



LEGALITIES

March/April 2010

Volume XXI No. 1

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THE END IS JUST ANOTHER BEGINNING PRESIDENT'S REPORT

NALS of Orange County President, 2009-2010
Caryn Wolchuck, PP, PLS, CPS/CAP

It has been quite a year, hasn't it? NALS of Orange County has, among other things, offered continuing legal education topics for the last 12 months, and in January and February, we had a combined total of 250 attendees at our meetings! Despite some service issues at the hotel, our attendees learned about court rule updates and current goings-on at the Orange County Superior Court, U.S. Bankruptcy Court, and the U.S. District Court. We also learned of exciting new things in the works at the district court and—note to Jeff Allsteadt—we can't wait!

As I transition out of the position of chapter president, I look forward to helping your new leaders as they present you, the member, with more educational topics and seminars. Your new president, Andi Hughes, has plans to start a certification study group and to offer several informative topics at our monthly educational dinner meetings. We will continue to meet on the second Wednesday of every month (*except for March 2010*; see page 4 for more details) at the Radisson Hotel in Irvine. For your planning purposes, keep in mind that we always present new state court rule updates in January (January 12, 2011) and federal court rule updates in February (February 9, 2011).

If you are interested in learning more about NALS, *your organization*, please contact Andi (andi.hughes@ndlf.com). I know she would appreciate your assistance on a committee or to sign up for the certification study group. You will come to realize that you get as much out of this association as you put in.

- If you want to travel and network with other members around the country, plan on attending the NALS Annual Education Conference and National Forum in Branson, Missouri on October --, 2010 (<http://www.nals.org/conferences/nationalforum/index.html>).
- If you want to be certified, you can join the free online study group at <http://www.nals.org/onlinelearning/index.html>.
- If you want online continuing legal education, click on <http://www.nals.org/WebEd/index.html>.

And if you just want to attend a monthly dinner meeting and meet some local legal support professionals, you're welcome to do that too. Look for me. I'll be the one in the back of the room pretending to be "retired."

Thanks to everyone for your support this past year as I served as your president. I look forward to thanking many of in person at the installation dinner on *Tuesday, March 16, 2010*.

NALS OF ORANGE COUNTY
2010-2011
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NALS MISSION STATEMENT

NALS is dedicated to enhancing the competencies and contributions of members in the legal services profession. NALS accomplishes its mission and supports the public interest through:

- Continuing legal education and resource materials;
- Networking opportunities at the local, state, regional, and national levels;
- Commitment to a *Code of Ethics* and professional standards; and
- Professional certification programs and designations.

NALS CODE OF ETHICS AND PROFESSIONAL RESPONSIBILITY

Members of NALS are bound by the objectives of this association and the standards of conduct required of the legal profession.

Every member shall:

- Encourage respect for the law and the administration of justice;
- Observe rules governing privileged communications and confidential information;
- Promote and exemplify high standards of loyalty, cooperation and courtesy;
- Perform all duties of the profession with integrity and competence; and
- Pursue a high order of professional attainment.



SAM'S CLUB ANYONE?

NALS has just announced another affinity program offered to its members! If you would like to join Sam's Club, now is the time. Log onto the NALS website, www.nals.org, and click on the link under "Association News." From there, you will be prompted to log onto the "Members Only" portion of the website, and you will need to enter the membership password. If you do not know what the password is, please email any of your officers or chairs.

Sam's Club Advantage Members can enjoy discounts on merchandise, services, and more, and annual Advantage Membership (two membership cards) is just \$40. Once you log in, you can print out a coupon which will give you a \$10 gift card when you join or renew your membership, and it's valid only for members of NALS!



Birthdays:

- o Karen Becker, PP, PLS - 3/1
- o Jane Jones - 3/4
- o Debbie Miller, PLS - 3/8
- o Michael Tucker - 3/21
- o Mae Galvez, PLS - 3/29
- o Sharon Olson - 4/12



Anniversaries:

- o Andrea Hughes - 3 years
- o Annette Williams - 2 years
- o Caryn Wolchuck, PP, PLS, CPS/CAP - 21 years
- o Debbie Miller, PLS - 17 years
- o Jason Ferber - 2 years
- o Joanne Swanson - 1 year
- o Karen Sussman - 3 years
- o Monica Taormina - 1 year
- o Patti Martinez - 8 years
- o Sharon Olson - 6 years
- o Sheila Byers - 3 years
- o Vicky Robinson - 11 years



Welcome New Members:

- o Cindy Pellicano
- o Kristina Hanson
- o Leda M. Quiros
- o Michele Baker



NEWS FROM



. . . the association for legal professionals

THE NALS FOUNDATION

The NALS Foundation puts your dollars to work for YOU! Annual Investment Circles are a tax-deductible opportunity for you to support the NALS Foundation's efforts to expand educational and networking opportunities for all professionals.

Individual Gift Circles:

- Friends - \$100 or more
- Visionaries - \$250 or more
- Founders - \$500

Organizational Gift Circles:

- Bronze - \$400 or more
- Silver - \$1,000 or more
- Gold - \$2,500 or more
- Platinum - \$5,000 or more

You can make a contribution to the NALS Foundation as an individual or an organization. your support of the NALS Foundation qualifies as a charitable contribution and is deductible for federal income tax purposes to the maximum extent provided by law.



NEWSLETTER ADVERTISING

If any of our readers or vendors are interested in advertising in this bi-monthly publication of NALS of Orange County, please contact:

Karen Becker, PP, PLS
 P.O. Box 17721, Irvine, CA 92623-7721
advertising@nalsoc.org

Our advertising rates for *Legalities* are as follows:

Business card	\$15.00
Quarter page	\$22.00
Half page	\$30.00
Full page	\$60.00

Advertising members receive a rate discount. Please mention to our advertisers that you saw their ad in this newsletter.

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**PLEASE NOTE
DATE CHANGE**

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CALIFORNIA CODE OF CIVIL PROCEDURE WITH AN EMPHASIS ON DISCOVERY

*Examines the rules of California Code of Civil Procedure and Discovery (CCP 2025-2093).
The presentation focuses on court reporting, e-discovery and the California Code of
Civil Procedure that affect discovery. Special emphasis is given to technologies
designed to make attorneys more effective and efficient during the discovery phase and
subsequent case preparation.*

Speaker:

Marla A. Mohr, Litigation Support Consultant, e-DocuPlus

TUESDAY, March 16, 2010

Registration/Networking: 5:30 p.m. / Dinner: 6:15 p.m. / Program: Immediately following

LOCATION: Radisson Hotel, 4545 MacArthur Boulevard, Newport Beach

COST: Members/Students: \$29 / Prospective Members: \$33

CLE CREDIT: One (1) hour

☆☆

Reservations may be made by calling Sharon Olson at Legal Staffing Group at (949) 252-1133 or by sending your check made payable to NALS of Orange County to Legal Staffing Group, 1001 Dove Street, Suite 270, Newport Beach, CA 92660. Vegetarian or fruit plates available but **must** be requested in advance.

DEADLINE FOR RESERVATIONS IS NOON ON THE MONDAY PRIOR TO THE MEETING.

Reminder About Our Monthly Meetings: We are required to guarantee a number of attendees to the hotel, which is determined by the number of reservations made. We enforce a 48-hour cancellation policy, so if you fail to cancel your reservation within 48 hours of the meeting, or don't attend, you will be charged the cost of the meeting. If you have any questions, please contact Legal Staffing Group at (949) 252-1133.

THINK BIG!



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CALENDARING WITH AN EXCEL SPREADSHEET

Speaker:

Karen Becker, PP, PLS

Wednesday, April 14, 2010

Registration/Networking: 5:30 p.m. / Dinner: 6:15 p.m. / Program: Immediately following

LOCATION: Radisson Hotel, 4545 MacArthur Boulevard, Newport Beach

COST: Members/Students: \$29 / Prospective Members: \$33

CLE CREDIT: One (1) hour

☆☆

Reservations may be made by calling Sharon Olson at Legal Staffing Group at (949) 252-1133 or by sending your check made payable to NALS of Orange County to Legal Staffing Group, 1001 Dove Street, Suite 270, Newport Beach, CA 92660. Vegetarian or fruit plates available but must be requested in advance.

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THINK BIG!



NALS of Orange County
 Invites you to attend its
 Spring Educational Seminar

SATURDAY, APRIL 24, 2010

Hotel Hanford
 [formerly Holiday Inn Costa Mesa]
 3131 S. Bristol Street
 Costa Mesa, California

TECHNOLOGY . . . WITH NEW ADVANCEMENTS COMING EVERY DAY, YOU MAY FIND THAT YOU NEED TO KEEP UP SO YOU'RE NOT LEFT BEHIND. HERE ARE FOUR EDUCATIONAL SESSIONS THAT YOU WON'T WANT TO MISS!

Join us from 8:00 a.m. to 9:00 a.m.	Registration and continental breakfast
<u>Session 1:</u> 9:00 a.m. to 10:15 a.m. <u>Speaker:</u> Emily Popper, IT Trainer, Irell & Manella, Los Angeles	<u>Excel:</u> Using Excel 2007, learn the nuts and bolts of Excel workbooks and spreadsheets: cell selection and navigation, working with the Formula Bar and basic formatting. If you're new to spreadsheets, or work in them only occasionally, we'll provide the tools to get started.
<u>Session 2:</u> 10:30 a.m. to 11:45 a.m. <u>Speaker:</u> Emily Popper	<u>Tables of Contents and Authorities (Word):</u> If you understand how Word uses Styles to locate paragraphs, then Table of Contents are a snap. Tables of Authorities on the other hand, require a combination of legal filing knowledge and an understanding of Word's field codes and hidden text. Become more confident with Word's native TOC and TOA features.
<u>Lunch Break:</u> 11:45 a.m. to 12:30 p.m.	Enjoy a light lunch while you mingle with our sponsors and exhibitors
<u>Session 3:</u> 12:45 p.m. to 2:00 p.m. <u>Speaker:</u> Laura Leader, Law Office Solution, San Diego	<u>Outlook:</u> Topics to be covered include setting reminders, color coding, converting emails to appointments, advanced send options, creating search folders, and creating distribution lists
<u>Session 4:</u> 2:15 p.m. to 3:30 p.m. <u>Speaker:</u> Laura Leader	<u>Adobe Acrobat:</u> Topics to be covered include converting files to Adobe, inserting and rearranging pages, redacting text, creating your own signature stamp, and page numbering

EARLY BIRD REGISTRATION <i>[Register by March 26, 2010 and save money!]</i> MEMBERS/STUDENTS/PROSPECTIVE MEMBERS: \$70.00 (includes continental breakfast, seminars, lunch, handouts)	REGULAR REGISTRATION <i>[Registrations postmarked after March 26, 2010]</i> MEMBERS/STUDENTS/PROSPECTIVE MEMBERS: \$80.00 (includes continental breakfast, seminars, lunch, handouts)
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Information on registration and seminar fees: Registration for the entire day of education, exhibitors, continental breakfast and lunch is \$80 for members/students/prospective members. If you register before **March 26, 2010**, you may register at the early bird price of \$70 for members/students/prospective members. Please complete the registration information below.

Payment for seminar: Please check one box below:

Register on or before March 26, 2010

I will be attending your seminar on April 24, 2010. Here's my check made payable to NALS of Orange County for \$70.

Register after March 26, 2010

I will be attending your seminar on April 24, 2010. Here's my check made payable to NALS of Orange County for \$80.

Name: _____ Firm Name: _____

Address: _____

Telephone: _____ Email: _____

Where to send registration: Please send your registration no later than **Friday, April 16, 2010** to: Caryn Wolchuck, PP, PLS, CPS/CAP, Thomas Whitelaw & Tyler LLP, 18101 Von Karman Avenue, Suite 230, Irvine, CA 92612, president@nalsoc.org. **No refunds will be given after April 20, 2010.**

Membership information: Information regarding joining NALS of Orange County will be distributed at the seminar on April 24, 2010. If you would like information prior to the seminar, please contact our Vice President/Membership at vicepresident@nalsoc.org. For more general information about our association, please visit NALS...the association for legal professionals at www.nals.org and NALS of Orange County at www.nalsoc.org.

NALS of Orange County is a local chapter of NALS...the association for legal professionals. NALS is a national organization dedicated to enhancing the competencies and contributions of members in the legal services profession. Membership in NALS is open to those employed in work of a legal nature, and NALS of Orange County offers monthly educational meetings on a variety of topics, including family law, employment law, ethics and judgment, and court rule updates. NALS also offers several nationally-recognized certification designations for those who wish to be considered among the elite in their chosen profession.

MESSAGE FROM PRESIDENT-ELECT, ANDI HUGHES
2010-2011 President, NALS of Orange County
andreajhughes@aol.com

I just want to say hello. I am Andi Hughes, your new President for 2010-2011. I work at Newmeyer & Dillion LLP in Newport Beach.

What I'd like to do this year, is to focus on empowering, educating and inspiring.

Empower: to give power or authority to; authorize, esp. by legal or official means.

Education: the act or process of imparting or acquiring general knowledge, developing the powers of reasoning and judgment, and generally of preparing oneself or others intellectually for mature life.

Inspire: to fill with an animating, quickening, or exalting influence.

We all have roles in our legal professions. I hope everyone enjoys their role as much as I enjoy mine. I believe if you continue your education (NALS of Orange County is starting a certification group - ALS, PLS, PP), believe in yourself, and inspire others to do the same; you'll have an edge forward to enjoying your job, your professional organization, and the quality of your life.

Get involved. You'll live longer and enjoy life a little more!

We are going to be starting our membership rallies, certification rallies and general mixers soon. I look forward to seeing each and everyone one of you at an educational meeting, rally, or mixer soon. I'm a phone call or email away.

Calm, cool and collected.

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PASSPORT REMINDER!

FOR ALL THOSE PLANNING ON ATTENDING THE REGION 8 CRUISE TO MEXICO

You will need a valid U.S. passport to enter the United States from any foreign country. A new passport costs \$75, and you have to apply for it in person, incurring an additional \$25 execution fee. And if you need it on an expedited basis, there is an additional \$60 fee.

If you are just renewing your passport, you can do it by mailing in Form DS-82, with your old passport and two new passport photos, which means you don't have to stand in line at the passport agency. A passport renewal also costs \$75 but you avoid the \$25 execution fee if you renew by mail.

You can get passport photos at your local Auto Club branch or at your local post office. Check out the post office website for locations that have actual passport offices. Everything can be done at that one location. They also say that it should take six weeks.



GREAT WEBSITES TO BOOKMARK!

Best Airline Advice: SEATGURU.COM

It may look dorky, but don't click out. Where else can you go to find seating maps for every model of plane in the skies organized by airline. Input your info and read what it has to say about your seat while you still have time to change it!

Travel Like a Star: FABSEARCH.COM

As it's URL promises, this site seeks out the most fab places to visit. For each destination, you'll find a well-honed selection of hotels and restaurants, as well as links to articles from super stylish sources.

Guide to Great Shops: STOREADORE.COM

Discover cool boutiques without all the legwork. This smart site offers shopping guides and maps to nine metro areas, plus a comprehensive look at the online universe. Search for boutiques by vibe, style or price.

**SAN DIEGO BRANCH OFFICE OF THE SECRETARY OF STATE
TO BE SHUTTERED EFFECTIVE APRIL 2, 2010**

To prevent reduced services to the public, the Secretary of State attempted to reduce costs by instituting furloughs. When additional cuts were ordered, the Secretary closed the Fresno Branch and the San Francisco offices of the Secretary of State and the Statement of Information counter. These cuts have not resulted in the cost savings needed to prevent reductions in service.

As a result, the Secretary of State office has distributed a notice stating that the San Diego branch office will be closed effective April 2, 2010. In the notice provided by the state, they reiterated that 'the agency must continue to reduce spending and look for more efficient ways of operating. One way this can be accomplished is to consolidate processes and look for reductions that will have the least impact on the general public.'

After April 2, 2010, no services will be available out of the San Diego branch office. This closure is likely to affect all offices as work is redistributed. Although you may not currently utilize the San Diego office for filing, it is more important than ever that if you have a specific timeframe requirement you speak with your attorney service. They can assist you in understanding options available or provide insight as to processing times.



**RIVERSIDE COUNTY SUPERIOR COURT
4050 Main Street
Riverside, CA 92501**

UPDATED ALTERNATIVE DISPUTE RESOLUTION (ADR) INFORMATION PACKAGE:

Available: Feb. 1, 2010

Required: Feb. 8, 2010

Pursuant to CA Rules of Court, rule 3.221 (c), the plaintiff must serve the Alternative Dispute Resolution (ADR) information package on each defendant in all general civil cases together with the complaint. Cross-complainants must also serve the Alternative Dispute Resolution (ADR) information package on any new parties to the action together with the cross-complaint.

ADR FORMS:

Available: Feb. 1, 2010

Required: Feb. 8, 2010

The Riverside Superior Court has adopted the following local forms:

- RI-ADR01A - Alternative Dispute Resolution (ADR) Information Package
- RI-ADR01 B - Stipulation to Alternative Dispute Resolution (ADR)
- RI-ADR02 - Response to Notice of Court-Ordered Mediation
- RI-ADR03 - Mediator's Notice of Acceptance or Recusal to Court-Ordered Mediation
- RI-ADR04 - Stipulation Re Fee for Ongoing Services for Court-Ordered Mediation
- RI-ADR05 - Stipulation and Order for Continuance of Court-Ordered Mediation Completion Date
- RI-ADR07 - Mediator's Fee Statement
- RI-ADR08 - Arbitrator's Fee Statement
- RI-ADR09 - Mediator's Record of Service

The use of these forms (where applicable) will be required effective February 8, 2010. If you have any questions, please contact the ADR Director at CourtADRDirector@riverside.courts.ca.gov.



EFFECTIVE WRITING

Copyright by Dr. Stephen Wilbers
www.wilbers.com

Know when to use a two-bit word

You've heard it a thousand times. You need a broad vocabulary to express yourself with precision and style. You need something more than everyday language. You need a rich and varied vocabulary to convey the nuance of an idea or to capture the complexity of a situation. Be on the lookout for good words. When you find one, look it up in a dictionary. Learn how to spell it, pronounce it, and define it.

All good advice. If you use nothing but ordinary words, your writing will sound . . . well, ordinary.

There are times, however, when a plain word is better than a fancy one. If you're describing a simple action or thought, a simple word will do. Or as Garrison Keillor would say, "You don't want a fifty-dollar haircut on a fifty-cent head."

If you want to be admitted to a graduate program, you want to be admitted; you don't *desire* to be admitted. If a cheetah is chasing a zebra, it's trying to kill it, not *attempting* to kill it, nor trying *to terminate its life*, nor *attempting to effect a termination of its earthly existence*. If it's an everyday thought, use an everyday word. Often, a two-bit word - or to appropriate Keillor's analogy, a four-bit word - will do.

Still (nevertheless), you need a broad vocabulary so that you can express yourself in a full range of settings, from informal to formal, from ordinary to exceptional, from routine to literary. The more words you know, the more choices available to you.

If you're texting, the shorter, the better. If you're sending an informal email message, the simpler, the better. But for other types of communication, you should use words that fall somewhere in the middle range on the informal/formal continuum, not too plain and not too fancy, but just the right word that reflects the appropriate level of formality, or as the French call it, *le mot juste*. And always when choosing your words - whether ordinary or fancy, mundane or uncommon, quotidian or grandiloquent - you should base your choice on your purpose, audience, and topic.

In a business setting, you shouldn't be *looking to* improve profits; you should be *hoping to* improve profits or *working to* improve profits or even *committed to* improving profits. If you're giving a commencement address, you shouldn't be talking about *getting ready* for the future; you should be talking about *preparing* for the future or *embracing* the future. If you're defending your client in a court of law, you should be talking to the jury about evidence that clears your client, but writing to the judge about *exculpatory* evidence.

The easiest way to expand your vocabulary is also the most pleasurable: Read.

Read good authors whose style you admire, and pay attention to their word choice. If they use a word that surprises or delights or confuses you, take note of it. If you don't know the word, look it up as soon as it's convenient to do so, preferably while you still can recall the context. Depending on how systematic you want to be, jot down the word, make a list, and once a week or once a month review your list.

The first thing you'll notice - and this will happen immediately - is that you will develop a greater sensitivity for words. In *Writing Well*, Donald Hall refers to "sensitivity to the insides of words." Over time you'll find yourself using more and more of the 500,000 words available to you in the English language, perhaps moving beyond the 10,000-20,000 word vocabulary of the nonreader to the 20,000-40,000 plus word vocabulary of the reader.

What about *you*? Do you have a limited or expansive vocabulary?

Here's a quick assessment, taken from the [weekly word](http://www.wilbers.com/WeeklyWord.htm) I post at <http://www.wilbers.com/WeeklyWord.htm>. Fill in the blank:

"I like many types of music, literature, and people. I guess you could say my tastes are _____."

As a rough approximation, I would say if you know the word *eclectic*, you have a broad vocabulary; if you don't, you have a limited vocabulary.

Whatever your vocabulary today, you should work to expand it tomorrow. As you do, remember that your goal is not to show off; your goal is to communicate.

If your primary reason for choosing a word is to impress your reader, it's probably the wrong word. If you base your choice on an accurate assessment of what is appropriate for your purpose, audience, and topic, it is probably the right word.

And, once again, the more options you have, the more likely you will write with clarity, precision, persuasiveness, and even artistic expression.

Consider this sentence describing Lake Vermillion from the opening of George Erickson's *True North: Exploring the Great Wilderness by Bush Plane*. Here it is with plain, ordinary language substituted for Erickson's more surprising word choices:

"Rising from the depths, schools of whitefish make watery ringlets where the last of the mayflies fall down."

Try your hand at revising the sentence. Can you think of less ordinary words than *make* and *fall*?

Here are Erickson's choices: "Rising from the depths, schools of whitefish *lip* watery ringlets where the last of the mayflies *flutter* down."

Now, see if you can replace the nondescript words in this sentence with more vivid, action-oriented language:

"On Great Slave Lake, a diesel-driven barge is encountering a cold northeasterly wind as it moves toward a tiny town called Snowdrift and an even more remote weather station named Reliance."

Here's how Erickson actually wrote the sentence: "On Great Slave Lake, a diesel-driven barge is *fighting* a cold northeasterly wind as it *struggles* toward a tiny town called Snowdrift and an even more remote weather station named Reliance."

Also, don't you suspect that Erickson chose these particular place names - Great Slave Lake, Snowdrift, Reliance - because they are colorful and evocative?

Two bits, four bits, six bits, a dollar - it's your choice if you got/have/own/possess the words to make it.

If you'd like to receive my weekly column by e-mail, go to Weekly column by e-mail at <http://www.wilbers.com>.

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YOU CAN GET YOUR NATIONAL DUES WAIVED!!

NALS members that sign up five NEW members within a 12 month period, beginning November 1, 2009, will get their national dues waived for the year (this excludes state and local dues). The five new memberships must be in the same category of membership as the waived member. For example if you are a regular member who pays \$98 national dues, then you must sign up five new members in that same category. The new members must report you as their sponsor when they submit their application to NALS and you must fill out the waiver that COMES IN your renewal notice when your dues are due. On the waiver form, you will indicate all five NEW members by name that you sponsored and submit it back to NALS. As long as everything matches up and all five new members have been acquired within a 12 month period then your national dues will be waived for the year and you will only be required to pay your state and local dues along with submitting the completed waiver form.

Then Pay It Forward, tell the five members you signed up that they too can get the following year's dues waived if they sign up five new members. Let's get excited about our association and share it with others that can benefit as well!



THE NEW 'MOVE OVER' TRAFFIC LAW

In California, the "Move Over" law became operative as of January 1, 2010. If a patrol car or emergency vehicle is pulled over to the side of the road, it is the law that you change lanes away from the stopped vehicle or slow down by 20 mph.

Every state except New York, Hawaii, Maryland and Washington D.C. has implemented this law. You will get pulled over and get a ticket. The cost of the ticket varies from state to state. Be careful out there!

<http://www.moveoveramerica.com/>



*"As you travel through time let this be your goal -
Concentrate on the donut and not the hole."*

- Unknown



Protect Your Clients . . .

Protect Yourself.

When a current or prospective client needs counsel outside your area of practice, direct them to the OCBA's **Lawyer Referral & Information Service (LRIS)**. Your referral to this trusted non-profit service protects both your client and your reputation.

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YOUR SOCIAL SECURITY NUMBER DECODED

The nine digits of your Social Security number are unique to you, right? Not exactly, according to the Social Security Administration. In fact, many other people may share two groupings exactly. Here's what each section means:

123-45-6789

Area number (shown in blue): Prior to 1972, Social Security cards were issued from local offices. The numbers reflected the locations of those offices. Today, although cards are issued from one office in Baltimore, the area number still reflects geography since they are given out based on the ZIP code of the requestor's mailing address.

Group number (shown in black): This number is set based on the month and year you request your Social Security card. They are also based on location. Specific areas are issued specific group numbers.

Serial Numbers (shown in red): These numbers -- 0001 through 9999 -- have nothing to do with geography or date requested. They are assigned based on availability

CALIFORNIA ELECTRONIC DISCOVERY 101

Business and personal files of documents in paper form have been, and continue to be, routinely produced for inspection and copying. Today, however, most information is: (i) in digital rather than paper form (word processing, databases, and spreadsheets), (ii) located in numerous types of electronic devices (computers, printers, email, cell phones), and (iii) stored in all sorts of media (hard drives, flash memory, backup tapes, network servers). Discovery of this digitally stored information, often referred to as “electronic discovery” or “e-discovery,” is the subject of the California Electronic Discovery Act,[@] enacted in 2009. Here are some highlights of the Act:

- C.C.P. §2016.020 defines electronic as *“relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities,”* and *“electronically stored information”* (AESI[@]) as *“information that is stored in an electronic medium.”*
- C.C.P. § 2031.030 allows a party demanding inspection of ESI to specify the form in which the ESI is to be produced. If not specified, C.C.P. § 2031.280 allows the responding party to produce the ESI in a form in which it is ordinarily maintained or that is reasonably usable. The responding party may object to the form specified by the demanding party.
- C.C.P. § 2031.060 deals generally with protective orders relating to inspection demands, and specifically addresses those based upon claims that ESI is not reasonably accessible because of undue burden or expense. It sets forth the moving party’s and the opposing party’s burdens of proof, and gives the court authority to set conditions for the discovery of ESI.
- C.C.P. § 2031.285 deals with inadvertent disclosure of privileged or protected ESI. The party who produced the ESI may notify the demanding party of the basis for the claim of privilege or other protection. The party who received the ESI must immediately return it, or present it to the court conditionally under seal for a determination of the claim.
- There are “safe harbor” provisions throughout the code protecting parties from sanctions for failing to produce ESI that has been lost, damaged, altered, or overwritten as a result of the *“routine, good-faith operation of an electronic information system.”*
- When ESI is reasonably likely to be sought, C.R.C. Rule 3.724 requires the parties to meet and confer about preservation of ESI, the form or forms in which it will be produced, the time within which it will be produced, how the cost of production is to be allocated among the parties, etc.

E-discovery is not limited to large cases or any particular type of case, and it will become more common as we continue the transition to digitally stored information. If you have not yet come into contact with e-discovery, you certainly will soon. It would behoove you to familiarize yourself with the subject as soon as possible through self-study or courses. If you have little or no idea what “metadata,” “hidden files,” “scrubbing,” “culling,” “encryption,” “archival ESI,” “protocols,” and “de-duplication” are, or if, prior to reading this article, you thought that e-discovery meant serving discovery demands via email, you best get moving!

[This article contains excerpts from the Third Edition of “California Civil Litigation and Discovery,” by Julie A. Goren, Esq. and Barb Pollinger, J.D.]

HOW TO MOTIVATE YOURSELF - SELF MOTIVATION

By Dee Beardsley, PP, PLS
NALS Past President (2008-09)

Staying motivated is a struggle – our drive is constantly assaulted by negative thoughts and anxiety about the future. Everyone faces doubt and depression. What separates the highly successful is the ability to keep moving forward.

There is no simple solution for a lack of motivation. Even after beating it, the problem reappears at the first sign of failure. The key is understanding your thoughts and how they drive your emotions. By learning how to nurture motivating thoughts, neutralize negative ones, and focus on the task at hand, you can pull yourself out of a slump before it gains momentum.

Reasons We Lose Motivation

There are three primary reasons we lose motivation.

1. **Lack of confidence** - If you don't believe you can succeed, what's the point in trying?
2. **Lack of focus** - If you don't know what you want, do you really want anything?
3. **Lack of direction** - If you don't know what to do, how can you be motivated to do it?

How to Boost Confidence

The first motivation killer is a lack of confidence. When this happens to me, it's usually because I'm focusing entirely on what I want and neglecting what I already have. When you only think about what you want, your mind creates explanations for why you aren't getting it. This creates negative thoughts. Past failures, bad breaks, and personal weaknesses dominate your mind. You become jealous of your competitors and start making excuses for why you can't succeed. In this state, you tend to make a bad impression, assume the worst about others, and lose self confidence.

The way to get out of this thought pattern is to focus on gratitude. Set aside time to focus on everything positive in your life. Make a mental list of your strengths, past successes, and current advantages. We tend to take our strengths for granted and dwell on our failures. By making an effort to feel grateful, you'll realize how competent and successful you already are. This will rejuvenate your confidence and get you motivated to build on your current success.

It might sound strange that repeating things you already know can improve your mindset, but it's amazingly effective. The mind distorts reality to confirm what it wants to believe. The more negatively you think, the more examples your mind will discover to confirm that belief. When you truly believe that you deserve success, your mind will generate ways to achieve it. The best way to bring success to yourself is to genuinely desire to create value for the rest of the world.

Developing Tangible Focus

The second motivation killer is a lack of focus. How often do you focus on what you don't want, rather than on a concrete goal? We normally think in terms of fear. I'm afraid of being poor. I'm afraid no one will respect me. I'm afraid of being alone. The problem with this type of thinking is that fear alone isn't actionable. Instead of doing something about our fear, it feeds on itself and drains our motivation.

If you're caught up in fear-based thinking, the first step is focusing that energy on a well-defined goal. By defining a goal, you automatically define a set of actions. If you have a fear of poverty, create a plan to increase your income. It could be going back to school, obtaining a higher paying job, or developing a profitable website. The key is moving from an intangible desire to concrete, measurable steps.

By focusing your mind on a positive goal instead of an ambiguous fear, you put your brain to work. It instantly begins devising a plan for success. Instead of worrying about the future, you start to do

something about it. This is the first step in motivating yourself to take action. When you know what you want, you become motivated to take action.

Developing Direction

The final piece in the motivational puzzle is direction. If focus means having an ultimate goal, direction is having a day-to-day strategy to achieve it. A lack of direction kills motivation because without an obvious next action, we succumb to procrastination. An example of this is a person who wants to have a popular blog, but who spends more time reading posts about blogging than actually writing articles.

The key to finding direction is identifying the activities that lead to success. For every goal, there are activities that pay off and those that don't. Make a list of all your activities and arrange them based on results. Then make an action plan that focuses on the activities that lead to big returns. To continue the example from above, a blogger's list would look something like this:

1. Write content
2. Research relevant topics
3. Network with other bloggers
4. Optimize design and ad placements
5. Answer comments and email
6. Read other blogs

Keeping track of your most important tasks will direct your energy towards success. Without a constant reminder, it's easy to waste entire days on filler activities like reading RSS feeds, email, and random web surfing.

When my motivation starts to wane, I regain direction by creating a plan that contains two positive actions. The first one should be a small task you've been meaning to do, while the second should be a long-term goal. I immediately do the smaller task. This creates positive momentum. After that I take the first step towards achieving the long-term goal. Doing this periodically is great for getting out of a slump, creating positive reinforcement, and getting long-term plans moving.

It's inevitable that you'll encounter periods of low energy, bad luck, and even the occasional failure. If you don't discipline your mind, these minor speed bumps can turn into mental monsters. By being on guard against the top three motivation killers, you can preserve your motivation and propel yourself to success.

=====

*Article printed from PickTheBrain | Motivation and Self Improvement:
<http://www.pickthebrain.com/blog>
URL to article: <http://www.pickthebrain.com/blog/how-to-motivate-yourself/>*



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- Dale Carnegie

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Thursday, March 25, 2010 - 8:00 p.m. Central / 6:00 p.m. Pacific

Word...Avoiding Disaster

Instructor: Melodi Pentico (Haynes & Boone, LLP)

It's 10 minutes to your deadline, the document just needs a few finishing touches and it is out the door. Then, disaster strikes!

We've all lived through or at least seen someone else suffer through it. Your document just stops behaving rationally. Maybe your tables fail. Maybe your formatting won't stay applied, or maybe your document won't open at all. Whatever specific disaster you encounter, the symptom is the same: your document is just plain acting weird.

In Word: Avoiding Disaster we will discuss document "corruption" and how it can be avoided. By building a document following a few simple guidelines we can greatly reduce the possibility of last minute disasters.

Thursday, April 8, 2010 - 8:00 p.m. Central / 6:00 p.m. Pacific

The Future of the Legal Secretary

Instructor: Toni R. Beasley, CLM (Andrews Kurth LLP)

Thursday, April 15, 2010 - 8:00 p.m. Central / 6:00 p.m. Pacific

Leadership Development (topic may change)

Thursday, April 22, 2010 - 8:00 p.m. Central / 6:00 p.m. Pacific

Word...Document Recovery

Instructor: Melodi Pentico (Haynes & Boone, LLP)

You created your document following the recommended guidelines but despite your best efforts the document is now corrupt. Can it be saved? In Word: Document Recovery we will discuss basic troubleshooting for corrupt documents.



NEED A CURE FOR RETAIL HANGOVERS?

What can you do to curb your spending?

- \$ Make a list before you go shopping. When you get home, check the list again, and return anything you bought that wasn't on it.
- \$ Wait 30 minutes before making a purchase. Sometimes if you walk away from an item, you won't want to go back for it.
- \$ Take only the cash you'll need for the day, and leave your credit cards at home. Tell a friend about your situation, and ask him or her to tell you "no" when you feel the urge to spend needlessly.
- \$ Return it. If you know you've spent too much on an item or find that you don't really like it when you get it home, take it back as soon as possible. Store all receipts in the same place and leave the tags on until you are sure you'll keep an item.
- \$ Don't pretend it didn't happen. Admitting your spending mistakes will help you gain the insight you need not to repeat them.

Source: National Endowment for Financial Education
www.smartaboutmoney.org



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CHARITY DIRECTOR'S YEAR-END REPORT

By Karen Sussman

It's hard to believe a year has already passed since I became NALS of Orange County's Charity Director. It truly has been a wonderful experience, and I have really enjoyed it. I especially enjoyed baking cookies at the Ronald McDonald House with fellow members and our children and the tour of the house that followed. What an awesome facility!

As my term comes to a close, I wanted to provide a recap of just how generous our members and attendees have been with regard to the charities NALS of Orange County has supported over the year. The charities supported and the amounts raised at our monthly dinner meetings to benefit those organizations are as follows:

May 2009	Orange County Foundation for Oncology Children and Families (OCF-OCF)	\$243.00
June 2009	Ronald McDonald House Charities	\$100.00
July 2009	Families Forward	\$115.00, school supplies
August 2009	The Public Law Center	\$125.00
September 2009	Susan G. Komen Foundation	\$160.00
October 2009	Alzheimer's Association	\$70.00
November 2009	Serving People in Need (SPIN)	\$90.00
December 2009	Families Forward Adopt-a-Family	\$100.00 cash, \$155.00 gift cards
January 2010	American Red Cross Haiti Relief Fund	\$527.00
February 2010	American Red Cross Haiti Relief Fund	\$450.00

Thank you so much to everyone who gave so generously!

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What is the NALS Community?

It is an on-line community made up of legal professionals—Legal professionals who are eager to exchange information and ideas about anything or everything.

Who can join the NALS Community?

Anyone can join the NALS Community. To be a part of the NALS Community, go to: <http://nalsnet.ning.com/>

Does it cost anything to join the NALS Community?

The NALS Community was created using a free service called Ning to host the community. There is no cost to you for joining.

What kinds of topics are discussed on the NALS Community?

Topics range from future conferences, webinars, employment tips, marketing yourself, Major League baseball, etc. You can post comments to existing topics or you can start a new discussion on any topic.

What are the benefits of joining the NALS Community?

You can network with some wonderful people. You receive a lot of helpful information. You can check out the NALS Community 24 hours a day / 7 days a week.

What are other features of the NALS Community?

You can send a private email to anyone who is part of the NALS Community. You can post photographs of anything (please keep it clean). You can use Ning to host your own social network with your friends and co-workers. Also, the NALS Community is a good way to bounce ideas off of one another without anyone having to travel or to call someone which is, of course, a great feature during these tough economic times.

When you get there, search for the NALS of Orange County Group and join us!

The NALS Community is user-friendly. So, what are you waiting for? Be a part of the NALS Community now!

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NALS of Orange County is an Amazon affiliate and, when purchases are made with the link from our website, our chapter receives a small percentage of those purchases. Our chapter has elected to donate the money received on a quarterly basis to the NALS Foundation, the educational arm of NALS. For more information about the Foundation, please click on www.nals.org/foundation.

Thanks for your support of NALS of Orange County and the NALS Foundation!

REPORT FROM THE MENTOR DIRECTOR

By Mae Galvez, PLS

The title of Mentor Director was created by Caryn Wolchuck, PP, PLS, CPS/CAP as NALS of Orange County President 2009--2010, basically, I assumed, to keep me actively involved, being the immediate past president, in accomplishing the mission of NALS. I had no footsteps to follow or model to copy since there was no Mentor Director before my time nor was I aware of a Mentor Director in the national level. This report is made to hopefully be a guide or at least serve to contribute ideas to the succeeding Mentor Director, if the future president will start a tradition of filling such position or maintaining the title for whoever will be the immediate past president. Some sort of a description of a national Mentor or a national Mentor Committee was published in the NALS website (www.nals.org) about a year ago, where I gathered that the objective of a Mentor or Mentor Committee is synonymous with and to complement the Membership Committee and the Marketing Committee, in other words, enhance the membership base through new members and retention of existing members.

As Mentor Director, my focus was not only on the "young ones" but on the "young once" as well. By that I mean those who, of whatever age, are starting or completing a paralegal career. Thus, I connected with all the paralegal schools in Orange County and in Los Angeles County, through their respective Directors of Paralegal Program or Paralegal Studies Department Heads. My principal source was the list of the ABA Approved Paralegal Education Programs of the American Bar Association's Standing Committee on Paralegals (under the Division for Legal Services; www.abanet.org/legalservices/paralegals/) -- which included one of NALS of Orange County's valuable sponsors: the UC Irvine Extension Paralegal Certificate Program -- and a list from Estelle Pete, PLS, Vice President/Membership Director 2009-2010. After telephone and/or e-mail contact with each of said Directors/Department Heads, I compiled a special list of 17 paralegal schools and contacts distributed at one of the meetings of the Board of Directors.

The list was very helpful in the NALS of Orange County's efforts at drumming up membership and attendance at the recent national Education Conference held right here at home: Irvine, California. The same contacts were made when I invited all paralegal students, the Directors/Department Heads, and their administrative staff for a free session on "Ethics: Sense and Sensibility" at the Irvine National Education Conference.

The network developed from contacts on the list also made it a breeze to quickly obtain, *gratis*, use of a conference room at the Chapman University School of Law Library for the certification examination administered on September 26, 2009 through the courtesy and kindness of Chapman University School of Law's Associate Dean of Library, Mr. Denny Haythom.

I recommend we continue and constantly contact the paralegal schools -- and hope a tradition is made of the immediate past president being the Mentor Director. Respectfully submitted.



IRVINE CONFERENCE HIGHLIGHT

By Karen Becker, PP, PLS

Elder Law - Terms of Endearment

Judge Kim Hubbard

Although I have seen Judge Kim Hubbard several times, once again, I was educated and amazed by her presentation in Irvine at our National Conference.

Judge Hubbard informed us that there are well over 50 definitions of abuse since it is defined by state law. States define by law who is considered a victim of elder abuse or vulnerable adult abuse.

“Abuse” includes non-actions as well as actions. Forms of abuse include: physical, sexual, emotional or psychological. In addition, there is financial or material exploitation, neglect, and/or abandonment.

Anyone can become a victim of abuse. Abusers can be anyone including family members, paid caregivers, neighbors or lawyers, among others. What Judge Hubbard pointed out is that people are not abused or exploited because they are lonely, weak or tricked; it is because someone made a decision either to hurt that person or allow that person to be hurt.

One can lower the risk of being a victim in several ways: be careful about ATM and credit cards, joint bank accounts. Also, seek regular medical care, choose who to trust and put it in writing, don't become isolated and don't allow other people to handle your mail. Another important way to prevent abuse is to not enable substance abusing family members.

Judge Hubbard manages to heighten our awareness which is the best way to avoid becoming a victim or allowing a loved one to become a victim.



Visit: www.nals.org



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- Attorneys who provide pro bono services
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- Firms or legal professionals who make contributions to law-related education for youth
- Attorneys or bar associations who make contributions to law-related education for the elderly
- Firms, attorneys, or legal professionals who volunteer services to improve their communities
- Media (print and audio) who feature “good news” stories about judges, attorneys, legal professionals or the legal profession.

Who can submit nominations?

Individual members of NALS, chapters, or state associations can submit a nomination. The submitter will be named in all publicity (unless anonymity is requested). The process is easy and you can submit your application at any time. [You can submit the nomination online](#). If you prefer to mail or fax your nomination, use the nomination form in [PDF](#) or [Word](#) format. Submission instructions are included on the form.



NALS Region 8 Cruise

June 11-14, 2010

Long Beach, CA to / from Ensenada, B.C., Mexico

Aboard Carnival's Paradise

Friday, June 11

- 1 p.m. Board ship and explore; sign up for spa treatments and shore tours
- 3 p.m. Registration and Welcome Party
- 5:30 p.m. Sail Away
- 6 p.m. Dinner followed by dancing, shows, casino, shopping on board, or strolling the deck in the moonlight

Saturday, June 12

- 9 a.m. Dock in Ensenada, B.C.; shore tours
- 9 a.m. NALS Education for those remaining on board. (3 hrs CLE)
- Noon Lunch on deck or at one of several restaurants
- 2 p.m. NALS Education, including special keynote speaker, Jerry Wilkinson (3 hrs. CLE)
- 6 p.m. Dinner and ship's entertainment

Sunday, June 13

At Sea all Day

- 9 a.m. NALS Education and Town Hall Meeting (3 hrs. CLE)
- Noon Lunch on deck or at one of several restaurants
- 2 p.m. NALS Education and Closing Keynote speaker, NALS President Patricia Infanti (3 hrs. CLE)
- 6 p.m. Dinner and Farewell activities

Monday, June 14

- 8 a.m. Disembark in Long Beach and return home

Times are approximate and subject to change based on ship's schedule.

Adventure and education await you on the NALS Boat!

Enjoy a memorable weekend with NALS President Patricia Infanti, your NALS Pals, and family. Whether it's activities in the sun, a little snooze on the deck, or dancing under the stars, you'll find plenty to keep you busy and earn CLE at the same time. We've planned 12 hours of classroom education plus more hours of self-study for those who want to get a tan with their CLE. With three pools (including a kids-free oasis on the aft deck), casino, bistros, cafes and lounges with live music, sushi bar, miniature golf, video and shopping arcades, spa, and a main show room to keep you entertained and amused—you'll wonder when to sleep!

NALS Region 8 registration fee is \$25 per person. Cruise cost* includes cabin, food, and entertainment. Shore tours optional.

For more details, contact Karen Becker, R8 Director:

karrei@aol.com

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Lunch-time Webinar:

Tuesday, May 11, 11:30am-12:30pm

Self-access Course:

Monday, May 10-Sunday, May 16
(log in anytime during these dates)



insideNALS is your source for information about NALS...from the inside! Use this blog to learn what is new and what is coming soon in the land of NALS. The NALS President and President-Elect as well as the Resource Center Staff will be making posts to help keep you in the know.

Visit: <http://www.nals.org/insideNALS/index.html>



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