

22ND ANNUAL CONFERENCE
 CELEBRATING CALDA's 22ND YEAR!
 September 19, 2009—Los Angeles, CA
 October 17, 2009—Sacramento, CA

Access Newsletter — August 2009

FROM THE PRESIDENT'S VIEW . . .

At a recent meeting on marketing and public relations, I was excited to learn of many internet opportunities that are available to anyone willing to invest a little time and effort in promoting our businesses! Two of the most common sites are Facebook and LinkedIn. You may have heard of these sites and dismissed them as a fad, but they provide a FREE source for you to talk about your business. Other free sites mentioned are on Google and Yahoo. You may also blog about your business on blogger.com. You can write about your business on Scribd.

I also learned that if you have a website for your business, you can visit Alexa.com and see how your website is ranked in the United States. I looked up

"CALDA.org" and found that our organization is ranked 4,767, 325. The average time on the site by a visitor is 4.1 minutes per day and there are 25 sites linking in. Fascinating!

Other possible sites:

- * Wordpress.org
- * BlogLink/LinkedIn
- * Company Buzz/LinkedIn

CALDA is now on Facebook and LinkedIn!

If you have any ideas for FREE networking, blogging, advertising, etc. that may be of help to others in our organization, please post your ideas on the forum under "The LDA Business/Marketing/FREE Internet Information!"

Tina Sandoval
CALDA PRESIDENT



**TINA SANDOVAL,
 CALDA PRESIDENT**

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"YOU'RE SERVED!" . . .

Who wants to be on the receiving end of a husky process server barking those two dreaded words, "You're Served!" Not me!

This is just a reminder that as we run our business, and sometimes running we are, once in a while we can let our guard down and fail to adhere to the Business & Professions Codes and basic general business practices. For example, recently I got so busy that I forgot to enter a "self-help" contract with a customer. It is rare, but it happened. He hired me to do a simple trust amendment and codicil to a will. I thought I had explained the pricing to him, but when it came down to it, I had not because I had forgotten to contract. It is customary for me to do

simple amendments and codicils and charge after the document preparation is complete. I tried to charge the customer \$240 and he was not happy. When I went to pull out the contract, it was not there. To satisfy the customer, I did not charge him a penny. I lost out on a \$240 fee. Now *that* will teach me.

Lessons are sometimes learned the hard way. Luckily, this was a small price to pay for a simple oversight. The B&P states that LDAs must enter a "self-help" contract with customers detailing the parties, what service we are going to perform and the costs. As you know, these requirements are for a good reason—that is to protect the customer and us. In my example, if I had properly contracted with the customer he would have likely

agreed to pay my fee. In the end, I could have argued the issue with my customer to pay my service fee or a reduced fee, but I chose to waive the fee altogether since it was really stupid of me to forget and technically the customer and I had not contracted, he was not aware of the fee, and he could have sued me and won! Hopefully, I have a referral source and successfully averted a lawsuit and that husky process server barking those dreaded words, "You're Served!" A regular review of the Business & Professions Codes pertaining to LDAs is a good idea.

Carl Knoll
Professional Standards Chairperson

MY MEETING WITH THE DISTRICT ATTORNEY . . .

I was contacted last fall by the Fresno County District Attorney's Consumer Fraud Division to discuss my advertising practices as a Legal Document Assistant, particularly my church bulletin advertisement.

On Thursday November 13, 2008 I met with a panel of two (2) Fresno County Deputy District Attorneys: Edward Browne and Michael Brummel and a third who was pending results from the state bar.

DDA Edward Browne was the lead on this case. He began the meeting by stating he knew that I was a member and President of CALDA; however, he wanted to discuss my personal case and discuss CALDA afterward. He explained that there had been recent complaints about some LDAs which led to a review of yellow page advertisements, which in turn led to these investigations. He said that there were about 50 LDAs being called in for non-compliance issues.

He asked me for my LDA registration identification card, bond, copies of all my advertisements (including telephone book, church bulletin etc.), business card, letterhead, fictitious business name statement, redacted pleadings, contract (English and Spanish) and notice to consumer.

As I presented each item to them, they each reviewed the documents carefully. Upon reviewing my documentation, Mr. Browne stated that in all the LDA cases they had reviewed, my documentation was the most compliant.

They asked questions about registration costs, registration as an LDA and as a UDA and bonding. I explained the process of registration as an LDA in Fresno County. They asked about other services I provide such as tax preparation and notarizations.

I was asked about the type of documents that I prepare. I was asked how I deal

with customers who have more complicated issues and need the advice of an attorney. I told them I refer to several attorneys in the Fresno area depending on the area of law. I have referral sources for family, real property, civil, probate, immigration and criminal law. I also told them that I give each customer the option of calling the local attorney referral service instead of the attorney.

At the conclusion of this discussion, Mr. Browne stated to me that they would review my documentation further and that they would be in contact with me. There was no discussion of fines, filing of complaints or anything of that nature.

At that time I asked about my church bulletin ad as there had been no discussion about the ad. I was told that the disclaimer language should be "clear and conspicuous" and because the church bulletin ad is so small that it could be argued that it isn't "clear and conspicuous." I stated that the code does not specify font specifications; however, it was suggested that the font size be increased.

We then spoke a little about rogue LDAs and he indicated that if we LDAs know of any unregistered or bad LDAs we can turn in their names to the DA for investigation. I told him that I assumed it had to be a harmed consumer to do that, but he stated that we could report them as well.

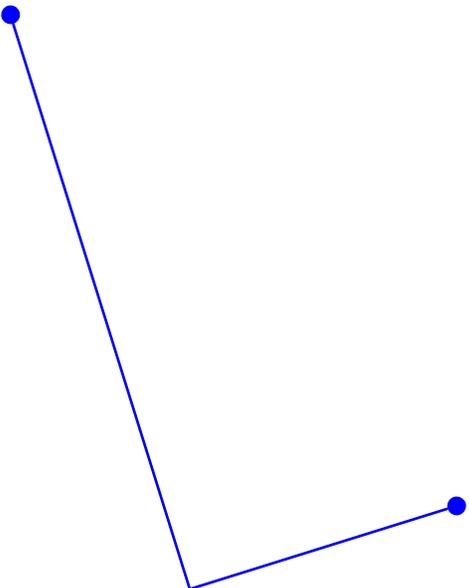
The discussion then turned to what CALDA is doing to educate our members about compliance and UPL. I explained that we hold yearly conferences where we have an attorney present and hold session dedicated to this subject where LDAs can ask the attorney about the code, compliance, UPL etc. I told them we also hold monthly teleconferences on many different subjects to educate our members. They asked me what we do when a new member signs up. I explained that upon applying they are to provide a copy of their registration card

which tells us they are registered and bonded in their county. Further, the new member's website is reviewed for compliance. I also stated that the Board is currently reviewing our policies to improve this process.

They asked why I thought many LDAs were not in compliance. I stated that I would like to think that we as LDAs are educated and read the code upon applying for registration as an LDA, and that upon joining CALDA they review our website for guidance but that the main reason for non-compliance is unknown to me.

This discussion led to their next question about what they could do to help us educate and improve compliance with the code for LDAs. I suggested they be available for a teleconference for a Q&A session where our members could ask questions of them about the code and compliance with the code. They stated that they were open to the idea and were looking for ways to do community outreach. They stated they would discuss it with the administrators and they would be in touch.

Tina Sandoval
CALDA PRESIDENT



SPOTLIGHT ON BETTY CLEVELAND CALDA'S MEMBER OF THE YEAR 2008-2009

STOP BY THIS YEAR AT CONFERENCE AND SAY HI TO BETTY!

Betty Cleveland was named MEMBER OF THE YEAR at the conference in Fresno in October, 2008. Contributing a wealth of experience, Betty and her husband Jerry Cleveland have been assisting us every year for the past several years at the annual conference front desk. Their support, professionalism and cheerful attitudes are invaluable in helping make our conferences run smoothly.

An LDA for over ten years, Betty works in Lynne Stein's office, "Lynne Stein Legal Document Assistance", in Livermore. Betty and Lynn's association goes back farther than that though, as they met when Betty, who was employed as a school secretary and office manager at Livermore Unified School District for more than 31 years, met Lynne, who was on the school board for over 20 years. After Betty retired from the school district, she was glad to move into a job where she could help people with legal documents. "The reasonable price we can extend to the customer really does help people, and they are able to get on with their life. We often receive notes of appreciation". Among other duties, Betty prepares the deeds in Lynne's office – specializing in those challenging Hawaiian deeds.

Betty is a life-member and is still very involved in the California School Employees Association Union (CSEA). Her interests include educational issues, keeping very busy with grandchildren and family sporting events. She and Jerry have been married for 53 years and they have three children and seven grandchildren.

Sharing with me her appreciation of CALDA members' warm heartedness and the great atmosphere at the conferences, Betty said that she is grateful to have made many friends through her association with our membership.

One-Of-A-Kind. I would describe Betty as THE lady you would want in your life – as a sister, mother, aunt, co-worker, or best of all - friend. She is beautiful – always chicly dressed and put together, always kind, positive and helpful. Truly, for me, Betty is an inspiration of class, intelligence and kindness. Thank you Betty for being a part of us and for your help every year at our conference – we would not be the same without you – and your wonderful husband Jerry!

Robin Schumacher
Membership Chair

WE DID IT!!

Check out the new website at www.calda.org and see what all the excitement is about!

First – we should all thank our resident TechnoGuru...Chris "Evaluesco"...for his expertise and creative imagination. Then we'd have to thank all those who by contributing their help and ideas, made it happen...the envelope, please !!

There is a wealth of info behind all those links on the Home page. Lets take a walk through and see what we can find....

Check out "What is an LDA". Click "More" and follow the many different links with the much needed information necessary to educate the public about who we are and what we can do for them.

Try "What are the differences between Paralegals and LDAs" under "Visitor Quick Links". Click on ">>". What a great handout when that new customer asks the question !

"Let Your Business Shine in 2009" and click on "Twenty Second Annual Conference" and check out our beautiful new postcard for the LA mini-conference. Watch for the Agenda...coming very soon!

And most important....it is soooooo easy to "Find an LDA" !!! Just click that nifty flashing magnifying glass and away you go to our Member Roster.

Next stop? We'll tackle the Member's only page and give IT a face lift. Any ideas out there?

Charlotte Ruse
Technology Chair

HOW CAN A LEGAL DOCUMENT ASSISTANT (LDA) HELP YOU?

Dear Members,

I strongly believe that we can use the LDA Law to our advantage. Some believe that it limits us, but if we look at it in a positive way, we can convince our clients that our services as an LDA are all our clients need. We as LDAs can provide all the tools that help them resolve their legal matters.

So, I would like to propose to all our Members using the following statement as our 'talking points' to all our potential clients and on all our advertisements. Lets unify our message!

An LDA can provide self-help services to a member of the public who is representing himself or herself in a legal matter.

An LDA can complete legal documents by typing or otherwise completing the documents at the person's specific direction.

An LDA can provide general published factual information that has been written or approved by an attorney, pertaining to legal procedures, rights,

or obligations.

An LDA can make published legal documents available to a person who is representing himself or herself in a legal matter.

An LDA can file and serve legal forms and documents at the specific direction of a person who is representing himself or herself.

An LDA is not an attorney, and can only provide self help services at your specific direction.

Marcel Neumann
CALDA Vice-President

“LET YOUR BUSINESS SHINE IN 2009”

Conference—a formal interchange of views; a meeting for a purpose

Opportunity—a good chance for advancement or progress; a favorable juncture of circumstances

Members—people with like interests sharing a relationship

Encourage—inspire with courage, spirit or hope; to spur on; stimulate, to give help.

Without YOU, our one time, unique mini-conference will lack your insight, your input, and your collaboration. See you in Los Angeles at the LAX Double Tree on September 19, 2009 or at the Double Tree in Sacramento on October 17, 2009. The cost for this one-day event will be \$195.00, which includes all classes, materials, continental breakfast, lunch and prizes.

If you have any questions, you may contact any CALDA Board Member or me at (530) 458-5400. YOU will hear motivational speakers, will receive information about additional streams of revenue for your business and will educate yourself about how new laws could impact our industry.

Sharing, Connecting, Inspiring, Educating. **YOU** make a difference to CALDA.

See you there!

Nancy Newlin
Conference Chair

ON THE EDUCATIONAL FRONT . . .

Greetings Members,

First, I would like to say, teleclasses will resume in September! During the Summer months, it was a little difficult to obtain speakers due to their previously scheduled commitments. However, I would like to thank all the members who have participated in the past teleclasses and I hope you have found them useful in your businesses.

Teleclass Recordings:

As of June 2009 CALDA has begun selling the recorded teleclasses on CD to non-members *only*. If anyone knows of someone needing continuing legal education, please direct them to our site under “MCLE Classes/CALDA Teleclasses”. The cost for each CD + material is \$30.00. As always, the recordings are *solely* for educational purposes. A disclaimer will be posted on all CDs and written materials before being distributed.

CLE Quizzes

They're back! Any member wanting to gain CLE credit (especially for those past teleclasses), please visit the quizzes page located under the Member's Only page in the “Other Member Features” section on CALDA's website. And just to get you started, one has been posted on the next page for those who would like to take their first quiz!

Upcoming Teleclasses Topics

* Summary Probate * Adoptions (child and adult) . . . and much more!

Until next time . . .

Vanessa Watson
CALDA Education Chair

CLE QUIZ NO. 2: SEPARATION, DIVORCE AND CUSTODY

CALDA certifies that this quiz has been approved for CLE credit by the State Bar of California. Quizzes are worth (2) credits with a passing grade of 70% or more; under (70%) no credit.

1. When a married couple separates, they _____.
 - a. are free to remarry
 - b. are not free to remarry
 - c. do not have legal and financial responsibilities for each other
 - d. must file their division of property with the court

2. When parents divorce, they _____.
 - a. have no further legal obligations for each other and the children
 - b. may still have legal obligations for each other and the children
 - c. may remarry only after a cooling-off period
 - d. can delay the decision about how to divide the property and debt

3. _____ is NOT an example of a fault traditionally required to obtain a divorce.
 - a. Mental cruelty
 - b. Irreconcilable differences
 - c. Adultery
 - d. Insanity

4. In states with no-fault divorces, the petitioning spouse must show _____.
 - a. physical cruelty
 - b. desertion
 - c. adultery
 - d. irreconcilable differences

5. The easiest divorce to obtain is _____.
 - a. one following a covenant marriage
 - b. a fault-based divorce
 - c. a no-fault divorce
 - d. one following adultery by one spouse

6. Child custody is decided on the basis of _____.
 - a. the child's wishes
 - b. the best interest of the child
 - c. the financial ability of the one parent to provide a stable home
 - d. the emotional ties of the mother to the child

7. Joint custody means that _____.
 - a. the noncustodial parent will pay child support
 - b. the noncustodial parent will have visitation
 - c. both parents have full responsibility for and an equal say in parenting decisions
 - d. one parent gets one child and the other parent gets the other child

CLE QUIZ NO. 2: SEPARATION, DIVORCE, AND CUSTODY (cont'd)

CALDA certifies that this quiz has been approved for CLE credit by the State Bar of California. Quizzes are worth (2) credits with a passing grade of 70% or more; under (2) no credit.

8. When deciding whether to order alimony, a court will consider all of the following factors EXCEPT _____.
 - a. the needs of the spouse seeking alimony
 - b. the couple's standard of living during marriage
 - c. the financial status of both spouses
 - d. the premarital standard of living for the spouse seeking alimony

9. Nothing in the child support portion of Mathilda and Josiah's divorce decree says anything about paying for child support if their son goes to college. The son has a right _____.
 - a. to have the noncustodial parent pay for college
 - b. to no child support for college
 - c. to petition the court to force the noncustodial parent to pay child support for college
 - d. to require the custodial parent to sue the noncustodial parent for child support for college

10. Stepparents become full parents of stepchildren when they _____.
 - a. marry the custodial parent
 - b. act as a parent to the stepchildren
 - c. hold themselves out as common-law parents
 - d. adopt the stepchildren

INSTRUCTIONS FOR OBTAINING CLE CREDITS:

Answer the questions in the quiz above. Mail or e-mail your answers to:

CALDA Education Chair
4001 Inglewood Avenue, Suite 101-212
Redondo Beach, CA 90278
vwatson@a-legaldocs.com

Once your completed quiz has been received, the Education Chair will return your test with the correct answers, and a certificate verifying the CLE credit you earned, if any, to you. For future reference, please retain the CLE test materials returned to you for a minimum of four (4) years.

REMINDER: This quiz as well as others, is available on CALDA's website on the Member's Only page. The system will automatically score your answers and provide your results immediately.

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