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## eNEWS | MARCH 2022

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### A MESSAGE FROM THE PRESIDENT

Ken Hastings | CALSPRO President

Finally, two years later, we are starting to put COVID-19 behind us. With the “mask mandate” over in most places, we can start moving forward with the “new normal”. The COVID era was different for all of us. Many of us were affected by the virus or knew someone who was. Many of us lost loved ones or knew someone who did. To all of you, my sympathies and condolences. Such as life is, the show must go on, but let us not forget.

As far as CALSPRO goes, the Blue Ribbon, Membership and Legislative Committees have been hard at work. Robert Porambo and his committee are looking at ways to help CALSPRO remain a viable, sustainable, and thriving association. I have no doubt that CALSPRO is in good hands in this department, and I am looking forward to seeing what the committee comes up with.

As previously mentioned in other articles, the membership drive started out better than I have seen in the past 10 years or so. Thank you to all who quickly renewed their memberships. You have all allowed the Membership Chairman Kristian Pujol to excel and to step-up and assist with the legislative committee this year.

Speaking of legislative committee, Chad Barger has a full plate this year. The committee, which is comprised of quite a few board members, is fully engaged. We are still monitoring for potential changes to bills that have been introduced but for the most part, we know where our challenges are. We are introducing verbiage to change CCP 415.20 which would hopefully remove any reference to the B&P code and clean it up. We believe that this is the best way to ensure due process when serving a CMRA.

A bill of great concern to CALSPRO members is SB 937. Mike Belote and Cliff Costa, our legislative advocates at California Advocates, Inc. identified this bill as a potential problem for our members. The bill seeks to codify practices used by some health care companies and others to allow electronic service of process for consenting parties. CALSPRO adamantly opposes any effort to circumvent current service of process and due diligence laws. The committee has met several times recently and has collaborated to create a litany of reasons why this is a bad bill. Let’s just say, we are definitely on top of it.

Our prison service bill, sponsored by Assemblyman Phil Chen is progressing. With the passage of this bill, service to an inmate would be deemed as personal service when serving an authorized or designated person at the facility such as a litigation coordinator. CALSPRO is looking forward to the passage of this bill which would eliminate the current requirements for substitute service in cases where we do not have access to or there is refusal to cooperate by an inmate.

As you can see, we are hard at work as always. Thank you to all CALSPro Board Members, Committee Chairs and Committee members. You are the backbone of CALSPro, and you are appreciated.

Please be sure to check out the all new [CALSPro.org website](https://www.calspro.org). While you're there, make sure to log into your members only account. Add a photo, update your profile or update your address. It's all right at your fingertips and extremely easy. Need help? Give me a call. I'd be happy to assist.

Stay safe and stay healthy my friends,



Ken Hastings | CALSPro President



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- 4) For trusted clients, the ability to front court filing fees and later invoice.

other purposes.

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## Inflation -- How it Impacts Industry Today

*By Rachel Chaples, Tristar Software*

Inflation is the loss of buying power over time. To be succinct: **money will not go as far tomorrow as it does now.** It is defined by the annual change of prices for goods and services. In the United States, there are two main inflation measurements.

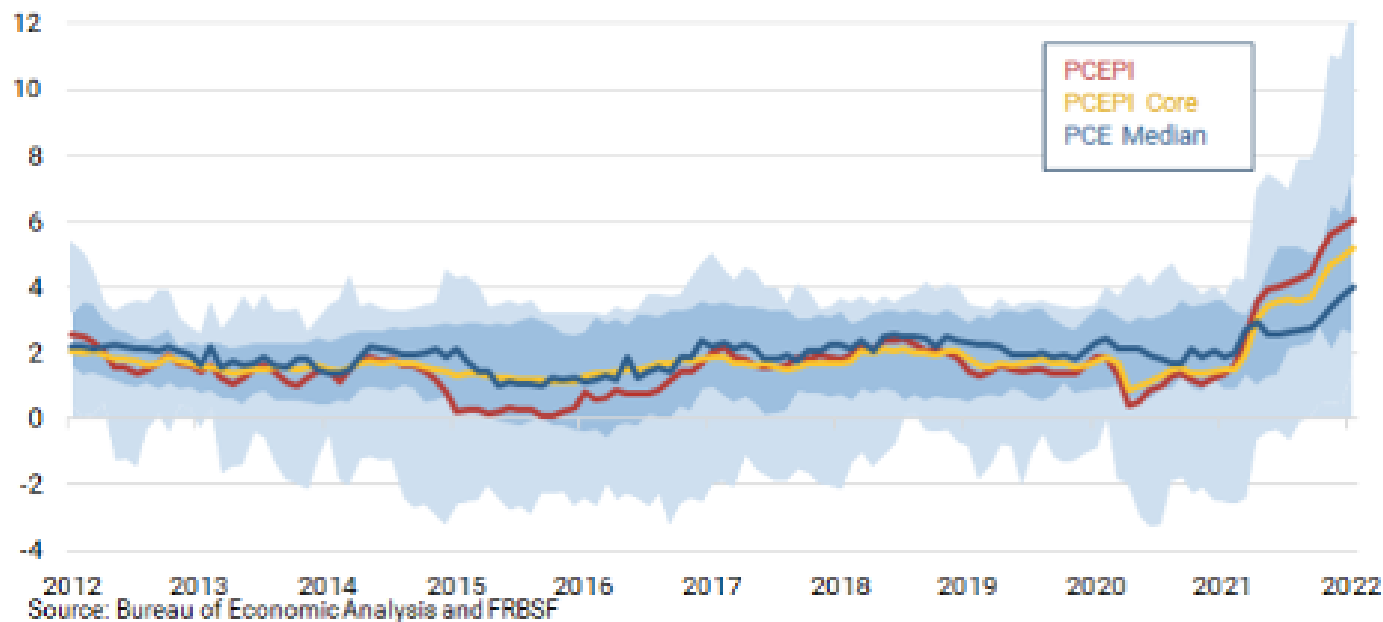
One measurement is the Consumer Price Index. It measures the cost of things consumers buy out of pocket. The other is the Personal Consumption Expenditures index (PCEPI), which is released more slowly and determines what people use, including things they don't pay for directly.

Inflation is at its highest level in 40 years! Prices have risen by 7.5% from a year ago, according to the Bureau of Labor Statistics. As you can see in the graph below, inflation is skyrocketing. This is due to a multitude of factors: supply chain disruptions, increased demand, production costs, government relief funds, the war between Russia and Ukraine to name a few.

## PCEPI Inflation Measures

12-month growth rate

Percent



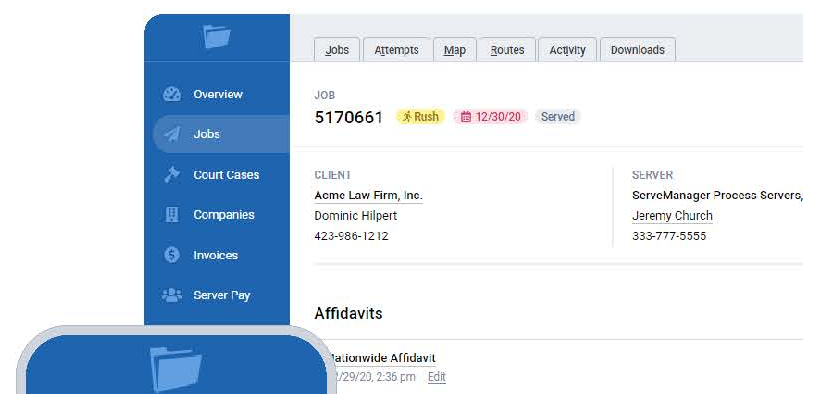
One consequence of inflation is soaring gas prices. High prices at the tank make people think twice about driving and using discretionary income. Process servers are less motivated to drive to a job when it costs more to get there, and profit is less. It makes sense then that a server would charge more for travel expenses. A snowball effect caused by inflation then occurs. If service of process costs more to complete, then attorney service companies must then charge more to maintain their profit margins. Raising prices for services could push clients away, but if prices aren't raised, then layoffs may be the result.

In our industry, it is vital businesses make time to determine actual costs and profits. During inflation annual gauges aren't accurate. Many companies set their standard costs annually. This makes it difficult to see the true costs of running a business in a changing market. Another common company practice is relying on aggregate profit metrics concerning revenue, costs, and gross margins. This prevents them from seeing the true profit made by each job.

During times of inflation, businesses must sensibly communicate price increases and maintain a confident brand image. Clients are more willing to accept a temporary price increase than a permanent one. They are also more likely to accept cost changes when they are kindly informed of the rationale behind the price hike. Along with price changes maintaining a compassionate brand image will take your business far. These are trying times for everyone, and shadow inflation was around long before blatant inflation smacked Americans in the face. All around people are being forced to adapt to work shortages, short tempers, increased customer service wait times, etc. So please, be kind, monitor your actual profits, and communicate eloquently business changes whenever possible.



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#### New Attempt



GPS Data: 39.892, -104.949

#### Previous Attempts

Field Sheet

Personal/Individual	Elizabeth Swanson
12/29/20, 7:43 pm	5130 Washington St, Denver, CO 80216-6208, Denver
<a href="#">Edit</a>	
Personal/Individual	Elizabeth Swanson
12/15/20, 4:40 pm	3130 Washington St, Denver, CO 80216-5208, Denver
<a href="#">Edit</a>	
Unsuccessful Attempt	
12/15/20, 4:40 pm	3130 Washington St, Denver, CO 80216-5208, Denver
<a href="#">Edit</a>	

Unfortunately, we needed to move on from ProServe — software we had been using for years. ServeManager made the most sense for us. The cost is very reasonable and we're thrilled to only be charged based on monthly job volume, not per user. ServeManager has all the bells and whistles you will ever need as an attorney service in California, and their team is incredibly friendly and helpful.



Ed Dietz  
Legal Support Net, Inc.

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- ✓ 49 total affidavits
- ✓ Custom affidavits by request
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## CALSPRO Legislative Update

*By Chad Barger*

Since the February deadline to present a bill, our advocate and the legislative committee has been working diligently to identify any bill that might affect our industry adversely. With over 2,000 bills presented, the task can be daunting. Not only are we looking for adverse legislation, but we have our own prison service bill AB 1974, amendments to CCP 415.20(c), and Business and Professions Code 22450.

The committee identified two bills of great concern. The first bill is SB 937. The would allow for deposition subpoenas that command only the production of business records to be served by overnight delivery, facsimile transmission, or electronic

means, in addition to traditional hand delivery. Because of the bill's potential implications, I asked Tom Alkema to head a subcommittee to dissect the bill and find ways to oppose it and/or amend it to include registered process server and professional photocopiers. CALSPro's stance is to oppose the bill in its current form.

The second bill is AB 2791. This bill would require a marshal or sheriff, including their department or office, to accept an electronically signed writ, notice, or other process and would prohibit a marshal or sheriff, including their department or office, from requiring an original or wet signature on a writ, notice, or other process. The bill would require a marshal or sheriff, including their department or office, to allow a writ, notice, or other process for service to be transmitted to the department or office by email or fax and would prohibit a marshal or sheriff, including their department or office, from charging and collecting a fee for the transmission of the writ, notice, or other process for service. The bill would prohibit a marshal or sheriff, including their department or office, from reviewing the substance of a writ, notice, or other process for service, and would require a marshal or sheriff to serve a writ, notice, or other process if specified criteria are met. This bill has brought more questions than answers. So, I headed a subcommittee to break down the bill and detail the areas of concern. CALSPro's stance is to oppose this bill in its current form.

CALSPro's bill AB 1974, would require a correctional facility or jailer, when served with legal documents for a prisoner, to deliver the paper to the prisoner, with a note of the time of its service. It also makes the correctional facility or jailer liable to the prisoner for all damages occasioned for neglecting to perform that duty. The bill would clarify that service pursuant to these provisions constitutes personal service on the incarcerated person.

Since the passing of CALSPro's CMRA amendment, creating CCP 415.20(c), there have been issues with its reference to Business and Profession Code 17538.5(d)(1). By referencing the Business and Professions Code, the bill requires CMRA owners or operators, within 5 days of receipt, send all documents by first-class mail to the last known home or personal address of the receiving customer. Then the CMRA must obtain a certificate of mailing in connection with the mailing of the documents. The service is deemed complete 10 days after the date of mailing. Unfortunately, most CMRA's are unaware of this or simply chose to not comply. When the previously stated is not complied with, it causes the service to be defective. To resolve this issue, I asked Kristian Pujol to head a subcommittee to develop wording to correct this once and for all.

The last item is to amend Business and Professions Code 22450. We want to remove the language that requires professional photocopiers to register in every county they maintain a branch office in. The code currently says a professional photocopier shall be registered pursuant to this chapter by the county clerk of the county in which he or she resides or has his or her principal place of business. This change would remove the burden of multiple registrations and allow for one statewide registration.



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## IMPORTANT DATES:

### 2022 CCPS Class schedule

- APRIL 30 2022 | 9:00am to 4:00pm  
IN PERSON ONLY  
Gomez Trial Lawyers | 655 W. Broadyway, Ste 1700 | San Diego  
Robert Porambo presenting **REGISTER**
- July 23 (online and in person-Los Angeles area) Michael Kern presenting.
- Sept 25 (in person, San Jose) Mark Manchester presenting

## COURT ANNOUNCEMENTS:

Please be sure to [CLICK HERE](#) for court updates.



### Contact Info:

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Sacramento, CA 95833  
(916) 239-4065  
[info@calspro.org](mailto:info@calspro.org)

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