



The REAP Record

Fall 2012 Newsletter

A [Redwood Empire Association of Paralegals](#) Publication

Published Quarterly

Highlights

President's Message	1
Saying No!	2
Association News	4
Membership News	4
Critic's Corner	5
Paralegal Salary Survey	6
Board Member Spotlight	7
Board Minutes	8
Membership Report	
Paralegal Mentor	9
Calendar	11

About REAP

REAP was established in 1981 under the name Redwood Empire Legal Assistants (RELA) as a professional and educational organization for legal assistants and paralegals.

Mailing Address

REAP
P.O. Box 143
Santa Rosa, CA 95402

Membership

[Membership Information](#)
[Membership Application](#)



President's Message

By [Trudy McQuiddy, CP](#)
REAP President

Have any of you ever read [Vicki Voisin's](#) blog Paralegal Mentor blog? Last Friday, Vicki cited a recent LinkedIn survey where paralegals identified those tools they currently use that they believe will be obsolete in the next five years. (The blog can be read on pg. 9, below). Included among these were fax machines, tape recorders, rolodex, and a few others. I've been working since I was 18, as the business world was just getting into the electric typewriter era. The IBM Selectric quickly gave way to new computing devices; I recall learning how to use an IBM Mag Card (and thought it was simply AWESOME that I could save a document, one page at a time, to magnetic cards!), then a Viadek (one disk for an entire document!) and then a Wang computer, and finally an Apple III that had 5 whole megabytes of memory! After the Apple III, I left the job market for a few years to raise my children, ultimately returning to college and obtaining my BA and my paralegal certificate. But I saw the writing on the wall; so much changed in the 15 years between high school graduation and my leaving the workforce that I knew change would be even greater when I returned. As a student at SRJC, I took steps to acquire skills I believed would benefit when I returned to work. As a paralegal student, I actually got to go on a field trip to the Sonoma State University Library, where we used one of the few computers there to access a new legal research service, Lexis.

In 1994, I returned to the workforce, fresh out of the SSU paralegal program, BA in hand, and ready to take on the world. I wanted to be a litigation paralegal, but fate had other plans for me. My first position in the legal workplace was as a legal secretary; six months later, I was promoted to a paralegal position with the same attorney, but doing transactional work, not litigation. Little did I know that the opportunity that was initially a little disappointing to me would form the basis for a rich and successful career. Looking back, I am amazed at how fortunate I was to not only get that position, but to start my career learning about the transactions that are often the foundation for litigation. When I finally started working as a litigation paralegal, the skills and knowledge gained in transactions served me well. **Continued on next page**

President's Message

Continued from page 1

As a paralegal student at SSU, I joined REAP (then RELA), and I've taken advantage of the opportunities that came to me through that membership. I truly believe you only get out of something what you put into it; I've given a lot to REAP, and gained so much more in return. It has been a pleasure to work with the members of the REAP board of directors over the last several years, and I am grateful to each and every one of them for their friendship, commitment to our profession and to providing opportunities for other paralegals and paralegal students to grow in our profession. I am grateful to you, the members of REAP, for participating in our professional association and helping us gain recognition for the professionals that we are. I've enjoyed listening to you as you work through your job concerns, and helping with thorny questions on procedural matters. My time on the REAP board of directors is now coming to a close, but I am always available to you if you need advice (not legal advice!) or just a sounding board. It looks like in 2013 I will be taking on the position of president of the California Alliance of Paralegal Associations, where I will continue to promote our profession and work for the advancement of the paralegal profession throughout California.

As I wander off into the sunset, I want to leave you with this advice: take advantage of every opportunity presented to you, because you never know where it will lead you. Believe in what you do, and you will enjoy going off to work every day. Love what you do, and you will find success.

Thank you for your support of REAP, and I wish each of you success.

How good are you at saying NO?

By Sandra Caputo, MA



No is a tricky word... most of us are not so great or consistent at using it when we need to ... inevitably, this topic always comes up while I'm training, speaking and consulting. If we can't say no to lower priority things, we will never be able to get done those things that are truly the most important. You see, when it comes to managing our time, there is nothing more important to that process than saying no. Don't believe me? Consider right now how many things you "wish" you could get out of or "wish" you weren't involved in because they are sucking your time and energy away and you aren't truly invested or engaged in them.

Last week, while on a teleconference call with my group course that I teach online, I put a **no challenge** out to the group. What is a no challenge you ask? Simply put, it's challenging yourself to say no as many times as possible in the upcoming week. This is harder than it sounds – we say yes for so many reasons other than actually wanting to do what is being asked of us. If this is ringing a bell – consider challenging yourself this next week to say NO as many times as possible and pay attention to what happens in your life.... here's a few creative ideas on how to say no without really saying no!

8 WAYS TO SAY NO WITHOUT SAYING NO

1. **Yes and No:** "Yes, I'd love to participate, and I'm going to have to decline."
2. **No with help:** "I love that you thought of me, and I'm unable to participate. How can I help you find someone else?"
3. **No with appreciation:** "I think your idea is fabulous, and I'm not able to participate at this time."

4. **Yes and Not Now:** “Yes, I’d love to participate, and I’m going to have to table it until July.
5. **No to the boss:** "Saying yes to this means saying no to something else... can you help me prioritize?"
6. **No with specific yes:** “I’d love to help you with your project, and I’m on a deadline until Tuesday. Can we meet on Wednesday?”
7. **No when you don’t know:** “Sounds interesting. I need to sleep on that.”
8. **No absolutely:** If I take on another task right now, I wouldn’t be honoring my commitment to my [family] [work] [business].

I always remind clients that when they say no to something they are actually saying yes to something else and vice versa. Saying no has power and since we teach people how to treat us when it comes to our time, every time we don't say no, we enforce this pattern. Yes people always get asked to do things because they say yes to everything. One of the major hurdles with saying no that many people have is that they don't want to hurt someone's feelings. I think we need to let go of this as a society. If you hurt someone when you tell them no, is that your problem or theirs? That might sound harsh, but the alternative is taking on too much and doing things that don't feed your soul and feeling like you never have enough time or energy. Once in a while, it's okay to do this, but if you find yourself saying yes more often than not and what you really want to say is no, then I encourage you to just try it once and see how it feels. Then, say it loud, consistently and most importantly, guilt free!

Do you have a question or situation related to time management, to-do list management, prioritization or general organization? If so, please email me at Sara@radiantorganizing.com and I will share your questions with answers within the column!

Sandra Caputo, MA is a dynamic productivity coach, consultant, and trainer based in Santa Barbara, California. She has diverse experience in group process facilitation, project management, and team development, and understands the challenges that disorganization provokes in clients’ professional and personal lives. She is the founder of [Radiant Organizing](http://www.radiantorganizing.com). Sandra’s blog can be read at <http://www.radiantorganizing.com/blog>

News Briefs

Male NY Paralegal’s Salary Is Higher Than His Female Co-Worker's

By [Jeff DiCello](#)
REAP Record Editor

Forbe’s magazine and other media outlets have been reporting on the case of a New York City paralegal, a man, who candidly admitted in an interview that he was paid more than his female colleagues. And he got an office while she got a cubicle. Both were equally qualified.

In case you’re wondering, yes, he does feel guilty about it. Read the article [here](#).

Paralegal Blows Whistle on Ex-Boss, Says Cash Went in Book on Shelf; Lawyer Suspended for One Month

An Iowa paralegal blows whistle on attorney boss: lawyer stashed cash in books instead of client trust account. Spent lavishly. Lawyer suspended for one month.

Read all about it [here](#).

Paralegal Serves with Distinction in the U.S. Army

Spc. Derek Gentry is a paralegal specialist assigned to Kandahar City, Afghanistan in Regional Command-South with Task Force Ripcord, 503rd Military Police Battalion (Airborne) out of Fort Bragg, N.C.

I wish the article explained more about his paralegal duties in the Army, but nonetheless, it is an interesting read.

Here’s the full [article](#).

Association News

Trudy McQuiddy Honored by CAPA at Educational Conference in June



REAP's outgoing president, Trudy McQuiddy, CP (left), was awarded the Paralegal of the Year award by CAPA, the California Alliance of Paralegal Associations, at CAPA's educational conference in June in Sacramento.

Congratulations, Trudy!

Monica Lehre Honored by NALA

Monica J. Lehre (pictured at right), CP, Legal Department Head of the Paralegal Program at Empire College and current member of the REAP Board of Directors as REAP's CAPA Primary representative, was honored in June by the National Association of Legal Assistants (NALA). Monica received NALA'S Make A Difference award, which recognizes outstanding achievement of members who have made a difference in the paralegal profession or in their communities. Monica was honored for her dedicated support of paralegal students, her willingness to support students through participating in weekly meetings of the Empire Legal Student Association, and her persistent working to find internships for paralegal students.



Membership Report



Editor's note: Ordinarily we list all new members who joined REAP in the last quarter. We regret we cannot list all new members names this quarter, but we will resume the practice in the winter newsletter. If you joined this quarter and did not receive a welcome e-mail, please notify me at jeffdicello@comcast.net.

Voting members	67
Student members	62
Sustaining members	4
Total members	133

We currently have 301 Facebook friends. Join us on [Facebook](#).

Notable Events

[REAP's Annual Legal Ethics Seminar](#)

(2 units of ethics MCLE)

(Light dinner included w/all paid registrations)

Date/Time: Wed. Oct. 24, 2012/5:30 pm to 8:00 pm

Location: Finley Center, Live Oak Room
2060 West College Avenue, Santa Rosa

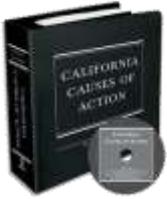
[REAP Gen. Membership Meeting, Election of Officers](#)

Date/Time: Thurs. Nov. 8, 2012/6:00 P.M.

(Dinner provided at no charge to *members only*)

Location: Carmen's Burger Bar
90 Mark West Springs Road, Santa Rosa
(Adjacent to Wells Fargo Center)

R.S.V.P. to Trudy McQuiddy at
tmcquiddy@sbcglobal.net by Mon. Nov. 5, 2012.



Critic's Corner

By [Jeff DiCello](#)
REAP Record Editor

California Causes of Action, et al.

Book and CD
James Publishing
Price: \$99.00

[James Publishing](#) is a small legal book publisher in Southern California that has been around since 1981.

They publish several very affordable legal treatises that are written in easy-to-understand language.

One of my favorite of their publications is [California Causes of Action](#) (CCOA). CCOA contains information on over 125 causes of action commonly found in civil litigation.

CCOA provides “both the elements and the supporting decisions, plus affirmative defenses, related causes of action, remedies, and statutes of limitations,” according to the book’s website. Several causes of action are supported by full-text sample complaints in print and on the CD that comes with the book.

I use this resource all the time to draft pleadings, motions, briefs, etc.

The causes of action covered in the book include, but are not limited to:

- Negligence
- Emotional Distress
- Physical Torts
- Procedural Torts
- Fraud and Negligent Misrepresentation
- Products Liability/ Commercial Sales
- Debtor-Creditor: Fraudulent Transfers
- Business Torts and Actions
- Real Property Torts

- Real Estate Broker
- Contract Actions
- Defamation and Privacy
- Employment
- Insurance
- Intellectual Property
- Animal Torts
- Construction Torts
- Governmental Tort Liability
- Wrongful Death/Survival Actions

I have used CCOA to draft demurrer-proof complaints by making sure to plead all the proper elements in the complaint.

And because James Publishing is a small California-based, operation, when you call them, you get a real live human being, not someone in an overseas call center. Customer service is excellent and they have always been helpful in resolving any issues I had.

Other James Publications I Can't Live Without

Other valuable James publications include [California Drunk Driving Law](#), an invaluable two-volume set ideal for anyone involved in DUI defense. **Price:** \$129.00

James' [California Pretrial Motions and Forms](#) is a two-volume set that rivals Rutter's *Civil Procedure Before Trial*, yet James' publication is much more affordable and easier to understand. **Price:** \$129.00

Website

The James website also has many free features, such as free [articles](#), with [forms](#), and [free chapters](#) from many of their popular offerings.

Honorable Mention

[California Legal Secretary](#) is another James gem. Provides detailed procedures, model forms and instructions for dozens of common law office tasks. **Price:** \$99.00



Paralegal Compensation on the Rise

By [Jeff DiCello](#)
REAP Record Editor

Paralegal compensation appears to be recovering from the hit it took during the recession as salaries, raises and bonuses all inched up in the past year, according to [Paralegal Today](#) magazine’s 20th annual salary survey, published in the magazine’s April/May/June 2012 edition.¹

The average reported salary in 2011 rose 6% to \$53,750 in 2011. Almost 2/3 of paralegals reported receiving a raise in 2011, while 69.2% received bonuses.

Gender

Continuing a trend, almost 90% of survey respondents were female, while males made up 10% .

Experience Pays

As would be expected, the more experience a paralegal had, the more he or she earned. Survey respondents with less than one year of experience pulled down \$34,319 or less; while those with 10 to 12 years in the trenches earned over \$54,000. Twenty year vets reported an average salary of \$64,069.

Pay by Specialty/Setting

Corporate paralegals averaged \$54,178; litigation paralegals averaged \$51,940; probate/trusts/estate paralegals averaged \$46,627; personal injury paralegals averaged

¹ The survey, which ended on April 12, 2012, was e-mailed randomly to 3,169 Paralegal Today magazine subscribers. The data reported in the article was gleaned from the 10.35% who responded to the survey. The survey has an error margin of +/- 5.12%.

\$45,857; and family law paralegals averaged \$41,495.

Billable Hours Requirements

Many respondents (42.4%) reported no billable hours requirement for their jobs.

Here’s a breakdown of the billable hours requirement for those who had quotas:

Yearly Hours	Percentage of Respondents Reporting This Requirement
1,001 to 1,200	2.81%
1,201 to 1,400	7.9%
1,401 to 1,600	10.2%
1,601 to 1,800	5.6%
1,801 to 2,000	1.9%
Over 2,000	1.4%

Here’s a breakdown of the average hourly rate that the paralegal’s law firm bills clients for the paralegal’s time:

Hourly Rate	Percentage of Respondents Reporting This Rate
\$116 - \$135	3.1%
\$96 - \$115	2.8%
\$86 - \$95	2.4%
\$76 - \$85	1.1%
\$66 - \$75	1.7%
\$56 - \$65	0.2%
\$46 - \$55	0.6%
\$36 - \$45	0.3%
\$26 - \$35	0.3%
\$15 - \$25	3.0%

Here’s a breakdown of the average number of hours worked each week:

Weekly Hours	Percentage of Respondents Reporting This Wkly Hr. Requirement
51+	4.3%
41 - 50	43.6%
31 - 40	43.6%
21 - 30	2.7%
11 - 20	1.8%
<10	1.5%



Board Member Spotlight: *Kim Davis*

Here is a chance to meet one of your elected REAP Board members.

The REAP Record posed 10 fun questions to one of our board

members.

This edition the spotlight is focused on Kim Davis, (above) REAP's secretary.

1. Where are you employed and how long have you been in the paralegal profession?

I am working at the law firm of Perry, Johnson, Anderson, Miller & Moskowitz. I have worked in the paralegal profession since May of 2006 (when I graduated from Sonoma State).

2. What area of law do you work in?

Family law.

3. If you could have any superpower, what would it be?

Flying

4. What outdoor activities do you like to do?

Hiking, Bike Riding, Playing Golf (haven't done it in a long time), Fishing, Knee Boarding, Snorkeling.

5. What do you think the greatest invention is in your lifetime and why?

Computers (Not sure if they were truly invented in my lifetime.) They make communication, organization and research so much easier.

6. If you could live anywhere in the world, where would you live?

There are so many places I would like to explore both in the US and overseas. For now, I love California.

7. When you were a kid, what did you want to be when you grew up?

School teacher.

8. Where are you from originally?

Born at Marin General Hospital in San Rafael, grew up in Novato.

9. What book or books are you currently reading?

I just finished the *Hunger Games* series (reading them with my daughter).

10. Do you have any pets?

Yes, a dog named Jasmine who is a "Morkie." She is a mix of Maltese and Yorkshire Terrier.

At over 200 MPH, the Peregrine Falcon is the fastest animal on the planet.

Rumor has it they trained here at Atkinson-Baker.



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REAP Membership Information

REAP has four categories of membership: voting, associate, student and sustaining.

1. Voting Member (dues: \$42.00 per year)

Voting members are defined as qualified paralegals by education or valid declaration.

2. Associate Member (dues: \$30.00 per year)

Associate members are defined as attorneys or paralegal educators.

3. Student Member (dues: \$20.00 per year)

Student members are defined as current paralegal students.

4. Sustaining (dues \$50.00 per year)

Sustaining members are defined as individuals, law firms and companies that endorse and promote the paralegal profession.

Who Cannot Vote

No active member who is delinquent in the payment of any dues or other assessments shall be qualified to vote.

In no event shall student, sustaining or associate members vote.

REAP membership application: [Click Here](#)

REAP Board Meeting Minutes

See what your REAP Board of Directors has been up to

Meeting Date: September 11, 2012	
Attendance	Trudy McQuiddy, President Michelle Morris, Vice-President Monica Lehre, CAPA Representative Deborah Cain, Education Committee Patti Tate, Special Projects Committee
Board Business	<p>The Minutes for the 8/14/12 REAP board meeting were approved.</p> <p>Two PASCCO scholarship recipients were chosen. Grace De La Torre and Sylvana Lucas are the lucky winners of a scholarship to attend the upcoming PASCCO Conference.</p> <p>The dates for scholarship submissions and the panel interview for the Susan I. Perry REAP Scholarship will be chosen soon. <i>Trudy will be emailing Kim and Ginger to discuss possible interview dates.</i></p> <p>Bios for those planning on running for board positions are due this Friday. Please submit your bio to Trudy so election forms can be mailed out by September 24th.</p> <p>Possible Board members for 2013: President: Michelle Morris Vice President: Debbie Cain Secretary: Erick Beall, Amy Jarvis or Monica Lehre (anyone else you can think of?) Treasurer: Emilee Saltzer CAPA Primary: Kim Davis CAPA Secondary: Patti Tate</p> <p>Committee Members are needed, and members will be invited to join our team at the General Meeting. Information on the job duties and a sign-up sheet will be available there. Currently, Grace De La Torre is acting Sonoma County Bar Association liaison and Jeff DiCello is handling the newsletter and membership. <i>Trudy to inquire regarding their 2013 involvement in these areas.</i></p>
Upcoming Meetings	The next REAP board meeting will be on 10/9/12 at Empire. The next REAP general meeting will be on 11/8/12 upstairs at Carmen's Burger Bar in Larkfield.
CAPA (California Alliance of Paralegal Associations)	Trudy reported rooms will be available at the Crowne Plaza for \$119/night plus taxes for the June 2013 CAPA Conference.
Sonoma Co. Bar	Grace will be attending the Bench Bar Meeting on Friday and will report back to REAP at the next meeting.
ELSA (Empire Legal Student Association)	Emilee reported the new ELSA Day and Night Board Members. <i>Trudy will scan and distribute the list.</i> Day ELSA will be hosting a BBQ on the 21st of September.
Special Projects	A survey will be utilized to determine what members want from REAP in terms of education, social events, etc. Michelle will look into putting some surveys up on the REAP Facebook page so people can vote and see instant results of the survey.



Paralegals: No more fax machines, pantyhose?

By Vicki Voisin

[LinkedIn](#) surveyed more than 7,000 global professionals for their opinions regarding tools and trends that will *disappear* from offices in the next five years and which will become even more common.

Fortunately, Paralegals and other legal support staff members are not on the list! However, nearly three quarters of those surveyed said they expected fax machines and tape recorders to disappear, along with other once common office tools like the Rolodex, desk phones and even desktop computers to become obsolete.

Here are the top 10 office tools and trends that professionals think will vanish in the next five years:

1. Tape recorders (79 percent)
2. Fax machines (71 percent)
3. The Rolodex (58 percent)
4. Standard working hours (57 percent)
5. Desk phones (35 percent)
6. Desktop computers (34 percent)
7. Formal business attire like suits, ties, pantyhose, etc. (27 percent)
8. The corner office for managers/executives (21 percent)
9. Cubicles (19 percent)
10. USB thumb drives (17 percent)

More than half of professionals surveyed say tablets will become increasingly common in the office. Laptops also ranked high, with 34% of those surveyed predicting they would become

more common.

I doubt many of you will mourn the loss of the fax machine, the cubicle or the standard working hours. However, you may miss your Rolodex and your business cards.

This survey is just the latest example that technology in the workplace never stops changing. You will need to adapt to these changes or else risk having technological skills that are obsolete as well.

Editor's Note: This blog by Vicki Voisin inspired REAP President Trudy McQuiddy to look back on how technology has changed since she first entered the paralegal profession. Trudy writes about the topic in her President's Message on pages 1 and two of this newsletter.

About Vicki Voisin:

Vicki Voisin, "The Paralegal Mentor," delivers simple strategies for paralegals and other professionals to create success and satisfaction by achieving goals and determining the direction they will take their careers.

Vicki spotlights resources, organizational tips, ethics issues, and other areas of continuing education to help paralegals and others reach their full potential. She publishes a bi-weekly e-zine titled [Strategies for Paralegals Seeking Excellence](#).

Visit Vicki's website at:
<http://www.paralegalmentor.com>

REAP Board Members

President and CAPA Secondary Representative	Trudy McQuiddy, CP president@redwoodparalegals.org H: 526-9509 W: 526-4250
Vice President	Michelle Morris vicepresident@redwoodparalegals.org
Sonoma County Bar Liaison	Grace De La Torre, CP marketing2@redwoodparalegals.org H: 433-8183 W: 522-8251
Secretary	Kim Davis secretary@redwoodparalegals.org
Treasurer/Webmaster	Ginger Orosco treasurer@redwoodparalegals.org W: 545-7010 ext. 470
CAPA Primary Representative	Monica Lehre, CP capaprimar@redwoodparalegals.org
Special Projects Coordinator	Patti Tate pr@redwoodparalegals.org

REAP Mentors & Committee Members

Probate	Janet Anderson janet.anderson@azdgg.com
Family Law	Kim Davis davis@perrylaw.net
Litigation/ Discovery	Rhetta Hinton rhetta@shapirogalvinlaw.com
Computer Legal Research Sonoma County bar Assoc. Liaison	Joni Boucher joni.boucher@yahoo.com
CLA Exam	Grace De La Torre, CP marketing2@redwoodparalegals.org
Criminal Law Membership Communication Facebook Page Manager Newsletter Editor	Jeff DiCello newsletter@redwoodparalegals.org membership@redwoodparalegals.org
Co-chair, Education	Susan Demers educationchair1@redwoodparalegals.org
Co-chair, Education	Debbie Cain educationchair2@redwoodparalegals.org
Empire College Student and Education Advisor	Monica Lehre, CP capaprimar@redwoodparalegals.org
Empire Legal Students Association (ELSA) Rep. to the REAP Board	



REAP/Legal Community Event Calendar

REAP encourages its members to attend its own educational seminars and those sponsored by the Sonoma County Bar Association (SCBA). Below is a list of some noteworthy upcoming educational programs.

Event	Date/Time	Location
REAP presents... Legal Ethics Panelists: Monica Lehre, Laura Rosenthal and Daphne Drescher 2 units of ethics MCLE	Oct. 24, 2012 <u>Networking and dinner:</u> 5:30 pm to 6:00 pm <u>Presentation:</u> 6:00 pm to 8:00 pm	Finley Center , Live Oak Room 2060 West College Avenue, Santa Rosa
Legal Writes	Tues. Nov. 6, 2012 11:45 am - 1:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
REAP Dinner and General Membership Meeting/Election of Officers	Thurs. Nov. 8, 2012 6:00 P.M. (Dinner provided at no charge to members only) R.S.V.P. to Trudy McQuiddy at tmcquiddy@sbcglobal.net, by Mon. Nov. 5, 2012.	Carmen's Burger Bar 90 Mark West Springs Road Santa Rosa <i>Adjacent to Wells Fargo Center</i>
Meal and Rest Break Requirements Clarified under the Brinker Ruling	Mon. Nov. 19, 2012 11:45 am check in; 12:00 – 1:30 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
Estate Planning & IRAs	Fri. Nov. 30, 2012 11:45 am check in; 12:00 – 1:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
Voluntary E-Service in Sonoma County: It's Here!	Mon. Dec. 3, 2012 3:45 pm – 5:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
Use and Abuse of Expert Witnesses in Civil Litigation	Tues. Dec. 4, 2012 11:45 am – 1:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
New Laws and Forms for 2013 (Civil Department)	Fri. Jan. 18, 2013 11:45 am – 1:30 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa