



# The REAP Record

The Official Publication of  
[Redwood Empire Association of Paralegals](#)  
Winter 2009 Newsletter



## From the Desk of the President

By [Grace De La Torre](#), CP  
REAP President

Greetings, members and happy new year!!! Congratulations to the 2009 REAP Board:

- Grace K. De La Torre, CP, President
- Janet Jefferson, Vice President
- Ginger Orosco, Treasurer
- Monica Lehre, Secretary
- Trudy McQuiddy, CAPA Primary

Kathy Juarez will continue to be our CAPA Secondary and Treasurer for CAPA. Jeff DiCello is our Chair for our Newsletter Committee. Monica Lehre and Anne Goodwin will Chair the Educational Committee. Thank you to Colleen Butler for serving as our Treasurer for 2008. Thank you to our board for all their hard work.

On January 28, 2009, at Empire College at 6:00 p.m. Kathy Juarez is facilitating our annual Vision Meeting. The REAP Vision meeting is a great opportunity to assist the board to set goals for 2009, please come and give your input. Please RSVP to Monica Lehre at [MLehre@empirecollege.com](mailto:MLehre@empirecollege.com), by January 19, 2009. The meeting is free, includes dinner and is a terrific opportunity to network! A flyer is included in this newsletter.

It is time to renew your membership for the year; in this edition you will find the [renewal application](#). It is important to renew your membership, so that you will stay on the REAP e-mail list to receive important upcoming event information and, of course, so that you will continue to receive the REAP newsletter.

As you may recall from our last newsletter REAP hosted the CAPA Board Meeting at the Dry Creek Best Western in Healdsburg in November. I would like to thank the following law firms, businesses and individuals for their donations to make this event successful: Anderson, Zeigler, Disharoon, Gallagher & Gray; Senneff, Freeman & Bluestone; Sonoma County Bar Association; and Margaret E. Elliott, Esq. Thank you everyone for a great 2008, and wishing you an even better 2009!



## Editor's Corner

By [Jeff DiCello](#)  
REAP Record Editor

*Below is a summary of information regarding assorted new laws, recent, interesting case law and other assorted legal odds and ends.*

### New Laws for 2009

**No Texting While Driving:** As of January 1, 2009, it became illegal to "write, send, or read a text-based communication" while driving. A violation of [Vehicle Code § 23123.5\(a\)](#) is an infraction and first-time violators can face a base fine of \$20 and \$50 for each subsequent offense. The section does not apply to emergency services personnel, such as police officers, firefighters, etc.

**DUI Law Stiffened:** Persons who are on probation for DUI (even informal, court probation) will now face a probation violation for driving a motor vehicle with even the smallest amount of alcohol on board (0.01% or >.) See [Veh. Code § 23154\(a\)](#). Also, DUI probationers and anyone under age 21 detained but not arrested by police for suspicion of driving with a blood alcohol level of 0.01% will be required to submit to a preliminary alcohol screening test, or face a one year driver's license suspension.

**Providing Salvia to Minors:** It is now a misdemeanor punishable by up to six months in jail and a \$1,000 fine ([Pen. Code § 379](#)) to provide Salvia divinorum or Salvinorin A to anyone under 18 years of age. Salvia divinorum, a psychoactive herb which can induce strong dissociative effects, is not otherwise illegal in California.

**False 911 Calls:** [Penal Code § 653y](#) has been amended to slightly increase the penalty for the infraction of making non-emergency calls to

911. The penalty for a first offense is still just a written warning, but the fines for subsequent offenses have been increased slightly (2<sup>nd</sup> viol.: \$50; 3<sup>rd</sup> viol.: \$100; and 4<sup>th</sup> or subsequent viol.: \$250.) Parents can be liable for these fines for calls made by their minor children.

### Case Law News

**Tell Your Probation Officer if You Have a New Pet:** The California Supreme Court held that it's a permissible condition of probation for a DUI offense to require a probationer to notify his or her probation officer of any pets he/she may have, because such a condition is "reasonably related to continuing criminality."

In the case, arising in San Bernardino County, Alejandro Olguin plead guilty to two counts of DUI with priors, was given a suspended state prison sentence and placed on three years' probation. One of the conditions of Olguin's probation was that he keep his probation officer informed of his place of residence, any cohabitants and any pets, as well as give written notice to the probation officer 24 hours prior to any changes.

The high court upheld the pet probation condition by reasoning that owning a pet might make it more difficult or dangerous for a probation officer to conduct unannounced searches of the premises, and hence telling the officer about your pet might indeed be a permissible condition. Some of the justices thought the condition was too broad and should be confined to "dogs and any other dangerous animal".

So, if you're on probation in San Bernardino Co. and you get a new hamster, tell your probation officer ASAP. The case is [People v. Olguin \(Cal. Supreme Ct. - Dec. 29, 2008\)](#). **Continued on next page**



## Editor's Corner

Continued from previous page

### **Westlaw/Lexis Expenses Not Reimbursable:**

In a Georgia civil case involving the Coca Cola Co. and allegations it inflated revenues to increase the price of its stock, the trial court judge disallowed the prevailing plaintiffs' request for reimbursement of over \$90,000 in LexisNexis and Westlaw expenses.

The judge's ruling said "[T]his Court is of the opinion that charging separately for use of a research service is akin to charging for the use of a case law reporter. That is, the research service is a tool, much like a computer or a pen, and this Court considers the use of such a service part of a firm's overhead. ... Moreover, this Court is aware that many firms pay a flat rate to Lexis and Westlaw regardless of their usage, and class counsel cannot claim such flat rate payments as an out-of-pocket expense."

**49ers Game Pat-down Searches:** The California Supreme Court will hear arguments this month in an appeal by a Danville couple whose lawsuit against the San Francisco 49ers challenging the team's pat-down search policy was dismissed last year.

The couple's lawyers said that any consent to search that ticket buyers give when purchasing tickets is coerced.

"A commercial entity may not constitutionally require its patrons to give up their privacy rights as a condition of doing business," attorney Mark White said in written arguments to the high court.

A ruling is due within 90 days. The justices may use the case to define the privacy rights of business customers in California.

## '09 REAP Seminar Schedule

Anne Goodwin and Monica Lehre, co-chairs of REAP's Education Committee, have announced what is sure to be an exciting, informative line-up of educational seminars for the unfolding new year.

These include seminars on changes in the law; ethics; calendaring and updates in procedural law; personal injury and more.

For more details, dates and times, see the [Legal Event Calendar](#) at the end of this newsletter.

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## MCLE Courses at SSU

SSU's paralegal program is offering the following MCLE courses this spring:

[Contracts](#)

[Document Management & E-Discovery](#)

[Enforcing Judgments](#)

[Medical Malpractice](#)

[Medical Records Review](#)

[Trial Preparation & Support: 100 Days Before Trial](#)

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## Notary Courses: SRJC/SSU

SRJC is offering two notary courses this spring. Click on the links below for more information.

[Calif. State Notary Test Preparation](#)

[Real Life Notary Skills for Everyday Use](#)

SSU is offering four notary courses this spring.

For more information, go to the [National Notary](#) website.

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## Paralegal Networking Lunches

Each month, paralegals working in the downtown Santa Rosa area and in Healdsburg meet informally for a networking lunch at a restaurant in their respective cities. These lunches are very informal and are a great way to meet other members who work near you. Specific information concerning the date, time and location of each lunch is e-mailed to members a few days before the event.

## REAP Membership Information

REAP membership dues are listed below. In addition, the definitions of the various membership categories have been modified. The new rates and definitions are as follows:

- 1. Voting Member** (dues: \$42.00 per year). Voting members are defined as qualified paralegals by education or valid declaration.
- 2. Associate/Non-Voting Member** (dues: \$30.00 per year). Associate/non-voting members are defined as attorneys, paralegal educators or members of the Sonoma County Bar Association.
- 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

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**Membership Info** (Continued)  
members are defined as individuals, law firms and companies that endorse and promote the paralegal profession.

To print out a REAP membership application, [Click Here](#) and scroll down. The link takes you to the REAP website. The application is in the lower right. There is also an application in this newsletter.

## REAP Membership Period/Voting Privileges

REAP's bylaws provide that the REAP membership period is from Jan. 1 to Dec. 31 of each year.

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).

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.

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.

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.

## Contact Info for REAP Board Members, Mentors & Committee Chairs

### Board Members

Name/Office	E-mail Address	Telephone
Grace De La Torre President	<a href="mailto:gdelatorre@sbcglobal.net">gdelatorre@sbcglobal.net</a>	H: 433-8183 W: 522-8251
Janet Jefferson Vice-President	<a href="mailto:jjefferson@cfk.com">jjefferson@cfk.com</a>	W: 523-1181
Monica Lehre Secretary	<a href="mailto:mlehre@empirecollege.com">mlehre@empirecollege.com</a>	546-4058 or 217-8117
Ginger Orosco Treasurer	<a href="mailto:gorosco@obrienlaw.com">gorosco@obrienlaw.com</a>	W: 545-7010 ext. 470
Trudy McQuiddy CAPA Primary	<a href="mailto:tmcquiddy@seneffflaw.com">tmcquiddy@seneffflaw.com</a>	H: 526-9509 W: 526-4250

### Mentors/Committee Chairs

*Have a question for a paralegal about a particular area of law? Ask a mentor.*

Name/Area	E-mail Address	Telephone
Janet Anderson Probate Mentor	<a href="mailto:janet.anderson@azdgg.com">janet.anderson@azdgg.com</a>	H: 527-0886 W: 545-4910
Renee Ramsey Family Law Mentor	<a href="mailto:rramsey@perrylaw.net">rramsey@perrylaw.net</a>	546-4677
Rhetta Hinton Litigation/ Discovery Mentor	<a href="mailto:rhetta@shapirogalvinlaw.com">rhetta@shapirogalvinlaw.com</a>	544-5858
Joni Boucher Computer Legal Research Mentor	<a href="mailto:joni.boucher@yahoo.com">joni.boucher@yahoo.com</a>	
Grace De La Torre CLA Exam Mentor	<a href="mailto:gdelatorre@sbcglobal.net">gdelatorre@sbcglobal.net</a>	433-8138
Jeff DiCello Criminal Law Mentor Newsletter Chair	<a href="mailto:jeffdicello@comcast.net">jeffdicello@comcast.net</a>	537-0475
Monica Lehre & Anne Goodwin Educational Committee Chairs	<a href="mailto:mlehre@empirecollege.com">mlehre@empirecollege.com</a> <a href="mailto:annegoodwin@att.net">annegoodwin@att.net</a>	



## REAP/Legal Community Event Calendar

A listing of upcoming seminars/events in the local legal community  
 For more information about any event held at or sponsored by the Sonoma County Bar Association, please call 542-1190 or visit the association's [website](#).

Event	Date/Time	Location
Changes In The Law Workshop ( <a href="#">see flyer below</a> ) <b>AN OFFICIAL REAP EVENT</b>	Jan. 22, 2009/6:00 PM to 8:00 PM	Sonoma Co. Superior Court; Depts. 18/19, 1450 Guerneville Rd. Santa Rosa, CA
<a href="#">Forms &amp; Procedures in the Civil and Probate Departments of the Sonoma County Superior Court</a>	Jan. 22, 2009/11:45 AM to 1:30 PM	<a href="#">Sonoma County Bar</a>
Empire College Paralegal Program Graduation	Jan. 27, 2009/Time to be announced	<a href="#">Empire College</a>
REAP Vision Meeting ( <a href="#">see flyer on last page</a> )	January 28, 2009/6:00 PM	<a href="#">Empire College</a>
<a href="#">Recent Developments in Labor and Employment Law</a>	Jan. 29, 2009/5:00 PM to 8:30 PM	<a href="#">Sonoma County Bar</a>
<a href="#">Family Law New Forms and New Law for 2009</a>	Feb. 5, 2009/3:30 PM to 6:00 PM	<a href="#">Fountaingrove Inn</a>
<a href="#">Calendaring as a Risk Management Strategy</a>	Feb. 12, 2009/ 12:00 PM to 1:00 PM	<a href="#">Sonoma County Bar</a>
<a href="#">Winning An Appeal</a>	Feb. 20, 2009/ 12:00 PM to 2:00 PM	<a href="#">Sonoma County Bar</a>
<a href="#">Mediation Confidentiality</a>	Feb. 26, 2009/ 11:30 AM to 1:15 PM	<a href="#">Fountaingrove Inn</a>
<b>Ethics Seminar</b> w/Gayle Mozee Director, Litigation Practice Support Townsend and Townsend and Crew LLP <b>AN OFFICIAL REAP EVENT</b>	Feb. 26, 2009/5:30 PM to 8:30 PM	<a href="#">Sonoma County Bar</a>
<b>Calendaring and Updates in Procedural Law</b> w/Julie Goren, attorney and author of " <a href="#">Litigation by the Numbers</a> " <b>AN OFFICIAL REAP EVENT</b>	April 9, 2009/Time to be announced	<a href="#">Sonoma County Bar</a>
<b>Obtaining Medical Records &amp; Bills in Personal Injury Cases</b> w/Kimala Krchnavi, a local PI paralegal who has 18 years' of PI experience <b>AN OFFICIAL REAP EVENT</b>	May 21, 2009/Time to be announced	To be announced

**2009 REDWOOD EMPIRE ASSOCIATION OF PARALEGALS (REAP)**

Make checks payable to REAP & mail check & completed application form to:

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



**Applicant Information**

Date of Application: \_\_\_\_\_ Are you a new member?  Yes  No

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Work Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_ @ \_\_\_\_\_

Name of Employer: \_\_\_\_\_

May we list your home telephone number in the REAP directory?  Yes  No

**Membership Categories & Dues**

REAP's bylaws provide that the REAP membership period is from Jan. 1 to Dec. 31 of each year. 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). 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. 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. 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.

1.  **Voting Member** (Must be a paralegal; dues: \$42.00 per year)

I am qualified as a paralegal by:

Education (Bus. & Prof. Code §8450 et seq.)

School and year your education was completed: \_\_\_\_\_

Valid Declaration

Area(s) of law in which you work or specialize (Check all that apply)

- Civil Litigation
- Freelance
- Landlord/Tenant
- Family
- Personal Injury
- Elder

- Probate/Estate Planning
- Corporate
- Labor
- Real Property
- Criminal
- Other: \_\_\_\_\_

2.  **Associate/Non-Voting Member** (Check appropriate sub-category below; dues: \$30.00 per year)

- Attorney or member of the Sonoma County Bar Association
- Paralegal educator:

School/Field: \_\_\_\_\_

3.  **Student Member/Non-Voting Member** (Currently a paralegal student; dues: \$20.00 per year)

School currently attending: \_\_\_\_\_

4.  **Sustaining/Non-Voting Member**

(Individuals, law firms & companies that endorse & promote the paralegal profession; dues \$50.00 per year)

**Committees**

I am interested in further supporting REAP by volunteering my time on the committee(s) listed below (check all that apply):

Education     Public Relations     Membership     Newsletter

Signature of applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Visit our website at: [www.redwoodparalegals.org](http://www.redwoodparalegals.org)

**Sonoma County Legal Secretaries Association**  
and  
**Redwood Empire Association of Paralegals (formally RELA)**  
presents

**CHANGES IN THE LAW  
WORKSHOP**

**(includes changes to civil, probate and major changes to family law)**

Approved for 2 units of continuing education credit



WHEN: THURSDAY, JANUARY 22, 2009  
Seminar 6:00 PM to 8:00 PM

WHERE: COURTROOMS 18/19, 1450 Guerneville Road  
Santa Rosa, California

Cost: \$30.00 (includes dinner, seminar, MCLE credit and proof of attendance)  
\$25.00 (includes dinner and seminar)

Dinner begins at 5:30 p.m. (Pizza, Salad, Drink and Dessert)

Speakers: Donald G. Lewin, Manager Civil  
Jackie Mitchell, Manager Family Law  
Rick Wishnak, Manager – Probate Investigators  
Karyn Greene, Supervisor – Judicial Assistants  
William L. Adams, Deputy County Counsel

Cost (see below): Pre-registration is required for this seminar. Reserve your place today.  
Mail or fax (565-2624) the registration by January 19, 2009.

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Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
Firm (Optional) \_\_\_\_\_

\_\_\_\_\_ I AM A PARALEGAL and/or LEGAL PROFESSIONAL  
Cost: \$30.00 (includes dinner, seminar, MCLE credit and proof of attendance)

\_\_\_\_\_ I AM A LEGAL PROFESSIONAL and do not need MCLE credit  
Cost: \$25.00 (includes dinner and seminar)

Mail this lower portion of the flyer with appropriate payment payable to "SCLSA" to:  
Susan Sabia, SCLSA, 575 Administration Dr., Rm. 105, Santa Rosa, CA 95403 by January 19, 2009 or put in  
Box 96 at the Courthouse - daily pickups.  
For further information, please contact Susan Sabia, 565-3732.

**CALIFORNIA ALLIANCE OF PARALEGAL ASSOCIATIONS  
PRESENTS  
TREASURES OF SUCCESS  
JUNE 27, 2009**



**Hosted by:  
Orange County Paralegal Association  
All Aboard!  
Queen Mary, Long Beach, California**

7:30 – 8:30 a.m.	Registration, Continental Breakfast & Networking
8:30 – 9:00 a.m.	Welcome
9:15 – 10:15 a.m.	Morning Sessions
10:15 – 12:00 p.m.	Exhibitor Viewing/(Networking)
12:00 – 1 00 p.m.	Lunch; (Exhibitor Door Prizes)
1:00 – 1:30 p.m.	Keynote Speaker
1:45 – 2:45 p.m.	Afternoon Sessions
3:00 – 4:00 p.m.	Ethics
4:30 – 6:00 p.m.	No Host Cocktail Party

tear here

**REGISTRATION FORM**

*Please RSVP by mailing registration form to: CAPA, Attn: June Conference, PO Box 1055, San Leandro, CA 94577-0126 (or register online at [www.caparalegal.org](http://www.caparalegal.org))*

**NAME:** \_\_\_\_\_ **CLA/CP** \_\_\_ **ACP** \_\_\_ **RP** \_\_\_ **Esq.** \_\_\_

**Other** \_\_\_\_\_

\_\_\_ **member (\$155.00)** \_\_\_ **non – member (\$175.00)** \_\_\_ **student \$95.00**

**Early Bird Special:**

**member (\$135.00)** \_\_\_ **non-member (\$155.00)** \_\_\_ **student (\$75.00)** **By 05-15-08**

**Association:** \_\_\_\_\_

**CREDIT CARD EXP. DATE:** \_\_\_\_\_

**CREDIT CARD#:** \_\_\_\_\_ **(VISA/MAST-circle one)**

**An additional fee of \$4.00 is charged for use of a credit card.**

*Registration fees are transferable but not refundable.*

**ROOM RESERVATIONS:** Room reservations may be made on a first come, first served basis by calling the Hotel's reservation line, (562) 432-6964. Please reference "CAPA" (California Alliance of Paralegal Associations) when making your reservations to receive the conference room rates of \$129.00 double or king beds - plus applicable taxes, until May 27, 2009. All room rates and other amenities are the sole responsibility of the Attendee.



**REDWOOD EMPIRE ASSOCIATION OF PARALEGALS (REAP)**  
**Presents**

**REAP**

**2009 VISION**

**WORKSHOP AND**

**DINNER JANUARY 28, 2009**

Please join us for an evening of enVISIONing the new year for REAP. How would you like our association to **LOOK** this year? What would you like to **SEE** happen? What positions are you **EYEing** to try and get involved? Come, eat, and enjoy some camaraderie with your fellow paralegals as we enVISION our future.

**LOCATION:** Empire College, Rm. 101 • 3035 Cleveland Ave., Santa Rosa

**DATE:** Wednesday, January 28, 2009

**TIME:** 6:00 P.M. – 8:00 P.M. Dinner and REAP 2009 Vision Workshop

**COST:** Free

Please RSVP to [monica\\_lehre@yahoo.com](mailto:monica_lehre@yahoo.com) no later than January 19<sup>th</sup> so we know how much food to order.

