

"Let Your Business Shine in 2009"

Access Newsletter – March 2009

GREETINGS MEMBERS...IT'S ALL ABOUT EDUCATION

I would like to thank Bob Scrivano, guest speaker, Brandon Shamim and Carl Knoll for their time and wealth of information they provided in the past teleclasses held.

As of February 9, 2009 CALDA has begun to sell the recorded teleclasses on CD for those members who do not wish to download the large file onto their computer from CALDA's website under the "Member's Only" section. The cost for each CD is \$10.00; however, please keep in mind that the recordings are not to be distributed to anyone outside of CALDA. The

recordings are solely for educational purposes and the public may constitute them as legal advice being given.

Upcoming Teleclass Topics:

Bankruptcy
 Fiduciary Accounting
 Adoptions (child and adult)
 ...and much more!

Watch your email in-boxes for more information!

CALDA – LA CHAPTER

To all members in any direction who would like to attend the LA Chapter meetings, please contact

me by e-mail at [info@a-1legaldocs.com](mailto:info@1legaldocs.com) or by calling me at (310) 484-3607. Meetings are held every third Saturday in the month and dues are \$7.00/member - \$10.00/non-member.

Until next time . . .

Vanessa Watson
CALDA Education Chair

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WHEN WAS THE LAST TIME YOU ASKED ONE OF YOUR CUSTOMERS...

...how they perceived your business? Sure enough, they hired and contracted with you to perform a legal document service so they must have felt confident in your ability, right? Or, were you the only game in town? Try asking your customers about your professionalism. Most of them will give you positive feedback, but if they were truly "honest" with you, they might be able to provide you with helpful gems to improve your professional appearance that will likely increase your customer count and referrals.

Professional Standards is not just whether you are compliant with the Business & Professions Codes, which we all should be. It is also how you operate your business and most importantly, how your customers perceive your business. I subscribe to the Golden Rule and strive to deliver a quality legal document experience from customer service to accurate document preparation; however, despite my concerted efforts, I am not going to be everything to all people. As

business owners all we can do is our best at serving the vast majority of our customers and strive to exceed "their expectations," which is often difficult because people's perceptions are their own individual reality. So, although we may be thinking that we are doing a great job but in reality we are failing to serve our customers well enough and we are unknowingly causing lost customer gains and referrals.

In an effort to test how professional you are, develop a simple questionnaire to give to customers. Ask them some yes or no questions and at the end, ask for suggestions on how to improve or what would have made their experience a bit easier, simpler or helpful. Then begin to incorporate those suggestions. Slowly but surely your level of service or professionalism will improve and a net increase in both new and referred customers will result.

Carl Knoll, Professional Standards Chairperson

HIGHLIGHTS OF NEW LAWS AND CHANGES FOR 2009

FEE CHANGES:

As you probably already know, each year in January the Judicial Council of California sends out a Notice of Fee Changes. The fee schedule is posted to the California Courts Web site at www.courtinfo.ca.gov/reference/feeschedule.htm. For instance, the first appearance fee in a civil or family law case is now \$350.00. Make sure you check on filing fees before giving quotes to your customers because they have probably increased.

JUDICIAL COUNCIL FORM CHANGES

The Judicial Council has revised 71 of its current forms and has added 25 new forms.

Follows are a few of the changes:

Civil/Small Claims/Unlawful Detainer

Revised: Case Management Statement (CM110); Form Interrogatories – Employment Law (DISC-002); Form Interrogatories – Unlawful Detainer (DISC-002); Cause of Common Counts (PLD-C-001-02); Proof of Service (POS-040); Attachment to Proof of Service (POS-010P)

Mandatory: Substitution of Attorney without a Court Order (MC-050); General Denial (PLD-050)

Family/Juvenile Law

Revised: Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (FL-105/GC-120), Application or Response to Application for Separate Trial (FL-315); Request to Change Court Order (JV-180); Court Order (JV-180); Request to Change Court Order (JV-183); Order After Hearing on Form JV-180 (JV-184)

New: Attachment to Declaration Under UC-CJEAs (FL-105-(A)/GC-120(A); Bifurcation of Status of Marriage or Domestic Partnership-Attachment to Judgment (attach to FL-180) (FL-348), Request of Minor to Marry (FL-190), and Order on Request of Minor to Marry (FL-915)

Guardian/Conservatorships

New: Annual Certification of Court-Appointed Attorney (CG-011), mandatory; Ex Parte Application for Good Cause Exception to Notice of

Hearing on Petition for Appointment of Temporary Conservator (GC-112); Declaration in Support of Ex Parte Application for Good Cause Exception to Notice of Hearing on Petition for Appointment of Temporary Conservator (GC-112(A-1); Declaration Cont. Page (GC-112)(A-2); Order On Ex Parte Application for Good Cause Exception to Notice of Hearing on Petition for Appointment of Temporary Conservator (GC-115); Order Approving Temporary Conservator (GC-141)

Revised: Certification of Attorney Concerning Court Appointment in Conservatorships (GC-010); Petition for Appointment of Temporary Guardian of the Person (GC-110(P), Order Appointing Temporary Guardianship (GC-140); Letters of Temporary Guardianship or Conservatorship (GC-150); Letters of Guardianship (GC-250), and Letters of Conservatorship (GC-350).

Angie Walters, Legislative Chairperson

LET YOUR BUSINESS SHINE IN 2009...CALDA CONFERENCE(S) 2009

As tough as this economy seems, a lot of how we react is determined by how we position the news. As business people, you are used to negative news - so please don't buy into the "sky is falling" syndrome. Yes, it is not as good as last year, but last year was near record highs for many.

Think of the following viewpoints:

Are **92.5% employed** or are 7.5% unemployed?

Are **95-97%** of homeowners still making their payments or 3-5% not doing so.

If sales are down to levels of 2004, is it truly bad or did we just come through an extraordinary time?

How you think does make a difference, so watch your thinking. Focus on your business and what you can change instead of on the outside world that you cannot change. Remember that small business drives the economy by providing the most job growth and equals over 60% of the national economic activity.

In light of this news, your CALDA Board has determined that we would think

"OUTSIDE THE BOX." Our theme for this year is:

"Let Your Business Shine in 2009."

This year we will offer two mini-conferences, one in Southern and one in Northern California, instead of the traditional annual Conference. You will have the opportunity to attend one or both mini Conferences. In order to reach our statewide membership each mini Conference will be held **one day only**, from 8:00 a.m. to 4:00 p.m. So save the date of **September 19, 2009** if you are in Southern California and **October 17, 2009** if you are in Northern California.

This change in format will allow more personal interaction with other members, more one-on-one with our speakers, no down days out of the office and a softer impact to your bottom line.

We will have some exciting speakers, fundraising opportunities to win valuable prizes, food and of course our annual general meeting. Also, if you bring with you a non-CALDA LDA you will receive recognition in our Newsletter, a gift certificate to STAPLES and

Our theme for this year is "Let Your Business Shine in 2009"

perhaps a surprise at the mini Conference!

Because of the change in Conference format we may not offer all of the usual classes to which you are

accustomed. Since our bylaws require that we accrue 15 units every two years to maintain our CALDA membership our Education Chair Vanessa Watson will continue to offer opportunities to attend monthly on-line classes.

More details will follow shortly. During this challenging time we as your Board members are conscious of the need to be accountable and flexible about how we spend our members' money and still adhere to CALDA's Bylaws.

We, as members of CALDA, have a great deal to offer the citizens of our community and now is a wonderful time to polish up our individual businesses and SPARKLE.

Nancy Newlin, Conference Chairperson

NEW MEMBERS — WE WANT YOU!

If you are interested in participating on a committee and helping CALDA with its mission, please give me a call at (559) 485-5445. I will make sure you will get connected with the right person.

Committees available:

- * Public Relations
- * Education
- * Membership
- * Technology
- * Conference
- * Newsletter
- * Professional Standards
- * Legislation

- * Fund Raising
- * Nominations and Elections

Robin Schumacher, Membership Chairperson

NOTES FROM THE NOTARY (NOTARY CORNER)

Assembly Bill 2452, signed on July 3, 2008 and made effective January 1, 2009, amends Civil Code Sections 1185 and 1196 and Government Code Section 8206. AB 2452 makes the following changes to the notary law:

1. It adds an employee ID card issued by an agency or office of the state of California or any city, county or city and county to the list of written identification documents a Notary may accept to identify document signers.
2. It repeals the previous provision allowing a Notary to identify a subscribing witness based upon the Notary's personal knowledge of the witness or through a credible witness who is personally known to the Notary.
3. It clarifies that a Notary may identify a subscribing witness only upon the oath or affirmation of a credible witness who presents a state-approved written identification card that satisfies Section 1185 of the Civil Code.

As explained in the National Notary Association Notary Law Updates webpage section, "AB 2452 introduces two main changes. First, it expands the list of state-approved IDs a Notary may accept to identify document signers to include any employee card issued by a city and/or county or the state of California, provided the ID is current or has been issued in the past five years, and contains a photograph, signature and physical description of the bearer. Second, it attempts to remove one of the major inconsistencies that resulted from last year's legislation. In 2007, AB 886 banned personal knowledge as a method of identification for acknowledgments and jurats, but left it intact for identifying subscribing witnesses for a proof of execution. AB 2452 removes personal knowledge and the use of a credible witness who is personally known to the Notary as methods of identification for proofs and allows Notaries to identify subscribing witnesses only through one credible witness who presents a state-approved ID card that satisfies the requirements of Civil Code Section 1185."

Carol Ludlow, CALDA Treasurer

FOR IMMEDIATE RELEASE...

Press Release – February, 2009

Local Social Security Disability Advocate Qualifies as Accredited Disability Representative

Lake Isabella, CA - Diana P. Wade, a disability advocate, was notified by the National Association of Disability Representatives that effective February 13, 2009 she is an Accredited Disability Representative (ADR).

Ms. Wade had to pass a stringent examination which tested her knowledge of the Social Security Administration's rules and regulations concerning their Disability Insurance and Supplemental Security Income (SSI) Disability benefit programs, as well as the most recent developments in Social Security Administration and court decisions. Prior to taking the examination she was required to possess specifically delineated professional qualifications (experience and education), pass a criminal background check, and submit proof of current liability insurance.

The ADR designation also requires participation in continuing education about Social Security Administration claimant representation, rules, regulations and policies. Affirmation of acceptance of the Code of Ethics and acceptance of NADR's contacting the SSA OIG should questionable practices arise.

Ms. Wade is a charter member of The National Association of Disability Representatives (NADR - www.nadr.org). NADR is a national not-for-profit professional organization that serves both the needs of its members as well as disabled persons in the community by providing ongoing education and communication amongst its members so they can provide the highest quality of disability representation. NADR also provides a referral service where persons with disabilities can be connected with knowledgeable representatives. NADR was founded in St. Louis, MO in March of 2000 by a group of about 30 non-attorney representatives from throughout the United States who felt that such a group could provide superior representation to persons with significant impairments. Members of NADR include retired Social Security employees, Nurses, Lawyers, Paralegals, Vocational Experts, Social Workers, Physical Therapists, Insurance Company Claims people, and other professionals. Looking to the future, NADR is continuing to work directly with the Social Security Administration in the improvement of the disability process for impaired persons as well as to encourage its members to attain the highest standards.

Ms. Wade has been providing advocacy services since 1995. Located in Lake Isabella, CA she offers Social Security assistance throughout Kern County, Inyo and Mono Counties and the Central Coast and prides herself in providing caring assistance for people with significant physical or mental impairments. Fees for her services are regulated and approved by the Social Security Administration.

As a Disability Advocate with more than 14 years of experience who has now qualified to call herself an Accredited Disability Representative, Ms. Wade believes her clientele can be comfortable knowing that she has met the standards set by the Social Security Administration and the National Association of Disability Representatives. To contact Ms Wade call 760-379-8138 or visit her on the web at <http://CaliforniaDisability.net>.

A MESSAGE FROM LISA DIETEMAN

I feel very honored to serve as CALDA's Public Relations Chair and I am proud to be a CALDA member!

As members, we all have the same mission: to educate the public about what Legal Document Assistants can do for consumers; continue to educate them of the profession; and offer professional services by assisting consumers with completing their legal documents simply and affordably utilizing CALDA's self-help materials and support.

Today there is a desperate need in this world to help others "help themselves." The average Californian cannot afford to pay legal fees due to today's economic condition. Consumers continue to seek a cost effective and reliable alternative in completing their legal documents. We are in demand and consumers desperately need us so let's continue to expand our mission by spreading the word worldwide about our profession and what we can do to save consumers thousands of dollars!

Public Announcement

We are seeking new legal professionals to join our mission. Are you a law clerk, legal document assistant, paralegal or litigation secretary working for a law firm? Why continue working grueling hours for a demanding boss as a "salary slave?" Be your own boss! Do you have a legal background but find yourself without a job in this economic crisis? Contact CALDA today and find out how you can join and obtain brochures and instructions to assist consumers in completing their own legal documents. Start a new career as a Registered Legal Document Assistant at an affordable price! Meet experienced LDAs and learn how to be an independent business owner utilizing your legal experience, talents and skills and take a step ahead to success! CALDA not only offers invaluable information about the LDA profession, but offers classes, telephone conferences, and continuing legal education to assist and educate you as to a variety of routine legal tasks utilizing attorney approved forms and self-help law materials all published by licensed attorneys.

The Legal Profession Today

The evolution of seeking a self-help legal service to complete legal documents continues to be a moving trend. The LDA profession is becoming an industry! Many LDAs have expanded and diversified, other have become small, highly specialized services. Whatever the direction, a unified direction has clearly become a key to success in this profession; and solid LDA self-help services are thus widespread among today's market. Come and join our mission!

A Final Message To CALDA Members

Most members of the legal profession would agree that the shift toward a market-oriented legal system has made the referral network, and to some extent the prestige factor, somewhat less effective in bringing in new business. In our contemporary environment, the failure to communicate with relevant public can impact even the most successful LDA's. Most LDA's generally feel uncomfortable with too much exposure because they are skeptical about the results and fear that such efforts will compromise their professional ethics or perhaps catch the attention of attorneys and fear that attorneys will not like them. There is certainly nothing unethical or unlawful in communicating the LDA profession, philosophy, and areas of expertise with various public, and ensuring that they are informed about self-help services and to inform the public of the duties and tasks an LDA can perform. Stand up and spread the word about our profession and CALDA!

(Continued on next page)

"FUN" DRAISING....

In today's economy we have to do all that we can to reserve our dollars and limit our spending. With money not flowing so freely I am sure that we are all looking for more bang for our buck. I am also looking for more bang for our buck, and at the same time continuing to build my business and promote the fundamentals of CALDA.

As the new fundraising chair I am requesting your participation and insight....

Do you know of any items that you want to see on the CALDA website for sale?

Do you have vendors that you utilize and would like to share with everyone?

Do you have suggestions?

If so, please send them to me via email at: info@kellyetaylor.com

I plan to reintegrate the fundraising website and provide you with a list of vendors that you can access for promotional items as well as legal software and more. I am processing my thoughts on how to successfully implement the thoughts that I have, once I receive your input and suggestions I will move forward. Please send information and comments to me by April 30, not later than May 15, 2009.

Thanks for your support and for voting for me to become a board member, and a special thanks to the fundraisers before me and their guidance, Debbie Driver and Connie Crockett. I have received the torch and will try to carry on as those that came before me. I look forward to working with my new family of friends and associates as I serve in my new position.

Kellye Taylor, Fundraising Chairperson

A MESSAGE FROM LISA DIETEMAN (Continued)

The development of solid lines of communication within the business/legal community is essential to an effective legal public relations plan. When managed correctly, an effective communications plan will help provide an environment where the success or failure of a LDA depends not on the fluctuations of the marketplace, but on the LDAs honesty, ethical standards and work product. An LDA's reputation, whether it is positive or negative strong or weak, detailed or vague, will influence an individual's predisposition to retain services, to recommend your services, and to speak favorably of you to others.

As Public Relations Chair, I am diligently researching how we can stay up-to-date with the volume of information that is available and keep ahead of what is happening in our profession. Thanks to the silicon chip, information is moving at an amazing speed and rapidly gaining even more momentum. Technology today has given us the tools for change - and now, it is up to us to design and incorporate this technology into our communications plan.

It is important to understand that it is not just technology that is changing communications for our profession. As Jack Welch the Chairman of General Electric pointed out in a speech to employees ("Control Your Destiny or Someone Else Will" by Noel M. Tichy and Stratford Sherman), "We've learned a bit about what communication is not. It's not a speech . . . or a videotape. It's not a plant newspaper . . . real communication is an attitude, an environment." And today, the environment we are speaking of is the "world stage."

I am researching several top social networking sites and I will report all details to the board for consideration and implementation. These social networking sites are community component geared to small business owners, professionals, start-up entrepreneurs, or business in general. It is time to endeavor the beauty of "social networking" sites in an effort to continue to educate the public of our legal organization and how CALDA's resources and support can help consumers receive professional and quality legal document services. Why should we think "social networking?" For the simple reason that huge numbers of people - maybe your customers - are flocking to these sites. Last year alone visits to social networking websites soared nearly 800 percent as reported by web tracking firm ComScore, Inc. With proper care and feeding, a presence on the right sites can help us build business and professional relationships, generate leads, links and traffic to CALDA's website, market our products, services and expertise, and extend our brand!

Lisa Dieteman, Public Relations Chairperson

LEGAL ACCESS FOR ALL...

Last month, Cindy Elwell, Marcel Neumann and I had the pleasure of attending the Alameda Contra Costa Trial Lawyers' Association Annual Judges' Night Dinner held at the Clairemont Resort and Spa in Berkeley. One of our members, Kerry Spence Suenderman, invited us to attend as her guests. Her father, the legendary trial lawyer, Gerry Spence, was the keynote speaker.

In addition to introducing her father, Kerry spoke about "Legal Access For All". She gave an outstanding speech on the current status of the self-represented litigant. While acknowledging that trial lawyers are a very necessary part of the legal profession she pointed out that there are, however, many individuals who do not have the financial means to retain an attorney. These individuals are left trying to struggle through the legal system and in fact her father pointed out that there are many individuals wrongly imprisoned because they could not afford legal representation. He has actually successfully battled to obtain new trials for many such individuals.

Kerry went on to diplomatically introduce the Legal Document Profession.

She briefly outlined the Business and Professions Code as it pertains to our profession and introduced CALDA and the valuable resources that it offers to LDAs. She concluded her talk by suggesting that perhaps attorneys could offer for a fee a consultation to clients who can't afford their services so that they can receive the legal advice that we cannot provide them with and then refer them to a Legal Document Assistant for completion of their forms.

I was so proud of Kerry for having the courage to talk to a room full of Judges and Attorneys about our profession. Among those present was California State Treasurer, Bill Lockyer. During her talk Marcel, Cindy and I were sitting at a table on our own directly in front of the podium. Kerry looked down at us when she spoke. I was sure that everyone in the room must have known that we were Legal Document Assistants. Kerry's courage was contagious. I did not feel in the least bit intimidated and was very proud to be a Legal Document Assistant.

It was a truly wonderful evening and although Marcel was driving I know that we all felt that we floated home on cloud nine....

Carol Ludlow