



The REAP Record

Spring 2011 Newsletter

[Redwood Empire Association of Paralegals](#)

Published Quarterly

About REAP

REAP was established in 1981 under the name Redwood Empire Legal Assistants (RELA) as a professional and educational organization for legal assistants and paralegals.

Mailing Address

REAP
P.O. Box 143
Santa Rosa, CA 95402

Membership

[Membership Information](#)
[Membership Application](#)

CAPA Scholarship Awarded

REAP awarded a scholarship for registration and attendance at the June 2011 CAPA Education Conference to Kelly Hamilton.

The Conference is set for June 25, 2011, at the Holiday Inn, Fisherman's Wharf, San Francisco. Details on the conference are available at www.caparalegal.org.

Congratulations, Kelly!

President's Message

By [Trudy McQuiddy](#) REAP President

Spring has arrived at last in the Redwood Empire, and with it comes such a sense of renewal. After months of cold and rain, it feels good to get outside and dig in the garden, take a long, stress-relieving walk, or just sit and enjoy the sound of the birds on a sunny day. REAP is focusing on renewal, too, with programs and events planned to focus on your professional development. We have interesting continuing education seminars planned, including *Anatomy of a Wrongful Termination* on May 10, featuring Scott Lewis, Esq., which promises to be a lively program with information relevant to anyone who is holding down a job. REAP has also been discussing ways to reinvigorate our program offerings, with suggestions ranging from monthly "get fit with REAP" walks around Spring Lake and dinner meetings where members can spend time socializing while participating in brief programs on such topics as handling difficult clients. Do you have ideas on how REAP can better serve you? If so, feel free to drop me a line at president@redwoodparalegals.org. REAP is your organization, and the board is open to your suggestions to strengthen REAP so that we can better serve you.

I'd like to take this opportunity to thank Steve Beckwith, Esq., whose presentation on Enforcing Judgments was a hit. This two-hour program was packed with information on how judgments are obtained and strategies for enforcement. We are so grateful to the attorneys, paralegals and others who graciously give their time to present these seminars. We couldn't survive without their help.

Thank you to Jeff DiCello, who does so much behind the scenes for REAP, including managing the Facebook page, keeping our members notified of events and happenings, and for publishing this newsletter. Have you noticed that job openings are appearing more frequently on our Facebook page? Let's hope that the market continues to improve in the coming months.

Finally, I look forward to seeing many of you at the CLA/CP exam on May 13-14 at Empire College. Taking this exam has been a dream of mine for quite a while, and, personally, I find the process of preparing for the exam to be very rewarding. As professionals, we should always strive to improve our knowledge and skills. The CLA/CP exam study process is challenging me to recall past lessons learned, and is providing the opportunity to learn new material. Paralegals and the associations formed by and for paralegals have worked long and hard to gain recognition for our profession, and the CLA/CP designation is one way to demonstrate your commitment to this field. The exam will be offered again in September – if you are interested in knowing more, feel free to contact me – after May 14!



Motions 101

This is the first in an occasional series of articles on drafting motions for paralegals.

By [Jeff DiCello](#)

REAP Record Editor

In my view, paralegals should be able to draft or assist in the drafting of motions. Over the next series of newsletters, I will share some of my motion knowledge with readers. We will begin with a brief introduction to motions.

Definition of a motion

Legally speaking, a motion is an application by a party to litigation, directed to a court, asking it to issue an order. (Code Civ. Proc. § 1003; *Brownell v. Superior Court of Yolo County* (1910) 157 Cal. 703.)

In more general terms, a motion is a procedural tool to bring a narrow, contested issue before a court for decision. A motion may be thought of as a request to a judge to make a decision about a case.

A motion is not an independent right

A motion is not an independent right or remedy; it is confined to incidental matters in the progress of a cause. (*Paniagua v. Orange County Fire Authority* (2007) 149 Cal.App.4th 83.) In other words, in order to be able to file a motion, there usually needs to be an ongoing court case, and the person filing the motion must be one of the parties to that action.

Motions are different than pleadings

Remember that pleadings are documents in litigation that initiate and define the nature of the dispute and outline the remedies sought. Pleadings are served on the opposition and filed with the court for a final resolution.

In civil cases, the following are pleadings: complaints, demurrers, answers, and cross-complaints. (Code Civ. Proc., § 422.10.)

A motion is not technically the same animal as a pleading because it does not initiate or define the dispute and the remedies sought, like a pleading does. A motion is brought after the litigation is underway.

Why motions are filed; examples of civil and criminal motions

Attorneys file motions on behalf of their clients when they want the court to do something for their client. There are many types of motions with many different purposes.

Some examples of uses of motions in civil cases include motions to strike parts of the complaint, or answer; motions to compel compliance with discovery; and motions for summary judgment.

In criminal cases, examples of motions include motions to suppress evidence; motions to dismiss all or part of a complaint or information; and motions to strike prior convictions.

Who is the audience for a motion?

A typical motion may have a wide audience. A motion may be read by several people, including the client, opposing counsel, the opposing party, the court clerk, the judge, the judge's research attorney and members of the general public (most court records are, after all, public documents).

When you draft a motion it is important to keep in mind who will be reading it. Just as a speechwriter, book author, newspaper reporter or blogger must consider his or her audience, so should the motion drafter.

About the author: *Jeff DiCello is a freelance paralegal who contracts with licensed attorneys to draft a variety of motions, pleadings, briefs and other legal documents, primarily for criminal defense and civil litigation attorneys.*



New from O'CONNOR'S

O'Connor's California Practice Civil Pretrial 2011 is a modern approach to California civil pretrial practice and procedure guiding you, in plain English, step by step through the maze of procedural rules and statutes. This comprehensive practice guide gets you to the answers you need quickly. For example, in the book you'll find:

- Step by step instructions for calculating filing and serving deadlines.
- Comprehensive coverage of subpoenas, discovery, discovery responses and objections, and privileges.
- A uniquely structured format that guides you through the who, when, what, and how of most civil pretrial motions and responses to motions.

Whether you're a paralegal or a partner, this book will quickly become your go-to resource for civil pretrial procedure. And here's the best part...it's only \$95, but for attendees of CAPA's 23rd Annual Educational Conference it is FREE!

For more information, please visit the book's product description page at JonesMcClure.com.

O'CONNOR'S Your first source for the law.

2011 Susan I. Perry Scholarship Winners Announced

The Susan I. Perry Scholarship was established in memory of Susan Perry, a four-time president of the Redwood Empire Legal Assistants Association (now Redwood Empire Association of Paralegals). Susan, who helped to found the paralegal association in the Redwood Empire in the 1980s, was also active at the state level as a representative to the California Alliance of Paralegal Associations. Employed at Anderson, Zeigler, Disharoon, Gallagher & Gray, Susan worked for many years as a legal assistant specializing in corporations. Susan also taught in the paralegal program at Sonoma State University. She was extremely hard working, and loved seeking recognition for outstanding paralegals and the paralegal profession.

The 2011 Susan I. Perry Scholarship winners are:

- Marla Pfohl -- \$500
- Meghan Stafford -- \$250
- Gretchen Reisch -- \$250

Marla and Gretchen attend SRJC; Meghan attends Empire College.



Calendaring Under the C.C.P. -- Extending Time Based On Service Method . . . or Not

by Julie A. Goren

Deadlines must be calculated at every phase of the California state court lawsuit. If you manually calculate the last day to take a particular action, e.g., to move to compel further responses to discovery, or you manually calculate the last day to respond to something, e.g., a cross-complaint or discovery, you must follow several steps, in the proper order. *Usually*, the last step is to extend the deadline if the document which triggered the running of the deadline was served by any means other than personal service. However, there are exceptions, and unless you use a rules-based computerized program to automatically calculate your deadlines, you must tread very carefully at this last step.

Adding time when you should not, or failing to add time when you should, will result in a calendaring error. If you fail to add an extension on your client's behalf when you should have, the papers will be served and/or filed early. This is not a problem. But, if you fail to add an extension when calendaring the opposing party's deadline, you would, at best, suffer embarrassment were you to contend that they were late. If you err by adding an extension for your client when you should not, however, there will be dire consequences indeed: a waiver of your client's rights, and quite possibly, a malpractice claim against your law firm. Clearly, then, it behooves anyone who manually calendars deadlines to take a close look at the exceptions. But, first, some time-extension basics.

For the most part, deadlines start running from *service* of some triggering document, e.g., service of interrogatories triggers the deadline for serving the response; service of responses to interrogatories triggers the deadline for serving a motion to compel further responses, etc. Any service method other than personal service will result in a delay between the act of service (i.e., deposit in a USPS mail box, transmission to a fax machine, sending an electronic transmission), on the one hand, and the other party's receipt of the document, on the other. To obviate any prejudice in this delay in receipt, various extensions of time are added depending upon the method by which the triggering document is served. These extensions of time are found in C.C.P. Sections 1013 and 1010.6 (for ease of reference, "Extending Statutes"), as follows:

C.C.P. Section 1013 extends certain deadlines to act or respond for all service methods except electronic service (i.e., mail, fax, express mail or overnight delivery). It provides that "any period of notice and any right or duty to do any act or make any response within any period or on a date certain after service of the document, which time period or date is prescribed by statute or rule of court, shall be extended by . . ." five days if mailed within California, and two court days if served via fax, express mail or overnight delivery.

C.C.P. Section 1010.6 extends certain deadlines to act or respond by two court days when the triggering document is served electronically.

Before we tackle the various exceptions, we should differentiate between exceptions, on the one hand, and instances where the extensions are presumably inapplicable in the first place -- deadlines which start running from *mailing*, not *service*. For example, under C.R.C., Rule 3.1700, the deadline for filing and serving a memorandum of costs runs from, among other things, the date the clerk *mails* the notice of entry

of judgment. Under C.C.P. Section 411.20, the deadline for paying filing fees after bouncing a check runs from the date the clerk *mails* notice that the check bounced.

There are at least two reasons why the C.C.P. Section 1013 extensions for service by mail should not be applicable to these deadline calculations. First, C.C.P. Section 1013 expressly provides that the extensions apply to any period or date certain “after service” of a document. It does not say “after mailing” of a document. Second, where the triggering document must be *mailed*, and the deadline is therefore based on *mailing*, it would be counter-intuitive to add extra time for mail. That is, unless the particular statute provides otherwise. See, for example, C.C.P. Section 488.460, dealing with safe deposit box attachments. This section requires the levying officer to mail notice to the judgment creditor that an additional fee is due, and provides a deadline of three business days “plus the extended time period specified in subdivision (a) of Section 1013 for service by mail” within which to pay that fee.

Now, on to the exceptions.

Each Extending Statute contains three express exceptions: (1) “notice of intention to move for new trial,” (2) “notice of intention to move to vacate judgment pursuant to Section 663a,” and (3) “notice of appeal” (for ease of reference, “Express Exceptions”). The hard and fast rule with Express Exceptions is simple to follow: do not ever add time when calculating one of these deadlines! Instead, think “malpractice.”

In addition to the Express Exceptions, the Extending Statutes *allude* to others, providing that the extensions apply in the absence of a specific exception provided by “any other statute or rule of court” (for ease of reference, “Specific Exceptions”). You can find the Specific Exceptions by searching the Code of Civil Procedure and the Rules of Court for references to C.C.P. Sections 1013 and 1010.6.

Your search will reveal Specific Exceptions referencing Section 1013 generally, thus making it clear that there is no extension for service by mail, fax, express mail, or overnight delivery. You will find some that only except the extension for service by mail, leaving unanswered whether C.C.P. Section 1013’s extensions for fax or overnight delivery remain applicable. You will not find a single exception specifically relating to extensions for fax service or electronic service. You will, however, find one rule of court, very recently revised, which makes it clear that no extension is applicable, even for electronic service. Let’s take a look at the Specific Exceptions your search may reveal.

Section 116.140 (Small Claims Actions) provides that “Section 1013 . . . on the extension of the time for taking action when notice is given by mail” does not apply to small claims actions. This leaves unanswered questions: What about service by fax or overnight mail under Section 1013, or electronic service under Section 1010.6? Do those extensions apply? The plain language of the relevant statutes as currently drafted dictate that they do: Sections 1013 and 1010.6 both clearly provide that there is an extension in the absence of a Specific Exception, and this exception specifies mail, nothing else. I am not, however, suggesting that you add an extension for everything but mail!

Section 413.20 (Service of Summons By Mail) provides: “If a summons is served by mail pursuant to this chapter, the provisions of Section 1013 that extend the time for exercising a right or doing an act shall not extend any time specified in this title.” There are three provisions for serving a summons by mail: (1) service by notice and acknowledgment of receipt under Section 415.30, (2) service by certified mail on an out-of-state defendant under Section 415.40, and (3) certified mail on a lessee in certain unlawful detainer

actions under Section 415.47. The exception makes clear that you do not add additional time for mail when calculating the response due dates.

Section 437c (Motions for Summary Judgment), which sets forth the deadlines for notices of motion, oppositions, and replies for motions for summary judgment and summary adjudication, expressly provides that Section 1013 does not apply. This exception should not be surprising; the statute contains its own extensions of time for notice based upon service via fax, express mail or overnight delivery. It would make no sense to add the C.C.P. Section 1013 extensions on top of the built-in extensions. But, there is no mention of the extension for electronic service.

Section 594 (Notice of Trial) provides that a trial or hearing may be held in the absence of the adverse party so long as the requisite notice has been given. Subsection (b) provides: “The time provisions of Section 1013 shall not serve to extend the notice of trial requirements under this subdivision for unlawful detainer actions.” There is no mention of an exception for electronic service.

Section 659 (Notice of Intention to Move for New Trial) provides that the time “shall not be extended by . . . those provisions of Section 1013 of this code which extend the time for exercising a right or doing an act where service is by mail.” Again, the specific reference to mail under Section 1013 might make one wonder what happens when service is by fax, overnight mail, or electronic service, but there is actually an answer to this one. Notice of intention to move for a new trial is one of the Express Exceptions in Sections 1013 and 1010.6. So, this is not really a Specific Exception at all. It is just a very handy reminder that you never, ever extend the deadline for filing notice of intention to move for a new trial regardless of the service method.

Section 663a (Notice of Intention to Move to Set Aside Judgment) provides that the “provisions of Section 1013 of this code extending the time for exercising a right or doing an act where service is by mail shall not apply to extend the time above specified.” Again, as one of the three Express Exceptions, this is not a Specific Section, but a great reminder to never extend this deadline regardless of the service method.

Section 1005 (Regular Motions), which sets forth the deadlines for notices of motion, oppositions, and replies for regular motions, provides: “Section 1013, which extends the time within which a right may be exercised or an act may be done, does not apply to a notice of motion, papers opposing a motion, or reply papers governed by this section.” Like the Section 437c exception, this one is not surprising because Section 1005 contains its own extensions of time based upon service by fax, express mail, or overnight delivery. But, what about electronic service?

Section 1094.6 (Petition for Writ of Mandate) provides that the deadline for filing a petition for writ of mandate following a decision of a local agency other than a school district starts running from the date the decision becomes final. Where there is a provision for a written decision or written findings, the decision is final on the date it is mailed to the party seeking the writ. Section 1094.6 provides that “Subdivision (a) of Section 1013 does not apply to extend the time, following deposit in the mail of the decision or findings, within which a petition shall be filed.” Given that the decision is supposed to be mailed, however, Section 1013 is probably not applicable in the first place, making the exception superfluous.

The cited statutes referring only to service by mail were drafted decades ago, when futuristic technological advances like fax and electronic service were not contemplated. The statutes which exclude all C.C.P.

Section 1013 extensions have not yet been amended in light of C.C.P. Section 1010.6. But, things are beginning to change, at least in the Rules of Court.

C.R.C., Rule 3.1312, another Specific Exception, sets forth the time limit for a party to object to a proposed order. Before it was amended as of January 1, 2011, the rule required the prevailing party to *mail* the proposed order to the opposing party, and allotted the opposing party a mere five days *from mailing* to notify the prevailing party whether or not it approves the proposed order. Notwithstanding the fact that the deadline was based on mailing, the rule included a Specific Exception: “Code of Civil Procedure section 1013, relating to service of papers by mail, does not apply to this rule.”

The January 1, 2011, amendment made two key changes. First, the rule no longer requires the prevailing party to mail the proposed order. On the contrary, service by mail is impliedly prohibited; the proposed order now must be served by a means “reasonably calculated to ensure delivery to the other party or parties no later than the close of the next business day,” i.e., not U.S. Mail. Second, the amended rule provides that: “The extensions of time based on a method of service provided under any statute or rule does not apply to this rule.” This all-encompassing language makes clear that there is no extension of time for any service method.

We need more amendments like this. Statutes which except extensions only for service by mail, should be amended so that they except all service methods under C.C.P. Section 1013 and C.C.P. Section 1010.6. Rather than amending every Specific Exception, perhaps C.C.P. Section 1013 could be revised to provide something to the effect that: “This extension applies in the absence of either of the following in any other statute or rule of court: (i) a specific exception, or (ii) an exception referring to service by mail.” C.C.P. Section 1010.6 could be amended to provide: “This extension applies in the absence of either of the following in any other statute or rule of court: (i) a specific exception, or (ii) an exception to one or more extensions provided by Section 1013.” These amendments would go a long way toward eliminating the pervasive ambiguities with which we currently contend.

In the meantime, if you have any doubt whatsoever, DO NOT extend your deadline. The risk of malpractice is simply too great. And, as I always recommend, use a rules-based computerized calendaring program like Deadlines On Demand (www.deadlines.com) to calculate your deadlines.



About the author: Julie A. Goren, a Los Angeles attorney, wrote the first edition of *Litigation By The Numbers*® back in 1982, a few years after she had become a self-taught legal secretary. Having searched in vain for a book which would have taken the mystery out of California civil litigation and straightened out the steep learning curve, she decided to fill the need herself.

After self-publishing the first edition, Julie attended **Loyola Law School**, graduating with honors in 1987. She later held associate positions at the law firms of **Gibson, Dunn & Crutcher** and **Buchalter, Nemer, Fields & Younger** in Los Angeles. During this period, West Publishing, and then, Matthew Bender, published her book with the title *California Litigation By The Numbers: The Court Rules Companion*.



Paralegal Hiring Ticks Up, But Pay Remains Flat

By [Jeff DiCello](#)

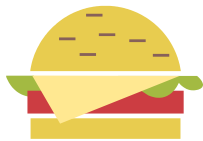
REAP Record Editor

The good news is that across the board, from small to large firms and including corporate legal departments, legal staffing hiring is on the rise as the economy improves. Human resources departments are inundated with resumes from qualified and unqualified candidates for attorney and paralegal positions.

The bad news is that compensation levels are not likely to rise much or at all this year.

According to Robert Half Legal, a leading legal staffing agency, the outlook for paralegal compensation in 2011 looks more like a long desert highway than the route to the Sierras – in other words – flat. According to Robert Half Legal, “although the employment outlook for the legal field is improving, there remains a supply–demand imbalance in the job market.” As a result, “starting salaries for legal professionals are expected to remain flat or increased only slightly over 2010 projections.”

Robert Half Legal’s 2011 salary guide, is available for download [here](#).



Monthly Paralegal Lunches

2nd Tuesday of each month

Each month, paralegals working in or near downtown Santa Rosa area meet informally for lunch. You do not have to be a REAP member to attend. These informal lunches are a great way to meet other members who work near you.

When: Normally the second Tuesday of each month.

Time: Noon to 1:00 PM. We are in and out in one hour so you can get back to work on time.

Where: At a restaurant in the downtown Santa Rosa area. E-mail reminders with the exact location are sent to REAP members a few days before the event. Information is also posted on the [REAP Facebook page](#).

How Much Does It Cost? There’s no fixed cost; each member pays his/her own check and decides what to order and spend.



What I Do: Wendy Cromwell: Animal Law Paralegal

By Wendy Cromwell
Litigation Paralegal, Animal Legal Defense Fund

What is Animal Law? Animal law is a combination of statutory and case law and encompasses companion and wildlife animals as well as animals used in entertainment and animals raised for food and research. The emerging field of animal law is often compared to the environmental law movement 30 years ago.

As animals search for their forever home, I think I have found my forever paralegal job at the Animal Legal Defense Fund in Cotati. This is a new position that just opened up in January and I am their first paralegal hired to support their civil litigation department.

Before I explain what I do, it is important to know just what the Animal Legal Defense Fund (ALDF) is. Founded in 1979, the Animal Legal Defense Fund exists to protect the lives and advance the interest of animals through the legal system.

ALDF has blazed the trail for stronger enforcement of anti-cruelty laws and has filed groundbreaking lawsuits to stop animal abuse and expand the boundaries of animal law. We are supported by hundreds of dedicated attorneys and over 100,000 members.

Our national headquarters is in Cotati, but we also have an office in Portland, Oregon. Our programs include:

- The Litigation Program (where I am a team member) which files cutting edge lawsuits to stop all cruelty, neglect, and deprivation of rights of not only companion animals, but also animals in the industries of factory farming and entertainment business;
- The Criminal Justice Program which provides free assistance to law enforcement and prosecutors to seek maximum penalties for animal abusers;
- The Animal Law Program dedicated to fostering the field of animal law among legal professionals and in law schools nationwide;
- The Animal Law Institute, a world-class, first-of-its-kind program to teach new lawyers the full range of techniques and strategies required to successfully litigate on behalf of animals;
- The Legislative Clinic which works in collaboration with the Center for Animal Law Studies at Portland's Lewis and Clark School of Law offering law students the unique opportunity to research, develop, and advance local legislation; and
- The Student Animal Legal Defense Fund Chapters of which there are over 150 chapters whose goals is to share the mission of ALDF.

If anyone from Empire College Law School is reading this and has an interest in animal law, I would encourage you to contact us to start a local chapter.

Working as a paralegal at ALDF is very different than my last three years of real estate law. I don't necessarily spend my time doing the traditional day-to-day paralegal work of Case Management Statements, client interviews, and billing. Because this is a new department, I was responsible for creating our office setup. I designed a database through Access to monitor our cases and keep track of deadlines; set up a time billing system through a free system called Toggl in the event we are able to collect on attorney fees, and set up our filing system. I have also reached out to investigators throughout the country asking them to become volunteer investigators to assist us in our cases and I now have a large data base of volunteers including local investigator Kevan Kurt. The majority of my time is spent researching various issues such as:

- **Fox-penning:** the practice of capturing foxes and/or coyotes and keeping them penned in a large outdoor area that they cannot escape from so that dogs can be trained to chase them. I researched various state laws as to whether this falls within their animal-fighting laws and or animal-cruelty laws.
- **Chickens:** the practice of caging and its relation to salmonella; and the fact that there are no Federal guidelines for egg-labeling. Except for the term "organic" all other labels such as cage free do not have federal standards or auditing systems.
- **Fois Gras:** the practice of force feeding geese to enlarge their liver to make "fois gras", a "delicacy".

Luckily, this will no longer be allowed to be produced in California by the year 2012, but is still allowed in New York.

I also order documents through the Freedom of Information Act. Because our work is in every state, we work with pro-bono attorneys who do the majority of the filing for us and

I assist in monitoring the progress of the case. We also work on the filing of Amicus Curiae briefs and other appellate issues.

Please go to our website at www.aldf.org to see the current cases we are working on and our past victories.

While there, please take a moment to sign the Animal Bill of Rights Petition.

If anyone is interested in volunteering or interning, please contact me at 707-795-2533, extension 1035.

*Animal Legal Defense Fund
National Headquarters*

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General Inquiries:

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Online Donations & Membership:

membership@aldf.org



REAP Membership Information

1. Voting Member (dues: \$42.00 per year). Voting members are defined as qualified paralegals by education or valid declaration. REAP membership application: [Click Here](#)

2. Associate/Non-Voting Member (dues: \$30.00 per year). Associate/non-voting members are defined as attorneys or paralegal educators.

3. Student Member/Non-Voting Member (dues: \$20.00 per year). Student/non-voting members are defined as current paralegal students.

4. Sustaining/Non-Voting Member (dues \$50.00 per year). Sustaining/non-voting members are defined as individuals, law firms and companies that endorse and promote the paralegal profession.

Membership Period: REAP's bylaws provide that the REAP membership period is from Jan. 1 to Dec. 31 of each year. **Full Amt. Due:** The full amount of dues must be paid when joining REAP, regardless of date of application. First time (new) members joining after Sept. 1 retain their membership for 16 months (until Dec. 31 two years after they join).

Due Date: Renewal memberships are due Jan. 1 and become delinquent on April 1, at which time membership is terminated. If past members reinstate after April 1, they are not treated as new members under this agreement.

Voting Eligibility: Only active members in good standing 45 days before the annual or special meeting shall have been called to order shall be qualified to vote at membership meetings or upon other matters coming to the members for action.

Who Cannot Vote: No active member who is delinquent in the payment of any dues or other assessments shall be qualified to vote. In no event shall student, sustaining or associate members vote.

Get a REAP membership application [here](#). Mail completed application to:

REAP
P.O. Box 143
Santa Rosa, CA 95402



Will Robots Replace Paralegals?

By Vicki Voisin

First it was the downturn in the economy that threw a monkey wrench into the the legal profession, now [Business Insider](#) reports that all signs point to humans becoming obsolete in the workforce.

That's bad news but the really bad news is that Lawyers and Paralegals are among the next 9 jobs projected to be replaced by robots. Really? "As IBM's Watson proved on Jeopardy, robots are becoming smarter than people. They also make fewer mistakes and they don't get bored." Smarter than paralegals? Really? Paralegals get bored? Well...maybe.

"By 2013 there will be 1.2 million industrial robots working worldwide -- that's one robot for every 5,000 people, according to Marshall Brain, founder of How Stuff Works and author of Robotic Nation.

"Robots are currently analyzing documents, filling prescriptions, and handling other tasks that were once exclusively done by humans. The article explains why Lawyers and Paralegals could be replaced: Instead of paying an army of lawyers and paralegals to review documents, software can do the job in a fraction of the time for a fraction of the cost.

The New York Times reported that [Blackstone Discovery](#) of Palo Alto, CA provided software that helped analyze 1.5 million documents for less than \$100,000.

"From a legal staffing viewpoint, it means that a lot of people who used to be allocated to conduct document review are no longer able to be billed out," [Bill Herr, a lawyer, tells the New York Times.](#)

"People get bored, people get headaches. Computers don't."

It's true that robots don't require much office space (if any), don't collect benefits or go on vacation. But where does the human contact come in for clients? For that, no one can replace Lawyers and Paralegals.

Now I'm wondering...do you think you'll be replaced by a robot?

Counting Court Days: There's An App for That!

ParalegalGateway has announced its very first iPhone application for Paralegals and legal professionals.

Court Day Count allows you to quickly calculate the number of court days or calendar days (or a combination of the two) before or after a given date. It is simple to use and allows you to calculate multiple dates on a single screen.

The app is a real steal...only .99 on iTunes. Each purchase helps to keep ParalegalGateway free for Paralegals and that's a really great thing!! For more information, follow this link:

<http://paralegalgateway.com/2011/02/08/3977/>

About the Author:

Vicki Voisin, "The Paralegal Mentor," delivers simple strategies for paralegals and other professionals to create success and satisfaction by achieving goals and determining the direction they will take their careers.

Vicki spotlights resources, organizational tips, ethics issues, and other areas of continuing education to help paralegals and others reach their full potential. She publishes a bi-weekly e-zine titled [Strategies for Paralegals Seeking Excellence.](#)

Visit Vicki's website at:

<http://www.paralegalmentor.com>



Continuing Legal Education

By [Jeff DiCello](#), REAP Record Editor

As most paralegals know, [Bus. & Prof. Code sec. 6470\(d\)](#) requires that paralegals complete mandatory continuing legal education to maintain their status as paralegals.

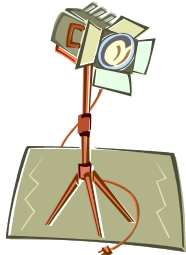
Specifically, every two years, paralegals must complete four hours of ethics and four hours in general or specialized law. Paralegals must certify completion of these educational requirements to their supervising attorney, and are responsible for maintaining their own records in this regard.

It is not always easy to maintain these educational requirements. Many paralegals lament that their employers do not pay for these required courses. It is also sometimes difficult to find un-person CLE outside of major metropolitan areas. While these concerns are understandable, they are not valid excuses.

Employers can help in this regard by paying for paralegal CLE. The emergence of online CLE can make it easier to acquire one's CLE credits. To keep track of your CLE, use this [log](#). The log can also be used to certify to your employer that you are in compliance with CLE requirements. The [Sonoma County Bar Association](#) sponsors several CLE seminars each year. For more information on these upcoming seminars, see our [calendar](#).

Online CLE Opportunities

NALA offers several online, self-study CLE courses, including legal ethics. Most of these online courses cost \$75.00. For more information, go [here](#).

	Spotlight on Local MCLE & Other Educational Opportunities		
	Title	Date/Time	Location
	The American Jury System	Tu/Th 6:00-9:00 PM June 14 to June 30, 2011	Santa Rosa Junior College
	REAP Seminar The Anatomy of Wrongful Termination	Tues., May 10, 2011/5:30 pm to 8:00 pm	Empire College , Room 206 3035 Cleveland Ave. , Santa Rosa



Helpful Legal Links & Articles

Links collected by Celia C. Elwell, RP

About Celia Elwell: *Celia C. Elwell is an Adjunct Professor of Legal Assistant Education at the University of Oklahoma Law Center. Ms. Elwell is the author of [Practical Legal Writing for Legal Assistants](#).*

20 of the 60 Tips in 60 Minutes, Virtual Law Practice
<http://tinyurl.com/6h3v3gg>

News Flash: LinkedIn is for Networking, Robert Ambrogi's LawSites
<http://tinyurl.com/6felatt>

How to Quickly and Easily Remove Metadata, by Will Geer, Lawyerist.com
<http://lawyerist.com/how-to-quickly-and-easily-remove-meta-data/>

REAP Board, Mentors & Committee Contact Info

REAP Board Members

Name/Office	E-mail Address	Telephone
Trudy McQuiddy President CAPA Secondary Representative	tmcquiddy@sennefflaw.com	H: 526-9509 W: 526-4250
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Kim Davis Secretary	Davis@perrylaw.net	
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Duane Ledward CAPA Primary Representative	duane.ledward@gmail.com	
Patti Tate Special Projects Coordinator	patti1068@sbcglobal.net	

Area of Law Mentors & REAP Committees

Name/Mentor Area/Chair	E-mail Address	Telephone
Janet Anderson Probate Mentor	janet.anderson@azdgg.com	H: 527-0886 W: 545-4910
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Joni Boucher Computer Legal Research Mentor Sonoma County bar Assoc. Liaison	jeni.boucher@yahoo.com	569-6144
Nicole Rosaschi Public Relations/Marketing Committee	nrosaschi@yahoo.com or pr@redwoodparalegals.org	526-4250
Grace De La Torre CLA Exam Mentor	gdelatorre@sbcglobal.net	433-8138
Jeff DiCello Membership Communication Criminal Law Mentor Newsletter Chair	jeffdicello@comcast.net newsletter@redwoodparalegals.org membership@redwoodparalegals.org	537-0475
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Char Mendoza Co-chair, Education Committee	char.mendoza@yahoo.com	
Wendy Keeler Education Committee	keelerw92@gmail.com	
Monica Lehre Student and Education Committee Advisor	mlehre@empirecollege.com or	217-8117
Deborah Cain Empire Legal Students Association (ELSA) Rep. to the REAP Board	caindeborah@hotmail.com	



REAP/Legal Community Event Calendar

REAP encourages its members to attend its own educational seminars and those sponsored by the Sonoma County Bar Association (SCBA). For more information on upcoming REAP events (in red below), contact REAP's educational committee [Monica Lehre](#). For information on REAP and SCBA seminars, you can refer to our legal event calendar, below. For more information about

any event held at or sponsored by the Sonoma County Bar Association, please call 542-1190 or visit their [website](#).

Event	Date/Time	Location
Unlawful Detainers	April 20, 2011/11:45 am – 1:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
The Witness to Guantanamo Project	April 28, 2011/11:30 am – 1:30 pm	Fountaingrove Inn, Hotel & Conference Center 101 Fountaingrove Parkway Santa Rosa
REAP Seminar The Anatomy of Wrongful Termination	Tues., May 10, 2011/5:30 pm to 8:00 pm	Empire College , Room 206 3035 Cleveland Ave. , Santa Rosa
Restitution: Where Civil and Criminal Meet, Civilly	Thurs., May 5, 2011/11:45 am to 1:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
Expedited Jury Trials Act	Fri., May 6, 2011/11:30 am to 1:30 pm	Fountaingrove Inn, Hotel & Conference Center 101 Fountaingrove Parkway Santa Rosa
Fraud and Foreclosure. The New F Words.	Fri., May 13, 2011/11:30 am to 1:00 pm	Fountaingrove Inn, Hotel & Conference Center 101 Fountaingrove Parkway Santa Rosa
Real Property Update	Wed., May 18, 2011/11:45 am to 1:30 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
What's in A Name? The Importance of Characterizing and Titling Property Correctly for Same-Sex Couples in California	Tues., June 7, 2011/11:45 am to 1:30 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
Basic Probate Procedure	Wed., June 15, 2011/11:45 am to 2:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
False Claims Act: Friend or Foe?	Thurs., June 30, 2011	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
Demystifying Financial Documents in Divorce	Thurs., June 30, 2011/4:45 pm to 8:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
Break Glass in Case of Contempt – A First Aid Kit for Lawyers	Thurs., June 30, 2011	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
An Overview of the California Government Claims Act	Tues., Aug. 9, 2011/11:45 am to 1:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa

CALIFORNIA ALLIANCE OF PARALEGAL ASSOCIATIONS

23rd Annual Educational Seminar

June 25, 2011

Holiday Inn - Fisherman's Wharf
San Francisco, California



PROGRAM

7:30 am - 8:30 am

Registration, Breakfast, & Meet Exhibitors

8:40 am - 8:50 am

Welcome & Introduction

MORNING SESSION PART 1

9:00 am - 10:00 am

TRACK 1: Adobe for the Law Professional, Speaker: Pam Wolpa, RP

TRACK 2: Corporate Changes, Speaker: Tara Ho, Parasec

TRACK 3: Resume 101 (non MCLE), Speaker: Karen Whitaker, LegalEase, LLC

MORNING BREAK

10:00 am - 10:30am AM Break & Visit with Exhibitors

MORNING SESSION PART 2

10:30 am - 11:30am

TRACK 1: Calendaring Risks, Speaker: Joseph C. Scott, Deadlines on Demand

TRACK 2: Social Security & Disability, Speaker: Melvin E. Irvin, CP

TRACK 3: Writing Tips & Tricks (Non-MCLE), Speaker: Jill Meryl Levy, Firebelle Productions

LUNCHEON

11:30 am - 1:00 pm

Lunch, Keynote Address and Exhibitor Drawings

"Domestic Partnerships" Keynote Speaker: Deborah Perkins, Esq.

AFTERNOON SESSIONS

1:15 pm - 2:15 pm

TRACK 1: Excel Tips and Tricks, Speaker: Sheri Webb

TRACK 2: Trademarks, Speaker: Cindy Tung, Thompson Reuters

TRACK 3: Certification Panel (Non-MCLE), Speakers: NALA, NFPA, CACPS

2:30 pm - 3:30 pm

TRACK 1: eDiscovery, Speaker: John Kelly, Blackstone Discovery

TRACK 2: Immigration Law, Speaker: Bobby Rimas

TRACK 3: B&P Code §6450 (Ethics MCLE), Speaker: Carolyn Davis, ACP

AFTERNOON BREAK

3:30 pm - 3:45 pm

ETHICS SESSION

3:45 pm - 4:45 pm

Ethics: CAPA Goes to the Movies, speaker: Stacey Hunt, CLA, CAS

RECEPTION & RAFFLE

5:00 pm - 6:00 pm

Reception and Member Association Raffles

REGISTRATION FEES

Early-Bird 5/1/11

CAPA Members: \$115.00

Non-Members: \$130.00

Students: \$95.00

After 5/1/11

CAPA Members: \$135.00 - \$155.00

Non-Members: \$150.00 - \$170.00

Students: \$115.00 - \$135.00

Continental Breakfast and
Lunch Included

Register Online at:
www.caparalegal.org

