

San Mateo County Legal Secretaries Association

Member: Legal Secretaries Incorporated ~ LSI® - Educating California's Legal Professionals



LEGALAIRE

Editor, Shara J. Bajurin, CCLS, c/o Carr, McClellan, 216 Park Road, Burlingame, CA

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November 2011

Code of Ethics

It shall be the duty of each member of Legal Secretaries, Incorporated, to observe all laws, rules, and regulations now or hereafter in effect relating to confidentiality and privileged communication, acting with loyalty, integrity, competence, and diplomacy, in accordance with the highest standards of professional conduct.



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President's Message

By: Maria C. Morales-Hernandez

I can't believe it's already November! Let me just say, WOW! Where did the year go? I think you we can all agree that this year has gone by fast. I love this part of the year with Halloween, Thanksgiving, and the holidays with family and friends gathering together. Although we haven't had much rain, nor has it been cold, it almost feels like this is the summer we should have had in July. Personally, I'm still looking forward to rainy, cold days. It has been brought to our association's attention that Rod

Cardinale of Santa Clara LPA will bring a motion at the LSI® Quarterly Conference in Sacramento, November 11-13 to change the name of our state organization. Included in this month's newsletter is his article about the name change and additional information provided by our Mentoring Chairman Mary L. King, CCLS. As a reminder, LSI is our state organization, "Legal Secretaries, Inc." LSA is a local organization designation for "Legal



(Continued on page 2)

SMCLSA Inter-Association Day at the Races

By: Bonnie J. Stensler, PLS, CCLS

I am delighted to report that the Day at the Races was a successful inter-association event; well attended and a lot of fun! Our group included associations from Marin County, Sotckton-San Joaquin County, Stanislaus County, and Sacramento County. SMCLSA sold 58 tickets and made a profit of \$180.



Officers and Chairmen 2011-2012

President	Maria C. Morales-Hernandez	Mchernandez1965@sbcglobal.net
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MCLE Coordinator	Cynthia L. Woodman	cwoodman@sbcglobal.net
Mentoring	Tanya R. Tate and Mary L. King, CCLS	Tanya.tate@hotmail.com srtek@pacbell.net
Reservations	Lisa Landa	Lisa8182@hotmail.com
Pot O' Gold	Tanya and Mary	

President's Message, cont'd.

(Continued from page 1)

Secretaries Association,” and LPA is what some local associations have changed to, which stands for “Legal Professionals Association.” Once again, we are asked to consider changing the name of the state organization (and possibly conforming all local associations) to “Legal Professionals Association.” Please let me or Governor Doris Burke know your feelings about this right away so that the opinions of the members of SMCLSA can be represented at the Conference. I would like to see more of you get serious about getting involved, perhaps

chair a position? How about starting with attending a board meeting? This would let you see what goes behind the scenes. It is actually quite rewarding. But don't take my word for it, come and check it out for yourself. You might want to consider a New Year's resolution to get involved and share your great skills. Just putting it out there. I believe you would have fun, and you can make a contribution of your skills and make our organization even better. I hope to see all of you at our November Vendor Night and Fashion Show on November 15, 2011. Let's get shopping!

SMCLSA's November Membership Meeting



SAN MATEO COUNTY LEGAL SECRETARIES ASSOCIATION

Member: Legal Secretaries Incorporated

General Membership Meeting Notice

Program: Vendor Night and Fashion Show

HOLIDAY
Bazaar



Shopping and fun for everyone!

Great fun, good stuff, and special doorprizes!

- Date: Tuesday, November 15, 2011
Place: Terrace Café at Best Western El Rancho
1100 El Camino Real Millbrae, CA
Time: 6 to 9 p. m.
Price: \$30. Includes dinner, tax, tip and program.



Lisa Landa at Lisa8182@hotmail.com or 650-504-0238
DEADLINE: Friday, November 11, before noon
~A reservation made is a reservation paid~

CCLS Quiz - Legal Terminology Word Search



California
Certified
Legal
Secretary

C Y L P E R S T R I P E S A A
 L I E N T N E M E L T T E S E
 P E R S O N A L I N J U R Y C
 T R I A L C O U R T Z S G J I
 M E M O R A N D U M X Z L U T
 Y L U T R I A L D E N O V O C
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 X W A R R A N T Y D E E D W P
 I E C N A R A E P P A Y I S L
 N O I T A C I L P P A N J N A
 C O M P R O M I S E K T M A M
 P O W E R O F A T T O R N E Y
 M O T I O N O I T A G I T I L
 I F N O I T I S O P P O E R H

Acquitted
 Affidavit
 Answer
 Appearance
 Application
 Case Mgt Conf
 Complaint
 Compromise
 Default
 Defendant
 Demurrer
 Easement
 Escrow
 Ex Parte
 File Serve
 Gag Order
 Good Faith
 Guardianship
 Judge
 Judgment
 Jury Fees
 Lawyer
 Lease
 Lien
 Litigation
 Malpractice
 Mediation
 Memorandum
 Mortgage
 Motion
 Opposition
 Past Due
 Per Stripes
 Personal Injury
 Plaintiff
 Power of Attorney
 Probate
 Reconsideration
 Reply
 Settlement
 Statute
 Strike
 Subpoena
 Summons
 Treason
 Treaty
 Trial Court
 Trial de Novo
 Warranty Deed
 Witness



Legal Procedures - USDC Fee Changes

United States District Court

PACER Fee Increase to Take Effect April 1, 2012

An increase in the electronic public access (EPA) fee, from eight cents to 10 cents per page, will take effect on April 1, 2012.

Earlier this month, the Judicial Conference of the United States authorized an increase in the federal judiciary's electronic public access fee in response to increasing costs for maintaining and enhancing the electronic public access system.

The change is needed to support and improve the Public Access to Court Electronic Records (PACER) system, and to develop and implement the next generation of the judiciary's Case Management/Electronic Case Filing system.

The EPA fee has not been increased since 2005. As mandated by Congress, the EPA program is funded entirely through user fees set by the Conference.

The Conference was mindful of the impact such an increase could have on other public entities and on public users accessing the system to obtain information on a particular case. For this reason, local, state and federal government agencies will be exempted from the increase for three years.

Moreover, PACER users who do not accrue charges of more than \$15 in a quarterly billing cycle would not be charged a fee. (The current exemption is \$10 per quarter.) The expanded exemption means that 75 to 80 percent of all users will still pay no fee.

United States District Court

Notice of Fee Changes Effective November 1, 2011

Notice of Fee Changes Effective November 1, 2011
At its September 2011 session, the Judicial Conference of the United States approved changes to the miscellaneous fee schedule for U.S. District Courts. The following changes will become effective November 1, 2011.

The attorney admission fee (including pro hac vice admissions) will increase from \$275 to \$305.

The fee for filing a miscellaneous action (i.e., any document that is not related to a pending case or proceeding) will increase from \$39 to \$46.

The fee for a records search (per name or item) will increase from \$26 to \$30.

The certification fee (per document) will increase from \$9 to \$11.

The fee for reproducing an audio recording of a court proceeding will increase from \$26 to \$30.

The fee for record retrieval (from the Federal Records Center or the National Archives) will increase from \$45 to \$53.

The fee for a returned check (insufficient funds) will increase from \$45 to \$53.

The fee for an appeal to a district judge from a judgment of conviction by a magistrate judge in a misdemeanor case will increase from \$32 to \$37.

The fee for a certificate of good standing will increase from \$15 to \$18.

The fee for a civil action under the Cuban Liberty and Democratic Solidarity Act of 1996 (LIBERTAD) will increase from \$5,431 to \$6,355 (this fee is in addition to the \$350 civil case filing fee).

Fees are authorized by 28 U.S.C. 1914 and Civil L.R. 11-1(d) and 11-3(c). Complete federal court fee schedules are available at:

<http://www.uscourts.gov/FormsAndFees/Fees.aspx>

United States Bankruptcy Court

Northern District of California

Fee Schedule and Form Changes Announced as of November 1, 2011.

<http://www.canb.uscourts.gov/>

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LSI® Name Change “21st Century & LSI”

By: Rod Cardinale Jr., Santa Clara County, LPA President
LSI Legal Procedure Chairman, 2013 Annual Conference Chairman

Editor's Note: The opinions expressed here are the views of the writer and do not necessarily reflect the views and opinions of SMCLSA, its officers, or chairmen. We welcome submission of articles and editorials from our members and associates in the legal community. If you would like to submit something for publication, please contact the Editor.

Can LSI succeed in its current structure in the 21st Century? My simple answer is, no! I am relatively new to LSI and to date have been to six conferences. I thoroughly enjoyed myself at every conference, and in fact have caught the "conference fever." However, I am beginning to see a trend. I have attended the President's luncheons and heard the struggles Presidents from other associations are having. On the upside, many associations are experiencing successes. At each conference, LSI President Brooke Mansfield-Atherton, CCLS, encourages each of us to step up and help by providing our experiences and suggestions in an attempt to get back on track and increase membership. I took President Brooke's recent President's Report to heart. I have been a Legal Professional for three years now and so far, I love it! I love being a part of LSI. As a member of LSI, I have made so many new friends and have many memories of the conferences, meetings and social events sponsored by LSI and its local associations. However, I have some major concerns about the future of our Corporation that I would like to share with everyone.

Teamwork—

Any team is only as strong as its weakest link. You can consider LSI as 41- team league, and many of our associations (teams) are not doing so well. In fact, many are floundering. When local associations need help, LSI steps in and assists in any way they can through the Officer Visitation Program. But it appears that there are currently no solutions for LSI to help the local associations when they are in dire straits financially. They need LSI's help. I feel that getting members to attend at least one conference will be all it takes for them to gain interest in LSI. If each association would bring a new member, or a

member that has never attended conference, to conference, I am positive they will catch the "fever," take it back to their local association, share their experiences and thus light a fire to begin to rebuild interest in their local associations. In the case of Santa Clara County LPA, sending a new member to the 2010 Annual Conference made a huge impact on that member. So much so that that member came back to the local association armed with excitement and enthusiasm, which snowballed. The association was finally able to balance their budget and increase membership from approximately 40 members to almost 70 members in just one year. SCCoLPA now hosts monthly educational seminars and general meetings, offering MCLE credit for both. They have also hosted many successful fundraisers. While it took a team to accomplish these successes, it took only one person fully energized from attending one conference to encourage the other members to get more involved. If SCCoLPA can do it, so can your association. Every association should be represented at every conference.

Perhaps LSI should consider creating a "conference fund" whereby \$5 of the \$20 from the per-capita tax paid by associations would be earmarked for the purposes of aiding local associations in need. The funds could be used to assist in keeping the associations active or possibly used to send those that have never attended a conference. Because LSI is a non-profit organization, the funds should be made available to all local associations. Sort of like revenue sharing – much in the way the NFL has done. Doing so allows all associations the possibility to be represented at every conference. I propose that the associations that need "seed" money could receive an interest-free loan from LSI, much like the subsidy account used to assist associations who need "seed" money to start the process of hosting a conference. LSI must offer this opportunity to every association in order to protect its non-profit status. The associations that have the funds in their budget would likely not need to take advantage of this opportunity, but we have to at least ensure it is offered to every association. This would allow the struggling associations to have the funds to put the plans into action to promote their local association as well



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LSI® Name Change, cont'd.

(Continued from page 6)

as the means to send members to conference. As a state-wide organization, we need to work together to help each other out in times of need. I think LSI should provide an association-wide structure for running the associations. Give the associations a model of how to maintain an association - something they can work with. Does something like this already exist? I'm not sure, but LSI needs to provide associations with the tools that will teach them how to prosper.

Education

At the August Conference, I discovered that only about 20 percent of the applicants for the most recent CCLS exam passed. To me, that is unacceptable. If our tag line is "LSI - Educating California's Legal Professionals" and we have only a 20 percent passing rate for the CCLS exam, then are we failing as educators? Times have changed since the CCLS program was started, and I think it is time to update the CCLS program. The CCLS program is well known throughout LSI; unfortunately it is an unknown program to most law firms. The CCLS program is promoted throughout LSI, - We need to market outside LSI and focus our efforts on the California legal community. It's time to brand and market the CCLS program, but first we should consider whether the name should be changed as well to California Certified Legal Professional ("CCLP"). Since the term "legal secretary" seems to be going by the wayside, is the interest going forward in becoming a CCLS also fading? If we change our name from Legal Secretaries, Incorporated to more of an all-encompassing term such as Legal Professionals, Incorporated, then it makes sense to change the CCLS program to CCLP. Changing the name of the program would allow us to market to all legal professionals and not just limit us to legal secretaries. This would expand the desire to want to attain the status of a CCLP. Of course, we would still need to market the program and this can be done by educating the law firms in your area, through local bar associations, and of course the State Bar of California. We should focus our promotion of this unique certification to include what the exam can accomplish for the legal professional. By changing the name and doing a mass marketing of the program, attorneys will want to better educate their legal support staff and encourage them to take the exam. The idea would be to promote and grow the program to the point that every law firm in California would recognize the term "CCLP" and

appreciate the work and knowledge it takes to attain this status.

Name Change/Marketing

In my opinion, the first thing LSI needs to do is change our name. We need to "re-brand" LSI to stay current with today's legal community. I believe the name term "secretary" is becoming extinct. As Legal Secretaries, Incorporated, we continue to market to a class of professionals that are rapidly decreasing in numbers. At the conclusion of this article, I have provided a link to a Yahoo page that discusses the fact that paralegals are one of the fastest growing professions in America. The legal professionals are out there; we just need to do a better job of reaching out to them. I have also included a link to an article from the Denver Bar Association that suggests legal secretary positions are morphing more and more into paralegal positions. The whole structure of the law firm has changed so much over the last 25 years and the new legal secretaries today would rather be called legal professionals.

Is it a coincidence that the LSI membership totals have declined almost every year since 1991? I don't think so. A review of our membership list from the LSI Treasurer's 2011 Annual Report shows that over the last 20 years LSI's membership has declined 19 out of 20 years, from a high of 3,915 in 1991 down to 1,250 today. Something is clearly not working.

In 2006, the Board of Governors voted not to change our name, but to add a tag line - "LSI - Educating California's Legal Professionals." Has that tag line helped to gain members? It doesn't appear that it has. The primary reason the name change was voted down was the concern of the amount it would cost to put the name change into play. The Board of Governors thought five years ago that the name change may be necessary, but apparently money upheld the decision. While I respect the rich history of LSI, I think it is definitely time to change the name. With the onset of the use of e-mail and electronic documents, the cost to change our name would in all likelihood be less costly than initially thought. While it is important to have a financial safety net, I believe that we have the funds to change our name. After all, it takes money to make money. Since 2006 approximately half of the local associations have changed their names from Legal Secretaries Association to Legal Professionals Association. Some members feel that because they didn't see much of a rise in membership when their local association became a Legal Professional Association, that LSI should not consider changing its name. Is this a reason not to consider a change? While I agree that changing the name of some associations

LSI® Name Change, cont'd.

(Continued from page 7)

has not generated the increase in membership there is a reason behind that, and that reason is marketing and branding. For example, if I change my name to Joe and don't tell anybody that I've changed my name to Joe, people will continue to call me Rod.

LSI on the state level, the local level, and the CCLS Certifying Board, need to do much better marketing of our organization. Not just within our membership, but to the legal community - today's legal professionals. There are many ways this can be done. For example, Santa Clara County LPA (SCCoLPA) began marketing to all legal professionals and now has paralegal students joining because they found out about the association through their school. Flyers have been sent to every law firm in Santa Clara County announcing that SCCoLPA offers MCLE credits, at a reasonable price, for all legal professionals, including attorneys. Attorneys and paralegals who attend our seminars are offered a one-year free membership to our local association which gives us the permission to email to them information about upcoming events in the hope that they will want to become more involved. They attend, enjoy the classes and then go back to their offices and share their experiences with their peers. It is free advertising – and word of mouth is the best form of advertising. SCCoLPA now has attorneys and paralegals as members. We changed our name from "SCCLSA" to "SCCoLPA", marketed ourselves to all legal professionals in our area, and have seen our membership numbers rise approximately 40percent in the past year. Little by little, we are growing and

more importantly, the legal community is learning about us. It is amazing to hear how many people who attend our seminars say they have been legal professionals in Santa Clara County for years, but yet never knew we existed.

Conclusion

In conclusion, if we don't change our name to include ALL legal professionals, how can we expect an increase in membership? Once we change the name, we can work together to assist the smaller associations become more active. We can update our teaching materials and create models and outlines for every association to use for the purposes of presenting educational classes. We can establish a marketing plan targeted towards the up and coming legal professionals. We can change the CCLS program to the CCLP program and aggressively market its relevance to ALL legal professionals.

The legal secretary's job description, with all the new technology in today's world, is simply not the same as it was 20 years ago, and it is evidenced by the decrease in membership in LSI over the last 20 years. It is apparent that the new generation of legal assistants does not want to be considered a legal secretary, and according to research, a large percentage of existing legal secretaries are trying to change their titles to legal professionals. If the majority of the legal community wants to be referred to as legal professionals, what do you think we should call our corporation? The answer is simple: "Legal Professionals Incorporated."

Links to articles referenced above:

<http://legalcareers.about.com/od/careerprofiles/tp/8-Legal-Careers-.htm>

http://www.cobar.org/docket/doc_articles.cfm?ArticleID=4767



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The Other Side of LSI® Name Change

By: Mary L. King, CCLS

The issue of changing the name of LSI has come up before. At that time, LSI performed extensive legal and marketing research, there was a strong reaction to changing the LSI name because of the cost of preparing and filing new bylaws and incorporation and changing all the publication names, and throwing away 75 years of branding. It was decided not to change the name because it was cost-prohibitive. Although the name of Legal Professionals Incorporated may be available in California, it is still possible LSI would not be permitted to use that name if it conflicts with another entity in the U.S., and that entity contested LSI's use of that name. Long time supporter Jack Lamp of Jack Lamp Graphics stood up at the Annual Conference a few years ago and made his pitch for the name change, much as Rod is doing now. The compromise was to use "LSI" with the tagline, "Educating Legal Professionals," rather than go through the expense of changing the corporate name. I think that a name change is not the key to increasing membership. No evidence has been produced by the associations that have changed their name to "Legal Professionals Association" that their membership has increased due to name change. The local association name change process has been on-going for a few years now, and as evidenced by Rod's statistics, the membership numbers have continued to decline. I believe the decline has been due to a number of factors - the first being the change in the legal profession itself. Technological advances have enabled firms to hire tech-savvy new attorneys; develop the "group" support or "team" approach to their practice, where a secretary or "assistant" may

support 4, 5, 6 attorneys. In addition to attorneys being more self-sufficient, changes in legal and court procedures requiring more form and electronic filings has also contributed to the decline in legal secretarial training and education. Firms have increased the usage of paralegals because a paralegal can generate revenue. The present-day legal secretary is no longer required to learn as much law, rules, and procedure as 20 years ago. With the decreased need for specialized education; employers' unwillingness to pay for educational programs and membership dues; plus the down-turn in the economy, it is no surprise there is a decrease in membership.

I believe the key to increased membership lies in the local association membership reaching out. If our own members cannot or are unwilling to "sell the association to their co-workers" why would the member's co-workers be interested in joining the association? It is that personal touch that is needed to bring in new members and keep long-time members. We need to make a commitment to befriend these new members and keep in touch with the members we have. We need only to look to ourselves to see that the long-time members gravitate to each other at meetings because they have become personal friends over the years. This camaraderie keeps our association vital, but our reaching out keeps our members coming back. Management has to work at presenting programs that are interesting, even if the subject matter is not in your area of law practice. Our association is involved in the community and we let our members know we value them.

Lastly, I am not opposed to a name change, but I think we need concrete evidence that it would make the difference Rod thinks it will.



October General Membership Meeting



SMCLSA Annual Holiday Event

San Mateo County Legal Secretaries Association's Annual Holiday Party 2011

Date: Tuesday, December 13, 2011

Place: The Van's Restaurant, 815 Belmont Avenue, Belmont, CA

Time: 6 to 9 p. m.

Price: \$35, includes choice of 5 entrees, salad, and dessert.

The Children's Fund of San Mateo County is our chosen charity this year. Your donation of an unwrapped toy, book, stuffed animal or check is greatly appreciated. Checks can be made payable to "Children's Fund."



Bring a wrapped ornament to participate in an ornament exchange.

Tanya R. Tate, Holiday Party Chairman: Tanya.tate@hotmail.com

California Secretary of State Debra Bowen Announced as Speaker at November Conference



LSI® announced that Debra Bowen will be a speaker at the Quarterly Conference on Sunday, November 13. In order to allow people who may not have considered attending the opportunity to hear Secretary Bowen, Catherine Culver, CCLS, the LSI Administrator, will accept late registrations and brunch ticket orders until Friday, November 4, 2011. Form on facing page, or go to LSI website at www.lsi.org.

LSI® November Conference Registration



BACK TO BASICS: EDUCATION, NETWORKING AND FRIENDSHIP

LSI Quarterly Conference
 Sacramento Marriott Rancho Cordova
 November 11-13, 2011

CONFERENCE REGISTRATION FORM

Name (as it will appear on badge): _____
 Mailing Address: _____
 City/State/Zip: _____
 Home Telephone: _____
 Work Telephone: _____
 Email Address: _____
 Local Association (please spell out) _____ (LSA/LPA)

PLEASE INDICATE IF YOU ARE:

- State Officer (Specify) _____ Governor
 State Chairman (Specify) _____ CCLS PLS

LEGAL TRIVIA THROWDOWN: Interested in Being Team Member? Yes No

SCRIP (Includes Registration, Welcome Reception, Banquet, and Brunch)
 POSTMARKED ON OR BEFORE October 11, 2011 \$100.00 \$ _____
 POSTMARKED October 12, 2011 OR LATER \$110.00 \$ _____

INDIVIDUAL TICKETS

_____ Registration PRIOR to October 11, 2011	\$15.00	\$ _____
_____ Registration AFTER October 12, 2011	\$25.00	\$ _____
_____ WELCOME RECEPTION (Friday)	\$20.00	\$ _____
_____ Presidents' Luncheon (Saturday)	\$30.00	\$ _____
_____ Governors' Luncheon (Saturday)	\$30.00	\$ _____
_____ Membership Luncheon (Saturday)	\$30.00	\$ _____
_____ BANQUET (Saturday Evening)	\$40.00	\$ _____
_____ BRUNCH (Sunday)	\$25.00	\$ _____

Total Amount Enclosed \$ _____

MENU CHOICES: (Please Indicate Choice):

- Banquet: Chicken Marsala, Baked Sole, or Italian Vegetable Calzone
 Luncheons: Baja Chicken Wrap or Vegetarian Wrap

Special Dietary Restrictions: _____

Please make checks payable to: LSI
 Mail to: LSI Corporate Office, P.O. Box 660, Fortuna, CA 95540-0660

Go to www.lsi.org for more information.

**SAN MATEO COUNTY
LEGAL SECRETARIES ASSOCIATION**

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Burlingame, CA 94010

Phone: 650-696-2595
E-mail: sbajurin@carr-mcclellan.com

**Vendor Night and
Fashion Show
November 15, 2011
Details on Page 3**

FIRST CLASS MAIL

Items to Calendar ...

Date	Notes
Nov. 1, 2011 at 6 p.m.	SMCLSA Board Meeting at Carr, Yeley & Associates, 605 Middlefield Road, Redwood City, CA.
Nov. 11-13, 2011	LSI® Quarterly Conference, Sacramento, CA.
Nov. 15, 2011 at 6 p.m.	SMCLSA Vendor Night and Fashion Show. Terrace Café at Best Western El Rancho Inn, 1100 El Camino Real, Millbrae, CA. \$30/includes dinner, tax, tip and program.
Dec. 6, 2011 at 6 p.m.	SMCLSA Board Meeting at Carr, Yeley & Associates, 605 Middlefield Road, Redwood City, CA.
Dec. 13, 2011 at 6 p.m.	SMCLSA Annual Holiday Party, The Van's Restaurant, 815 Belmont Avenue, Belmont, CA.

*MCLE: San Mateo County Legal Secretaries Association, a local association of Legal Secretaries, Incorporated, an approved provider, certifies that this activity has been approved for minimum continuing legal education credit by the State Bar of California in the amount of 1 hour. MCLE Certificates of Attendance will be available at the meeting. CCLS or continuing education certificates will need to be provided by the member.

For event details, go to www.lsi.org or www.smclsa.org.