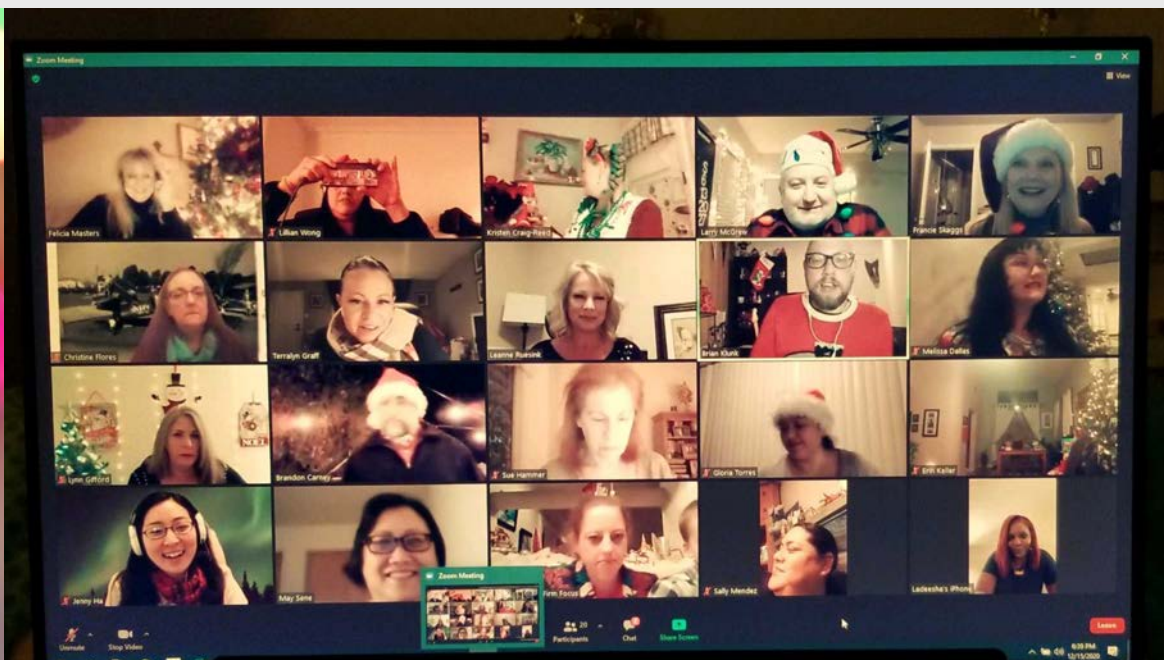
We had a great start with our first fundraiser in November selling masks through Custom Ink. The masks were sent directly to the recipients’ homes without any contact. Congratulations to SFLPA members for making it so successful! We did a great job and raised \$588! The logo was the beautiful Golden Gate Bridge, of our beloved City. We couldn’t have done it without you: the members, family and friends. Stay safe and wear the mask proud!

# SFLPA Holiday Party

By Terralyn Graff

This year has been different in so many ways and filled with many firsts. As much as we all wished we could have gathered in person to celebrate the holidays together this year, unfortunately, we could not. We did the next best thing and held a virtual holiday party. It was so nice to see everyone dressed up with Santa hats, light necklaces, and ugly sweaters. We played holiday trivia, had a scavenger hunt, and even found out who was on the naughty list! Some of us also made the yummy Pomegranate Mimosas. We really had a great time and it was especially fun seeing everyone run around to gather the scavenger hunt items!

Despite the many challenges and struggles we all have faced this year, there is still so much to be thankful for and I am thankful for all of you. I hope to be able to see each and every one of you in 2021. Until then, it is my hope and prayer that you and your loved ones have a wonderful, safe holiday season and a very prosperous new year!



SFLPA Zoom Holiday Party.

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# VIRTUAL EVENT CALENDAR

## Save the Date!!

### January

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1/5 - SFLPA Board Meeting  
1/5 - LPT Beginning Legal Secretary Training  
1/13 & 1/27 - LPT Filing Complaints Webinar  
1/19 - SFLPA Membership Meeting  
1/26 - SFLPA Brown Bag Presentation

1/5 & 1/20 - LPT Webinar Table of Authorities  
1/12 - LPT Overview of CA Discovery Training  
1/14 - LSS Ethical Challenges Webinar  
1/19 - LPT Trial Presentation Training  
1/26 - LPT Advanced Discovery Training

### February

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2/2 - SFLPA Board Meeting  
2/20 - LPI Hybrid Quarterly Conference

2/6 - LSS Day of Education  
2/23 - SFLPA Brown Bag Presentation

### March

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3/2 - SFLPA Board Meeting  
3/16 - SFLPA Annual Election Meeting

3/4 - LSS Discovery Requests Webinar  
3/23 - SFLPA Brown Bag Presentation

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*All SFLPA events are posted on our website. You will also find some of those flyers published in this issue. Please visit us at [www.sflpa.org](http://www.sflpa.org) - Click on the Events Tab.*

*We also invite you to visit LPI's website at [www.legalprofessionalsinc.org](http://www.legalprofessionalsinc.org) to keep up with all the educational webinars, other local association events, and information on upcoming LPI Conferences.*



## *San Francisco Legal Professionals Association*

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

[www.sflpa.org](http://www.sflpa.org)

### **MEMBERS QUARTERLY MEETING**

**(NON-MEMBERS WELCOME)**

**Date:** Tuesday, January 19, 2021

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

**Speaker:** Emily McGrath

**Topic:** "Recent Developments in Employment Law & Litigation"

**Please RSVP by:** Friday, January 15, 2021 to [program@sflpa.org](mailto:program@sflpa.org)

*This meeting will be held virtually and we will log on at 5:30 p.m. to socialize and catch up. The meeting will begin at 6:00 p.m. Zoom invites will be sent out on Monday, January 18, 2021.*

### **About Our Guest Speaker**

Emily is a dedicated employment litigator who has been exclusively representing California employees in court, arbitration, and negotiations against their employers since 2013. Before joining Lawless & Lawless, Emily was a misdemeanor trial attorney at the San Francisco Public Defender's Office. Emily attended law school at University of California, Hastings College of the Law. While there, she served as an Executive Editor for the International and Comparative Law Review, a Constitutional Law teaching assistant, and a professor's research assistant. Emily also externed with Magistrate Judge Joseph C. Spero and published an article on surrogacy contract regulations during her third year.

The SFLPA is an accredited MCLE Provider through Legal Professionals, Incorporated. For more information about the programs offered through the SFLPA, visit our website at: [www.SFLPA.org](http://www.SFLPA.org)

## *San Francisco Legal Professionals Association*



### **January 26, 2021 Brown Bag Presentation**

#### **Brown Bag Presentation**

**Presented by Marc Siegel, Partner at Jones Day  
Justice Department Seeks to Incarcerate Foreign Defendants in  
White-Collar Cases**

As if straight out of a James Bond movie, sometimes the scariest of all criminals may be wearing Christian Louboutin shoes, Burberry suits and speak several languages. Don't be fooled by the glamorous façade, these criminals are just as dangerous and are stealing from the public more than you realize. In his presentation, Marc Siegel, Partner at Jones Day, will explain why these fraudulent crimes are serious and how the Department of Justice works to protect us.

**Tuesday, January 26, 2021  
12:30 – 1:30 p.m.  
Via Zoom**

RSVP to [education@sflpa.org](mailto:education@sflpa.org) by **January 22, 2021**.

**A link to access this virtual meeting will be sent the morning of the webinar.**

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.

#### **ABOUT THE SPEAKER**



**Marc Siegel, Partner  
Jones Day**

Marc Siegel, Partner at the international law firm, Jones Day worked for 30 years at the Antitrust Division of the U.S. Department of Justice in senior leadership positions involving global and domestic criminal cartel enforcement and policy development. As Director of Criminal Enforcement, he worked closely with the Criminal DAAG (deputy assistant attorney general) in Washington, D.C. to oversee the then-eight criminal field offices. Mr. Siegel also currently teaches antitrust law at UC Hastings College of the Law.

As chief of two of the Division's busiest criminal offices, Mr. Siegel supervised all aspects of the global and domestic cartel investigations in the Municipal Bonds, Auto Parts, Northern California Real Estate Foreclosure Auctions and Capacitors markets. Mr. Siegel has worked closely with teams of FBI agents and coordinated investigative efforts with foreign enforcers conducting parallel investigations and successfully prosecuted international cartel matters in several commodity chemicals markets. He has negotiated more than two dozen corporate and individual plea agreements as well as corporate leniency agreements.

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## San Francisco Legal Professionals Association

### February 23, 2021 Brown Bag Presentation



#### **Brown Bag Presentation Presented by Lucy Fong Lee IMMIGRATION CHANGE**

We have heard in the news and social media regarding immigration policy lately. Let's get the expertise on this subject. This brown bag presentation will go over topics such as the impact of immigration in the workplace, business, family, and why it matters.

**Tuesday, February 23, 2021  
12:30 – 1:30 p.m.  
Via Zoom**

RSVP to Francie Skaggs – [francieskaggs@gmail.com](mailto:francieskaggs@gmail.com) - by Friday, **February 18, 2021**

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:

**Lucy Fong Lee, Immigration Attorney/Managing Partner  
Fallon, Bixby, Cheng & Lee, Inc.**



Being creative for my clients is the best part of my job. I love working with people from all over the world, in any industry or occupation. I assess my clients' situation and form legal strategies to successfully enable them to obtain work visas, green cards, and US citizenship. I specialize in guiding and advising established organizations, start-up companies, multinational and domestic corporations, investors, and professionals in a variety of occupations from software engineers to ballet dancers, families and individuals. I will identify the best legal options, clearly explain them, and lay out a timeline to achieve my clients' goals.

My parents are immigrants from China. The story of how they fled Communism and worked hard in America, the country they truly love, inspired me to become an attorney and help immigrants. I grew up working in the family restaurant business, mostly as a sous chef. Upon becoming an attorney, I worked at Tana, Moran & Weil and Pillsbury, Madison & Sutro before joining Fallon, Bixby, & Cheng in 1996. I became the owner of the firm in 2000 at which time the firm became Fallon, Bixby, Cheng & Lee, Inc., the oldest continuing immigration law firm in San Francisco since 1925.

I graduated from New College of California School of Law in May 1991. I served for many years on the Advisory Council of the American Immigration Lawyer's Association (AILA), Northern California Chapter, and am a past Chapter Chair. I continue to volunteer on AILA committees. A speaker, author and panelist on immigration topics with AILA and a variety of other organizations, including the Bar Association of San Francisco, the Alameda County Bar Association, and various universities and law schools. An active member of ProVisors, and serve on a couple of executive committees and as a mentor. Selected Super Lawyer, assessed as being in the top 5% in Northern California, by peer reviews and recommendations. Selected by Best Lawyers, assessed as a top U.S. News/Best Lawyers "Best Law Firms" nationwide list, by peer reviews and recommendations. An AV-rated attorney in Martindale-Hubbell. Other language spoken in Cantonese and Taishan.

In my spare time I volunteer with my family with community-based, non-profit organizations to help others in need. I like learning and sharing new information, going on long walks, and experimenting with recipes and cooking gadgets.

**The SFLPA is an accredited MCLE Provider through Legal Professionals, Incorporated. For more information about the programs offered through the SFLPA, visit our website at: [www.SFLPA.org](http://www.SFLPA.org).**



## Taking Care of Yourself During Prolonged Periods of Stress

By Karen Foster

In these challenging times, self-care has become critical to maintaining the well-being of ourselves and others. Many of our former coping mechanisms have been cancelled due to COVID-19, and rethinking our self-care routine is essential. Here are some ways you can add to your toolbox and thus increase resilience as we continue to carry whatever these times throw at us.

### Feelings Are for Feeling

Bottled up feelings can be detrimental to your mental and physical health. No one likes to feel bad, but the resistance to feeling bad only makes it worse. Find healthy ways to sit with your difficult emotions. You might try journaling, taking a walk outside, talking to a trusted friend, or just giving yourself permission to have a good cry. You will feel better.

### Feather Your Nest

You are probably spending more time indoors right now and will be for a while. Take a look around your space. What could be done to make your sanctuary from the world a little cozier? A new blanket or curtains can make a big difference. Cleaning out that spare room or finally fixing that wood molding nourishes you and others in your home.

### Draw the Line

Now is the time to set good boundaries. Watch out for negative people who drain your energy with constant catastrophizing. Keep job stress out of your home by drawing clear lines between workspace and home space. You may also want to set limits with the news and social media doom-scrolling. Protect your peace of mind.

### Ask For Help

Finally, know when it's time to ask for help. Some signs that it may be time to get help include increased substance abuse, increased relationship conflict, enduring feelings of despair or hopelessness, inability to find pleasure in favorite activities, and thoughts of self-harm. By using your tools and reaching out for help when needed, you can increase your resilience despite the prolonged stress of these times.

Karen Foster is an award-winning professional development trainer with a proven track record of getting results. Since 2005, Karen has been empowering audiences across industries, cultures, and generations to reach ever higher levels of personal and professional success. Contact her:

[www.fostercommunicationsllc.com](http://www.fostercommunicationsllc.com)  
415.748.7366



# CALL FOR NOMINATIONS

We are looking for leaders who are willing to serve  
the members of the SFLPA.

The following positions are available for a one-year  
term for the 2021-2022 fiscal year:

President

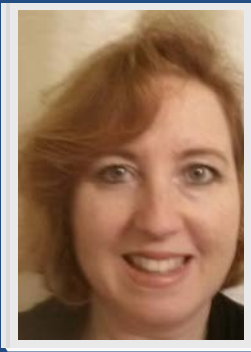
Vice President

Secretary

Treasurer

Delegates (3 total - includes 1 alternate)

If you are interested and would like to learn more,  
please contact us at [info@sflpa.org](mailto:info@sflpa.org).



# MY CCLS EXPERIENCE

By Lorri Nicolini

I have been a legal secretary for just over 30 years. Still in college, I answered a newspaper ad for an “entry level legal secretary, willing to learn,” and the rest is history. I originally thought I would work in the legal field for about 3-5 years while I figured out what I really wanted to do with my life, but I discovered I was good at the job and felt a sense of accomplishment and satisfaction as I contributed to a successful team of “legal beagles,” as my first boss used to call us. The work was challenging and I enjoyed the variety and constantly learning and expanding my skills to keep up with the profession. I have since worked for a variety of firms from sole practitioners to large international firms, gaining valuable experience along the way.

Fast forward to the summer of 2019 when during a monthly staff meeting one of the secretaries did a presentation about the California Certified Legal Secretary (CCLS) exam, which I had not previously heard of, and made a case for having our firm sponsor those who wanted to take it. She directed us to the then-LSI (Legal Secretaries, Inc.) website, now LPI (Legal Professionals, Inc. [www.legalprofessionalsinc.org](http://www.legalprofessionalsinc.org)) I was impressed with the comprehensiveness of the exam and the resources they offered.

Four of us expressed an interest in studying for and taking the exam; the next one was to be held in September 2019. We set up a few informal information and study sessions over the next month and in the end, two of us, the secretary who originally suggested taking the exam and I, sat for the exam that September.

The exam is held over a single day twice a year, in the spring and in the fall. It consists of seven sections: Ability to Communicate Effectively; Legal Procedures; Skills; Legal Computations; Legal Terminology; Law Office Administration; and Reasoning and Ethics. An applicant must pass all seven sections to obtain the certification and only has to retake the section(s) not passed. Did I mention the test covers five areas of law: civil litigation, family law, corporations, estate and probate law, and real estate?

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## ***My CCLS Experience Cont'd.***

I felt excited at the prospect of passing the exam and having a professional certification to back up my years of experience. I also felt the prospect of studying for such a comprehensive exam to be daunting. There are several ways people prepare: study groups, flashcards, practice tests, and good-old-fashioned review of practice guides and California Codes. In the end, I relied heavily on reading manuals and taking practice tests. I did not use flashcards or attend more than a couple of study sessions.

In retrospect, flashcards would have helped greatly, as would the accountability of getting together with a study group.

The night before the exam I did not feel as prepared as I would have liked and even contemplated not showing up and registering for the next exam slot in the spring.

However, I told myself that I would lose nothing by trying and even if I passed one or two sections, then I would not need to take those sections again.

Exam day came, and I was glad that I showed up. The exam was administered by California Certified Legal Secretaries who were professional, yet understanding, since they had literally been in our seats before. I felt the questions were fair and the exam tested a wide breadth of knowledge and skills. I definitely felt a sense of accomplishment once the exam was over. It also ended up being a good networking experience because I met other legal professionals across Northern California, some of whom I keep in touch with to this day.

After several weeks' wait, I received an email that I had passed six of the seven sections. The section I didn't pass was only by a small margin. I really could do this! I was elated and felt that retaking the one section, with a little additional preparation, would be a breeze now that I had been through the process. It turns out my co-worker who took the test with me also passed six of the seven sections, although the section she did not pass was different than mine. One of my legal secretary friends who also has many years of experience asked me if my experience helped in passing the exam, or if I thought it was more about studying and rote learning. I told her I felt my experience definitely helped, but that a good study plan is essential.

I was all set to retake the one exam section in March 2020, but due to the COVID-19 restrictions, the exam was pushed back to September 2020 and then again to March 2021, with the possibility of being pushed back further into 2021 or even 2022. Not to worry, I plan on being prepared and acing that last section. The moral of the story – if you have an interest in becoming a California Certified Legal Secretary, give it a try and don't let your fears get the best of you. You really have nothing to lose and a professional certification to gain.



## CALIFORNIA CERTIFIED LEGAL SECRETARY

The California Certified Legal Secretary (CCLS®) program offers you the opportunity to take a major step forward in your career now! As a CCLS®, you become increasingly valuable to the California legal community. CCLS® is a program of Legal Professionals Incorporated, a non-profit mutual benefit corporation providing educational programs and professional development. When you become a CCLS®, you may:

- Qualify for professional, personal, and economic rewards
- Improve your knowledge of California legal practice and procedure
- Broaden your opportunities for job advancement
- Enhance your self-confidence and self-esteem
- Gain further recognition and respect within the legal community
- Increase your marketability to potential employers



To attain certification, examinees must demonstrate knowledge and ability in the following areas:

- California Legal Procedures
- Legal Terminology
- Legal Computations
- Skills
- Ability to Communicate Effectively
- Reasoning & Ethics
- Law Office Administration

### Requirements:

- Examinees must have two years of full-time experience as a legal secretary, or the equivalent, as approved by the CCLS Certifying Board
- Membership in LPI is not a requirement
- Examinees must pass the 8-hour CCLS Exam
  - Given twice a year in March and September
  - Exam locations both Northern and Southern California.
  - Passing is either 75% overall or 70% on every section
- CCLSs must recertify every three years by meeting recertification requirements. Satisfactory completion of a minimum of 15 hours of CCLS-approved seminars, programs, or academic courses over a three-year period that focus on the duties of legal support staff will satisfy the requirements

Study groups are available online through LPI, or through local associations of LPI. For more information and to get your CCLS application form and information kit, visit LPI's website at [www.legalprofessionalsinc.org](http://www.legalprofessionalsinc.org), or contact LPI's Corporate Office: Kim Oreno, [kim@legalprofessionalsinc.org](mailto:kim@legalprofessionalsinc.org).

**CROSS THE BRIDGE TO SUCCESS – BECOME A CCLS®**



California Certified Legal  
Secretary  
A Program of LPI®



## APPLICATION TO TAKE CCLS® EXAM

Mail Application, copy of LPI Membership Card (if applicable), and fees to:  
Vivian L. Shreve, CCLS, c/o WSGR, 650 Page Mill Road, Palo Alto, CA 94304

- (Select one) (Select one)
- ☐ Northern California ☐ Saturday, March 20, 2021 ☐ Saturday, September 18, 2021
- ☐ Southern California ☐ Saturday, March 20, 2021 ☐ Saturday, September 18, 2021

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

| EXAMINATION FEES<br>(Select Payment Type) |                          | Check <input type="checkbox"/>            | PayPal <input type="checkbox"/>                                                                                                                                                                       |
|-------------------------------------------|--------------------------|-------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                           |                          | Payable to "LPI"<br>Mail to above address | Email exam application to<br><a href="mailto:CCLSCertifyingBoard@gmail.com">CCLSCertifyingBoard@gmail.com</a> .<br>Payment link will be provided upon<br>confirmation of eligibility to sit for exam. |
| <b>LPI Members</b>                        | <input type="checkbox"/> | <b>Non-LPI Members</b>                    | <input type="checkbox"/>                                                                                                                                                                              |
| On Time Registration Fee                  | \$ 25.00                 | On Time Registration Fee                  | \$ 75.00                                                                                                                                                                                              |
| Examination Fee*                          | 100.00                   | Examination Fee*                          | 100.00                                                                                                                                                                                                |
| Late Fee (if applicable)                  | 45.00                    | Late Fee (if applicable)                  | 45.00                                                                                                                                                                                                 |
| <b>TOTAL DUE w/o Late Fee:</b>            | <b>\$125.00</b>          | <b>TOTAL DUE w/o Late Fee:</b>            | <b>\$175.00</b>                                                                                                                                                                                       |

### Personal Information

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Last 4 digits of SSN: \_\_\_\_\_ Email: \_\_\_\_\_

Phone (Day): \_\_\_\_\_ Phone (Evening): \_\_\_\_\_

LPI Member: ☐ Yes (enclose copy of LPI Membership Card) ☐ No

Name of Local LPI Association: \_\_\_\_\_

### Employment Information

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

Position: \_\_\_\_\_ Dates of Employment: \_\_\_\_\_

Employer: \_\_\_\_\_  
(name and address)

Supervisor: \_\_\_\_\_ Supervisor's Phone: \_\_\_\_\_

Supervisor's Email: \_\_\_\_\_

Summary of Duties: \_\_\_\_\_

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

Date: \_\_\_\_\_

Applicant Signature \_\_\_\_\_

\*Fees subject to change without notice.

Rev. April 2020

# Sample CCLS Quiz

## Sample Questions for CCLS Examination By Lorri Nicolini

SFLPA has a newly formed committee to encourage our members to sit for the California Certified Legal Secretary (CCLS) examination which is held twice a year in March and September. The CCLS Committee, of which I am a part, consists of members who have taken and/or passed the CCLS exam and we are happy to answer any questions regarding preparing for or taking the exam. The exam consists of seven sections: Legal Terminology; Ability to Communicate Effectively; California Legal Procedures; Skills; Legal Computations; Law Office Administration; and Reasoning and Ethics. Below are sample questions from three of those sections. More sample questions and study aides will follow in future issues of the Hearsay.

For all sections, read each question carefully and select the answer which is the most correct.

### Reasoning and Ethics

1. The opposing side in a transaction sends your office the stock certificates your client purchased in the deal. You open the package containing the certificates. What duties does your law office have?

- [A] Notify the client to pay any charges associated with the stock
- [B] Send the certificates to the client
- [C] Identify and label the securities upon receipt, and place them in a safe deposit box or other place for safekeeping as soon as possible
- [D] Maintain the records for a year

2. In order to provide some protection to the public, California law requires every notary public to file an official bond in the amount of:

- [A] \$10,000
- [B] \$15,000
- [C] \$20,000

# Sample Quiz Cont'd.

## Legal Computations

A settlement has been reached in which four defendants will share the burden of paying the award. Plaintiff was awarded \$480,000. Defendant A is responsible for 40 percent of the total award. Defendant B, a subsidiary of Defendant A, has been assigned 5 percent of Defendant A's burden. Defendant C will pay 55 percent of the total, while Defendant D will pay the remaining 5 percent of the total award.

1. Defendant A will pay:

- [A] \$192,000
- [B] \$182,400
- [C] \$216,000
- [D] \$168,000

2. As part of the above award, payments were to be made within 30 days. Late payments would accrue interest at the rate of 12% per year. Defendant C did not pay their portion of the award for 90 days. What is the total amount that Defendant C will have to pay, including principal and interest? Note: the court requires interest to be calculated using 360 days in a year.

- [A] \$266,640
- [B] \$264,000
- [C] \$295,680
- [D] \$269,280

## Legal Terminology

1. Maine

- [A] Ma.
- [B] Me.
- [C] ME
- [D] None of the above

2. To compensate or reimburse a person who has suffered a loss is to \_\_\_\_\_.

- [A] infringe
- [B] inflict
- [C] indemnify
- [D] indict



# New Employment Laws for 2021

By Celia L. Guzman, Diane Marie O'Malley, and Warren F. Hodges of  
Hanson Bridgett Labor & Employment Practice Group

New year, new laws. That's right; it's time to prepare for the new year, which means being aware of the latest labor and employment laws that are sure to impact your organization. Most importantly, it's time to revise those handbooks to keep up with these changes.

For an in-depth analysis of how each law might affect your organization, contact your Hanson Bridgett labor and employment lawyer and join us for our Annual Client Seminars in January. Unless otherwise indicated, each of the following new laws will take effect on **Jan. 1, 2021**.

### Discrimination, Harassment & Retaliation

**Mandatory Minority Representation on Your Board of Directors (AB 979):** This bill takes effect "no later than the close of the 2021 calendar year." California currently requires publicly traded corporations with principal executive offices in California to have at least one female director on their board (SB 826). That amount must increase to two or three female board members **by the end of 2021**, depending on the size of the board. AB 979 expands on the diversification requirements by requiring that at least one director be from an underrepresented community **by the end of 2021**. AB 979 defines "director from an underrepresented community" as an individual who self-identifies as Black, African American, Hispanic, Latino, Asian, Pacific Islander, Native American, Native Hawaiian, or Alaska Native, or who self-identifies as gay, lesbian, bisexual, or transgender.

AB 979 is due to take effect at the end of 2021, with an additional year allowed - no later than the close of the 2022 calendar year - for larger boards to find the greater number of minority board members needed. Non-compliance is costly. If companies do not comply by the end of 2022, they may face fines between \$100,000 and \$300,000 for each offense. However, the bill does not provide companies with any guidance on how best to achieve these requirements. As such, companies should start reviewing their outreach efforts and consider other actions that may assist them with compliance.

The same day that Governor Newsom signed AB 979, Judicial Watch filed a lawsuit in Los Angeles Superior Court challenging AB 979 on constitutional grounds. *See Robin Crest et al. v. Alex Padilla, in his official capacity as Secretary of the State of California* (No. 20ST-CV-37513). Judicial Watch has a similar lawsuit pending over SB 826. *See Crest et al. v. Padilla*, (No.19ST-CV-27561). We will be monitoring the Judicial Watch lawsuits for any developments.

**Private Employers Must Submit a Pay Data Report to the DFEH (SB 973):** Private employers with 100 or more employees must submit a pay data report to California's Department of Fair Employment and Housing (DFEH) by **Mar. 31, 2021**, and annually thereafter (if the employer is required to file an annual Employer Information Report under federal law). The report must include the number of employees by race, ethnicity, and sex in a variety of job categories, including but not limited to executive or senior-level officials and managers, professionals, laborers and helpers, and service workers. These requirements are similar to the EEO-1 filing requirement.

**No Rehire Provisions (AB 2143):** Currently, employers are prohibited from including a provision in their settlement agreements restricting an aggrieved person from working for the employer unless "the employer has made a good faith determination that the aggrieved person engaged in sexual harassment or assault." This new law slightly modifies this ban on "no rehire" provisions and requires that the aggrieved person has filed the claim in good faith in order for the prohibition to apply, and the employer must have made the determination of sexual assault or sexual harassment before the grievant filed the claim. Lastly, this new law expands the exception to include a good faith determination that the aggrieved person engaged in any criminal conduct. There is no definition of good faith determination in the statute, so employers act "at their peril" and will have to wait for some case law to flesh out that meaning.

**Sexual Harassment Guidelines for Postsecondary Institutions (SB 493):** No later than **Jan. 1, 2022**, postsecondary institutions that receive state financial assistance must comply with training, notice, and investigation requirements related to sexual harassment complaints.

### Wage & Hour

**Labor Commissioner May Now Represent Claimants in Connection with Arbitrations (SB 1384):** This bill expands the Labor Commissioner's ability to represent claimants who are financially unable to afford representation to arbitral proceedings and/or in opposing a petition to compel arbitration. The Labor Commissioner is limited to claims in which the claimant is unable to afford representation.

**Limited On-Call Rest Breaks Exemption for Unionized Security Officers (AB 1512):** This new law comes as a much-needed break for employers employing persons in the security services industry as a security officer who is registered pursuant to the Private Security Services Act (Chapter 11.5 (commencing with Section 7580) of Division 3 of the Business and Professions Code) from California's rest break law by allowing security officers to remain on-call during their rest breaks. As you might recall, *Augustus v. ABM Security Services, Inc.*, (2016) 2 Cal.5th 257, prohibited on-call rest breaks for covered employees.

AB 512 passed as an urgent response to Augustus, allowing security officers to remain on the premises and on-call and restart a rest period as soon as practicable if it was interrupted. **AB 1512 took effect on Sept. 30, 2020**, and the provisions sunset on **Jan. 1, 2027**.

**Rest Periods Exemption for Petroleum Facilities Extended (AB 2479):** Currently, employees who hold safety-sensitive positions at petroleum facilities are exempt from rest period requirements, provided they fulfill specific requirements. This exemption would have expired on **Jan. 1, 2021**. This new law extends the exemption until **Jan. 1, 2026**.

**Extended Time to File Labor Commissioner Complaints (AB 1947):** Employees now have one year, instead of six months, to file a claim with the Labor Commissioner if the claimant believes they were discharged or otherwise discriminated against in violation of any Labor Code provisions enforced by the Labor Commissioner. The major change, which is likely to increase litigation in California, is that this new law also amends Labor Code section 1102.5 to allow for attorney's fees for employees who prevail on a whistleblower retaliation claim pursuant to the code.

**New AB 5 Exemptions (AB 2257):** Remember AB 5, the legislation that shook the California business community to its core with the adoption of the "ABC Test"? AB 2257 substantially revises AB 5 and tacks on new exemptions to the "ABC Test," including but not limited to exemptions for business-to-business contracts; referral agencies (consulting, youth sports coaching, wedding services); music industry and performers, and professional services. These exemptions went into effect upon the signing of the bill on Sept. 4 and apply retroactively where applicable. These changes — and AB 5's original provisions — are very fact-specific. Employers should consult with counsel before classifying any individual as an independent contractor.

**Prevailing Wages for Public Works Expanded (AB 2765):** Currently, the general prevailing rate of per diem wages must be paid to workers employed on "public works." This new law expands the definition of "public works."

**Employers Must Disclose Final Judgments for Violation of Wage Order on Statement of Information (AB 3075):** Beginning **Jan. 1, 2022**, or when the California Business Connect is implemented, whichever is earlier, business entities will have to include on their Statement of Information whether "any officer or any director, or, in the case of a limited liability company, any member or any manager," has outstanding final judgment that was issued for the violation of any wage order. The California Secretary of State Business Connect is an ongoing technology project aimed to help business owners automate their paper-based filings. **Full implementation is expected in 2022.**

AB 3075 also adds Section 203.3 to the Labor Code providing that successor employers will be liable for **any** wages, damages, and penalties. The bill provides that successorship is established upon meeting any of the following criteria:

1. Uses substantially the same facilities or substantially the same workforce to offer substantially the same services as the judgment debtor. This factor does not apply to employers who maintain the same workforce pursuant to Chapter 4.5 (commencing with Section 1060) of Part 3.
2. Has substantially the same owners or managers that control the labor relations as the judgment debtor.
3. Employs as a managing agent, any person who directly controlled the wages, hours, or working conditions of the affected workforce of the judgment debtor. The term "managing agent" has the same meaning as in subdivision (b) of Section 3294 of the Civil Code.
4. Operates a business in the same industry, and the business has an owner, partner, officer, or director who is an immediate family member of any owner, partner, officer, or director of the judgment debtor.

### **Leaves**

**Expanded Protections for Victims of Crime or Abuse (AB 2992):** This law expands current protections for victims of domestic violence, sexual assault, or stalking to include protections for victims of crime or abuse. That means employers cannot discharge, discriminate or retaliate against an employee who is a victim of a crime or abuse from taking time off work to obtain relief to help ensure the health, safety, or welfare of the victim or the victim's child. This new law further expands the categories of "time off" to include taking time off work to seek medical attention for injuries caused by crime or abuse, to obtain services from prescribed entities, to obtain psychological counseling or mental health services, or to participate in safety planning.

**Employees Have Sole Discretion to Use Kin Care Leave (AB 2017):** Currently, employees may use their accrued sick leave to tend to the illness of a family member. This new law gives employees the power to use their sick leave at "their sole discretion." As stated, it seems that employers cannot deny an employee the use of their sick leave for whatever reason they deem is necessary of sick leave.

**California Family Right Act Expanded (SB 1383):** Currently, employers with 50 or more employees must provide 12 workweeks of unpaid leave for family care and medical leave. Under the New Parent Leave Act, employers with 20 or more employees must provide 12 workweeks of unpaid leave during any 12-month period to bond with a new child. SB1383 expands CFRA in several ways.

First, CFRA now applies to employers with as few as **five** employees, requiring them to provide the same job-protected 12 workweeks of leave for family care and medical leave. This leave must also be given for any qualifying exigency related to the covered active duty or call to covered active duty. The new CFRA also provides for baby bonding leave, repealing the New Parent Leave Act. Second, SB 1383 expands the definition of "family members" to include domestic partners, grandparents, grandchildren, adult children, and siblings. Because the new definitions allow employees to take leave for reasons the federal Family Medical Leave Act (FMLA) does not cover, it is possible that employees may be entitled to up to 24 workweeks of unpaid leave for those leaves that do not run concurrently with the FMLA. Finally, SB 1383 abolished the "key employee" exemption.

For more information, see our alert [New California Family Rights Act: State Family Care and Medical Leave Expanded](#).

**Small Employer Family Leave Mediation (AB 1867):** Given that CFRA has been expanded to apply to small employers, this bill creates a family leave mediation pilot program for small employers. The program allows small employers or the employee to request a mediation through the Department of Fair Employment and Housing's (DFEH) dispute resolution division. An employee would be prohibited from pursuing civil action until mediation is complete if said mediation is requested by the employer (or employee). Accordingly, the statute of limitations would be tolled for the employee until the mediation is complete. This provision is set to expire **Jan. 1, 2024**.

**Retail Food Facility Handwashing Requirement (AB 1867):** AB 1867 also requires employers to allow employees working in any food facility to wash their hands every 30 minutes and additionally as needed. This law went into effect on **Sept. 9, 2020**.

### COVID-19

**Supplemental Paid Sick Leave (AB 1867):** AB 1867 establishes COVID-19 supplemental paid sick leave covering the following "hiring entities":

1. Private employers with 500 or more employees;
2. Public sector agency employers that employ health care providers or emergency responders that elected to exclude such employees from emergency paid sick leave under the federal Families First Coronavirus Response Act (FFCRA);
3. Private employers with fewer than 500 employees that employ health care providers or emergency responders that elected to exclude such employees from emergency paid sick leave under FFCRA, and
4. Hiring entities that operate a food facility.

Covered entities are required to provide COVID-19 supplemental paid sick leave to workers who are unable to work due to any of the following reasons:

1. The covered worker is subject to a federal, state, or local quarantine or isolation order related to COVID-19;
2. The covered worker is advised by a health care provider to self-quarantine or self-isolate due to concerns related to COVID-19; and
3. The covered worker is prohibited from working by the covered worker's hiring entity due to health concerns related to the potential transmission of COVID-19.

This law took effect on **Sept. 9, 2020**, and employers had to begin providing the supplemental as of **Sept. 19, 2020**. This bill is set to expire on **Dec. 31, 2020**, or when any federal extension of the Emergency Paid Sick Leave Act expires, whichever is later. For more information, see our alert [California's New Supplemental COVID-19 Paid Sick Leave Law](#).

**Worker's Compensation (SB 1159):** SB 1159 creates a rebuttable presumption that an employee contracted COVID-19 at work if the employee tests positive or is diagnosed with COVID-19 within 14 days after working at the employer's place of employment. This law went into effect on **Sept. 17, 2020**, and expires **Jan. 1, 2023**.

**CAL/OSHA Expanded Enforcement (AB 685):** This bill expands Cal/OSHA's authority to issue Orders Prohibiting Use relating to COVID-19 hazards. Accordingly, Cal/OSHA can shut down a worksite if the worksite exposes employees to a COVID-19 related imminent hazard. It also creates new notice and reporting requirements to employees and subcontractor employers that must be met within **one business day** of potential COVID-19 exposure. Certain employers must also notify local public health agencies of all workplace COVID-19 outbreaks. For more information, see [New Bill Expands Cal/OSHA Enforcement Rules Over COVID-19 Related Illnesses For All Employers](#).

**Workers in a General Acute Care Hospital Must Be Provided with Personal Protective Equipment (AB 2537):** Public and private employers of workers in a general acute care hospital must supply their employees who provide direct patient care or services that directly support personal care with personal protective equipment.

As of **Apr. 1, 2021**, these employers must maintain a three-month supply of specified equipment and provide an inventory report and its written procedures to the Division of Occupational Safety and Health upon request. Failure to maintain the required stockpile could result in a \$25,000 civil penalty.

Moreover, on or before **Jan. 15, 2021**, a general acute care hospital must be prepared to report to the Department of Industrial Relations its highest seven-day consecutive daily average consumption of protective equipment during the 2019 calendar year.

### Miscellaneous

**California Consumer Privacy Act's Employer Exemption Extended (AB 1281):** While this bill extends the employer exemption from certain provisions of the California Consumer Privacy Act (CCPA) to **January 2022**, employers must still satisfy the notice provision of the CCPA. Accordingly, employers must continue providing notice to applicants and employees of information collected by the company and the purposes for which said information is collected.



# Legal Procedure Blog



## California Court Chatter

The surge in COVID cases has had an impact on the California Courts. Notices are being released daily about changes in operating hours as well as changes in services provided. To stay up-to-date on these changes, go to the Judicial Council of California's website, and register to receive the notices by email. As a member of the SFLPA and LPI, you can also register to receive updates from the LPI Legal Procedure Blog.

The following information was obtained through the Judicial Council's website about the services for the Bay Area Courts. To stay up-to-date on these changes, go to their website: <https://newsroom.courts.ca.gov/covid-19-news-center/court-services-and-operations>

| Court         | Clerk Hours                                                             | Filing/Dropbox | eFiling                        | Jury Trials | Remote Proceedings |
|---------------|-------------------------------------------------------------------------|----------------|--------------------------------|-------------|--------------------|
| Alameda       | 8:30 a.m. – 3:00 p.m. (phone & email)                                   | Yes            | Permissive for some case types | Yes         | Yes                |
| Contra Costa  | 8:00 a.m. – 3:00 p.m. (phone only)                                      | Yes            | None                           | No          | Yes                |
| Marin         | 8:00 a.m. – 4:00 p.m. (Closed 12-1)                                     | Yes            | None                           | Yes         | Yes                |
| Napa          | 8:00 a.m. – 4:00 p.m.                                                   | Yes            | Permissive for some case types | Yes         | Yes                |
| Placer        | 8:00 a.m. – 3:00 p.m.                                                   | Yes            | e-Delivery                     | No          | Yes                |
| San Francisco | 8:30 a.m. – 12:30 p.m.                                                  | Yes            | Permissive for some case types | Yes         | Yes                |
| San Mateo     | Civil/Family Law/Probate 8:30am–12:30pm; Crim 10am–2pm; Traffic 9am–2pm | Yes            | Mandatory for most case types  | Yes         | Yes                |
| Santa Clara   | Mon.-Thurs.: 8:30am–1:30pm; Fridays: 8:30am–12pm                        | Yes            | Permissive for most case types | Yes         | Yes                |
| Solano        | By appointment only                                                     | Yes            | None                           | Yes         | Yes                |
| Sonoma        | 8:00 a.m. – 3:30 p.m.                                                   | Yes            | Mandatory for most case types  | Yes         | Yes                |
|               |                                                                         |                |                                |             |                    |



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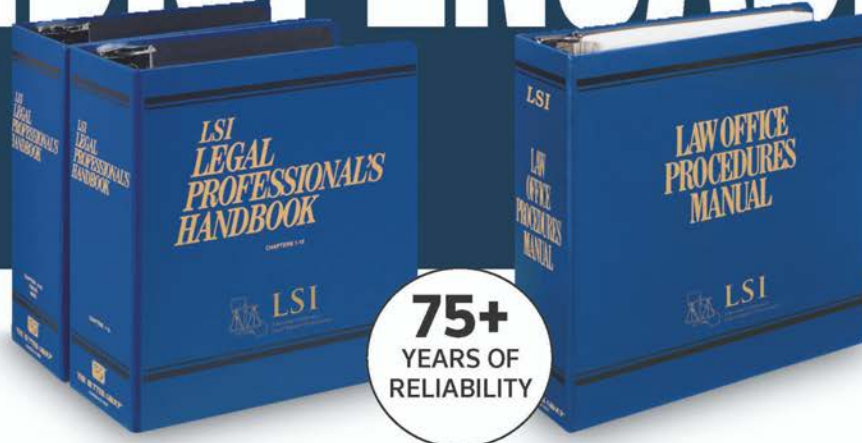
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# LANDSCAPE OF THE LAW FIRM



## Will COVID-19 Force Firms to Ditch the Fancy Offices?

By Meg McEvoy

Legal Analyst, Bloomberg Law

(Adapted for the SFLPA Hearsay by Kristen Craig-Reed)

What will the recovery from COVID-19 mean for law firm office space? Now that firm lawyers (and their support staff) have proven they can work effectively from anywhere, will their clients tolerate the overhead of fancy offices? And, if they won't, what will that mean for law firms' business model?

### What Lawyers Want: Work From Home

When the pandemic struck, a large majority of law firms shifted to working from home, and surveys show that lawyers would like remote options to continue after the risk of COVID-19 transmission subsides.

Bloomberg Law's Legal Technology Survey (2020) found that 84% of law firm respondents said their organizations had at least three-quarters of staff work remotely after March, and nearly a third went to 100% remote work.

A large majority (86%) of law firm respondents expect that work-from-home options will continue after the pandemic ends. Even more of those at law firms (88%) want work from home to be an option post-pandemic. Even partners want their firms to allow a work from home option (87%), which suggests that a continuation of the work-from-home culture is not only desired but is likely to occur.

Research from real estate brokerage Cushman & Wakefield also suggests that law firm attorneys and staff may get their wish.

Cushman & Wakefield surveyed respondents at a range of law firms, from small local firms to large global ones.

“[A]lmost all respondents (90%) believe more than 10% of attorneys will work remotely on a regular basis. The number expecting 31%+ of lawyers to consistently work remotely more than quintupled” since Q1 2020, Cushman & Wakefield found.

Clients and Partners: Law Firms’ ‘Two Constituencies’

For law firms’ two most important groups, clients and partners; continued work-from-home options may highlight what the pandemic has already laid bare: that lawyers can work efficiently outside of traditional offices. This shift may challenge the law firms’ existing business models.

While firm partners have traditionally viewed high-end offices as a benefit that clients seek (or at least expect) when hiring outside counsel, James Fisher, managing partner of virtual law firm Fisher Broyles, believes fancy offices have always made clients a bit nervous.

“The danger for traditional law firms is that clients start focusing on the real estate the same way they’ve been focusing on first- and second-years. In 2008 or 2009, clients started refusing to pay for first- and second-year time because they recognized that it added no value to them,” said Kevin Broyles, also managing partner at Fisher Broyles. “If clients start looking at real estate and focusing on it in the same way, these traditional firms are in big trouble. Clients can’t say, ‘Don’t bill us for your real estate,’ because it’s baked in. What they could say is, ‘Your rates are simply too high; I’m not subsidizing your real estate,’” Broyles said.

The impact could be significant. In a virtual or “distributed” model law firm, where partners work from home or other remote offices, billing rates can be as much as 50% lower, according to Fisher. Furthermore, Fisher thinks that clients don’t miss the real estate.

Historically, nice, well-located office space has been a partner-pleaser and recruiting tool for law firms. But partners may be less enticed by plum real estate post-pandemic. Partners will simply be looking for higher compensation packages and work-from-home options to continue.

### **Those Leases, Though**

Law firms are often the marquee tenants in major cities’ hot new real estate areas—a trend that may be difficult to curb, even post-pandemic.

According to Cushman & Wakefield, the legal industry has been trying to shrink its real estate footprint for the past decade, with target ratios in 2019 of 600 square feet per attorney. A quick glance at recent leases indicates that this target is not being met.

In June, Washington, D.C. law firm Wiley Rein signed one of the largest leases of 2020, at 2050 M Street, NW, for 166,000 square feet, or 683 per attorney.

In a deal struck before the pandemic, Debevoise & Plimpton will lease 530,000 square feet in Manhattan's Hudson Yards, a newer development on the city's West Side, Bloomberg Law reported. Debevoise's 580 New York attorneys and their staff will therefore occupy a space that's roughly three average-sized Wal-Marts or 35 Trader Joe's stores, or just under 914 square feet per attorney.

Cushman & Wakefield predicts a "large number of lease restructures and space givebacks will occur on a widespread basis" in the legal sector in 2021 and 2022.

"This 'right-sizing' of the legal sector, which currently occupies two to three times more square footage per employee than other industries, is a sector correction that is long overdue," Cushman & Wakefield wrote.

### **Downsizing Is Hard to Do**

Data suggest that law firm professionals may not fully grasp the degree of real estate "right-sizing" that may be necessary after the pandemic.

Though many law firm personnel expect work-from-home options to continue post-pandemic, fewer are anticipating large reductions in office space or widespread hoteling—a reservation-based, unassigned seating model that reduces real estate requirements and spend.

Cushman & Wakefield found that more than one-third of firm respondents to its survey (34%) expect there to be no change to their firm's real estate footprint due to COVID-19, and another 11% expect a square footage reduction of 10% or less.

Responses were similarly mixed on firms retaining attorneys' private offices despite more telecommuting. Cushman & Wakefield found that 48% of law firm partners anticipate their attorneys will work remotely more often in the next five years yet still will retain their personal offices, while 49% anticipate more remote work over the next five years and, as a result, are planning to initiate hoteling.

If one-half of Cushman & Wakefield's survey respondents are correct, it paints an even less efficient picture for law firm real estate: square footage will dwindle at about the same pace as it did pre-pandemic, but more private offices will sit empty as more attorneys work from home.

### The View From Here

Prior recessions and the COVID-19 pandemic “are leading clients to go, ‘Wait a minute, whether it’s good times or bad times, we really need to think about how much we’re paying for any kind of service, including legal services,’” Fisher said. “I think real estate has to come into that. Especially with this latest recession, where everyone is working from home, it’s like a billboard right in their face that real estate isn’t important.”

Even where attorneys may still prefer trophy space, firms will need to increasingly balance those preferences against client perceptions. The days may be gone when a law firm can justify high-end finishes and a sweeping skyline view in the name of enhanced firm culture and increased collaboration.

Going hybrid—a mix of in-office and virtual lawyers—could be a good option for law firms in the nearer term. But if formalized remote work results in a significant cut to firms’ real estate overhead, it may not be long before clients and lawyers begin asking for a piece of the margin in the form of lower rates and higher salaries.

The demand for greater efficiency and legal department cost-savings has only accelerated during this recession, and the “downtown office” for law firms may be the next brick to fall. To get ahead of this curve, law firms may want to stay focused on optimizing remote collaboration and question whether that honed marble and commissioned art is really their best look.

*Adapted from an article originally published Aug. 20, 2020. Reproduced with permission from Bloomberg Law. Copyright 2020 by The Bureau of National Affairs, Inc. (800-372-1033) <https://pro.bloomberglaw.com>*





Home Workstation Photos Courtesy of Brook Braunschweig

# Working Remotely

## A TALE OF TWO HOME OFFICES

By Francie Skaggs & Melissa Dallas

Since the March 16, 2020 Stay at Home Order was issued, it is difficult to find the best of times, but there are definitely have been some benefits I hope we can keep.

I once awoke at 6:00 a.m. to catch BART; I now sleep until 7:30 a.m. I can now get to my “home office,” protein drink in hand, well before 8:30 a.m. Since gyms are closed, I take “walks” for exercise. When I see a person on the trail I get so excited. Look – it’s another person! Then, I realize how much I miss the company of my co-workers. Previously, I just knew a couple of neighbors. Now, I know everyone on my block and many other streets in my neighborhood.

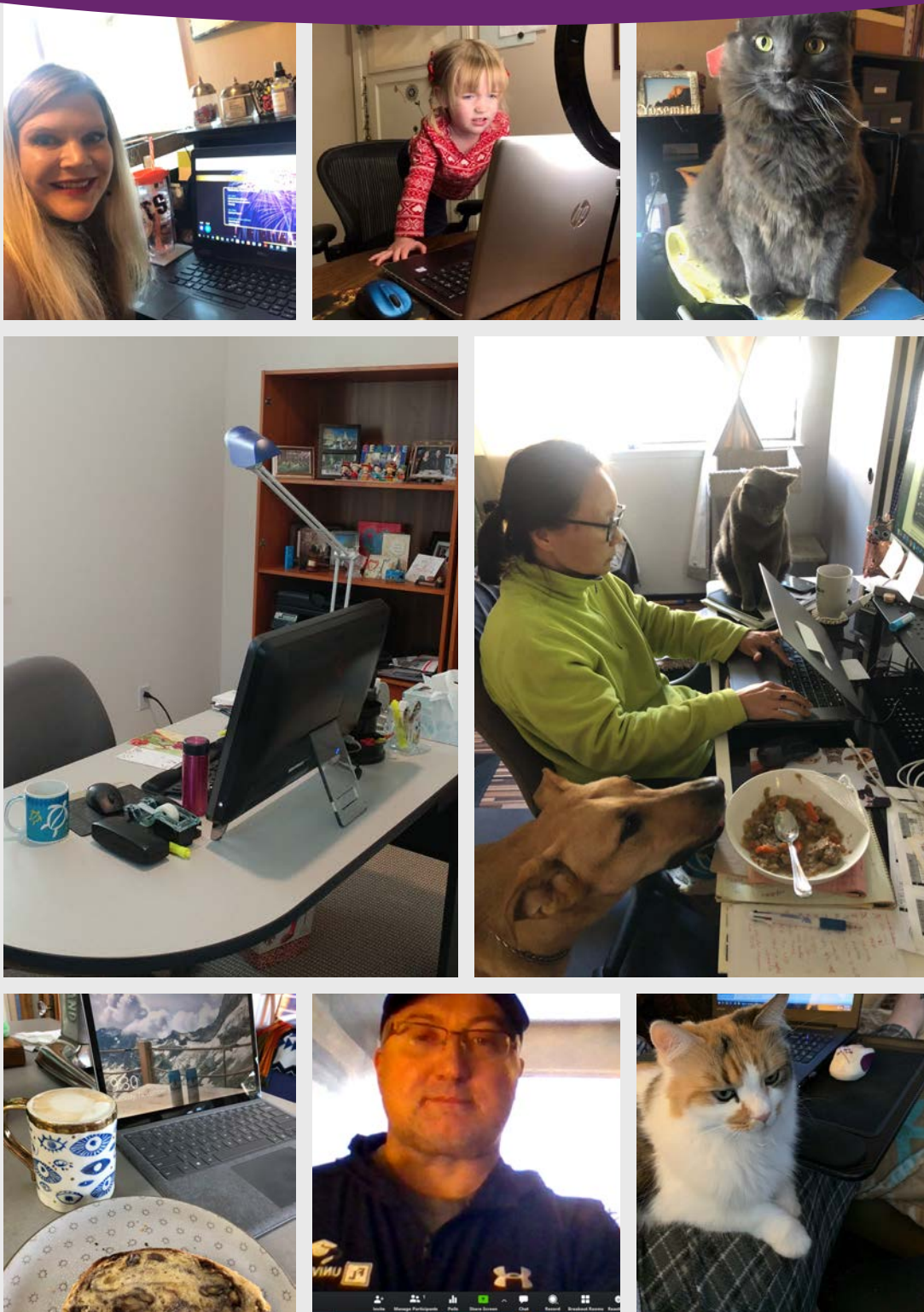
The ergonomic situation of my home office continues to be the most arduous battle. I set up an office in my spare bedroom. On busy days, I can be glued to my chair for hours, and without the state of the art computer system, the adjustable standing desk, speedy internet, and two large monitors I once relished, my lower back suffers. If I miss my walk, I become very stiff. I have been searching for the perfect, affordable, adjustable desk that can fit into my home office. I am still searching.

For me, the best of times are getting off work at 5:00 p.m. and already being home, Zoom Happy Hours, and no worries about late rideshares or BART rides home. I do, however, miss my co-workers, beautiful walks around San Francisco, and many of the people I have met on BART.

\*\*\*\*

COVID-19 has me stuck in the house pretty much 24/7, trapped with my husband and two kids, ages 8 and 11. I feel lucky that they are not toddlers. But while I work, they go to school right in earshot of me. I get interrupted all day to be asked how to spell words. I get to hear them fight over the television programs to be watched and whatever else there is to fight about under the sun. I have to arrange my schedule to make them lunch every single day. Well, I mean this is what a lot of moms who stay home do but even moms of school-aged children have a break for a few hours. But I am a career gal and having space away from each other all day is great. We definitely appreciate our teachers and all they do for our kids now in a new light. But while folks who live alone and have to shelter in place by themselves in peace and quiet all these many months can't wait to socialize again...I, on the other hand, can't wait to go on vacation ALL BY MYSELF.

# SFLPA Member's Home Workstations



**Photo Captions: Top to Bottom Left to Right: Francie Skaggs takes a workspace selfie, Kristen Craig-Reed gets help from daughter Eliza, Francie's cat Chickory posing, May Sene's Home Office, Tsui Ming Chen working while her fur babies monitor her work, Brook Braunschweig powers up with breakfast before a workday, Larry McGrew with a hat day, and Joyce Hilton gets help from her cat Joules.**



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Our application forms are also available to download. Applications and payments can be received by mail. Address information as well as who to make checks payable to are also provided on the forms.

If you have questions and would like to speak to someone, please send an email to our Vice President/Membership Chair: Jenny Ha. Send your email to: [membership@sflpa.org](mailto:membership@sflpa.org).

# CCLS Sample Quiz Answer Key



| Reasoning and Ethics |        |                                                                                                                                                                                               |
|----------------------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| No.                  | Answer | Authority                                                                                                                                                                                     |
| 1.                   | C      | California Rules of Professional Conduct, Rule 4-100                                                                                                                                          |
| 2.                   | B      | <i>Secretary of State, Notary Public Handbook</i>                                                                                                                                             |
| Legal Computations   |        |                                                                                                                                                                                               |
| 1.                   | B      | $\$192,000 - \$9,600 = \$182,400$                                                                                                                                                             |
| 2.                   | D      | Defendant C portion of award = \$264,000<br>$\$264,000 \times 12\% = \$31,680$ per year<br>$\$31,680 / 360 = \$88$ per day<br>$\$88 \times 60 = \$5,280$<br>$\$264,000 + \$5,280 = \$269,280$ |
| Legal Terminology    |        |                                                                                                                                                                                               |
| 1.                   | B      | <i>California Style Manual</i> , 4 <sup>th</sup> ed., Table of Abbreviations                                                                                                                  |
| 2.                   | C      | <i>LSI Law Office Procedures Manual</i> , Glossary                                                                                                                                            |



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12:00 p.m. to 1:00 p.m.

**Day of Education**  
Saturday, February 6, 2021

**FEDERAL LAW**  
A Tribute to Justice Ruth Bader Ginsburg  
Presented by: J. Tony Serra, Esq., of Law Office of J. Tony Serra  
9:00 am - 10:00 am

**PROBATE AND ESTATE PLANNING**  
What is a Professional Fiduciary?  
Presented by: Russell Pottharst, PPF, SoCal Private Fiduciary®  
10:30 am - 11:30 am

**SPECIALTY LAW**  
The Changing Role of the Legal Professional  
Moderator: Gerri Vidmar, Legal Support Manager, Dentons US LLP  
Panelist: Brandon Randolph, CLM, Director of Administration, Pillsbury Winthrop Shaw Pittman LLP  
Panelist: Christa (Davis) Palamides, Office Administrator, Hagan Lovells, US LLP  
Panelist: Linda Quindt, CLM, Firm Administrator, Finch, Thornton & Baird, LLP  
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Presented by Russell Pottharst, PPF
- The Changing Role of the Legal Professional  
Moderator: Gerri Vidmar, Legal Support Manager  
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LSS Webinar, Thursday, March 4, 2021

- Discovery Requests, Responses and Document Productions  
Presented by Lisa Cox, Senior Paralegal at The Gomez Law Firm  
12:00 p.m. to 1:00 p.m.

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- Service of Legal Documents
- Preparing a Proper Caption
- Preparation of Documents Filed with the Court
- Basics of Civil Litigation
- Interrogatories
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- Demand for Production of Documents
- Requests for Admissions
- Depositions
- Demand for Physical Examinations
- Deposition Subpoenas
- Discovery Timelines and Service
- Verifications

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- Expert Discovery
- Non-Expert Discovery
- Organizing Trial Material and Files
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- Calendaring Deadlines
- Issue Outline
- Trial Notebook
- Witness List and Witness Binders
- Impairment Evidence
- Trial Exhibits and Exhibits
- Trial Brief
- Voir Dire
- Motions in Limine
- Taped Examinations
- Jury Instructions
- Jury Selection
- Opening Statement
- Closing Statement
- Bench Trials

ONLINE REGISTRATION AND PAYMENT AVAILABLE AT:  
[WWW.LEGALPROFESSIONALSINC.ORG/EVENTS/](http://WWW.LEGALPROFESSIONALSINC.ORG/EVENTS/)  
[WWW.LEGALPROFESSIONALSINC.ORG](http://WWW.LEGALPROFESSIONALSINC.ORG)

Trial Preparation  
8 Week Online Course  
Commencing January 19, 2021  
Register Online via LPI Website/Events

**ADVANCED DISCOVERY**  
Online Class Commencing January 26

NextGen Legal and LPI are offering this six-week, online Advanced Discovery class. You will be able to work at your own pace.

**Cost**  
200 LPI members  
250 non-LPI members

Cost includes an Advanced Discovery Reference Guide.

Each individual must register separately. Upon completion of the class, students will receive a certificate from LPI.

Classes will take place online utilizing video lectures, discussion boards, email, live Q&A sessions and quizzes. Login information will be provided the day before the class is scheduled to begin.

**SOME OF THE TOPICS THAT WILL BE COVERED:**

- Drafting Interrogatories
- Demand for Production of Documents
- Drafting Demand for Production of Documents
- Drafting Requests for Admissions
- Drafting Deposition Notices
- Drafting Demand for Physical Examinations
- Drafting Deposition Subpoenas
- Drafting Subpoenas for Production of Documents
- Motions to Quash
- Answering Interrogatories
- Answering Demand for Production of Documents
- Answering Requests for Admissions
- Objections to Discovery
- Requests to Produce
- Meet and Confer Letters
- Motions to Compel
- Further Responses

ONLINE REGISTRATION AND PAYMENT AVAILABLE AT:  
[WWW.LEGALPROFESSIONALSINC.ORG/EVENTS/](http://WWW.LEGALPROFESSIONALSINC.ORG/EVENTS/)  
[WWW.LEGALPROFESSIONALSINC.ORG](http://WWW.LEGALPROFESSIONALSINC.ORG)

Advanced Discovery  
6 Week Online Course  
Commencing January 26, 2021  
Register Online via LPI Website/Events



# Change of Address

Member Name \_\_\_\_\_

New Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

\_\_\_\_\_  
New Home Telephone

\_\_\_\_\_  
New Office Telephone

\_\_\_\_\_  
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:**

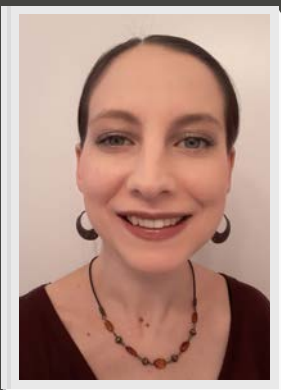
- ☐ Administrative
- ☐ Appeal
- ☐ Arbitration
- ☐ Business/Corporate
- ☐ Probate/Estate
- ☐ Taxation

- ☐ Criminal
- ☐ Family
- ☐ Law Office Management
- ☐ Litigation
- ☐ Real Estate
- ☐ Other (Specify):

\_\_\_\_\_  
\_\_\_\_\_

**Please submit to:**

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



# Message from Co-Editors

**Kate Cochran &  
Larry McGrew**



A chapter has closed as we enter a new year. As a country, we long for change, peace, solidarity, and to get our lives somewhat back to normal. So many have lost so much, and we hope that our members and their families have been safe during these difficult times.

I have been a member of the SFLPA for a very long time. I have not seen a year like this. But I can tell you, I am proud of this wonderful association. My hat goes off to our President, Frances Skaggs, and our board for their leadership through this tumultuous time. When faced with a difficult situation, our new President hit the ground running by leading our board to provide our membership with many options while other associations were paralyzed by the pandemic.

We faced one of the most difficult years, but we remained optimistic and kept the wellbeing of our membership in our thoughts as we continued to provide services. As we enter 2021, we will continue to strive to not only be better but to provide opportunities to learn, network, and remain strong and hopeful for what the new year brings. As your co-editor, I am happy to be a part of this tandem that has worked to bring back our newsletter for our membership. Although my co-editor has been under the weather, our team has stepped up to help continue to get our newsletter back into circulation and to provide you all with important updates on what is going on in our legal industry.

Cheers to 2021 and I hope that you all remain well and optimistic. May we all look forward to the future as we work to mend our communities, our country, and the world as we heal from the awful things we faced in 2020.

# LPI Code of Ethics

*Members of LPI adhere to the LPI Code of Ethics which is dedicated to an LPI Past President, Joan M. Moore, PLS, CCLS, and reads as follows:*

It shall be the duty of each member of Legal Professionals, 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.