

Fresno City College
Paralegal Studies Program
Business Division
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TOP 100 OF THE NATION

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Since 1989 the FCC Paralegal Studies Program has offered exemplary training for California paralegals. The program offers both a certification program and an A.S. Degree which fulfill the requirements of California Business and Professions Code § 6450 et seq. Internship placement is an integral part of the program providing practical experience and an opportunity for networking in the legal field.

For Admissions Information, please contact:

Fresno City College
Admissions Office

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MCLE

Mandatory Continuing Legal Education credits are offered periodically through the Approved California State Bar General Provider: Fresno City College Student Paralegal Association.

To contribute an article,
e-mail Editor at:
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ON POINT!

October 2007

2007 PROPOSED CALIFORNIA LAWS

The following are some of the laws that were sent to the governor during this year's session. To find out the final outcome go to www.leginfo.ca.gov for updates on status.

Worker's Compensation Discrimination: SB942 it would require an employer to reinstate an employee returning from a worker's comp leave within 5 days or be faced with back pay and \$100 a day penalties.

Employer Penalties for Independent Contractor and Exempt Employee Violations: SB622 would result in significant liability to employers. It would add a section to the Labor Code making it unlawful for "Willful misclassification of an employee as an independent contractor" and "Willful payment of a nonexempt employee at a fixed salary rate where the employer knew or should have known that payment at that rate would result in the employee receiving less wages than he or she would, had he or she been paid based on regular hours and overtime hours worked." Initial penalties would be \$5,000 to \$15,000 per person per violation. For a pattern of violations the penalty would increase to \$10,000 to \$25,000 per violation. The penalties are in addition to any other penalties or fines.

Discrimination Based On Familial Status SB836: This bill would add "familial status" to the list of prohibited reasons for discrimination under the Fair Employment and Housing Act. The bill defines "familial status" an individual who is or will be caring for or supporting a family member. The bill would cover parent, child, spouse, domestic partner, sibling, parent-in-law, grandparent and grandchild.

Unemployment Insurance: SB 116 allows employees unable to work due to the January freeze to receive UIB.

Discrimination: AB14 expands definitions of unlawful discrimination in providing services under the Unruh Civil Rights Act to the same standards as DFEH.

Wage Records: AB 435 would require that wage and classification records be kept for 5 years and extends the statute of limitations for filing suit on gender discrimination in wages to 5 years for willful misconduct.

Family Leave: AB537 would expand coverage under the Family Rights Act, which covers employers with more than 50 employees. The changes would allow an employee to take protected leave for: the illness of an independent child of any age; parents-in-law; grandparents; grandchildren and domestic partners.

Non-Smoking Rules: AB 1467 makes many changes in the laws covering smoking in work areas. The intent is to prohibit smoking in almost all enclosed areas of employment. Exceptions apply for bars and similar establishments.

Bereavement Leave: SB549 would require that an employer grant up to 4 days of unpaid bereavement leave for the death of spouse, child or parent. Employer prohibited from disciplining an employee for inquiring, requesting or taking such leave. Only covers employees who have at least 60 days of employment.

HALLOWEEN TRIVIA

- Hallmark Cards estimates that 65% of Americans will decorate their homes and offices for Halloween.
- Halloween is the third-largest party occasion after Christmas and New Year's Eve.
- North Americans spend approximately \$21 million dollars on candy each year.
- The town of Hancock, MD, has refused for more than 20 years to designate a date for Halloween. The rationale is that if a child gets hurt on a specific date they have set, the township might be liable for damages.

WHAT SUPREME COURT JUSTICE was nominated by President Bush on Halloween Day?



Judge Samuel Alito, Jr.

ROBERT'S RULES OF ORDER TIP

Meetings may be held via email if the group's bylaws allow it. If bylaws do not authorize e-meetings, any action taken by the group during an electronic meeting is not a legal action.



TRICK OR JOKE?

To find some fun Halloween tricks and jokes, go to www.theholidayspot.com/halloween/jokes.htm
To share just a few:

What do you get when you cross a vampire and a snowman?

Frostbite...

Why don't skeletons ever go out on the town?
Because they don't have any body to go out with...

What do ghosts add to their morning cereal?

Booberies...

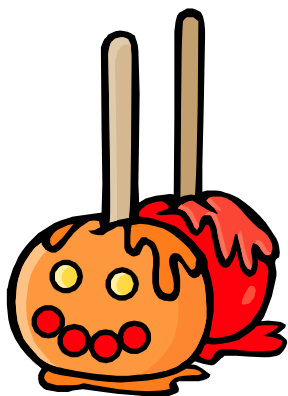
What did one ghost say to the other ghost?
"Do you believe in people?"

Why do mummies have trouble keeping friends?
They're so wrapped up in themselves...

Why do vampires need mouthwash?
They have bat breath...

Why did the Vampire subscribe to the Wall Street Journal?

He heard it had great circulation...



TOO MUCH SUGAR?

Ask any classroom teacher. One of the worst school days of the year is the day after Halloween. Not only have the students been up too late the night before going through and testing their candy, but most have devoured candy for breakfast as well.

Reports on childhood obesity are heard far too often. Safety problems are heard every year regarding children hit by cars trick or treating, obtaining tainted candy or worse.

Children with diabetes face an extremely hard time at Halloween. While most of their friends are devouring an exorbitant amount of sugar, they must show restraint. Here are some hints for parents with diabetic children but also are good suggestions for parents of all children.:

- plan ahead by adjusting your child's insulin for the extra sweets
- send him/her with alternative or sugar-free treats (e.g., sugar-free Jello Jigglers in spooky shapes)
- send him/her with low carb chocolate candies from the [Hershey's Solution Center](http://www.hersheys.com/products/solutioncenter.asp)
- encourage exercise and activity to improve blood sugar control
- suggest party activities unrelated to food
- focus on decorations, costumes, and pumpkin carving competitions.

- consider passing out alternative treats to all your Halloween trick-or-treaters (e.g., fake vampire teeth, temporary tattoos, slime balls, etc.)

Some of the reduced-sugar choices developed by Hershey are:

- 2003** The Hershey Company launches sugar free versions of HERSHEY'S chocolate, HERSHEY'S chocolate with almond, and HERSHEY'S SPECIAL DARK bars and REESE'S peanut butter cups.
- 2004** Hershey adds YORK SUGAR FREE peppermint patties and JOLLY RANCHER SUGAR FREE hard candies to the line.
- 2005** Hershey adds White REESE'S cups, TWIZZLERS, Baking Chunks and SYRUP to the SUGAR FREE line.

A HALLOWEEN RECIPE

PUMPKIN BREAD

Ingredients :

- 1/3 cup vegetable oil
- 1/2 teaspoon ground cloves
- 1 cup fresh or canned pumpkin puree
- 3 eggs 1 cup sugar
- 2 teaspoons ground cinnamon
- 1/2 cup raisins
- 2 1/3 cups Bisquick
- Pinch of ground nutmeg (optional)

Preparation :

Preheat the oven to 350 degrees. Grease a 9- by 5-inch loaf pan. In a large bowl, mix all the ingredients together with a wooden spoon. Pour the mixture into the prepared pan. Bake for 45 minutes. Test with a knife-if the knife comes out clean, the bread is ready. If not, put back in the oven for another 5-10 minutes. Cool before removing from the pan. Keep in a plastic bag, in a cover dish in a cool location or in the refrigerator. When you are ready to serve, cut into slices, then cut out slices with a pumpkin-shaped cookie cutter and spread with cream cheese or jam. Serves 12 to 18



<http://www.whitehouse.gov/holiday/halloween/>

SPOOKY TALES FROM THE WHITE HOUSE

To hear White House personnel tell some ghostly anecdotes originating in the White House, click on the above website. From closing doors, mysterious sounds, strange sensations and lights out of control, personnel tell some of their own encounters in the presidential mansion.

Which President and former General's spirit is said to have visited the Union Army's 20th Maine Regiment at Gettysburg to encourage them to head off a desperate Confederate assault?

- Thomas Jefferson
- George Washington
- Ulysses S. Grant
- Barney
- Abraham Lincoln

ANSWER to the Gettysburg question :

George Washington.



STRESSED?

As we approach mid-semester, the pressure builds as we try to accommodate our school life, jobs, and any personal life we may still have. Did you realize that the counseling office has stated that students should plan three hours outside of class for study and homework for every one hour spent in class? That's right. If you are taking a three-unit course, that translates into nine hours of additional study. The total hours for that course per week is twelve hours.

The following tips to help you succeed and lessen your stress were written by a former FCC paralegal student. It contains some good suggestions to help you to do your best.

How to Succeed in College

1. No one cares if you're sick. They aren't going to be following you around to get a mommy note if you don't come to class. If you don't show, your grade will show it, if you aren't dropped from the class.

2. Be prepared to wait in line for everything—bookstore, financial aid, etc.
3. Bring your own map of the campus, at least until you are used to it. It's a new place and you're not the only one who is lost.
4. Act like you belong in college, you left high school behind so leave behind the behavior too (be considerate of others).
5. If you receive a homework assignment or reading, do it. The teachers are not here to baby-sit you. If you don't do the work, they don't want to hear an excuse. It's either do it or fail. You have no other alternative.
6. Don't wait for extra credit to bring you up to a passing grade. We have all been in the situation (almost all of us) that if you just get one extra credit assignment, then you'll be okay. Well, don't count on it. A lot of teachers don't even consider extra credit. If you're going to do it, do it right.
7. Be considerate of those in the library. They don't want to hear about some party you went to last night. They are actually in the library to learn.
8. Take school seriously. Since you are coming to college, remember someone is paying for you to be here. Don't waste their money or yours.
9. Take your books to class. No one is going to have an extra one for you to borrow.
10. Twelve (12) units of classes are considered to be a full time load.
11. If you know that you are going to have questions on a written or reading assignment, take down the phone numbers a teacher gives you or their office hours. They are not going to want to hear from you 20 minutes before an assignment is due.
12. Do your best to type all of your homework unless otherwise noted by the teacher. There are labs available on campus if you don't have a computer.
13. Get a study buddy. It sounds funny, but believe me it works.
14. Don't cheat; you will be caught. It's not worth the extra points or better grade on one test.
15. Along the lines of cheating . . . don't copy someone else's homework. You may have gotten away with it with a rookie teacher in high school, but this is the big league. These people have been teaching for years. They have seen it all.
16. Try not to miss too many classes. College is fast paced, and you will be left behind if you don't show up to class.
17. Don't be afraid to ask questions. If you don't understand, then there is a great possibility that others in the class don't understand either and are just as shy to raise their hand and ask—fearing they will sound dumb.
18. Don't wait to start assignments. It will show in your writing and structure.
19. Use your friend, the good old outline method. It will save your life when writing papers.
20. Don't try to B.S. your way through an essay you have had weeks to write. It will come back to haunt you.



We have all heard of strange lawsuits. Here's another one to add to your list.

THE CASE OF THE HAUNTED HOME BUYER

Guy put down a \$32,500 deposit on a house in a historic town rich with folklore. What Guy didn't realize was that his house was one of the "haunted" houses told about in the folklore.

First, his architect refused to work on the place, on the grounds that it was "ghost-ridden." Supposedly a little wraith in revolutionary dress had been hanging around the house for years—a detail the seller forgot to mention. However, the seller had not forgotten to write about the ghost in the local papers and the *Reader's Digest*. The ghost was cheerful, and its worst act of mischief was eating a ham sandwich.

With a purchase price of \$650,000 Guy tried to cancel the purchase. The Appeals Court found that it didn't matter whether the ghost was real or not. Since the seller had made the story public, then "as a matter of law, the house is haunted." The house's reputation affected both its value and its resale potential, and Guy had a right to know about that, the court ruled. A reasonable inspection of the house by the buyer would not have revealed the problem.. Do you take a psychic along with the structural engineer and the termite man on every home inspection? The very notion, the court ruled, should be "laid quietly to rest."



SPAM E-MAIL TIPS

If you receive unwanted spam e-mail, do NOT use the "unsubscribe" option on the spam e-mail that you receive. This is there for the sender to verify that your e-mail address is valid and will enable the sender to send you more spam e-mail plus sell your e-mail address to other spammers.

In fact, your computer may be the spammer. Spammers may be using your computer to send unsolicited e-mail offers for products and services. The Federal Trade Commission's Alert suggests that as much as 30 percent of all spam is relayed by compromised computers located in home offices and living rooms, but controlled from afar. Spammers scan the internet, searching for points of entry and then install hidden software that allows remote access to your data and programs.

It can be very difficult to detect if a spammer has installed hidden software on your computer, but there are some warning signs.

- E-mails accusing you of sending spam
- Finding e-mails in your "outbox" that you didn't send
- Or your computer is using more power than it has in the past to run the programs you use.

The FTC encourages you to:

1. Use anti-virus software
2. Be cautious about opening any attachment
3. Use a firewall
4. Check your "sent items" file
5. If your computer is infected, take action immediately

You can learn more about securing your computer at www.ftc.gov/spam.