



CALSP^{Pro} PRESS

California Association of Legal Support Professionals

Volume 12 / Issue 1 / Winter 2019



LEGISLATION

Legislation:

Highlights of Our History



MEMBERSHIP

Membership:

Member Benefits and Value



EDUCATION

Education:

A Worthwhile Investment



CONFERENCE

Conference:

October 4-6, 2019

Renaissance Resort Newport Beach

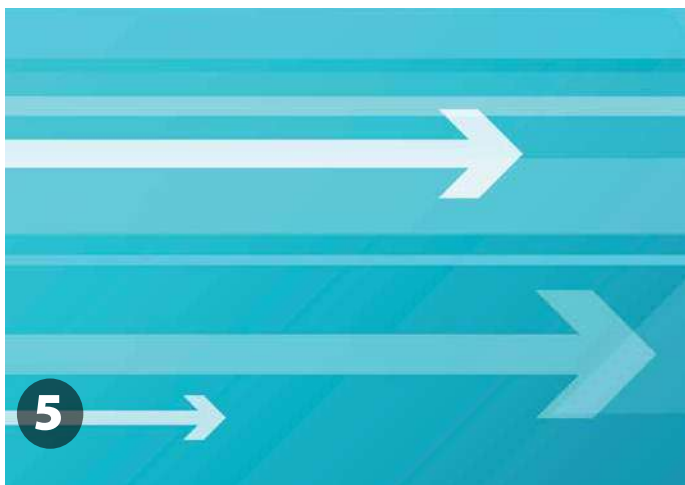
Newport Beach, CA





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**California Association of
Legal Support Professionals**
2520 Venture Oaks Way, Suite 150
Sacramento, California 95833
Phone: (916) 239-4065 • Fax: (916) 924-7323
Web site: www.calspro.org
E-mail: info@calspro.org



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The Future Is Over the Horizon



PRESIDENT'S MESSAGE

ROBERT PORAMBO

2019 CALSPro PRESIDENT

I hope everyone had a healthy, prosperous and joyous holiday season and that you were able to enjoy some quality time with family and friends. With 2018 behind us, we set our sights on making 2019 a fun-filled and prosperous year. My New Year's resolution is to work with our dedicated board of directors to increase awareness regarding the benefits of our organization and to increase CALSPro membership.

It is a privilege and an honor to serve as your President. This is a responsibility that I do not take lightly. I am 100% committed to continuing the amazing work of last year's board. Additionally, I am committed to addressing the needs and concerns of our membership.

When you stop and think about all of the money you spend, or should spend, on various insurances available to you, you'll find there are a plethora of policies available (property and liability insurance,

workers' compensation, auto, Officers and Directors coverage, health, vision, life, dental, etc.). Many of these are a must in order to protect and cover your business. However, I firmly believe the best way to protect your business, as well as the livelihood of the entire industry, is CALSPro.

CALSPro is one of those must have insurance policies your business needs to ensure its' protection. CALSPro has been protecting your business for the past 50 years. We have defeated numerous legislative bills that would have been devastating to our industry. Mike Belote and our legislative committee keep a watchful eye out for bills that could harm or negatively impact our industry. Like Steve Janney often says, the three most important things about CALSPro are legislation, legislation, legislation.

Not to scare anyone, but look at the bail bonds industry. In another generation it is conceivable that people could say "what's a bail bondsmen?". Now is the time to maintain our momentum and support CALSPro! You can start by referring non-members to CALSPro, purchase an enhanced listing, enroll staff members or simply make a donation to the association that "has your six".

Together we can keep CALSPro strong and viable for another 50 years. I look forward to continuing to make a difference in 2019.

Mahalo,

Robert Porambo



CAPITOL REPORT

MICHAEL D. BELOTE, ESQ.
CALIFORNIA ADVOCATES, INC.

A Sea of Blue

On Monday, January 7 the California Legislature returned to session in Sacramento, and on the same day, new Governor Gavin Newsom was sworn into office. In terms of party balance between Democrats and Republicans, we are now experiencing the most lopsided environment of our lifetimes. The Assembly is now fully three-quarter Democrat, the Senate is just one member short of the three-quarter mark, and every constitutional officer is a Democrat.

These “mega-majorities” give Democrats comfortable margins above the two-thirds requirements to raise taxes, place items on statewide ballots, and override governor’s vetoes, all without any Republican involvement whatsoever. Whether these powers are more theoretical than real remains to be seen, however. The legislative leadership has already expressed a reluctance to consider tax increases this year, for example, and historically California legislatures have overridden gubernatorial vetoes very rarely.

That said, the neon, electric blue nature of California politics will have very real impacts this year. Consider the arithmetic difficulty of defeating a Democratic bill on the floor of the Assembly: in order to defeat passage of a majority-vote, 41-vote bill, assuming *all* Republicans vote “no”, opponents would still need to convince at least 20 Democrats to vote against, or abstain, on a bill carried by one of their colleagues. The challenge is actually

even bigger than that, though, because if a majority vote bill is sitting on the floor with 36 or 37 votes, the author will typically round up the few remaining votes necessary. This means that opponents really need 25 or more Democrats to resist the pleas of their fellow Democrat, a tall order indeed.

Given this, what do we see for 2019? First, with more Democrats and a new Governor, we will see reintroduction of many bills not passed last year, or those vetoed by the more conservative Jerry Brown. Perhaps especially in the employment arena, bills prohibiting mandatory arbitration as a condition of employment, or extending the statute of limitations on discrimination and retaliation claims, and others rejected in 2018, will be back.

We should also expect a renewed push for single-payer health care, an issue never championed by Governor Brown, but clearly in the sights of his successor.

For his part, Governor Newsom enjoyed a gubernatorial honeymoon measured in just hours. First, the state constitution required him to present a proposed budget for fiscal year 2019-2020 on January 10, just three days after his inauguration. Immediately after that, the largest utility in the state, PG&E, declared an intention to file for bankruptcy for protection against claims relating to wildfires. At the same time, teachers at the Los Angeles Unified School District went on strike, affecting

many hundreds of thousands of students. Still think it would be fun to be Governor?

For CALSPro, some big issues loom. The first is the problem of independent contractor classification in light of the *Dynamex* decision. Already AB 5 has been introduced by powerful Assembly Member Lorena Gonzalez Fletcher, not to modify, but to codify, this troublesome decision! The implications of *Dynamex* are enormous across an incredible range of businesses, including those in the gig economy, so a huge coalition has formed to urge modification of the decision. But so far, organized labor has expressed opposition to any retreat from the “ABC” test.

Another big issue will be the potential of extending the sales tax to services. California remains dangerously dependent upon capital gains and income taxes more broadly, and Senator Bob Hertzberg has expressed an intention to reintroduce legislation to expand the sales tax base to most services. Another huge business coalition has formed to oppose the idea.

Friday, February 22 is the last day to introduce new bills for 2019. If the past is any indication, dozens will be of interest to CALSPro. Stay tuned for what could be a wild year!



CALSPRO Legislative Update

By Chad Barger, Legislative Chair

CALSPRO's strong legislative program has always been the foundation of our association and this year is no exception. I'm proud to announce that your legislative team has been assembled and the Board of Directors has approved several action items for the committee in 2019.

The first item we're working on is access to guarded and/or gated residential complexes. Such as high-rise apartments or condominium complexes. We've decided to tackle this by building on the success we've had with access to gated communities. Currently, we're working on proposed changes to CCP 415.21 to allow for greater access to these specific complexes.

One of the other action items is to research the idea to eliminate the five or ten day hold from service of the witness after serving the Notice to Consumer form in CCP Section 1985.3. We believe it would streamline the process for

process servers and photocopiers by allowing service of the subpoena immediately, without having to wait the prescribed five days for personal service or ten days for mailing of the notice to consumer. Our belief is this change would not disadvantage the consumer and would eliminate the confusion that many law firms, process servers and records facilities have when calculating time.

The discussion continued with regards to moving the Process Server Registration to the State Bar of California. Our lobbyist, Mike Belote will begin talking with the State Bar again in contemplation of a possible bill introduction in 2020.

Lastly, the *Dynamex* decision is still on the minds of all business owners in California. With the 2019 legislative session starting up, everyone is waiting to see what the State legislature will do to address issues that businesses have with the ruling. Our lobbyist, Mike Belote, is part of a chamber-wide coalition dealing with the issue of the "B"

prong: is the worker doing the core business of the entity? Stay tuned for more information in the weeks to come.

I appreciate our President, Robert Porambo, putting his trust in me to serve as your legislative chairman for another year. I believe, with his leadership, we will continue to see strong growth and prosperity. I'm excited to see what the new year will bring and know whatever it is, we can make it through, together!



CALSPRO Membership Update

by Kristian Pujol, Membership Chair

Different Strokes for Different Folks What Drives You to Membership?

This past year was a pivotal and successful one for our association's general membership resulting in 60 new members! For an organization the size of CALSPRO, whose makeup has historically been economically diverse but has mostly relied on select groups of large and medium size companies (driven by dedicated business men and women who keenly understand the value of legislative advocacy and protection) to sustain it, this number is a big deal in several ways. First, there has not been an increase in total memberships from year to year in a long time. In fact, memberships in many associations across the U.S. have been on the downtrend for several years, so turning the tide and increasing overall membership for our association was a big deal in 2018.

Second, the significant increase in membership was necessary (in fact crucial) in order to meet the yearly budget demands since the price of membership dues had

been lowered (from \$500 to \$350, and \$200 to \$100) as a result of the Strategic Planning Summit with the end goal of increasing the total number and types of memberships. Thirdly, the rise in membership helped reinforce a base of new members --- the evolution of new types of memberships other than previously known "company members" and "individual members"--- and consequently made the association's membership more inclusive and essentially more representative of the legal support industry. Many newcomers joined the association as Independent Contractor (IC) members, out-of-state companies (over seventy) joined as Associate members, and several key Copy Services joined the ranks as well. So what drove more people to join and was this just a lucky or anomalous year? Fortunately for all of us, the membership committee believes this is the beginning of a new trend due most in part to the Strategic Planning Summit and the

consequent changes implemented in 2017-2018.

The Strategic Planning Summit not only lowered membership rates and created new categories (Active and IC), but also created more benefits and incentives for joining the association, like online voting, the Mobile App, and most importantly, more communication channels. In choosing to join an organization (and pay membership dues) or commit to some long-term enterprise, a cost benefit analysis is typically always involved. In CALSPRO, there is no arguing the fact that our Legislative Advocacy Program is the lifeline of our association (and industry for that matter); and is in-and-of-itself significantly worth a whole lot more than the \$350.00 dollars we now pay yearly for an active membership. In fact, it would not be a stretch to admit it is worth more than \$1,000.00 per year when you take into consideration all of the past and present legislative

Continued on page 6

successes and protections CALSPRO has achieved for legal support services in California (and many others indirectly) throughout its 50-year history.

Our lobbying firm, California Advocates, is one of the top most reputable companies in Sacramento and our primary advocate Mr. Michael Belote (and the honorable men who preceded him) helped save our industry in more ways than we can count; thanks to their efforts, expertise and connections (and thanks, of course, to our continual membership enrollment to support those endeavors). Despite the robust legislative advocacy program the association is known for (in fact was created for), I contend that the new types of CALSPRO memberships today and their future retention will depend on other kinds of “tangible” benefits and incentives that compliment our legislative lobbying and communicate constant information to the membership to improve overall member experience. It is in fact imperative for the association to recognize this (as it has) and cater to the needs of all its members through multiple types of benefits if it is going to endure for more decades. Even long-time members (most now active members) for years have enjoyed and prospered from other benefits such as the courier “Pouch” (for the exchange of work and information), the CAPPS-ules publications, annual conferences, and CCPS workshops.

I genuinely hope those of you reading this have also had the opportunity to peruse through the CALSPRO 50th Anniversary History Book (sent out to the membership in October around the 50th Annual Conference) put together by a dedicated band of selfless individuals on their own time and dime, and had a chance to

read not only CALSPRO’s Legislative History but also its History of Continuing Education. Since in California there is no entrance exam or official training to become a Process Server or Photocopier or Case Researcher and/or Filer (now days an EFSP), CALSPRO from its early inception played a significant role in educating and training individuals on the codes and regulations, Case Law, and Safety Laws in order to help them become more educated, offer better services, and protect their business. The educational benefit CALSPRO has provided to its members (and non-members) has been golden, and similarly the educational benefit it will provide to incoming and future members (especially ICs) will be essential to their success in the industry.

Many new process servers, photocopiers and office personnel hold reverence for CALSPRO’s legislative agenda and proven history, but will likely be more drawn to the association by the educational, social networking and informational benefits CALSPRO has to offer. Let’s be frank, many individuals who first register as process servers lack the crucial basic legal knowledge and training pertaining to their job! CALSPRO fills this blatant void and perhaps in the future it will also help fulfill and streamline the administrative role of registering and training new process servers and photocopiers into certified (CCPS) legal support professionals for the benefit and protection of the entire legal community. For the time being, both old-schoolers and millennials can take the CCPS Workshops personally or online (new benefit), read the weekly blogs and e-newsletters (both containing pertinent occupation information) and download the CALSPRO Mobile App which offers essential tools like Serving Guidelines, Code Searches,

Witness Fee calculator, Address Validation, and much more to come.

Technological benefits such as the website (and the new Members Only page) also allow for advertising, commerce and business growth for all members in California and out-of-state. Associate members, for example, will be especially attracted to marketing opportunities, as California is the most litigious state in the U.S.; and for the low cost of only \$100 for an out-of-state membership, it is practically absurd not to join! Many out-of-state companies also recognize that the legislative efforts and precedence CALSPRO has established throughout the years and in the future will possibly indirectly affect their own state’s laws and regulations. Take a look at the recent controversial CA Supreme Court Ruling in the Dynamex case concerning the new independent contractor classification guidelines for employers. No matter the outcome, this case’s final disposition will have strong and lasting implications for other states in the future as the court tackles to control companies like Uber and Lift (amongst others), which by the way have no borders (state limits) and a universal clientele. Many of the out-of-state companies who wisely chose to support our legislative efforts will also gain CALSPRO associative benefits (as members) pertaining to our Code of Ethics, Dispute Resolution, and Best Practices (for company reputation and reliability) as the exchange of interstate work and litigation proliferates and borders between states become ever more transparent through technology. Additionally, new benefits offering discounts on services and subscriptions with other out-of-state companies and vendors (such as the new

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CALSPRO Conference Update

By Mark Manchester, Conference Chair

50th Year Celebration and Conference Wrap Up

This was our 50th and there are so many people to thank for making it come to life. First and foremost, let me start with all the attendees, vendors, sponsors, CAMS, Mike Belote and members of the association. Since this was our 50th conference, we wanted to bring our 50 Year history to life. Andy Estin and his team did a fantastic job accomplishing that with a room full of memorabilia, wonderful slide shows, members past and present, and our Anniversary Book. I hope you all have enjoyed yours as much as I have enjoyed mine.

Friday started with The Jack Janney Memorial Golf Tournament and Capitol Tour for those not playing golf. Mike Kern and Chad Barger out did themselves this year. Due to generous donations, attendees were able to enjoy good food and good company. The night started out with a first for CALPRO, The Chief Justice, The Honorable Tani Cantil-Sakauye, spoke about the significance of due process

and the duty our association plays in protecting the legal profession. She then spent time talking and taking pictures with our members, what a treat. We then had fun playing bingo and casino games, a good time was had by all.

The speakers were all amazing and educational. We had Stephanie Chandler, Amber Healy, Joe Jones, and Michael Reid. Stephanie showed us how to increase our internet traffic,



Joe Jones showed us just how social media can help in locating your servee, Michael Reid showed us how to automate, and Amber Healy spoke to us about the Supreme Court decision in *Dynamex Operations West, Inc.* regarding independent contractors. If you missed any of this, Amber emailed her presentation; I can forward it to you if you send me an email.

We ended the conference with the Banquet, installation of officers and directors, took lots of pictures, and then danced the night away. Congratulations to Chad Barger, who was named the recipient of the Bert Rosenthal Memorial Award.

2019 Conference will be October 4th – 6th at The Renaissance Hotel in Newport Beach, the conference committee is already in planning mode, stay tuned for more information, and plan on attending.



CALSPro

50th Anniversary

CONFERENCE



A BIG thank you to Mike Belote for the CALSPRO Assembly Resolution signed by the California legislature!

California Association of Legal Support Professionals

Bert Rosenthal Memorial Award



And The Recipient Is...

Each year the Bert Rosenthal Committee meets and makes nominations for recipients of the Bert Rosenthal Memorial Award. The industry's most prestigious award is presented to an individual who, through the years, has given the utmost of service and dedication in promoting our industry.

We are proud to announce the 2018 recipient of the Bert Rosenthal Memorial Award is Chad Barger!

Chad was born in the Central Valley of California and raised on a fine mix of God, patriotism and country music. Shortly after high school, Chad took a job with a private investigator at a local law firm. For two years, Chad learned the ropes of private investigations, process serving and the court system, while attending Bakersfield College and studying Criminal Justice. Shortly after college, Chad accepted a job with a Bakersfield attorney service as their branch manager. After bringing that company to new heights, Chad realized he had a knack for the legal support profession and opened Attorney's Certified Service in Bakersfield with his grandfather, Charles, in 1994. A year after opening his business, Chad was struggling to make ends meet. Friends told him that the Kern County Sheriff's Department was hiring, so he threw



his hat in the ring and applied. In 1995, Chad was hired by the department and worked in a variety of assignments including the county jail, local patrol, Sheriff's Emergency Response Team (SERT) and lastly, at the Sheriff's Academy teaching restraint techniques, cell extraction and stun gun procedures.

Chad became a member of CAPPS/CALSPRO in 1994. He has served on the Board of Directors since 2007, and has served as a two term President, Vice President, Chairman of the Board of Directors, Continuing Education Vice Chair, Area Governor, Website Committee Chair, Conference Committee and is

currently serving as the Legislative Committee Chairman. Chad credits his success to the people he surrounds himself with. Like-minded, goal-oriented individuals that challenge the status quo and aren't afraid to speak what's on their mind.

Even with an extremely busy life, Chad has always put God and his family first. His wife Belinda and three children, Caleb, Jacob and Hannah are his real treasures. He enjoys spending time anywhere with his family, but especially at their family cabin at Bass Lake or at the family condo in Avila Beach. He also enjoys hunting and fishing but especially enjoys fly fishing with his boys and close friends in very remote places of California, Alaska and Montana.

Chad has had great success as a leader within CALSPRO with his ability to relate to members and inspire them to help push the profession forward. He cherishes the relationships he's made and the new business opportunities his involvement in this association has brought him.

A big congratulations Chad Barger, the 2018 recipient of the Bert Rosenthal Memorial Award! Thank you for your endless dedication to the association. We appreciate all that you have done and continue to do for CALSPRO.



EDUCATION

Continuing Education Report by Andrew Gowing, Education Chair

Off to a Good Start in 2019

We capped off 2018 with a successful CCPS Workshop in San Rafael in early December. Thank you to all who attended and to the members of the Continuing Education Committee who made it possible. We now look forward into 2019 with several CCPS Workshops. The first workshop of the year was held Saturday, January 26th in Ventura.

We have yet to set the schedule for the complete year of 2019 but hope to do so by the end of February. Please stay tuned for a CCPS Workshop coming to a location near you. If you or your staff are looking for training, please let

me know if you would be interested in hosting a workshop in your area or at your office. Also, keep in mind that we will continue to offer the online webinar option with various CCPS Workshops throughout the year.

Something new we plan to offer this year is a completely online CCPS Workshop events where people can attend and be trained from the comfort of their own home. We will utilize the Area Governor Program for those that are interested in taking the exam and becoming certified.

As we do every year, we will be revamping the material to include

all updates for the new year of 2019. One of those changes includes the IRS Mileage Rate going up to \$.58 per mile this year, which changes the Federal Witness Fee amount to \$40.00 plus \$1.16 per mile, one way. But of course, you can always rely on your CALSPro App to calculate your witness fees for both Federal and State subpoenas.

We are definitely off to a good start, and we aim to make it a great year in 2019. We hope to bring new online content, offer more webinar options for CCPS workshops, and continue to produce continuing education material through the ongoing CALSPro blog.

Congratulations To Our Affiliate Of The Year!

Last year CALSPro began a new tradition to highlight the great work of our Legal Support Professional companies and allow the members to vote for their choice of Affiliate of the Year.

The CALSPro Board of Directors wishes to congratulate all of the companies nominated for Affiliate of the Year 2018. These remarkable attorney services from throughout California went above and beyond the call of duty for their clients and set a very high standard for our industry.

Thank you to the many members who submitted their nominations and provided testimonials about their nominees for CALSPro's Affiliate of the Year award.

At this past CALSPro Annual Conference attendees voted at the general meeting, votes were tallied, and the winner was announced at the Saturday night Banquet.

It is our great pleasure to announce this year's Affiliate of the Year! Congratulations to Sterling Madison Company located in San Jose, CA! We appreciate all that you do. Thank you for always striving for greatness!



Sterling Madison Company
Trusted Professional Legal Support

Los Angeles Superior Court eFiling Update

The Los Angeles Superior Court has transitioned to the next phase of providing for mandatory eFiling for all limited and unlimited jurisdiction civil cases. eFiling provides efficiencies and enhances the Court's ability to maintain complete and easily accessible records.

There is only a mandatory phase for eFiling Complex Civil documents. Prior to implementation of this mandatory phase, documents may be presented for filing at the clerk's office or may be submitted via fax filing. Attorneys must eFile documents as of the dates marked as mandatory.

Note: The Court has set a new date for mandatory eFiling for complex cases, which is April 1, 2019, as indicated in the charts below.

	Voluntary	Mandatory
Unlimited Civil	December 3, 2018	January 2, 2019
Complex Civil	N/A	April 1, 2019

Please find the official court notice here: <http://www.lacourt.org/newsmedia/uploads/1420191917203419NTAComplexEfilingUpdateMandatoryDateExtended.pdf>

Best Practices: eFiling in Los Angeles

If your company offers Concierge service for electronic filings to your customers, you will find some helpful information below to help your staff and your customers avoid possible rejections from the court.

Case Initiation Filings

- When Filing New or Subsequent documents always use an e-signature or scanned signature as the court is rejecting even though CRC 2.257 allows for this type of signature for filing (Example: Documents containing /S/ John Doe on the signature line instead of a real signature have been rejected)
- If any information is missing/inaccurate/incomplete the filing will be rejected
- Be sure to enter all parties exactly as they appear on the complaint (Does are not required)
- Be sure to choose the correct case type (i.e. Personal injury/Property Damage/Wrongful Death - Uninsured Motorist is not the same as Motor Vehicle -Personal injury/Property Damage/Wrongful Death)
- Make sure the Summons and Complaint party names match each other exactly

- Submit the Civil Case Cover Sheet and Civil Case Cover Sheet Addendum as one PDF document
- Make sure all forms are filled out completely and are not missing any information Clerks will not fill in missing or mistyped information on data entry
- Make sure you have the correct number circled or checked on your Civil Case Cover Sheet Addendum in order to file in Los Angeles Central court

Subsequent Filings

- If any information is missing/inaccurate/incomplete the filing will be kicked
- If a party or an attorney are first appearing on the case be sure to add them in the Case Participants section if they are not already listed
- Be sure to label your document type correctly. An incorrect document type will be rejected by the court
- Bookmark your exhibits and make sure the document is text-searchable (OCR)
- Make sure the document uploaded is legible. Anything dark, illegible or fuzzy looking will be kicked
- Verify that the correct statutory fees populate on your eFiling

**CALIFORNIA ASSOCIATION OF LEGAL SUPPORT PROFESSIONALS (CALSPRO)
Board of Directors Meeting
December 1st, 2018
Hyatt Place Hotel, San Jose, CA**

The following board members were in attendance at this meeting : Robert Porambo, Ken Hastings, Andrew Gowing, Tom Alkema, Chad Barger, Tom Bowman, Mark Manchester, Anita Pasillas and Kristian Pujol. There were two excused Directors for this meeting which were: Larry Kirlin and Jay Roll.

The following members and individuals were also present: Andy Estin, Tony Klein, Matt Janney, Steve Janney, Mike Belote, Stephanie Schoen and Jenny Blevins.

PRESIDENT'S MESSAGE

Robert Porambo discussed the following items:

- Welcomed everyone to the meeting today.
- Thanked last year's board for their hard work.
- Back in black for financials.
- Thanked Larry Kirlin for being a great leader.
- Robert will continue the momentum of last year's hard work.
- Thanked Mike Belote, Jenny Blevins and Stephanie Schoen.
- Would like to focus on membership growth and get lists of the registered process servers throughout the state.
- Wants to turn CALSPRO into "CALSFun" this year, and will work to engage members. Robert distributed t-shirts to the board.
- Discussed the recent San Diego Area event which was fun.
- Looking forward to a successful year, and keeping the finances in black.

LEGISLATIVE COMMITTEE REPORT (taken out of order)

Upon motion by Chad Barger, seconded by Robert Porambo, the Board of Directors will allow legislation to be drafted for revisions to CCP 415.21 and CCP 1985.3 and 1985.6 as discussed by the Legislative Committee at this morning's meeting. The motion passed unanimously.

ANTI-TRUST COMPLIANCE REPORT

Ken Hastings read the Anti-Trust Compliance Policy which was included in the agenda packet.

ANTI-TRUST COMPLIANCE ANNUAL TRAINING

Antitrust Officer, Mike Belote, conducted the annual required training and referenced the documents in the agenda packet.

SECRETARY-TREASURER'S REPORT

Andrew Gowing presented the November, 2018 financial statement. The balance sheet shows total assets of \$41,881.46, and the income statement shows year-to-date revenue of \$163,557.63 and expenses of \$141,893.91. Andrew discussed several line items, and acknowledged Mark Manchester and the Conference Committee for their outstanding work in which the conference netted over \$14,000.00 in income.

Andrew Gowing presented the proposed 2019 budget which was included in the agenda packet. The proposed budget shows total revenues of \$169,115.00 and total expenses of \$168,305.00 with a net proposed income of \$810.00.

The item of raising membership dues by 10% was discussed. Andrew Gowing indicated that the Budget Committee discussed this during their meeting, and would like to focus on getting more members to participate in advertising opportunities, and support the association in other areas. Additionally, because the dues were just restructured, the committee felt that it may not be time to change them again. Also, there is a voluntary donation opportunity included on the dues renewals. It was noted that the dues renewals for 2019 have already been sent to the members. No action was taken on this item.

Regarding the CICA donation, it was noted that the expense will match the donation. \$5,000.00 was received and paid last year.

Chad Barger discussed the issue of recouping the credit card transaction fees, and possibly asking the members if they wish to pay additional monies to cover the transaction fee. No action was taken on this item.

The board confirmed the use of Zoom meetings which works well.

The board discussed various line items contained in the proposed budget. The Coalition for Improving Court Access income and expense line items shall both be changed from \$2,500.00 to \$5,000.00.

Matt Janney shared that he has a jeweler contact and will check into reproducing the Rosenthal pins at a lesser cost than \$700.00 each.

Upon motion by Chad Barger, seconded by Tom Bowman, the 2019 proposed budget shall be approved as amended to show total income of \$171,615.00 and total expenses of \$170,805.00 for a net income of \$180.00. The motion passed unanimously.

Banking Resolution

Upon motion by Tom Bowman, seconded by Mark Manchester, it shall be resolved that Andrew Gowing, Secretary-Treasurer of the California Association of Legal Support Professionals (CALSPRO) is authorized to enter into deposit account, cash management and service agreement(s) with the appropriate banking institution on behalf of this Corporation, and to designate from time to time who may sign checks and otherwise give instructions regarding this Corporation's funds and account(s).

At this time, authorized signers shall include any two of the following individuals, at least one of whom must be an officer of the Corporation:

Robert Porambo: President

Andrew Gowing: Secretary-Treasurer

Jennifer Blevins: Administrator

Tricia Schrum, CPA: Accountant

FURTHER RESOLVED: This authorization shall take the place of any other authorization in effect and shall remain in force until further written notice.

The motion passed unanimously.

Upon motion by Andrew Gowing, seconded by Tom Alkema, the Secretary-Treasurer's report shall be approved. The motion carried.

COMMITTEE REPORTS

a) Legislative Cornerstone

Coalition to Improve Court Access – Chad Barger referenced the update report submitted by Jeff

Karotkin on November 30, 2018.

Photocopy Report – Tom Alkema submitted a written report to Chad Barger, no further report.

Bylaws – No report. The item of the new voting process was discussed; the process worked well.

Assault Advisor – Tom Bowman has received one report, and he will contact the person who was assaulted. The assault occurred in San Diego in September, 2018; Tom described the assault.

Dispute Resolution – Jeremiah Jones' written report was referenced; there are no new disputes.

b) Continuing Education Cornerstone

Continuing Education – Andrew Gowing presented his report which was included in the agenda packet. A CCPS workshop is being held today. The Committee would like to hold six workshops in 2019, and hold one online workshop in 2019. Andrew and the committee will also work on getting CCPS Sponsors. Kristian Pujol noted that there may be an opportunity to advertise the online CCPS program on ServeNow's website.

c) Membership Cornerstone

Advertising – Robert Porambo will meet with Michael Reid to discuss the budget and goals of the advertising programs. Kristian Pujol noted the demo video for the new CALSPro App and that it should be advertised to the members, and perhaps ServeNow will allow for the video on their website.

Membership

Kristian Pujol discussed the following items:

- Reviewed written report in the agenda packet.
- Dues renewals went out electronically.
- The monthly credit card payment amount for Active members is \$34.95.
- Language was added to the renewal form to seek interest in auto pay of dues. Once members select the box for auto pay interest, they will be sent an authorization form (which the Central Office is drafting).
- The current membership count is 311.
- 60 new members came in last year.
- Reinstating the 5-point plan for 2019.
- Committee is focusing on retention efforts.
- The idea of having process servers certified under the State Bar will really help with membership.
- Possibly talk to the County Clerks Association to see if they will distribute a membership application and cover letter to the clerks to give to newly registered process servers.
- Success at the NAPPS Conference; will continue to focus on out of state companies to become Associate members.
- Photocopy Companies – common interests; happy to see Tom Alkema on the Board of Directors; Dan Mora will join the Membership Committee.
- Committee to reach out to prior members to explain the new dues structure and encourage them to rejoin.

Technology/Website – referred to written report. Robert Porambo acknowledged Jay Roll's blog posts which are done twice per week, and they are very informative.

d) Conference Cornerstone

Mark Manchester referenced his written report, and discussed the following items:

- Jackie Kilgore of Janney and Janney in Orange County will co-chair the committee this year.
- Local speakers will be used.
- Mark discussed the food and beverage costs; the Sunday continental breakfast shall be eliminated.
- An offsite activity was encouraged for Friday.
- Perhaps the Friday night event shall be offsite, maybe Medieval Times.
- Chad Barger shared that he has band contacts in Orange County and Los Angeles.
- Robert Porambo's theme of "CALSFun" will be incorporated into the conference

NEW BUSINESS

a) 2019 Proposed Calendar – accepted.

b) Manual of Policy and Procedures – The 2018-2019 Manual was distributed to the board and

Andy Estin. Ken Hastings asked each committee chair to review their specific areas.

c) Tom Bowman requested CALSPro write a letter to the Clerk of Santa Clara County to add the word "Registered" to "Process Server" on the Process Server card. The Clerks Association should also be contacted for their help to contact all counties to make sure this is consistent.

Continued on page 19



Features 2018

Import eFiling From [GreenFiling](#) Directly Into ProServe

Import Attempts, Bad Addresses, & Serves:

- Server Can Dictate (Voice) Attempts, and Serves Directly Into Smart Phone, And eMail Directly Into ProServe DataBase, With or Without Photos That Will Produce Diligence, Status, Proofs, & GPS Report.

ProServe PDFStore:

- Making a paperless office possible.
- Two Mouse Clicks from finding Proofs, Diligence, Status, Original Papers, Server Notes, Conformed Copies, or Any Other Reports using: Invoice Number, Case Number, Attorney File Number, Tracking Number, and Client Matter Number.
- Full ADOBE Functions, Display, Hilight, Notate, Print, eMail.

Integrated E-Mail:

- Send Servers assignments including GOOGLE map link.
- Receive Servers Attempts, Bad Addresses, & Serves.
- eMail Proofs, Diligence, Status, Invoices, Statements, or any other Reports to Clients.

IN REMEMBRANCE OF HERB HOFFMAN 1916-2018



HERB HOFFMAN: NAPPS LEGISLATIVE ADVOCATE By Thomas J. Bowman *

Before I introduce you to Herbert E. Hoffman, I would like to go back to a time in the history of this industry. Without a national organization to turn to, we found ourselves with a crisis on our hands. Unbeknownst to us at the time, a proposed federal change has been in the works for months, and was on its final journey from the Supreme Court to Congress for approval. This rule change would have allowed for service of a Federal summons by first class mail. By the time the event was newsworthy enough to be picked up by a legal newspaper here in California, we were, give or take, about ninety days from what well could have been the beginning of the end for process servers.

Without the benefit of a NAPPS membership book, personal computers, and fax machines we can't live without today, CAPPs members got busy reaching out to servers across the country. Telephones and typewriters were our tools and what materialized from the effort was a game plan to meet in Los Angeles. We knew we needed to get to Washington, D.C. and we knew we needed funds to finance our way into national politics. When all was

said and done, we had three things: Two representatives, Robert Schroeder and LeRoy Lyon on their way to Washington; \$25,000 pooled out of the pockets, literally, of those involved; and finally, the knowledge that would lead to the founding of NAPPS.

Mr. Schroeder and Mr. Lyon arrived in Washington with a lead they obtained from a Federal Judge in San Francisco. That contact led to a referral to Herbert E. Hoffman. I view the meeting between our representatives and Herbert Hoffman as one of those times when the planets must have aligned perfectly, because Mr. Hoffman was exactly the man for the job. Herbert, or Herb as he's really known, was born in 1916, in New York City. He earned his law degree from New York University in 1939, and was in private practice by the following year. Herb joined the war effort in 1942 as the Assistant Division Judge Advocate, 11th Airborne Division. He was stationed in New Guinea, the Philippines and Japan. In 1948, after completing his military service, Herb joined the Department of Justice and served as counsel in the Legislative Section of the Office of the Deputy Attorney General. In 1961, he was named the Chief of the Legislative Section for the Office of the Deputy Attorney General and remained in that position until 1971. From there, Herb began service as counsel to the Judiciary Committee for the U.S. House of Representatives, where he served for four years. In 1974, until his retirement in 1982, Herb served as the Director of the American Bar Association's Washington, D.C. office.

Herb taught at the Georgetown University Law Center, including subjects on legislative process, legislative drafting, statutory interpretation and lobbying. He also lectured on legislation for the U.S. Civil Service Commission and the U.S. Department of Justice. Herb's bar admissions include the U.S. Supreme Court, the Federal District of Southern New York, the Federal District of the District of Columbia, New York State of Appeals and the U.S. Court of Military Appeals. In his spare time, Mr. Hoffman taught Sunday school and first aid for the American Red Cross.

Herb was married for over forty years to his lovely wife, Beth, until her passing nearly 17 years ago. Herb has three adored children, David, Joan and Barbara, an attorney, teacher and school principal. I'd say a very accomplished family indeed.

So, now that you have some idea of the spectacular resume of Herb Hoffman, we'll return to our crisis. It's 1982. We needed help figuring out the Federal civil process. We needed someone with a foot in the door in

Washington. We needed someone, maybe most telling of all, who was willing to take on a group with zero political clout, only to be matched by its limited operating budget. At the same time, a newly retired Herb Hoffman was assessing his situation. After an esteemed, forty year legal career, Herb didn't need a job; rather he was on the lookout for a cause here and there to keep his foot in the fire. It was our good fortune and a couple of great referrals that led to the fateful meeting between Messrs. Schroeder, Lyon and Hoffman in May of 1982. Thereafter, Mr. Hoffman agreed to take on our case.

Herb's first step was to bring us up to speed. He explained how Federal Rules are promulgated. Committees under the U.S. Supreme Court study a proposed change, which normally takes several years. The proposal is then sent for approval by the Supreme Court, and then sent to Congress. If Congress takes no action for ninety days after receiving the proposal, it becomes law. By the time Herb was retained, he confirmed that the proposal has already made it past the Supreme Court, and had been sent to Congress. Quickly getting to work, Herb was able to convince Congressman Don Edwards to author a bill to delay the implementation of the rule change. Clearly, Herb's expertise and lobbying efforts led to Congressman Edwards' bill. In fact, this feat cannot be overstated. ***The bill was the first time in the history of the United States that Congress ever acted to halt a proposed rule change handed down from the U.S. Supreme Court.*** The following year, Herb worked out a compromise deal with the Justice Department that left the methods for service as is, with the exception of adding to the mailing provision the requirement for a "Notice and Acknowledgement of Receipt." Several years later, Herb roared back again on our behalf, stopping another rule change which would have eliminated service of a Federal Summons via a "Waiver of Service." Herb lobbied another compromise deal, wherein in the case of an agreement for non-service, parties could opt for a Waiver of Service.

Would you like to imagine what would have followed if Federal litigation was initiated by first class mail? How could we have battled the precedence on a state level? I don't think it's overstating the case to say that most of us would be making a living by some other means. When I said our meeting Herb Hoffman was our kismet, the right time, the right place, magic, whatever you want to call it, I meant it. Herb Hoffman, a legislative mastermind, pulled a rabbit out of a hat on our behalf and has earned a rightful place in the history we are telling today.

On a personal level, I had the distinct pleasure of working with Herb during the eight years I served as the

Legislative Chair for NAPPS. NAPPS was just getting off the ground and Herb was an invaluable resource. I was always humbled by his grand knowledge and expertise. In Herb, you will find old school elegance and charm. Not one to puff and boast about himself, he is a kind and caring individual, and someone I consider a long time friend. I cannot tell you how many times I've heard Herb say, "So, when are you coming to Florida to see me?" I've made a trip, and was so pleased when Herb came out to California for Wendy's and my wedding. I would have to say, at the occasion of our visits, and the occasional phone call and notes we exchange, the pleasure is all mine. Life brings us to unexpected turns, and the opportunity to meet and work with a man like Herbert E. Hoffman has been a true honor. I am very grateful to have had the opportunity to bring this time in our history forward for all of you to know.

**excerpted from his 2005 CAPPS Legislative History Report*

Memorial Service will be held at Temple Isaiah in Fulton, Maryland on February 8. If planning on attending, please contact Tom Bowman at tbowman@sterlingmadison.com



exchange sponsorship we have with ServeNow) will become more pervasive and incentivizing for both non-locals and Californians joining our association.

As CALSPro continues to expand and promote new types of memberships, vendor companies will also see a greater incentive to become members themselves. Vendor companies join associations to advertise and sell their goods and services to the membership. Logically, the larger our association, the bigger the pool of potential clients for vendor members to solicit. Hence, when you think about it: incentives create memberships and more memberships create incentives for vendors to join. Vendor memberships have been few throughout the years (as memberships were declining), but now as the association grows and becomes more diverse in makeup with Independent Contractors, Photocopy Services, Investigators, Translators and perhaps Interpreters and Legal Secretaries as well; the needs of the association members will inevitably diversify and multiply, requiring new benefits for sustainability and bringing different vendors to offer their services to the ever changing and evolving membership.

The important reality to understand is that people join the association for numerous reasons, not just one (no matter how noble it might be), and as a growing organization we must provide them with those incentives and benefits if we are going to remain organized. Active Memberships come mainly from individuals and companies who strategically understand the importance of legislative advocacy and want to protect the industry from disruptive changes and its possible likely demise (if we fail to act). Others who join as Independent Contractors also care, but have a more immediate need to market themselves for business, as well as for guidance and training. Out-of-state affiliates have a strong incentive to join to gain business from California's busy courts, and reciprocally may want to exchange work with legitimate and reputable CALSPro companies they can trust, while at the same time support our legal agenda. The constant communication through blogs, articles, and digital tools is a daily benefit for all members, while our legislative committee and advocates keep our parameter and path to survival safe from incoming traffic and roadblocks.

At the Strategic Planning Summit in 2017 I proposed to the leadership that we focus on the four following processes and benefits for our membership: Legislation, Education, Communication, and Payment Automation. In 2019, we are now on that high road, heading steadily north in a positive direction, and continuing to do so carefully and cognizant at a speed and manner beneficial to the good of all the membership and entire association of legal support professionals. The future is over the horizon.

A handwritten signature in blue ink, appearing to read "Jay Roll".

CALSPro COMMITTEES

ADVERTISING

Michael Reid
orders@psdaily.net

ASSAULT ADVISOR

Tom Bowman
tbowman@sterlingmadison.com

BY-LAWS

Tom Alkema
talkema@ronsinc.com

CONFERENCE

Mark Manchester
mark.manchester@rezacmeyer.com

CONTINUING EDUCATION

Andrew Gowing
andrewg@janneyandjanney.com

DISPUTE RESOLUTION

Jeremiah Jones
877/353-8281
jeremiah@boscolegal.org

FORMS

Tony Klein
415/495-4221
tony@attorneyserviceofsf.com

LEGISLATIVE

Chad Barger
cbarger@attorneyscertified.com

MEMBERSHIP

Kristian Pujol
kris@comproserve.net

NEWSLETTER

Anita Pasillas
apasillas@rapidlegal.com

TECHNOLOGY

Jay Roll
jayr@janneyandjanney.com

WEBSITE

Jay Roll
jayr@janneyandjanney.com

d) MCLE credit for CCPS programs, Andrew Gowing suggested that CALSPro apply for MCLE Credit with the State Bar of California.

Upon motion by Andrew Gowing, seconded by Mark Manchester, CALSPro will pursue MCLE credit for CCPS and other education opportunities. The motion carried.

GOOD OF THE ORDER

- Tom Bowman attended the memorial service for Jean Randall; several process servers were in attendance.
- Welcome back Tom Alkema to the board.
- Ken Hastings acknowledged Kristian Pujol, Mark Manchester and Andy Estin who have worked very hard.

CALSPro 2018-2019 Officers

PRESIDENT

Robert Porambo

619/549-4853 – ph

619/685-4294 – fax

rporambo@knoxservices.com

VICE PRESIDENT

Ken Hastings

951/296-2669 – ph

951/296-2770 – fax

service@hastingspps.com

SECRETARY/TREASURER

Andrew Gowing

213/628-6338 – ph

213/628-6338 – fax

andrewg@janneyandjanney.com

2018-2019 Board of Directors

Tom Alkema

909/594-5995 – ph

909/598-2308 – fax

talkema@ronsinc.com

Ken Hastings

951/296-2669 – ph

951/296-2770 – fax

service@hastingspps.com

Anita Pasillas

909/664-9565 – ph

909/597-9178 – fax

apasillas@rapidlegal.com

Chad Barger

661/327-8022 – ph

661/327-8179 – fax

cbarger@attorneyscertified.com

Larry Kirlin

559/233-1993 – ph

888/943-1355 – fax

lkirlin@firstlegalsupport.com

Robert Porambo

619/549-4853 – ph

619/685-4294 – fax

rporambo@knoxservices.com

Tom Bowman

408/295-3300 – ph

408/491-9772 – fax

tbowman@sterlingmadison.com

Mark Manchester

213/481-1770 – ph

213/481-9957 – fax

mark.manchester@rezacmeyer.com

Kristian Pujol

805/650-9291 – ph

805/658-8170 – fax

kris@comproserve.net

Andrew Gowing

213/628-6338 – ph

213/628-6338 – fax

andrewg@janneyandjanney.com

Jay Roll

714/953-9451 – ph

jayr@janneyandjanney.com

Legislative Advocate

Michael D. Belote, Esq.

Administrator

Jennifer Blevins, CMP

jennifer@caladmanagement.com

Membership/Co-Administrator

Stephanie Schoen

stephanie@caladmanagement.com

Publications

Jen Gross, CMP

jen@caladmanagement.com

Webmaster

Michael Cochran

michael@caladmanagement.com

Advertising /CCPS

Natalie Thurn

natalie@caladmanagement.com

Accounting

Tricia Schrum, CPA

tricia@caladmanagement.com

Association Management Services

provided by California Advocates

Management Services (CAMS)

**California Association of
Legal Support Professionals**

2520 Venture Oaks Way, Suite 150

Sacramento, California 95833

Phone: (916) 239-4065 • Fax: (916) 924-7323

Web site: www.calspro.org

E-mail: info@calspro.org