



# CALSP<sup>ro</sup> PRESS

California Association of Legal Support Professionals

**Volume 13 / Issue 1 / Winter 2020**



LEGISLATION

## **Legislation:**

Highlights of Our History



MEMBERSHIP

## **Membership:**

Member Benefits and Value



EDUCATION

## **Education:**

A Worthwhile Investment



CONFERENCE

## **Conference:**

October 2-4, 2020

Hilton San Jose

San Jose, 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](http://www.calspro.org)  
E-mail: [info@calspro.org](mailto:info@calspro.org)



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## The Roaring Twenties: The Era of Changes



# PRESIDENT'S MESSAGE

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ROBERT PORAMBO

2020 CALSPRO PRESIDENT

I hope your New Year is off to a great start and all of your resolutions are still intact. Not only is it a new decade, but it's a leap year and presidential election year. Big things are on the horizon. I am super excited at what lies ahead for us in 2020!

AB 5 has become law effective January 1, 2020 and the world has not ended. I have seen several Business to Business (B2B) agreements that companies are utilizing to make sure they're compliant with the new law. There have been several lawsuits from other industries regarding

this law and I am sure more are on the way. Uber is changing the way they charge customers for rides as a result of this law.

CALSPRO remains focused on monitoring this and other industry pertinent laws and will do our best to keep our members posted as things develop.

Please mark your calendar now, to attend our Roaring 20's Conference in October in San Jose. Mark Manchester and his conference committee are already planning an

exciting and fun-filled conference that you won't want to miss!!

I remain committed to the continued success of our association and truly appreciate the "Ruthian" efforts of our Board Members and Committee Chairs.

If you have any questions or comments, feel free to reach out to me personally at 619.549.4853 or [president@calspro.org](mailto:president@calspro.org).

Mahalo, Robert



# CAPITOL REPORT

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

## Independent Contractor Highlights Legislative Agenda

**O**n January 6, the California Legislature returned to Sacramento for the second year of the current 2019-2020 two-year session. To “top-line” the legislative environment as the year begins, expect 2020 to look a lot like 2019: privacy, utilities and wildfires, housing and homelessness, and perhaps above all, AB 5 and independent contractors. All of these issues came out of 2019 in a decidedly incomplete state. The year will be additionally complicated by the primary elections scheduled for early March, and the November general election which will include controversial initiative proposals.

Not a day goes by in Sacramento without something happening on the independent contractor front. In no particular order, we have seen demonstrations in Capitol Park calling for the repeal of AB 5, bills introduced by Republican legislators to repeal or modify the bill, Twitter wars between freelancers and Assembly Member Lorena Gonzalez who authored the measure, a federal judge staying the bill as to truckers, another judge refusing to stay the measure as to journalists, companies announcing that they will no longer work with California independent contractors, the California Supreme Court agreeing to consider the question of whether the *Dynamex* decision applies retroactively and more.

In spite of uncertainties on many levels, and the general chaos surrounding the issue, it seems possible to make at least a couple of predictions. First, Republicans

do not possess sufficient numbers in the Assembly and Senate to prevail on their proposals. If changes are to be made in the legislature, they will be made with Democrats taking the lead. Second, there will almost certainly be additional exemptions from the “ABC” test enacted this year, although the labor community is indicating that exemptions should be minimal. Third, with the possibility of an initiative looming on the November ballot for gig companies in the transportation network and delivery network spaces, it seems very unlikely that these types of entities will achieve any meaningful reform of AB 5 in the legislature. And fourth, no matter how many occupations achieve exemptions this year, there will be more groups seeking exemptions in the years ahead. This issue will be with us for a long, long time.

Just as we did last year, CALSPro will be seeking an attorney service exemption from the ABC test. Our industry has utilized independent contractors in a fair and efficient manner for generations. We have also operated in compliance with an industry-specific regulation promulgated by the Employment Development Department since the 1990’s. We have had conversations with many legislators and stakeholders in the independent contractor debates. Simply put, we are doing everything possible on this issue, which is controversial, confusing and contentious.

As to privacy, the situation is almost as chaotic. We are now one month past

the date that the California Consumer Privacy Act became effective, and it will likely be a rocky implementation period, particularly for companies which are right on the cusp of meeting any of the three thresholds for CCPA applicability. Recently the state Attorney General released draft regulations implementing the CCPA, which are not likely to become effective for some months. More changes may be enacted by the legislature this year, especially relating to the exemptions for employees and applicants for employment, and perhaps most significantly, signatures are now being gathered for an initiative in November which proposes even more and very substantial changes. Like the independent contractor law, legislators will be active on privacy for a very long time.

In the midst of these “mega-issues”, CALSPro continues with the workaday responsibility of representing the industry in the legislature. This year the CALSPro Legislative Committee is working on a proposal to clarify rules for service of process in state and local penal institutions. The deadline for introducing new bills for 2020 is coming up on February 21, and members should watch for news on this topic.

Hang on, it is going to be a wild ride!





# CALSPRO Legislative Update

*By Chad Barger, Legislative Chair*

**C**ALSPRO's strong legislative program continues to be the foundation of our association and this year is no exception. Your legislative team has been assembled, and the Board of Directors has approved several action items for the committee in 2020.

With the implementation of the new rules regarding Independent Contractors taking effect this year, process serving companies all over the state are scrambling to comply. Again, this year, we will work to obtain an exemption for our industry which would revert us back to the "Borello" test, when classifying Independent Contractors.

Already this year a bill has been presented that might be helpful for many of us, if passed. Assembly Bill 1925, presented by Republican Assemblyman Jay Obernolte, would keep more independent contractors from being unfairly classified as someone's employee, thereby preserving their freedom to work for themselves. The new law created by last year's passage of Assembly Bill 5 gave some occupations a free pass from having to comply with State Supreme Court's *Dynamex* decision—

but it failed to go far enough. Under Assembly Bill 1925, the requirements to be eligible for exemptions from the new law would have to meet all of the following:

- an independent contractor's business is indeed independently owned and operated;
- the business is not dominant in its field of operation;
- it has fewer than 100 employees; and
- and it has average gross receipts of \$15 million or less over the next three years.

Our next item of business is adding a section to the Civil Code of Procedure and/or Penal Code that would eliminate the need for diligence when subserving a summons and complaint to an inmate at a jail or prison, by serving a Sheriff or Jailer on the first attempt.

Another item of business is to suggest amendments to the Summons form (SUM-100) and request the Judicial Council adopt our changes and bring the form up to date. Our legislative team is working on edits to present to the board of directors at our next in person board meeting in April 2020.

We are still working on moving the Process Server Registration from the County Clerk to the State Bar of California. Our lobbyist, Mike Belote, has begun talking with the State Bar in contemplation of a possible bill introduction in 2021.

Lastly, I appreciate our President, Robert Porambo, putting his trust in me to serve as your legislative chairman for another year. His leadership has already resulted in tremendous growth and strength for our association. We don't know what the future will hold, but I know whatever it is, we will persevere and thrive!



## **CALSPRO Membership Update**

**by Kristian Pujol, Membership Chair**

### **Membership Ensures Industry Protection**

It is hard to believe it is the year 2020! Who would have guessed that in such a futuristic sounding time old-fashioned process servers would still be around? That people would still be posting documents, licking envelopes, and tossing papers at disgruntled individuals. There is no doubt in my mind the main reason other interested parties, collection companies, and technology have been unable to replace traditional servers (to this day) is none other than CALSPRO. Since 1969, our association (formerly named CAPPS) has been legislatively fighting and been at the forefront in California to ensure process serving as we know it remains an integral part of due process. Sure, the means of delivery for certain types of documents have expanded to agent companies and eService (especially due to eFiling) but the mainstream accepted method of primary service is still personal (or substituted) document delivery.

Membership renewals are due this month and I am acutely mystified when a member every so often around this time of year reaches out to me (or the committee) and complains that CALSPRO has not “given them any work” and questions why they should renew? I don’t want to insult anyone’s intelligence, but most of these gripes come from members who are either not keeping themselves engaged in the industry or are simply uneducated as to what the association was created and meant for: legislative advocacy and industry protection. Our association’s duty is not to provide jobs but rather provide a safe haven for the continuous demand and fulfillment of jobs. It is Machiavellian in the sense that its whole purpose is to ensure the survival of our existing regime of legal support professionals; so please be sure to renew your membership to continue vigorously on our sixth

decade of existence, adaptation and growth.

Membership in CALSPRO not only keeps our industry alive but also engaged by providing a platform of communication, education, and legislation. As membership chairman I can attest to the high level of commitment we place on getting “the word out” and communicating with our membership the important rules and changes to the law, year after year, to help protect and grow our businesses and remain embedded in the legal system. Recently for example we have been discussing AB 5 in California. What is your business doing right now as a result of the controversial passage of AB 5? Did you attend either of our last two annual conferences where CALSPRO addressed the important issue of compliance with *Dynamex West* and AB 5 and graciously provided expert

*Continued on page 6*

legal knowledge and options as to how you might want to proceed running your business beginning January 2020?


As CALSPro members we want to make sure your company is in compliance of AB 5. Are your process servers all employees or have legit businesses? Are your process servers advertising (AB 5 requirement)? Consider CALSPro as an option for advertising, plus proceeds are recycled back into our legislative program (to fight bills like AB 5)! Are you aware of the CALSPro Political Action Committee (PAC) fund dedicated to try to acquire a process server exemption from AB 5 this year? I believe many members have contributed already, but if you have not, we recommend you do if you care about keeping costs down for your business. Who else provides these types of mediums and possible solutions to help our businesses other than CALSPro? If you are a small or mid-size company, chances are you have no one but CALSPro standing up for you at our State Capitol, so please renew your membership today! It is imperative for everyone; we are one industry.

Let me provide you with another example to illustrate the benefits of membership (just this past year). In 2019, besides advocating for the elusive AB 5 exemption (which many industries failed to obtain thus far), CALSPro still successfully introduced and passed AB 622! This new law went into effect January 2020 and empowers process servers extensively in granting accessibility to previously difficult guarded residences, and thereby makes their job easier (especially in metropolitan

areas where there are numerous high-rise apartment buildings). The passage of AB 622 essentially broadened CCP 415.21 pertaining to gated communities and extended its applicability to also include "covered multifamily dwellings" i.e., apartments, condominiums and even timeshares! Beginning this year, process servers now have a legal right to access these types of residences while in the course of executing service of process. Because it is now codified, a registered process server can demand the law's enforceability upon a guard, gate keeper or leasing company denying access.

If you are an engaged and active member of CALSPro and thereby reading the blogs, eblasts, enewsletters, publications, and/or attending CCPS seminars, webinars, conferences, etc., you should have a comprehensive understanding of what CALSPro is all about. If legislative rules and protections for our industry are not enough though, let me expand on some more membership benefits. Since 2017, we have attempted to provide additional benefits to our members mainly in the form of information through eblasts and new member announcements, as well as discounts on vendor products (be sure to visit the vendor page) and on continuing education and free webinars. The weekly blog providing up to the moment important information on a myriad of subjects is another great benefit. The CALSPro mobile app (available on iOS, Android, and web) is an amazing source of information containing process serving codes, address validation, and serving guidelines!

The CALSPro website, of course, is used as a forum for listing member companies' information and helps them gain online visibility, but it does not guarantee anyone work! We devoutly promote our members and always encourage them to use other CALSPro members first, but it is up to the members to secure their clients. On the website, you also have the option of having an "enhanced" listing (which many members do) or purchasing banner advertisements for a relatively low cost. The banner advertising is a great feature especially considering the new CALSPro partnership with LSI and their large membership. Many of 1300+ legal secretaries are now going to the CALSPro website looking for legal support companies to use! Remember if you are an "IC" member, your listing is only viewable on the Members Only page, so it may behoove you to upgrade to an Active membership if you are seeking more exposure. Previous private contractors would sign up for this membership category, but with AB 5 now in existence, many active attorney services will be reluctant to use companies that are not "bonafide" in order to protect themselves from labor disputes or government audits. CALSPro has shared that same protective sentiment for over half a century; its mission statement is not just to "Promote" the legal support industry, but to Protect and Preserve it. This is a crucial element and distinction for all members to understand.







# CALSPRO Conference Update

*By Mark Manchester, Conference Chair*

## ***The Roaring Twenties***

**T**he 51st Conference in Orange County was a great success. We started Friday playing golf, then met up at Classic Q for an evening of fun playing pool, darts and enjoying drinks with fellow members. Saturday, we heard from Amber S. Healy regarding AB 5 and the changes it

will bring to our profession, then finished the education session with a panel discussion from software companies, and FSC Accreditation. Dan Mora and Tom Alkema finishing Saturday with a discussion regarding the changes in the Photocopy Industry. We ended Sunday with round table

discussions, the CCPS workshop and Exam. Our round tables included E-Filing, Writs, and Insurance, is your company properly covered. They were well received and very informative.

I want to thank all of our speakers, attendees and guests. I believe this was a very well-rounded conference with something for everyone. Thank you to the Conference Committee and home office for all their hard work.

This year's conference will be October 2-4, 2020 at the San Jose Hilton. This year's theme will be The Roaring Twenties, The Era of Changes.

We have already started the planning process. We are looking at a speakeasy for our Friday Night fun. Saturday we will have more on *Dynamex*, an in-depth writ seminar, a speaker regarding Insurance, maximizing your benefits and your 401K. We are also looking into safety and best practices for the process server. We will have more to come as the planning comes together. Please mark your calendars and plan on joining us in San Jose.







# EDUCATION

## Continuing Education Report by Andrew Gowing, Education Chair

### Upcoming Free Mini-Webinar

**W**e have received some inquiries as to what exactly is “Story Time With Andy” for the upcoming mini-webinar that has been rescheduled for Saturday, February 8th from 9:00 am to 9:30 am. This event is free for all of our members. This will be a great time to learn from one of the experienced members who has walked the path before us. We hope to continue these kinds of mini webinars with other experienced members as a way to learn from their successes and failures. A great way for other members to learn from these people’s experiences.

Andy will take this time to reminisce on a few favorite stories from his large collection. I am sure some of you have heard the one where...

- He got fired for a bad service on his first day on the job and almost did not spend 50 years in the process serving profession.



- Dick Green got trapped in a mental hospital after serving a patient with conservatorship papers.

- He served Karen McDougal – Playmate of the Year at the Playboy mansion.

- He served Janet Leigh – star of Psycho with her two Great Danes growling at him.

- He served an evading Johnny Carson with his divorce papers;

the most he was ever paid for one service

- He was on a Stake out – informed the police, and was told “don’t bother, that’s my brother’s address.”

- Inside Frank Fat’s he overheard the opposition’s points of argument on a legislative bill.

Obviously, we will not have time for all of these, but we will see what we can get through. There will also be a time for the attendees to ask Andy questions about his experiences or maybe about a current issue you are having with a service.

Please join us and be sure to register by completing the registration form and emailing it to Natalie at the home office - [Natalie@camgmt.com](mailto:Natalie@camgmt.com).

<https://calspro.org/calendar/mini-webinar-story-time-with-andy-estin/>



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## CALIFORNIA ASSOCIATION OF LEGAL SUPPORT PROFESSIONALS

### Board of Directors Meeting

Saturday, December 7, 2019

Renaissance Newport Beach Hotel, Newport Beach, CA

#### MINUTES OF THE MEETING

##### PRESIDENT'S REPORT

Robert Porambo welcomed the board to the meeting, and welcomed new board member, Dan Mora to the Board of Directors. Robert noted the importance of the *Dynamex* issue and the need to continue to watch it closely. Robert thanked Mark Manchester for a great conference in October. Robert also thanked the board and the committees for all their hard work and the CAMS staff and Mike Belote. Robert looks forward to a great 2020.

##### SECRETARY-TREASURER'S REPORT

Andrew Gowing presented the November 2019 financial statement which was included in the agenda packet. The balance sheet shows total assets of \$44,445.35. The year-to-date income statement shows total income of \$167,331.22, and total expenses of \$155,561.65. Jenny Blevins discussed the anticipated guest room attrition from conference which will affect the bottom-line net income of the year with an additional expense of approximately \$1,500.00.

##### 2020 Proposed Budget

Andrew Gowing presented the 2020 proposed budget for the board's consideration. The proposed budget was developed by the Budget Committee in coordination with the Central Office staff. The 2020 proposed budget calls for total revenues of \$175,225.00 and \$172,910.00 in expenses, for a net income of \$2,315.00. Upon motion by Chad Barger, seconded by Kristian Pujol, the 2020 proposed budget shall be approved as presented. The motion carried.

#### CORNERSTONE/COMMITTEE REPORTS

##### Legislative

Chad Barger noted that all of the board members present attended this morning's Legislative Committee meeting, and provided the following motion to wrap-up the action items coming out of the committee meeting, as follows:

Upon motion by Chad Barger, seconded by Tom Bowman, to approve the Legislative Committee to submit legislation regarding personal service on an inmate at a jail or prison, by serving a Sheriff or Jailer; to amend the Summons form (SUM-100) through the Judicial Council; and to allow CALSPRO Lobbyist, Mike Belote and the CALSPRO Photocopy Committee representatives attend a meeting with CIOX. The motion carried.

##### CICA (Coalition to Improve Court Access)

The biggest issue is the Imperial County EFSP item. Mike Belote talked to a Judge from the Judicial Council IT Committee yesterday, and they like how Orange County managed their EFSP program in compliance with the law.

##### c. Photocopy



Dan Mora discussed the challenges in the workers' compensation area, and the need to be better organized. Challenges include problems with forms, and Labor Code 5708 which is problematic. Judges are quashing orders, and the work comp area really needs some attention. The board is committed to help with the work comp issues to the best of their ability; Ken Hastings asked that the Photocopy Committee put their ideas in writing for presentation to the board for discussion and consideration.

#### Forms

Tony Klein discussed the process for changing the Summons form as discussed during today's Legislative Committee, and indicated that he can contact the Judicial Council with the assistance of Mike Belote.

Tom Alkema discussed the forms relating to photocopy, and the need to clean up the forms. Dan Mora will work with Tony Klein to mock up changes to the forms.

#### Bylaws/Code of Ethics

Tom Alkema presented the proposed amendment to the Bylaws which was included in the agenda packet. The proposal is to amend Article IV – Membership, Sections 1, 2, and 3 to change the name Independent Contractor Member to Individual Member. A straw poll resulted in the action item of continuing the dialogue and not voting on the proposed amendment until the issue of the name of this category is agreed upon.

#### Continuing Education

Andrew Gowing referenced his written report in the agenda packet. The committee is exploring recording mini webinars. Andrew's report outlined objectives for 2020.

#### Advertising

Michael Kern has agreed to serve as the new Advertising Chair. Michael discussed the issue of reaching out to the members and ramping up the advertising efforts. Michael Kern will develop an advertising action plan right away and e-mail it to Robert Porambo for a decision.

Upon motion by Larry Kirlin, seconded by Kristian Pujol, that the Advertising Committee Chairman propose an advertising/rate schedule for Independent Contractor members, who upgrade their membership status, that can be approved by the President before the next board meeting. The motion carried.

#### Area Governor Program

Larry Kirlin will send an e-mail to the Area Governors confirming their regions, and each Area Governor will receive a list of the members in their areas.

#### Newsletter

Anita Pasillas referenced her report in the agenda packet which included the list of committee members and the publication schedule for upcoming issues. Anita asked for reports from everybody one week before the publication date.

#### Photographer

Michael Kern took photos at conference and they are published on the CALSPro website.

#### Membership

Kristian Pujol presented his report which was included in the agenda packet. Kristian pointed out his 2020 goals, immediate actions, and 2020 six-point plan. Kristian discussed the proposed monthly payment of \$37.95 to coincide with the increased dues amount for Active membership, and there was no opposition from the board. Membership renewals are out; there have been 100 new members over the last two years; challenge is ability to retain members. The Committee received a list of over 1,000 registered process servers in Los Angeles county, and will work on efforts to outreach to them to join the association.

Kristian Pujol discussed the idea of developing marketing materials specific for recruiting Supporting Members, and the Committee will work on something.

Active Member Monthly Dues Payment Policy Agreement – a draft of this agreement was shared with the board, and there was no opposition from the board.

The current membership count is 308 (198 Active; 68 Associate; 3 Complimentary; 26 IC; 1 Retired; 2 Supporting; 10 Vendor).

## Technology

Jay Roll discussed action items including pricing options for e-mails for the board members and referenced the options which were included in the agenda packet. Jay discussed each of the options. The board needs to decide if the e-mails are needed. The other item relates to incorporating the CALSPro signature block in all CALSPro-related e-mails sent by board members.

Jay Roll would also like to get the continuing education items available on the website. Upon motion by Chad Barger, seconded by Mark Manchester, CALSPro shall establish e-mail accounts in Office 365 up to the amount allotted in the budget. The motion carried.

## Conference

Mark Manchester referenced the results of the SurveyMonkey that was included in the agenda packet. Conference netted over \$13,000.00 and was successful. The 2020 Conference will be in San Jose at the Hilton, and the association will need to work hard to attract attendees. Mark noted that perhaps the Paul Janney Education Fund can be used to support a paid speaker. The first committee meeting will be held in January.

Several board members had suggestions relating to education topics including *Dynamex*; the new Consumer Privacy Act; insurance; Writ; and handicap access to website. The dates of the conference are October 2-4, 2020 and it will be held at the San Jose Hilton Hotel.

The board requested that the conference survey link shall be posted on the website.

## NEW BUSINESS

a. 2020 Calendar – After consulting with Robert Porambo and Ken Hastings, Jenny Blevins announced the 2020 board meeting calendar as follows:

- 1) Tuesday, February 4, 2020 – Conference Call – 4:00 p.m.
- 2) Saturday, April 4, 2020 – In Person Meeting – LAX Area, to include a Legislative Committee meeting.
- 3) Tuesday, June 2, 2020 – Conference call – 4:00 p.m.
- 4) Saturday, July 25, 2020 – In Person Meeting – Oakland Area, to include a Legislative Committee meeting and a Rosenthal Committee meeting.
- 5) Tuesday, August 25, 2020 – Conference Call – 4:00 p.m.
- 6) Friday, October 2, 2020 – In Person During Conference – Late Afternoon
- 7) Saturday, December 5, 2020 – In-Person – Orange County Airport Area, to include a Legislative Committee meeting.

b. ServeNow article – no action taken.

## GOOD OF THE ORDER

Tom Bowman reminded the board of the association name change in 2007 from the California Association of Photocopiers and Process Servers to the California Association of Legal Support Professionals, and we are finally starting to get other legal support professionals involved.

78 years ago this day, 235 brave men and women gave their lives during the Pearl Harbor attack; Tom Alkema asked for recognition of those individuals and asked those who have served to please stand and thanked them for their service. Tom Bowman thanked Tom Alkema for this acknowledgement.



# New California Laws That Will Impact You in 2020

By Chad Barger, Legislative Chair

**D**ozens of new California laws went into effect in 2020, covering new workplace rules, housing restrictions and criminal justice.

Here's a list of 22 new laws that will impact you in 2020: (Unless otherwise indicated, the law took effect on Jan. 1, 2020.)

## Employment

### *AB 5 - Gig worker law*

The landmark labor law reclassifies some independent contractors as employees. It aims to provide new protections for so-called gig economy workers such as minimum wage, paid sick days and health insurance benefits. Organizations representing freelance journalists have already sued over the law and Uber has said it will not adhere to the changes.

### *SB 3 - Minimum wage increase*

The law raises the state minimum wage to \$13 an hour for workplaces with 26 or more employees and to \$12 for workplaces with fewer than

26 employees. The law outlines incremental minimum wage increases through 2023 when it will reach \$15 an hour for all workplaces.

### *AB 9 - Employment discrimination*

The law allows employees up to three years to file complaints of discrimination, harassment or retaliation with the Department of Fair Employment and Housing. Previously, employees had only had one year to file a complaint.

### *SB 142 - Protection for nursing mothers*

The law requires employers to provide clean and safe lactation rooms for breastfeeding mothers. Employers would have to "provide access to a sink and refrigerator in close proximity to the employee's workspace," the law says. It also requires the room be free of intrusion and that employers offer mothers breaks specifically for nursing.

### *SB 188 - Hairstyle discrimination*

The law protects employees from racial discrimination because of hairstyles, such as afros, braids, twists and locks.

### *SB 83 - Extending paid leave*

The law increases paid leave from six to eight weeks for people taking care of a seriously ill family member or to bond with a new child. It takes effect July 1, 2020.

### *\*AB 51 - Arbitration agreements (blocked on Dec. 30, 2019)\**

A federal judge temporarily blocked a new California law outlawing mandatory arbitration agreements that critics say can make it more difficult for workers to sue their bosses for sexual harassment.

## Environment and Animals

### *SB 8 - Banning smoking at state beaches*

The law bans smoking at all state beaches and parks, with a fine of \$25 per violator. It also makes it

*Continued on page 14*



illegal to toss a cigarette or cigar onto a state beach.

*SB 313 - Circus Cruelty Prevention Act*

The law bans the use of exotic animals like elephants in circus acts. It only allows dogs, cats and domesticated horses to be part of circus performances.

*SB 1249 - Animal testing on cosmetics*

The law bans the import and sale of cosmetics products in California that include ingredients that were tested on animals or was manufactured through animal testing.

## **Criminal Justice**

*AB 12 - Gun violence restraining orders*

The law expands who can petition a judge to confiscate someone's weapons if they believe that person may be violent. Existing law allows police, immediate family members and roommates to request a restraining order. The updated law allows employers, coworkers and teachers to be able to do so. The law goes into effect Sept. 1, 2020.

*SB 439 - Juvenile hall age*

The law changes the age minors can be to 12 in order for them to be sent to juvenile hall. A child under 12 would be released to their parent or legal guardian. The law does not apply to minors who commit murder, rape or great bodily harm.

*AB 32 - Bans private, for-profit prisons*

The law bars California from keeping prisoners in private, for-profit prisons and immigrant detention centers starting in 2028. Starting on

Jan. 1, 2020, the state cannot renew contracts with private prisons.

*AB 218 - Statute of limitations for childhood sex assaults*

The law gives victims of childhood sexual abuse until age 40, or five years from discovery of the abuse, to file civil lawsuits. The previous limit had been 26, or within three years from discovery of the abuse. It also suspends the statute of limitations for three years -- beginning Jan. 1, 2020 -- giving victims of all ages time to bring lawsuits if they wish.

*AB 602 - Deepfake porn lawsuits*

The law requires consent from a person before their likeness can be digitally reproduced in porn. It also gives people whose likeness was used in "deepfake" porn more options to sue in civil court.

*SB 273 - Domestic violence statute of limitations*

The law extends the statute of limitations to report domestic violence to law enforcement from one year to five years. The change would apply to domestic violence that happens on or after Jan. 1, 2020. It also applies to crimes for which the statute of limitations was in effect before Jan. 1, 2020 and had not run out. The law also requires more training for law enforcement on de-escalation techniques and interviewing victims in a different place from the suspect.

## **Education**

*SB 419 - School suspension*

The law prohibits schools, including charter schools, from suspending

students for willful defiance. That means if a student is acting up in class, teachers and school officials will not be able to suspend them from school. Students can still be suspended for violence or bringing a weapon or drugs to campus. Students in grades 9 to 12 could still be suspended for willful defiance -- but not expelled. The law goes into effect July 1, 2020.

*SB 354 - Grants for Dreamers for graduate programs*

The law expands the DREAM Loan Program. Now, Dreamers, undocumented youth who were brought to the U.S. as children, enrolled in programs for a professional or graduate degree at a public university can apply for state-funded grants.

## **Housing**

*AB 1482 - Rent Cap*

The law caps rent increases at 5% each year plus inflation for the next decade. The cap does not apply to property built within the last 15 years. It also requires landlords to provide just cause for evictions.

*SB 652 - Display of religious items*

The law prohibits property owners from stopping the display of religious items on a door or door frame of a dwelling.

## **Other**

*AB 539 - Interest rate cap*

The law caps interest rates at 36% above the U.S. Federal Reserve's main interest rate on loans between

*Continued on page 15*

\$2,500 and \$10,000. It aims to prevent predatory lending practices.

#### *SB 30 - Domestic partnership law*

The law gives heterosexual couples an alternative to marriage. It expands the option of a domestic partnership from same-sex couples to heterosexual couples. California law treats domestic partners and married people the same for tax purposes. But federal law does not recognize domestic partners. That could let some couples avoid the federal "marriage penalty," which is a higher tax resulting from when two people marry who have the same income.

#### *AB 577 - Maternal mental health care coverage*

The law expands coverage for maternal mental health from 60 days to one year for Medi-Cal patients.

### **Traffic**

Courtesy of the California Highway Patrol and Automobile Club of Southern California, here's the list of laws you will all need to follow beginning Jan. 1 (unless noted).

**Distracted driving:** Driving while using phones in a handheld manner is already illegal. Beginning July 1, 2021, a point will be added to a driver's record for each similar violation that occurs within 36 months of a previous conviction.

**Bike laws:** Bicyclists will be allowed to travel straight through a right- or left-turn-only lane at an intersection if a traffic signal indicates it's allowed. The California Department

of Transportation will develop appropriate lane striping, signage and pavement markings.

**Cannabis consumption:** Passengers cannot consume cannabis while riding buses, taxis, pedicabs, limousines, housecars or campers.

**DMV appointments:** Drivers will not be allowed to sell or offer to sell their DMV appointments, which are free and not meant for profiteering.

**Roadkill:** The California Fish and Game Commission will develop a wildlife salvage pilot program authorizing permits for removing and recovering deer, elk, pronghorn antelope and wild pigs for human consumption following a traffic collision.

**Foreign Service driver's licenses:** Licenses of those enlisted in the United States Foreign Service (and their spouses) are valid the entire time they're out of the state and for 30 additional days from when they honorably separate from service or return to California.

**Suspensions:** Unless authorized by law, courts and DMVs cannot suspend or delay someone's driving privilege if they're convicted of a crime that doesn't involve a Vehicle Code violation, unless the offense involved the use, or attempted use, of a vehicle.

**Used tires:** Automotive repair dealers need to visually inspect used tires to determine if they meet criteria of unsafe tires. If the tire is deemed unsafe, the dealer may not install it on a vehicle. The bill does not apply to tire repairs, rotation,

balancing, or a tire mounted on a wheel that is temporarily removed from a vehicle and reinstalled on the same vehicle.

**Domestic air travel:** Beginning October 1, 2020, a standard California identification won't get you on a domestic flight. You'll need a passport, military or other federally approved ID, or a California Real ID-compliant driver's license. Motorists must visit a DMV office in person to acquire a Real ID and provide several documents proving their identity, citizenship and residency. Travel experts are advising travelers to obtain a passport or Real ID well before Oct. 1 if they plan to fly around that time of year.

# Welcome New Members

**Juan Avina, Jr.**  
Legal Excel Network, LLC

**Lynnard Barnes**

**Travis Brody**  
Swoop Process

**Robert Hall**  
Haller2me Process Services



## CALSPRO COMMITTEES

ADVERTISING  
Michael Kern  
[mkern@directlegal.com](mailto:mkern@directlegal.com)

ASSAULT ADVISOR  
Tom Bowman  
[tbowman@sterlingmadison.com](mailto:tbowman@sterlingmadison.com)

BY-LAWS  
Tom Alkema  
[talkema@ronsinc.com](mailto:talkema@ronsinc.com)

CONFERENCE  
Mark Manchester  
[mark.manchester@rezacmeyer.com](mailto:mark.manchester@rezacmeyer.com)

CONTINUING EDUCATION  
Andrew Gowing  
[andrewg@janneyandjanney.com](mailto:andrewg@janneyandjanney.com)

DISPUTE RESOLUTION  
Jeremiah Jones  
877/353-8281  
[jeremiah@boscolegal.org](mailto:jeremiah@boscolegal.org)

FORMS  
Tony Klein  
415/495-4221  
[tony@attorneyserviceofs.com](mailto:tony@attorneyserviceofs.com)

LEGISLATIVE  
Chad Barger  
[cbarger@attorneyscertified.com](mailto:cbarger@attorneyscertified.com)

MEMBERSHIP  
Kristian Pujol  
[kpujol@onelegal.com](mailto:kpujol@onelegal.com)

NEWSLETTER  
Anita Pasillas  
[apasillas@rapidlegal.com](mailto:apasillas@rapidlegal.com)

TECHNOLOGY  
Jay Roll  
[jayr@janneyandjanney.com](mailto:jayr@janneyandjanney.com)

WEBSITE  
Jay Roll  
[jayr@janneyandjanney.com](mailto:jayr@janneyandjanney.com)



## SAN MATEO COURT IMPLEMENTS E-FILING

Effective January 21, 2020,

**Redwood City, CA** - In an effort to continue to improve service to the public and promote sustainability by reducing paper in the courthouse, the San Mateo Superior Court is implementing mandatory electronic filing (e-filing) for some case types, Court Executives Officer Neal Taniguchi announced.

As of January 21, 2020, San Mateo Superior Court requires that all parties, with the exception of self-represented litigants, electronically file into the following case types:

- Family Law
- Probate

Permissive e-filing is available for the following case types:

- Complex Civil
- Civil
- Small Claims
- Criminal

For more information about e-filing in San Mateo, including Local Rule 2.1.8 listing documents that cannot be electronically filed, please visit the Court's web site at [www.sanmateocourt.org](http://www.sanmateocourt.org).

### CALSPRO 2019-2020 Officers

#### **PRESIDENT**

**Robert Porambo**

619/549-4853 – ph

619/685-4294 – fax

[president@calspro.org](mailto:president@calspro.org)

#### **VICE PRESIDENT**

**Ken Hastings**

951/296-2669 – ph

951/296-2770 – fax

[vicepresident@calspro.org](mailto:vicepresident@calspro.org)

#### **SECRETARY/TREASURER**

**Andrew Gowing**

213/628-6338 – ph

213/628-6338 – fax

[secretary@calspro.org](mailto:secretary@calspro.org)

### 2019-2020 Board of Directors

#### **Chad Barger**

661/327-8022 – ph

661/327-8179 – fax

[cbarger@attorneyscertified.com](mailto:cbarger@attorneyscertified.com)

#### **Larry Kirlin**

559/233-1993 – ph

888/943-1355 – fax

[lkirlin@firstlegalsupport.com](mailto:lkirlin@firstlegalsupport.com)

#### **Robert Porambo**

619/549-4853 – ph

619/685-4294 – fax

[rporambo@knoxservices.com](mailto:rporambo@knoxservices.com)

#### **Tom Bowman**

408/295-3300 – ph

408/491-9772 – fax

[tbowman@sterlingmadison.com](mailto:tbowman@sterlingmadison.com)

#### **Mark Manchester**

213/481-1770 – ph

213/481-9957 – fax

[mark.manchester@rezacmeyer.com](mailto:mark.manchester@rezacmeyer.com)

#### **Kristian Pujol**

805/650-9291 – ph

805/658-8170 – fax

[kpujol@onelegal.com](mailto:kpujol@onelegal.com)

#### **Andrew Gowing**

213/628-6338 – ph

213/628-6338 – fax

[andrewg@janneyandjanney.com](mailto:andrewg@janneyandjanney.com)

#### **Dan Mora**

916/672-6924 – ph

559/805-9571 – fax

[dan@gemini.legal](mailto:dan@gemini.legal)

#### **Jay Roll**

714/953-9451 – ph

[jayr@janneyandjanney.com](mailto:jayr@janneyandjanney.com)

#### **Ken Hastings**

951/296-2669 – ph

951/296-2770 – fax

[kenh@hastingsls.com](mailto:kenh@hastingsls.com)

#### **Anita Pasillas**

909/664-9565 – ph

909/597-9178 – fax

[apasillas@rapidlegal.com](mailto:apasillas@rapidlegal.com)

Legislative Advocate

**Michael D. Belote, Esq.**

Administrator

**Jennifer Blevins, CMP**

[jennifer@caladmanagement.com](mailto:jennifer@caladmanagement.com)

Membership/Co-Administrator

**Stephanie Schoen**

[stephanie@caladmanagement.com](mailto:stephanie@caladmanagement.com)

Publications

**Jen Gross, CMP**

[jen@caladmanagement.com](mailto:jen@caladmanagement.com)

Communications

**Maddy Dowler**

[maddy@caladmanagement.com](mailto:maddy@caladmanagement.com)

Webmaster

**Michael Cochran**

[michael@caladmanagement.com](mailto:michael@caladmanagement.com)

Advertising /CCPS

**Natalie Sinclair**

[natalie@caladmanagement.com](mailto:natalie@caladmanagement.com)

Accounting

**Tricia Schrum, CPA**

[tricia@caladmanagement.com](mailto: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](http://www.calspro.org)

E-mail: [info@calspro.org](mailto:info@calspro.org)