

San Francisco Legal Professionals Association



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



In This Issue...

What Have We Been Up To? Recent Events

Feature: Third Annual Conference Report

Feature: The Basics Of Intellectual Property

Spring Is Almost Here!

By Kate Cochran, Advising Editor

Spring is almost here in the Bay Area, and boy, are we ready to turn over a new leaf and see some sun. It has been quite the adventure with record-breaking wet weather in the early months of 2023. Many of us have shared memorable photos of local weather events and their aftermath, from floods to hail, mudslides, downed trees and even snow!

We hope you are staying safe and dry for now, but we'd love to see you at our next Brown Bag Educational Webinar on Tuesday, March 28, featuring our amazing presenter, Jane Migachyov, and everything you need to know about Child Custody and Visitation; and our Annual Membership Meeting and Election Night at 6:00 p.m. on Tuesday, March 21, at Coblentz, Patch, Duffy & Bass LLP. Get those umbrellas, rain jackets and galoshes ready!

San Francisco Legal Professionals Association 2022-2023 Elected Officers











President

Vice President

Frances Skaggs, CCLS Leanne Ruesink Lorri Nicolini, CCLS Secretary

Sally Mendez Treasurer

Christine Flores, CBA Governor

Appointed Officers, Chairs & Committee Members

Executive Advisor: May Sene - executive advisor@sflpa.org Parliamentarian: Christine Flores, CBA - cflores@orrick.com Career Promotion and Scholarship: Sally Mendez - careerscholarship@sflpa.org CCLS Program: Melissa Dallas, CCLS & Lorri Nicolini, CCLS - ccls@sflpa.org Chapter Achievement: Christine Flores, CBA - governor@sflpa.org Education: Frances Skaggs, CCLS Chair & Lillian Wong - education@sflpa.org Hearsay Advisor: Kate Cochran, Chair - editor@sflpa.org Interclub: Lillian Wong, Chair - interclub@sflpa.org Legal Procedure: Danya Gonzales, Chair - legalprocedure@sflpa.org Membership: Leanne Ruesink - membership@sflpa.org Professional Liaison/Day-in-Court: Lillian Wong, Chair - dayincourt@sflpa.org Programs: Lillian Wong, Interim Chair & Kristen Craig-Reed - program@sflpa.org Ways & Means: Lillian Wong, Chair & May Sene - waysandmeans@sflpa.org Website: Kristen Craig-Reed, Chair - website@sflpa.org

Open Positions:

Programs, Hearsay Committee, Social Media & Public Relations





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JANUARY-MARCH 2023

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PRESIDENT'S MESSAGE FRANCIE SKAGGS, CCLS



Dear Valued Members:

Wow! It's March 2023 already. I hope many of you will attend our upcoming Election Meeting on March 21 at Coblentz Patch Duffy & Bass. I know many of you are still working on a hybrid schedule, but please come, mingle with those you haven't seen in a long time, make some new friends, and vote! It has been far too long! I will be running for President for another term, with the goal of mentoring many others to become future SFLPA Presidents. This will be our first in-person election meeting since March 2019!

Since the SFLPA fiscal year is from May to April, March marks the end of our fiscal year. The upcoming Election Meeting, also known as the Annual Meeting, is the fourth and final Membership Meeting of the fiscal year. Other membership meetings occur every July, October and January. I encourage our members to try and attend one of our inperson membership meetings. There is a valuable energy and comradery that attending virtually does not offer, and human connection is important for our overall health.

For this past fiscal year, I chose SFLPA's theme to be "Goals for Growth." My goal as President was focused on the growth of our SFLPA Board. The Board is what makes everything happen for the members. During my service as President, I have watched my fellow Board members grow while on our journey together. I would like to share some of their journeys.

Some of our newer Board members have grown and flourished more than they initially believed they would. Legal Procedures Chair Danya Gonzales initially expressed concern that she didn't have enough knowledge to fulfill her role, but I had faith in her. Now, only 10 months later, not only did she succeed in her role, but has gone above and beyond, working side-by-side with Hearsay Advising Editor Kate Cochran. As for Kate Cochran, who requested to step down as Hearsay Editor to fulfill other goals, she continues to do an amazing job with the Hearsay. In addition, both Kate and Danya have both become very talented writers and can add that they are "published authors" to their resumes! My cup runneth over!

Our Vice President Leanne Ruesink was elected Vice President after only a little over a year of joining SFLPA. She has introduced our association, as well as LPI, to law firms not only in San Francisco, but the greater Bay Area, and introduced them to SFLPA by showing how the LPI Legal Professionals Handbook and Law Office Procedures Manual can be a bonus to their libraries and legal staff.



PRESIDENT'S MESSAGE CONT'D.



I first met our SFLPA Secretary Lorri Nicolini, CCLS, while we were both taking the CCLS exam at Wilson Sonsini's Palo Alto office back in September 2019. At that time, she was not a member of SFLPA. Shortly after joining, Lorri was on the SFLPA CCLS Committee, became Secretary of the Board, and has attended every meeting to take our minutes, even when she was in trial. Lorri has expanded her wings and has attended many LPI conferences, as well as other associations' events. Now, she actually works for Wilson Sonsini as an Executive Assistant!

In 2017, when I was the Education Chair under President Larry McGrew, Kristen Craig-Reed was always offering to help me with the educational events, but could not commit at the time because she had just had a baby. Now, five years and two babies later, Kristen is a superstar and serves as both our current Website Chair and Employment Chair, and is on the Education Committee.

We could not excel without our mentors of our Board. Governor and Parliamentarian Chris Flores, who has been serving on the SFLPA Board at some capacity for the last three decades, also has experience in other associations since the 1970's! Chris is always present to share her wisdom, not to mention possessing a gift for reciting the Bylaws on queue! Treasurer Sally Mendez was able to tighten our books and help us get the Hearsay up and running, and together with former SFLPA President Larry McGrew, mentored the newer Hearsay Editor, Kate Cochran, into her role as the Hearsay Editor. Now, Kate is capable of mentoring and teaching others!

Our Ways and Means Chair and Executive Advisor May Sene offers a presence that is both compassionate and calm, but May is always available for our Board, as well as other members. When anyone needs comfort, home and assistance, May has always been available and offers the most comforting solutions. When I first became President, like anyone else, I was very scared. I would call May, she would be there to listen to me, letting me know I was doing a good job, and she would always calmly offer me solutions. Anyone who knows May, thinks of her as wise, kind, patient and very warm. I cannot express the gratitude I have for her.

This amazing Board and its continued synergy is what keeps SFLPA alive, even through an ongoing pandemic when many associations had to close down. This Board is the foundation of what it takes to thrive. I'm looking forward to the upcoming year.



PRESIDENT'S MESSAGE



CONT'D.

Many of our members stated that education was the most fundamental part of our association. Our members will be very pleased with some of the opportunities for education we will be offering in the next year. I am delighted to announce that we have some new people interested in serving on the Board! One is our brand new Employment Chair, Claudia Deza, who is going to rock her position! Please stay tuned because you will be meeting our newly elected Board at our April Installation Ceremony. There will also be some other new Chairs being introduced.

Though we live in a different world, I hope that you, our members, will take the opportunity to attend our Election Meeting on March 21, as well as our Installation Ceremony in April! It has been too long that we have been apart and though virtual meetings helped us survive through the pandemic, there is an energy and inspiration that comes from human interaction and being together in person that can never be attained virtually. Diane Camacho, CLM, explained it in a Legal Professionals, Inc., webinar about the importance of human interaction and how isolation can be harmful to your cognitive memory (see endnote below). Please come and celebrate with us – not only has it been far too long, it will be good for your mental health.

Endnote: "Returning to Work Means Returning To Different Personalities" (which can be purchased at https://www.legalprofessionalsinc.org/recorded-webinars-for-sale/). See also "You Know You Need Human Connection: Here's How to Achieve It" by Maggie Wooll at https://www.betterup.com/blog/human-connection.





SENIOR ACCOUNT EXECUTIVE SUE HAMMER shammer@firstlegal.com 415.720.6229 Court & Process
Depositions
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Records
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Nominees for the SFLPA Executive Board for the 2023-2024 Term:

Nominee for President: FRANCIE SKAGGS
Nominee for Vice President: SUDDIE SCOTT
Nominee for Secretary: LORRI NICOLINI
Nominee for Treasurer: SALLY MENDEZ
Nominee for Delegate:
KATE COCHRAN
SUDDIE SCOTT

LOCATION:
Coblentz Patch Duffy & Bass
One Montgomery Street, Suite 3000
San Francisco, CA
(Enter at 120 Kearney
between Post and Sutter)
In-Person: \$25 (Dinner included!)



Register, go to: https://www.sflpa.org/events-calendar/ or scan the QR Code Questions: program@sflpa.org



2023-24 OFFICER NOMINATIONS



KRISTEN CRAIG-REED, CHAIR

The Nominations Committee is pleased to present SFLPA's new officer nominations for the 2023-2024 fiscal year. Be sure to attend our General Membership Meeting and Annual Nominations for Office on Tuesday, March 21, to vote and make your voice heard! Thank you to those who have volunteered and are running this year! A big thank you goes out to our Nominations Committee as well: Kristen Craig-Reed, Chair; Vice President Leanne Ruesink; and Katrina Hardy. Thank you all for your hard work and support for this annual event that is such an important part of SFLPA governance. Join us Tuesday and VOTE!

NOMINEES FOR SFLPA EXECUTIVE BOARD & DELEGATE (for 2023-2024 Term)

- Nominee for President:
- Nominee for Vice President:
- Nominee for Secretary:
- Nominee for Treasurer:
- Nominees for Delegate:

FRANCIE SKAGGS, CCLS SUDDIE SCOTT LORRI NICOLINI, CCLS SALLY MENDEZ KATE COCHRAN

SUDDIE SCOTT









2023-24 OFFICER NOMINATIONS FRANCIE SKAGGS, CCLS

Nominee for Office of President: Francie Skaggs, CCLS San Francisco Legal Professionals Association 2023-2024 Fiscal Year

Francie Skaggs, CCLS has served as every officer position on SFLPA and is the current SFLPA President. She has been the Secretary, Treasurer, Vice President, Historian, as well as the Ways and Means, Education, and Membership Chair. As Education Chair, Francie organized two Legal Professionals Three-Day Workshops at San Francisco State University, which allowed all levels of legal secretaries and paralegals to earn a certificate showing that they completed the class. Francie also serves on the LPI Continuing Education Committee. Francie has presented with panels of attorneys and paralegals for SFLPA and the BASF Paralegal Section. She led SFLPA through the pandemic, keeping education and community a priority for members while navigating through an unprecedented time for our world. In the 2022-23 fiscal year, Francie moved the Membership Meetings from fully remote into the hybrid world, using technology to allow people the option to attend either virtually or in-person.

As President, Francie plans to strengthen the Board and bring it to the next level. She will work with the Officers and Chairs to prepare each of them to be future leaders. Together, they will build a strong foundation of SFLPA to bring it into a new era. SFLPA will be the source that many come to for education, answers, and support. Francie has many ideas to help make SFLPA stronger and to increase the personal growth and success of our members. She looks forward to facing the journey ahead!



2023-24 OFFICER NOMINATIONS SUDDIE SCOTT



Nominee for Office of Vice President &
Nominee for Conference Delegate: Suddie Scott
San Francisco Legal Professionals Association
2023-2024 Fiscal Year

Suddie Scott is a seasoned Legal Secretary with Jackson Lewis P.C. in San Francisco. She works in the Labor and Employment Law Department. She has been working in the legal industry for over 20 years.

Suddie became a member of SFLPA 2013 through 2018, and she rejoined SFLPA in 2022. Suddie was a Board member and Delegate to LPI 2016 Annual Conference in Santa Rosa. She was SFLPA Employment Chair 2016-2017. Suddie uses her leadership skills at her church in leading others at the Welcome Kiosk, greeting guests, helping them navigate the Bay Church app. She enjoys overseeing projects and helping people. She has received several certificates from JL Academy for taking classes to help her improve her skills. Suddie loves international travel, and learning about other cultures, history, and geography. In fact she just returned from a pilgrimage to Israel, February 27 through March 14, 2023!

Suddie is running for the office of Vice President. She would love to be in a supporting role to the President of SFLPA. She is proactive and she takes the initiative to anticipate what needs to be done.

Suddie would also love to be considered as a Delegate at the 89th Annual LPI Conference scheduled for May 11-14 in Las Vegas, NV.



2023-24 OFFICER NOMINATIONS LORRI NICOLINI, CCLS

Nominee for Office of Secretary: Lorri Nicolini, CCLS San Francisco Legal Professionals Association 2023-2024 Fiscal Year

Lorri is happy to run for another term as Secretary of the San Francisco Legal Professionals Association. She has enjoyed her last two years serving in that capacity and working with the talented members of the Board. In the last two years Lorri has grown in her role, attending SFLPA meetings and recording minutes, attending numerous Brown Bags and CLE classes, participating in hybrid and in-person Association events, and attending quarterly LPI conferences. If elected for the coming term, Lorri will continue these activities, supporting the chapter and the membership.

Lorri's professional career began in 1989 working for a sole practitioner. Since then, she has worked for small, medium, and large firms, mainly in defense-side litigation. She currently works for Wilson, Sonsini, Goodrich & Rosati, P.C. in their San Francisco office in the Securities and Commercial Litigation Department. Since obtaining her California Certified Legal Secretary certification through LPI, Inc. in November 2021, Lorri has had the opportunity to take on greater responsibilities in terms of litigation and trial support. This past year she was on-site at a jury trial before the United States District Court in Austin, Texas, an experience she won't soon forget.

Lorri is eager to continue in the role of Secretary of SFLPA and feels that her attentiveness, organization, and writing and proofreading skills contribute to fulfilling the role successfully. She also looks forward to fostering valuable, positive member experiences in an atmosphere that supports personal and professional development within the legal field. If elected, Lorri will carry out the duties of the office competently and thoughtfully.



2023-24 OFFICER NOMINATIONS SALLY MENDEZ



Nominee for Office of Treasurer: Sally Mendez San Francisco Legal Professionals Association 2023-2024 Fiscal Year

Sally was born and raised in San Francisco and is a past President of the San Francisco Legal Professionals Association. She was also Editor of SFLPA's monthly newsletter, The Hearsay, for twelve consecutive years. She has held several different Board member positions and was Career Promotion / Scholarship Program Chair for Legal Professionals, Incorporated.

Sally is the current SFLPA Treasurer, running for reelection. As Treasurer, she handled a variety of tasks in her first year including reestablishing new bank accounts, shifting SFLPA's finances to QuickBooks, coordinating online credit card payments, and serving as the Advertising Marketing Chair to sell advertising space on SFLPA's website.

Sally currently works as Legal Secretary at Weinberg, Roger & Rosenfeld and has been working in the legal profession for twenty-five years.





2023-24 OFFICER NOMINATIONS KATE COCHRAN



Nominee for Conference Delegate: Kate Cochran San Francisco Legal Professionals Association 2023-2024 Fiscal Year

Kate Cochran is a legal secretary at the law firm of Coblentz Patch Duffy & Bass LLP. She is the current Advising Editor of SFLPA's publication: The Hearsay. Kate has found being part of SFLPA, and volunteering for the Hearsay as a proofreader, editor, and advisor, has been an incredible experience, and has been rewarding in her personal and professional life.

Kate is running for Delegate to represent SFLPA at LPI's Annual Conference in May 2023. Kate attended her first LPI conference in August 2022 and had a blast! She found it wonderful to speak with LPI's leadership in person, and learned so much, not only about LPI's history and goals, but also from attending the well-crafted legal seminars. She also felt it was a great bonding experience for our SFLPA family. She would be proud to represent SFLPA at the next Annual Conference.

Kate lives in downtown SF with her husband Eric, 7-year-old Izzy, 1-year-old dog, Chase, and grouchy old cat, Cali. You can usually find them taking snapshots of local graffiti art, looking for bugs at local parks, and running around Union Square at night. Kate wears many hats and loves to host Spa Day as a beauty consultant—just one of her side hustles! Kate thanks the membership and board for welcoming her into the SFLPA family!



VICE PRESIDENT'S MESSAGE



LEANNE RUESINK

Full Bloom This Month!

Spring is finally upon us, which means it is time to wake up from our winter hibernations and prepare ourselves to embrace new opportunities as we head back into the office. After a long three months of winter, we can now begin to feel a sense of rejuvenation and fully embrace new beginnings that are upon us.

Like the budding blooms emerging from the cold earth seeking the warmth of the sun, this season represents a time of renewal and a time to encourage ourselves to implement all the lessons we have learned throughout this remote experience. We are resilient! We are resourceful! And we need each other! I am hoping that these acknowledgements will motivate us to approach this beautiful season with a new perspective for growth and opportunity within our professional careers.

Let Spring be a reminder for how positive change can be and encourage us all to embrace the true beauty and wonder of transformation.



Founded in 1969 Pathways Personnel uses its strong regional network of legal and corporate professionals built from our stable and continuous presence in the bay area employment industry for over 50 years to find the highest quality candidates for our clients. All Pathways recruiters are legal and corporate industry veterans. Our experience lets us better understand the challenges that our clients and candidates face working in and running a law firm or corporate legal department.

Celebrate Our New Officers!



SFLPA INVITES YOU TO JOIN US AND BE A PART OF THE FESTIVITIES!

85TH ANNUAL

Installation of Officers Gala

SPECIAL INSTALLATION OFFICER, LUCY FONG, ESQ.

Menu Selection:

Herb Roasted Sonoma Chicken Breast Lemon Thyme Jus

or

Pan Seared Sustainable Salmon Sweet Soy Drizzle

or

Butternut Squash Ravioli Sage, Creamy Brown Butter Buerre Blanc

\$65.00/pp

PLEASE RSVP BY APRIL 6, 2023 (HOTEL NEEDS FINAL HEAD COUNT)

SUNDAY, APRIL 23, 2023, 12PM - 3PM HYATT FISHERMAN'S WHARF 555 NORTH POINT ST, SAN FRANCISCO, CA 94133

To Register, go to: https://www.sflpa.org/events-calendar/ or scan the QR Code

WWW.SFLPA.ORG



Questions? Email: Programs@sflpa.org



GOVERNOR'S REPORT CHRIS FLORES, CBA



GOVERNOR'S REPORT March 2023

The Third Quarterly Conference Board of Governors Meeting was held February 24 through 26, 2023 at the San Mateo Marriott in San Mateo, California. San Mateo County LPA proved to be fabulous hosts – and the theme Groovin' to the Sixties proved to set a fun atmosphere for the weekend. SFLPA was well-represented with Danya Gonzales attending. Francie Skaggs, CCLS and Larry McGrew also attended in their capacities as Webinar Team Member and Legal Procedure Chair. One of our newest members, Elizabeth Sharpe, attended her first conference and took advantage of the educational workshops available on Saturday.

The conference kicked off with the Welcome Reception and Friday Night Activity – Rock Painting. The Welcome Reception gives everyone a chance to greet their colleagues, meet the vendors who are there and generally catch up. The Rock Painting activity proved to be a lot of fun. The creativity that some people showed in decorating their rocks was amazing.

The conference continued with a continental breakfast on Saturday morning. The Board of Governors meeting was called to order at 9:02 a.m. by President Rod Cardinale, Jr. The Pledge of Allegiance was led by Vivian Shreve, CCLS, LPI CCLS Chair and President of Santa Clara County LPA. The Code of Ethics was presented by Benjamin Silowitz, Parliamentarian of Santa Clara County LPA. President Rod Cardinale, Jr. called for a moment of silence in memory of those members who have recently passed away, and for those who are encountering other life difficulties. This was followed by a video presentation in memory of Diane Mecca of Stanislaus County LPA.

President Rod introduced the Past Presidents in attendance at the meeting and on Zoom. Kim Oreno, LPI Administrator, served as Timekeeper for the meeting. Executive Secretary Bettina Jacobsen called the roll. There were 18 Governors present at the meeting, which constituted a quorum. It was reported that there was no correspondence received in the previous quarter. The Minutes of the November 2022 First Quarter Board of Governors Meeting were timely distributed. There were no corrections to the Minutes – they were approved as distributed.



GOVERNOR'S REPORT CONT'D.



President Rod Cardinale, Jr. announced that LPI is hosting the next several conferences as follows:

- Annual Conference 2023 will be held May 10-13, 2023 in Las Vegas, Nevada.
- August 2023 Conference will be held in Costa Mesa at the Hilton from August 10-13, 2023, and the theme will be "Coasting to Costa Mesa."
- November 2023 Conference will be held in Santa Cruz at the Hilton from November 9-12, 2023, and the theme will be "Under the Boardwalk."
- February 2024 Conference will be held February 16-18, 2024 in Walnut Creek at the Embassy Suites. The theme will be "Hail to the Chiefs."

Mark your calendars now, and try to attend at least one of these exciting events!

The meeting continued with the Reports of the elected officers. Vice President Donna Day announced that the 100% Club will continue into the next fiscal year. Executive Secretary Bettina Jacobson encouraged the local associations to consider meeting in person if they have not begun doing so. Treasurer Rita Burnett, CCLS announced her corrections to the membership report, and presented the current Treasurer's Report. On motion duly made and seconded, the actions of the Treasurer in paying the routine bills of LPI during the third quarter of fiscal year 2022-2023 were ratified.

The meeting was recessed to the Second Session of the Board of Governors meeting to be held on Sunday morning. The roundtable lunch was held following the morning Legal Specialization Section Seminar and the Training Workshop presented by June Hunter. The luncheon gave everyone the opportunity to discuss the Executive Committee Resume. Following the luncheon there were other educational opportunities available. The fun continued with a Pre-Banquet Reception, and the Banquet. The attendees enjoyed music of the Sixties and lively conversation throughout the evening. I could not help but be entertained by how so many attendees got into the theme of the conference. President Rod Cardinale, Jr. came decked out in full tie dye, and quite long hair for the banquet.

Our day began on Sunday morning with a continental breakfast. The Board of Governors meeting was called to order at 9:02 a.m. by President Rod Cardinale,



GOVERNOR'S REPORT

CONT'D.

Jr. Executive Secretary Bettina Jacobson called the roll. There were 19 Governors present, constituting a quorum. Cynthia Woodman, San Mateo County LPA Treasurer, inspired the attendees to laugh more and experience more fun in life.

The Governors were then asked to consider several Bylaw Amendments and Standing Rule Amendments. These changes were made to align with some of the new procedural changes implemented by LPI in the handling of its business.

There was no unfinished business or new business to come before the meeting. San Mateo LPA presented President Rod with a gift. San Mateo LPA presented a gift to the Conference Co-Chairs.

President Rod conducted a wheel spin to award scrip tickets to the following local associations:

- San Gabriel Valley LSA
- San Fernando Valley LSA
- Contra Costa County LPA
- Placer County LPA

There being no further business, the meeting was adjourned at 9:58 a.m.

I hope you will set some time aside to attend at least part of some of the upcoming conferences. The educational opportunities alone make it truly worthwhile! Plus, you'll get a great insight into how SFLPA and LPI are Stronger Together!!









LPI Snapshot: Becoming a CCLS



CCLS Chair Vivian Shreve, CCLS

I have been in the legal field for my whole life – literally! My step-father was a criminal defense attorney and my mother was his office manager, so I have quite literally grown up in the legal field.

I've worked in the areas of criminal law, bankruptcy, insurance defense, unlawful detainer, family law, civil litigation, patent prosecution, and ultimately IP and securities litigation, which I've been doing for the last 9 years. I've always had a good bit of confidence in my ability and my skill set. But a few years ago, I heard about something called the California Certified Legal Secretary exam. I started doing some research and thought "Shoot, I've been in this field my whole life; I should be able to do this!" Then I talked to a former secretary in my office, who happened to be a CCLS. She encouraged me to go for it and told me about the study groups. So, I started really considering it. I joined Santa Clara County LPA, admittedly so I could get the benefit of the discount on the study materials and exam. Once I got the materials and started to study, I questioned myself and thought "WHAT HAVE I GOTTEN MYSELF INTO?!" But, alas, it was too late to turn back now. You see, in all of my excitement about the exam, I told everyone at work that I was studying and that I'd be taking the exam. I was actually able to get my employer to agree to reimburse me for the materials and exam fees if I was able to pass. NO PRESSURE, right?

So, I studied. I studied flash cards at lunch time; I attended the online study group every week; I read all of the materials; I studied the Gregg Reference Manual; I had people quiz me; and I had the attorneys in my office spouting all kinds of legal terminology at me. For 12 weeks, if I had a free minute, I was doing something related to the exam.

Now here it is, EXAM DAY! To know me is to know that I am one of the world's great sleepers. I love to sleep in on Saturdays – but not this Saturday. I was up early and driving from San Jose to Burlingame so I could be sure to be there by no later than 7:30 for the 8:00 start time. After the first section was done, I called my husband and told him I'd be back up in Burlingame for the next test session because I thought there was no way I was going to pass. I finished the exam and on my drive home, really not having any idea how I







LPI Snapshot: Becoming a CCLS Cont'd.



did on the exam, I felt so completely warn out, but at the same time I was somehow invigorated. I knew I had done all I could to prepare myself and I had done all I could on the exam. And not only that, but I felt that I had taken a huge step in trying to advance my career.

The next several weeks were excruciating for me. I checked my email every chance I got – morning, noon, night – waiting for the results. So finally, just before Thanksgiving, I'd been at a food sort at the local food bank, sorting apples and oranges all morning. Upon returning home and checking my email, there it was – CCLS CERTIFYING BOARD. The results were in. I started to shake and I could actually feel the blood racing through my veins. I was so excited, so nervous, so anxious. I open the email and the first word I saw was CONGRATULATIONS. I screamed! My husband and kids came running in to see what was wrong. They found me jumping all over the house screaming "I did it! I did it! I passed!" They never had any doubt. I emailed my bosses and told them. They also never had any doubt. I think I was the only person who ever had any doubts. I jumped around so much that I ended up hurting my sciatica and ended up in the emergency room.

Since taking and passing the exam, my career has been completely different. I got a huge amount of respect from my coworkers, bosses and colleagues. I have been getting better raises and bonuses. I get to travel with my attorneys for trial, which I love doing. I have much more responsibility in my office and have become a go-to person when people have questions or need help with projects. I've been asked to assist with interviewing candidates and training new hires. Not to mention the fact that before even getting my results, I was asked to run the study group for the next sitting of the exam. I became the CCLS Chair for Santa Clara County LPA and am very proud to say that everyone that studied with me in the study groups has also passed the exam. At the same time, I also became the Continuing Education Committee Chair, which is a position I never thought I'd be ready for. But we've had some very successful workshops.

To sum it all up, the CCLS exam was by far the hardest thing I've ever had to study for. I often tell people it is the hardest exam a non-attorney professional







LPI Snapshot: Becoming a CCLS Cont'd.



will ever have to take. It is like studying for the LSATs or the Bar exam. But passing it has made it all worth it. My confidence level has skyrocketed. The respect that I get from my employer and co-workers has been amazing. And the opportunities that it has opened up for me have been incredible. And I've gotten more job offers than I can count. In this day and age, knowing that you are a little more marketable goes a long way. I'm not worried about my job here right now, but I've survived several rounds of layoffs. Having the CCLS helps me to know that if something should happen and I lose my job here, I know that I can go elsewhere and have no problem finding another job. CCLS looks great on your résumé.

Learn more at: https://www.legalprofessionalsinc.org/ccls-applicants/.

August 8, 2019 article: https://www.legalprofessionalsinc.org/becoming-a-ccls/.

Please contact Vivian Shreve, CCLS with any questions at: cclschair@legalprofessionalsinc.org.



LPI 2520 Venture Oaks Way, Suite 150 Sacramento, CA 95833

Connect with us!

















SFLPA Out and About Photos





Everyone sent good vibes and got into the hippie spirit of the 1960's at LPI's Third Quarterly Conference.



SFLPA Members and LPI Treasurer Rita Burnett, CCLS want you to Give Peace a Chance!

L to R: Legal Procedure Chair Danya Gonzales, Vice President Leanne Ruesink, President Francie Skaggs, CCLS,
Governor Chris Flores, LPI Treasurer Rita Burnett, CCLS, New Member Elizabeth Sharpe and LPI Blog Editor Larry McGrew.



SFLPA Out and About Contd.





Tech Committee Chair Dawn R. Forgeur, CCLS and SFLPA President Francie Skaggs, CCLS in a selfie.



Flower Child and LPI President Rod Cardinale, Jr. enjoys the LPI Banquet at the LPI Conference in San Mateo.



LPI Legal Procedure / Blog Editor and SFLPA
Member Larry McGrew Celebrated His Birthday at
the LPI Conference in San Mateo.



Lynne Prescott, CCLS, Rod Cardinale Jr., and Laura Plummerville in their hippy-dippy ride.





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, twovolume 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.

<u>Legal Secretary Training</u> – 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.

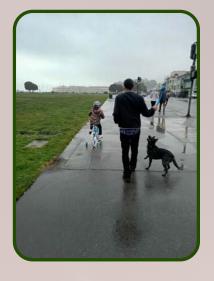
For more information about membership or an association near you, contact LPI's Corporate Office: Kim Oreno, kim@legalprofessionalsinc.org; www.legalprofessionalsinc.org. Find us on Facebook, Instagram, LinkedIn & Twitter!

Take a step in the right direction. Advance your legal career, improve your professional and personal skills.

BECOME A MEMBER OF LPI TODAY.









Chase exploring the Marina Green.

Recent Events

Marina Green & Yacht Harbor 🦶





By Kate Cochran, Hearsay Advisor

My family, Eric Cervantes, Isabella "Izzy" Cervantes, and our dog Chase explored the Marina Green and Yacht Harbor in San Francisco on Saturday, March 11. It started raining cats and dogs as soon as we got to Fort Mason, but we ventured out of the car anyway; after all, 7-year-old humans and 1-year-old dogs have a lot of energy, and it needs to come out somewhere! The rain soon lightened to a steady drizzle. Izzy rode her bicycle all the way around the Green three times, and Chase explored everything from the local wildlife, to the soccer team practicing in the middle of the Green, to other dogs out chasing balls, sticks, and of course, birds. Despite the rain, there were a lot of neighbors and visitors out enjoying the weekend, many in plastic ponchos and tall boots. We didn't wear the right footgear, and soon Eric and I were squelching at every step with our sneakers completely soaked through. When the rain stopped for a bit, Cochinitas, a Yucatec Mayan fusion food truck, opened for business. We hurried to grab delicious burritos from our favorite spot in the City...their pulled pork is the best I've ever had! Izzy, of course, ate more than I did. It was a wonderful and very wet, but very fun, adventure in San Francisco.





SFLPA & LPI EVENT CALENDAR



Educational & Networking Opportunities

March

3/21 - LPI Advanced Discovery Class Starts

3/21 - LPI Trial Preparation Class Starts

3/21 - LALSA Webinar: Administer a Trust

3/21 - SFLPA General Meeting & Election Night 3/23 - LSS Webinar: Difficulties Applying for SSDI

3/28 - SFLPA Brown Bag: Child Custody & Visitation

3/28 - LPI Webinar: Table of Authorities

4/4 - SFLPA Board Meeting

4/5 - CCCLPA Membership Benefits of LPA

4/6 - LPI Webinar: Case Going To Trial, Part 1

4/11 - Placer LPA Dinner Meeting ft. L. Ruesink

4/12 - SCCLPA Annual Meeting & Officers Installation

4/23 - SFLPA Annual Installation of Officers Gala

4/25 - SFLPA Brown Bag

May

5/2 - SFLPA Board Meeting

5/2 - LPI Advanced Discovery Class Ends

5/11-14 - LPI Annual Conference

5/16 - LPI Trial Preparation Class Ends

5/18 - LPI Webinar: Canva 101

5/23 - SFLPA Brown Bag

All SFLPA events are posted on our website. You will also find some of the flyers published in this issue. Please visit us at www.sflpa.org and click on the Events tab.

We also encourage you to visit LPI's website at www.legalprofessionalsinc.org to keep up with all the educational webinars, other local association events, and information on upcoming LPI Conferences.



SFIPA Celebrates





We Thank and Honor

Hon. Ketanji Brown Jackson **Marie Curie Margaret Heafield Hamilton** Komako Kimura Malala Yousafzai Marsha P. Johnson



GIRLS JUST WANNA HAVE **FUNDAMENTAL** HUMAN RIGHTS

Women's History Month! HEARSAY | ISSUE 04



March is Women's History Month Kate Cochran, Advisor



SFLPA honors Women's History Month and these six amazing women who changed the world. For more information, visit: <u>www.wikipedia.org</u>.

Hon. Ketanji Brown Jackson

Ketanji Onyika Brown Jackson, born September 14, 1970, is an American jurist who serves as an associate justice of the Supreme Court of the United States. Jackson was nominated to the Supreme Court by President Joe Biden on February 25, 2022. She was confirmed by the United States Senate on April 7, 2022, and sworn into office on June 30, 2022. She was previously a United States circuit judge of the United States Court of Appeals for the District of Columbia Circuit from 2021 to 2022. Hon. Brown Jackson is the first female Black judge to serve on the U.S. Supreme Court.

Marie Curie

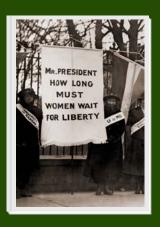
Marie Salomea Skłodowska–Curie, November 7, 1867 – July 4, 1934, was a Polish and naturalized-French physicist and chemist who conducted pioneering research on radioactivity. She was the first woman to win a Nobel Prize, the first person to win a Nobel Prize twice, and the only person to win a Nobel Prize in two scientific fields. Her husband, Pierre Curie, was a co-winner of her first Nobel Prize, making them the first-ever married couple to win the Nobel Prize and launching the Curie family legacy of five Nobel Prizes. She was, in 1906, also the first woman to become a professor at the University of Paris.

Margaret Heafield Hamilton

Born on August 17, 1936, Margaret Heafield Hamilton is an American computer scientist, systems engineer, and business owner. She was director of the Software Engineering Division of the MIT Instrumentation Laboratory, which developed on-board flight software

Momen's History





March is Women's History Month Cont'd.



Margaret Heafield Hamilton (Cont'd.)

for NASA's Apollo program. She later founded two software companies, Higher Order Software in 1976 and Hamilton Technologies in 1986, both in Cambridge, Massachusetts. Hamilton has published more than 130 papers, proceedings, and reports, about sixty projects, and six major programs. She is one of the people credited with coining the term "software engineering." On November 22, 2016, Hamilton received the Presidential Medal of Freedom from president Barack Obama for her work leading to the development of on-board flight software for NASA's Apollo Moon missions.

Komako Kimura

Komako Kimura (木村 駒子), 1887–1980, also seen as Komaku Kimura or Komago Kimura in American newspapers, was a Japanese suffragist, actress, dancer, theater manager, and magazine editor before World War II. Her work, both literary and theatrical, shaped the women's rights and women's suffrage movement in Japan. She created the movement entitled "The True New Women's Association" (in Japanese Shin-shinfujinkai) in 1912 with two other women, Nishikawa Fumiko (1882-1960) and Miyazaki Mitsuko. She famously marched in the October 27, 1917 suffrage march in New York.

Malala Yousafzai

Malala Yousafzai, born July 12, 1997, is a Pakistani female education activist and the 2014 Nobel Peace Prize laureate. Awarded when she was 17, she is the world's youngest Nobel Prize laureate, and the second Pakistani and the first Pashtun to receive a Nobel Prize. She is known for human rights advocacy, especially the education of women and children in her native homeland, Swat, where the Pakistani Taliban have at times banned girls from attending school. Her advocacy has

Momen's History





March is Women's History Month Cont'd.



Malala Yousafzai (Cont'd.)

grown into an international movement, and according to former Prime Minister Shahid Khaqan Abbasi, she has become Pakistan's "most prominent citizen." The daughter of education activist Ziauddin Yousafzai, she was born to a Yusufzai Pashtun family in Swat and was named after the Afghan national heroine Malalai of Maiwand. On October 9, 2012, while on a bus in Swat District after taking an exam, Yousafzai was shot by a Taliban gunman in an assassination attempt in retaliation for her activism. Yousafzai was hit in the head and remained unconscious and in critical condition, but later improved. After her recovery, Yousafzai became a prominent activist for the right to education.

Marsha P. Johnson

Marsha P. Johnson (August 24, 1945 – July 6, 1992) was an American gay activist and self-identified drag queen. Known as an outspoken advocate for gay rights, Johnson was one of the prominent figures in the Stonewall uprising of 1969. Some have mistakenly credited Johnson for starting the riots. Johnson was not present when the riots began, but Johnson was a founding member of the Gay Liberation Front and coradical founded activist group Street Transvestite Revolutionaries (S.T.A.R.), alongside close friend Sylvia Rivera. Johnson was also a popular figure in New York City's gay and art scene, modeling for Andy Warhol, and performing onstage with drag performance troupe Hot Peaches. Johnson was known as the "mayor of Christopher Street" due to being a welcoming presence in the streets of Greenwich Village. From 1987 through 1992, Johnson was an AIDS activist with ACT UP. Johnson's body was found floating in the Hudson River in 1992. Initially ruled a suicide by NYPD, controversy and protest followed, leading to a reopening of the case as a possible homicide.

Feature Herfiele







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)

Northern California

Saturday, September 18, 2021

Saturday, March 19, 2022

Southern California

Saturday, September 18, 2021

Saturday, March 19, 2022

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** Check **PayPal** Payable to "LPI" Email exam application to (Select Payment Type) Mail to above address CCLSCertifyingBoard@gmail.com. Payment link will be provided upon confirmation of eligibility to sit for exam. LPI Members Non-LPI Members \$ 25.00 On Time Registration Fee On Time Registration Fee \$ 75.00 100.00 100.00 Examination Fee* Examination Fee* Late Fee (if applicable) 45.00 Late Fee (if applicable) 45.00

Phone (Day): _____ Phone (Evening): _____ LPI Member: ___ Yes (enclose copy of LPI Membership Card) ___ No

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:

[name and address]

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.

Name of Local LPI Association:

Rev. April 2020

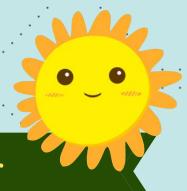




HEARSAY | ISSUE 04



Legal Procedure



California Court Chatter

Danya Gonzales, Legal Procedure Chair

CALIFORNIA EMPLOYMENT LAW UPDATES

Assembly Bill 1041 - Definition of Family is Expanded Again Under California Family Rights Act and Healthy Workplace, Healthy Families Act (Effective January 1, 2023):

The definition of "family member" changed under the California Family Rights Act ("CFRA") and California's Healthy Workplace, Healthy Families Act ("HWHFA") to include a "designated person." The law is meant to address the changing definition of family as it relates to providing care to individuals.

Under both the amended CFRA and HWHFA, employees will be able to identify a designated person for whom they want to use leave when they request unpaid (CFRA) or paid (HWHFA) leave. Further, under both amended laws, employers will be able to limit an employee to one designated person per 12-month period for family care and medical leave. How these laws will each define designated person, however, differs slightly.

Under the CFRA, a designated person will mean "any individual related by blood or whose association with the employee is the equivalent of a family relationship." Under the HWHFA, however, a designated person is "a person identified by the employee at the time the employee requests paid sick days" – the individual need not be related by blood to the employee, and their association need not be the equivalent of a family relationship. Employers will have to await guidance from California's Labor Commissioner, but it is expected that a designated person for HWHFA purposes possibly might include a roommate, a new romantic partner, or even a close friend

CFRA & Paid Family Leave: The amended CFRA definition also will differ from the California Paid Family Leave ("PFL") program, which allows eligible individuals to receive PFL wage replacement benefits from the state when they need to care for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner who has a serious health condition. Remember that an employer grants the time off; the state determines who gets paid for that time off. PFL provides up to eight weeks of wage replacement benefits in a 12-month period for covered uses, which does not include



Legal Procedure



Court Chatter Cont'd.

a designated person. This means that an employer may have to grant unpaid leave, but the state may not need to pay benefits for the time off.

HWHFA & Local Ordinances: California's HWHFA applies to all employers regardless of size. Under the HWHFA, employees can use paid leave, and the law requires employers to provide for the diagnosis, care, or treatment of an existing health condition of, or preventive care for, a family member, which includes a child, grandchild, grandparent, parent, registered domestic partner, sibling, and spouse and, as of January 1, 2023, a designated person.

The HWHFA amendments are consistent with many local laws currently in place in Berkeley, Emeryville, Oakland, and San Francisco, which allow an employee without a spouse or registered domestic partner to designate a person for whom they can use paid leave. While the amendment to the HWHFA will allow an employee to designate a person at the time they request leave, these local ordinances require an employer to, shortly after employment begins, allow an employee to make a designation that will apply to future leave requests, and to update that designation annually. Thus, it is important for employers to note their current procedures and update in accordance with both local and state laws.

Assembly Bill 1949 – Bereavement Leave (Effective January 1, 2023):

The California Family Rights Act is amended to allow eligible employees to take five days of unpaid bereavement leave after the death of a covered family member. A covered "family member" includes a spouse or a child, parent, sibling, grandparent, grandchild, domestic partner, or parent-in-law. The time off must be completed within three months of the date of death, and the leave does not need to be consecutive. To be eligible, an employee must have worked for the employer for more than 30 days prior to the start of the leave. Employees can substitute any vacation, personal leave, PTO, accrued and available sick leave, or compensatory time available to them. Employers may require employees to provide documentation of the death within 30 days of the request for leave.

Assembly Bill 2188 – Discrimination in Employment: Use of Cannabis (Effective January 1, 2024):

AB 2188 was signed by Governor Newsom on September 18, 2022, but will not become







Court Chatter Cont'd.

operative until January 1, 2024. The use of cannabis--also known as marijuana--for medicinal purposes has been allowed in California since voters passed Proposition 215 in 1996. California went a step further after the 2016 passage of Proposition 64, which legalized recreational marijuana use. Proposition 64, however, did not restrict employers from enacting and enforcing workplace policies pertaining to cannabis.

AB 2188 prohibits employers from discriminating against employees based on: (1) the employee's use of cannabis off the job and away from the workplace; and (2) a drug screening test that has found the person to have non-psychoactive cannabis metabolites in their hair, blood, urine, or other bodily fluids. The statute does not provide employees with the right to possess cannabis, or be "impaired by" it, on the job. The statute does not define impairment, which could lead to future litigation. AB 2188 does not apply to employees in the "building and construction trades." Nor does it apply to employees in positions requiring federal government background investigations or security clearances through the United States Department of Defense.

The federal prohibition on marijuana has existed since 1937, and federal law continues to classify cannabis as an illegal substance. Federal authorities are still authorized to prosecute Californians who use cannabis, but it is still unclear if and how that authority will be used. President Biden recently issued a presidential proclamation that pardons federal convictions for simple marijuana possession offenses. Also, the Office of Personnel Management previously issued a memorandum prohibiting federal agencies from automatically finding individuals unsuitable for federal employment based on prior marijuana use. This may indicate that federal prosecution is not likely for marijuana users who act in compliance with state and local marijuana laws and consistent with federal concerns such as preventing minors from using marijuana.

Senate Bill 3 - Minimum Wage Increase for All Businesses Regardless of Size (Effective January 1, 2023):

California lawmakers voted to increase the minimum wage to \$15 per hour in 2016, but the increase was phased in over several years and, if inflation increased by more than seven percent between the 2021 and 2022 fiscal year, the minimum wage must increase to \$15.50 per hour. As of January 1, 2023, the full minimum wage increase of \$15.50 went into effect in California for all businesses regardless of size.







Court Chatter Cont'd.

The change in the minimum wage also affects the minimum salary an employee must earn to meet one part of the overtime exemption test. Exempt employees are not subject to the payment of overtime for working overtime hours. An employee must earn no less than two times the state's minimum wage for full-time work to meet this initial requirement of the exemption test. As of January 1, 2023, employees in California must earn an annual salary of no less than \$64,480 to meet this threshold requirement. Employers could now be subject to a claim for failure to pay the current minimum wage. Also, there is caselaw that immigration status should not have a direct impact on whether an employee is paid California's minimum wage. However, there may not yet be a clear regulation that expressly states such protection. Federal minimum wage remains at \$7.25 per hour, where it has been since 2009. The Biden administration is making efforts to raise the federal minimum wage.

Some cities have set their own higher minimum-wage local ordinances, including Alameda, Belmont, Berkely, Burlingame, Cupertino, Daly City, East Palo Alto, El Cerrito, Emeryville, Foster City, Fremont, Half Moon Bay, Hayward, Long Beach, Los Altos, City of Los Angeles, County of Los Angeles (unincorporated areas), Malibu, Menlo Park, Milpitas, Monterey Park, Mountain View, Novato, Oakland, Palo Alto, Pasadena, Redwood City, Richmond, San Diego, San Francisco, San Jose, San Leandro, San Mateo, Santa Clara, Santa Monica, Santa Rosa, Sunnyvale and West Hollywood.

Senate Bill 523 – Protection of Reproductive Health Decisions (Effective January 1, 2023):

In response to recent Supreme Court decisions and laws in other states outlawing abortion, California passed several new laws designed to protect reproductive rights in the state. Among the highlights of these laws is SB 523, the Contraceptive Equity Act of 2022. The law prohibits employment-related discrimination based on reproductive health decision-making, and expands birth control access by requiring health plans to cover certain over-the-counter birth control beginning in 2023.

In addition, reproductive health decision-making is now included among race, age, gender, disability, religious creed, national origin, and other protected categories. It is defined as "a decision to use or access a particular drug, device, product, or medical service for reproductive health." Moving forward, an



Legal Procedure



Court Chatter Cont'd.

employer may not discriminate or harass an employee in terms of reproductive health decisions.

Senate Bill 951 – Unemployment Insurance (Effective January 1, 2025):

The new law essentially increases wage replacement rates for lower wage earners under the state Paid Family Leave ("PFL") and State Disability Insurance ("SDI") programs.

Starting in 2025, workers who earn 70 percent or less than the state's average wage would be eligible for 90 percent of their regular wages under the PFL and SDI programs. Currently, low-wage earners may be eligible for 70 percent of their regular wages under the programs. To pay for this increase in benefits, on January 1, 2024, SB 951 will repeal the wage ceiling for contributions into the SDI fund, thereby making all wages subject to the SDI contribution rate.

Though PFL and SDI are state benefits, employees can apply for the benefits while on unpaid leaves, such as under the California Family Rights Act and federal Family Medical Leave Act. As such, this increase in the state benefits formula may make unpaid leaves for lower wage earners more palatable as it will mean a less significant loss of income.

Senate Bill 1044 - Anti-Retaliation/State of Emergency (Effective January 1, 2024):

With so many natural disasters in the news (historic levels of rainfall, snow, floods, and landslides), California has taken steps to protect employees who refuse to report to, or leave, a workplace or worksite due to a reasonable belief that the workplace is unsafe. An employer may not threaten or retaliate against an employee because of an actual state of emergency in the workplace that poses an extreme peril or risk to the employee. Moreover, employees must also be able to access their mobile devices to seek emergency assistance, assess their safety, or to communicate with a person to inform them of their safety.

Notably, the law is quite clear that the state of emergency does not apply to public health pandemics. However, this excludes the COVID-19 pandemic, and current requirements are likely to continue to stay in place at least through the end of next year.



Legal Procedure Court Chatter Cont'd.

Senate Bill 1162 - Pay Transparency (Effective January 1, 2023):

Under existing California law, employers are required to provide applicants with the pay scale for a position upon reasonable request. See Cal. Lab. Code § 432.3. Under SB 1162, employers with 15 or more employees must actually include the pay scale for a position in any job posting. This obligation extends to any third party the employer engages to announce, post, publish or otherwise make known a job posting. The posting gives the applicant a preview of the pay scale only. SB 1162 also expands section 432.3 to require employers to provide employees with the pay scale for the position in which the employee is currently employed, upon reasonable request.

SP 1162 adds a new recordkeeping requirement that employers must keep records of job title(s) and wage rate history for each employee for the duration of employment, plus three years after termination. These records must be open to inspection by the Labor Commissioner. The new law creates a rebuttable presumption in favor of an employee's claim if an employer fails to keep such records.



California Bureau of Security and Investigation Services-BSIS PI LIC 188947, Process Serving Registration Number PS-537 SN



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- Issue Outline
- · Trial Notebook
- Witness List and
- . Witness Binders

- · Impeachment Evidence
- Trial Exhibits and
 Exhibit Binders
- . Trial Brief
- Voir Dire
- Motions in Limine
- Verdict Forms
- Jury Instructions
- Jury Selection
- Opening Statement
- · Closing Statement
- Bench Trials



To Register go to our website: https://www.legalprofessionalsinc.org/events or Click the QR code above.

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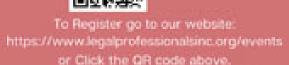
COST \$200 LPI MEMBERS \$250 NON-LPI MEMBERS

Cost includes an Advanced Discovery Reference Guide.

Each individual must register separately. Upon completion of the course, students will receive a certificate from LPI. Classes will take place online utilizing email, live Q&A sessions and quizzes. Login information will be provided the day before the class is scheduled to begin.

- Drafting interrogatories (Form, Contention and Special Interrogatories
- 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
- Meet and Confer Letters
- Motions to Compel Further Responses



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DIFFICULTIES IN APPLYING FOR SSDI

Presented by: Roopen Parekh, Esq.

March 23, 2023 12 pm to 1 pm



LEGAL

SPECIALIZATION



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Learn to create an automatic Table of Authorities in WORD:

What is a Citation? What is an Authority?

*Marking the First Instance of a Citation
*Marking the Second or Subsequent
Citation of an Authority
*Inserting your Table of Authority
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Presented By: June Hunter

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About the Trainer

June Hunter is a Technical Enablement Sr. Specialist at DISCO and teaches computer essentials at UC San Diego Extension in their ABA-approved Paralegal Studies program.

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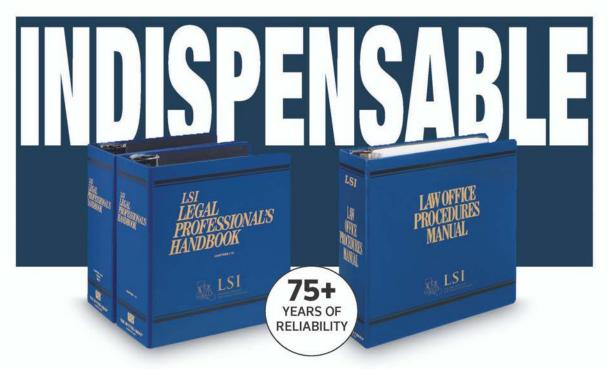


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HEARSAY | ISSUE 04



The Basics of Intellectual Property

Danya Gonzales, Legal Procedure Chair



Understanding intellectual property law is no easy feat, but knowing a few basic protections afforded under the law may provide a general overview of its purpose. Fortunately, Thomas A. Harvey, Esq., a partner of Coblentz Patch Duffy & Bass, LLP, explained—in easier terms—the "nuts and bolts" of this complex law at our January 17, 2023, Membership Meeting. A litigator and trial lawyer, Mr. Harvey's practice focuses on intellectual property disputes, including trademark, copyright, and unfair competition. As our guest speaker of the evening, his presentation, titled "The Nuts and Bolts of Trademark Law," highlighted four well-known categories of intellectual property rights: trademark, copyright, right of publicity, and trade secret. A common mistake is to equate intellectual property with these various forms. Intellectual property is the general term for any invention or creation that can be protected by national and international law. Trademark and copyright are just two types of intellectual property rights, and the legal nature of each is different than the other.

TRADEMARK

A trademark can be anything as long as it serves to identify the source of the goods or services and used in the normal course of commerce. It can be a word, phrase, logo, slogan, scent, shape, or artwork—to name a few. Some well know trademarks are the brand name Coca-Cola, the shape of Heinz's Tomato Ketchup bottle, the logo color of Tiffany & Co.'s timeless jewelry boxes, and the ubiquitous bitten apple on the back of the iPhone and Mac. The goal of trademarks is to allow consumers to easily identify the producers of goods and services and avoid confusion. While trademark is the designation of goods and services, trademark infringement is the confusion or similarity of designations that cause confusion in the minds of consumers about the source of the goods or services.

Not all trademarks are created equally, and protection of trademarks is an elastic concept. One reason is due to its conceptional or distinctive strength. Trademark distinctiveness exists on a spectrum, with some marks receiving greater protection than others under federal law. Some trademarks are widely

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known as a household name or a coined mark as Starbucks or Kodak. This "fanciful" distinction receives strong trademark protection. Other trademarks hold "arbitrary" distinction and include preexisting words used in an arbitrary way, as Apple when used for computers. "Suggestive" distinction suggests something about the product but not an outright description—Whirlpool for washing machines. "Descriptive" distinction describes some primary aspect of a business's goods or services such as General Electric or American Airlines. Some mental effort is required, but consumers have a good idea about what to expect from these services. A "generic" distinction is the weakest form of a mark because it simply uses a word or good as its trademark.

COPYRIGHT

The legal nature of a trademark is different from that of a copyright. Copyright is about encouraging creative expression and giving people special benefits when they create something that is new and original. Examples of unique creations are computer software, art, musical lyrics, blog posts, books, film, advertisements, and website content. An inventor of creative works automatically owns the copyright to their invention; one only owns a trademark when it is registered. However, for an original work to be protected by copyright, it must be in written or recorded form. Mere ideas are not copyrightable, and another author is free to describe the same theory in their own words without infringing on the original author's copyright. In the U.S., original owners are protected by copyright laws all their lives until 70 years after their death; the life cycle of trademarks depends on commercial strength—think videotapes and Blockbuster's ensuing demise. However, unregistered works may be difficult to prove in the case that someone else uses or steals a work. A copyright lawsuit can only be filed if the copyright is registered.

Copyright law also provides the owner the right to authorize others to exercise exclusive rights to the copyright, such as "works made for hire" or a transfer of copyright assignment. Notably, consumers are copyright users when reading books, listening to music, or watching movies, and are allowed to use a

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copyrighted work under certain conditions without permission of the copyright owner. Also, a parody is considered a First Amendment form of expression and falls under "use of a copyrighted work" protection when it is a humorous form of social commentary or literary criticism. The more outrageous the parody, in terms of tarnishing the copyright, the more likely the protection afforded it. Use of a protected copyright without permission is considered an infringement and punishable by a fine and/or payment to the injured party. As a copyright dispute in recent news, former President Donald Trump ("Trump") sued journalist Bob Woodward ("Woodward") for publicly releasing audio interview recordings without Trump's permission. He agreed to be recorded by Woodward for the journalist's book *Rage*, but not to the release of the interviews in a follow-up audiobook, *The Trump Tapes*. Trump's complaint raises a host of legal questions, including whether an interview is copyrightable, who owns the interview, and if an interview is a joint work.

RIGHT OF PUBLICITY

Generally speaking, the right of publicity protects against unauthorized use of a person's name or likeness for commercial value and certain other exploitative purposes. The elements of "likeness" consist of a person's voice or distinctive appearance, gestures or mannerisms, a photo of a readily identifiable person, or a signature. This protection expands to every individual, not just famous people, but disputes of this nature usually involve celebrities whose names and images help sell products. When a misappropriation—invasion of privacy—occurs, an individual may be compensated for the unauthorized economic gain from their name or likeness.

An example of a recent case of similar elements involves a contentious intellectual property battle between hip-hop moguls Clifford "T.I." and Tameka "Tiny" Harris and toymaker MGA Entertainment ("MGA"). The Harrises allege that MGA made millions of dollars off its "L.O.L. Surprise! O.M.G." doll line by stealing the image and likeness of the OMG Girlz, a former teen rap group that included Tiny's daughter and two of her friends. MGA counters that the OMG

feature Hefricle







Girlzs' style is similar to other musical artists, and the dolls' style was a natural progression from its Bratz line of dolls, released prior to the group's fame.

TRADE SECRET

A trade secret is anything used in a business that gives an economic or business advantage over competitors. The secret must (a) provide economic value to the owner, (b) must not be generally known to the public or to people knowledgeable about the general subject, and (c) reasonable efforts must be taken to maintain the secrecy. Trade secrets come in an endless array of types that include software algorithms, formulas for cleaning and beauty products, food recipes, customer lists, social media connections, product information, research and development, business manuals, databases, and other information related to a company's business. Some notable examples of famous trade secrets are Google's algorithm, SpaceX's rocket designs and spacecraft control systems, LinkedIn member contacts, various formulas for Heinz condiments, and possibly America's most famous trade secret, Coca-Cola's formula.

Trade secrets are the lifeblood of many companies, and virtually all companies have them—certainly every major food and beverage company. However, if the trade secret is distributed to the public, it is no longer confidential and may lose its protection forever. Trade secret owners must take reasonable care to protect confidentiality.

If someone illegally acquires or uses a trade secret without authorization, it is called a misappropriation and punishable by imprisonment or fines. Remedies for trade secret misappropriation can be very costly, and all three components of a trade secret must be present to initiate litigation. In many cases, an owner can request a court to order an injunction—halt or terminate—to prohibit any further use or disclosure of their trade secret, and take additional legal action to recover any financial losses incurred as a result of the breach. The remedies to such breaches will vary depending on the state in which the breach occurred and whether the secret was used in either interstate or foreign commerce.

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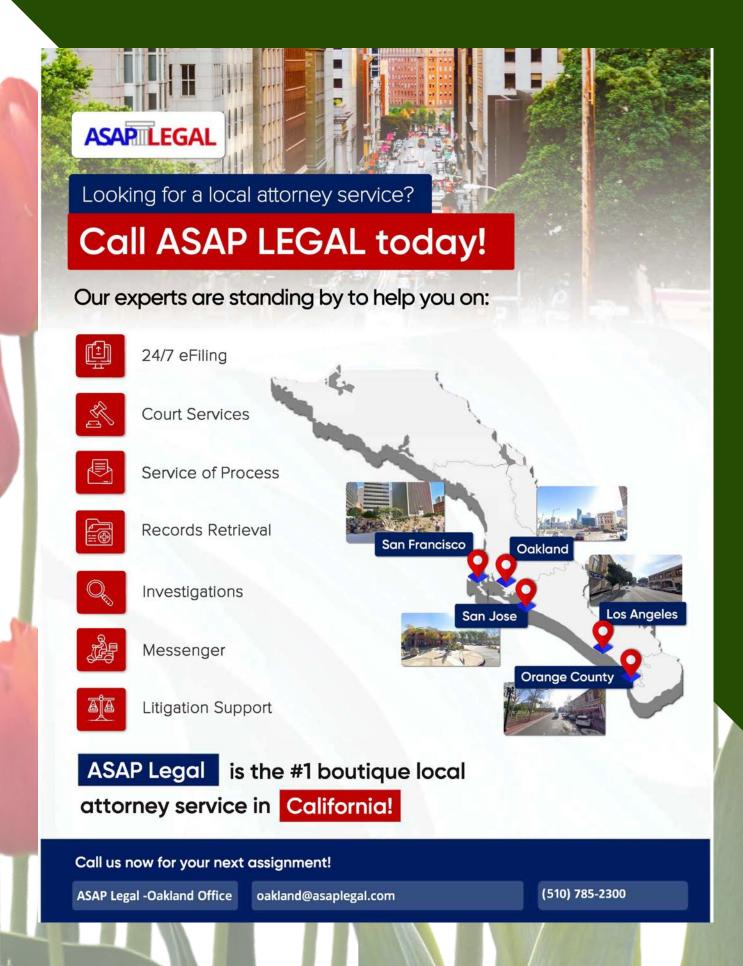
CONCLUSION

Intellectual property law, in the broadest sense, exists to encourage, protect, and enforce ownership of, and rights to, creations, inventions, products, or processes of originality. There are many types of intellectual property; the best known are patents, copyrights, trademarks, and trade secrets. Other forms of intellectual property exist such as publicity rights, trade dress, domain names, and unfair competition. The legal nature of each form is different than the other, often with some overlapping protections. A trademark typically protects brand names and logos used on goods and services, while a copyright protects an original artistic or literary work. A right to publicity protects an individual's name, likeness, or other personal identity, while a trade secret protects business information that gives a competitive economic edge due to its secret nature. Trademark and copyright infringement is rampant, as is publicity and trade secret misappropriation; the legal remedies vary depending on the protection and scope of the wrongdoing. Being knowledgeable about the different forms of intellectual property can help you understand what category you may have and how to best protect it.



feature Herricle









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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: Leanne Ruesink. Send your email to: membership@sflpa.org.



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Kate Cochran
Advising Editor

Spring is in the air...and so are raindrops and thunderstorms! As we welcome Spring in the Bay Area, we're ready for a change and are eager to see the sunshine peeking through the clouds. Whenever we have a good day, let's remember to take full advantage and get in all the outdoor activities we can while we have the chance. From discovering local parks to new shops, neighborhood restaurants, and the best new hangouts, there's so much to explore right here in our backyards.

Need some ideas? Check out SFLPA's events calendar (https://www.sflpa.org/events-calendar) for the latest and greatest legal events in San Francisco, and LPI's Local Association Events calendar for events in the Bay Area and beyond (https://www.legalprofessionalsinc.org/local-association-events/). Be sure to come to our Annual Membership Meeting and Election Night on Tuesday, March 21, and vote for your new governing board and conference delegate in person! See you there!



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