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California Association of Legal Support Professionals

“Sewer Service” Bill

GPS Pictures, Re-Defining Due Diligence, Vacating
Default Judgments Due to Non-Compliance, and More!

— Analysis of AB 747 on page 9



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President's Message

KRISTIAN PUJOL
2025 CALSPro President

Get Involved and Problems Solved

This year is off to a very busy start for all CALSPro committees and cornerstones. In addition to our yearly kick-off meetings, budget planning, membership renewals, and newsletters, both our Legislative and Educational cornerstones have been extremely active on your behalf. Our financial numbers are strong from last year's successful membership drive and conference turnout, so you should be very pleased with CALSPro's efforts to address post pandemic attrition and bounce back two years in a row with increased revenue sources and a balanced budget. As a result, this year we shifted the focus on our core mission goals to continue our growth and professionalization through continuing education initiatives, membership (of course), and legislative protections.

Our legislative committee became instantly preoccupied with the passage and implementation of AB 2837 requiring verification of address within the past 12 months on all debt collection, judgement enforcement, wage garnishments, and bank levies. Since the new change to 684.130 CCP requires the judgement creditor to provide the levying officer a declaration (as of January 2025), several CALSPro board members generated a temporary form while the issue was addressed with the Sheriff's association. The result was an update to several Judicial Council forms along with Sheriff's Instructions SER-001 and SER-001A (as of February 2025). Once again, CALSPro volunteers led the charge in finding

both a short and long-term solution to this change in the legal process, helping consumers ensure they are provided current notification on post-judgment enforcement.

Most importantly this year, is the "sewer service" topic and potential legislation we reported previously in the January eNewsletter, also discussed during our annual conference in Sacramento, and at length at several of our Board Meetings since then. In January a survey was sent out



to the membership concerning a preferred approach to potential sewer service legislation resulting in overwhelming support to be "proactive." Despite this, we had several board members concerned about some of the suggestions made to combat sewer service allegations (such as location photos and/or GPS tracking for service events) and when we learned from the opposition that legislation was not being pursued this year in lieu of budget restrictions due to wildfire relief etc., we decided to hold off and work with

together with the consumer groups for a potential bill next year.

To our dismay on February 19th the consumer groups introduced Assembly Bill 747 pertaining to Registered Process Server B&P Code 22350. Who knew politicians could lie? Since then, our legislative committee and legislative advocates have not stopped their efforts to communicate with the bill's author to ascertain and discuss the details of "their" upcoming proposed changes for RPS rules, service requirements, and potential regulatory practices. We are taking this bill very seriously since it questions the veracity of our affidavits, professional practices, and has the potential of altering SOP rules California in the direction of RMAI requirements and/or New York style DCWP regulations. We will be monitoring and working on your behalf to defend against any AB747 proposed requirements that are uncondusive to the legal community and our state's budget.

On the education front, with the mission goal of continuing to grow and professionalize our industry, the Continuing Education committee has been devoting extra time in updating CCPS course materials and increasing our knowledgebase for expanded CALSPro offerings and industry benefits. Committee chairman Jeremiah Jones and team have been working on new materials with the aim to offer new incoming servers

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Capitol Report



MICHAEL D. BELOTE, ESQ. &
CLIFF COSTA, ESQ.
California Advocates, Inc.

The Intersection of Law and Technology

Law tries to keep pace with technology, but technology always wins. Reportedly California legislators, unhappy about the inability to enact consumer guardrails quickly enough during the advent of social media, are determined not to experience the same fate with artificial intelligence. But it is almost certainly a fight they cannot win, especially at the state level.

Thus it is that of the 2350 new bills introduced in Sacramento for the 2025 legislative year, a sizable number relate to such technology issues as automated decision systems, generative artificial intelligence, algorithmic pricing, use of bots, deepfakes, AI use by children, and much more. But even though legislators can create law much more quickly with statutes than judges can with court decisions, technology is already busy inventing the next big thing, always.

Technology issues in the legislature can intersect with process serving as well. With the advent of GPS, cell phones can indicate with extreme precision where a server (or at least the phone) was when an attempt was made, and a photo can be time and location-stamped to document the server's presence at a given location. At least of couple of states have already proposed or enacted legislation in this area, and legislators love to mimic language from other states.

California may hop on the bandwagon in 2025. On February 18, Assembly Member

Ash Kalra introduced AB 747, a "spot bill" relating to process serving. Spot bills are bills which make no substantive change in the law of any sort when they are first introduced; these bills merely hold a "spot" as legislators consider exactly what substantive language should be included later. Substantive language is typically added within a few weeks after spot bills are introduced.

As Chair of the Assembly Judiciary Committee, Mr. Kalra has great influence in the Capitol over bills relating to the judicial process. He also is a lawyer, although his professional experience as a deputy public defender is in the criminal arena. CALSPro has worked well in the past with Mr. Kalra and the Judiciary Committee staff.

As of this writing, we have not yet seen the actual language Mr. Kalra intends to amend into AB 747. We have been told, however, that the bill was generated by concerns about "sewer service," particularly in the context of debt collection actions. Separately, Mr. Kalra's staff indicated that although the initial concern related to collections, for consistency the bill is likely to relate to service in all civil actions, regardless of case type.

CALSPro leadership is well aware of issues which have arisen in other states which have enacted laws requiring servers to document date, time and location electronically. As with virtually all laws, the details and wording of any proposal in this area really matter. Unreasonable

requirements on servers can make it more difficult and expensive to serve process. And the details of enforcement for noncompliance really matter as well. If some sort of auditing program is proposed, for example, enormous new costs could be imposed on whatever government entity is responsible for ensuring compliance.

Without having seen actual language, perhaps it is too early to speculate, but certainly public policy would suggest that geolocation documentation requirements should apply uniformly to anyone authorized to serve process.

In general, California has been spared from the allegations of widespread failures to complete service which have been leveled in other states. We have not heard from lawyers or judges about widespread motions to quash, for example. On the other hand, in a legislative world where to some degree "perception is reality," contentions from public interest law groups about irregularities of service in collections cases need to be taken seriously and discussed forthrightly.

CALSPro has been through the crucible of technology challenges before, going all the way back to the fax debates in the 1980s. When the language comes out for AB 747, the CALSPro Legislative Committee and Board will be ready to act.

That's why we're here. ●



Legislative Update

CHAD BARGER, CALSPro Legislative Chair

The 2025-2026 legislative session has started with a bang. Your dedicated legislative team has begun reviewing and identifying any new legislation that may possibly affect our industry. Kristian and I have assembled a powerhouse committee. Your legislative champions are, Jackie Janney, Andy Estin, Tony Klein, Michael Kern, Jeff Karotkin, Kristian Pujol, and Chad Barger. From tackling issues like “sewer service” to addressing registration shifts to the California State Bar, we have a full agenda.

Sewer Service Issue

In our December 2024 board meeting, the committee and our advocates received authorization to engage with consumer groups that were considering proposing legislation potentially unfavorable to our industry. The key organizations involved were the East Bay Community Law Center (Consumer Justice Clinic) and the California Low-Income Consumer Coalition (CLICC). Despite multiple outreach efforts, we were informed that they have decided not to advance any legislation this year and will be directing their focus elsewhere.

Armed with this insight, the board decided to pause the introduction of our own legislation. Instead, we’ll focus on refining our proposal and strengthening collaborations with consumer groups throughout the coming year.

In recent days, a new bill, AB 747, was introduced, aiming to implement gender

neutrality changes to Business and Professions Code 22350, which mandates registration for process servers. However, we’ve learned that upcoming amendments will introduce new regulations for the process serving industry that could radically change how process servers do business. This bill is sponsored by Assembly Member Ash Kalra, who previously sponsored AB 2347, targeting the presumption of facts in process servers’ affidavits. Last year, CALSPro successfully intervened to have similar language removed.

As soon as the new language for AB 747 is released, our advocates will engage with the bill’s sponsor to initiate discussions. In the meantime, CALSPro is closely monitoring the situation and will keep you updated on any developments. Your interests are our priority, and we’re committed to transparent and timely communication.

New Legislation 2025-2026

As thousands of bills flood into the state legislature each year, our vigilant team is on high alert! The deadline for bill introductions is Friday, February 21, 2025. Post-deadline, our dedicated advocates and legislative committee will spring into action, identifying bills with potential impacts on our industry and engaging with their sponsors. We’ve already pinpointed several key bills and are committed to staying on top of any new developments.

Stay informed and check out our active legislation tracker to see which bills we’re

monitoring: (<https://ctweb.capitoltrack.com/public/publish.aspx?id=9AD1D064-F089-4A01-8423-0F04F5AF9EB9>)

New Writ Declaration

In 2024, Assembly Bill 2837 became law, bringing a key new requirement for judgment creditors. Before any action, you must now submit a detailed declaration to the levying officer, confirming that you’ve verified the debtor’s address with reasonable diligence within the past year. Here are some methods you can use:

- (A) Receipt of correspondence from the judgment debtor, dated no more than 12 months before the execution of the declaration, that includes a return address or other comparable verification of the judgment debtor’s address.
- (B) Transmittal of a letter by certified mail, or other method of transmission through the United States Postal Service providing a return receipt, to the judgment debtor’s address, with a return receipt dated no more than 12 months before the execution of the declaration that is signed by the judgment debtor.
- (C) Verification of the judgment debtor’s current address by a commercial address verification service, including skip-tracing, or, if reasonably available, a public record database, followed by dispatch of a letter, by first-class mail to the verified address, that was not returned to sender.

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Membership Update

MATT JANNEY, CALSPro Membership Chair

Save Time with Automatic Renewal

In December 2024, we processed automatic renewals for CALSPro memberships. While 68 out of 134 memberships were successfully renewed, 66 (49%) have not yet been renewed.

I encourage you to consider enrolling in the automatic renewal option for your membership if you haven't already done so. This option significantly assists our

CALSPro staff and facilitates our planning process.

In February, I sent a reminder email to all members whose memberships were due for renewal. In that email, I introduced myself as the membership chair and emphasized the importance of renewing your membership as soon as possible. This communication was very positive,

prompting a few members to renew and even alerting us to a check that had not reached the home office.

Finally, I would like to express my gratitude to Larry Kirlin for his invaluable help and guidance during my first few months as membership chair. He has been very responsive and accommodating in answering my many questions. 🙏





Continuing Education Report

JEREMIAH JONES, CALSPro Education Chair

Expanding Education: Enhancing CALSPro for 2025

The **Continuing Education Committee** has been hard at work improving and expanding CALSPro’s educational offerings for 2025. We kicked off the year with our **first CCPS workshop**, setting the stage for a year of enhanced training opportunities.

One of our major initiatives has been completing **revisions to the CCPS workshop curriculum**. These updates ensure the material remains relevant, practical, and aligned with current industry standards. While some changes to the workshop have already been implemented, there are more in the works. If you haven’t

attended a CCPS workshop recently, we encourage you to join one of our upcoming sessions to experience the improvements firsthand.

Beyond CCPS, we’ve made progress towards **developing an “Introduction to Service of Process” course** designed for new process servers and office staff. While the course is still in development, we are actively researching the best platforms and delivery methods to ensure it is **accessible, engaging, and effective**.

Additionally, we are laying the groundwork for **a series of specialized training videos**

that will focus on key aspects of process serving. These videos will offer **on-demand, topic-specific training**, making it easier for members to sharpen their skills at their own pace. We are currently exploring the best ways to host and distribute these videos.

As we refine these programs, our goal is to provide **high-quality, practical education** to support both new and experienced professionals in the process serving industry. Stay tuned for updates, and be sure to check out an upcoming CCPS workshop to see our latest improvements in action!

We are also excited to announce the newly certified CCPS professionals who successfully passed the test during our most recent workshop:

- | | |
|-----------------------|--------------------------|
| Cara Burkdall | Erika Patterson |
| Jeffrey Garner | Kathryn Paz |
| Brandon Heggem | Malorie Rodriguez |
| Carson Hinton | Crystal Salcido |
| Larry Kirlin | Melissa Weaver |
| Armand Lagat | Jennifer White |
| John Llamas | Nichole Wynn |
| Erik Luna | |

Congratulations to each of these individuals for their hard work and commitment to professional excellence. 🎉





Conference Update

DAN MORA, **CALSPro** Conference Chair

Save the Date! September 19-20, 2025

CALSPro's 57th Annual Conference is scheduled for September 19-21, 2025 at The Westin Long Beach. Mark your calendars.

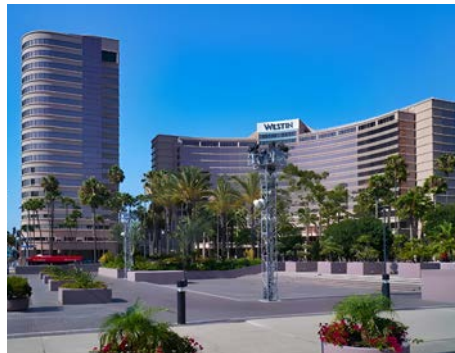
Our goal is maximum participation. To achieve this, we're planning the best education opportunity for process servers in California. CALSPro has over 50 years of rich and productive legislative advocacy. Industry leaders will gather and share their best practices. Network and promote your business to other process servers.

We need your feedback. What topics do you need to hear about? We are currently developing our education agenda. We need to hear from you so we can make this year's education better than ever.

Want to participate? Please join our committee. Here are some opportunities for you to get involved:

- Write promotional copy
- Participate in an education panel
- Help get members registered
- Lead the Friday social event
- Promote sponsors and vendor
- Recruit new members
- Plan the silent auction
- On-site logistics
- Follow up contact

Please email me at dan@gemini.legal with your ideas or questions. 📧



JOIN US !

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More details can be found at www.napps.org/UpcomingEvents



**CHANGES
AHEAD**

Analysis of AB 747



TONY KLEIN

Forms Committee Chair

Last month a bill was introduced to amend the Registered Process Server Act, Business and Professions Code § 22350, et seq., and other code sections.

The proposed bill inserts minor changes.

As of this writing, the bill has not been officially amended and published. We obtained a series of proposed amendments to the bill which, if enacted, will result in a number of substantive changes to the laws; not only the registered process server statute, but other service of process laws, the Evidence Code, and grant an unlimited ability to challenge the service event.

The proposal will

- Affect the rebuttable pre-sumption status of a proof of service signed by a registered process server, negating the prima facie evidence of its validity under Evidence Code § 647
- Require the process serving agency and individual process server to register in each county where service is effected
- Require each proof of service to include:
 - Time stamped photo of the date and time of service, impliedly, attempts to serve;
 - GPS location of the place of service;
 - A copy the agency's and server's RPS identification card evidence.
 - This also includes service by mail by notice and acknowledgement of receipt
- Each photo must be of the actual door of the unit – not just the entrance, gate, or common area

- It would bar a default judgment to be entered for any proof of service that does not accompany a photo, GPS coordinates, and a copy the agency's and server's RPS identification card(s)
- It would define due diligence requirements, and pre-empt local court rules regarding due diligence
- Mandate due diligence for service of a notice to a tenant, and one attempt must be made at a residence, even for commercial tenants whose residence is often unknown
- The amendment will invalidate the service if the server violates the registration requirements, regardless of whether the defendant receives actual notice of the lawsuit
- The defendant may move to vacate a default judgment forever to invalidate the service for non-compliance
- These requirements will not apply to those who are exempt from registering as a process server.

Our advocates and legislative team are closely monitoring this bill and have already reached out to schedule meetings with its sponsors. In the coming weeks, stay tuned for an e-Blast with details on how you can get involved and support our efforts to oppose this industry-altering legislation. 🗣️

Cyber Liability Exposure for California Process Servers:

What You Need to Know



LARRY SUKAY, CCPS
Acrisure Insurance

In today's increasingly digital world, businesses of all types face a growing risk of cyberattacks, and California Process Servers are no exception. Process Servers, tasked with the critical responsibility of delivering legal documents, often manage sensitive and personal data. This includes names, addresses, contact information, and sometimes even financial and legal records. As custodians of such information, Process Servers are prime targets for cybercriminals. A breach in security could lead to severe financial and legal repercussions. Understanding cyber liability exposure and implementing the right protections is essential to safeguarding both business operations and client trust.

What Is Cyber Liability?

Cyber liability refers to the risk of financial loss, reputational damage, and legal consequences resulting from a cyber event such as a data breach, malware attack, or phishing incident. For Process Servers, cyber liability is particularly significant due to the personal and legal nature of the data handled daily. A breach could not only disrupt operations but also expose servers

to lawsuits, fines, and regulatory penalties for failing to protect sensitive information.

Key Cybersecurity Risks for Process Servers

1 Data Breaches

Process Servers handle highly confidential client information, which makes them an attractive target for hackers. A breach could result in unauthorized access to private data, leading to identity theft, financial fraud, or legal consequences. The responsibility for safeguarding this information falls squarely on the process server.

2 Phishing and Social Engineering

Phishing scams, where cybercriminals pose as legitimate entities to trick recipients into revealing sensitive information, are a common tactic used against small businesses, including process servers. These attacks often lead to compromised email accounts or malicious software being installed on systems, further exposing sensitive client data.

3 Ransomware Attacks

Ransomware is a particularly devastating form of cyberattack in which hackers gain access to systems and lock or encrypt files, demanding payment in exchange for restoring access. If a Process Servers' database is locked, they could lose vital records and be unable to serve legal documents effectively.

4 Employee Error

Employees of process serving companies may unintentionally expose data to cyber threats. From falling for phishing scams to mishandling sensitive information, human error is a leading cause of cybersecurity incidents. Having employees properly trained in cybersecurity best practices is essential to minimizing risk.

Regulatory Compliance and Legal Liability

In California, the legal landscape surrounding data breaches is stringent. Process Servers are subject to both state and federal data protection laws, including the California

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Consumer Privacy Act (CCPA). Failure to comply with these regulations can result in steep penalties. If a Process Servers fails to implement adequate cybersecurity measures and a data breach occurs, they may face lawsuits from affected individuals and regulatory fines from government agencies.

Under the CCPA, consumers have the right to know what personal information is collected and how it's used, as well as to request the deletion of their data. If this information is breached or mishandled, process servers can face significant liabilities. Furthermore, if they work with law firms or other legal professionals, they must ensure that data security measures align with industry standards and expectations.

The Role of Cyber Insurance

Given the heightened risk, cyber liability insurance is becoming a must-have for California Process Servers. Cyber insurance can cover various expenses associated with a cyberattack or data breach, including legal fees, notification costs, credit monitoring services for affected individuals, and even ransom payments in the case of ransomware attacks.

A comprehensive cyber insurance policy typically includes:

First-party coverage, which covers the business's direct losses, including data recovery costs and lost income from business interruption.

Third-party coverage, which covers liabilities to clients or others affected by a data breach, including legal defense costs and settlements.

It is crucial for Process Servers to evaluate their cyber insurance needs based on the volume and type of data they handle, as well as the specific risks they face in their daily operations.

Mitigating Cyber Liability Exposure

To minimize exposure to cyber liability, process servers should take proactive steps to secure

their data and systems. Here are several best practices:

1 Encrypt Sensitive Data

Encryption ensures that even if data is intercepted, it cannot be easily read or misused. All sensitive information should be encrypted both in transit and at rest.

2 Implement Strong Password Policies

Weak or reused passwords are a common entry point for hackers. Process Servers should enforce strong password policies and consider using multi-factor authentication (MFA) for added security.

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Advertising

ESTEBAN PUJOL, **CALSPro Advertising Chair**

It's Renewal Time!

Happy New Year! It's that time again – we're reaching out to our valued advertisers to encourage you to renew your advertising options. This is a great opportunity to promote your company and services while continuing to support CALSPro. Your continued sponsorship plays a crucial role in advancing our mission and preserving the strength of the legal support industry.

Please log into the members only section, locate the **"Advertise with Us"** on the side tab to get started.

Advertising options:

• **Banner Ads:**

These rotating ads appear on every landing page of the CALSPro website. When clicked, they redirect users to your company's website, maximizing visibility and traffic.

• **Newsletter and E-News Ads:**

Released five times a year via email, these contain clickable advertisements that direct users straight to your website, ensuring target exposure.

• **NEW – E-Blasts:**

Perfect for urgent or specific announcements, such as job postings, office relocations, or introducing new services. Share your message directly

with CALSPro members for immediately visibility.

• **NEW – CALSPro Classifieds:**

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- Full Page x 5 - (8 1/2" x 11") - \$1250.00
- 3/4 Page x 1 - (7 1/2" x 5 1/2") - \$205.00
- 3/4 Page x 5 - (7 1/2" x 5 1/2") - \$900.00
- 1/2 Page VERTICAL x 1 - (3 1/2" x 9 1/2") - \$155.00
- 1/2 Page VERTICAL x 5 - (3 1/2" x 9 1/2") - \$650.00
- 1/2 Page HORIZONTAL x 1 - (7 1/2" x 4 3/4") - \$155.00
- 1/2 Page HORIZONTAL x 5 - (7 1/2" x 4 3/4") - \$650.00
- 1/4 Page x1 - (3 1/2" x 4 3/4") - \$90.00
- 1/4 Page x 5 ((3 1/2" x 4 3/4") - \$400.00
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- Business Card Size x 5 - (3 1/2" x 2") - \$300.00

File

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E-Blasts

President's Message

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and office administrators with varying levels of experience more online resources. This is a result of our efforts to financially sustain our association while appealing to and educating a new workforce for present and future legal support fulfillment and association membership.

Our past conferences have had great success in both educational content and turnout. This year's conference in Long Beach is going to be very exciting and engaging as we already have an established date and venue allowing the conference committee to have a head start on event planning and socialization. With AB747 and ongoing topics like the use of technology for verification and compliance, it is going to be a very interesting discussion amongst the membership to help propel us into the next epoch of process serving.

This time of year, I am always encouraging everyone to help us recruit more members. The membership committee works hard to ensure continuity and growth, but it is up to all of us to grow our network and garnish support for our business interests. It is CALSPro's incentive to have a wide variety of insight and expertise from its membership in allowing us to be comprehensively well-representative while navigating ongoing changes and challenges in our state making an impact on our profession.

Apparently, we had non-CALSPro members reach out to us earlier this year regarding the sewer service issue. I implore you to please ask your colleagues to join CALSPro (especially since we offer affordable membership options), engage and contribute to the discourse, and participate directly by volunteering and/or attending conferences, board meetings, education seminars, etc., and help support your state association which is our main vehicle for our professional advancement and protection against adverse legislation. ●



Legislative Update

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The levying officer shall not accept or serve any writ, order, notice, or other paper on any person if the judgment creditor fails to provide a declaration as described in paragraph (2).

There's been some confusion within the legal community about drafting declarations to meet the new requirement. However, I've received word from two sheriff departments that the Judicial Council is currently developing a form to address this need. We'll keep you updated as more information becomes available.

New IRS Mileage Rate

Starting January 1, 2025, the IRS standard mileage rate for business-related transportation or travel expenses has increased to \$0.70 per mile, up from \$0.67. For process servers, where driving is integral to the job, this additional three-percent deduction can help offset some taxes. Remember to consult a tax professional to understand how this change impacts your specific situation.

New Laws for 2025

Each year, hundreds of new laws take effect in our great state. Below are a few links to reliable news sources who are pointing out some of the laws that affect us.

California Courts Newsroom: <https://newsroom.courts.ca.gov/news/new-california-laws-going-effect-2025>

CBS News: <https://www.cbsnews.com/sacramento/news/california-new-laws-2025-january/>

It remains my great honor to serve on our legislative committee. Alongside my co-chair, Kristian Pujol, we are committed to doing what's best for our association and will tirelessly advocate to ensure our future success. Your comments and support are invaluable to us. Thank you for being part of this journey! ●

Sincerely,



Chad Barger, Legislative Committee Co-Chair

Cyber Liability Exposure

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3 Regularly Update Software and Systems

Outdated software can contain vulnerabilities that cybercriminals exploit. Regular updates and patches ensure that systems remain secure against the latest threats.

4 Employee Training and Awareness

Educating employees about common cyber threats, such as phishing, and establishing clear protocols for handling sensitive information can significantly reduce the risk of human error leading to a breach.

5 Backup Data Regularly

In the event of a ransomware attack, having up-to-date backups allows Process Servers to restore their systems without needing to pay a ransom.

6 Incident Response Plan

Having a clear incident response plan in place ensures that process servers can quickly and effectively respond to a cyberattack, minimizing damage and downtime.

Conclusion

Cyber liability is an increasing concern for California Process Servers who handle sensitive legal and personal information. From ransomware attacks to employee errors, the potential exposure to cyber threats is real and growing. By understanding the risks, complying with regulatory standards, investing in cyber insurance, and implementing robust cybersecurity measures, Process Servers can protect their businesses from the devastating consequences of a cyberattack. In an era where digital threats are as dangerous as physical ones, preparation is key to ensuring the safety and security of both Process Servers and their clients. ●

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CALSPro Member Since 2019

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