



CALDA update

SETTING THE STANDARD...EDUCATION, ETHICS, EXCELLENCE

Message from the President

Dear CALDA Members:

If all goes well, the passing of AB 285 (Gallagher) will mark the first substantive LDA-related legislation since the passage of the Rosenthal bill in 1998 that codified our industry.

I would like to direct you to this issue's in-depth article on the changes the bill will make if it does pass, and I invite your comments and questions about the bill.



Things are looking good so far. Although we have received a great deal of input from various stakeholders, the bill remains largely intact. Actually, the bill has a very important addition to it – **when it passes, the law will require all LDAs to submit to mandatory continuing education.** This has been a voluntary requirement that CALDA members have always adhered to, but now all LDAs statewide will have to undertake CLE in order to re-register. Of course, after passage, CALDA will relentlessly remind non-member LDAs of this and we expect to see our ranks swell as a result.

Our bill will be heard next week in the Senate Judiciary Committee, and I will be there to testify in support. Please read our Legislative Chair's report on the bill later in this Newsletter, and feel free to direct any comments to me at president@calda.org.

Kind regards,

Ian Duncan
CALDA President

12:15 PM to 1:15 PM Lunch

1:30 PM to 3:00 PM

Meeting the Requirements of Family Code § 4320: Spousal Support (1.5 hours CLE)
Instructor Judge Mark A. Juhas

3:15 PM to 4:45 PM

Petitioning for Appointment of a Probate Conservator (1.5 hours CLE) Instructor Ana Maria Jimenez, LDA

The LA/Orange County Summer Seminar

Education For LDAs

CALDA Presents Its 2015 Summer Seminar Series hosted by the CALDA-LA/Orange Chapter Fee includes continental breakfast buffet, boxed lunch and handouts.

Schedule of Events

Registration 8:00 a.m.

Morning Schedule

9:00 AM to 10:30 AM

Document Preparation for a Trust-Based Estate Plan (1.5 hours CLE) Instructor: Galen Hammond, LDA

10:45 AM to 12:15 PM

The Pros & Cons of Filing an Ex Parte Motion (1.5 hours CLE) Instructor Cathy Cowan, JD, LDA

QUICK FACTS

Saturday, July 18, 2015

Courtyard by Marriott, 6333 Bristol Parkway, Culver City, CA 90230

(310) 484-7000

Member/Non-Member \$100.00/\$115.00

Parking \$8.00

Register at www.CALDA.org

PUBLICATION UPDATES

New! New! New!

- ❖ Questionnaire QDRO –2015 update
- ❖ Questionnaire Domestic Violence – 2015 update

Coming Soon!

- ❖ Mandarin LDA Contract
- ❖ Vietnamese LDA Contract
- ❖ Mandarin Deed Workbook
- ❖ Spanish Deed Workbook

Starting a Chartered CALDA Chapter

Are you interested in starting a CALDA Chapter in your Area? Here are the basic requirements:

1. At least five potential chapter members are required for an application.
2. The organizer of the Chapter will be a CALDA member in good standing for at least one year preceding submission of the application.
3. The Executive Board (or the full Board if the application was so referred) will consider all applications for approval and shall take any factors into consideration they deem relevant and reserves the right to deny any application at its sole and absolute discretion.
4. After chartering, the Chapter shall meet regularly at least one time per month. The Chapter shall hold an election to name officers at its first meeting: president, secretary, treasurer.
5. The secretary of the Chapter shall keep minutes of each regular meeting. The minutes shall be submitted to CALDA's secretary monthly, within 30 days of each preceding meeting.
6. The president of the Chapter shall submit a quarterly progress report to the Board as to how the chapter is effectively furthering the Mission and ideals of CALDA. Said progress report shall be due at least 10 days prior to regularly scheduled CALDA Board meetings.
7. The Board reserves the right and absolute discretion to revoke a Chapter's charter if, in the Board's judgment, the Chapter fails to operate in a way that is not in line with CALDA's Mission Statement, does not follow the basic requirements of operating a chapter, or is otherwise detrimental to CALDA.

CHAPTER NEWS – OUR LOCAL CHAPTERS ARE GROWING!



Bay Area Chapter

The next Bay Area Chapter meeting will be July 16, 2015 at noon. Marcel Neumann will be speaking on Publishing and Posting. We will meet in the conference room at the Southland Square Building at 24301 Southland Drive in Hayward. The date is always the 3rd Thursday of each month, except at the December meeting.



Central Valley Chapter

The Central Valley Chapter will have their next meeting on Thursday, July 16, 2015. We will be meeting at the Yosemite Falls Café, 5123 N. Blackstone Avenue, Fresno, CA 93710.



North Bay Chapter

The next North Bay Area Chapter meeting will be July 14, 2015 "Petition Establishing Parental Relationship (Paternity)" featuring speaker Marcel Neumann. We will meet in the Solano Community Foundation Conference Room located at 470 Chadbourne Road Suite D Fairfield, CA 94534. The date is always the 2nd Tuesday of each month.



Los Angeles/Orange Chapter

There will be NO JULY MEETING as we will be hosting the Summer Seminar on Saturday, July 18, 2015. The next regular meeting of the Los Angeles/Orange Chapter is August 21, 2015. This is a "bring your own lunch" monthly meeting with Judge Juhas. 111 North Hill Street, **9th Floor Cafeteria**, Los Angeles, CA 90012. Please email Lois Isenberg at lois@divorcessos.com with your RSVPs (registration is a must - 25 attendee limit). Meetings are held every 3rd Friday of the month.

CONNECT WITH CALDA

CALDA is on Facebook



Just click on the link above to join us on Facebook.

Central Coast Chapter

CALDA's Central Coast Chapter will meet on the third Wednesday of the month, July 15, 2015. Our meeting location varies, please contact Chapter president, Tyler Gross at tylergrosslida@gmail.com.

MEMBERSHIP

Welcome New Members

Angela Angelovic
 Sharon Ann DeBenedetti
 Christina Arredondo
 Marcella Beltran
 Sara I. Benavidez
 Your Legal Clinic
 Deborah Burgo
 Laura Burton
 Christopher B. Ceron
 Myrna Chavarria
 Robin Claren
 Gregory S. R. Farr, Sr.
 Jason Feldstein
 Diana Fletcher Rames
 Judy Gooler
 Jane Griswold
 Robin E. Jones
 Joe D. Lowell
 Laura Mendez
 Janith Norman
 James Frederick Polk
 Carol Ramirez
 May Sene
 Holly Williams

LEGISLATIVE UPDATES

Judicial Council Forms - Latest Changes

The new and revised forms listed [HERE](#) will be available for download a week before the effective date.

The First CALDA Chapter

by Debra Hollis and Marcel Neumann

The Bay Area Chapter of CALDA was formed in September 1995. It is the oldest chapter of CALDA. We meet every third Thursday of the month, at noon, in the basement conference room of the Southland Square Building, 24301 Southland Drive, Hayward, CA. The President of our chapter is Marcel Neumann. He is a former CALDA President.

Our meetings are great! We start the year in January by discussing the changes in forms. At that January meeting, we also discuss ideas for future classes/meetings and set the year's agenda. We encourage our members to bring ideas of speakers/topics to that meeting because everyone's input is very important and taken into consideration.



The objective of our agenda is to have guest speakers at all of our meetings. Sometimes we have members of our chapter teaching on a subject. We have, on occasion, had attorneys and Judges speak also. Every meeting is an opportunity to network with other CALDA members and fellow LDAs. Networking is so important. So many of our Bay Area Chapter members have received assistance from other Chapter members who were willing to share their opinion or knowledge. Others of us have given assistance to our fellow colleagues, by answering questions or giving our opinion.

In February of this year, we had a discussion about the Hague Convention and Service of Process in countries belonging to the convention. It was a well-attended meeting on an interesting topic. There were many opinions about whether we, as LDAs, should handle the process service in countries belonging to Hague. While we didn't all agree that this is something the LDA should do, we **did** all agree that it is a subject that we should know more about in order to

better serve our clients. At the end of the February meeting, everyone in attendance felt that there was so much more information to be discussed, so we continued that discussion at the March meeting.

At our April meeting, Marcel Neumann spoke about Status Only Judgments. He is very knowledgeable on this topic, and is always happy to share his knowledge. For some of us, that was one more thing we could add to the services we offer.

Our May Bay Area Meeting was held in Dublin, at the office of Tom Goering, from the California Document Preparers. The guest speaker for that meeting was Robert Scrivano, who spoke about aging/assets, and about how to split an A B Trust. All who attended agreed that it was a very interesting topic and that Mr. Scrivano is very knowledgeable.

We have many other interesting topics planned for the remainder of the year. In December, we always have a Holiday Party. We each bring an appetizer or dessert. We also do a fun gift exchange, for those who wish to participate.

Some of us are in the Hayward, Oakland, and Dublin area. Others of us travel from San Francisco, Livermore, Marin, Santa Clara County and Tracy. We all feel that the time together, learning and networking is very important. So many of us make it our "get away" day.



We would like to take this opportunity to invite all members to come to our chapter meetings, or to join one of the other chapters in your area. It is a great benefit for your business and professional growth.

LEGISLATIVE UPDATES

Assembly Bill 285

By Regina Van Hecke
CALDA Legislative Chair

Assembly bill 285, sponsored by CALDA and introduced by Assemblyman James Gallagher (R-Butte County), makes important changes to the registration and practice requirements for Legal Document Assistants. These changes to current law will help to modernize the profession and bring its requirements in line with similar businesses and professions.

Mandatory Continuing Legal Education

AB 285 ensures the quality of service provided by LDAs by requiring the completion of fifteen hours of continuing education prior to registration renewal every two years. This will help LDAs keep current with the constant updates and changes to legal documents, allowing them to better serve their clients. This will also strengthen CALDA because we are an approved provider of CLE.

Secondary Registration Will Be Eliminated

The confusing system of secondary registration will be eliminated. Under current law, LDAs must register with the County Clerk in any county in which they provide services. Given that the modern-day widespread use of the internet allows businesses to easily advertise and provide services in many locations, AB 285 allows LDAs to practice statewide while registering only in their primary county of practice and in any county in which they maintain a branch office.

No More Need to List Registration Date on Materials and Work Product

Currently we need to list our registration expiration date on all of our materials, including stationery, business cards, and work product. AB 285 eliminates this requirement, which will allow us to avoid the high cost of repurchasing all of our materials every time our registration is renewed. The bill continues to protect consumers by requiring that all registration information, including the registration expiration date, be provided to clients upon initial contact as well as being posted on the LDA's website. As a concession, we will need to include our registration information on the written Notice to Consumer.

Keep Same Registration Number after Periods of Non-Renewal

Whereas the Business and Professions Code currently requires that a new registration number be assigned if renewal is late, AB 285 allows LDAs to keep their original registration numbers after periods of non-renewal provided the lapse in registration is no more than three years. This allows LDAs who have had periods of non-renewal to be able to continue using the supplies that they already have.

Current Status: The bill has passed the Assembly, and is currently in the Senate. We will have our hearing in the Senate Judiciary Committee on July 14. After that hearing, the full Senate will vote and then we will anxiously await the Governor's signature.

The North Bay - CALDA's Newest Chapter

by Carlo Perez

The CALDA North Bay Chapter aims to provide LDA educational opportunities in the North Bay Area, which can be easily accessible to LDAs in Solano, Napa, Marin, Sonoma, and even Sacramento and Yolo counties. We also hope to launch a membership campaign and reach out to other LDAs in the area so that they can know about CALDA and join us in developing the standards of the LDA profession.

The idea of forming the chapter came up in a conversation during the last Annual Conference in Burlingame, among members from Solano and Sonoma counties who found it a bit challenging to drive down to Hayward for the Bay Area Chapter meeting.

On May 14, 2015, the first meeting of the North Bay chapter took place in Vallejo, with 4 LDAs from Solano County: Patty Ritchie (Divorce Document Assistance, Suisun City), Janith Norman (Green Door Document Preparation Service, Rio Vista), W. Henry Younger (A. Aaron Associates, Vallejo), Carlo Perez (A-1 Document Help, Vallejo); and 1 from Sonoma: Judy Reyes (Reliance Admin, Sonoma).

The CALDA North Bay chapter meets for a brown bag lunch discussion on the **second Tuesdays** of each month, from **12:00pm to 1:30pm**, at the **SOLANO COMMUNITY FOUNDATION** conference room,

470 Chadbourne Rd., Suite D, Fairfield, CA 94534. 1 hour MCLE credit will be earned for attending the chapter meeting. Dues are \$5 for CALDA Members and \$10 for non-members attending the meeting. The North Bay Chapter is currently led by Chapter President Carlo Perez, Secretary Judy Reyes and Treasurer Patty Ritchie.



Source: dynmaps.net (c)

The chapter has reached out to CALDA Members in the North Bay Area counties, and members from neighboring Sacramento and El Dorado Counties are now involved and participate in the various learning and networking opportunities.

Scheduled Topics for 2015 Monthly Chapter Meetings

- July 14, 2015 "Petition Establishing Parental Relationship (Paternity)" Marcel Neumann
- August 11, 2015 "Immigration Petition for Immediate Relatives" Carlo Perez
- September 8, 2015 "Establishing a Beneficial Relationship with the Local Bar Association" Cindy Elwell
- October 13, 2015 "Estate Planning" Judy Reyes
- November 10, 2015 "Technology and Software for LDAs" Judy Reyes
- December 8, 2015 Christmas Holiday Gathering

If you are interested to be involved with the CALDA North Bay Chapter, please contact Carlo Perez at (707) 656-3212 or e-mail carlo@a1documenthelp.com.

2015 Annual Conference

Please Note: Times, classes and Instructors are subject to change.

Schedule of Events

Friday, October 16, 2015

7:30 AM to 8:45 AM

Continental Breakfast & Registration

8:45 AM

Welcome by CALDA President, Ian Duncan, LDA

9:00 AM – 10:15 AM

TRAINING #1 - Wills, Trusts and Other Estate Documents 704: Essentials of Funding Living Trusts and Preparing and Filing a Heggstad Petition. (1.25 hours CLE) – Instructor: Ian Duncan, LDA

Or

TRAINING #2 - Family Law 105: X Spouse Program/Child Support Services Guidelines in Preparation of a Request for Order. (1.25 hours CLE) – Instructor: Orange County Superior Court Commissioner, Richard Vogl

When Child support became subject to being a computer program in the 1990's, Commissioner Vogl taught how to use the Dissomaster to the Orange County Family Law lawyers in many sessions sponsored by the Orange County Bar Association Family Law Section. This class will be on how to use the similar X Spouse program and how to put in the information that will get the results most helpful to your clients

10:15 AM to 10:30 AM BREAK

10:30 AM – 12:00 PM

TRAINING #3 - How to Run Your Own LDA Business Instructor: Carl Knoll, LDA

Step by step from a home office, virtual office or rental office: Advertising your business, keeping your finances in order, how much to charge for your services and so much more.

12:00 PM to 1:00 PM – LUNCH

1:00 PM to 2:15 PM

TRAINING #4 – Keynote Speaker (TBA) (1.25 hours CLE)

2:15 to 2:30 PM BREAK

2:30 PM– 4:00 PM

TRAINING #5 - Wills, Trusts and Other Estate Documents 705: Administering a Living Trust after the death of the Settlor. (1.5 hours CLE) Instructor: Michelle Wehrli, LDA

Learn the process that is involved when the Successor Trustee of a Living Trust must administer the Living Trust after the death of the Settlor.

Or

TRAINING #6 Civil Litigation 805: Discovery. (1.5 hours CLE) Instructor: TBD

Interrogatories, (Form/Special), Depositions, Requests for Production of Documents, Requests for Admissions, Subpoena's.

5:30 PM – 9:00 PM Dinner and Annual General Meeting with a discussion to the membership by Curriculum Manager Susan Volpe, LDA on the new CALDA Curriculum Overview.

Schedule of Events

Saturday, October 17, 2015

7:30 AM to 9:00 AM

Continental Breakfast & Registration

9:00 AM – 10:15 AM

TRAINING # 7 Limited Conservatorships 503: Preparing the forms in a Limited Conservatorship Proceeding. (1.25 hours CLE) Instructor: TBD

Generally a person qualifies as developmentally disabled if he or she has an IQ less than 70 or is diagnosed with autism. Other conditions can qualify too. This class will discuss the form preparation and procedure for being appointed as the limited conservator of a developmentally disabled person.

TRAINING #8 Family Law 115: Pre-Nuptial and Post Nuptial Agreements. (Marriage/Divorce after 50). (1.25 hours CLE) Instructor: TBD

Considerations for the parties when considering marriage and/or divorce after age 50.

10:15 AM to 10:30 AM BREAK

10:30 AM to 12:00 PM

TRAINING 9 Family Law 111: Form preparation for a petition to Establish a Parental Relationship. (1.5 hours CLE) Instructor: TBD

Often parties who are not married have children and the purpose of a Petition to Establish Parental Relationship is for the Court to make orders as to the child's legal parents. It is necessary to establish parentage prior to one parent requesting custody, visitation or support orders.

Or

TRAINING #10 Deeds 202: Inter-spousal, Trust Transfer, and Other Special purpose Deeds. (1.5 hours CLE) Instructors: Ana Maria Jimenez, LDA and associates

What makes a deed with specific title (such as inter-spousal or Trust Transfer Deed) different from other types of deeds? This class is a more intermediate to advanced-level class dealing with different types of deeds beyond your basic Grant Deed and will discuss finer points of transfer tax, reassessment, and exemptions and exclusions from transfer tax and reassessment. Also a discussion on the subject of capital gains tax, cost basis, carryover basis and stepped-up basis.

12:00 PM to 1:00 PM LUNCH

1:00-2:30 pm

TRAINING # 11 Civil Litigation 803: Filing and Responding to a Lawsuit. (1.5 hours CLE) Instructor: TBD

Jurisdiction, venue forms: Answers, Motions (Demurrer, Quash Summons, strike pleadings)/Cross-Complaints, Defaulting

2:30 PM to 2:45 PM BREAK

2:45 PM – 4:15 PM

Combined Trainings

TRAINING #12 Ethics Overview of what an LDA does and can legally do by Instructor: Kerry Spence, LDA

TRAINING #13 LDA Practice

Demonstrations of what an LDA does and can legally do by Instructors: Ian Duncan, LDA and Kerry Spence, LDA



OCTOBER CONFERENCE REGISTRATION FORM

October 16 & 17, 2015 Holiday Inn Los Angeles International Airport
 9901 S. La Cienega Blvd.
 Los Angeles, California 94405
 (310) 649-5151

Date _____

Name _____

Business Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ e-mail _____

Price includes: Class Materials, Continental breakfasts, Lunches, and AGM Dinner

CALDA Member Non CALDA Member

(\$350 through August 1, 2015) (\$400 through August 1, 2015)

Friday only (\$225) thru 8-1-2015 Friday only (\$250) thru 8-1-2015

Saturday only (\$175) thru 8-1-2015 Saturday only (\$200) thru 8-1-2015

\$395 after August 1, 2015

\$450 after August 1, 2015

Friday only (\$245)

Friday only (\$275)

Saturday only (\$195)

Saturday only (\$225)

Make your reservations directly with the hotel, and for the conference fees:

Please make checks payable to CALDA and send to:

Carol Ludlow-CALDA Treasurer

20432 Silverado, Suite 5B

Cupertino, California 95104

For Credit Cards:

Make your payment online @ CALDA.org