OFFICER

caparalegal.org

Bfin

California Alliance of Paralegal Associations

THE OFFICIAL PUBLICATION OF THE CALIFORNIA ALLIANCE OF PARALEGAL ASSOCIATIONS

SNAPGHATAS EMIDAGE CAPATO LAUNCH C

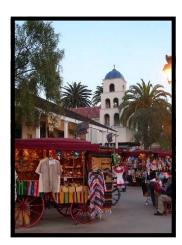
Cambria, CA

TABLE OF CONTENTS

WINTER/DECEMBER 2016 | CAPARALEGAL.ORG

FEATURES

- 13 Your 2017 CAPA Elected Officers
- 15 Construction Defect Paralegal Toolbox
- 18 Service of Process via Twitter?
- 20 Snapchat as Evidence



IN EVERY ISSUE

- 3 President's Message5 Treasurer's Report
- 14 Member Associations
- **19** Sustaining Members
- 23 Member Benefits
- 24 RECAP Advertising Rates/ Deadlines

IN THIS ISSUE

- 11 CAPA: The Millennium
- 12 SAVE THE DATE: CAPA EDUCATIONAL CONF. 6/24/2017
- 13 CAPA to Launch CA State Specific Certification
- 15 Get Your Ask On
- 21 Paralegal of the Year Selection Guidelines 2017

IN THE NEIGHBORHOOD

- 4 SVPA & SPA
- 5 SDPA
- 6 PASCCO 7 CCPA
- 8 REAP & VCPA



CAPA • 501 W. Broadway, Ste. A-162 • San Diego, CA 92101

2 | RECAP WINTER/DECEMBER 2016 | caparalegal.org





2016 COMMUNICATIONS COMMITTEE CHAIRS

RECAP EDITOR Sara M. Lutz, CP caparecap@caparalegal.org

WEB DIRECTOR Makala Reha, ACP website@caparalegal.org

CONFERENCE CHAIR Connie Johnson conferenceinfo@caparalegal.org

LIAISONS TO THE CA STATE BAR

State Bar Nancy Woods

Law Practice Management & Technology Section Makala Reha, ACP

BOARD ADVISORS EMERITUS

Hazel Lange, CLA hlange@attglobal.net Jon Montgomery, CLA jonmontgomery@paulhastings.com Trudy McQuiddy, CP boardadvisor@caparalegal.org

PRESIDENT'S MESSAGE

Dear CAPA Board & Members,

I would like to express my sincere gratitude and appreciation for your generous contributions of your time, talent and treasure to Team CAPA. We simply could not have experienced the success that we have over the past years without each one of you.

First, thank you to our Board Advisor, Trudy McQuiddy, CP, and officers Sara Lutz, CP, Julie Schwartz, Bernice Meisner and Connie Johnson for their support, dedication, commitment, drive and passion for our profession and Team CAPA. Makala Reha, ACP as our webmaster has also been an enormous help. To all of our member associations and representatives of CCPA, FPA, ICAP, KCPA, LAPA, PASCCO, REAP, SVPA, SDPA, SFPA, SPA and VCPA, a heartfelt THANK YOU for all you have done and continue to do!

What an incredible journey this has been for the past two years serving you as your President. I am humbled and honored to have been entrusted with leading such a dynamic team. We have seen CAPA, and each other, grow and evolve. Together, we have streamlined the transition of CAPA representatives within our team by creating an online board portal to access our documents and preserve our history. We automated the registration to our annual education conference and provided a better conference experience with an app to connect attendees and provide conference materials and information in any easy-to-access platform. We invested in an online meeting application to allow for our team to meet throughout the year despite our geographic challenges. We redesigned our guidebook to have a fresh look and made it available for purchase online through Amazon. We even developed on online leadership academy to <u>*G*</u>row <u>*O*</u>ur <u>*A*</u>ssociation <u>*L*</u>eaders (GOAL). And we continued our important work of developing and maintaining alliances with collaborative organizations such as the State Bar, AAfPE, NFPA and NALA.

But there is still much work to be done, and we need you! Our profession needs the best and the brightest to carry the torch and lead the way. I am excited for the future of CAPA. I will be your constant champion and will proudly carry the honorable title of past CAPA President as I close the chapter of my final term. I wish you all the best of luck in all future endeavors. Onward and upward, Team CAPA!

Warm regards,

Kristine M. Custodio

Kristine M. Custodio, ACP President





Kristine M. Custodio, ACP, is a Senior Paralegal/Business Development Director for Butterfield Schechter LLP. She is a member of the Association of Legal Administrators-San Diego Chapter, the National Association of Legal Assistants*Paralegals (NALA) Liaison for the San Diego Paralegal Association, President of the California Alliance of Paralegal Associations, and member of the NALA Continuing Education Council. She was a runner up for the 2008 LAT Paralegal of the Year and, in 2009, was a finalist for the San Diego Daily Transcript's "Top Paralegal" award. She was recently reappointed as a Commissioner for the City of San Diego's Citizens Equal Opportunity Commission, is a member of the University of San Diego Paralegal Program's Advisory Board and serves on the Rancho Peñasquitos Town Council. She is also the Secretary of the Filipino American Chamber of Commerce of San Diego County. Kristine authored a chapter in a leadership book that was published in 2014. She is also a frequent speaker throughout the nation at various events and paralegal programs. Kristine may be reached at <u>president@caparalegal.org</u>.

A collection of activities and updates from the statewide paralegal association members

SVPA - Sacramento Valley Paralegal Association

SVPA has been busy busy in 2016! Our monthly MCLE luncheons have seen a jump in attendance with such popular topics as June's Wine, Beer & Spirits (and Cannabis?) Law, Effective Communication the Legal Profession (July), Program & Debt collection Defense, Bankruptcy Clinic, and an Employment Law Clinic (August).

Two of these events were free to SVPA members compliments of our fabulous sustaining members and the efforts of our Board.



SVPA held its Annual MCLE Seminar in October. This year focused on ethics and attendees were able to obtain four (4) hours of ethic MCLE credits in one afternoon. The event also kicked off our "Three for Free" membership drive. Any new member who joins SVPA in October through December will receive their applicable benefits for the rest of 2016 through 2017.

SVPA's Annual "Pay it Forward" Student Event was held on Nov. 12, 2016. This educational event is designed to help paralegal students jump into the profession. Information on resume building and interviewing techniques specific to the field, and crucial to landing that first job, was presented by experts in those fields. SVPA also awarded three well deserving participants with educational scholarships.

SVPA's recently formed a "Pro-Bono" & "Volunteer Committee" which recently assisted Volunteer Legal Services of Northern California with their annual funding event and has been busy planning new ways to give back to the community.

SVPA's Paralegal Student Shadowing Program (PASS) continues to be very popular. "Shadowing" a working paralegal allows a students to gain an inside perspective and make valuable connections. SVPA continues to expand the list of participating law firms in order to meet the demand opportunity available only to SVPA Student Members. For more information contact <u>sacvalleypa@gmail.com</u>. \ll

SPA - Sequoia Paralegal Association

SPA held its elections for 2017 in October. Jennifer Black will be returning as President. Nicol Dennewitz will be the new Vice President. Susan Simon was elected the new SPA Secretary, and Janie Anderson will return as Treasurer. Nancy Woods and Kari Martin-Higgins were reelected CAPA Primary and Secondary. Lanita Wisenant was also reelected as SPA's liaison to the College of the Sequoias. SPA is excited to participate in CAPA's efforts to provide an examination for a California State certification specific to paralegals.



Sequoia

SPA is also working with Kern and Fresno Counties to host the 2017 CAPA Education Conference on June 24, 2017. SPA will host its holiday meeting December 7th where the Paralegal of the Year Award will be given as well as enjoying a chocolate exchange between the members. For more information visit <u>http://www.sequoiaparalegals.org/</u> \ll



4 | RECAP WINTER/DECEMBER 2016 | caparalegal.org



2016 EXECUTIVE BOARD

PRESIDENT Kristine M. Custodio, ACP president@caparalegal.org

VICE PRESIDENT OF POLICY Sara M. Lutz, CP

vppolicy@caparalegal.org

VICE PRESIDENT OF ADMINISTRATION

Julie Schwartz vpadmin@caparalegal.org

SECRETARY Connie Johnson secretary@caparalegal.org

TREASURER Trudy McQuiddy, CP *interim* <u>treasurer@caparalegal.org</u>



SDPA - San Diego Paralegal Association

San Diego has been full speed ahead and continues to entertain and surprise its members with on-point and leading-edge CLE and events.

On Wednesday, November 2, 2016, SDPA hosted its annual Friendsgiving event, and annual meeting. During this event we offered members an in-person opportunity to vote in its elections, if they had not done so already online.



SDPA is pleased to announce Julie Schwartz as president for 2017, Alicia Aqunio as VP of Programs and Education, Angela DeSaracho as Secretary and Directors, Michelle Champine, CP, Andrew Che, Kristine Custodio, ACP, Angela DeSaracho, Corissa O'Neill, CP, Dawn Regner, Nikki Rettelle, Rebecca Romero, Nancy Rose, and Ruth Vela-Jimenez. We wish everyone a successful 2017.

On December 8th SDPA hosted is Annual Holiday Party at the Dana Hotel in Mission Bay. The venue was beautiful, and the food was delicious. SDPA was honored to have Judge Julie Kelety as the keynote speak and induct the new 2017 board. Thank you to the many sponsors of the event.

In 2017, SDPA will continue with it's Bridging the Gap (BTG) event where working paralegals and legal professionals and paralegal students meet.

SDPA is also gearing up to host CAPA's Leadership Conference in November 2017. The venue is still be selected but will be announced in February 2017. SAVE THE DATE for November 11-12, 2017 in sunny San Diego.

For more information contact <u>www.sdparalegals.org</u> ~

TREASURER'S REPORT: December 2016

By Trudy McQuiddy, CP, CAPA Interim Treasurer

CAPA currently has \$13,493.68 in its checking account and \$14,922.47 in its savings account for a total \$28,416.15 all held at Bank of America.

The Audit Committee has reconciled their audit of the 2015 financial records of CAPA, and will providing a report on the audit.

PASCCO - Paralegal Association of Santa Clara County



PASCCO just completed our annual educational seminar on October 15, 2016. Our theme was "Silicon Valley & Beyond: Technology's Fusion with the Global Law Practice." We offered two MCLE tracks (litigation and corporate law) and one Professional Development track. We had several exhibitors travel from out of the area and out of state to join us, so we negotiated a discounted rate for a limited amount of rooms via courtesy block of rooms at a local hotel. We were delighted that CAPA President Kristine Custodio, ACP and CAPA Board Advisor, Trudy McQuid-dy, CP joined us for our signature event. Although the weather wasn't the best that day, we had a good turnout and excellent quality speakers! Our exhibitors represented a variety of legal services and we even had representatives from the recently opened Silicon Valley Office of the Unit-

ed States Patent and Trademark Office.

In August, PASCCO appointed its Nominations and Elections Committee and got underway with soliciting directors and nominating officers for 2017. Our membership record date was September 1, 2016. We are surprised and thrilled that we were able to find a nominee who accepted their nomination for every office except VP of Education. PASCCO's proposed slate of 2017 directors/officers is:

Gloria Torres, ACP – President Shara Bajurin – First Vice President Daniel Michalek—Vice President Policy Marcella Wilhite—Secretary

Katherine Bonadonna—Treasurer Sarah Murphy, CP—NALA Liaison Amy Kassenbrock—CAPA Primary (Director)

We are continuing to work with the Santa Clara County Bar Association (SCCBA) on publication of an internship program connecting PASCCO's student members with SCCBA members who would like to mentor paralegal students and provide the opportunity for them to meet their required number of internship hours in order to meet graduation requirements. We are piloting the program this year as part of our goal to keep PASCCO's name recognition with the SCCBA following last year's historic joint MCLE event with the SCCBA and to continue fostering a positive relationship with the SCCBA.

We conducted our September MCLE at West Valley College on September 15. Attorney Robert Bohn, Jr., Bohn & Fletcher, LLP gave a great presentation with his partner, Ram Fletcher on preparing and taking a premises liability case to trial. He discussed the reasonableness standards and the differences between accidents that occur on private property vs. those that occur on public property, the government codes that govern incidents on public property as well as the elements you need to prove. He shared exhibits he had used in a case last year that he tried against the state and won.

On November 9, 2016 our Trusts & Estate Section held a MCLE luncheon. William Snyder, CPA presented on the ins and outs of real and property taxes. We held this event at the Mountain View Hilton Garden Inn, a new venue for PASCCO. Our annual meeting & MCLE presentation was held on November 17, 2016 at De Anza College and given by John W. Prokey, Esq., Ramsbacher Prokey Leonard LLP. The topic was Choosing a Fiduciary. The De Anza College paralegal program hosted the meeting for us. At this annual meeting, PASCCO accepts any nominations for directors/ officers from the floor.

On December 15, PASCCO hosts another social/networking opportunity, an awards ceremony, and installs its 2017 board. An Ethics MCLE presentation on Ethics in Social Media by DTI Global's https://www.dtiglobal.com/ Ross Mecham, Esq. will follow those formalities and close out 2016. It will take place at Embassy Suites in Santa Clara.

For more information contact <u>http://www.pascco.org/</u> «

CCPA - Central Coast Paralegal Association

In November, the CCPA presented a continuing legal education meeting entitled, "Case Studies in Forensic Genealogy Research." The speaker was Sheila Benedict of Benedict Research Services, who has been a professional genealogist for 25 years. She currently works as a part-time archivist at Old Mission Santa Inn and is self-employed as a genealogical, historical and forensic genealogist assisting attorneys and others with genealogical research.

Ms. Benedict explained that genealogy is "The study of someone's ancestry/descendancy and the relationship between the people that are being researched." Forensic genealogy is typically used in adoptions, probates and other cases with legal implications. Often, collateral research is needed to

determine direct relationships, including history and other social sciences. Some derivative sources of genealogical information include city records, newspaper clippings, census data, notarial records (European sources), phone books, histories of different surnames, and marriage records. There is also genetic ancestry testing that combines available resources such as vital records, oral histories and DNA. There are three types of DNA tests that genealogists use:

(1) Y-DNA (Y-chromosome) which follows the male line by testing the Y chromosome passed from father to son and is very effective for surname searches;

(2) Mitochondrial (mtDNA) which follows everyone's maternal line, as it is passed from mother to both genders of her children; however, only females can pass it on to their children; and

(3) Autosomal (atDNA) which is available to everyone and tests the DNA from the 23 chromosomes of both parents.

Most genealogists use the following three testing companies: AncestryDNA, www.ancestry.com; Family Tree DNA, www.familytreedna.com; and 23andMe, www.23andMe.com.

Ms. Benedict commonly receives genealogy cases related to adoption and probate matters. In adoption cases, a typical scenario involves an adopted client wanting to find his or her birth family (parents and siblings). For this, extant records will be searched and other resources such as health professionals, legal counsel, DNA testing and a private investigator may be used. In probate matters, a genealogist may be retained to find evidence to approve or disprove another child or heir. An example of a scenario where a father had an affair with a child resulting was shared. In that case, oral evidence from a daughter was used to help evaluate the family history. Some other uses of genealogical information include repatriation of military remains, purple heart recipients, social services, mineral rights, land ownership, and guardianships and conservatorships.

To conclude the meeting, Ms. Benedict shared some of the following tips: not everything can be found online; visiting record libraries of land records and cemetery plots is sometimes necessary; research is not always free; databases sometimes have errors; obituaries can be wrong; and non-genealogy sites can be helpful. She emphasized the steps that should always be taken: verify, document and cite.

CCPA is winding up the year with an evening holiday social to be held on December 14 and the voting in of a new board for 2017. For more information contact <u>http://www.ccpaslo.com/</u> \ll

CAPA Mission - Strength through statewide alliance providing a voice of leadership in promoting education, voluntary certification and advancement of the paralegal profession.



REAP - Redwood Empire Association of Paralegals

Association of Paralegals

REAP's general membership meeting was held on Thursday, December 1, 2016 (5:30 pm to 7:00 pm) at Round Table Pizza on Guerneville Road. We awarded door prizes and provided dinner to the members. REAP honored Joni Boucher who is retiring as SRJC Paralegal Program Coordinator and

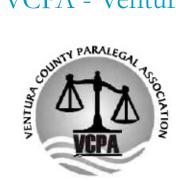
Trudy McQuiddy, CP who was awarded the 2016 Paralegal of the Year award by CAPA.

Each month, on the second Tuesday from Noon to 1:00 PM, a few paralegals meet for lunch in downtown Santa Rosa. Non-members welcome. These informal lunches are a great way to meet paralegals who work near you.

The REAP board recently voted to reduce the annual student membership to \$15.00. That's a savings of \$5.00. We encourage all students to join. For more information contact <u>http://redwoodparalegals.org/</u> \ll

VCPA - Ventura County Paralegals Association

ALA's Stand Up for Kids 5k



At our September general meeting, a new Board was voted in. At the Retreat on November 19, the Board approved the 2016-2017 Budget and planned the year's calendar of events. We are planning a Springtime MCLE conference scheduled for March 11 to include 2 ethics, 1 bias and 4 generals. We are unfortunately foregoing our Wine Tasting Event.

As in the years' past, we are participating in the Ventura Local FoodShare Canned Drive where local law firms compete against each other. At our Holiday Party, tentatively set for December 14, we plan on acknowledging the law firm that weighed in the heaviest with canned food products.

At the annual local bar's installation dinner, VCPA was acknowledged as a Golden Sponsor of \$1000 to help fund the Ventura County Legal Aid, Inc. We are also in the process of reviewing student scholarship applications to give to two qualified paralegal students each in the amount of \$400. \ll

Giving back never goes out of style. Adams & Martin Group ranked by Fortune as a

50 Best Workplaces for Giving Back.

Adams & Martin Group is a legal staffing firm based in Southern California. We are dedicated to making life better for the people we serve – for jobseekers, clients, and our local communities.

858.799.0333 • sandiego@adamsmartingroup.com



Legal Staffing • Project Management • Attorney Search

Your 2017 Elected CAPA Officers

n November 12 and 13, 2016, the CAPA Board of Directors met in person in Cambria, CA for its last inperson meeting for the 2016 year. During this twoday meeting, CAPA held its elections. CAPA is pleased to announce the new Officers for 2017:

PRESIDENT

Sara M. Lutz, CP is a senior litigation paralegal at The Walt Disney Company. Prior to this position, she worked for Lewis Brisbois Bisgaard & Smith LLP as a litigation and IT paralegal for the San Diego office, handling insurance litigation, personal injury, employment law, products liability, and malpractice cases. She started her career working in the construction defect and insurance litigation world, and continues to handle personal injury and employment law matters in-house with Disney for the Disneyland Resort legal team in Anaheim. She has been working as a paralegal for over ten years and is very dedicated to the profession.

She received her Paralegal Certificate from The University of San Diego, and holds a Bachelor's Degree from San Diego State University in Political Science. She became a Certified Paralegal through a voluntary examination by the National Association of Legal Assistants/Paralegals, and has earned the right to use the designation CP. She has been an active member with the San Diego Paralegal Association (SDPA) since 2009 holding positions such as Secretary, VP of Membership, and Treasurer, and has chaired the California Alliance of Paralegal Associations ("CAPA") Primary, and Newsletter Editor sections of SDPA. She is currently the Newsletter Editor for CAPA, and served as Vice President of Policy of CAPA from 2015-2016. She has also been a guest speaker for the graduating class of UCSD's paralegal extension program, Southwestern College's Paralegal Program Computer Classes, SDPA's Bridging the Gap Seminar, and at CAPA's Educational Confer-

9 | RECAP WINTER/DECEMBER 2016 | caparalegal.org

ence in 2014.

VICE PRESIDENT POLICY

Victoria M. Falcon-Alonzo has been in the legal field for over ten years. She completed the Paralegal Studies Program at Fresno City College. During her time at Fresno City she chaired the Fresno City Paralegal Student Association as President. She is currently serving as Vice-President and CAPA Liaison for Fresno Paralegal Association (FPA). She is currently working as a paralegal and the firm administrator for Overstreet & Associates. Overstreet & Associates is a civil litigation firm.

VICE PRESIDENT ADMINISTRATION

Julie Schwartz is currently employed as a Paralegal at The Law Offices of Jeffrey R. Frank, specializing in civil litigation with an emphasis in personal injury law. She assists on cases in all phases from intake, investigation, property damage (inspection, evaluation, and settlement), coordination with medical providers and other professional/experts, claims presentation and evaluation, pleadings, discovery, law and motion, to ADR, and trial.

Highly motivated and dedicated to academic excellence, she earned her Bachelor of Science degree with a double major in Psychology and Spanish, and a minor in Interpersonal Communication from the University of Wisconsin-La Crosse in 2000. As an undergraduate student, she participated as the Vice President of Phi Chi wherein she actively coordinated campus events and established peer advising/career counseling for Psychology students. Additionally, she conducted and co-authored a research project entitled, "Attributions of Blame toward Assailants and Victims of Rape", which ultimately received an award of "Best Paper" from the Midwestern Psychological Association. She was also afforded the opportunity to study at La Universidad de las Americas (UDLA), Puebla, Mexico. Upon her arrival to California, she became a Public Notary and completed the Paralegal Certificate Program at Miramar College. She obtained her Real Estate License in 2014 and became a 2016 graduate of the Citizens' Academy.

A proponent of giving back to the community, from 2009-2010 Julie volunteered at the Center for Community Solutions' Legal Clinic, assisting victims of Domestic Violence/Sexual Assault. In early April of 2010, she interned at Consorcio para el Dialogo Parlmentario y la Equidad Oaxaca (Consorcio), Oaxaca, Mexico. In 2011, Julie became a Director for the San Diego Paralegal Association (SDPA), wherein she served as the Vice-President of Membership. In 2012 she upheld the dual role of Vice-President of Membership and Vice-President of Programs & Education. In 2013-2014, she served as the SDPA President. In 2015, she upheld a dual role of Vice-President of Membership on the SDPA board as well as a Director on the California Alliance of Paralegal Associations (CAPA). She is a co-founder of North County Abuse Prevention Services (NCAPS), a 501(c)(3) dedicated to the prevention of abuse.

She currently serves as the 2016 President of SDPA, Vice-President of Administration of CAPA, and Treasurer of NCAPS. She is also actively involved with the Consumer Attorneys of San Diego (CASD), San Diego La Raza Lawyers Association (SDLRLA), La Justicia, as well as the annual San Diego High School Mock Trial Competition and Couture for a Cause.

In her free time, she enjoys traveling, learning languages, cooking, running marathons, hiking, practicing her Martial Art, SooBahk Do, as well as spending time with her boys – Curious George and Diego.

TREASURER

Lisa L. Rogers, is currently Redwood Empire Association of Paralegals' (REAP) Marketing Chair and CAPA Primary Representative. In 2015 she relocated to California from Utah. Lisa is currently the Legal Assistant for the City of Petaluma (City Attorney's Office). Her experience and skills in the legal field has spanned over fifteen years with Utah State Park City Municipal Corporation (City Attorney's Office), private law firms Parr Brown and Workman Nydegger. Lisa holds a Bachelor's Degree in Business Management and has a "host of participation" for risk management, banking and finance, grantwriting, employee examinations and interviews.

Lisa served as the North Regional Director for the Utah Paralegal Association (UPA) and was also a member of the Utah State Bar Association's Paralegal Division, Utah Prosecutorial Assistants Association, and Utah Bureau of Criminal Identification. Lisa has been REAP's Primary CAPA Representative for the past six months.

SECRETARY

Christina Sanders of the Central Coast Paralegal Association has been employed as a dedicated paralegal professional for more than 15 years in San Luis Obispo and, throughout her career, has been very interested and involved in the advancement of the paralegal profession in California through the California Alliance of Paralegal Associations (CAPA). Christina is a native of San Luis Obispo County who attended local schools and earned an Associate of Arts degree at Cuesta Community College in San Luis Obispo. In 1998, she began attending the accredited paralegal studies program at California Polytechnic University, San Luis Obispo while working fulltime as a legal secretary at a local law firm. She earned a certificate of completion in Paralegal Studies in 2000. That same year she joined the Central Coast Paralegal Association (CCPA) and became a member of CAPA. Christina's experience as a paralegal includes working in San Luis Obispo for the small law firm of Fitzpatrick & Barbieri for her first four years as a paralegal, after which she spent nine years employed at the midsize law firm of Andre, Morris & Buttery from 2004-2013. In 2013, she seized an opportunity to begin working on estate tax returns with the senior partners at Sinsheimer, Juhnke, Mcivor & Stroh. Throughout her paralegal career, Christina has developed expertise in estate planning, probate and trust administration, as well as knowledge and skills in the areas of corporate formation and real estate transactions. She has also been a Notary Public for many years.

Throughout the past sixteen years, Christina has consistently volunteered her services to both CCPA and CAPA in various leadership positions and has been an officer on the CCPA Board of Directors for most of those years. She first served as CCPA's Secondary Representative to CAPA after being elected in 2000 and then as the Primary Representative to CAPA for two subsequent years. In 2015, she again served as Secondary Representative to CAPA and currently sits on the 2016 CCPA Board as Treasurer and Primary Representative to CAPA. Christina has also served CCPA for at least three years as the NewsBrief Editor, two years as President in 2007-2008, two years as Program Director in 2011-2012, and as Website Coordinator in 2012. Additionally, Christina has served on various committees and worked at special events for CCPA, CAPA and the local Bar Association.

Christina has also served on the Advisory Committee for Cuesta Community College's Paralegal Studies Program which includes both an AA degree curriculum and a Certificate of Achievement curriculum. Christina was able to make important contributions as an invited member of the Advisory Committee and, when the Paralegal Studies Program was close to being on the budgetary "chopping block", she wrote a persuasive letter to the College's administrators urging them to continue their support of the program. They did, and the Cuesta College Paralegal Studies Program has continued to thrive, with many of its former students now working as paralegals within the local community. ≪

1976 STRENGTH THROUGH ALLIANCE - CELEBRATING 40 YEARS

CAPA: THE MILLENNIUM

- 2006 SAN FRANCISCO PARALEGAL ASSOCIATION [SFPA] readmitted as a member
- 2009 INLAND COUNTIES PARALEGAL ASSOCIATION [ICAP] withdraws as a member LOS ANGELES PARALEGAL ASSOCIATION [LAPA] withdraws as a member
- 2011 ORANGE COUNY PARALEGAL ASSOCIATION [OCPA] withdraws as a member
- 2012 SANTA BARBARA PARALEGAL ASSOCIATION [SBPA] withdraws as a member
- 2014 INLAND COUNTIES PARALEGAL ASSOCIATION [ICAP] readmitted as a member
- 2016 LOS ANGELES PARALEGAL ASSOCIATION [LAPA] readmitted as a member

RECAP will feature the final article to celebrate its 40 years in the Spring 2017 issue

WINTER 2015 ISSUE CAPA: THE EARLY YEARS, BY NANCY SIEGEL 1976-1980 LEADERSHIP AND ASSOCIATIONS SPRING 2016 ISSUE CAPA: DEFINES ITS FUTURE...THE 80'S 1980-1989 LEADERSHIP AND ASSOCIATIONS SUMMER 2016 ISSUE STRENGTH THROUGH EDUCATION—ANNUAL/BIENNIAL CONFERENCES 1990-1999 ASSOCIATIONS; 1991-2016 LEADERSHIP FALL 2016 ISSUE THE LONG AND WINDING ROAD: A HISTORY OF B&P CODE 6450 BY STACEY HUNT, CLA, CAS

www.caparalegal.org/capa-history/

SAVE THE DATE 6.24.17 Visalia, CA: The Wyndham

CAPA's 29th Annual June Educational Conference

Topics: Litigation, Family Law, Employment Law, and Land/Resources



CAPA Guidebook for the Utilization of Paralegals

CAPA has compiled an informational guidebook for a quick and easy reference on the utilization of paralegals. Available to you for \$15! Special discounts on Amazon.

The following are highlights from the guidebook:

- •Definitions pertaining to the paralegal profession
- •Duties, responsibilities, and skills for specific practice areas
- •Flow chart for attorney/paralegal team
- •Ethics guidelines
- •CAPA Member Associations
 - **Excerpts:**

CORPORATE LAW PARALEGAL

DUTIES AND RESPONSIBILITIES

PARTNERSHIPS

- Identify and solicit information from client necessary to draft the partnership agreement and related filings with state and county agencies
- Develop checklists to be used in client interviews and as guidelines for proper formation and operation of each entity
- Draft statement of partnership and certificates of limited partnership
- Draft agreements for dissolution of partnership and noncompetition agreements for selling partners
- INCORPORATION
 - Check availability of corporate name and reserve name
 - Draft articles of incorporation, by-laws, organizational minutes, stock certificates for initial subscribers, etc.
 - Obtain and prepare minute book, corporate seal, stock certificates, stock ledger, etc.
 - Prepare and file appropriate documents with the Secretary of State, Department of Corporations, Internal Revenue Service and/or the Franchise Tax Board



PROBATE/ESTATE PLANNING LAW PARALEGAL DUTIES AND RESPONSIBILITIES

- Meet with client and attorney at initial meeting
- Review and analyze will and trust provisions
- Draft petition for probate and supporting documents Maintain financial records of estate
- Prepare and file probate documents in administration of estate or summary administration

REQUIRED SKILLS

- Ability to work with clients in a stressful and sensitive situation
- Knowledge of Probate Code
- Familiarity with local court probate rules, county recorder's rules and procedures and county assessor's requirements
- Understanding of will and trust provisions
- Knowledge of distribution and closing of estates

For more information, or to purchase the Guidebook, visit our website at http://www.caparalegal.org/index.php/capa-guidebook/

CAPA TO LAUNCH CALIFORNIA SPECIFIC CERTIFICATION EXAM!

San Diego, December 1, 2016: CAPA is pleased to announce that it will offer a stand-alone, state specific certification exam at its Leadership Conference in San Diego in November 2017. CAPA has been researching and developing this exam for the past two years. The designation achieved after passing the exam will be called the California Certified Paralegal or "CCP."

CAPA will offer the first 500 applicants to register for the exam a reduced testing fee of \$25.00; once accredited, the cost of the exam will be between \$90 and \$125. The test will be comprised of multiple choice and true/false questions and will cover the areas of Communications, American Government/ Legal System, California Judicial Council, California Code of Civil Procedure, Civil Litigation—Including Pleadings and Discovery, Ethics, Legal Research, Probate & Trusts, Family Law, Corporate Law, Criminal Law, and Real Estate Law. To sit for the exam you must be a paralegal as defined by Business & Professions Code §6450, compliant with MCLE requirements, or a recent graduate (within a year) of an ABA accredited program.

"We wanted to give California paralegals the opportunity to be recognized for their hard work, knowledge and dedication to the legal profession" said CCP Committee Chair, Kari Martin Higgins, ACP, CAS. "Once we offer the exam for a year and have results that can be measured, the exam will be reviewed for accreditation by the NCAA." CAPA will publish for purchase a study guide to prepare for the exam which will be available on CAPA's website approximately six months before the first test date so check CAPA's website beginning in April 2017 for updates.

The benefits of certification cannot be under estimated, look around at the leaders in your community in CAPA, NALA, NFPA, and the like. Certification is where its at.

CAPA is currently comprised of twelve member as-Central Coast Paralegal Association sociations: (CCPA), Fresno Paralegal Association (FPA), Kern County Paralegal Association (KCPA), Inland Counties Association of Paralegals (ICAP), Los Angeles Paralegal Association (LAPA), Paralegal Association of Santa Clara County (PASCCO), Redwood Empire Association of Paralegals (REAP), Sacramento Valley Paralegal Association (SVPA), San Diego Paralegal Association (SDPA), San Francisco Paralegal Association (SFPA), Sequoia Paralegal Association (SPA), and Ventura County Paralegal Association (VCPA). CAPA was the driving force behind the passage of Business & Professions Code §6450 which sets forth the requirements for paralegals and legal assistants and distinguishes them from legal document preparers (LDAs). "This is like §6450, I have goosebumps!" said CAPA's State Bar Liaison, Nancy Woods who was on the CAPA board when §6450 was passed by the legislature about fifteen years ago.

Please stay tuned to www.caparalegal.org and our social media sites for more information regarding the CCP exam as it becomes available. We hope to see you in November 2017 for the first test date in sunny San Diego! s



THE ALLIANCE OF PARALEGAL ASSOCIATIONS

Central Coast Paralegal Association (CCPA) P.O. Box 93 San Luis Obispo, California 93406 <u>WWW.CCPASLO.COM</u>

Fresno Paralegal Association (FPA) P.O. Box 28515 Fresno, CA 93729 WWW.FRESNOPARALEGAL.ORG

Inland Counties Association of Paralegals (ICAP) Post Office Box 143 Riverside, CA 92502-0143 <u>WWW.ICAPONLINE.ORG</u>

Kern County Paralegal Association (KCPA) P.O. Box 2673 Bakersfield, California 93303 <u>WWW.KCPAONLINE.ORG</u>

Los Angeles Paralegal Association (LAPA) P.O. Box 71708 Los Angeles, CA 90071 <u>WWW.LAPA.ORG</u>

Paralegal Association of Santa Clara County (PASCCO) 1275 Franklin Mall, PMB 192 Santa Clara, CA 95050 <u>www.pascco.org</u> Redwood Empire Association of Paralegals (REAP) Post Office Box 143 Santa Rosa, California 95402 <u>www.REDWOODPARALEGALS.ORG</u>

Sacramento Valley Paralegal Association (SVPA) Post Office Box 453 Sacramento, California 95812-0453 <u>WWW.SVPA.ORG</u>

San Diego Paralegal Association (SDPA) 501 W. Broadway, Ste. A-220 San Diego, California 92101 WWW.SDPARALEGALS.ORG

San Francisco Paralegal Association (SFPA) P.O. Box 27480 San Francisco, California 94127-0480 <u>www.SFPA.COM</u>

Sequoia Paralegal Association (SPA) Post Office Box 3884 Visalia, California 93278-3884 WWW.SEQUOIAPARALEGALS.ORG

Ventura County Paralegal Association (VCPA) Post Office Box 24229 Ventura, California 93002 <u>www.vcparalegal.org</u>

Auto Home Medical Dental Vision INSURANCE

Finding and applying for insurance that meets your needs has never been easier.

Through an exclusive arrangement with UIP – United Insurance Partners – CAPA members can now get affordable insurance plans from top insurance companies.

Get a free, no obligation quote for: Auto, Home, RV, Motorcycles

- Individual Medical
 Short Term Medical
- Student Medical
 Limited Medical
- Dental Vision And more

(800) 707-2360





Specialists in Sponsored Insurance Programs Insurance products are available through United Agencies and its affiliates including UIP Insurance Services. CA Lic #0252636

CONSTRUCTION DEFECT PARALEGAL TOOLBOX

By Susan Littlefield

hen I built my Adirondack chair three years ago, I kept my red toolbox next to me for easy reach of my hammer, screwdriver and nails. As a result, my project progressed quickly, smoothly and resulted in a fine finished product. As paralegals, it is equally important that we keep our toolbox with us, whether we are working at the office, at home or a project in the field.

We all share several universal tools, or basics, to do our jobs to the best of our ability: a computer with word processing software, a printer, and a host of other necessities, such as pens, legal pads and paper clips. We either have hard copy Code books or secondary research materials or online access to a database with the same. While these basic tools are essential to any legal assistant, we all have tools specific to our particular area of expertise. As a construction defect paralegal who deals in complex litigation, I have at least three tools I refuse to live without.

Online Business Databases

For construction defect firms representing developer contractors and/or subcontractors, it is essential to ascertain the legal name of the company. The Contractor's State Licensing Board provides a contractor's business profile, if you will, and the Secretary of State provides standing of corporations and limited liability companies. Information from these databases determines the manner of appearance.

The Secretary of State shows whether a subcontractor is a defunct corporation or in good standing. If the business is either a suspended corporation or a forfeited limited liability company, they are no longer viable. In this instance, based on the information provided, the attorney might decide to do a complaint in intervention on behalf of the subcontractor's insurance company.

Both the Secretary of State and California Contractor's Licensing Board helps ascertain what our client's actual business name is. Sometimes the incorrect entity is sued, and other times they are misnamed to match an entity's letterhead found in job documents. Is the subcontractor doing business as another entity, or are they a sole ownership or partnership? In order to properly appear, we need to know the true name of the business.

Sometimes a contractor will own a business that is domiciled in another state but does business in California.

Online is a list of secretary of state business entity searches for all 50 states, which can be found here. In some states, unlike California, contractors' state licensing and corporate business standing are listed all in one place.

Full Version of Adobe Acrobat

One common factor in most construction defect cases is that they are document intensive. I remember the old days of going to a depository three hours away, sitting in a windowless room with boxes of paper in front of me and searching for job documents deposited by other parties. Well, those days are long gone and electronic storage, production and access to documents in portable document format (PDF) has become commonplace.

I have tried Adobe Reader and other less expensive versions of PDF programs, but nothing compares to a full version of Adobe Acrobat. For example, say a party produced 1,000 pages in one batch and you need to know which documents pertain to your client.

You could always print the documents, manually find those relevant to your case and throw the rest away. In my opinion, that is a waste of time, money and trees. With a full version of Adobe, you can view documents on your computer screen and extract relevant pages into a folder on your server. Once you have extracted out your documents, you can batch them into groups or one package for easy access.

Another great function of Adobe Acrobat is that you can often convert PDF pleadings and other documents into Word format so they can be edited easily, or relevant parts copied to a document you are drafting. For example, old school used to be to call the opposing counsel for a copy of their statement of undisputed material facts in support of a motion for summary judgment. Today, the first option is save the PDF version as a Word document, which will often keep the formatting intact enough to copy the disputed facts chart into your document or, at the very least, copy relevant parts to your reply.

There are so many more things you can do with Adobe DC, such as converting PDF cost estimates to excel, converting documents scanned as images into text recognition format, bates stamping and batching a group of emails into a continuous PDF or portfolio. The list goes on and on.

Microsoft Excel

In my opinion, Microsoft Excel is one the most efficient programs for housing data in one place. For example, what if you have a batch of cases involving one particular client? You can provide all the basic information on the first sheet, then provide hyperlinks to each client's sheet within the Excel document. To make a separate matrix for each case would be cumbersome and time consuming, and would provide bits and pieces when a bigger picture is needed. If the attorney asks you

GET YOUR ASK ON

By Nancy Woods, SPA Primary

ts confession time. In 1993 and 1994 I was a professional beggar. I was not the stereotypical person who has been placed in a disadvantaged position by life, I was a "cause" beggar. This is a tale of how to get what you need and not let the word "no" stop you. But first I will give some background.

Having graduated from an ABA paralegal program in 1992 I was ready to take my paralegal knowledge and apply it to my life. To say I jumped in with both feet is an understatement. I became active in my local paralegal group, the Sequoia Paralegal Association (SPA). I was also involved in the West Visalia Kiwanis Club, a prestigious local program called Leadership Visalia, and I became an officer of the Visalia Police Activities League.

One of my goals in Leadership Visalia was to become acquainted with paralegals beyond my back yard and help move my profession forward. I became aware of then involved in CAPA in 1993. The paralegal profession was something of a Wild West scenario at the time. CAPA's focus was codifying what later became Business and Professions Code section 6450. Prior to Business and Professions Code section 6450 anyone could call themselves a paralegal, including disbarred attorneys and those who gave services directly to the public. That was a problem for me.

Each one of my causes needed the same two ingredients: leadership and funding. To most people, asking for funds or inkind donations is a difficult task. Call it being naïve or bold, I began approaching local businesses and companies with a state presence to secure donations for all of these causes. It was ironic that some vendors and companies donated to more than one of my causes. For purposes of this article I will focus on the fundraising efforts I expended on behalf of the paralegal profession.

In 1994 SPA was the smallest association in CAPA. When the question of the 1994 CAPA Conference came up I volunteered SPA. Some laughed and others advised us we were too small to handle the endeavor especially considering the costs of hosting a conference. Long story short: SPA hosted the 1994 conference entitled Strength Through Alliance, The Power to Move Mountains.

Armed with information and strategies from my Leadership Visalia class, I began contacting court reporters, printing companies, periodical publishers and a host of others outside of Tulare County, my comfort zone. Then I approached several local vendors to secure items for CAPA's conference. The money and the products came pouring in and that conference was highly attended AND profitable. The secret to the success: I created a plan, then I dared to ask. After making a list of every entity and contact person I would reach out to I approached everyone with the same attitude: we are already at no, the worst that could happen is they would confirm no. I did receive a few pats on the head and "we wish we could" responses, but people overwhelmingly said yes, all because I dared to ask. So I would challenge each person who reads this to get your ASK on. ASK for the donation. ASK for the promotion. ASK for the job. ASK to have your cause supported. Dare to ASK because if you do not its guaranteed the answer is no. 🤝

Construction Defect Paralegal Toolbox

(Continued from page 15)

about cases with that specific client, then you have only one spreadsheet to refer to.

In cases where subcontractors have been sued, use Excel to create a matrix with columns for business name and standing, addresses, scope of work and statuses regarding all stages of the case. Once you have entered the subcontractor's business information, the rest of the spreadsheet is filled out as the case progresses. With this approach, you and your attorney will see the bigger picture of any case as it develops.

Excel is also great for a variety of administrative functions, such as keeping track of an attorney's entire case list to include retention information, claim numbers, reporting information and specific tasks done on every single case. This provides an easy and efficient way to keep all case information in one place.

Conclusion

Every paralegal has their favorite tools in their toolbox. I use Excel and Adobe Acrobat daily, and the Secretary of State and California Contractor's Licensing Board numerous times a week. Think about what your tools are and make sure they are always within easy reach.

About the Author: Susan Littlefield is a construction defect paralegal with Sims, Lawrence & Arruti in Santa Rosa. She graduated from the paralegal program at Sonoma State University in 2000, at which time she was working at her first law firm. She has been working with the same attorney for 12.5 years.

UPCOMING CAPA BOARD MEETINGS

JANUARY 14-15, 2017 Executive Committee Retreat Planning for CAPA's Future San Diego, CA

FEBRUARY 11-12, 2017 hosted by Fresno Paralegal Association

> Hampton Inn & Suites 855 Gettysburg Avenue Clovis, CA 93612 Phone: (559) 348-0000

Name of Group: CA Alliance of Paralegal Association Guest room: 2 Queen bed Rate: \$119 Cut Off Date: 1/20/2017

Any reservations made after this cut-off will be given the hotel best available rate. (Make Your Reservations Now)

JUNE 24-25, 2017 hosted by Sequoia Paralegal Association, Fresno Paralegal Association, and Kern County Paralegal Association 29th Annual June Conference

> The Whyndam Visalia 9000 W Airport Drive Visalia, CA 93277 Phone: (559) 651-5000

NOVEMBER 4-5, 2017 hosted by San Diego Paralegal Association 11th Biennial Leadership Conference and Board Meeting

Location TBD in sunny San Diego!

Interested in seeing your CAPA Board at work; reach out to your local Association to see about attending

Visit NALA's Online Career Center

LOOKING FOR A NEW CAREER?

Your paralegal job search starts here. Whether you're new to the profession or are experienced, this is your stop for resources to find—and win—the opportunity you seek.

NALA's Online Career Center offers professional resources such as:

- Job listings: Search career opportunities in the Job Bank.
- Interview Tips
- Resume Writing Tips
- Searching for a Paralegal Position
- Starting Your Second Career
- The Importance of Networking



SERVICE OF PROCESS VIA TWITER?

This material is reproduced from CEBblog ™, *Service of Process via Twitter?*, (https://blog.ceb.com/) copyright 2016 by the Regents fo the University of California. Reproduced with permission of Continuing Education of the Bar - California. (For information about CEB publications, telephone tol free 1-800-CEB-3444 or visit our Web site, CEB.com).

or a judgment to be entitled to full faith and credit, the defendant must be served in a way that's reasonably calculated to give actual notice of the proceedings and an opportunity to be heard. Milliken v Meyer (1940) 311 US 457, 463. But how do you serve a defendant you can't find? Personal service and service by mail are obviously off the table. You're left with service by publication. Newspapers were the standard for this method, but Twitter and other social media platforms may be the modern version of the local paper.

When it appears to the satisfaction of the court that a party can't with reasonable diligence be served by another specified method, a plaintiff may affect service by publication. CCP §415.50. This is done by having the summons published in a newspaper that's most likely to give notice to the party to be served. But if you have no idea where the party to be served is living, what newspaper would be more likely to give notice?

It may be that newspapers aren't the best way to give actual notice anymore. The San Francisco Chronicle describes a case that "highlights just one of many ways the legal system finds itself rapidly adjusting to the spread of electronic messaging." In that case, a California nonprofit serving refugees planned to sue a purported Kuwaiti terrorist financier, Hajjaj al Ajmi. The nonprofit's attorney unsuccessfully tried to serve al Ajmi; he reportedly tried contacting his local attorney and the Kuwaiti government to no avail. So he decided to use Twitter, where al Ajmi was a frequent user. A Magistrate Judge of the Northern District of California granted the nonprofit permission to tweet a summons and complaint, which it did. Al Ajmi retweeted another user's message about the notice; that retweet indicated al Ajmi was likely aware of the tweet.

This isn't the first case to use social media for service. A New York judge allowed service of divorce papers via Facebook private messaging.

But service via social media has serious challenges with regard to notice.

- 1. You need to ensure that the social media account is active, and
- 2. there's some indication that the intended recipient saw the tweet or message.

And as with any service by publication, you'll need a court order before you can proceed. See CCP §415.50(b).

Not all courts are ready to embrace service through social media. Be prepared to show that the party to be served actively uses the social media platform you want to use for service and that it would be an effective way to give that party actual notice.

For everything you need to know about how to serve a summons, turn to CEB's California Civil Procedure Before Trial, chap 17.

Other CEBblog[™] posts you may find interesting:

- How to Authenticate a Social Media Post
- You Don't Own Me—Is it Employer or Employee Social Media Content?
- Snapchat as Evidence 🛷

CAPA SUSTAINING MEMBERS

ADAMS & MARTIN GROUP

www.adamsmartingroup.com Phone: (858) 799-0333 Contact: Heidi Mares, ACP E-mail: hmares@adamsmartingroup.com Legal Staffing, Staffing

AIKEN WELCH COURT REPORTERS

www.aikenwelch.com Phone: (510) 451-1580 Contact: Kelly Roemer E-mail: kroemer@aikenwelch.com Deposition and Court Reporting Solutions

Bosco Legal Services, Inc.

www.boscolegal.org Phone: (951) 353-8281 Contact: Joseph Jones, VP Email: joe@boscolegal.org A family-owned private investigations and process serving firm offering services throughout southern California

COMPEX LEGAL SERVICES, INC.

https://cpxlegal.com Contact: Melody Starr E-mail: Melody.Starr@CompexLegal.com **Record Retrieval Services, Deposition Reporting**

DONOHOE LEGAL NURSE CONSULTING

www.donohoeLNC.com Phone: (818) 925-4137 Contact: Matthew Donohoe E-mail: matthew@donohoeLNC.com Legal Nurse Consulting

EXPRESS NETWORK

www.expressnetoworkAS.com Phone: (213) 840-5687 Contact: Emir L. Fuentes — Client Relations Manager E-mail: emirf@expressnetoworkas.com Legal Support Services, Court Services, Service of Process, Messenger, Reprographics, and more

JURALAW / LAW BULLETIN PUB. CO.

www.juralaw.com Phone: (949) 230-0068 Contact: Grace Peterson – Account Executive E-mail: gpeterson@lbpc.com **Case Calendar & Docket Management**

MRK MEDICAL CONSULTANTS

www.mrkmedconsultants.com Phone: (916) 863-7301 Contact: Tracy Cox – Administrator E-mail: tracyc@mrkmedconsultants.com **Objective and Unbiased Medical Consulting**

O & O INVESTIGATIONS, INC.

www.californiasurveillanceinvestigators.com Phone: (800) 959-0154 Contact: Oleg Flaksman E-mail: Oleg@oinvestigations.com **Private Investigators**

QUEST DISCOVERY SERVICES

www.questds.com Phone: (760) 707-7629 Contact: Monique Crawford E-mail: mcrawford@questds.com Document Acquisition, Duplication, and Distribution Services

U.S. LEGAL SERVICES

www.uslegalsupport.com Phone: (909) 289-2120 Contact: Michelle Beverly E-mail: mbeverly@uslegalsupport.com Record Retrieval Services, Duplication, Deposition Reporting, and More

VALDEZ TEAM, RINGLER ASSOCIATES

Phone: (619) 231-3334 Contact: Manny Valdez E-mail: mjvaldez@ringlerassociates.com

CAPA SOCIAL NETWORKS



Find us on LinkedIn • Like us on Facebook Follow us on Twitter @CAPAVP

SNAPCHAT AS EVIDENCE This material is reproduced from CEBblog IM Stapphat as Evidence (https://blog.ceb.com/) copyright 2016 by the Pergents for the University

This material is reproduced from CEBblog \mathbb{T} , *Snapchat as Evidence,* (https://blog.ceb.com/) copyright 2016 by the Regents fo the University of California. Reproduced with permission of Continuing Education of the Bar - California. (For information about CEB publications, telephone tol free 1-800-CEB-3444 or visit our Web site, CEB.com).

everal years ago we told you to consider Facebook postings as evidence in legal cases. This is still true, but now there are many more social media platforms to consider. Snapchat in particular has become a fertile source of evidence not to be overlooked.

Snapchat is a photo- and video-messaging app that's different from other apps in that all photo and video messages on Snapchat (referred to as "snaps") last for only a short amount of time and then disappear.

In his recent post on Technologist, Casey Sullivan explained that because "much of a Snapchat user's life is captured and transferred through the app, it has become an important source of evidence."

Indeed, two people were convicted of a sexual assault after they recorded the attack on Snapchat. Jurors were shown screenshots from the Snapchat video during the trial.

Snapchat's speed filter, which lets users show how fast they're going while taking a photo, was used as evidence in a case involving a high speed car crash. Plaintiffs sued both the driver and Snapchat, arguing that the speed filter encourages reckless driving and can cause crashes. Snapchat's speed filter also may have played a role a car crash that killed three young women. And in an extremely macabre instance, a teen posted a Snapchap selfie with a murder victim and it became key evidence against him in his murder trial.

It's easy to imagine a myriad of cases in which Snapchat can be used as evidence. As Casey Sullivan put it, "[p] ersonal injury lawyers, divorce attorneys, criminal defense attorneys, and more could all benefit from evidence found through Snapchat."

And the ephemeral nature of pictures on Snapchat isn't necessarily a problem. Sullivan explains that some Snapchat evidence is retained when users take screenshots of snaps and "Snapchat itself keeps logs of previous snaps." But even deleted snaps don't necessarily disappear; digital forensics experts can still pull them from the phone.

Now that you know to look at Snapchat for evidence, would you be able to get it admitted at trial? To learn how to get social media evidence admitted, including the key hurdle of authentication, turn to CEB's Effective Introduction of Evidence in California, chap 54.

Other CEBblog[™] posts you may find useful:

- A Photo Is Still a Photo, Even on Social Media
- Should You Check a Job Applicant's Social Media Posts?
- Everything You Tweet Can Be Held Against You! 🐗

CAPA AFFILIATE ASSOCIATIONS





ELIGIBILITY

A candidate must be a voting member of a CAPA member association and compliant with Business & Professions Code Section 6450 et seq. to be eligible for nomination.

NOMINATION

A candidate must be nominated by a CAPA member association.

CRITERIA

The judges will be looking for the following qualities/ experience:

Contributions to the paralegal profession by:

- Teaching or tutoring paralegal students
- Speaking at seminars and conferences on substantive legal topics, on issues concerning the paralegal profession, or on leadership
- Mentoring paralegal students or other working paralegals
- Displaying commitment and providing services to professional organizations such as local, state and national paralegal associations.
- Writing articles for legal publications
- Commitment to continuing legal education
- Commitment to community through volunteering or pro bono services within the legal profession or outside the legal profession
- Contributions to their firms, in-house counsel, governmental agency or non-profit

Member associations should nominate an individual for Paralegal of the Year by submitting a brief written essay describing why the nominee deserves this honor. Essays should be kept to a maximum of 500 words. Supporting materials such as letters of recommendation should not be attached to the essay. However, you may consider obtaining statements from individuals who have worked or served with the candidate and quote from these

21 | RECAP WINTER/DECEMBER 2016 | caparalegal.org

statements in the written essay. Such statements can provide excellent examples of what distinguishes the nominee from other paralegals. Essays should be submitted to the designated Paralegal of the Year award coordinator who will provide the written essays for the sponsor, who will choose CAPA's Paralegal of the Year.

Judges will be looking for candidates who have demonstrated their value as members of a legal services team, shown dedication to the legal profession, and shown dedication to CAPA'S Mission: "STRENGTH THROUGH STATEWIDE ALLIANCE -PROVIDING A VOICE OF LEADER-SHIP IN PROMOTING EDUCATION, VOLUNTARY EXAMI-NATION, AND ADVANCEMENT OF THE PARALEGAL PRO-FESSION."

AWARDS

Recipient will receive a recognition certificate and up to \$500; First Place will receive an award certificate and up to \$300; Second Place will receive an award certificate and up to \$200.

JUDGES

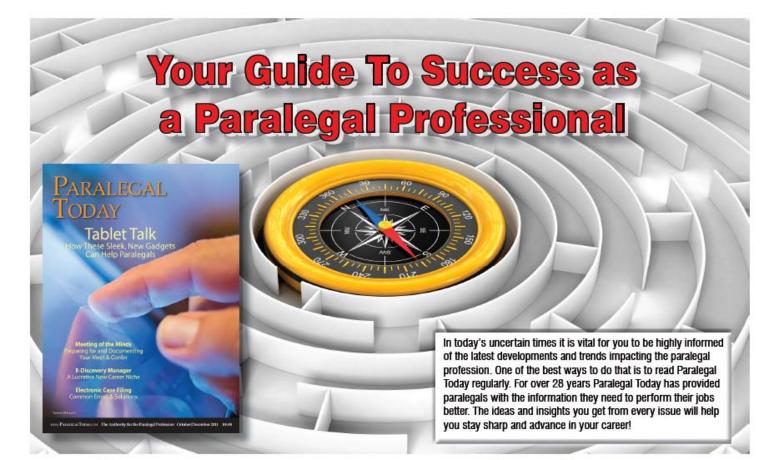
Representatives of our Paralegal of the Year Award sponsor will review the information submitted on each candidate and will come to a consensus to determine the recipient and runners-up.

DEADLINES

Nominations are due by May 2, 2017. No late entries will be considered.

PAST PARALEGAL OF THE YEAR RECIPIENTS

- 2013 Grace de la Torre, CP (REAP)
- 2014 Bobbie Miller, ACP (KCPA)
- 2015 Angela Yess, ACP (PASCCO)
- 2016 Christina Sanders (CCPA)



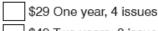
CAPA members get special discounts on subscriptions to Paralegal Today

TO GET YOUR DISCOUNT USE THIS SPECIAL ORDER CODE:

THREE EASY WAYS TO ORDER:

- 1) Complete and mail or FAX this Order Form now
- Go online to www.paralegaltoday.com. Click Subscribe, Enter your special Order Code. Click "Order Subscription"
- Call Toll Free: 877 202-5196 and mention your special Order Code

Please enter my subscription to Paralegal Today at my special discount rate as follows:



\$49 Two years, 8 issues

If you are already a subscriber, this order will extend your subscription by the amount now ordered

Send this completed form with your check or credit card information by mail or FAX to the following:

BY MAIL:

Paralegal Today • P.O. Box 9826 Ft. Lauderdale, FL 33310-9826 **BY FAX:** Fax No: 954 771-3393 Attention: Theresa Glassman

Member Discount Rates (USA Only)

			`	
OUAR TERLY	Order Code: X2TCCAP	Newsstand Rate	Your Discount	Your Net Cost
0 BHD 0	1 Year, 4 Issues	\$39.80	27%	\$29
PUBLI	2 Years, 8 Issues	\$79.60	38%	\$49

	Name		
	Title		
	Company		
	Address		
	City		
ed	Phone	Fax	
	Email		
	Select Payment Method:Check		
	Credit Card info:VisaMaster	Card <u>Amex</u>	Discover
	Name on Card		
	Card No		
	Signature		¥270045
			X2TCCAF

**Contact your CAPA rep for the code

CAPA MEMBER BENEFITS

In a never-ending search to provide the greatest benefits, CAPA's Board of Directors is pleased to announce the opportunity to purchase a variety of insurance products including health, dental, vision, auto, home and more for CAPA members! This is a fantastic benefit and let me tell you why...

I. PUBLICATIONS

1. CAPA'S RECAP is a quarterly newsletter. RECAP provides comprehensive informative legal news of interest to paralegals. RECAP has practical articles of interest to paralegals and their career. As a member of a CAPA Member Association you receive an electronic copy at no charge.

2. NEWSLETTERS – CAPA Affiliates each exchange their monthly or bi-monthly newsletters. As a member of CA-PA you are able to access each association's newsletter.

3. PARALEGAL TODAY MAGAZINE - CAPA provides a discounted rate of \$2 for members when purchasing the magazine *Paralegal Today*. Your subscription to *Paralegal Today* includes both the print edition and the online edition. *Use Promo Code (this can be obtained from your CAPA representative at your local level)*. To obtain your member discount visit: <u>www.paralegaltoday.com</u> or call toll free: 1-877-202-5196.

4. THE CALIFORNIA PARALEGAL by William P. Statsky and Sharon Sandburg - CAPA members can save 25% on this resource guide. This reference book provides an introduction to the career, Code of Professional Responsibility, unauthorized practice of law, employment rights of paralegals, among other topics of interest to paralegals. CAPA members can order by calling 1-800-347-7707 and reference promo *code* (*this can be obtained from your CAPA representative at your local level*)

5. CAPA'S GUIDEBOOK ON THE UTILIZA-TION OF PARALEGALS is a guidebook to provide members with updates on pending legislation and new cases regarding paralegal fees, usage of paralegals, general job descriptions in various practice areas and more. The guidebook is currently available to members for \$10 plus postage. If you would like to obtain a copy, please contact your CAPA Representatives or Vice President of Administration.

6. CAPA'S RESOURCE MANUAL is updated yearly and is a comprehensive listing of known legal service vendors and other useful legal contacts located throughout California

7. CEB offers CAPA members a 10% discount on CEB Books and Action Guides, 10% discount on OnLAW (CEB's online legal content), 25% discount on CEB Passports (for CLE programs) and 10% discount on SmartJCForms (Judicial Council Forms management app). For more details, go to

23 | RECAP WINTER/DECEMBER 2016 | caparalegal.org

www.ceb.com/capa. The source code is (this can be obtained from your CAPA representative at your local level).

8. AMAZON - CAPA benefits each time its members orders on Amazon. All you need to do is go to the CAPA website, click on **Resources Bookstore** and it will direct you to Amazon.com. CAPA receives a percentage for each purchase and the proceeds help maintain and run the organization.

II. INSURANCE

1. UNITED INSURANCE PARTNERS - Available through United Insurance Partners, CAPA members have access to purchase numerous types of Insurance including Medical, Dental, Vision, Home, Auto and more, available through United Insurance Partners. To learn more about this member benefit, go to <u>www.go2uip.com</u> and you will find an array of insurance products available for you to purchase through such companies as Blue Cross, Aetna, Cigna, Mercury, Travelers, Safeco and many other insurance companies. Or simply access the UIP link on CAPA's website or call 1-800-707-2360.

2. AFLAC - offers a menu of CASH BENEFITS to CAPA members, regardless of any other core Insurance benefits you may also have in place! These Cash benefits can help



you and your family recover various out of pocket expenses you incur on an ongoing basis, such as co- payments, deductibles, mortgage and car payments and other routine bills like groceries and gas!! Aflac also pays big cash for routine physicals, mammograms, pap smears, dental cleanings and eye exams! Your family members can also be covered under Aflac's supplemental policies! To get more information on this Association Member Benefit, please contact our Aflac Representatives: Annie Christian Strenk - <u>anne_strenk@us.aflac.com</u> T: (714)321-1614, and Bill Newberry - <u>wmaflac@aol.com</u> T: (714) 803-3444.

III. DISCOUNTED RATES ON SERVICES

1. SPREEBIRD FORMERLY KNOWN AS SCREAMIN DAILY DEALS – Click on the SpreeBird widget to sign-up and then when you reach the Community Partner, select nonprofit and "California Alliance of Paralegals" from the drop-down menu for daily emails that provide deep discounts of 50 to 90% from businesses in your are

2. FLOWERS - CAPA offers a 15% discount on **1-800**flowers.com. *Use Promo Code:* (*this can be obtained from your CAPA representative at your local level*)

3. WORKING ADVANTAGE provides CAPA members with reduced rates for movies, sporting, concerts, restaurants, theme park admissions, Verizon Wireless, computers, flowers, gifts, on-line shopping at numerous websites and much *(Continued on page 24)*

(Continued from page 23)

more: Go to: www.workingadvantage.com

Click on **register** in the orange box at the top of the page Click **Employees Click Here** – **enter Member ID No.** (*this can be obtained from your CAPA representative at your local level*) and create your account with your email address and password of your choice. Take immediate advantage of online offers immediately! To order by phone or if any questions call: 1-800-565-3712.

IV. ADDITIONAL CAPA BENEFITS

1. OBTAIN MEMBER RATES, As a member of a CAPA Member Association, you receive reciprocal member rates when you attend events, seminars or conferences put on by any CAPA Member Associations.

2. LEGISLATION UPDATE, CAPA's Legislation Committee reviews and reports on pending legislation of interest to paralegals and disseminates and shares reports and information with each Member Association.

3. STATE BAR LEVEL REPRESENTATIVES,

CAPA provides representatives at the State Bar level. CAPA members sit as board members for sections of the State Bar of California. These members are promoting the paralegal profession to attorneys and other legal professionals. The members also provide seminars on the value and utilization of paralegals, fee recovery, as well as other topics.

4. INFORMATION POWERHOUSE THROUGH

THE ALLIANCE, As a member of a CAPA Member Association, you have connections with other affiliates throughout California which provides a sharing of information on how they run and improve their organizations. There is an exchange of information on how to put on successful seminars, increase membership, help out your community, provide seminars and advice to association members, vendor referrals, local court information, filing questions, exchange of resources and information, and much more. To learn more, please contact your local association's representatives or contact the CAPA board.

5. CAPA EVENT DISCOUNTS, CAPA members receive discounted rates to attend CAPA's Educational Conference and the Biennial Leadership Conference. The conferences provide attendees with quality CLE courses given by leaders in their field. The conferences also are a way to provide quality CLE to smaller associations. Attending the conferences provides leadership mentoring, education and the necessary skills to guide your members' paralegal careers and help build your own local association.

6. GROWING OUR ASSOCIATION LEADERS,

CAPA members are invited to free monthly webinars that spotlight leadership, teamwork, skill building, and other essential leadership qualities. These webinars are during the lunch hour and feature relevant speakers in their respective professions.

RECAP ADVERTISING GUIDELINES & RATES

Publication of advertisement does not imply endorsement of the products and/or services offered. Advertising deadline is the 15th of the month prior to publication, unless otherwise stated. <u>See below</u>. Any late or incomplete submissions may not be included in the next issue. All submissions for advertisement are subject to approval by CAPA Executive Committee. Please follow outlined size guidelines and submit all advertisements in .jpg format.

CAPA reserves the right to modify ads that do not adhere to these guidelines and is not responsible for any loss of integrity that results. For advertising inquiries, please contact the RECAP Editor at: <u>CAPARECAP@caparalegal.org</u>

Size	Business Card	¹ / ₄ Page	¹ / ₂ Page	Full Page
Length	(2" x 3.5")	(4.25" x 5.5")	(5.5" x 8.5")	(8.5" x 11")
1 time	\$60	\$85	\$120	\$150
1 year (4x)	\$200	\$300	\$440	\$550

DEADLINES FOR SUBMISSIONS TO RECAP

Please note: If your submission is not received by the date indicated, it may not be published in the next issue. (Including advertisements and event announcements)

SPRING/MARCH 2017 Issue: February 18, 2017 SUMMER/JUNE 2017 Issue: May 15, 2017 FALL/SEPTEMBER Issue: August 15, 2017