

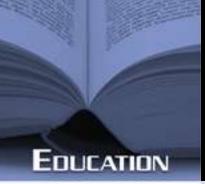


**2010 Legislative Wrap-Up**Concluding A Busy Year



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Palm Springs 2010:

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# tvents...

#### **2011 Board of Directors Meetings**

March 12, 2011 — *San Diego* June 11, 2011 — San Jose September 24, 2011 – *Reno* December 3, 2011 – San Jose

September 23-25, 2011 43rd Annual Conference Reno Nevada, Peppermill Resort

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# President's Message

#### CHAD BARGER

2010-2011 CALSPRO PRESIDENT

fsomeone would have asked me in 1994, when I first joined the Association, if I believed I would become the President of CALSPro, I would have laughed. There is no way that a country boy from Bakersfield, California would ever be President. I joined CALSPro (then CAPPS) to network and build my company, not to do any of the work. Of course, it didn't take long to figure out that the Association is successful due to the efforts of many and that I had to do my part. Now some 16 years later, I am honored to step up and serve the term as your President.

I read a quote the other day that said "People seldom improve when they have no other model but themselves to copy after" (Gold Smith). I believe the vision, wisdom and example of our Immediate Past President, Steve Janney, fellow Officers, and the Board of Directors have strengthened our Association and provided the foundation for continued success. Through Steve Janney's presidency, we successfully worked through a critical strategic planning session and remodeled the Association. included the creation of the Cornerstones, a four point focus for our Association on Legislation, Membership, Education and Conference. I know as I begin on my road as president, I am immensely grateful for this strong foundation and am very thankful for all of the work Steve has done to create a solid path for leaders to follow.

As to the new Board of Directors and Committee Chairs, these individuals have made a commitment to expend their time and resources for the benefit of our membership.

Our Board of Directors for the 2010-2011 term are:

- Wendy Bowman
- Clifford Jacobs
- Steve Janney
- Michael Kern
- · Larry Kirlin
- Brett Peters
- Robert Porambo
- Stephanie Sayler
- Jerry Topolos
- K. Paul Wysong
- Chad Barger

Our committee chairs for this year are:

- Brett Peters Legislative & By-Laws
- Larry Kirlin Membership
- Clifford Jacobs Continuing Education & Technology
- Wendy Bowman Newsletter
- Tony Klein Forms
- Mark Schwartz Assault Advisor
- Jack Biggerstaff Dispute Resolution
- Michael Kern Advertising
- Stephanie Sayler Conference
- K. Paul Wysong Website

As we prepare for the year ahead, I see many challenges before us. Adverse legislation,

concerns over E-Filing and E-Service, the State budget crisis. These issues will continue to weigh heavily on us. Court closures, staff reductions, fee increases. These changes could drastically impact our businesses. The question isn't will we be challenged, because we will. How we, as an industry respond to those challenges will be what defines us as an association and determines our relevance in the decade to come. Your CALSPro leadership will have its hands full.

To our CALSPro members: what can you do? If you are reading this newsletter, my thanks to you. Everyone will have to determine their level of participation. I hope that you will pick at least one, maybe three? Read the newsletter. Attend a board meeting. Plan for the conference in Reno in 2011 (it's in September this year). Join a committee. Most work is conducted via the phone. Add your name to a list of persons who read and comment on proposed legislation. Review and comment on forms with Tony Klein. Get better educated in your profession. Our Continuing Education CCPS Workshops are a great way to get started. The workshops are better than ever and are being presented all over the State. Keep an eye on www.calspro. org for your next opportunity!

And finally, it's that time of year again to renew your membership. It's the end of summer vacations, the holidays are here. 2011 is literally days away. It is the time for us to ruminate on the significance of our membership: Legislation, representation and a stand on the importance of protecting our industry. Join today!

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# CAPITOL REPORT

MICHAEL D. BELOTE, ESQ.





#### Concluding A Busy Year

ovember marks the official conclusion of the 2009-2010 two-year session in California, as the Legislature adjourns "sine die". New members will be sworn into office on December 6, and activity will commence in earnest on January 3, 2011. Looking back over the past year, however, in terms of issues of critical importance to the attorney service industry, 2010 represented one of the busiest in memory for CALSPro.

The highest profile bill of the year for CALSPro was SB 984, which proposed to limit hours of service. Originally introduced in February to make a technical change relative to credit cards, the bill was amended in April to focus a Howitzer on process servers. Elements of the bill were absolutely jaw-dropping, including a limitation of 7:00 a.m. to 8:00 p.m. for service of any process, a requirement to announce prior to service the name of the server, name of the recipient, and the purpose of the visit, and potentially enormous penalties for non-compliance.

SB 984 was later amended to apply the servicelimitation hoursonly to first attempts at service of summons' and complaints, with a proviso that service in violation of the limitations would still be valid. But CALSPro, working with the California Association of Private Investigators (CALI) continued to oppose the bill, arguing that the limitation would require an ineffective, costly attempt in many cases, impose an impossible standard of proof (how do

you prove when an unsuccessful attempt is made?) and as a practical matter allow for enforcement only against licensed and registered servers.

SB 984 remained alive literally until the end of the regular session at midnight on August 31, 2010. The author ultimately decided not to bring the bill up for a vote on the Senate floor. But the debate got far too personal and hostile, through no fault of CALSPro, or CALI, or the members of either association. In many respects, a third unrelated association presented a classic example of how not to interact with legislators.

Although SB 984 was the more hotly contested, high-profile bill, a second bill would have had potentially even greater impact on CALSPro members. AB 2394 initially would have permitted sheriffs to serve all types of writs, and probably other forms of process, through electronic transmission. Sponsored by the Los Angeles County Sheriff, the bill was intended as a good faith attempt to reduce costs of service for public entities. But the implications for due process for those holding assets subject to enforcement, as well as the owners of the assets, were farreaching. On this bill, CALSPro took the lead in working with representatives of the sheriff's office and others, and ultimately the bill was heavily amended, permitting the sheriff to receive and store documents electronically, but without any provision for electronic service. The bill was signed

into law, effective on January 1, 2011, as Chapter 680, Statutes of 2010.

In all, CALSPro monitored almost two dozen bills of potential impact to the industry during 2010. Another bill signed by the Governor of interest to members is AB 1263, changing service requirements under Code of Civil Procedure Section 1162 for unlawful detainers of commercial tenants, and eliminating the requirement to attempt service at a residence.

2010 was also notable for significant increases in first paper filing fees, and in summary judgment motion fees, in order to increase funding for trial courts. Unfortunately, challenges to the judicial branch budget (and really all branches of government at all levels) are not going away, and the budget is likely to be the issue for the courts in 2011. Newly-elected Governor Jerry Brown literally has one week after his swearing-in to present a proposed budget to the Legislature on January 10. The easy options for the budget are long since gone, and no one knows exactly how the Governor-elect intends to create a balanced budget proposal. It is likely, however, that further filing fee increases will not be on the table.

CALSPro successes during 2010 were the direct result of the hard work and leadership of Legislative Chair Brett Peters, President Steve Janney, and the entire Board.



# New CALSPRO Member Benefit: Online Training

#### by Cliff Jacobs

**2010-2011 Continuing Education Committee Chairman** 

he Continuing Education Committee, in conjunction with the Technology Committee, is thrilled to announce a valuable new CALSPro member benefit. It is an online educational opportunity aptly named CALSPro Online Learning. Through the "Members Only" section of the CALSPro website you will be able to access upwards of 2900 inexpensive online

educational courses for businesses and individuals to enhance their knowledge or fulfill compliance requirements. Just a few of the categories of courses include Career & Personal Development, Communication Skills, Management and Leadership Skills, Desktop and Software Applications (MS Word, Excel, Outlook, and PowerPoint) and many more.



Continued on page 5

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The cost varies for different courses, and there are volume discounts and packages available for additional savings. Registering for a course or package is easy, and once registered you have up to a year to complete the training. For business owners, there are courses and packages perfect for enhancing your staff's desktop

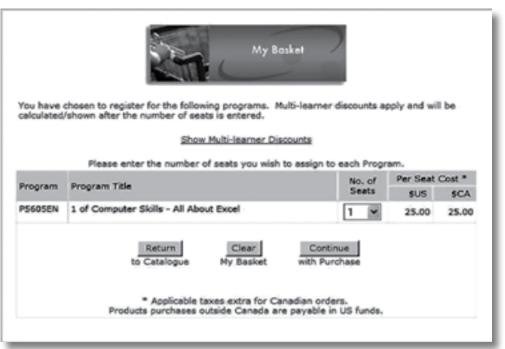
and customer service skills; as well as the mandatory compliance training required for supervisors and managers. There are even certain compliance courses where you will receive a certificate of completion (suitable for framing).



5

Here is a simple example of one course. The Microsoft Excel course is only \$25 for a 7 hour program that will fortify and enhance your skills using Excel. Once the course is selected you simply proceed through the easy to follow instructions. You will then be given a Customer ID and a unique password to be used every time you log into the course. You can do as much or as little as you want at each session; and remember, you have up to one year to complete the course.

Continued on page 6



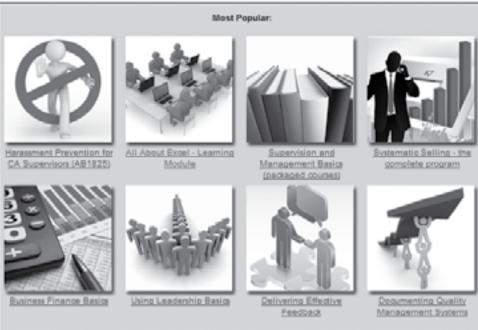


There are so many great categories of courses to select from, each containing a veritable plethora of courses within. Compared to the one and two day "all day seminars" periodically given at the local hotels for hundreds, and even thousands of dollars, the CALSPro Online Learning opportunity delivers much more "Bang for the Buck!" It is a huge value, and great member benefit. Following is a list of Categories containing all of the individual courses, and packages. The packages are

programs containing specific groups of courses that focus on certain skill sets or specific related areas to provide a thorough and well rounded depth of knowledge in those areas.

Each package offers distinctly different courses, so be sure to check out all the packages that seem closely related to see how they differ. Take a look today, and begin that course you have always wanted to learn more about.





# ONLINE EDUCATION TRAINING CATEGORIES

- Career & Personal Development
- Communication Skills
- Compliance
- Continuous Improvement
- Customer Service & Relationship Management
- Customer Service & Telephone Skills
- Desktop & Software Applications
- Finance
- Harassment Prevention Training
- Health & Safety
- Human Resources
- Human Resources
   Generalist Certificate
- Interior Design
- International Business
- Management & Leadership Skills
- Packaged Courses
- Privacy & Security
- Purchase License for All Courses
- Sales
- Small Business& Non-Profit
- Management
- Strategic Management



## PALM SPRINGS 2010: REFLECTION ON A SUCCESSFUL CONFERENCE

#### by Stephanie Sayler

2010 Conference Committee Vice-Chairperson

e had a very successful Conference this year and many people assisted in making that happen. Besides your Officers, Board of Directors, Committee members, and the California Advocates Management team, we owe gratitude for the time that our sponsors, vendors and speakers devoted to our Conference.

Tony Klein (Attorney Service of San Francisco; Process Server Institute) and John Perez (New Jersey Legal Process Service) gave us invaluable presentations that benefited our membership by teaching us not only how to perform our services correctly, but also how to do so profitably. Thank you to you both for your guidance in helping our members to offer new services and to do so professionally. Being successful at serving those "Difficult Process Serving Assignments" not only makes you a shining star in the eyes of your client, but provides a tremendous boost to your reputation and increases profits. I, for one, will not just send my client a "Not Found" report without going through the steps Tony provided us to turn that failed effort into a served document with a hefty profit! Being able to prepare and serve foreign deposition subpoenas, and understanding how to research the specific state requirements, will again build trust and satisfaction from your clients while you grow your business.

Johanna Sweaney Salt and Bruce Gray of Kaufman, Schmid, Gray & Salt, LLP, were the two CPA's that presented a wonderful educational session on taxes and accounting that affect our companies. They provided us a list of "do's and don'ts" that were directly applicable to our industry. In addition, they taught us how to handle the upcoming changes in the 1099-Misc reporting and answered

specific questions regarding application of sales tax to the services we offer. Do you charge your client sales tax on the pages of records provided on disk? What if you only electronically send those pages? Would you like the answers to these questions? Then please attend conference each year.... The information you are provided annually should not be missed (and if you e-mail me, I will gladly answer these questions for you!)

Steve Janney's Presentation on "Preparing for a Disaster" not only provided the nuts

and bolts for the before, during and after a disaster plan, but he instilled the "can do" spirit that he and his staff exuded during the stressful challenges of overcoming a hardship. Because Steve and all of Janney & Janney already have the right attitude as they approach each day, they successfully "didn't miss a beat" while working off sidewalks, hotel rooms and vehicles. If you don't think this will ever happen to you, please get your head out of the clouds. My office has endured both a fire and a flood,

Continued on page 8

#### **Thank You** Conference Vendors! Conference Sponsors!

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and I think many of you have experienced the same and know there were areas that we all could've improved upon. Steve's presentation helped our members get their arms around the most important business areas that need guarded.

Please plan on attending next year's conference in Reno. It's not only a fun place to visit, it's also very near Lake Tahoe, which is a recreational mecca for you and your family. The face-to-face interactions with other members is invaluable, and the knowledge you will gain from attending

conference may be priceless to you in the upcoming years. As our economy challenges many of us each day, please stay actively involved in your association to get the "edge" that you need to keep your company viable. Next year's conference will include several new events and will be held in September! I would like to hear from you if there are topics you would like included in next year's conference. I'm open to hearing your suggestions and look forward to implementing some new and exciting programs so that we have another great CALSPro Conference in 2011.







CALSPro 2011 Board Taking the Oath

# Congratulations 2010 Conference Award Recipients

#### **Awards**

Member of the Year - **Brett Peters**Rookie of the Year - **Larry Kirlin**President's Award - **Jennifer Blevins, Administrator**Horse's Rear Award - **Sam Virk** 

The Rosenthal Award was not awarded this year. The Bert Rosenthal Memorial Award criteria requires a two-thirds vote of the committee for a recipient to be selected. This year there were too many well qualified nominees, which resulted in the vote minimum not being met. Congratulations to the 2010 nominees: **Mike Belote, Jennifer Blevins, Gary Hansen, Brett Petters and Steve Janney.** 

# CALSPRO COMMITTEES

Hoping to tap into somebody else's expertise? Join a CALSPro Committee. The current chairs of the CALSPro Committees are as follows:

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ASSAULT ADVISOR Mark Schwartz (415) 491-0606 mschwartz@onelegal.com

BYLAW5 Brett Peters – Chairman 805/650-9077 brettp@janneyandjanney.com

**CONFERENCE**Stephanie Sayler – Chairperson
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info@saylerlegal.com

**DISPUTE RESOLUTION**Jack Biggerstaff – Chairman 213/628-6338 jackb@janneyandjanney.com

EDUCATION Cliff Jacobs – Chairman 213/627-1212 cjacobs@onelegal.com

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Tony Klein – Chairman
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**WEBSITE**Paul Wysong – Chairman
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### Pictures from the CALSPro 42<sup>nd</sup> Conference - October 8-10















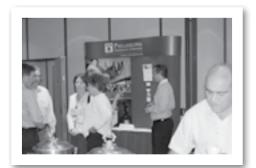


















### Member Profile



#### Michael "Mick" Isbell

**Employed by** First Records Retrieval / First Digital Solutions

**Current Position:** Managing Director

**Family:** I've been married to Peggy for 42 years. We have one son, two daughters and three (soon to be four) grandchildren.

What are you working on today? I am currently working on two major projects. The first is an out of state subpoena project with locations all throughout the US. The second is a market research project where I am analyzing customer ordering trends and looking for opportunities for our sales team to cross-sell other product lines. The goal is to pick out specific clients for targeted marketing.

Year you began in this industry: 1972

What brought you to our industry? I was introduced to our industry while in my first year of law school. I decided not to continue my law degree and opened a process and court

messenger service in San Luis Obispo from scratch. My name was circulated around the fledgling CAPPS members and my business grew on the work they forwarded to my area. I joined CAPPS in 1974 when I learned of the work CAPPS was doing to defeat the mailing bill.

How has membership in CALSPro benefited you or your company? The most important benefit has been the work our organization has done in the legislature. CAPPS kept all of us in business by defeating legislation that would have devastated our industry. The second and equally important benefit is that our organization effectively created the subpoena photocopy industry. Our people campaigned for a Professional Photocopier registration and a statute requiring one to be the deposition officer on a records subpoena. California is unique in this area of the law.

**If I had a million dollars, I would ...** give the money to my kids and various missions. I'd use the rest of the money to retire for good.



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WINTER 2010 10





# MEMBERSHIP COMMITTEE REPORT

by Larry Kirlin

2010-2011 Membership Committee Chairman

et me begin by thanking the members for electing me to the Board for my first term. I am honored to serve. I also want to thank our new president and the Board for allowing me to continue as the membership chairperson for another year. Along with me there are three volunteer members of the committee: Rich Stitts, Alice Kurzon and Steve Janney. We all look forward to serving this year.

For those not present at the annual conference, we now have a new membership category called "Supporting Member." The official description of this category is:

"Supporting members shall be any person who is associated with the legal industry who is not otherwise eligible for any other membership category. Supporting members shall be entitled to receive all publications, except the Membership Directory, and notices, attend meetings, training courses, and Conference, and may serve on committees. Supporting members shall not have the right to vote or hold office, elected or appointed."

In the past our membership categories were focused on process servers, professional photocopiers and vendors. These categories excluded other members of the legal community who may want to be part of our association. (We are talking about court clerks, attorneys, law office staff, legal document assistants, etc.) It is in our best interest to grow our numbers. The more members we have, the more weight we carry in Sacramento. So ... thank you to all who voted for the adoption of this new category. The annual dues for this new category will be decided at the December board meeting. As soon as we have a decision we can begin accepting

Supporting Members. Start thinking about who you might ask to join.

Speaking of dues, it is that time of year to again. Be on the look out for your membership renewal packets that will be going out in the mail early next month. It is also the time of year when we focus on the value (over cost) of membership and that value rests on the CALSPro Cornerstones:

- Legislation
- Conference
- Membership
- Education

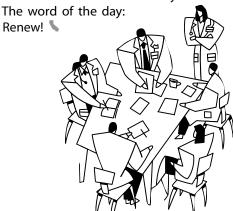
Your CALSPro Leadership and Advocate met the challenge of an active legislative program. This included the defeat of SB 984 (limits on service hours, imposed fines); the defeat of AB 2394 (Proposal by Sheriffs to serve writs electronically); the adoption of AB 1263 (eliminates requirement for extraneous service attempts on commercial tenant notices). And, we must always take a moment to reflect on, Mr. Belote & staff who review nearly two thousand bills a year. It is a daunting task and imperative function of our legislative team.

The Conference Committee has worked over the past number of years to improve the depth of the educational segments of the conference. We still want to focus on process and photocopy related seminars, but have worked to include office technology, marketing, insurance, and accounting Of course, we never lose sight of the importance of our Associations business; electing new officers and directors, bylaw amendments when needed and the annual legislative review. In between these important activities, we want to network, meet vendors, maybe play a round of golf, and get a few hours to just enjoy being away from the office.

The Value of Membership. This is an ongoing focus. Of course, we all understand our primary value is legislative protection. It's the reason we are here in the first place. However, your CALSPro leadership works diligently to maximize our membership dollars. The website, which is due for a serious revamp, the directory, the newsletter, the CFC Pouch, education, certification, the conference, to name a few. We will continue to exam and exhaust avenues for the benefit of our members.

CALSPro Education has taken an over the top route in recent years. Cliff Jacobs has gone on the road and brought workshops and CCPS seminars to all ends of the state. We have increased the number of certified process servers from 53 a little over a year ago, to more than 150 today. Taking it a great step further, we are rolling out an online educational program available only to our members at this time, CALSPro Online Learning. With over 2000 educational titles to choose from, this provides a powerful resource for our membership.

Because of access to these benefits and many more reasons, we predict that our members will once again invest in their future by supporting CALSPro and ensure the survival of our industry.



# In Memoriam: Frank R. Britton ~ September 18, 2010 ~

e have learned that CALSPro member Frank R. Britton, Jr., age 81, passed away on September 18<sup>th</sup>, following a stroke.

Mr. Britton, a long-time resident of Imperial Valley, graduated from Santa Clara University and served the Korean War as a lieutenant in the artillery. He owned an import/export business for over 30 years, before becoming

a licensed private investigator and process server.

Mr. Britton was survived by long-time companion, Arlyn Duval, former spouse, Elizabeth Britton, daughters Madeline and Anne, son Frank and families, including four grandchildren.

Services with military honor have been held.

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- Promote a newer company in an industry that continues to grow
- Exchange work with other vendors Statewide and Nationwide
- Newsletter distributed quarterly to the membership
- Advertising with CALSPro in the directory and newsletter has the potential gain of over 400 new clients in California and others around the country that serve process.

With limited space available, be sure to contact us right away to reserve your ad space. By advertising in our directory or newsletter, you have the opportunity to promote your company throughout the year for a **low cost** basis! If you wish to advertise in the 2011 Membership Directory, please complete the form from the CALSPro Website link below and return it with your ad and payment **NO LATER THAN MARCH 12, 2011** to the CALSPro office at **2520 Venture Oaks Way, Suite 150, Sacramento, CA 95833** or e-mail to bonnie@camgmt.com.

#### CALSPro 2011 MEMBERSHIP DIRECTORY Advertising Rates (per ad):

Back Cover	Full page (7 1/2" x10")	\$920
Inside Front Cover	Full Page (7 1/2" x 10")	\$750
Inside Back Cover	Full Page (7 1/2" x 10")	\$690

#### CALSPro 2011 MEMBERSHIP DIRECTORY Geographical Section or Yellow Pages

Full Page (7 1/2" x 10")	\$520	\$300
3/4 Page (7 1/2" x 7 1/2")	\$400	\$250
1/2 Page Horiz. (7 1/2" x 5")	\$290	\$150
1/2 Page Vert. (3 3/4" x 10")	\$290	\$150
1/4 Page (3 3/4" x 5")	\$145	\$ 75
1/8 Page (3 1/2" x 2")	\$110	\$ 50

http://www.calspro.org/docs members only/Ad-Contract-CALSPro-Directory.pdf

#### **CALSPro PRESS Newsletter Ad Size – Single Ad Rate or Full Year Commitment:**

Full Page	(8½"x11")	\$240	\$225
¾ Page	(7½"x5½")	\$190	\$175
1/2 Page Horizontal	(7½"x4¾")	\$135	\$120
½ Page Vertical	(3½"x9½")	\$135	\$120
¼ page	(3½"x4¾")	\$ 85	\$ 70
Business Card	(3½"x2")	\$ 60	\$ 45

http://www.calspro.org/docs members only/Ad-Contract-CALSPro-Newsletter.pdf

If you have any questions, please feel free to contact Michael Kern (2011 Advertisement Chair) at (213) 483-4900 or you may contact our administrator's office at (916) 239-4065 and speak with Bonnie Estep.



2520 Venture Oaks Way, Suite 150 Sacramento, CA 95833 916-239-4065 • 916-924-7323 – fax • www.calspro.org

