



# ACCESS

A Publication of the  
California Association of Legal Document Assistants  
[www.calda.org](http://www.calda.org)



November 15, 2003

## PRESIDENT'S MESSAGE

This will be an excellent year! We have brilliant new board members and your entire board is off to a running start, to benefit you and CALDA. I encourage all members to get involved and give some of their time to a committee they are interested in. You can offer to help by contacting any one of the board members who are the chairs of their committees. As a member of CALDA you can reap the rewards of the full benefit of membership by being active in the association. After all, it's all about you!

2003 has also been an excellent year. We just keep getting better! We have received nothing but raves about the Conference at Asilomar. The 2004 conference will be at Asilomar as well. If you don't attend you will miss out on the benefits and friendships of CALDA.

Plus, don't forget we are now approved as a California State Bar Mandatory Continuing Legal Education (MCLE) provider. That means if you still work as a paralegal you can get most of your MCLE requirements directly from CALDA. This also holds true for our workshops.

One of our goals this year is membership growth. When membership grows CALDA will become more recognized. Which means membership will be indispensable and soon you will be seeing our new logo.

We have updated the brochures and they will now be on CD and they will be available by the end of this month. Everything will be combined onto one CD. It will be a great deal easier to use now.

Please, I encourage you to get involved. Call a board member to sign up today!

**Anita**

## CALDA OFFICERS 2004

### Anita D. Parga

President  
559-673-6006

### Jeri Blatt

Vice President  
650-547-2087

### Cara Gould

Secretary  
559-298-5582

### Cindy Elwell

Treasurer  
510-523-7290

### Marcia Burke

Professional Standards  
510-791-2700

### China Long

Newsletter  
909-694-0608

### Sandra McCarthy

Fund Raising  
805-985-9588

### Hinda Lucas

661-944-6421  
Conference

### Robin L. Wilson

Education  
925-288-0528

### Alonzo McLeod

Public Relations  
510-886-5906

### Robin Schumacher

Membership  
559-485-5445

### Jeri Blatt

Technology

### Peter Kroeber

Legislative  
707-552-7000

### Diana P. Wade

Immediate Past President  
& Executive Adviser  
760-379-8138

### ATTENTION All Board Members

ALL MEMBERS: EACH YEAR YOU MUST SUBMIT A COPY OF LDA, UD OR IMMIGRATION REGISTRATION; OR A LETTER FROM YOU STATING UNDER PENALTY OF PERJURY THAT YOU AREN'T REQUIRED TO CONFORM TO STATE LAW. EVERYONE MUST COMPLETE ALL 4 PAGES OF APPLICATION

### Special Offer

CALDA offers instant messages to all voting and non-voting members. If you want to be a part of the Talk list and have an E-mail address (or if your address has changed), please send it to  
dpwade@lightspeed.net

### WHEN AN LDA ASKS "WHY SHOULD I JOIN CALDA?"

Tell them, the benefits are:

1. Increased professional knowledge and networking opportunities.
2. Awareness of events and developments pertaining to the LDA profession.
3. Subscription to the newsletter, *ACCESS*.
4. A voice in decisions affecting the profession at the local, state and national levels.
5. Discounts on educational seminars and workshops.
6. Setting a higher standard of professionalism.

### The ACCESS is a publication of the California Association of Legal Document Assistants (CALDA)

The opinions expressed in ACCESS are those of the writers and are not necessarily those of CALDA. All articles are based solely on materials submitted in writing. The act of submitting editorial contributions shall constitute an express warranty by the contributor that the material is original and in no way an infringement upon the rights of others. CALDA assumes no responsibility for verification of the information submitted.

### NEWSLETTER GUIDELINES

Materials may be submitted as follows: E-Mailed, 3..5 Diskette  
E-Mail [china@longscourtforms.com](mailto:china@longscourtforms.com) or mail to:

China Long  
27780 Jefferson Ave. Suite M  
Temecula, Ca. 92590  
Fax: 909-694-4460

If sending on diskette: Contents should be in final form. Computer System used PC only, Software used, MS Word or Word Perfect 9 or lower ONLY.

**Do not indent or use all caps in headlines or text.  
Prefer alignment to be justified**

## PRESS RELEASE

The California Association of Legal Document Assistants (“CALDA”) held its 16<sup>th</sup> Annual Conference at the Asilomar Conference Center in Pacific Grove, California, October 17 – 19, 2003. CALDA is a non-profit corporation that provides continuing education for its members who perform legal self-help services to the public.

Participants were offered a variety of workshop choices that included basic instruction and changes in family law, adoption procedures, probate guidelines, instructions on social security disability, guardianship, wills and trusts, and introduction to the new Domestic Partner Act. The workshops were conducted by court commissioners, attorneys, legal document assistants, and paralegals.

Karen Graf, Vice President of Personalized Info-media in Fresno, delivered the keynote address on “Public Relations – the Critical Ingredient for Business Success.”

During the conference, CALDA members elected two new officers and three new board members. Anita Parga, owner of Madera-based Parga and Associates was elected 2003-2004 president of the state-wide legal self-help organization. Jeri Blatt, owner of Legal Documents Plus of Foster City is the new vice president

Returning to their positions on the Executive Board are Cara Gould, Secretary, of Fresno, and Cindy Elwell, Treasurer, of Alameda. Immediate Past President Diana Wade of Lake Isabella will head the Nominations and Elections Committee. She will also serve as Executive Advisor to the board

Directors returning to their positions are China Long, Newsletter Chair, of Temecula; Robin Schumacher, Membership Chair, of Fresno; Marcia Burke, Professional Standards Chair, of Fremont; Hinda Lucas, Conference Chair, of Littlerock; and Robin Wilson, Education Chair, of Pleasant Hill.

Newcomers to the board are Al McLeod, owner of Hayward-based Legal Document Services, Public Relations Chair; Sandra McCarthy, owner of People’s Choice in Port Hueneme, Fund Raising

Chair; and Peter Kroeber, owner of Vallejo-based Associated Document Preparers, Legislative Chair.

The new Board of Directors were installed on October 19<sup>th</sup>.

By attending the conference, participants earned Mandatory Continuing Legal Education (MCLE) credits. Earlier this year, the State Bar of California approved CALDA as a MCLE provider. All conferences and workshops will now provide attorneys, legal document assistants, and paralegals with the mandatory continuing legal education requirements.

Next year CALDA Conference will also be held at Asilomar. Conference dates will be announced later.

For information about CALDA contact Al McLeod at Legal Document Services (510) 673-6006. E-mail: [almcleod@speakeasy.net](mailto:almcleod@speakeasy.net).



# Treasurer's Report

## By Cindy Elwell

Listed below is our Profit and Loss Report Compared to Budget through October 31, 2003. As you can see, we are considerably below budget (\$9,062), which is because we under budgeted our costs for the conference. However, even though we under budgeted, to date, we have a conference profit of \$5,480. This amount might change a little if some additional bills come straggling in. We have paid all the significant costs. I believe I can safely say we made at least \$5,000 profit on the conference. This is really good news, considering we have lost at least a couple of thousand dollars on each of our previous events. The bottom line here is: We made money and, by staying at Asolimar each year, we can better budget for the conference and continue to increase our profits.

The other big difference in our budget has to do with the Membership Committee, as we are now paying our administrator a monthly fee to process our memberships and this was not originally budgeted for. We also did not budget for the public relations plan. However, we have a profit to date of \$8,616 (we're not supposed to use the word profit in our nonprofit world, but, I think, you all know what I mean as opposed to an excess over deficit of \$8,616). So that is really good news. In the past couple of years, we have been operating at almost breakeven.

### Profit & Loss Budget vs. Actual April through October 2003

	<u>Apr - Oct 03</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Income</b>				
Annual Conf. Income	22,975.85	25,400.00	-2,424.15	90.46%
Dues	8,310.00	8,980.00	-670.00	92.54%
Education Products	336.00			
Fundraising Products	4,028.11	2,450.00	1,578.11	164.41%
Interest Inc	37.29	35.00	2.29	106.54%
Newsletter	-300.00	30.00	-330.00	-1,000.0%
Workshops	94.17	700.00	-605.83	13.45%
<b>Total Income</b>	<b>35,481.42</b>	<b>37,595.00</b>	<b>-2,113.58</b>	<b>94.38%</b>
<b>Expense</b>				
Administrative Assistant	64.12	700.00	-635.88	9.16%
Annual Conf. Exp.	19,395.17	13,190.00	6,205.17	147.05%
Bank Charge	402.62	497.00	-94.38	81.01%
Board Meetings	892.64	719.00	173.64	124.15%
Fund Raising Committee	0.00	581.00	-581.00	0.0%
Legal & Accounting	203.56	475.00	-271.44	42.86%
MCLE	0.00	100.00	-100.00	0.0%
Membership Committee	1,000.00	245.00	755.00	408.16%
Newsletter Expense	100.00	462.00	-362.00	21.65%
Office Expense's	564.55	140.00	424.55	403.25%
Post Office	348.42	220.00	128.42	158.37%
Prepare Taxes 2001	0.00	300.00	-300.00	0.0%
Professional Standards	407.81			
Public Relations	800.00			
St. Bd. of Equalization	26.00			
Taxes	0.00	300.00	-300.00	0.0%
Telephone	89.69	238.00	-148.31	37.69%
Website	1,724.60	1,400.00	324.60	123.19%
Workshop	846.20	350.00	496.20	241.77%
<b>Total Expense</b>	<b>26,865.38</b>	<b>19,917.00</b>	<b>6,948.38</b>	<b>134.89%</b>
<b>Net Income</b>	<b><u>8,616.04</u></b>	<b><u>17,678.00</u></b>	<b><u>-9,061.96</u></b>	<b><u>48.74%</u></b>

Detailed below is our balance sheet compared to last year. The good news here is that we have increased our assets \$11,870 compared to last year, so it shows that we are certainly doing the right things. I think we now need to concentrate on increasing our membership, expanding our products and services to members, and putting on a great conference next year. So please help the board meet its objectives and provide you with the services you want.

**Balance Sheet Previous Year Comparison  
As of October 31, 2003**

	<u>Oct 31, 03</u>	<u>Oct 31, 02</u>	<u>\$ Change</u>	<u>% Change</u>
<b>ASSETS</b>				
<b>Current Assets</b>				
<b>Checking/Savings</b>				
<b>CALDA Checking</b>	28,029.69	18,161.20	9,868.49	54.34%
<b>CALDA Savings</b>	<u>2,529.26</u>	<u>2,225.65</u>	<u>303.61</u>	<u>13.64%</u>
<b>Total Checking/Savings</b>	30,558.95	20,386.85	10,172.10	49.9%
<b>Accounts Receivable</b>				
<b>Accounts Receivable</b>	<u>1,572.81</u>	<u>0.00</u>	<u>1,572.81</u>	<u>100.0%</u>
<b>Total Accounts Receivable</b>	1,572.81	0.00	1,572.81	100.0%
<b>Other Current Assets</b>				
<b>Undeposited Funds</b>	<u>0.00</u>	<u>-125.00</u>	<u>125.00</u>	<u>100.0%</u>
<b>Total Other Current Assets</b>	<u>0.00</u>	<u>-125.00</u>	<u>125.00</u>	<u>100.0%</u>
<b>Total Current Assets</b>	32,131.76	20,261.85	11,869.91	58.58%
<b>Other Assets</b>				
<b>CALDA Mutual Fund</b>	<u>3,379.47</u>	<u>3,379.47</u>	<u>0.00</u>	<u>0.0%</u>
<b>Total Other Assets</b>	<u>3,379.47</u>	<u>3,379.47</u>	<u>0.00</u>	<u>0.0%</u>
<b>TOTAL ASSETS</b>	<u><b>35,511.23</b></u>	<u><b>23,641.32</b></u>	<u><b>11,869.91</b></u>	<u><b>50.21%</b></u>
<b>LIABILITIES &amp; EQUITY</b>				
<b>Liabilities</b>				
<b>Current Liabilities</b>				
<b>Other Current Liabilities</b>				
<b>Conference Deposits</b>	1,000.00	0.00	1,000.00	100.0%
<b>Sales Tax Payable</b>	<u>211.39</u>	<u>0.00</u>	<u>211.39</u>	<u>100.0%</u>
<b>Total Other Current Liabilities</b>	<u>1,211.39</u>	<u>0.00</u>	<u>1,211.39</u>	<u>100.0%</u>
<b>Total Current Liabilities</b>	<u>1,211.39</u>	<u>0.00</u>	<u>1,211.39</u>	<u>100.0%</u>
<b>Total Liabilities</b>	1,211.39	0.00	1,211.39	100.0%
<b>Equity</b>				
<b>Opening Bal Equity</b>	24,081.50	19,796.22	4,285.28	21.65%
<b>Retained Earnings</b>	1,602.30	5.97	1,596.33	26,739.2%
<b>Net Income</b>	<u>8,616.04</u>	<u>3,839.13</u>	<u>4,776.91</u>	<u>124.43%</u>
<b>Total Equity</b>	<u>34,299.84</u>	<u>23,641.32</u>	<u>10,658.52</u>	<u>45.08%</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><b>35,511.23</b></u>	<u><b>23,641.32</b></u>	<u><b>11,869.91</b></u>	<u><b>50.21%</b></u>

## Are Fees Paid To Professionals Tax Deductible?

You can deduct from your income taxes certain fees paid to professionals. Not many fees are deductible, but especially during times of divorce, every bit can help. Here are the rules:

If you receive alimony, you can deduct all attorney fees you pay to secure or collect that alimony. If your spouse is paying your legal fees, the fees are not deductible. Nor are fees paid to lawyers by an alimony payor.

All fees paid to any professional—including attorneys, accountants, financial planners and stockbrokers—for advice on tax consequences arising from a divorce are deductible from your income taxes.

If you plan to deduct fees, your adviser must itemize your billing showing exactly how much you were charged for the advice regarding alimony collection or tax issues.

Be sure to ask your lawyer, financial planner and/or accountant about tax-deductibles to be certain you've covered them all.

## Hello fellow LDA's from Hinda Lucas:

First, I want to sincerely thank our attorney Richard Lubetzky for his letter to Senior Survival of Canyon Country regarding the right of LDA's to prepare Living Trusts for members of the general public. Richard's letter was sent because a representative of Senior Survival, one Daniel Ballard, has been telling seniors and other LDA's in our area (the Antelope Valley) that we are practicing law by doing trusts for others and he even threatened one LDA with elder abuse. He initially makes contact with people via the phone to set up a free trust review, and when he came to my house (I can't pass up a free anything), he told me I had no legal right to complete trusts for others.

Richard set this Daniel Ballard straight and made me and other LDA's very grateful. Thanks again Richard.

I am the Conference Chair for 2004 and as such, would welcome any ideas, comments, suggestions (you get the idea) for next year's conference.

My e-address is [Hinda @mindspring.com](mailto:Hinda@mindspring.com).

Hinda

The Family Dispute Resolution Services Facilitated Discussions  
with  
Family Law Professionals,

Please Join us for a brown bag facilitated discussion

**December 2, 2003**

“Grandparents – What is their role in the court system?”

Dr. Raymond Grim, Ph.D. Aging & Family Services,  
Alameda County Human Services Department

Patricia Kaplan, LCSW Superior Court-Alameda County, Child Custody Mediator Supervisor –

**When:** 12:30 – 1:30 p.m.

**Where:** Alameda County Office Building  
224 West Winton, Room 160  
Hayward, CA 94544

Questions – email at [families&childrensbureau@alameda.couts.ca.gov](mailto:families&childrensbureau@alameda.couts.ca.gov)

Cal State Hayward’s Paralegal Studies Program’s Winter Schedule is now available. Below are just a couple of courses that might be of interest to some of you in the SF Bay Area; for CSUH Paralegal Studies alumni the cost is ½ price. As the schools are hurting for students, I’m not sure you have to be a Paralegal Studies student to enroll, and you can most likely audit the classes as well.

**Computer Applications for Paralegals**

Dates: January 10 – March 13, 2003  
Saturdays: 10 am – 1:30 p.m. at the Hayward campus  
Cost: \$489 – register for POSC7040-HA

**Immigration Law**

Day & Time: Mondays: 6:30-9:50pm  
Location: Concord Campus  
Cost: \$464  
Register for POSC7029-CA

CSUH also offers the following MCLE class this Winter:

**Basic California Worker's Compensation Law and Procedure**

Dates: January 24 & February 7, Saturdays: 10am – 5pm  
Location: Oakland Center  
Cost: non-attorney fee is \$90  
Register for EXSP8507-KA

## Education

The National Business Institute and Institute for Paralegal Education also offer a wide variety of continuing education seminars, reference manuals and audiotapes with easy on-line access. Many of their seminars receive approval for Continuing Legal Education (CLE) and Continuing Professional Education (CPE) credits. Visit their website at <http://www.nbi-sems.com> as they offer classes in many cities in California, i.e. Oakland, Sacramento, Anaheim, Los Angeles, Pasadena, San Bernardino and San Diego in areas such as Probate, Estate Planning, Making Sense of Medical Cases, Bankruptcy, LLC's and LLP's.

For those of you in the SF Bay Area who have an interest in Estate Planning & Administration, this Section of the SFPA holds monthly noon-time seminars (brown bag) on the second Tuesday of every month on a variety of topics related to the administration of trusts and estates, especially gift and estate taxes, as well as the intricacies of the Court-supervised probates, guardianships and

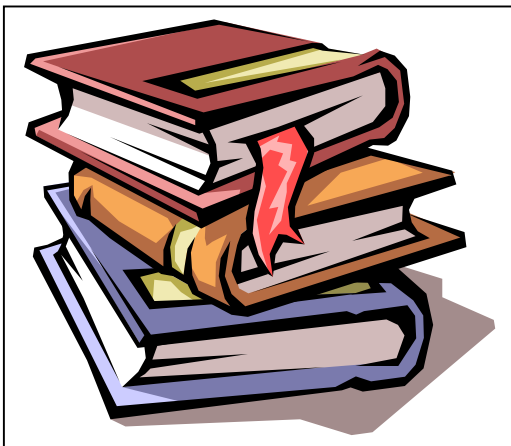
conservatorships. The seminars are generally held at the Howard Rice Offices, 3 Embarcadero Ctr (either 8<sup>th</sup> floor or 7<sup>th</sup> floor Boardroom) in San Francisco. Non-members are encouraged to attend and are asked to pay a \$5 fee. Email Julie Kawashima at [jkawashima@hrice.com](mailto:jkawashima@hrice.com) to receive notification of the monthly meetings or for more information or suggestions for future seminars.

The Real Estate Section of SFPA also has monthly brown bag meetings on the third Tuesday of each month for \$5.00 for non-members. Contact Georgette Neil at 415-227-0900 or Terri L. Reno at 415-268-6484.

Check out your local Jr. Colleges and Paralegal Certificate programs to see what's out there to broaden your knowledge – no pain, no gain!

For future articles, I welcome any information that those of you in the southern part of the state would care to provide me on things of an educational nature there.

**- Robin Wilson**





## Life Insurance

Would you want your soon-to-be ex-spouse to benefit from your life insurance? When you divorce, you both must make sure that the disposition of any life insurance policies you own is clearly specified in your agreements. These questions can help you clarify what needs to be done with these policies.

Who will own the policy if it is transferred?  
To Whom may it be transferred?

Are there any restrictions or conditions of transfer?

Will the original owner get the policy back at some future time (for example, upon remarriage, termination of spousal/child support or death of the person to whom the policy was transferred?)

Are there any outstanding policy loans? If yes, who will pay this loan?

Will the policy owner have the right to designate beneficiaries? If yes, are there any restrictions on who is named a beneficiary? Must the policy owner designate a beneficiary (that is, an irrevocable beneficiary)?

If so, does the restriction end upon a remarriage, termination of spousal support or a death?

If the beneficiary is a child, does this designation end when the child support obligation ends?

If a policy matures during the lifetime of the insured person (as can happen with an

annuity or an endowment policy), who will receive the maturity proceeds?

What other policy right will be affected by ownership or beneficiary restrictions? (These rights might include cash surrender, policy loans or dividends.)

Who will pay the premiums, and for how long?

What happens if premiums are not paid? (While negotiating your settlement, you may want to require the payer spouse to provide evidence of payment to the other spouse at least ten days before the end of the policy's grace period).

Does a policy provision state what will happen if a premium is not paid—for example, that it will be paid via an automatic premium loan, paid-up insurance premiums or extended term insurance?

If your settlement agreement or judgement makes changes to the life insurance policy, you must notify the insurance company and complete the necessary forms. Ideally, your agreement should give the spouse who will keep the policy until a certain date to complete the forms; if that spouse does not comply, the agreement should permit the court to complete the forms on that spouse's behalf.

Credit: Northwestern Mutual Life Insurance Co.

## Bond

I am gathering information on different Bond Companies that we can share with all LDA's. Please share your Bond Company with me. You can email me at [China@LongsCourtForms.com](mailto:China@LongsCourtForms.com).

## Check Your Credit Profile

During a separation, it is a good ideal to obtain a copy of your credit report. You are entitled to a free copy if you:

1. Were denied credit, employment or insurance within the previous 60 days because of something in your credit report.
2. Are unemployed and plan to apply for a job within 60 days.
3. Receive public assistance.
4. Believe your credit file contains errors due to someone's fraud, such as stealing your social security number or otherwise you will have to pay up to \$8 per copy.

### **To obtain your report, draft a letter, specifying the following:**

5. Full name, including generations (Jr, Sr, III)  
Current home address and previous addresses for the past five years  
(Including zip codes)
6. Telephone number
7. Date of birth, and
8. Social Security number

Be sure to specify the grounds under which you're requesting your report and attach documents showing your denial of credit, unemployment or whatever. Send your letter to any of the following:

9. Experian, National Consumer's Assistance Center,  
P.O. Box 2104, Allen, TX 75013, 888-397-3742
10. Transunion, Consumer Disclosure Center  
P.O. Box 1000, Chester, PA 19022, 800-888-4213
11. Equifax, P.O. Box 105496, Atlanta, GA 3348  
800-997 <http://www.equifax.com>

Your credit report will provide you with valuable information about your outstanding debts. In addition, you will have the chance to make corrections should there be any errors in your report. The credit bureau will enclose information on how to dispute incorrect information in your credit profile.

## Big Thank You from the Education Chair

I want to thank Cara Gould and the other Board members for the wonderful conference at Asilomar. While it is a very long drive for some of us in the South, the fact that CALDA can make a profit from the conference makes it worthwhile. I will be chairing the conference next year and will rely on Cara and Tamara and anyone else who would want to volunteer. I believe each time we have the conference at Asilomar it will be

easier to set up and more convenient for all who attend.

The members of CALDA are friendly and competent and a joy to be around. I especially want to thank Commissioner Vogl for his wisdom and humor, and of course, Catherine and Steve. Who knew UPL could actually be fun and entertaining!

**Hinda Lucas**

## Board Meeting Schedule

**January 24, 2004**

**April 24, 2004**

**July 24, 2004**

**October 2004 - TBA**

Board meetings are on Saturdays, from 8:00 a.m. to 4:00 pm. The meetings will be held at Piccadilly Inn, 2305 W. Shaw Ave., Fresno, CA. You may call toll-free, 1-800-468-3587, for room reservations. Lunch will be paid for.

Board meeting notices will go out on 1/5/2004, 4/5/2004 and 7/5/2004

With reports being due on the 1/16/2004, 4/16/2004, and 7/16/2004, respectively, for each board meeting.

If you need the format for your board report, please feel free to contact me prior to submitting ([dcg24@fresno.com](mailto:dcg24@fresno.com)) Cara Gould

The board meeting notice is being sent in compliance with Article VI, Section 8 of the CALDA By-Laws.

### Bankruptcy Fee Increase

Chapter 7	\$209.00
Chapter 13	\$194.00
Chapter 11	\$800.00
Reopening Case 7/13	\$155.00

*CALDA Conference 2003  
Asilomar Pacific Grove, California*



*Asilomar*



*Ocean View*



*Our Present & Our Past  
Anita & Diana*



*The New Executive Adviser*



*A View of the Grounds at  
Asilomar*



*The best Relaxation in  
California*



*Richard, Katherine & Steve  
Working Hard for CALDA*



*Marcel & China  
Enjoying Life*



*Beautiful View  
of the Ocean*