



Law in Motion

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PRESIDENT'S MESSAGE

As your president I would like to invite all of you to celebrate Paralegal Day on June 22nd. We will hold a luncheon at the University Club which will be free to members and \$20 for guests/attorneys/nonmembers. Judge Denise de Bellefeuille has agreed to speak at this event. Please check the SBPA website at www.sbparalegals.org for details.

The paralegal profession is one of the top careers for growth in the job market. With continued growth on the horizon, we continue our efforts to inform attorneys of Business and Professions Section 6450.

SBPA is honored to have a wonderful board, great speakers and a general membership. Thank you all for your continuing support.

Josefina R. Martinez, President

STARTING SALARIES ON THE RISE GUIDE SHOWS HIGHER PARALEGAL SALARY INCREASES FOR LITIGATION AND CORPORATE GOVERNANCE. BY LINDSEY SCHAEFER

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(CONTINUED ON PAGE 2)

STARTING SALARIES ON THE RISE

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The recently released Robert Half Legal 2007 Salary Guide found that average starting salaries for legal professionals in the United States are anticipated to increase 4.6 percent in 2007. The guide projects greater increases in base compensation for several legal support positions, as well as for attorneys in law firms with one to three years of experience and first-year associates. Research from the annual salary guide also reports an optimistic hiring outlook for legal support staff.

“With a strong hiring outlook in 2007, it was anticipated that we [would] continu[e] to see strong growth in salaries across the board,” said Charles Volkert, executive director for Robert Half Legal, a national legal staffing agency in Menlo Park, Calif. The largest salary increases will be given to attorneys and paralegals for skill sets in high demand, such as litigation, ethics, corporate governance and intellectual property.

According to the guide, paralegals can expect average starting salaries to rise 6.1 percent in 2007. The salary for senior or supervising paralegals at a large law firm is expected to jump 7.6 percent with a range of \$55,750 to \$78,250 annually, according to the guide. At small firms, the salaries for senior or supervising paralegals are expected to increase by 7.3 percent with a range of \$41,000 to \$54,250. Salaries for midlevel paralegals at large firms are expected to rise by 5.1 percent with a range of \$46,250 to \$61,500, and at small firms, 6.6 percent, with a range of \$36,750 to \$47,500. For junior paralegals at large firms, salaries are expected to increase by 5.5 percent with a range of \$38,500 to \$47,250, while salaries for junior paralegals at small firms are expected to increase 3.8 percent, ranging from \$30,750 to \$38,000.

“I am thrilled to see that Robert Half Legal predicts paralegal salaries to increase in 2007. I would have to say the amount of the expected increase is somewhat surprising, but definitely exciting for those considering becoming a paralegal and for those who are senior or supervising paralegals,” said Anita Hawthorn, RP, a paralegal at Campbell Kyle Proffitt in Indiana and the current president of the National Federation of Paralegal Associations. “In addition, such news is surely inspiring for many of our members.”

According to the guide, skill and familiarity with new technology continues to be an important factor for many employers. Paralegals with experience in litigation and case management programs, such as Summation and Concordance, are sought out by employers. Employers are also looking for paralegals with experience in document review management and research-related technology such as Westlaw and LexisNexis.

“We know that paralegals with a proficient skill set in electronic discovery and technology are demanding more as far as their salary is concerned,” Volkert said. “If you are managing other paralegals, you are also in a position to command higher salaries.”



STARTING SALARIES ON THE RISE

(CONTINUED)

According to the guide, 25 percent of the more than 300 attorneys surveyed reported that the fastest-growing area of law is corporate governance and ethics, while 23 percent said litigation. Those are the hottest demand areas, Volkert said. However, the demand for other specialties varies throughout North America. On the West Coast in states such as California, Oregon and Washington, the fastest-growing industries are health care, financial services and construction. In New England, the fastest-growing industries are manufacturing, technology and health care, while areas such as New York, New Jersey and Pennsylvania see growth in commercial real estate, financial services and retail industries.

There were also a few unexpected changes in results compared with the 2006 guide, Volkert said. "2007's salary growth levels are especially high for the following skill sets: First-year attorneys are up 7.9 percent, in-demand paralegals with seven plus years of experience are up 7.6 percent, and legal secretaries with 10 plus years of experience are up 5.7 percent," Volkert said. "As the demand for these positions increases, you will see increasing compensation. Firms of all sizes know they need to be competitive with salaries."

The Robert Half Legal Salary Guide has been compiled for the past 15 years. The data found in the guide is taken from temporary and full-time placements in North America by the staff at Robert Half. The guide is available online at www.roberthalflegal.com or by calling (800) 870-8367.

Lyndsey Schaefer is a freelance writer based in Long Beach, Calif.



Salary Survey

Unfortunately, we do not have permission to reprint the article titled "It's Reunion Time" by Amanda Flatten, which is seen in the March/April 2007 issue of Legal Assistant Today. The article discusses Legal Assistants Today's 15th Annual Salary Survey. If you are interested in that article, you can buy a copy of that issue through legalassistanttoday.com



MAKING PARALEGAL WORK EASIER

MORE FREE INTERNET TOOLS AND GADGETS. BY KIM PLONSKY

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In the last issue of LAT, I looked at several free Internet tools that can make accomplishing certain paralegal tasks easier and faster, with a focus on legal reference tools, word and language tools, dictionaries and tools for general reference. As promised, in this second part of the series, I focus on the latest Windows power tools, some ingenious utilities and a few interesting gadgets that busy paralegals can use to boost efficiency and productivity, making time-consuming, everyday PC-related tasks a snap.

While these tools might not be legal specific, paralegals today often already have access to tools or resources (such as purchased and licensed software programs or fee-based subscription services) provided by their employers, for handling any number of legal-specific tasks. However, a lot of the PC- and Internet-related chores we regularly perform as paralegals have nothing to do specifically with the law or the legal profession, and amount to nothing more than a drain on valuable (and for some paralegals, billable) time. Some examples that come to mind are finding specific documents or e-mail messages and locating seldom-used files or programs.

Let's take a look at 10 of my favorite free tools, add-ons and plug-ins for automating, streamlining and even individualizing many of the most tedious everyday PC- and Internet-related tasks that paralegals perform. I hope a few of these nifty tools will fulfill at least some of your immediate needs and others will come in handy in the future.

Launchy (www.launchy.net) by Josh Karlin. Launchy is at the top of my list of useful free tools for everyday tasks. Launchy does away with the need to use the Windows "Start" menu or desktop icons to launch programs, and can even be customized to launch documents and a variety of other file types with just a few keystrokes.

A small "smart search" program invoked by pressing "Alt+ Spacebar," Launchy appears as a small window where you simply begin typing a description of what you are looking for (such as a program or file name), and Launchy suggests likely targets. To launch or open the suggested target program or file, simply hit "Enter" when Launchy finds what you are looking for, or stop typing for a second and Launchy will show you a list of alternative targets from which to choose. Very cool!

PrintConductor (www.print-conductor.com) by fCoder Group Inc. PrintConductor prints any number of documents in batch mode. It supports 16 file formats including PDF; Microsoft Word, Excel and PowerPoint; RTF; TXT; and HTML. In addition, PrintConductor uses virtual printers to convert documents into graphics files. Adding documents to a batch print list is as simple as dragging and dropping the documents to the list. You can automatically scan folders for specific file types, and you can access printer settings. You can sort batch lists by name or type, preview or separately print listed documents and easily cancel batch print jobs at any time during processing.

MAKING PARALEGAL WORK EASIER

(CONTINUED)

WatchThatPage (www.watchthatpage.com) by ATS Consulting AS. If you ever have had to monitor a Web site for updated content, such as when you are waiting for a court opinion to be published, then WatchThatPage is for you. WatchThatPage automatically collects new information from Web pages that you specify at customizable intervals and sends it to you in an e-mail or to a personal Web page. Instead of posting a reminder to yourself to check one or more Web sites daily (or more frequently), you can monitor the sites with WatchThatPage — a real timesaver.

DeskTask (www.carthagosoft.net/desktask.htm) by Carthago Software. DeskTask works with Microsoft Outlook to display a whole week of your calendar and to-do list items right on your desktop, keeping your agenda and follow-up items always front and center, as well as saving precious time by not having to launch or switch to Outlook to see your current schedule. Additionally, you can configure DeskTask to have the displayed Outlook items open upon clicking.

KeyScrambler Personal (www.qfxsoftware.com/download.htm) by QFX Software. KeyScrambler Personal is a keyboard encryption plug-in tool for Internet Explorer and Mozilla Firefox that safeguards personal data you input online, such as user names and passwords, Social Security numbers, credit card numbers, search terms and e-mail messages, from malevolent keystroke loggers (those who would capture your keystrokes for identity theft purposes). Instead of your private information, the encrypted keys, which are completely indecipherable, are all that will be captured by any keystroke logger who manages to breach your PC's security.

KeyScrambler Personal is unobtrusive, doing its magic silently behind the scenes. It surfaces only when needed and operates only in the background so you can confirm that encryption is being implemented. KeyScrambler Personal provides a welcome added layer of security over and above any antivirus or anti-spyware programs you might have.

Simple File Shredder by scar5Software, available at www.download.com. Deleting PC files is something most of us routinely do, and even though most people now understand a file isn't actually destroyed when it's deleted in Windows, a lot of PC users still rely solely on Windows Delete. With Simple File Shredder, deleted files can be permanently removed from your computer and are unrestoreable using recovery software.

In the age of electronic discovery, some type of computer file-shredding should be implemented in every law office as one of several means of protecting privacy and confidentiality of sensitive information.

Net Snippets Free Edition (www.netsnippets.com) by Net Snippets. Net Snippets, the first free post-search information management tool for the Internet, offers this Free Edition to save and organize Web results such as text, images, links and entire Web pages in a single location. Click the Snippets icon in your browser and a Net Snippets task pane appears. Then, select the Web content you want to capture and drag-and-drop it to the task pane. A window then opens where a host of options are available, such as naming or renaming the snip, adding comments, setting the snip's level of importance, and highlighting and formatting. It also includes detailed information about the snip's source. You can then organize the snips into folders and easily retrieve them at any time.



MAKING PARALEGAL WORK EASIER

(CONTINUED)

Net Snippets Free Edition is particularly useful for quickly gathering snippets of text from the Internet, which can later be accessed to copy and paste into a brief or some other type of document. With this method, paralegals can recapture a lot of wasted time spent copying text from the Web, switching over to Microsoft Word, using Paste Special (to paste as clean, unformatted text), saving the Word document and then returning to a research session — only to repeat this same process time and again.

Lookout by Microsoft, available at www.snapfiles.com/get/lookout.html. Lookout is a plug-in for Outlook that speeds up searching the content of your mail folders. It indexes your e-mail on a regular schedule, produces almost instant results and offers advanced search options. Having Outlook set up with categorized folders for e-mail that I want to keep, which isn't a bad idea, unfortunately makes standard searching in Outlook somewhat complicated and slow, and therefore a task to be avoided if possible. With Lookout, searching Outlook becomes a first choice rather than a last resort.

Lupas Rename (<http://rename.lupasfreeware.org/download.php>) by Ivan Anton. If you ever have found yourself with a need to rename numerous PC files, you will appreciate the wonders of Lupas Rename. Lupas Rename not only renames files and folders, but also offers an impressive array of useful and advanced file management tools too numerous to list, including more renaming options than you will probably ever need. Lupas Rename can even convert to uppercase or lowercase in file names, replace file extensions and create batch files based on renaming operations so they can easily be reused in the future. Lupas Rename is a must-have for taking charge of your Windows files and folders.

VMN Toolbox (<http://toolbox.vmn.net>) by Visicom Media Inc. VMN Toolbox is a small program that includes several handy tools combined into one: Sticky Notes (place sticky notes anywhere on your desktop), Virtual Rulers (precisely measure anything on your screen), a Color Picker (grabs any color from a Web page so you can add it to your Windows color palette), Screen Capture (capture screen content for e-mailing or saving to your PC) and a Magnifier (magnifies any area of your screen to x2, x4, x6, x8, or x10).

As you can see, the stratosphere is the limit when it comes to PC- and Internet-related tasks that can be automated or streamlined simply by using some of the software and Internet tools that are readily available — and totally free. Of course, there are many other free tools out there just as proficient at accomplishing the tasks described above, as well as countless other amazing tools, free for the taking. They are easy to find by conducting a simple Web search or through one of the many fine Web sites that collect and share software links such as CNet Download.com, SnapFiles.com, tucows.com or Nonags.com. Why not search out a few golden nuggets for yourself to round out your PC toolbox? After all, the most valuable tools are the ones that are readily available when you need them.



Kim Plonsky is a paralegal with more than 25 years experience. She works for Craig A. Davis, a solo practitioner in Lafayette, La., who specializes in litigation of all types.

BUSINESS AND PROFESSIONS CODE GUIDELINES AND STANDARDS

Reprinted Courtesy of Sandra Hernandez (Kern County Paralegal Association)



What is a Paralegal?

Many years ago, defining a paralegal or a legal secretary was easy. In most cases, a paralegal was a legal secretary with many years of experience in the legal field. A person developed their skills and knowledge over time and evolved into a legal assistant position.

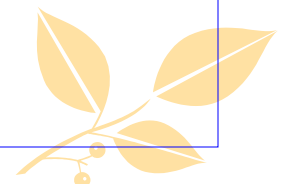
As times changed, however, it became apparent that more definition to the paralegal profession had become necessary for other reasons. Assembly Bill 1761 was sponsored by the California Alliance of Paralegal Associations ("CAPA") to protect consumers from untrained unqualified individuals holding themselves out as "paralegals" providing poor services. The bill was signed into law on September 13, 2000 by Governor Gray Davis and was codified in Business and Professions Code Sections 6450-6456. This law became effective on January 1, 2001. The Code defines the qualifications, functions and necessary continuing education requirements of paralegals working in California.

What is the Definition of a "Paralegal" Under Business and Professions Code 6450?

According to the Business and Professions Code 6450:

"Paralegal" means a person who holds himself or herself out to be a paralegal, who is qualified by education, training, or work experience, who either contracts with or is employed by an attorney, law firm, corporation, governmental agency, or other entity, and who performs substantial legal work under the direction and supervision of an active member of the State Bar of California, as defined in Section 6060, or an attorney practicing law in the federal courts of this state, that has been specifically delegated by the attorney to him or her. Tasks performed by a paralegal include, but are not limited to, case planning, development, and management; legal research; interviewing clients; fact gathering and retrieving information; drafting and analyzing legal documents; collecting, compiling, and utilizing technical information to make an independent decision and recommendation to the supervising attorney; and representing clients before a state or federal administrative agency if that representation is permitted by statute, court rule, or administrative rule or regulation."

The terms paralegal, legal assistant, attorney assistant, freelance paralegal and independent paralegal are all synonymous under Chapter 6454 of the Business and Professions Code.



**BUSINESS AND PROFESSIONS CODE
GUIDELINES AND STANDARDS****(CONTINUED)****What do Paralegals Do?**

Depending on the area of law in which a paralegal works, duties can either be very focused or quite varied. A paralegal can analyze facts, draft documents, gather information, meet with clients, research cases, write briefs and/or memoranda, draft agreements, prepare court documents, analyze assets and administer estates, and can even represent clients before administrative agencies if that representation is permitted by law.

What can Paralegals Not Do?

There are five specific acts which only a licensed attorney can perform. The performance of these acts by a paralegal or legal assistant would be considered the Unlawful Practice of Law (UPL) and, of course, would also be unethical. They are:

- * Establish the attorney-client relationship
- * Provide legal advice
- * Sign legal papers and pleadings on behalf of a party
- * Appear in court on behalf of another (i.e. the client)
- * Set and collect fees for legal services

Qualifications Under Business and Professions Code

Since the passage of Business and Professions Code 6450, there have been questions as to how one qualifies or "falls" into the category of a paralegal. Below is the language from the Code detailing what qualifications or education a paralegal must possess.

A paralegal shall possess at least **one** of the following:

- (1) A certificate of completion of a paralegal program approved by the American Bar Association.
- (2) A certificate of completion of a paralegal program at, or a degree from, a postsecondary institution that requires the successful completion of a minimum of 24 semester, or equivalent, units in law-related courses and that has been accredited by a national or regional accrediting organization or approved by the Bureau for Private Postsecondary and Vocational Education.
- (3) A baccalaureate degree or an advanced degree in any subject, a minimum of one year of law-related experience under the supervision of an attorney who has been an active member of the State Bar of California for at least the preceding three years or who has practiced in the federal courts of this state for at least the preceding three years, and a written declaration from this attorney stating that the person is qualified to perform paralegal tasks.
- (4) A high school diploma or general equivalency diploma, a minimum of three years of law-related experience under the supervision of an attorney who has been an active member of the State Bar of California for at least the preceding three years or who has practiced in the federal courts of this state for at least the preceding three years, and a written declaration from this attorney stating that the person is qualified to perform paralegal tasks. This experience and training shall be completed no later than December 31, 2003.

**BUSINESS AND PROFESSIONS CODE
GUIDELINES AND STANDARDS**

(CONTINUED)

Is Continuing Education Necessary? *

Yes! Once a paralegal meets the qualifications of Business and Professions Code 6450, it is mandatory under the code to continue their education to keep abreast of new laws and legislation. The requirement is:

(d) All paralegals shall be required to certify completion every three years of four hours of mandatory continuing legal education in legal ethics. All continuing legal education courses shall meet the requirements of Section 6070. Every two years, all paralegals shall be required to certify completion of four hours of mandatory continuing education in either general law or in a specialized area of law. Certification of these continuing education requirements shall be made with the paralegal's supervising attorney. The paralegal shall be responsible for keeping a record of the paralegal's certifications.

(e) A paralegal does not include a nonlawyer who provides legal services directly to members of the public, or a legal document assistant or unlawful detainer assistant as defined in Section 6400, unless the person is a person described in subdivision (a).

(f) This section shall become operative on January 1, 2004.

While the Code defines the various criteria for working paralegals by either meeting educational requirements or for work experience combined with attorney certification, it is important to remember that the key is to have a combination of experience *AND* education to be successful as a practicing paralegal.

* Please note that the continuing education requirements as of 2007 are four hours of ethics and four hours of general law/specialized law every two years.



In April we reprinted Kayleen J. Wills, CP, CAS's article on "What Is In Your Assistant's Title?" We mistakenly printed that Kayleen Willis is with the Ventura County Association when she is actually with the Kern County Paralegal Association. Sorry!

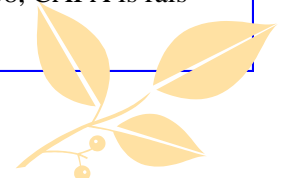


CALIFORNIA ALLIANCE OF PARALEGAL ASSOCIATIONS

Reminder: CAPA's 19th Annual Educational Conference will be held on June 23, 2007, at the Hilton Harbor Island Hotel, San Diego CA. Please see www.caparalegal.org for more information

INCREASE IN CAPA DUES

As you know, SBPA is a member of the California Alliance of Paralegal Associations (CAPA) which means that you are a member of CAPA. CAPA offers several insurance, financial and related services through approved benefit providers. Each year, SBPA pays \$2 per member to CAPA. Beginning 2008, CAPA is raising its dues by \$1 per person.



C A L E N D A R



June 12, 2007 Luncheon Membership Meeting

- A Thomson West presentation on Livenote, the premier transcript and evidence management tool (see Page 11)
- All attendees are eligible for MCLE credit
- RAFFLE PRIZES: 1st prize is an I-Pod Shuffle, 2nd and 3rd prizes are laptop roller bags
- Catered Buffet Luncheon - \$18 members, \$20 non-members
- Please RSVP to Jill Jackman Sadler at jill@jackmansadler.com



- Luncheon at the University Club. FREE for members and \$20 for guests/attorneys/nonmembers. Please bring your business card to enter a raffle for a door prize. Our speaker will be Judge Denise de Bellefeuille and the topic is "Law, life and laughter – making it all work for you." MCLE credit available.



June 23, 2007 CAPA Annual Educational Conference in San Diego (see Page 12)

July 04, 2007 Independence Day (Court Holiday)

July 11-14, 2007 NALA's 32nd Annual Convention in New Orleans

August 14, 2007 Luncheon Membership Meeting at SBB&T

September 03, 2007 Labor Day (Court Holiday)

September 27-30, 2007 State Bar of California's 2007 Annual Meeting in Anaheim

October 08, 2007 Columbus Day (Court Holiday)

November 3-4, 2007 Leadership Conference in San Francisco (Rumor has it that this is a fascinating conference. Everyone is welcome to attend.)

November 12, 2007 Veterans Day (Court Holiday)

November 13, 2007 Luncheon Membership Meeting at SBB&T

November 22, 2007 Thanksgiving Day (Court Holiday)

November 23, 2007 Day after Thanksgiving (Court Holiday)

December 25, 2007 Christmas Day (Court Holiday)

All luncheon membership meetings are held at Santa Barbara Bank & Trust, located at 1021 Anacapa Street, Santa Barbara. Everyone is welcome. If you have questions regarding the program please contact Jill Sadler at jill@jackmansadler.com.



The Santa Barbara Paralegal Association
cordially invites you to attend our June meeting

Tuesday June 12, 2007
12:00 p.m.-1:30 p.m.

Santa Barbara Bank & Trust
Community Conference Room
1021 Anacapa Street, Santa Barbara

**Come boost your resume & computer skills set
learning LiveNote™, the premier transcript and
evidence management tool**



Paralegals work in fast-paced, ever-changing environments where efficiency and speed is crucial. As the market becomes more competitive, paralegals must learn to differentiate themselves. One way to do this is by becoming proficient in the most cutting-edge litigation software on the market - LIVENOTE.

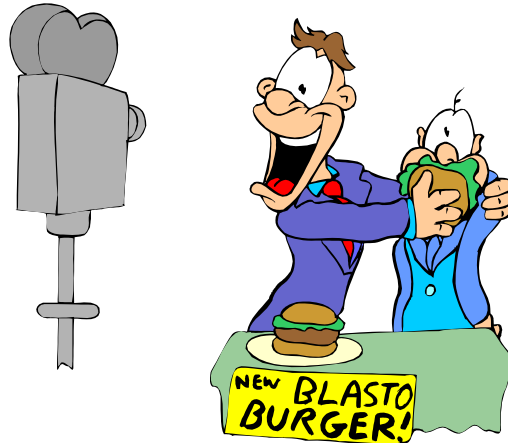
All attendees to receive MCLE credit!!

Raffle Prizes

1st prize – I-pod shuffle

2nd and 3rd prize – laptop roller bag

S B P A G I V E S B A C K !



S B P A G I V E S B A C K !

You may have heard that American Idol gives back, but they are not the only ones. On June 23, 2007, CAPA will hold its Annual Educational Conference in San Diego. SBPA has purchased raffle tickets from CAPA and assigned these tickets to its 36 active members. A list of prizes include:

- Tea basket with assortment of fine teas and accessories
- Beach Bag with towels and other beach stuff
- DVD basket, with player, movies and other goodies
- iPod
- \$100 Visa card
- Picnic carrier with Sonoma County wines
- Techie Basket, including web cam and other techie goodies
- Vacation theme basket
- iPod Shuffle
- iPod Shuffle and a \$25 gift card to iTunes
- Spa or wine basket
- Gift basket

...

Ticket holders do not have to be present to win. Good luck!

TREAD LIGHTLY WHILE INTERVIEWING PROSPECTIVE CANDIDATES

BY KATHI A. WHALEN, PRESIDENT
WHALEN BRYAN INC. LEGAL PLACEMENT
(CONTINUED PAGE 14)

At the time of an interview, an applicant is protected by both federal and state anti-discrimination laws¹. No problem - you are an equal opportunity employer and would never discriminate when hiring or recruiting. Or so you think. Sure, you know about the federal and state laws making certain kinds of personal information protected, so you steer clear of questions directly related to race, religious beliefs, marital status, age, or disabilities. However, race, ethnicity, religion, and gender-related issues all too often can subtly slip into an interview. In fact, you may have unwittingly committed legal blunders during hiring interviews by making seemingly innocent "small talk."

For example, "Is that Ms. or Mrs.?" or "Is that your maiden name?" may be interpreted as intent to discriminate based on marital status. Similarly, questions regarding number of children and childcare arrangements may be seen as being based upon the applicant's gender. "What an interesting name, what does it mean?" or "What country are your parents from?" may be interpreted by the applicant as an illegal question regarding his or her national origin. Likewise, if an English language skill is not a requirement of the work to be performed, it is inappropriate for an employer to use an English language proficiency test or to inquire about the applicant's native language. In fact, any pre-employment inquiry having a potential adverse effect upon a particular protected group may violate an applicant's civil rights. Such inquiries include questions relating to an applicant's height or weight (unless essential to the safe performance of a job); to an applicant's arrest record; to whether an applicant owns or rents a home or car, to whether wages have been previously garnished, or to whether the applicant has ever declared bankruptcy (unless financial considerations exist for the job); and to

whether an applicant is a U.S. citizen. These are not appropriate pre-employment inquiries.

You know not to ask an applicant her age, but what about asking an applicant what year he graduated from high school. Such a question is age-related and may create an inference of age discrimination. "How do you feel about starting a new career all over again?" or "How do you feel about beginning at the bottom?" are also inappropriate age-related questions that may infer age discrimination. To be safe, refrain from asking your applicant any questions closely related to age, except whether he or she is at least 18 years old.



No-no disability-related questions are not limited to "Do you have a disability?" and similar direct questions. Inappropriate questions include asking an applicant how many sick days he or she took with a previous employer - this question may directly relate to possible disabilities. For the same reason, an employer may not ask an applicant about his or her worker's compensation history or ask what medications he or she is currently taking. However, an employer may ask applicants about current and prior illegal use of drugs - such illegal drug use is not protected under the law. But be careful not to ask an applicant questions that are likely to elicit information about alcoholism, which is a legal disability. Also, as with

TREAD LIGHTLY WHILE INTERVIEWING PROSPECTIVE CANDIDATES

(CONTINUED)

physical disabilities, an employer is not permitted to ask applicants any questions that are likely to elicit information about a psychiatric disability.

Confused about the subtleties of the anti-discrimination laws? Simply apply one guiding principal to any question you ask a job applicant: Is there a job-related necessity for asking this question? Also, be consistent in your questioning; don't direct certain questions only to female applicants, for example. There are many permissible ways to question an applicant about his or her qualifications and availability to work without entirely eliminating the candor and conversational flow of the interview. Just remember: If it is not job related, don't ask.

Kathi Whalen is President of Whalen Bryan Inc. Legal Placement. Her agency places attorneys, paralegals, and other legal talent in Fortune 500 Corporate Legal Departments, as well as hundreds of top law firms throughout Ventura and Santa Barbara counties. Whalen is a member of SBBA, VCBA, VCLSA, SBLSA, VALA, SBPLA, NALS- National Association of Legal Search Consultants, and the VC Law Day 5 K committee. For more information, check out Whalen Bryan's website at www.whalenbryan.com or call (805) 965-2020 or (805) 389-3663.

¹ Federal discrimination laws apply to employers with 15 or more employees and the California Fair Employment and Housing Act (FEHA) applies to employers with more than five employees. Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on race, color, religion, sex, or national origin. Similarly, California's FEHA prohibits discrimination in employment based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation of any person. The Age Discrimination in Employment Act of 1967 (ADEA) protects individuals who are 40 years of age or older and covers all private employers with 20 or more employees, state and local governments (including school districts), employment agencies and labor organizations.. Title I and Title V of the Americans with Disabilities Act of 1990 (ADA) prohibits employment discrimination against qualified individuals with disabilities. Additionally, the anti-discrimination provision of the Immigration Reform and Control Act provides that an employer cannot discriminate against an applicant who is not a U.S. citizen.

Courtroom Humor

By the Court: Is there any reason why you couldn't serve as a juror in this case?

By a Potential Juror: I don't want to be away from my job that long.

The Court: Can't they do without you at work?

Potential Juror: Yes, but I don't want them to know that.

By Attorney: Your foster son, Corey, who cooks for him?

By Witness: Oh, I do.

Attorney: How often do you cook for him?

Witness: We have probably one good meal a week.

Attorney: Well, no commentary on your cooking, but how many "bad" meals do you have?



GOVERNOR ARNOLD SCHWARZENEGGER

June 22, 2007

California Alliance of Paralegal Associations

I am delighted to extend my greetings as you celebrate *California Paralegal Day*.

California's system of justice depends on the hard work of paralegals who perform a multitude of important tasks essential to the integrity of our legal system. Their duties in research, communications and administration ensure that lawyers and clients are given the information they need to proceed with their cases. Paralegals are indispensable in formulating and disseminating this knowledge and are critical to meeting the needs of the constantly growing legal profession.

I commend your association and all of California's paralegals for your contributions to our state. Your support and recognition of these dedicated professionals have my appreciation and respect.

On behalf of all Californians, please accept my best wishes for a memorable observance and every future success.

Sincerely,

A handwritten signature in black ink that reads "Arnold Schwarzenegger".

Arnold Schwarzenegger



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If you are interested in serving on the board, please contact Josefina Martinez. If you have comments, questions, or articles to submit for the newsletter, please email them to Sandra Biesinger. Thank you.



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