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The Art of Teaching
...Innovative Techniques for the Classroom

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DEADLINES: March 1, June 1, and November 1. Topics may express opinions or provide information on any matter appearing in *The Paralegal Educator* or otherwise be reasonable related to law, justice, and the education of paralegals. Articles should be approximately 500 words, double-spaced, in Microsoft® Word®, 12-point Times New Roman. Publication and editing of submissions are within the purview of the Editors, President, and Executive Director.

The opinions expressed in *The Paralegal Educator* are those of the authors and are not necessarily those of AAFPE.

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Table of Contents

Feature Article	Page
• Join AAFPE Members in Seeking New Heights in Paralegal Education	3
Departments	
• President’s Column Seeking New Heights in Technology	4
• President Elect Spread the Word About AAFPE/Membership Report	5
• Member News Holding Court in Central Asia	7
• Education Is It Only a Paper Moon? Inviting Dissent How to Create Successful Group Projects Make Litigation Fun! Service-Learning and Paralegal Education	8 9 10 14 15
• Member News Support AAFPE with Your Leadership Ten Frequently Asked Questions. Nomination Form AAFPE’s Newest CD Educational Tools	11 12 13 16
Organization Updates	
• AAPI	19
• ABA	19
• NALA	21
• NFPA	22

COVER PHOTO: Wherever you go these days on a university, college or school campus, you are likely to find classes meeting in more and more places outside the traditional classroom. Teachers are finding students more receptive and more responsive in many non-traditional learning environments. It used to happen only in Spring, but it’s becoming year-round in many areas.

Join AAFPE Members in Seeking New Heights in Paralegal Education

Kathryn L. Myers,

AAfPE Past President

*and Chair, National Conference Committee
Saint Mary-of-the-Woods College*

It seems as if we just left St. Louis and yet October 20 – 23 will find us gathering in Albuquerque for the 2004 Annual Conference. Will you be there?

The conference committee has been planning a great meeting with informative educational sessions. Before this issue of *The Paralegal Educator* went to print, AAFPE members received the preliminary schedule. The final product is currently being fine-tuned. There will be a plethora of choices to entice everyone. Again this year, the conference registration fee has been held to \$395 (early bird rate).

While there is plenty to do in Albuquerque (see the last issue of *The Paralegal Educator* or visit <http://www.cabq.gov/>), remember the conference sessions. So now you ask, “what is in store for me?” at the 2004 Conference. Many new educational sessions await you, as well as some standard offerings such as the ABA sessions, the AAFPE Open Forum and Meet the Candidates. There will be an opening reception and then attendees are on their own for the evening. The dine-arounds will be back for your gathering pleasure. And, don’t forget the regional meetings and business meeting where the yearly business is conducted and new board members are elected.

This year elections will be held for the following positions: President-elect, Secretary, Director of

Baccalaureate Degree programs, and Regional Directors in both the South East and South Central regions. In addition, the nominee for the ABA Approval Commission, Certificate Program Representative will be elected. Do you know of someone who would make a good board member? Would you be interested in running? Volunteers are the life-blood of an organization. Get involved this year. It’s worth your time. (See page 11 for election information.)

For the first time, there will be an optional in-depth educational session on Wednesday morning, October 20th, prior to the beginning of the conference. From 9 a.m. until 1:30 p.m., a pre-conference workshop that focuses on distance education has been scheduled. The preliminary outline for the program is as follows:

1. An overview of distance education to enhance paralegal courses taught by traditional means, to offer interactive on-line paralegal courses, and to enhance the entire paralegal program.
2. Discussion of issues related to distance education such as developing interpersonal skills, securing the identity of students, comparing the educational experience, ensuring quality faculty training and student orientation to the online learning environment, and identifying and accommodating different learning styles in the online learning environment.
3. An overview of useful communication tools such as bulletin boards, discussion groups, e-mail, calendars, and assignments.
4. Hands-on development and creation of content using links

and adapting e-packs.

5. Coverage of on-line testing and grading along with surveys

A special registration form for this workshop will be available soon. The fee for this intense educational session is only \$50, which is separate from the regular Conference registration fee. Refreshments will be provided. For those members who live a great distance from Albuquerque and will travel on Tuesday, take advantage of this great opportunity. For others, come in early and attend this pre-conference workshop and learn the latest in technology and distance education.

The conference officially begins at 3 p.m. on Wednesday with the ABA Approval and Reapproval sessions. First time attendees will meet the Association’s officers and directors in a special session at 4:15 p.m. At the same time, three other sessions will be offered. *Integrating Communication Skills in the Paralegal Curriculum* will offer educators some tools to aid them in incorporating communication skills across the curriculum. *Using International Law to Attain New Heights in Paralegal Education* will provide educators with a course to enhance the curriculum and increase exposure to the legal community. Finally, *The On-line Toolbox- Reaching New Heights in Paralegal Education through Cyberspace* will be aimed toward experienced educators.

Thursday morning dawns bright and early with the first General Session in which AAFPE members may participate in an Open Forum and will meet the candidates for the Board of Directors. The first of the concurrent sessions will feature the Teaching Competition. (If you are interested in the Teaching

Continued on page 7



Seeking New Heights in Technology

Diane Pevar
Manor College

I have a confession: keeping up with technology causes me stress. I wasn't born into a world of computers, cell phones and the Internet. Unlike my students, whose thumbs fly over their keypads as they text-message and can IM several friends at once, I am admittedly uncomfortable with such innovations.

I know I'm not alone in my discomfort. While all of us have moved into the 21st century and proudly display our abilities to word process, e-mail and create simple Power Point demonstrations, can we handle what is to come? With so many of our students juggling schedules and commitments, we will need to utilize technology to bring the classroom and its lessons to them. The American Bar Association's annual legal technology surveys indicate a growing dependence by lawyers on their support staffs to provide technical support. We will need to provide our techno-savvy students with the tools that will enable them to succeed in a legal community that is embracing

electronic filing, database management, computer-assisted legal research and more.

During the February board of directors meeting of AAfPE, I had the opportunity to re-read one of my contributions to *The Paralegal Educator*. The article, written in June of 2001, described strategic planning the board of directors had undertaken. One of the primary goals articulated by that Board was to alleviate stress for program directors and educators by helping them integrate technology into their paralegal programs.

This particular goal will never be fully realized. Keeping up with technology is a never-ending process, but AAfPE has done a great deal to assure its membership remains cutting edge. Regional and annual conferences have addressed many of the technology issues that face curriculum development and delivery methods. *The Paralegal Educator* has published numerous articles that provide guidance.

This year, the 2004 Model Syllabi Supplement CD will feature a step-by-step model on how to transition a traditional class to an online version. Most significant is the launch of the newest AAfPE publication, The AAfPE Technology Journal, which will be a completely online publication and will provide

guidance and information on using technology to teach and will highlight new techno-curricula and software.

Our 23rd annual conference in Albuquerque will feature many opportunities for you to learn about and embrace technology. Seminars dealing with paralegal education in cyberspace, forensics, electronic discovery and creating a virtual law office, are just some of the topics that promise to provide us with ideas and technical assistance. We are also planning a pre-conference (Wednesday morning) boot camp for technology training. (For more information on the boot camp, see Kathryn Myers' article on the conference and look for a separate mailing coming soon.)

It's my hope that those of you who revel in the challenges technology poses will, in true AAfPE tradition, share your knowledge and mentor educators like myself, who need to be nurtured and guided into the future. Volunteer to write for the new technology journal. Present your innovations at one of AAfPE's conferences. Do what AAfPE members do the best — share your expertise and, in doing so, strengthen paralegal education and the paralegal profession. See you in Albuquerque. I'll be the one trying to turn on my computer. ❖

AAfPE Calendar of Events

2004

May 15	<i>Journal</i> final revisions due
June 1	<i>Educator</i> articles due to Editor-in-Chief for fall issue
June 11-13	Board of Director's meeting, Chicago, Illinois
October 20-23	Annual Conference, Hyatt Albuquerque, Albuquerque, New Mexico
November 1	<i>Educator</i> articles due to Editor-in-Chief for winter issue



SPREAD THE WORD ABOUT AAFPE!

Ronald C. Goldfarb
Middlesex County College

Other than waiting in the wings to assume the presidency after the expiration of the president's term, the AAFPE bylaws assigns just one specific role to the president-elect; chair of the membership committee. In that role, I have had the opportunity to speak with representatives of just about all of the institutions that have applied for membership. There has been one constant in those conversations; AAFPE is seen as a great resource for paralegal programs that are very good and want to achieve excellence.

Not many disciplines have an organization like AAFPE. Sure, professional associations abound, but their functions are usually limited to publishing a journal and running an annual (or bi-annual) meeting. While AAFPE certainly does those two things, we provide so many other resources, including regional meetings, *The Paralegal Educator*, the *Journal of Paralegal Education and Practice*, CD-ROM's containing syllabi, exit assessment and surveys, LEX, and so much more.

In addition to making these tools available, there is an atmosphere that encourages members to utilize the resources. I recall attending my first AAFPE meeting; the 1995 North East Regional in upstate New York. I knew, literally, no one. I also knew that I needed help. I had been a program director for just a few months and had so much to learn. I attended all of the sessions, but still had lots of questions. Everyone else seemed to know so much, including each other. However, within an hour I had made several new friends. Within two hours I had two sample

outlines for a course I was considering along with telephone numbers and an invitation to call if I needed more information. Having attended more than my share of bar association meetings, I knew that this group was very different. People actually took pride in sharing their ideas and work. Wow!

Our organization should be proud of its accomplishments; we should not be satisfied with where we are. For one thing, there are a good number of programs (probably several hundred) that provide a quality paralegal education that are not AAFPE members. Some of them qualify for Institutional or Associate membership. Others meet the requirements to join as Affiliate members — our newest membership category. As membership chair, I hereby deputize you as a member of the membership committee! Do you know the director of a program that is not an AAFPE member? Spread the word! You know the benefits you get from AAFPE membership. Tell your friends and colleagues and we will have an even stronger organization. ❖

MEMBERSHIP REPORT

Ron Goldfarb
Membership Chair

New Members

The following schools and individuals have become new members since *The Paralegal Educator* was last published:

Institutional (voting):

Frederick Community College
Frederick, Maryland
Tracy R. Parker

NorthWest Arkansas
Community College
Bentonville, Arkansas
Mary Hatfield Lowe

South Texas Community College
McAllen, Texas

Iris Rios

Associate:

Columbia Basin College
Pasco, Washington

Raelene Cuillier

Olean Business Institute
Olean, New York

Melanie Zandi

Individual:

Michelle Tabb
Los Angeles, California

Daphne A. Morris
College of Southern Maryland
La Plata, Maryland

MEMBERSHIP STATISTICS:

As of March 31, 2004

Institutional	354
Associate	35
Individual	19
Sustaining	8
Honorary	15
TOTAL	431

Membership Dues Note

For new member applications, membership dues are now prorated for the first year if the application is tendered in the second, third or fourth quarter. If you are thinking of joining AAFPE, contact AAFPE Headquarters for the applicable dues schedule.

Holding Court in Central Asia

Nicholas A. Pappas, J.D.

Virginia Center for Paralegal Studies

Arrival was sweet. My whirlwind adventure began when the 757 jet lifted off the Washington, D.C., Dulles Airport tarmac. I arrived in Kazakhstan three days later via a smoke-filled propeller-driven plane. In the interim, I stopped in Brussels, Germany, Almaty (Kazakhstan's capital) and eventually landed in the city of Karaganda, outside of Mongolia. My cuisine was par excellent: airline food, warm camel's milk and shish kabob. It was worth the trip. I needed to appear for my future daughter's adoption hearing.

Kazakhstan is located in Central Asia, deep within the Eurasian continent. Its territory expands 1,049,150 sq miles; it is the ninth largest country in the world. This former Soviet satellite exceeds that which is occupied by twelve countries of the European Union. Kazakhstan borders China, Kyrgyzstan, Turkmenistan, Uzbekistan and the Russian Federation.

Upon my arrival, I contacted my Russian-speaking attorney, only to learn he was too busy to meet with me. He did promise to introduce himself outside the Courtroom to review my testimony. I suddenly began to feel like my clients when I offered them the same assurances before their day in Court. Rest assured! My interpreter was the lawyer's assistant. She told me I had nothing to fear if the Judge should call me as a witness; she would

provide the Court with the "correct" answers if mine were not adequate or accurate. That warm, fuzzy feeling began to dissipate.

The legal system of Kazakhstan is built according to the traditions of the continental, Roman-Germanic family of laws. It is heavily influenced by the legal theory and practice of the Russian Federation. The Constitution provides for the existing legislative system, which includes constitutional norms and laws, other normative legal acts, international treaties and other state obligations, normative decrees of the Constitutional Council and the Supreme Court.



Kazakh orphanage children (left), just like most others, are very into having their pictures taken. Nick and Monica Pappas (above right) pose with their Russian lawyer and their adoption-hearing judge after being successful at adopting their new daughter, Tanya.

The adoption hearing was scheduled two days after my arrival. My wife (who had arrived four weeks earlier with our other daughter), the interpreter and I arrived at the regional, juvenile courthouse. We climbed five, extended flights of steps and met our lawyer. He assured me we had nothing to be concerned with and introduced me to our witnesses: the director of the orphanage and the local social worker.

Our lawyer had the most reassuring smile. He briefed me on the adoption procedure and prepared my testimony. He instructed me to provide only truthful testimony. He also reminded me, if asked, to tell

the Court I had a wonderful two-week mandatory bonding period with our daughter prior to the hearing. When asked how I would reconcile the two, he stated Kazakh law did not require sworn testimony.

The legal profession is one of the most prestigious, well-paid and highly regarded professions in Kazakhstan. The system of legal education in Kazakhstan has a multi-level structure. It includes secondary (colleges) and higher professional educational institutions (institutes, academies, and universities), and aspirancy or doktorantura, where scientists and tutors of the highest qualification are trained and write their dissertations. Training in higher educational institutions guarantees any accepted student a higher specialized education and subsequently qualifies one as a lawyer. It eventually leads to a diploma of the

Bachelor of Law and, with higher scientific-pedagogical education, one receives a diploma of the Master of Law. Those applying for the position of a judge, notary or advocate, must take a special qualification examination. This is equivalent to our Bar Exam.

The docket was called at 3 p.m. sharp. We entered the Judge's Chambers. Our Judge stood up from her desk, bid goodbye to someone on the other end of her cell phone and introduced herself to us. She advised that our Petition for Adoption had been read and she wished to hear evidence from the government lawyer, the equivalent to the attorney for our local

Continued on page 16

Continued from page 3

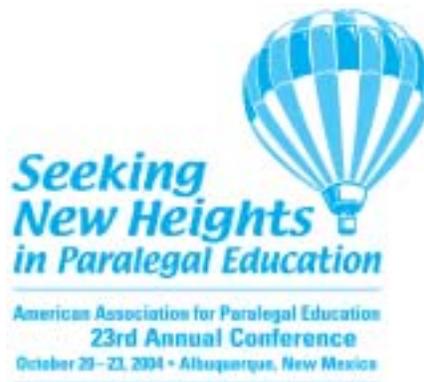
Competition, see page 16 of the Winter 2004 issue of *The Paralegal Educator*.) Another session is *Juxtaposing Student and Employer Expectations*. This session will look at the dichotomy between what students seek in their education and what employers look for from graduates. *The Law and Forensic Evidence: Capitalizing on the Popularity of Forensics to Create a Multidisciplinary Course* will address the challenge of teaching a complex new course that is interdisciplinary by nature. *Discover New Heights in Paralegal Education through Electronic Discovery* takes a look at the new legal world in which our students will participate.

The afternoon sessions begin at 12:45 p.m. with a General Session. Following that, four concurrent presentations take center stage beginning with *Developing Internships as Capstone Courses*. This session will look at creating an internship course that is a legitimate evaluation tool. Are times tough at your institution? Pick up some useful tips by attending *Strategies for Managing Programs in Difficult Times*. Another practical application session, covering role-playing, videos, and group discussions, is *Ethical Situations for Classroom Application*. Faced with an upcoming ABA visit? Check out the seasoned AAFPE veterans who will provide useful tips in *Success in the ABA Approval Process: Putting Together a Good Site Visit*.

From 3:30-4:45 p.m. you can select from three new choices and one repeat. In *Juxtaposing Student and Employer Expectations*, learn some tips on how to teach to a diverse student populace while improving the learning experience for all

students in *Diversity and Cultural Awareness*. Need to enhance your research course? Why not attend *Adding Choices: ALWD v. Bluebook?* Yes, teaching the citation issues can be fun! Perhaps you want to add some material to make your students more marketable. *Reaching New Heights in Law Office Administration* will cover the new trends in the office setting.

The day ends with the National Conference, Mentor, and Military Affairs committee meetings, and the Authors' Roundtable.



Friday starts off with the Annual Business Meeting at 8:15 a.m. sharp! Remember that voting members must be checked in and receive their ballots before entering the meeting room.

The concurrent sessions at 10:45 a.m. will be something new — regional roundtable issues. Discussions may center on issues such as regulation, assessment, or articulation. Attendees from each region will discuss things of direct concern to them. The Awards Luncheon follows at noon. The afternoon consists of a repeat session on *Strategies for Managing Programs in Difficult Times* along with organizing paralegal student groups during *Student Organizations: Yes, They are Worth It!* If you need to

learn more about assessment and evaluation then *Assessment or Evaluation — Is There a Difference* may be the session for you. If you haven't found a match yet, why not sit in on *Budgets and Budget Development?* Gain some insights on getting and/or maintaining your slice of the budgetary pie.

There are a few more options at 4:45 p.m. If you are interested in committee work, the Publications or Model Syllabi committee meetings are for you. All regional conference hosts for 2005 will also meet at this time. In addition, there will be a roundtable discussion for those who are the single full-time faculty member in a program.

We have two general sessions on Saturday morning. The first is *A Primer for Professional Development*, which is aimed at providing some tools to build a solid program of professional development. The final session is *60 Educational Sites in 60 Minutes*, a fast-paced session that will provide web sites that you can incorporate into your teaching pedagogy.

The educational sessions scheduled guarantee that, from the opening session to the closing brunch, attendees will be faced with tough decisions as to which of the quality sessions to attend. AAFPE is committed to leading its members to a new level of professionalism and to continue its position as the premier resource for quality paralegal education.

Members and non-members alike will be pleased with the program, with the accommodations, and with the city. Reap the benefits of AAFPE membership! Come to Albuquerque and share the excitement. ❖

Is It Only a Paper Moon?

Avram B. Segall
Montclair State University

**Say, it's only a paper moon
Sailing over a cardboard sea
But it wouldn't be make-believe
If you believed in me¹**

What is it about the mystique of the law, and trials in particular, that keep us glued to the television watching *The Practice*, *Law and Order* and for the PBS fan, *Rumpole of the Bailey*? Why do we fall for the hype of the romanticized, make believe, versions of the practice of law and trials? What is it that engages us so in the trial sequence of Harper Lee's *To Kill a Mockingbird* or the suspense of Billy Wilders 1957 classic *Witness for the Prosecution*? What is the fascination of watching juror's being manipulated in John Grisham's *Runaway Jury*, a story that is suspenseful but really from the land of make-believe?

Most students do not seem to be dissuaded by fictional TV shows or movies despite the fact that many of them bear no resemblance to reality.² Whether they are paralegal or pre-law students, when they take courses in litigation they are learning much of the mechanics of trial preparation and what sometimes seems like an endless sea of paper — pleadings, depositions, briefs (and in complex litigation, delving through cardboard box after box of discovery). But what is missing from the classroom is the technique of trying a case and sharing the excitement experienced in the courtroom during trial. And that is

a pity because when students stand in a lawyer's shoes for a trial they gain a whole new perspective on what is accomplished in preparation for trial.

All of the preparatory work culminates at trial, in the sense that advocating a client's cause and persuading a jury that right is on the side of your client is furthering a sense of justice and showing that the legal system really works.³ To be sure there is the adrenaline rush one gets when you stand up to deliver the opening or closing to the jury, or the feeling of "gotcha" when you snare a witness in the trap on cross-examination. Oh yes, there is that sense of theater that goes along with all of it though not every case is full of as much high drama and suspense as the television and movie plots seem to imply. But how do you convey that sense of excitement and accomplishment to students?

In 1990 when the New Jersey State Bar Association (NJSBA) announced it would have an intercollegiate mock trial competition in addition to its high school contest, we at Montclair State University thought it was a perfect opportunity for our students, paralegal and pre-law alike to gain invaluable experience. As a result, we developed curriculum and a course called "Trial Technique and Strategies"⁴, a three-credit course that was offered in the fall and timed to culminate with fielding a competition team the following February at the statewide NJSBA contest. Students, while receiving the credits, had to agree to work and rehearse during the winter break. Student interest and participation were overwhelming.

When the competition handbook that contains fact patterns, witness

statements, mock trial rules of evidence and collateral material was released, students developed their witness roles guided by their student attorneys and instructor — coach⁵. The classroom preparation gave them insights on forming their approach and strategy. When they finally went to the competition, you could feel the excitement in the air as attorneys opened to a jury of students from another college and the tension as they waited for the student verdict and then the competition judge's decision.

But it was also apparent that the competition handbook with its limited rules of evidence would not meet academic requirements. The course was developed with the idea that it would be academically rigorous and in a way that it could be offered without the external motivation of a competition. A basic text, *Fundamentals of Trial Techniques*⁶ was selected. It provides an overview of the essentials of trial — from rules of evidence to openings and closings and direct and cross-examination. The curriculum developed for the course was geared to teaching students how to analyze facts and link them to substantive law issues and then apply that knowledge during trial. In the area of trial technique, students learn how to ask direct questions and how to effectively cross-examine a witness. *Fundamentals of Trial Techniques* also gives guidance to students with discussion and examples of openings and closings and how to introduce exhibits into evidence and presenting objections.

Another resource was added when the movie *A Civil Action* starring John Travolta and based on the book of the same name⁷ with its

Continued on page 17

Inviting Dissent: College of Saint Mary's Declaration of Open Discourse

*Catherine Dunn Whittinghill, J.D.
and Shari M. Prior, Ph.D.
College of Saint Mary*

Your lecture is flowing beautifully. Students furiously scribble down your every word, nodding their heads with interest and understanding. On some sort of academic high you decide to push the envelope a bit further. You dare to ask a question that requires the students to use critical thinking skills and to “actually” apply the concept you have just introduced. The second the question leaves your lips, complete and utter silence descends upon the class. It is as though all the air and intelligence have been sucked from the room. Nobody moves a muscle except to avert his/her eyes so as to avoid eye contact with you.

Now, it is one thing when students fail to participate because they are unprepared for class. It is an entirely different thing when students choose not to participate for fear of ridicule or judgment from other members of the class. This is an issue we recently addressed at the College of Saint Mary. Naturally, a committee had to be formed.

Last year the Committee on Global Awareness (COGA) was established to develop recommendations for addressing the College-wide initiative to raise understanding and awareness of diverse ideas and cultures. The committee made recommendations to the College based on its initial charge and guided by the following philosophy:

Everyone can feel isolated, mistreated, singled out, or alone at times, yet powerful and dominant at other points in time. Exposure to

specific cultures is only a part of the picture; we also need training in the effects of being both in the majority and in the minority, the responsibilities we carry when in each role, and the ability to critically analyze points of view of the “other side” while taking into account an individual’s status as it relates to ours.

One recommendation was that a task force be formed to develop college-wide guidelines for open discourse. This particular recommendation was inspired in part by students who said they felt uncomfortable stating positions in class that were not in accordance with the majority view. COGA maintained that a fundamental part of global awareness and critical thought is the open exchange of ideas. Thus it was crucial to encourage an atmosphere on campus that fostered this type of discourse.

The task force, a creative mix of faculty and staff members, met several times during the fall semester in an effort to draft workable guidelines. There was concern on campus that set “guidelines for discourse” would discourage rather than encourage open discussion. The guidelines developed by the task force were intended to serve as a reminder of the importance of open discourse in an educational environment and to help establish an atmosphere in which all members of the campus community are comfortable expressing and discussing dissenting views. After much yelling, screaming and respectful dissent, the committee developed the following guidelines.

Declaration of Open Discourse

In the spirit of intellectual inquiry, College of Saint Mary is committed to the exchange of diverse ideas and viewpoints. In this environment, honest discourse is valued; demeaning remarks are not

tolerated. Each member of the campus community is encouraged to:

- Recognize the basis of her or his own assumptions and perspectives,
- Acknowledge the assumptions and perspectives of others,
- Promote understanding and respectful dissent.

Once approved by the College’s administration and board of directors, the task force held an all campus forum to present the declaration to faculty and staff. Since the forum many faculty members have incorporated the declaration into their syllabi and have discussed its importance in class with students. Over the summer, the declaration will be printed and posted in offices and classrooms across campus.

Working toward the exchange of diverse ideas, honest discourse and respectful dissent is an ongoing process that takes practice. Members of the campus community may at times fail to follow the guidelines, but they cannot ignore that the Declaration of Open Discourse exists — an ideal to work toward on a daily basis, both in and outside of the classroom. ❖

Catherine Dunn Whittinghill, J.D., is Assistant Director of Paralegal Studies and Associate Professor at the College of Saint Mary in Omaha, Nebraska. Ms. Dunn Whittinghill received her Bachelor of Arts in Political Science from Trinity University in San Antonio, Texas. She received her Juris Doctor from Catholic University of America in Washington D.C.

Shari M. Prior, Ph.D., is Philosophy Program Director and Associate Professor at the College of Saint Mary in Omaha, Nebraska. Dr. Prior received her Bachelor of Arts in Philosophy from Syracuse University and her Ph.D. in Philosophy from the University of Iowa.

How to Create Successful Group Projects

Christine Lissitzyn
University of Hartford

We've all heard the truism that students learn more from each other than from the teacher. I'm sure you have assigned students to do work in groups with this idea in mind. But all too frequently, group work fails to achieve that goal, resulting in the following student's complaints:

"It's not fair. A few students will do all the work, and the rest will sit back and do nothing!"

"There's no way with our schedules that we can find time to meet and work as a group outside the classroom."

"The group has ganged up against me. I will take the points off my grade before I put up with them."

"Is this something that is an important skill for a paralegal? If it is, then I should be looking at a different area."

"I don't do groups!"

Many of these problems can be alleviated, if not solved, by you as the teacher making some important changes in the way you create groups, assign group work, and evaluate that work.

Here are some suggestions for improving group work in your classes:

Take time before you assign a group project to explain how groups work and set up systems to avoid problems.

Hand out your grading sheet before the group assignment. Give one grade for the group and another for the individual's contributions

Choose appropriate assignments for group work.

Assign groups of the right size who are able to meet together, or set aside class time for group work.

Allow students to share what they learned from working in a group.

Explain learning goals at the outset

Students are more likely to participate effectively as a group if they understand why they are being given a group assignment. Sometimes, I have students complete a questionnaire at the beginning of class to assess their prior experiences with group work. This helps them see that group work has problems but positive outcomes as well. To the student who asserts "I don't do group work," I point out that working in groups is the essence of practicing law. Also, they will frequently need to work with people they don't like or who they feel are demanding. They don't get to choose their groups in real life.

Help students learn to anticipate typical problems with group work. Explain that conflict resolution is an important job skill. Give the students some sample language to use to resolve group problems. I had one group dissolve in a flurry of hateful emails that ended up in ugly name-calling. Explain that this is not productive and caution against sending emails when they are angry. Caution against jumping to conclusions when a member is not participating and ask for an explanation in a non-judgmental way first.

Explain how you will grade group work

One source of anxiety is that some students will work hard and will either receive a poor grade because others did not do their part, or that the non-performers will get a free ride on the group grade. These concerns lessen when they understand that they will receive both a grade for the work done by the group and an individual grade. The individual grade can be assessed by the teacher if you are able to judge each member's performance, or it can be given by the remaining group members. Once students see that they will be graded down for failure to participate, they realize that they can't hide in the group.

Some teachers permit the group to "fire" members who fail to participate, are disruptive, or otherwise impede the group's progress. They hand out a form that the group can fill out stating their reasons for firing a member. This is a strong incentive to positive group participation.

Also, tell the students that you do not intend to be a referee. They should come to you only after they have attempted to resolve any group conflict. Do not reward the student who says he or she is doing all the work with approval. That student is keeping the group from working effectively.

Choose Appropriate Assignments

Not every assignment is appropriate for group work. Students will see quickly if an assignment could be done more efficiently on their own. That is not to say that working in a group will not take longer than doing a project on one's own. It will. But if the student can see the

Continued on page 18

Support AAFPE with Your Leadership!

Joan Fraczek Spadoni
Nominations Committee Chair
Bay Path College

It is once again the time of year when AAFPE calls upon and invites each of you to take charge of your association by offering your candidacy for one of the elected leadership positions in the organization. At the annual conference this October in Albuquerque, AAFPE will elect these important officers and directors:

- President-elect
- Secretary
- Director, South East Region
- Director, South Central Region
- Director, Baccalaureate Degree Programs
- AAFPE Nominee to the ABA Approval Commission — Certificate Program Representative

Please consider this article as a personal invitation to become a leader and to share your creativity and expertise in paralegal education with AAFPE and your fellow AAFPE members. I know we all will benefit from your commitment to support and improve what AAFPE already does well, and to help shape and guide AAFPE's progress in new and worthwhile activities. Of course, there is time and effort involved in such a role, but there is the satisfaction of contributing to the future of the paralegal profession and paralegal education.

What is it like to be in one of these positions? Some of the current board members share their thoughts with you so you will have an idea of the responsibilities and rewards each position can bring.

Ronald C. Goldfarb, President-elect

The AAFPE President-Elect is in something of a state of transition. Most often, he or she has recently served on the Board of Directors (in my case, for the past six years). There is certainly a lot to do as a director! As I noted in my article elsewhere in this issue, the only job specifically assigned by the bylaws to the President-elect is that of membership chair. Okay, that must mean lots of free time. Nope.

The President-Elect serves on the Management and Finance Committees of the Board. He or she actively participates in the three Board meetings held each year and fills in wherever needed. Is it a lot of work? Yes. Rewarding? More than you can imagine. I really enjoy speaking with all of our prospective members and helping them get the most out of their AAFPE membership. The person serving as President-elect must also be preparing to assume the Presidency. Again, there is so much to do, but there are many rewards.

I urge all of our members to consider the position of President-elect. If you don't feel that you are ready right now, begin as every President-elect has. Volunteer to work on a committee. Run for elected office. When you feel the time is right, run for President-elect.

Susan Harrell, Secretary

My term as Secretary of AAFPE will expire this year. I would seek re-election to this position except for the fact that I am planning a sabbatical in 2006-2007 that will interfere with my obligations to AAFPE.

I want to let you know why Secretary is the BEST position on the AAFPE Board of Directors and why you should seek election to this position.

Here are the pertinent provisions of the AAFPE Bylaws:

- a. You must be legally competent to enter into contracts.
- b. You must be an educator or administrator of a voting member institution in good standing.
- c. Only one educator or administrator of a voting

institution can serve on the Board at any one time.

- d. The Secretary is responsible for minutes of all meetings and keeping permanent minutes.
- e. You can be removed from office if absent from three Board meetings without a really good cause.
- f. The term of the Secretary is three (3) years.
- g. You are reimbursed for expenses incurred in attending the Board meetings.

Here are the advantages of being the Secretary of AAFPE:

- a. You get to write history!
- b. The most demanding part of your job is completed during and immediately following each Board meeting. After the minutes are prepared then you just wait for them to be corrected and approved by everyone else at the next meeting.
- c. All the hard work of Dora Dye (AAfPE Listserv Administrator), Ann Dobmeyer (*Journal of Paralegal Education and Practice*), Elizabeth Mann (*The Sidebar*) and Joan Spadoni (*The Paralegal Educator*) makes you look really good as the Chair of the Publications Committee.
- d. Most importantly, it's a great way to serve AAFPE and its members.

If you want to get involved and have any questions at all about AAFPE, please do not hesitate to contact me at sharrell@uwf.edu or (850) 474-2344.

Carole Olson; Director, South Central Region

Serving as the representative of the South Central region on the AAFPE Board of Directors has been a wonderful experience for me. For almost twenty years now, I have been very active in paralegal organizations at the local, state, and regional levels. Being on the Board has allowed me the chance to observe and participate in the paralegal education arena at the national level.

I came onto the Board three years ago with eyes fairly wide-open. I knew that being a board member would require

Continued on page 13

Ten Frequently Asked Questions About Serving as a Board Member

- 1. What is the composition of the AAFPE Board and how long do members serve? How are the AAFPE Representatives selected for the ABA Approval Commission?**
 - A. AAFPE Board Composition and Terms**

The AAFPE Board is composed of 13 members. The president-elect serves for three years: one year as president-elect; one year as president; and one year as immediate past president. All other officers and directors serve for three-year terms. Other officers are the secretary and treasurer. The membership of each of the regions (North Central, Northeast, Pacific, South Central, and South East Regions) elects its regional directors. Additionally, the general membership elects a representative from each of the three major types of programs (Associate, Baccalaureate, and Certificate programs.)
 - B. Election of Three AAFPE Representatives to the ABA Approval Commission**

For a number of years, AAFPE has recommended three representatives from AAFPE to serve on the ABA Approval Commission. Each person serves three years on the Approval Commission and represents the interest of associate degree, baccalaureate degree, or certificate programs. Since 1999, AAFPE institutional members have voted to select one nominee. This nominee's name is then forwarded to the ABA for its consideration. The final authority to appoint is held by the ABA, not AAFPE.
- 2. What are the requirements and general duties of Board members?**

All Board members must be from a voting institutional member in good standing. Only one educator or administrator of a voting institution can serve on the Board at one time. An important duty of the Board is to hire and supervise the Executive Director of AAFPE. Other requirements and general duties are spelled out clearly in Article IV of the AAFPE Bylaws. (See AAFPE MEMBERSHIP DIRECTORY)
- 3. When do Board members' terms begin and end?**

Board terms begin at the first meeting after the elections at the October annual conference, which is traditionally held the Saturday after the conclusion of the annual conference. Therefore, if you are a candidate for office, you should plan to attend the annual conference and remain for the Saturday afternoon Board meeting. Terms end at the annual conference.
- 4. How often does the Board meet?**

The Board meets three times during the calendar year: in February; June; and October (during the October National Conference). These meetings are usually 2-3 days in length.
- 5. How are travel expenses to AAFPE Board meetings handled?**

AAFPE reimburses travel, hotel and meeting expenses for Board members for February and June meetings. In October, Board members pay their own travel and other expenses for the annual conference, including registration fee. During the October conference, AAFPE pays for any extra hotel and meal expenses for Board members due to pre-conference Board meetings but not for the Saturday night following the conference.
- 6. How important is attendance at Board meetings? Do Board members communicate between Board meetings?**

Since most business of the association is accomplished at these three Board sessions, attendance by all the Board members is expected. Board members communicate and work between Board meetings. E-mail, faxes and telephone calls are frequent means of communication.
- 7. Do Board members speak for AAFPE?**

Only the President of AAFPE is authorized to speak for the Association.
- 8. Are materials available to Board members for further details and explanation?**

Yes. Each new Board member receives a general handbook of AAFPE's procedures. Before Board meetings, each Board member receives a Board packet, which includes the agenda and reports to be discussed at the upcoming meeting. Since the Board is a decision-making body, all members are expected to arrive at meetings prepared to discuss each issue.
- 9. Do Board members attend other meetings?**

Board members are expected at their expense to attend the regional conferences in their respective geographical area.
- 10. Why do members serve on AAFPE's Board?**

Board members believe in quality paralegal education and realize the privilege of serving in an AAFPE leadership position. Finally, hard work is mixed with pleasure and the Board members enjoy working and laughing together. ❖

Support AAFPE with Your Leadership! *Continued from page 11*

that I attend two board meetings each year in addition to attending the regional and national conferences. I knew that I was to keep in touch with the other programs in my region to make sure I represented their interests. I knew that I would be assigned additional AAFPE committee work. I knew that I would be asked to write articles for the various paralegal publications. I knew that being a Board director would take extra time and effort. What I didn't know was how being a board member would help me grow both professionally and personally.

Professionally, being a director on the

Board has given me the chance to be involved in new aspects of paralegal education, such as getting experience in planning regional and national conferences. (Who knew there was so much to consider in choosing the site of an AAFPE national conference?) Having to think through and respond to issues and concerns of paralegal educators across the nation has given me the chance to analyze the issues in paralegal education here in Texas and, in certain respects, that experience has helped me to manage my own program here in Dallas better.

My personal growth has come from being a part of a group of individuals who all have the same goal. The people who serve on the Board each

bring their own distinctive and diverse contributions and personality to AAFPE. Since there is a yearly rotation of Board members going off and coming onto the Board, those contributions and personalities constantly change as well. It has been slightly amazing to me that such a diverse group can come together at each Board meeting and, with great purpose and drive and that one goal in mind, work so harmoniously. It has also been a personal delight to form friendships with each of the Board members during the last three years. Each one has shown such a sense of caring and regard for one another. It has been tremendously fulfilling and enormously fun to be a part of this group.

Continued on page 23

NOMINATION FORM

Notice of Nomination

I nominate the following individuals:

President-elect (three-year term)

Director, North East Region (three-year term)

Treasurer (three-year term)

Director, Pacific Region (three-year term)

Director, Associate Degree Program (three-year term)

AAfPE Nominee to the ABA Approval Commission - Associate Degree Representative (three-year term beginning August 2005)

I am the designated representative of an institutional member of AAFPE in good standing.

- Elections will be held during the Annual Conference in Albuquerque October 20-23, 2004.
- Campaign statements are due to AAFPE Headquarters by **June 15, 2004**.
If you are a candidate for the ABA Approval Commission, please also send your resume.

Signature: _____

Institution: _____

Name: _____

Date: _____

Please return this form no later than **June 1, 2004** to AAFPE Headquarters at:

American Association for Paralegal Education
407 Wekiva Springs Road
Suite 241
Longwood, FL 32779
Telephone: 407-834-6688
Fax: 407-834-4747

Make Litigation Fun!

Karen McGuffee

University of Tennessee at Chattanooga

For most programs, litigation, sometimes referred to as trial practice, is a required course for the students. When most students are told they will be writing pleadings in compliance with the Rules of Civil Procedure, they get a strange, sad look on their faces. When I tell them that they will be drafting the pleadings for a real case, and they will “try” the case and get a “jury verdict,” their expressions change. Litigation has become the most exciting and enjoyable learning experience in the program.

In this program, the instructor contacts a local law firm to obtain access to a real court case. In the past, this program has used fake fact scenarios only to have them fail. With the “made-up” situations, there were always additional questions beyond the scope of the original facts requiring unsuccessful improvising. With a real case, the students can “go for it!” In this program, we have used cases that have been tried and those that have not. Both have worked. In the case that had not been tried, the firm wanted to observe the students to see what a mock jury verdict would be (for free); for those cases that had been tried, the students wanted to know how their “jury verdict” would compare to the real one. Obviously, principles of confidentiality and client anonymity were observed throughout the process.

Once the case is selected, the

students are divided into plaintiff and defendant firms. If you feel brave, you can select a case with multiple plaintiffs and/or multiple defendants. In this program, the students’ sides are selected by going down the roll in alphabetical order — no one can request a certain side or to be with a certain friend. There is no side swapping either! Once sides are chosen, both are given facts. All of the facts are not known by either side. The plaintiffs must draw up a complaint and the defendants must answer. Then the students do just as real law firms would do — they complete interrogatories, take depositions (usually our instructor plays the part of the deposed), make motions, etc. Once the entire discovery process has taken place, the students will “try” the case.

Probably the most interesting part of the whole trial, for students and teachers, is that it is video taped. The videotaping allows students to observe how they speak in public and what effect it has on their audience. The teachers can review the tape to make helpful comments and suggestions.

The potential jurors are members of the community who want to participate. Occasionally, if there is a shortage of jurors, I will convince my colleagues to give extra credit to those students who will volunteer as jurors. Once the potential jurors are assembled, the students conduct voir dire to select the jurors for the case.

Due to time constraints, the trial is shortened to opening arguments, a summarized presentation of proof, closing arguments, jury instructions and jury deliberations. During the

trial, the rules of evidence are followed; therefore, students can make objections and motions, just as in a real trial. I have discovered that students, who understand they can use the rules of evidence, or have them used against them, will try to learn them.

Once the trial is concluded, the judge gives the jury instructions and then they deliberate. At this point the students get to do something most attorneys wish they could do — observe jury deliberations via closed circuit TV. The students are amazed at what proof jurors find important and what proof they ignore. I have found this to be an invaluable learning experience.

Once the jury comes back with a verdict, the instructor dismisses the jury and critiques the students. Of course, all students want “their side” to win, thinking it determines their grades, but grading is not based on winning or losing — it is based on the quality of their work during the semester and their participation in the case.

Although different methods of teaching litigation have been used in this program, I believe this one has proven the most effective and fun! ❖

Karen McGuffee is an Assistant Professor and Coordinator of the Legal Assistant Studies Program at the University of Tennessee at Chattanooga. Prior to teaching, she practiced law, primarily, in the area of domestic relations. In addition to teaching, she serves as a part-time Magistrate for Hamilton County, Tennessee.

Service-Learning and Paralegal Education

J. Danixia Cuevas, J.D.

Miami Dade College

As a paralegal educator, one of our primary goals is not only to impart academic knowledge regarding the exciting profession of a paralegal/legal assistant but also to ensure that our students are able to implement in a practical manner the academic methodology that they acquire in class. One of the major purposes of Service-Learning initiatives is to highlight the importance of civic engagement while ensuring academic integrity. The great news is that there can be a successful marriage between Service-Learning and Paralegal Education.

As any attorney, paralegal and client knows, there is a pressing need for affordable legal services. By forming a relationship with a non-profit community partner similar to a Legal Services organization, a professor can effectuate the goals of paralegal education while impressing upon their students a sense of civic commitment. Creating this type of partnership will have many beneficiaries including students, the community and the academician.

I formed a partnership not only with Legal Services of Greater Miami, but also with two faculty members and created the Parent Advocacy Training.¹ The purpose of the training purpose was to go into the field and educate low-income parents about Special Education Law and their rights pursuant to federal and state mandates by providing them with free legal assistance. Specifically, the Parent Advocacy Training is comprised of a series of Parent Advocacy Community Outreach sessions

which are designed to (1) foster a sense of civic engagement for our students (2) assist the community by providing free legal advice and assistance to the most impoverished members of the Miami community² and (3) ensure practical implementation of legal theories which not only underscores the legal concepts being taught in the classroom but which also provides the students with the opportunity to utilize some of the most important skills that a paralegal must master and competently, ideally and compassionately apply.

In order to prepare the students, I provided in-class instruction on the pertinent legal theories in such areas as Special Education Law, Legal Ethics and Client Interviewing techniques. The classroom instruction was additionally reinforced with specific role playing and skills-building exercises, aimed at developing and honing client-interviewing skills and providing scenarios in which to practice the application of legal ethics rules, particularly the client confidentiality rule. As a result of this service-learning project, twenty-five paralegal students participated in this training and they interviewed an estimated sixty to seventy families within the community. As a result of these experiences the paralegal students were able to have a positive impact on the community. Equally as important was their ability to understand the importance of civic responsibility and commitment to social justice.

The academic goals that were effectuated by this project included the students thorough understanding of legal ethics especially client confidentiality, attorney work product and conflict of interest. Additionally, the students were able to develop and implement some of the most important skills for successful paralegals which

includes: organizational; verbal communication; client interviewing and analytical skills; professionalism and the ability to meet deadlines as well as to work under pressure.

In addition to the students' commitment to participate in three of the five Parent Advocacy Training Sessions, the students were required to write a three-page essay addressing pre-determined reflection questions. When I read the reflection papers, I was gratified to read the positive impact that the Parent Advocacy Training experience had on my students.

By their own account, the training not only afforded them the opportunity to put to practice the legal theories that were imparted in the classroom; it also allowed them to experience first-hand the vital role of the paralegal in providing a legal service to attorneys and the community. One of my paralegal students, Carmen Colon, wrote the following in her reflection paper, "I consider that this project was an excellent way to develop, learn, and test skills needed in the legal field such as interpersonal, communication and analytical skills, and to learn about the importance about keeping confidentiality."

As any paralegal educator knows, the American Bar Association encourages the use of projects that will require the practical implementation of legal methodology. An additional benefit of this project was that it served to ensure both departmental and American Bar Association requirements for paralegal educators by providing students the unique opportunity to interview actual clients with an acute need for legal services.

In closing, this collaborative partnership with my colleagues and Legal Services of Greater Miami

Continued on page 23

AAfPE's Newest CD Educational Tools

One of the primary goals of AAfPE is the dissemination of educational tools for use by its members. This year in Albuquerque at the Annual Conference, we will be unveiling a number of new CD Roms to add to our Educational Resource Library:

The 2004 Model Syllabi Supplement will contain revisions of Business Organizations and Interviewing and Investigation, as well as two very new additions to our model syllabi collection: *Native American Law* and *A Model for Transitioning a Traditional Delivery Course to Online*.

The Practical Classroom Projects CD Rom is a follow-up to Diane

Pevar's roundtable discussion at the St. Louis annual conference where hundreds of ideas regarding alternative assessment of student performance were shared. Our regional accrediting bodies have announced that they will no longer allow students to be evaluated solely on the basis of traditional tests. Other, more practical measurements will be needed. The Practical Classroom Projects CD Rom will cover projects used in all types of law classes and will include independent and collaborative ideas, research, writing, oral communication and more. AAfPE thanks all of those educators who have already shared their ideas.

The 2004 Regional Conference Papers CD Rom will publish all papers and materials shared by

presenters at all of our regional conferences this March.

Tried and True CD Roms Are Also Available!

There has been much discussion recently on the AAfPE Listserv about assessment tools, surveys, syllabi, portfolios, and such. Many tools designed to help paralegal educators are readily available to all AAfPE members in the form of our CD Rom collection. Don't re-invent the wheel when you can review these models syllabi, surveys, and assessments and save yourself a bundle of time and effort.

For information about the content and cost of these 5 different CD Roms, contact AAfPE headquarters or use the order form included in the current issue of *The Paralegal Educator*. ❖

Holding Court in Central Asia

Continued from page 6

departments of Social Service Agencies. The government lawyer read her prepared statement. Distilled to its essence, she did not oppose this adoption. The Judge then looked to our lawyer and asked if he had any evidence to offer.

He stood and, speaking without notes, made his opening argument as to why the Petition should be approved by the Court. He called the director of the orphanage as his first witness. She testified in great length how she witnessed our daughter-to-be, Tatiana, "bonded" with her prospective mother, father and sister the prior two weeks. There was no cross-examination. The social worker then testified, in excruciating detail, about Tatiana's nine-year history. The government lawyer declined, again, to cross-

examine. My wife testified next. Our lawyer rested the case; I wiped my brow, thankful that I did not have to testify.

The Judge then called me as her witness. She asked poignant questions, focusing on my work schedule and ability to provide proper parenting to a nine-year-old, both illiterate and medically challenged. I took a deep breath and responded by talking and talking and more talking. The interpreter, at one point, told me I was offering too much information. I ignored her. I poured my heart out to the Judge, promising her that Tatiana would be provided the best from our family.

The lawyer reached for his hankie and dabbed his eye. The director and social worker softly gestured towards each other. The government lawyer stared at me. I

concluded by apologizing to the Judge for talking so much and provided her with a reasonable explanation. "American lawyers have a tendency to talk too much when addressed by the Court." She responded, without batting an eye "they are the same here" and took the issue under advisement.

Fifteen minutes later, we were called back into Chambers where she pronounced judgment — petition approved! We all cried, hugged, and took photos. Two days later, I flew back to Virginia and waited four more weeks for my family to return with Tatiana.

NOTE: Tatiana Eugenia Pappas is currently enrolled in the 3rd grade and reads and writes in the English language. Her strabismus is being corrected through a combination of botox injections and reading glasses. ❖

Paper Moon *Continued from page 8* environmental issues sparked additional interest⁸. A Documentary Companion to *A Civil Action*⁹, a text complete with pleadings from the actual case, gives perspective to the book and movie while providing students with a unique look at how rules of procedure, pleadings and documents build a case.

All of the materials to offer a mock trial course are accessible to paralegal educators. Bar associations in almost every state sponsor competitions so obtaining materials is easy and inexpensive¹⁰. There are also national organizations that sponsor competitions but which require fees that may be beyond a department's budget.¹¹ Developing a course can also have other benefits; involvement of state and local bar associations, members of the judiciary, attorneys, fellow faculty and students from other classes to serve as jurors and spark their interest in the course — and the law.

But there is a greater significance to this kind of course (or experience if you can't fit it into your curriculum). It cuts across interdisciplinary lines. It provides an opportunity for students to analyze and think critically. They learn to speak extemporaneously and think quickly on their feet, use psychology in the context of examining witnesses and advocate the client's case to the jury, and how image and demeanor play a role at trial. And, of course — they get first hand experience in the power of persuasion.

So while mock trials build upon fictional problems, the concepts and learning experience is real and palpable. It is fascinating to see students "grow" right before your

eyes as they immerse themselves in the preparation and conduct of the trial, becoming more self assured and gaining a new understanding of how all they study melds into an actual experience.

But most important of all is that in the end, mock trial isn't "make believe" to students — it gives them the confidence to believe in themselves.

- 1 Say It's Only A Paper Moon (1933) Billy Rose, Harold Arlen & Yip Harburg
- 2 Postman, Neil, *Amusing Ourselves to Death*, Penguin (1986)
- 3 See generally, Van Dervort, Thomas R., *American Law and Legal System: Equal Justice Under the Law*, 2 Ed., (West 2000)
- 4 The course has since be renamed "Advocacy and Persuasion"
- 5 New Jersey State Bar Foundation Mock Trial Competition Workbook
- 6 Mauet, Thomas, *Fundamentals of Trial Techniques* (Little Brown 1988) now *Trial Techniques*, (Aspen Publishers 2002)
- 7 Harr, Jonathan, *A Civil Action*, Vintage Books (1996)(paperback)
- 8 A reading group resource guide can be found at <http://www.randomhouse.com/vintage/read/civilaction/>
- 9 Grossman, Lewis A. and Vaughn, Robert G., *A Documentary Companion to A Civil Action*, Foundation Press (1999) (an Instructor's Manual is also available)
- 10 A comprehensive state-by-state list can be found at <http://www.randomhouse.com/vintage/read/civilaction/> Though this list is geared to high school competitions workbooks can be obtained for use by college students. In MSU's case since there was a college and high school level competition arrangements were made with a local high school team to "scrimmage". It provided valuable preparation experience for the competition
- 11 American Mock Trial Association, See also, www.perjuries.com, a mock trial resource

Avram B. Segall practices law in Clifton, New Jersey. He has been a half-time member of Montclair State University Legal Studies Department faculty since 1979 where he is presently an Associate Professor. He has taught "Trial Techniques and Strategies" and coached both the Montclair State University and Clifton High School New Jersey State Bar Association Mock Trial Competition Teams with the former taking the 1995 state championship. He has been involved in curriculum development and teaches "Legal Writing", "Law and Litigation", and "Real Estate" to undergraduates in the department's American Bar Association Approved paralegal program. He also teaches "Ethical and Professional Issues in the Legal Environment" in the department's Master's program in Legal Studies. He is the co-author of *Civil Litigation Fundamentals* (NJICLE 2002). A former member of American Association for Paralegal Education's Board of Directors, he has also served as the Chairperson of the New Jersey State Bar Association's Paralegal Committee and was a member of the New Jersey Supreme Court Standing Committee on Paralegal Education and Regulation where he chaired its Subcommittee on Paralegal/Attorney Ethics.

This year's Regional Conferences were again a success and enjoyed by all. On the left, Pacific Region attendees struggled to overcome such distractions as spectacular views and delightful Hawaiian hospitality, while folks in the North Central, right, had no trouble finding the best restaurants in Omaha.



How to Create Successful Group Projects *Continued from page 10*

benefit of doing the work collaboratively, he or she will participate more willingly.

For example, I have students interview working paralegals individually and then report their results as a group. In order to create an interesting presentation, the students must organize the presentation around themes rather than simply recite the information they learned from each interview. This means they have to think more conceptually in order to compare and contrast the responses of different paralegals to the same question.

Assign groups that will work well together

Group assignments help each student learn from the other, but to make this work, the group needs to be fairly small and the students need time to talk together. Optimal size for groups is from 3 to 5 students. This decreases difficulties in getting together and allows full participation.

Optimal groups contain students with different levels of experience and different skills who do not already know each other. I suggest assigning students to groups randomly but avoiding putting friends together in a group. Not only many the friendship suffer if the group runs into trouble, but the friends may form a clique that will keep other members on the outside. You can decrease the anxiety over working with strangers by having students in your first class work together with one person they do not know. This can then form the basis for assigning groups. If the students have met at least one group member, he or she

is more likely to work effectively in the group.

For fulltime day students, consider using a questionnaire to find out when they are free to get together with a group and use this information in assigning groups. This will avoid the complaint that they cannot find a time to work together. For part-time or evening students, you may wish to permit the students to do group work at the beginning or ending of each class. If you believe in the value of group work, this is time well spent.

If you fear the group will procrastinate and then fall apart in a last minute crisis, assign an interim step in the project to deliver. This will force the group to work in steps.

Share group learning outcomes

An important final step is to let the students evaluate what they have learned from the group experience. Be sure to allow enough time for this at the end of the course. Students will be more likely to participate happily in the next group assignment when they see what they have learned and accomplished in your class.

Assessing the learning outcomes was a positive experience for the students. Here you can see that even those who had problems ultimately decided that the group experience had taught them something important.

“Perhaps the class should have been able to pick the people they wanted to team up with. But if that did happen, then I wouldn’t have gotten to know the two great women that I was placed with. So maybe the fact that groups were assigned the way they were turned out to be beneficial in the end.”

“How do you resolve conflicts if nobody is in charge? I suggested we vote on each item but there was not enough turnaround time to articulate the question and compile and compare answers. Nevertheless, I value knowing more about working in a group than I did prior to this experience.”

“I would much rather rely on myself. I did learn, however, that even feeling as stressed out about it as I did, I helped to find a solution that worked well, if not outstandingly.”

“Working within a group is a great way to get to know other people in our class, and for myself, it was a strong morale booster.”

“Part of life is working and living with other people who are different than you. You must learn to get along with others, share and be open and adapt to your environment.”

“Group work is what you make of it. I realize that getting an early bird assigned with a procrastinator will need to be worked out, but both can learn from the experience — one to relax and the other to get on the ball!” ❖

[Christine Beck Lissitzyn, Esq.](#) is an Associate Professor of Legal Studies at The University of Hartford in Hartford, CT. She is also the Chair of the Legal Studies Department and teaches Introduction to Law, Contracts, Research & Writing, Forensics and the Law, and The Senior Seminar, a capstone course entitled Law, Medicine and Morality. Prior to joining the faculty of the University of Hartford in 2000, Ms. Lissitzyn practiced law for over twenty years in New York City and the Hartford area, primarily in areas of commercial and corporate work.

American Alliance of Paralegals, Inc.

FOCUSING ON EDUCATION AND THE INDIVIDUAL PARALEGAL

Deborah M. McKinney, RP

It has been an exciting and fruitful year for the American Alliance of Paralegals, Inc. ("Alliance"). In January 2003 eleven dedicated paralegals with a shared vision for the profession, met in Phoenix, Arizona to form a national association focused on the individual paralegal. A long and productive brainstorming session produced the name, the membership criteria (fondly called the Rule of Six), the mission statement, the goals of the organization, and a definition of "paralegal". Before the day was over, the Board was set and officers were elected with staggered three-year terms.

Over the next few weeks, the Alliance was incorporated, the logo of the Phoenix was designed, and the website was developed. Check it out at www.aapipara.org. We drafted a policy on regulation and a policy on education that is:

The American Alliance of Paralegals, Inc. advocates a Bachelor's Degree that includes, or is combined with, a paralegal studies program for persons entering the profession. Paralegals are encouraged to continue their education throughout their careers. It is recommended that paralegals participate in no less than 9 hours of continuing education annually, including at least one hour of ethics.

We immediately became proactive and involved with the other national paralegal associations.

Several board members attended the AAFPE regional meetings last spring, and I spoke to the North Central group in Cincinnati. With education as our focus, we issued a statement in support of AAFPE's Short Term Program policy as follows:

The American Association for Paralegal Education (AAFPE) has adopted a policy statement on short-term programs. The American Alliance agrees that short-term programs do a disservice to the paralegal profession and opposes any program that does not meet minimal standards as set forth by the Conclave, an organization of national paralegal-related associations. The American Alliance strongly recommends quality paralegal education provided by formal institutions that are ABA approved or are in substantial compliance with the ABA guidelines. Therefore, the American Alliance applauds and supports AAFPE for their statement regarding short-term programs.

As our membership of individual paralegals has grown across the country, we have issued quarterly newsletters by e-mail and by post. We were pleased to be accepted into the Conclave and Lee Davis and Debbie Repass attended the meetings in May and October. Debbie volunteered to draft a statement to the Department of Labor regarding the overtime issue. Although the other associations declined to sign on, the Alliance did submit it on our own. During this time, we also hammered out our own Code of Ethics.

One of our largest projects of the year was our First Annual Education Day and Annual Meeting that was held in Las Vegas, Nevada on October 3, 2003. Our

great lineup of speakers, Therese Cannon, Don Swanson, and Chere Estrin guaranteed a successful seminar focused on education. The Second Annual Education Day is scheduled for October 1, 2004 again in Las Vegas.

We will again be attending the AAFPE regionals with BJ Wade and Kathy Mehle making presentations at the Pacific Conference. NFPA invited Carolyn Saenz and me to attend their convention in Nashville in April.

In looking ahead, the Alliance will be concentrating its efforts on legislation and education. In addition, the Alliance is developing a certification program based on education. More information will be forthcoming in the near future. Watch as the Alliance continues "Advancing the Paralegal Profession ... One Paralegal at a time." ❖

American Bar Association

Peggy C. Wallace,

Staff Counsel to the Standing

Committee on Paralegals

The ABA will be moving its offices in May 2004. The move has been in the planning stage for several years but it is finally time to count files, pack for the move and pre-move and think about new office configurations. Effective May 18, 2004, please address all Standing Committee correspondence to 321 North Clark Street, 19th Floor, Chicago, Illinois 60610-4714. All of our phone numbers and email addresses will remain the same.

At the Midyear Meeting in February 2004, the ABA House of Delegates granted final approval to the following five programs: Faulkner

Continued on page 21



A Paralegal Educator's CD Library

- 1. AAfPE Model Syllabi & Model Surveys Member Price - \$95.00** Non-member price - \$395.00
 The original CD containing 23 model syllabi plus three surveys. A must for your resource library! (NOTE: These are .pdf files.)
Model Syllabi: Administrative Law (1996), Alternate Dispute Resolution (1997), Bankruptcy Creditor's Rights (1998), Business Organizations (1994), Constitutional Law (1996), Contract Law (1999), Elder Law (1997), Employment Law (1995), Environmental Law (1995), Family Law (1994), Interviewing and Investigation (1995), Introduction to Law (2000), Introduction to Paralegalism (1993), Law Practice Management (1996), Law Office Computer Applications (1998), Legal Ethics and Professional Responsibility (1998), Legal Research & Writing (1993), Legal Research & Writing & CALR (2001), Litigation (2000), Paralegal Internship (1998), Probate and Estate Administration (1994), Real Estate Law (1993), Tort Law (1996), Wills, Trusts, and Estate Planning (1995)
Model Surveys: Employer Survey, Graduate Survey, Student Satisfaction Assessment
- 2. AAfPE 2002 Model Syllabi Supplement Member Price - \$30.00** Non-member price - \$60.00
 Contains: Introduction to Paralegalism (rev.), Estate Planning & Administration (rev.) and Introduction to Legal Nurse Consulting (new). (Editable.doc files)
- 3. AAfPE 2003 Model Syllabi Supplement Member Price - \$30.00** Non-member price - \$60.00
 Contains: Criminal Law; Procedure (new), Family Law (rev.), Real Estate Law (rev.) and Sports and Entertainment Law (new). (Editable .doc files)
- 4. AAfPE Model Exit Assessment Tools Member Price - \$85.00** Non-member price - \$170.00
 Contains: Core Competencies, Model Capstone Syllabi: Advanced Paralegalism, Advanced Research & Writing, Applied Law Office Technology, Model Portfolio Requirements, Model Internship Requirements, PLUS Comprehensive Exit Assessment Test with Key and Grading Rubrics. (Editable .doc files)
- 5. Papers from the 2003 AAfPE Regional Conferences Member Price - \$45.00** Non-member price - \$90.00
 A compendium of papers presented at AAfPE's 2003 North Central, North East, Pacific and South East Regional Conferences covering a broad range of topics. (Editable .doc files)

TITLE	Quantity		Member	Non-Member	Total
1. Model Syllabi/Model Surveys		@	\$95.00	\$395.00	
2. 2002 Syllabi Supplement		@	30.00	60.00	
3. 2003 Syllabi Supplement		@	30.00	60.00	
4. Exit Assessment Tools		@	85.00	170.00	
5. Regional Meeting Papers (2003)		@	45.00	90.00	
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University, Montgomery, AL; St. Petersburg College, Clearwater, FL; Lake Superior State University, Sault Ste. Marie, MI; Monroe Community College, Rochester, NY; Rockland Community College, Suffern, NY; and the University of Tennessee at Chattanooga, Chattanooga, TN.

In addition, eight approved programs were granted reapproval: University of Alaska Anchorage, Anchorage, AK; MTI College, Sacramento, CA; Arapahoe Community College, Littleton, CO; Naugatuck Valley Community College, Waterbury, CT; Norwalk Community College, Norwalk, CT; Georgetown University, Washington, DC; Morehead State University, Morehead, KY; and Lee College, Baytown, TX.

A new feature of the Standing Committee's Web site (<http://www.abaparalegals.org>) is an interactive map that allows users to access a list of approved programs in any particular state. Students and other interested parties are now able to search for an ABA approved programs in a variety of ways.

Revisions to the ABA Model Guidelines for the Utilization of Paralegal Services were approved at the February Midyear meeting of the ABA House of Delegates. The Guidelines are addressed to lawyer conduct and not directly to the conduct of the paralegal. The annotated commentary accompanying the Model Guidelines was updated with references to decided authority and contemporary practice and reflects the legal and policy developments that have taken place since the House initially adopted the Guidelines in 1991. Watch the Web site for publication information. ❖

National Association of Legal Assistants

Kenneth Frakes

Deb Monke is President-Elect

Debra J. Monke, CLAS, Intellectual Property Administrator for State Farm Insurance Companies, Bloomington, IL, has been elected President of NALA for 2004-05.

She was elected by the NALA Board of Directors during their February meeting at the association's national headquarters in Tulsa, OK. She has been First Vice President the past two years, and her term as president will officially begin on July 16 at NALA's 29th Annual Meeting in Reno, NV. She will be eligible for election to a second term for 2005-06.

Ms. Monke has said that her primary agenda as president will be to follow up on major programs begun recently under preceding NALA administrations.

"As with anyone aspiring to be President of this association," she said, "I have accumulated many folders full of my own ideas, but my primary obligation will be to implement the progressive plans laid down in the past few years for revising our specialty certification program, and developing even more sophisticated Internet educational opportunities.

"Our organization has excelled as the leading professional association for paralegals," she continued, "by solidly building upon our accomplishments year by year. I hope to lead NALA to its 30th anniversary in 2005 as a president who upholds this tradition by seeing that our ambitious plans are fully realized."

A legal assistant since the early 1980s, Ms. Monke has been deeply involved in NALA leadership since 1985, serving as a regional director, treasurer, and secretary, as well as editor of the NALA Newsletter and

chair of many committees. She is a co-founder and charter president of the Central Illinois Paralegal Association, and has taught introductory paralegal courses at Illinois State University where she was also a member of the Legal Studies Advisory Council. She was coordinator of testimony for the state review committee on proposed legislation affecting Illinois Paralegals.

2004 Convention is 'R2R'

The 29th annual NALA Convention, July 14-17, 2004, will be a "Return to Reno" with an educational program featuring four institute formats, short course tracks in corporate law and real estate, plus two NALA Member Exchange Presentations.

The popular institute format of intensive attention to detail that builds each day to a comprehensive conclusion on the final day has been expanded for 2004 to include programs on contract law and alternative dispute resolution. The educational program for Reno includes:

Alternative Dispute Resolution Institute—The Hon. Jeffrey Wolfe, U.S. Administrative Law Judge in Tulsa, OK.

Probate & Estate Planning Institute—Edward L. Armstrong, principal in the firm of Edward L. Armstrong, St. Louis, MO.

Contract Law Institute—Mark Milker, an attorney licensed to practice in California and Hawaii, with extensive experience in all aspects of contract practice.

Essential Skills—Virginia Koerselman, Attorney at Law; Karen Sanders-West, CLAS/JD; and Kay Kasic, CLA, will present this popular program featuring a concentrated CLA Short Course curriculum.

Corporate Law Track—Featuring

Continued on page 22

Continued from page 21

presentations on the “Sarbanes-Oxley Act of 2002,” by Matt Hrebec, Lansing, MI, attorney with the firm of Foster, Swift, Collins & Smith; “Mergers & Acquisitions” by Michael V. Bonacorsa, attorney with the New York office of Thelen Reid & Priest; and “Protecting a Corporation—or Piercing its Veil,” by Jennifer S. Eden, a Florida attorney in private practice.

Real Estate Law Track—Mike Kleese, state legal counsel and underwriter with First American Corporation’s Missoula, MT, offices, will present “Title Review & Risk Reduction through Title Insurance;” David L. Robertson, sole practitioner attorney in California, will present “Due Diligence in Acquisition of Undeveloped Real Estate;” and Glenn Leier, attorney with the Portland, OR, office of McKeown and Brindle, will present “Landlord-Tenant Law.”

Convention details, including on-line registration features, are posted at the NALA Web site (www.nala.org).

Prestigious CAE to NALA Executive Director

Marge L. Dover, Executive Director of the National Association of Legal Assistants, with headquarters in Tulsa, OK, has been renewed as a Certified Association Executive by the American Society of Association Executives.

Ms. Dover has been executive director of NALA since it was founded in 1975, and has held the prestigious CAE credential since 1994. In addition to passing the comprehensive CAE examination, she has met requirements for substantive experience in nonprofit/association management, and has maintained rigorous continuing professional development activities. ❖

National Federation of Paralegal Associations

Dianna L. Smiley, RP
NFPA President

By the time you read this article, NFPA will have kicked off its 30th Anniversary at our annual convention in Nashville, Tennessee. The NFPA delegates will have elected a new Board of Directors and will have debated the exempt/non-exempt issue and discussed whether to take a position on Legal Document Assistants. Another issue that has recently arisen is the possibility that many large corporations will be outsourcing legal services to off shore companies. Recent reports have indicated that some insurance companies have begun sending actuarial services to companies in India and the Philippines, to name just two countries where these services are being performed. Many of these same companies are currently studying whether legal services could also be outsourced. No doubt, NFPA will be discussing this new development to determine whether our members have or could be affected and to what extent.

I will be attending the AAFPE Western Region conference in Hawaii along with Beth King, RP, NFPA’s Region I Director. It is always such a pleasure to attend AAFPE conventions, workshops and panel discussions. I learn so much and have such a feeling of comradery and enthusiasm. I will be participating in a panel discussion and Beth will be a presenter.

As President of NFPA one of my goals is to work more closely with AAFPE. I believe there is much we have in common in our respective missions and goals. Education is of primary importance to me personally. NFPA’s membership is looking to their leaders to be representative of the high educational standards in the profession.

I encourage AAFPE members to check out NFPA’s web site on a regular basis. Not only does it contain information on our educational criteria, it contains information on how to find a paralegal program, which I believe is very close to AAFPE’s criteria. There is information on the criteria to sit for the Paralegal Advanced Competency Exam (PACE). This information was recently updated. I hope you will encourage your student population to aspire to be able to take this exam at some point in their careers. It is challenging, but certainly an attainable goal for an experienced paralegal. Additionally, there are many links to information for your students. I would also like you to encourage your students to constantly go to the NFPA web site as we also post numerous on-line surveys. The results of these surveys assist the NFPA Board, various coordinators, and members to determine issues that are important to students, experienced paralegals and the legal community in general. We ask for feedback on such things as education criteria, exempt/non-exempt issues, legislative issues, and articles and issues that people would like to see addressed, to name a few. NFPA also encourages your students to become involved in their local NFPA associations. As such they will become members of NFPA and have a voice in the paralegal profession. Local associations are always looking for new members, new ideas and a fresh perspective on the paralegal profession.

At any time, NFPA would be happy to assist you in updating your information regarding NFPA or to provide you with information for your students. Please contact Patricia Lyons, RP, NFPA’s Education Coordinator and she will be happy to assist you. Patricia recently created a new survey that has been posted on-line, and I hope you will have your students go on-line and take the survey. ❖

Support AAFPE with Your Leadership! *continued from page 13*

Elizabeth Mann; Director, South East Region

As all of the other Board positions, I have served a three-year term representing the South East region. It has been a rewarding position that has allowed me to learn about paralegal education at the national level and to meet incredibly talented educators in the South East.

In addition to coordinating the regional meetings, my particular jobs on the Board have consisted of writing each issue of the Sidebar; occasionally writing an article for a national publication related to paralegal education; working with the mentor program and the First Timers session at the national conference; and participating in the planning of the national conference when it is scheduled in the South East region.

I have loved representing you as members of AAFPE, and especially those from the South East. You are extremely talented and have much to offer the Board on behalf of your students and paralegal education. Get on Board!

Common responsibilities of all regional directors include coordinating all activities in

connection with the regional meeting. The director must see that a committee is formed and that the members understand the purpose of the regional conferences, and that they are given the resources necessary to plan a successful meeting.

The regional director should also encourage planning for the meetings in subsequent years. At the annual conference, the regional director will meet with all the members, decide on a location for upcoming regional conferences, and poll the group for topics of interest for the educational sessions. The regional director is also responsible for keeping the members advised of AAFPE events and important business. The annual conference is a good opportunity to share this information with the members and to get a feel of what is happening in the region.

Additionally, regional directors are involved in LEX, both membership and scholarships; seeking and welcoming new members; and are mentors and information sources to everyone in the region. Regional directors keep in touch with their members using the AAFPE listserv, and encourage members to keep them advised of the happenings in their region.

Hedi Nasheri; Director, Baccalaureate Degree Program

The director of the baccalaureate degree programs, like the directors for associate and certificate programs, serves a term of three years and is responsible for helping to promote AAFPE's mission of quality paralegal education. In addition, the director communicates with baccalaureate degree program directors to ascertain their issues and concerns, and advocates those positions with respect to potential board action. Like any board position, this director may be involved in overseeing projects and task forces and lends his/her unique perspective to AAFPE's continued success. The director attends all board meetings and is assigned committee responsibilities by the president.

AAFPE needs you to take a more active role in the future of this great organization. In order to help you make your decision, we are including the ten most frequently asked questions about being on the board of directors and a nomination form. Nomination forms must be received to AAFPE headquarters by June 1, 2004. Campaign statements are due to AAFPE Headquarters by June 15, 2004. If you have any questions, email jspadoni@baypath.edu. ❖

Service-Learning and Paralegal Education *continued from page 15*

will continue at the College. One of the many wonderful things I have realized as a result of this training is that most people want to help others that are less fortunate than they are. However, they need to be given an opportunity that will allow them to volunteer their time. The Parent Advocacy Training was just that type of opportunity and the good news is that this type of project can be replicated by any Paralegal Educator anywhere. ❖

¹ My colleagues include, Ms. Rebecca Sanchez, an Education Professor and Mr. Bill Lynch, a Physical Therapy Assistant Professor. The Parent Advocacy Training was implemented

during the Fall Term 2003 and it will continue during the Spring Term 2004.

² We identified several community partners for the Parent Advocacy Training sessions. They included homeless shelters, community based organizations that service low-income and immigrant populations as well as schools located in impoverished areas within the city of Miami.

Professor Danixia Cuevas graduated from Rutgers University, Douglass College in 1988 with a Bachelor of Arts degree in Political Science and French. Upon graduating from college, she attended Rutgers University Law School and graduated in 1991. After law school, she served as a law clerk for a Family Judge in New Jersey, the Honorable Mark A. Baber.

Professor Cuevas began her law career as a family litigation attorney for New Jersey's Second Largest Legal Services Organization, located in Jersey City, New Jersey. Throughout her six year tenure at Legal Services, she litigated cases relating to all aspects of family law including representing numerous victims of domestic violence. She also trained members of the N.J. Bar about domestic violence law. Currently, Professor Cuevas is an Associate Professor in the Legal Assistant Studies Department at Miami Dade College. If you would like more information about this project, email jcuevas@mdc.edu.

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