HOW SUPERHERO PARALEGALS KEEP THEIR SANITY
Tips and tricks to saving the world!

LORRI JENKINS: STILL BEING ALL SHE CAN BE

SENIORS FILING FOR BANKRUPTCY

2019 JOINT CONFERENCE & ANNUAL CONVENTION PREVIEW
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— Richard Radbil,
Administration/Client Relations, RWR Legal

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President’s Message

Thank you! This issue has so many interesting articles contributed by member and friends of NFPA. I know you’ll enjoying reading and I hope you will use the information in this issue of the Reporter to plan to meet with your NFPA peers sometime this year whether at a regional meeting, Joint Conference or the annual convention.

NFPA’s Joint Conference is being held April 26 through 28, 2019 in Denver Colorado. Mark your calendars to attend. Joint Conference focuses on Leadership, Regulation and Certification. This is a valuable benefit where you will learn how to grow your association, recruit leaders and promote the NFPA certification exams. Some of the topic this year include: Fee Petitions: How Credentials are Impacting Paralegal Time in Fee Awards, (Certification), Paralegal Providing Legal Services to Address the Justice Gap (Regulation) and Succession Planning for Leadership Growth (Leadership) and more!

Joint Conference is a valuable event to attend, not only for the education and training, but also for the networking. One of my first NFPA conferences was the PACE Ambassadors Conference (n/k/a Certification Ambassadors Conference) in 2008. This is where I began my NFPA network and am still friends with some of those leaders I met in Georgia.

Someone recently said to me that NFPA is about building relationships and that is so very true, some of my dearest friends are people I that met through my local association and attending NFPA events. I always leave Joint Conference feeling excited, energized and with new ideas. I have also heard from other leaders that Joint Conference is their favorite event of the year. If you have never attended Joint Conference, I would encourage you to attend. Read more about Joint Conference on page 20. You can also find updated information on the NFPA website and social media pages. Registration is now open.

Is taking the PACE exam one of your goals for 2019? Have you been waiting for the updated exam? Linda Odermott, RP, OCP, Vice President & Director of Paralegal Certification and her committee have been working hard on the final steps for the updated exam, which will be beta tested beginning in late March. Information about the timing of the new test and how to be a beta tester are on page 41 with more detailed information online at www.paralegals.org.

You can make a difference! NFPA is looking for volunteers for open coordinator positions and committees. If you are interested in getting involved, reach out to myself or any Board Member for more information on the open coordinator positions.

Looking forward to seeing you at Joint Conference in Denver, Colorado!

NITA SERRANO, RP
PRESIDENT
Using Technology Makes it Easy

When NFPA decided to offer cyber insurance options to our members, we knew the buying experience would matter just as much as the coverage and price. This led to a digital first mindset and three core beliefs driving our selection of a partner and products to be offered. We looked for a company that would commit to:

• Investments in technology to better serve our members, making it quick for members to enroll
• Easy online access that would also be supported by on call customer care agents
• An offering for our members that provides valuable extra coverages at competitive rates

We have partnered with 360 Coverage Pros to deliver a better buying experience for our members. Their online platform provides our members with easy access to a suite of cyber and data breach products that includes risk assessment, compliance and prevention services as well as multiple insurance products. The online platform allows for members to quickly find the best products, easily calculate costs, rates and savings, and purchase the services or products allowing them to be effective immediately. There are licensed customer care agents that can be reached via phone, email or online chat from 360 Coverage Pros to assist with any questions or provide additional services to our members.

It is fast and easy to make sure your business is taking steps to be in compliance with various cyber and data breach prevention regulations as well as to have insurance in place to help cover the devastating financial losses and impact a data breach or cyber attack can have on your company. The cyber insurance takes less than 5 minutes to purchase and all plans can be in effect the same day as purchased.

Get covered now. To learn more, or to calculate rates, coverages and get your coverage in effect now simply visit the member perks and discounts page of www.paralegals.org.
We are an innovative court reporting and trial support corporation pushing the boundaries of technology and exemplary service. We are trusted by some of the most prestigious attorneys in the nation to provide strategic case winning solutions.
Seniors Filing Bankruptcy

By Ramona Atkins, JD

Many people work hard their entire lives with the idea of a relaxing retirement at the end of their working years. Decades pass and before they know it, it’s time for retirement and they do not know how they are going to make ends meet. Consequently, bankruptcy becomes the only viable solution. There are several reasons why bankruptcy cases among senior citizens are on the rise. Among the causes are escalating credit card debt as a result of trying to pay parent plus student loans, medical costs, and the inability to live on either social security alone or inadequate retirement planning. Consequently, law firms are seeing a rise in their cases and a need for support staff, especially paralegals.

STARTLING STATISTICS INVOLVING SENIOR CITIZENS

The number of bankruptcies that continue to be filed among older individuals is startling. People have little to no nest egg set aside for emergencies and those that do have very little to sustain themselves during their retirement. Working till the day they die is not a practical option nor is it a desirable one regardless of not being able to make ends meet. The following statistics reflect research on the increase in filings and why experts have deduced that this is happening:

• Americans ages 65 and older are filing for bankruptcy has increased two-fold since 2013, the study by the Consumer Bankruptcy Project found.
• Meanwhile, there has been a nearly 500% increase in the number of older Americans in the bankruptcy system, the study – first reported by The New York Times – showed. While more than 12% of filers are now seniors, just 2.1% were in 1991. (https://www.foxbusiness.com/personal-finance/more-older-americans-filing-for-bankruptcy)
• According to financial advisor Dave Ramsey, 97 out of 100 people aged 65 and over are not able to write a check for $600 or more due to lack of funds. The lack of savings by people over 55 years old is part of the problem. Many have saved less than $50,000 for retirement. A large percentage of people have less than $25,000 set aside for their retirement. Those who are actually retired don’t fare much better; some statistics indicate that the typical retiree has about $60,000 set aside. The amount that they have isn’t enough to stretch for regular living expenses without considering emergencies. (https://www.thebankruptcysite.org/resources/bankruptcy/bankruptcy-planning/why-so-many-seniors-face-bankruptcy)
• Over 11 percent of Americans with student loans have defaulted on their debt. For many, their loans are so out of control that they’re out of options. If you’re in this situation, you might face wage garnishment, calls from collection agencies, and ruined credit.” (https://student-loanhero.com/featured/how-to-prove-undue-hardship-for-student-loans/).

STUDENT LOANS HELD BY SENIORS OFTEN LEAD TO BANKRUPTCY

Lending laws for student loans began to change once students were unable to repay or defaulted on their loans. Thereafter, for the student to have his/her education financed, he/she would need for his/her parent to sign on any Federal loans guaranteeing payment. The good news is the student gets to attend school and get an education. The bad news is the parents are often left to pick up the pieces of the debt. Many parents of students graduating from college are either nearing or in retirement. These individuals are coming to find they cannot afford to pay the loans either and bankruptcy is their only option. The problem however is trying to show extreme hardship to absolve the debt in bankruptcy which is very difficult to prove. “Over 11 percent of Americans with student loans have defaulted on their debt. For many, their loans are so out of control that they’re out of options. If you’re in this situation, you might face wage garnishment, calls from collection agencies, and ruined credit.”

INCREASING MEDICAL COSTS AND DECREASING INCOME EQUALS SENIOR DISASTER

As people age, they often need more medical care. Even though Medicare covers part of a senior citizen’s health costs, there are many things it doesn’t cover. If an individual doesn’t have supplemental health coverage to take care of these costs, a drain on a person’s savings or income for living expenses begins to take place. Eventually, any savings a person has becomes depleted and bankruptcy is often the only choice. It is important for older Americans to factor in health costs into their retirement plans. Financial services company Fidelity Investments backed this up with this statement:
"A 65-YEAR OLD COUPLE RETIRING THIS YEAR WILL NEED $280,000 TO COVER HEALTH CARE AND MEDICAL EXPENSES THROUGHOUT RETIREMENT. AND ALTHOUGH THAT IS SIMPLY A 2% INCREASE FROM LAST YEAR’S COST, IT IS IMPORTANT TO NOTE THAT FIDELITY’S ESTIMATE HAS RISEN BY 75% SINCE 2002 WHEN THE ESTIMATE RECOMMENDED BY THE FIRM WAS JUST $160,000."  

- (MARKETWATCH)

THE NEED FOR PARALEGALS IN THE BANKRUPTCY FIELD

The paralegal plays a significant role in any law firm. However, the need for paralegals in the bankruptcy field is growing especially considering the number of bankruptcies that are being filed by senior citizens. There are more than 47,500 law firms and over 272,500 paralegals and legal assistants that encompass the national market. According to The U.S. Bureau of Labor Statistics, employment of paralegals and legal assistants is projected to grow 17 percent by 2022, faster than the average for all occupations—reaching a total of 323,300 by then.

The Bureau reports that employers are trying to reduce costs and increase the availability of legal services by hiring paralegals to perform tasks once done by lawyers. The demand for paralegals is expected to grow especially in areas such as intellectual property, healthcare, international law, elder issues, foreclosures, bankruptcy, criminal law, and environmental law."

"DURING RECESSIONS, CORPORATIONS AND INDIVIDUALS ARE MORE LIKELY TO FACE PROBLEMS THAT REQUIRE ADDITIONAL LEGAL ASSISTANCE, SUCH AS BANKRUPTCIES, FORECLOSURES, AND DIVORCES. AS A RESULT, PARALEGALS WHO PROVIDE MANY OF THE SAME LEGAL SERVICES AS LAWYERS AT A LOWER COST, TEND TO FARE RELATIVELY BETTER IN DIFFICULT ECONOMIC CONDITIONS."  

- (PARALEGALTODAY)

"Since there is so much economic uncertainty along with rising medical costs and their children’s student loans often contributing to a senior citizen’s debt load, one can see that financial security is not there. For an increasing number of older Americans, their golden years are fraught with economic risks ... Absent significant policy changes that reassert the risks of aging and effectively insure the financial stability of older Americans, our data suggest that the trend of an aging bankruptcy population will continue. For older Americans, bankruptcy is too little too late. By the time they file, their wealth has vanished, and they simply do not have enough years to get back on their feet."  


HOW PARALEGALS HELP THOSE WHO FILE FOR BANKRUPTCY

Those who enter the paralegal field may either work with individual clients or businesses. There is also the possibility of working in the banking industry assisting with the collection of past due loans. Those who are interested in working in this field should understand their state’s bankruptcy laws as well as procedures.

This is an excellent field if an individual is detail oriented and enjoys helping those in need during such a difficult time in their lives. Some of the duties a paralegal may have include interviewing clients, keeping the lines of communication open, conversing with creditors, debtors, trustees and court clerks. The paralegal may provide valuable research. Further, a person entering this specific field will be required to draft and file necessary bankruptcy documents in a timely manner. (https://www.paralegaledu.org/bankruptcy/)

SOME HOPE FOR SENIOR CITIZENS

Although it is sad and may seem grim for the elderly to file for bankruptcy, there is some hope under certain circumstances. If a senior citizen is living on social security and any additional income is low, the individual may be protected to a certain extent. Social Security income is protected to a degree. However, Social Security can be used to satisfy student loans, child support and tax debts. Further your additional income can only be taken if your income is very low and the percentage that can be taken is capped at 25%.

Also, if a person’s assets aren’t high end ones, such as a fancy automobile or expensive jewelry, creditors will have nothing to take. Nearly all states protect an individual's furnishings, clothing, a car and some of life’s necessities. Additionally, if a senior citizen doesn’t own his/her home, or have any equity in it, it too may be protected. Nonetheless, it is prudent to speak with an attorney who handles bankruptcy to determine whether it’s even necessary to file, or the right choice for the individual based on his/her personal circumstances.  

((https://www.thebankruptcysite.org/resources/bankruptcy/filing-bankruptcy/should-senior-citizens-file-bankruptcy/))

RAMONA ATKINS, JD

is the author of several study guides, tests banks and courses on Business Law. She is a full time faculty at Purdue University Global School of Social and Behavioral Sciences.

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Legal Paraprofessionals: The Need for National Standardization

By Tracy Lord, MSL, RP®

“ARE YOU READY FOR AN EXCITING AND REWARDING LEGAL CAREER?”

Young men and women in professional attire are engaged in a variety of situations: at the library surrounded by shelves of law books; sitting at a neat, tidy desk, pen poised over a legal pad; standing before a courthouse, thoughtfully gazing into the distance. These are happy, confident individuals who have been molded into successful career persons by virtue of the paralegal education they received from whichever program the advertisement represents.¹

This depiction is glamorized and inaccurate. Where are the mountains of paperwork that need to be attended to that day? Where are the paralegals performing mundane administrative functions, such as answering the phone, standing at a copier, or filing documents? Despite the advertisement’s promise, there is no guarantee their students will obtain employment as a paralegal; and, in the event a student is hired as a paralegal, there is a high chance the education provided by the program is inadequate for the transition from student to employee.

There are scores of blogs and message boards dedicated to working paralegals. They contain desperate pleas for assistance on matters which involve simple research, or worse, complicated matters which should never have been delegated to a paralegal. The lack of national standardization with regard to paralegals has created a “profession” rife with confusion, both in definition and required skills and abilities.

A close look at the field will expose the deficiencies we find in both the depiction of the paralegal, and the curricula of the academies offering a certificate or degree in the profession.

WHAT IS A PARALEGAL, AND WHAT DOES ONE DO?

The American Bar Association (ABA) is internationally recognized as one of the leading authorities of the legal field. In regulating the profession, it provides continuing education, ethical standards, and law school accreditation (Membership in the ABA, 2014). The ABA defines a paralegal as:

… a person qualified by education, training or work experience who is employed or retained by a lawyer … who performs specifically delegated substantive legal work for which a lawyer is responsible. (Current ABA Definition of Legal Assistant/Paralegal, 2008).

The National Federation of Paralegal Association (NFPA) and the National Association of Legal Assistants (NALA), both nationally recognized paralegal organizations, have the same or substantially similar definitions (National Association of Legal Assistants, 2014; National Federation of Paralegal Associations, 2014).

Breaking it down, a paralegal is someone who has either some experience working in the legal field, or some type of undefined training/education. Additionally, the “specifically designated” duties assigned by an attorney can comprise tasks ranging from simple secretarial work to complex legal research. Although the United States Bureau of Labor Statistics’s description of paralegal job duties is more specific, its characterization is carefully composed to express merely the possibility that a paralegal will be called upon to perform the listed tasks (Bureau of Labor Statistics, 2014).

PARALEGAL EDUCATION AND PROGRAMS

In the mid-1980s attorneys began to delegate many “routine” legal tasks to their paralegals (Pipkin, 1987). The resulting savings – in time an attorney took performing these tasks, as well as costs to the client – created a demand for paralegals, and “academic” programs dedicated to legal assistant began to materialize (Haemmel, 1973). In the early 1970s there were 31 paralegal education programs (Haemmel); today there are more than 1,000 of these programs (Paralegal/Legal Assistant). They range from certificates which can be earned in as little as one month, to post-graduate master’s degrees. Of these hundreds of programs, only about 270 have been “approved” by the American Bar Association (ABA Approved Paralegal Education Programs, 2014).

Although the ABA has specific standards relating to the course of study a paralegal should receive (Guidelines, 2013), it does not appear these standards are adhered to for ABA “approval.” For instance, ABA approved programs in Alabama consist of: one certificate, five associate, three baccalaureate, and one master’s program (ABA Approved Paralegal Education Programs). Can a person really learn as much by obtaining a cer-
tificate in a few months as he can earning a baccalaureate degree in four years?

If the ABA does not hold to its own standards as to a paralegal’s formal schooling, why would obtaining such an education matter? Additionally, if the type of education does not matter, then perhaps the curriculum is unimportant as well. Taking this a step further, if the curriculum is unimportant, then being deemed a “paralegal” is inconsequential.

In an effort to standardize the paraprofession, the NFPA, NALA and similar organizations offer materials to help a paralegal succeed in his or her career choice (National Federation of Paralegal Associations; National Association of Legal Assistants). These organizations have also developed nationally-recognized, comprehensive standardized tests. However, there is no requirement for a “paralegal” to avail themselves of these materials and/or take the tests. The option to do so remains entirely at the paralegal’s discretion.

**MOST PARALEGALS LEARN THE MAJORITY OF THEIR JOB ON-THE-JOB**

In an independent survey on the type of education which working paralegals obtained, seventy-two paralegals from various regions across the United States responded as follows:

**TYPE OF EDUCATION:** Nineteen percent of the participants earned a paralegal certificate; 30% completed associates or other two-year programs; 22% obtained a four-year degree; 4% attained a masters degrees; and 25% had no formal paralegal education. Of those who had a formal paralegal education, 58% attended programs approved by the American Bar Association.

**WAS THE EDUCATION BENEFICIAL?** Many of the respondents felt they benefited somewhat from their paralegal education; however, the majority indicated they learned most of their knowledge and skills on-the-job. Many felt their formal education did not prepare them to adequately perform their job functions. “I learned a lot more (in general) as an actual working paralegal, than I did as a student” was a common theme when asked about their first experience in the workforce. Over 50% of the respondents believe they could perform tasks given them by their attorney/employer without having received a formal paralegal education.

**REAL WORLD NEEDS:** More than 25% completed their program with no knowledge of to how to write a letter, a contract, or any other type of legal document. Well over half of the respondents received no training in basic office administrative tasks, such as filing or answering the telephone.

**EXPERIENCE:** Finally, the respondents were asked to write a sentence or two about their experience when entering the workforce as a paralegal. Many of the paralegals worked in law firms prior to attaining a paralegal education, and were able to easily slip into the role of a paralegal:

“I had already been working as a paralegal when I started my degree program. I think for me it was more a situation where being a paralegal helped me with school, not the other way around. Lawyers have told me that law school only teaches you how to think like a lawyer, not how to practice law. I feel the same thing applies to my degree in paralegal studies … I feel that school was beneficial, but it is certainly possible to be a paralegal without the degree…”

The majority of those who had little or no experience in the legal field before seeking a paralegal education found themselves facing a greater challenge:

“When I first entered the workforce as a paralegal I was expected to know how to perform more administrative/court related duties as opposed to the attorney/paralegal skills I learned such as research and legal writing. I found myself very intimidated and quite frankly, unprepared.”
EMERGING ISSUES

WHAT ARE THE CONSEQUENCES OF A LACK OF STANDARDS IN A PARALEGAL EDUCATION?

PUBLIC ESTEEM: In 1978 the public ranked lawyers in the top five most prestigious professions (Harris, 1978); today, however, attorneys do not even rank in the top ten (Pollack, 2014). While there may be multiple reasons public opinion has declined over the years, insomuch as a client will have more contact with an attorney’s staff throughout the pendency of the attorney/client relationship, the possibility exists that having to deal with under or uneducated legal staff could have an undesirable effect on the public perception of the legal profession.

ADVERSE CONSEQUENCES FOR THE EMPLOYER: Attorneys are expected to represent their clients in a competent manner (See ABA Model Rules of Professional Conduct 1.1). In addition, a lawyer is directly responsible for the conduct of his employees (Rule 5.3). Inadequate staff equals inadequate legal representation. An attorney should be able to utilize a paralegal without fear of adverse consequences, such as sanctions, or worse, disbarment.

INDIFFERENCE: A study in 1985 revealed that many Wall Street law firms, which rely heavily upon the use of paralegals, are more likely to directly recruit paralegals rather than hire someone who graduated from a paralegal program (Pipkin). This practice tends to convey the message that a paralegal education is simply not important.

EMPLOYER EXPECTATIONS/DIFFICULTY IN OBTAINING A JOB: Skills such as understanding basic grammar, note-taking, and local legal procedure are among many complaints made by and against newly graduated legal assistants (Howery, 2001). Without standardization, there is no uniformity, thus the employer does not know the capabilities of his newly hired, “formally educated” paralegal. As a result the attorney would be more likely to hire a paralegal with actual work experience in order to alleviate the need to train that person in what should be standard procedure. This reinforces the common complaint among newly graduated paralegals: the difficulty in obtaining a job without any legal experience (Howery).

CONCLUSION

Regulation of paralegal educational programs is a necessity. The current “standards” are not adhered to, and students are being taught by fly-by-night certificate/diploma mills which are more interested in the bottom dollar than the education their learners are receiving. In addition, like other professions, a national licensing examination needs to be examined as a requirement.

In addition, it is imperative that the vague meaning of the legal paraprofessional be modified and a uniform definition be adopted on a national level. Similarly, the responsibilities of the profession need to be clearly set out so a paralegal, whether a thirty-year-old veteran or a brand new graduate, can step into any law firm and know what is expected.

With these changes, a paralegal can raise above the expectation of merely being a glorified secretary and enter into an “exciting and rewarding legal career.”

TRACY LORD, MSL, RP® is a member of the NFPA Marketing Committee, and is a member of the Vermont Paralegal Organization.

Articles express the opinions of the individual authors and do not necessarily represent the formal position of NFPA.
The Importance of Diversity, Inclusion, and Equity

By Tom Stephenson, ILAP and Sybil Taylor Aytch, RP®, M.Ed.

NFPA’s Diversity, Inclusion, and Equity (DI&E) Committee was created in 2017 and tasked with, among other things, researching, investigating, and recommending policy concerning the feasibility of implementing diversity, inclusion, and equity initiatives within the paralegal profession. Over the past two years, the DI&E Committee developed the Justice Champion Award and updated NFPA’s Position Statement on Diversity, Inclusion, and Equity. In an effort to advance initiatives embracing our changing cultural landscape, the DI&E Committee is working diligently on furthering policies within NFPA related to (1) diversity and inclusion as an ethical requirement; (2) unconscious, implicit, and affinity bias; and (3) ADA accommodations. However, there is still work to be done. Recent studies show that the legal profession is one of the least-diverse industries in the nation.

As the legal profession continues to evolve and advance, the role of paralegals remains challenging. Our commitment to this profession involves advancing our roles and fostering a sense of inclusion, which are the tenets of a bona fide, well-respected career.

A diverse and inclusive culture benefits all: It reflects the reality we live in, spurs innovation, broadens and challenges beliefs, dispels stereotypes, and enriches discussions. Resolving to strengthen our commitment to diversity, inclusion, and equity within the legal community fortifies our bonds, allows us to gain a deeper understanding of each other, and develops a greater sense of connection.

We are all limited by the nature, depth and breadth of our experiences - and what we are willing to learn. Therefore, if an individual has not been exposed to the positive benefits of diversity or has not intentionally sought an understanding of the importance of inclusion, he, she or they may unwittingly embrace a less enlightened perspective.

Most people are not naturally inclined toward diversity because there is comfort in being around people whose appearance and perspective affirm our own. We are generally drawn to those who seem to be most like the person we see in the mirror. This tendency brings about an unintended consequence of limiting one’s perspective and one’s depth of understanding, which tend to foster suspicion and promote unenlightenment. It is well established that diversity and competence can, and do, exist in the same person. The pursuit of diversity presents an opportunity to acquire an otherwise unknown competent contributor along with the perspective of someone who has lived different experiences through a life that has formed a different world view, one that can expand the discussion, and more fully inform a multitude of organizational considerations.

Why place such importance on diversity, inclusion, and equity? The answer is both simple and complex. Having a diverse profession that includes all voices and paralegals of every background is, quite simply, good for the profession. Those diverse voices lead to a more robust profession, more variety of opinion, greater acceptance of our differences and will ultimately make us better paralegals and, more importantly, better people.

It is vital for paralegals to connect with others in our profession whose backgrounds and experiences are aligned. It is equally important to build connections with those we do not usually get the opportunity to know. These objectives are essential in order to provide positive reinforcement that the legal profession is indeed inclusive and that the paralegal profession is a viable and attainable career option.

The DI&E Committee will continue to provide guidance and suggestions for implementing diversity, inclusion, and equity policies through thoughtful initiatives in conjunction with NFPA leaders. We encourage all NFPA members to assist us in this continuing journey.


TOM STEPHENSON, ILAP is Coordinator of NFPA’s Regulation Review Committee and serves on the Diversity, Inclusion, and Equity Committee.

SYBIL TAYLOR AYTCH, RP®, M. ED. is Coordinator of NFPA’s Diversity, Inclusion, and Equity Committee.
Diversity in the workforce has become a hot topic in recent years, particularly in the technology industry. Reports like to make it seem that the lack of diversity in the workforce is exclusively in tech, but that’s not true. Yes, tech has a diversity problem and it needs to do better at hiring women and minorities with a fair salary. The discrepancies between white males working with good pay and everyone else in all industries is huge.

Companies are acknowledging the problem, some reluctantly, by creating diversity programs and departments to close the gap. What’s popular at the moment is giving speeches and interviews on inclusiveness at their company. While a good idea, these conversations, more often than not, end more as a marketing tool than an actual fix. There are many explanations given as to why companies are not diverse. It all boils down to two things: stereotypes and hiring people “who are like us”.

Growing up, I always thought that bias and stereotypes were a thing of the past. Former President Lyndon Johnson signed into law the Civil Rights Act of 1964, which includes Title VII. Title VII of the Act is a federal law that prohibits employers from discriminating against employees on the basis of sex, race, color, national origin, and religion. While laws can be enacted it’s impossible to change minds just by creating a law. The moment the recruiter or hiring manager knows what you look like, you are immediately being sized up. Does this person fit the picture I have in mind for this role? And that picture always includes the appearance of a person.

While we may think we aren’t biased, the amount of information we soak up through osmosis is remarkable. We are inundated with images of what someone looks like for jobs. A job for a lawyer at a prominent law firm? The all-American boy (white male). A job for a front desk job? A person with a pleasant demeanor (white woman with a nice physique at minimum wage). A janitor at a school? (black male at minimum wage.) A cafeteria worker? (black woman at minimum wage). Of course, I may be exaggerating but you get my point.

As a black woman who has been in the workforce since I was sixteen, I experienced first hand how hard it is to even be considered seriously for roles that aren’t entry level or labor jobs. Even now with more professional experience under my belt and the results to back it up, I am still only offered jobs or considered for jobs that are entry level and at the very low end of the salary range. People will take my contributions for free and will request me but as soon as a paying position opens up, with the same duties I volunteered for, suddenly I become “not the right fit”.

One of the most demeaning things that has ever happened to me in my professional career was I was passed over for a spot at my first job out of college. I worked nights and unbeknownst to me the same position opened up with better hours. The job was not advertised. I, along with another woman, didn’t even have the chance to apply for it. The role was given to a white male who had no experience and never even worked in the industry until he got that job; that hurt a lot.

If companies want diversity, the investment should be made into the people who make the hiring decisions. The excuse of “we tried looking for a minority to fill this role but we couldn’t find any one qualified” is insufficient. Often, times men are held to the minimum standard and then given time to learn the role; and many times, have someone help him along until he gets up to speed. The amount of pressure when I start a new job is overwhelming; expectations are high and assumptions of a 30 day learning curve makes the transition difficult.

The people and departments in charge of hiring should be trained to a.) acknowledge their bias and then b.) work on skills to fight those biases. By admitting one has a bias does not make that person racist or sexist because we all have them, including myself. But because I am aware of my biases, I usually do a good job of acknowledging the stereotype when it happens, which allows me to redirect my thinking and put me in check. If companies work on training for their employees who hire it will be easier for that person to focus on the skills and qualifications instead of inadvertently crossing that person off the list because it doesn’t fit the appearance of who is thought to be in that role.

KATIE WOODSON is a 2017 graduate of the Roosevelt University Paralegal Studies Program in Chicago. During the program I landed a job at a technology staffing company in as a compliance coordinator. My dream job would be to work in cyber law.
Life After the Law Firm

By Cindy Welch, RP®

Recently I contacted my friend Shannon Cox after seeing her post on Facebook and realizing I had not seen her at any paralegal functions in a while. What I learned was so exciting that I want to share her news with NFPA members.

When Shannon left her paralegal position at a prominent Dallas law firm in 2015, she decided she wanted to try something different. After weighing her options, she decided she wanted to start up her own mobile notary/signing agent business. She has been a notary for over 25 years and had seen the need for mobile notaries and signing agents during her employment in law firms and title companies.

Her business takes her to law firms who use her to swear in deponents. She also regularly goes to assisted living facilities to provide services to clients who no longer drive. Holidays are some of her busiest days since that’s when the entire family is together and make decisions regarding wills, powers of attorney or health care directives. Careful not to give legal advice, she does verify with the signer their identity and that they are fully aware of what they are signing, often outside the presence of family members who might influence the signer. Her business is doing well and she enjoys the freedom that having her own business provides.

But back to the Facebook post. I saw a picture of Shannon and another woman standing next to a large photograph of Shannon. There was a comment about being in Washington, D.C. so I had to know more.

I had forgotten that Shannon is a six-year Army veteran who served as a Criminal Investigator. In 2106, Shannon learned that former aerial combat photojournalist, Stacy Pearsall, was going to be in Dallas to take photographs of military veterans for historical purposes. This project, the Veterans Portrait Project, offers the experience at no charge to the veteran. Shannon decided to make an appointment to be photographed.

A former staff sergeant with three combat tours, Stacy was injured during her service in the Air Force and afterwards spent many hours in VA hospital waiting rooms, waiting to be seen. She spent a lot of time talking to other veterans from every branch of the service and every generation and an idea began to take shape. In 2008, she felt compelled to honor her service and thank veterans by taking their photographs and since has taken almost 7,500 photos in 30 states. The Veterans Portrait Project represents the over 22 million veterans in the United States with the one thing that unites them – their military service. See www.veteransportraitproject.com for more information or to contribute to this project.

The Women in Military Service for America Memorial was established to honor women who have served in the United States Armed Forces. Read the story and support opportunities at www.womensmemorial.org. In November 2018 this memorial located on the grounds of Arlington National Cemetery in Washington, D.C. hosted Stacy and the Veterans Portrait Project with a photography exhibit and reception. The organizers of the event asked Stacy to select a limited number of her photographs of women veterans for the exhibit. She couldn’t limit her choices to ten, as requested, but instead selected 21 and Shannon was one of them! Shannon traveled to D.C. to attend the exhibit where she was reunited with Stacy and Stacy’s new traveling companion – her service dog, Charlie.

Charlie is a black Lab and a star in his own right. He was first featured on the Today show during the Puppies with a Purpose segment. One of the veterans that Stacy photographed had a service dog and it occurred to Stacy that she could also benefit from a service dog. Charlie helps Stacy balance when she’s feeling imbalanced or dealing with neurological issues. As a service dog, Charlie travels with her to take photographs and Stacy finds that other veterans take comfort in him. Charlie came to her through America’s Vet Dogs. Learn more about this amazing organization at www.vetdogs.org.

If you or your association is looking for a worthy cause, please consider the Veterans Portrait Project, America’s Vet Dogs and Women in Military Service for America Memorial.

CINDY WELCH A former NFPA board member and past president of the Dallas Area Paralegal Association, Cindy currently serves as NFPA’s Nominations Coordinator and Primary Representative for DAPA.
How Superhero Paralegals Keep Their Sanity

By Carrie Sinks and Mary Wintermote

When you tell someone you are a paralegal, most of the time one person comes to mind: Erin Brokovich. Based on, Erin’s diligent work, she was able to gather the necessary facts linking the cancer causing Chromium-6 contamination of drinking water to corroded pipes at a PG&E power plant. To the people of Hinkley, California Erin Brockovich was a superhero. Where many would be discouraged when arriving at dead ends, Erin continued on. Erin Brockovich calls that “stick-to-it-tiveness” and its a trait that most Paralegal Superheroes possess.

Stick-to-it-tiveness is an ownership of the job or the task before you. It’s the desire to know what is going on all the time. Their attorneys even acknowledge that their “Paralegal knows more about this than I do.” But wearing that superhero costume and carrying the briefcase that is going to save the world can take a toll on one’s sanity. This article will hopefully provide you with some common sense tools to stay the superhero that you are.

When I chose the topic of how superheroes keep their sanity I quickly learned from talking to other people, that that meant different things to different people. To me it’s about your activities outside of work but to a lot of people, I learned that it could be something like keeping an accurate calendar.

ATTACK PROCRASTINATION WITH ORGANIZATION AND PRIORITIZATION

Success and sanity in your job requires the ability to organize and prioritize. Procrastination can be a villain. As the paperwork piles up and the deadlines come at you, a good organizational system can be one of the greatest super powers. To be an effective paralegal, you must be organized. Not being able to keep track of deadlines, trial dates and appointments many times mean disaster to a case (and your career). Regardless of whether your files are in paper format or digital, a paralegal must be able to retrieve file materials at the drop of the hat.

FORM FOLDER. Your form folder or notebook is a great tool. Create a form folder on the computer or in a notebook. Make sure the forms are updated with changes to the rules or law. The worst thing to do is to use a form with outdated law! Make templates for letters you will frequently send out:

- Transmittal letter to the Court
- Letter forwarding discovery requests or responses
- Letter to an expert forwarding material

If you are using letterhead, you must always indicate either in the signature block or letterhead that you are a paralegal.

Inter-office materials should be included with your forms:

- client intake form
- fee agreement
- engagement letter
- expense report
- billing form or statement
- receipts

When using forms, always remember that metadata exists in those older documents. Be vigilant in removing any client-related metadata from the document.

FILE ORGANIZATION: If you work for a small firm and there is no set file organizational system, help design one. Being able to find something in a file is one of your most important jobs. Identifying file information through a numbered system will save you a lot of heartache.

CALENDARING & REMINDER SYSTEM: Deadlines are crucial in a law firm and being able to prioritize the tasks is a superhero power. Know what your firm uses to keep track of deadlines and become proficient in using the system. It’s always good to have a personal backup just in case something happens to your online calendar. So, yes, a paper calendar is still good to use.

CREATE A DESKBOOK: Gather all the information about the players in a case, court, parties, witnesses, etc. Keep it digitally or in hard copy. It’s so much easier to pull a number than have to find one in old e-mails or slips of paper on your desk.

KEEP A “TO-DO” LIST: Have one and update it every Friday for the following week. Don’t rely on Post-It notes or thinking that you will “remember it”!

TRIAL BOARDS/MASTER CALENDAR: Trial boards & large master calendars help keep track of trials.

BILLING: If you have a billable position, input your time concurrent with your task or at the end of the day. Not keep-
ing up with time results in an average 10% loss in billable time which translates into lost revenue for the firm. Some firms have a policy that if your time isn’t in, you don’t get a paycheck.

USE TECHNOLOGY AS A SIDEKICK: The evolution of the computer and subsequently the internet has provided a paralegal with easy to access and simple to use tools. The first thing to do is to determine what your firm has and what those programs can do for you. Some law firms provide a plethora of technology tools to help with getting things done and staying organized. If your firm doesn’t have a sophisticated IT Department and Training Center, never fear, there are many tools living in the programs currently on your computer or network, you just need to learn how to use them.

For example, if your firm uses Word, then learn how to use Styles, Templates or Themes. If macros might make your life easier, search for a tutorial to learn how to create them. There are countless tutorials on the internet and you don’t have to have the “Word For Dummies” book sitting on your desk! Learn how to use Word styles at Lynda.com or the “Microsoft Word Styles for Beginners” for additional online training. Once you know what you already have access to, go out and explore other cost-effective tools available. A few to check out are:

- **Writing tools – Grammarly and Word Rake** can make proofreading and editing a document so much easier. BigHand helps with document formatting.
- **Project Planning – Microsoft Planner** is a free program that comes with Office 365 and will help plan - not procrastinate.
- **Legal Podcasts – Legal Talk Network** contains a collection of podcasts on various legal topics. The Paralegal Voice focuses on issues affecting the paralegal profession.
- **File Transfer Options – Explore the various options for securely receiving and transmitting files. Sharefile, Hightail, and Box are a few. **If you are transferring sensitive information, research the encryption options on the software as well as whether or not the program is HIPAA compliant.
- **Collaboration Tools – Microsoft Teams** is another free option with Microsoft 365. It aids collaboration without having to rely on emails to communicate.
- **Get Rid of Spam – Paper Karma can help get rid of all that junk mail you receive.**
- **Adobe Acrobat – The new version, Adobe Acrobat DC, is a powerful tool that allows collaboration and document manipulation. A less expensive option with similar features exists through Nuance Power PDF 2 Advanced**
- **Technology Trends – The American Bar Association blog, Law Technology Today, is a daily post featuring information on new and upcoming technologies. Recomendo is a weekly newsletter that also provide technology information and tips.**

Attorneys want to hire paralegals who have technology skills. Learn how to use a computer and keyboard effectively, work with the most common software programs and whatever is available by way of legal-related software.
A THOUGHT ON PROCRASTINATION: Many times lawyers struggle with procrastination because they know their support system has a good handle on what's going on. That alone causes a lot of stress to the paralegal. In order to combat that last minute attorney, some paralegals create soft deadlines knowing that the actual drop dead date is in the future. Procrastination isn't usually putting things off because you don't know how to do them, but by being anxious about what needs to be done. The most effective way to address that anxiety is to develop a plan to get it done. That's what the attorney many times relies on the paralegal to do. Doing so alleviates some of the anxiety and allows you to conquer!

KNOWLEDGE IS A SUPER POWERFUL THING

The education of a superhero paralegal never really ends. Attorneys are required to maintain a set number of continuing legal education hours annually. The same is true of paralegals belonging to national, state and local organizations. This legal education provides a wealth of information and is an easy way to remain current on the law. Some legal groups and organizations offer CLEs at low costs and several vendors provide free online webinars touching on document management, electronic discovery, or data breach response. No matter where you are in your paralegal career, you should be self-motivated to continue to learn. Find topics that you have an interest in, that are specific to your area of practice, that will enhance an important skill, or that will help you develop your professional attributes.

Just as technology changes, so does the law. Whether your firm practices litigation, transactional, corporate or another area of law, things change. It is important for you and your attorney to keep up with the changes to areas that affect your daily work. Electronic filing, for many paralegals, threw a new wrench into our already unconventional days. A paralegal who knows what changed in the Federal Rules in 2015 regarding discovery objections is valuable to an attorney who hasn't kept up with the changes. Glancing through the Texas Bar or American Bar Association Journal can provide a wealth of information and don’t forget to closely review the pocket parts additions to the Rules when they come in. The Office of Court Administration publishes CourTex, a monthly newsletter that contains information affecting Texas courts. You can subscribe to the newsletter at: https://visitor.r20.constantcontact.com/manage/optin?v=001_Sihum3TrbNCYsd4h1rEdys6zpyAiEA

AVENGERS..... JUSTICE LEAGUE..... TEAM TITANS... FANTASTIC FOUR....

What do the Avengers, Justice League, Team Titans and the Fantastic Four have in common? They are all super hero teams. Each has a separate power and when coupled together, they are a force to be reckoned with. The Invisible Woman alone couldn’t save the world from the forces of evil but she calls on the help of others in order to create a successful mission. No paralegal superhero can manage to carry the weight of the firm or a case on his or her shoulders alone. Trying to manage impossible demands on your time creates a constant sense of pressure and results in things slipping through the cracks and leads to an inefficient use of time. Another by-product of trying to balance it all yourself, is that you work a tremendous number of hours, many times working on things that someone else could handle. Trying to handle everything yourself, can cause confusion about roles in the office, duplication of effort, and sometimes leads to others relinquishing an area of responsibility that should be theirs.

One of the keys to effective delegation is to know which work can be done competently at the least expensive level. If you stand at the copy machine for three hours making a notebook while your discovery responses are waiting, is there someone else, maybe someone not staring down at working until midnight, who might be able to press the “Copy” button. For those in smaller firms where there are less bodies, perhaps investigate the possibility of working with a vendor who would make your life so much easier.

Paralegals are generally very protective – perhaps controlling – about their work. We hate to hand over something if we don’t know for certain that it will be done right, i.e., our way. Delegating doesn’t mean just shoving a task off, but effectively communicating the task that needs to take place. Be clear about what needs to be done, why you need it done, if you want to review the work, get confirmation that the other person understands and accepts the work given to them, and most importantly when it needs to be finished. Delegating isn’t easy but it provides strategies and ways to select which functions of your job can be handed off to someone else.

Developing an effective strategy for delegating work can be the difference between being The Invisible Woman and using her invisible psychic powers or just wanting to crawl under your desk and wish you were an invisible woman.

IF YOU MESS UP, FESS UP – ETHICS MATTER

Mistakes happen because we are all human, but what can make a mistake worse is trying to hide it. Honesty and integrity are two of the most important traits a superhero paralegal should have. A superhero sometimes has to fall on his or her sword. It’s hard to admit to a mistake but it’s something that needs to be a strength. If you forget an appointment or hearing, don’t get into the blaming game, but admit that it happened to your attorney and then you both devise a way to remedy the situation. Keeping the mistake to yourself and, worse yet, trying to conceal it will cause you a great deal of unnecessary stress.

Regardless of the situation, a mistake in a law firm can reflect on the reputation of you, your attorney and your law firm or company. If, for some reason, your attorney wants you to do something unethical, the attorney needs to be held to the same standard as you. Never make a bad decision to protect someone in your firm.
Both the American Bar Association and State Bar of Texas have ethical canons that apply to paralegals. It is a paralegal's responsibility to know and understand what those requirements are and what to do should you be confronted with an ethical dilemma. The ABA's guidelines for paralegal utilization begin with: "A lawyer is responsible for all of the professional actions of a paralegal performing services at the lawyer's direction and should take reasonable measures to ensure that the paralegal's conduct is consistent with the lawyer's obligations under the rules of professional conduct of the jurisdiction in which the lawyer practices." This rule also requires a paralegal to provide the supervising attorney with an honest assessment regarding issues related to a case; not just to say things to please your boss.

Paralegals are confronted with ethical dilemmas frequently and ethical questions arise in each area in which a paralegal practices. The State Bar of Texas Paralegal Division publishes a Paralegal Ethics Handbook which is a useful resource. In addition, the Division website provides a link to Frequently Asked Questions with regard to ethics. See https://txpd.org/faqs.asp?p=Ethics

**THE SUPERHERO’S NOT SO SECRET SANCTUM**

Professional organizations exist at the local, state and national level for paralegals. Membership in these organizations can be very helpful to a paralegal. Membership provides an opportunity to meet and network with paralegals in the practice and/or geographic area in which you work. Each organization offers a variety of benefits from job banks, newsletters, blogs, publications, e-groups, low cost continuing education and even opportunities to participate in community service and pro bono events. Merely joining an organization will not provide you with all you can get from the group; however, adopting an active role in the organization – attending meetings, brown bag CLEs, etc – allows you an opportunity to meet with other paralegals who have “been there” and are willing to share their superpowers with you.

Now let’s address keeping your sanity and activities outside of work. I took a particular interest in this subject because at one point within the last six months my boss came up to me and said “I’m not having fun anymore, Carrie. This isn't fun anymore.” That statement was alarming to me for many reasons.

- I thought holy cow, "Is he going to retire and I’ll be without a job?!" and
- Is this something that I did?

Well he isn't going to retire anytime soon (we had a chat) and I realized that I had over scheduled my boss. Looking back he had dropped several hints, but I missed them. I'm learning to be more observant. My boss was simply burned out. Now I know if he is late to the office on Tuesday or Thursday morning it's because he is doing yoga but if it is an especially beautiful day outside then you can bet he stopped by the golf range to hit some balls before coming in to start the day.

I love my job. I truly do. I have come to realize that not everyone can say that and I am lucky. I love the people I work with and I have the worlds best boss. When you love your job this much it makes the early mornings and late nights much more bearable. That is a good thing… and a bad thing! Sometimes if I need a distraction in my life I find myself working longer hours than I should. This can take a toll on many things…your health, family and relationships to name a few.

You need a healthy work/life balance – overworking can turn from a badge to a curse. Take lunch. Use a standing desk. Take walks. Don't check email all the time after hours. Turn your phone on silent on the weekends. Overworking could cause weight issues, high blood pressure, psychological issues, or burnout.

**HERE ARE SOME SIGNS OF BURNOUT:**

1. Exhaustion. Tiredness, lack of energy or lethargy for reasons that are not readily apparent.
2. Slipping job performance: not sure whether you're burnt out? Compare your job performance now to your job performance in previous years. Burn out tends to happen over an extended period of time, taking this long-term view might reveal whether you're in a temporary slump or experiencing more chronic burn out.
3. Interpersonal problems at home and at work. You either have disputes with people or simply choose to ignore them.
4. Lack of motivation or enthusiasm.
5. Negativity and emotions that are not helpful. Just generally pessimistic.
6. Inability to pay attention or concentrate.
7. Letting yourself go. This can manifest itself in over eating, not eating, drinking too much, self medicating, too much coffee, too many cigarettes, not enough exercise or lack of energy to get to work.
8. Long-term health problems that you just can't seem to shake.
9. Thinking about work when you're not at work. Staying late at work, even coming in early.
10. Weight gain or loss.

**GET YOURSELF BACK ON TRACK**

If you are exhibiting any of these signs then you need to take some measures to get yourself back on track. Some ways you can do this are:

1. Stay physically active
2. Take your relaxation seriously. This can mean meditation, yoga, massages, walks or anything that makes you relax.
3. Be sure you find interests outside of work. Volunteering is a great way to take your mind off of your problems and help someone else. The rewards are immense! Playing Sports is also a lot of fun.

4. Be sure that you’re turning off all “screens” when you’re having family time or on vacation or doing activities outside of work. It’s OK to have one set time in the evening when you can check your email but don’t be on your screens all night.

5. Be sure you’re getting enough sleep!

6. Being organized will help… Follow my suggestions above.

7. Pay attention to the choices you make and choose to do what makes you happy.

8. Maintain a financial way of life that will allow alternative employment if needed.

9. Pay attention to your spiritual beliefs and remember to count your blessings.

10. And lastly, if none of these things help you and you find yourself needing to talk to someone then please do reach out. There is no shame in asking for help. If you are at your wits end and it has become an emergency then please reach out to the national suicide prevention hotline at 1-800-273-8255. Remember that you are not alone. Look around you today here in this room. All these people support you.

Be sure you find interests outside of work. Volunteering is a great way to take your mind off of your problems and help someone else. The rewards are immense! Playing Sports is also a lot of fun.

CARRIE SINKS has worked as a legal assistant for approximately eight years but recently obtained her paralegal degree. She currently works in a personal injury law firm in Fort Worth, TX.

MARY WINTERMOTE has worked as a litigation paralegal for over 25. She currently is a senior litigation paralegal in the Fort Worth, Texas office of Cotten Schmidt, LLP.

THINK ABOUT IT……

an organization designed just for YOU! ENHANCE YOUR CAREER by becoming a part of PD today.

Go to www.txpd.org and see for yourself or contact the PD Coordinator via email at pd@txpd.org or call (806) 443-2209

PD provides many benefits for career growth:

• Networking with paralegals across the state
• Powerful CLE opportunities such as Texas Advanced Paralegal Seminar (TAPS)
• Professional Development
• Professional magazine with substantive articles and updates from across the nation
In-House Paralegal Perspective

WHAT DOES THE NATIONAL FEDERATION PARALEGAL ASSOCIATION (NFPA) MEMBERSHIP MEAN TO ME AS A CORPORATE PARALEGAL?

By Renee de la Cruz

NETWORKING OPPORTUNITIES
NFPA provides a great opportunity to expand your network and make valuable connections. By getting involved with the NFPA, it allows me to network with other paralegals and vendors in the legal community. I can call other paralegals in a different state for a law firm referral instead of relying on a website. The NFPA is informational; providing updates on what is happening in the paralegal community nationwide, new developments in changing technologies, and new processes. Having the NFPA membership develops resources for information integral to your position and/or area of law.

CONTINUING LEGAL EDUCATION
The educational sessions offered at the annual convention or NFPA sponsored webinars are designed specifically to provide paralegals with continuing legal education. NFPA Continue Legal Education (CLE) sessions or webinars enhance knowledge and provide new best practices. Also, the NFPA website a great tool and resource. Sign-up for weekly updates called ‘News You Can Use’ on the NFPA’s website. These updates include what is happening at the NFPA and FREE webinars. These webinars are great if you need a few hours of CLE. The NFPA also offers certifications (RP®, CRP®).

LOCAL PARALEGAL ASSOCIATION
Members of affiliated local paralegal associations receive dual membership in NFPA at no additional cost. Regular NFPA membership is over $100 if you are not a member of your local paralegal association. What a benefit!

GET INSPIRED AND GET INVOLVED
I got inspired with getting involved to learn skills from peers to become a more efficient and effective paralegal. Recently I volunteered on a newly created position at the NFPA: “In-house Paralegal Coordinator”. We explore and develop relationships with paralegals who work In-house for corporations nationwide. There are many of volunteer opportunities at the NFPA. Contact a board member at NFPA to find out more information.

AWARENESS OF NEW VENDORS
Connect with vendors and get educated on their latest and greatest products and services. Find new tools you are not aware of, tools that could provide a solution to problems for paralegals either In-house or at private law firms.

RENEE DE LA CRUZ, ILAP
is a member of the Illinois Paralegal Association (IPA), Accreditation Chair at IPA, member of NFPA -Region II and recently appointed NFPA In-house Paralegal Coordinator.
The 2019 Joint Conference will be hosted by the Rocky Mountain Paralegal Association on April 26-28, 2019 and is one of the most popular and most beneficial gatherings for paralegal leaders in their local association and their community. Attendees have the opportunity to share and network with professionals regarding association leadership, certification and regulation within the paralegal profession.

**CERTIFICATION - FRIDAY, APRIL 26**

Join NFPA in the Mile High Friday, April 26th for the certification portion of this year’s joint conference. Our lineup promises to bring new and exciting concepts to the topic of certification and is “not your mama’s certification conference”. One of our hot topics for this event will be lead by Kelley D. Chaney, RP, CEDS, a senior complex litigation paralegal from Dunn Carney, LLP and covers attorney fee petitions and how to support your paralegal hours and professional rate.

Below is a sneak preview and message from Kelley on what will be covered:

“Paralegals advance when their value and contributions to their firm and clients are highlighted. A prime means of demonstrating your worth is by providing your attorney with the information necessary to recover the maximum amount for your paralegal hours and billable rate in an attorney fee petition. Paralegal hours can be a monetarily significant element of a fee petition. As your experience and credentials develop by perhaps earning a paralegal certification, logging years of complex case management, or obtaining a specialty certification, your billable rate and level of participation in cases should increase.

These achievements can also contribute to a court’s decision to award higher paralegal billable rates or deny the significant reduction of paralegal hours. In the last twenty years, I have contributed to numerous successful attorney fee petitions with awards totaling millions of dollars. I have discovered that my RP designation and my eDiscovery certification, has had a direct impact on various attorney fee awards. I have researched ways to present a paralegal’s certifications and billable involvement in a case to help attorneys consistently prove that their paralegal’s hours and rate are reasonable, and that they were directly connected to the positive outcome of the case. I look forward to sharing techniques for proving and defending your hours and billable rates in an attorney fee petition at the 2019 NFPA Joint Conference in Denver, Colorado. Join us and increase your value!”

Intrigued? Want to learn more? We have a whole lineup of interesting certification options including relativity and e-discovery certifications and the current state of each as well as a meta-data deep dive as it relates to e-discovery specialist certifications. This is all available to you, plus much more! Check out the NFPA website for the full agenda and listing of all speakers and topics for the day. We hope to see you soon!

**REGULATION: SATURDAY, APRIL 27**

This year’s regulation conference includes new and exciting topics within our profession such as avoiding ethical issues on social media, unconscious/implicit bias, the unauthorized practice of law for ‘rogue’ paralegals, and current legislative developments. An opening session, “Paralegals Providing Legal Services to Address the Justice Gap” will feature Colorado Supreme Court Justices William W. Hood III and Melissa Hart discussing how access to justice has not been given its importance as a regulatory issue.

According to Justice Hart, the average citizen is disconnected from the country’s legal system. “One of the major crises in this country’s judicial system is the inaccessibility to justice. It’s too expensive, it isn’t just the indigent who cannot afford it, it’s the working class as well,” Hart said. “It’s important for people to have confidence in the legal system and be able to get justice.”
system. If they don’t have access to the legal system, then they cannot trust it.”

Regulation conference attendees can expect to hear from paralegals with decades of experience, educators, and authors of publications and textbooks. In addition to the workshops and sessions, there will be a rousing game of Ethics Jeopardy! for all to participate in and test their knowledge and principles of ethics.

LEADERSHIP: SUNDAY, APRIL 28

Making a commitment to lead your local paralegal association is not for the faint of heart. But, your membership with the National Federation of Paralegal Associations, Inc. makes it a little easier and provides training and skills to strengthen and support your Board and volunteers. Join us, Sunday, April 28, 2019 in Denver, Colorado where we have lined up some exciting and informative educational sessions to help you and your Board.

Sunday will kick off with membership development strategies specifically geared to reaching out to your local paralegal programs. Jessica Kubiak, RP, OSBA, NFPA Leadership Coordinator and current Vice President of the Cleveland Association of Paralegals, Inc., will discuss how her association engaged local paralegal instructors in a dialogue about the benefits of paralegal associations, networking, continuing education opportunities and more for their students. Through this interaction, Jessica’s association has been able to increase student membership, engagement and coordinate events with CAP’s paralegal programs.

Did you know as a board member you have a fiduciary duty to your organization? Exploring the duties of care, loyalty, and obedience, Maren Schroeder, RP, MnCP will discuss real life (and sometimes outrageous) breaches of fiduciary duty. You will walk away knowing what care, loyalty, and obedience mean in the context of fiduciary responsibility, and have some ideas for addressing breaches when they arise.

Is your local board stagnant? Do you have the same individuals moving from position to position? Yvonne DeAntoneo, NFPA VPD of Membership will discuss ideas for engaging, motivating and supervising board members and engaging volunteers.

Membership recruitment and retention is always an issue for associations. Tisha Delgado, NFPA Social Media Coordinator and Tom Stephenson, ILAP, NFPA Regulation Review Coordinator, as well as members of the Illinois Paralegal Association, Inc. will share tips and marketing strategies to skyrocket your membership. IPA won the President’s Challenge in 2018 at convention by growing their association with over 200 new members! You won’t want to miss this session.

Mianne Besser, NFPA Secretary and Director of Operations and a former President of the Rocky Mountain Paralegal Association, Inc., will give attendees some guidance in developing at strategic plan for your local association. Importantly, Mianne will help attendees develop a succession plan for mentoring new leaders.

Leadership will end the day by having Q&A Session with some of NFPA’s Board Members. This is your opportunity to get to know the NFPA Board members in a smaller, more intimate setting, obtain information on their specific duties and the duties of their coordinators and committees and offer recommendations and encouragement for growing NFPA, your local associations and the paralegal profession.

We are very excited with the lineup of information and speakers we will have for the leadership portion of Joint Conference and grateful to the Rocky Mountain Paralegal Association for hosting us in 2019. We can’t wait to see you all there!

READY TO ATTEND? TURN THE PAGE!
Joint Conference attendees have a choice of two hotels, Hampton Inn and Home-wood Suites, 550 15th Street, Denver, Colorado 80202, both connected to the meeting space. Both hotels include:

- $169 a night room rate if booked in NFPA hotel block by April 4. Reservation links at https://www.paralegals.org/i4a/pages/index.cfm?pageid=3283
- 25% discount on parking for NFPA attendees (normal rate of $47/night)
- Complimentary hot breakfast
- Complimentary beverage area
- Free high speed internet access in every room
- Fitness Center | Indoor pool
- 25 miles from Denver International Airport

HAMPTON INN:
- All rooms are doubles
- Mini Fridge, Microwave, coffee & tea

HOMewood SUITES:
- All rooms are singles
- All Suites – including living area and full-size fridge, microwave, dishwasher

REGISTRATION
Register online at www.paralegals.org

Certification Conference: $80 (NFPA members only)
Leadership Conference: $80 (NFPA members only)
Regulation Conference:
- $80/Members
- $100/NonMembers

Substitutions, Cancellations & Refunds
If you cannot attend you may send a substitute. Requests for substitution must be submitted in writing by email to info@paralegals.org. If you must cancel, requests must be made in writing by email to info@paralegals.org. Cancellations received on or before Friday, April 5, 2019 are subject to a $25 fee. Cancellations received after Friday, April 5, 2019 will forfeit all fees.

FRIEDAY EVENT SOCIAL
In conjunction with the NFPA Joint Conference, the Rocky Mountain Paralegal Association, Inc. is hosting a Juridical Reception on Friday, April 26 from 5:00-8:00 PM at the Hampton Inn/ Homewood Suites Denver Downtown.

Separate registration is required. Cost is $20 for Joint Conference attendees with details on how to register provided in your Joint Conference confirmation. Each registration covers one cocktail and snacks! You are encouraged to support the Colorado Chapter of Concerns of Police Survivors Foundation Inc. by wearing something blue for the event in memory of the fallen heroes of our communities.

SATURDAY EVENING SOCIAL EVENT
Rhein Haus-Denver, a Bavarian-inspired restaurant that opened in 2015 in Denver’s LoDo neighborhood. Rhein Haus offers four indoor bocce ball courts and two separate bars.

6 - 10 p.m.
$45 per person - purchase during registration

EXHIBITORS AND SPONSORS
Thank you to the exhibitors and sponsors who have already committed to support the Joint Conference. Opportunities may still be available. Contact the NFPA Headquarter at info@paralegals.org for details.

SPONSOR:
- AccuMed - Social Event Sponsor
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- Hunter + Geist, Inc. - Social Event Sponsor
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- Intoxalock
- PROOF
- Roland Process Service & Investigations LLC
- Ventola Mediation
Joint Conference 2019: Denver in Detail

Getting Around

Denver Airport Rail

Take the A Line from the airport to Denver Union Station for the low cost of $10.50 each way. There are six stops between the airport and Denver Union Station and the total ride is about 37 minutes.

Denver Union Station is in the heart of downtown Denver and easily accessible to our hotel. From Union Station, look for the free 16th Street Mall Shuttle (MallRide) and free downtown MetroRide buses that provide access to most downtown hotels.

Light Rail

The RTD rail system operates nine rail line services with 53 stations along the Denver’s North, East, Southeast, Southwest and West rail corridors. Website: rtd-denver.com/lightrail.shtml

MallRide

The 16th Street Free MallRide has new electric buses and air conditioning. The 16th Street Mall is approximately 1 mile long – that’s a lot of trips up and down the mall!

Traveling from one end of Denver’s bustling 16th Street Mall to the other, the Free MallRide runs seven days a week and stops on every block between Civic Center Station and Union Station. The Free MallRide starts running at 4:59 a.m. on weekdays, 5:30 a.m. on Saturdays and 6:30 a.m. on Sundays/holidays. Service continues throughout the day with the last complete round-trip of the night starting out at 1:21 a.m. from Union Station to Civic Center Station.

Free MetroRide

With limited stops between the bus concourse at Union Station and Civic Center Station along 18th and 19th streets, the Free MetroRide is the perfect option for downtown commuters. This free bus service runs during weekday rush hours (5:15 am – 9:00 am and 2:30 pm – 6:30 pm) and provides convenient connections to bus, light rail, and commuter rail. The Free MetroRide is a fast, reliable alternative and convenient companion to the 16th Street Free MallRide.

PlACES To Eat

On Site:

• Homewood Suites: 550 Bar & Patio (apps, sandwiches & more)
• Happy Hour from 4-6 pm and 9 pm to close 7 days a week

Nearby:

5280 Burger Bar – Looking for creatively topped burgers, housemade ice creams and craft beers and Shaketinis? One minute from the Joint Conference hotels, this Denver restaurant has a little something for everyone with a fun, light atmosphere. Website: 5280burgerbar.getbento.com/

Henry’s Tavern – Located just three minutes from our hotel, this Portland-based restaurant located at the 16th Street Mall Pavilions. All American menu with a great hangout area in the bar, including couch-type seating. Website: henrystavern.com/?c=denver

Appaloosa Grill – Looking for refined comfort fare and live music? Just a 2 minute walk from the JC hotel, Appaloosa Grill is an airy, employee-owned bar with an eclectic menu of refined American comfort fare and live music nightly. Website: appaloosasgrill.com/

Cook’s Fresh Market Restaurant – Located 3 minutes from the JC hotel on the corner of the 16th Street Mall and Glenarm, this small deli-market brings unique local products and health and flavorful lunch options, on-the-go breakfast items. Online ordering for quick pickup. Website: cooksfreshmarket.com/

The Delectable Egg – Come for breakfast or lunch. Just a 6 minute walk from the hotel, this cozy diner has been serving the greater metro-Denver area since 1982. Website: delectableegg.com/

Novo Coffee – Just three minutes from the JC hotel, this sleek, stylish café serves snacks, plus pour-overs and espresso drinks from a local roaster. Website: novocoffee.com/
16TH STREET MALL – There are 42 outdoor café’s along the mall. Denver Pavilion near the south end of the mall has more than two dozen shops and restaurants. The north end of the mall continues as a pedestrian path over three bridges connecting downtown to Commons Park and LoHi, a hip neighborhood filled with restaurants and brewpubs.

THINGS TO DO – TOURS, SIGHTS, SHOPPING

16TH STREET MALL
A mile long pedestrian promenade made of red, white and gray granite in a repeating pattern that, seen from above, resembles the skin of a diamondback rattlesnake. It includes free shuttle buses, dubbed the MallRide which stop at every corner and travel by every few minutes. With a plethora of restaurants and shops, as well as a 12-movie theater, there’s plenty to do. After dark, horse-drawn carriages and pedi-cabs carry people up and down the mall while nearly a million lights twinkle above in the more than 200 trees that line the promenade. Website: denver.org/things-to-do/denver-attractions/16th-street-mall/

DENVER ZOO
Where Education Comes Alive. Denver Zoo, open every day, is home to more than 4,000 animals representing 650 species including Asian elephants, African lions, Komodo dragons and Western lowland gorillas. With numerous animal shows and feedings, as well as interactive exhibits, it’s no wonder Denver Zoo is Colorado’s top cultural attraction. You may only spend the day at Denver Zoo but that day always sticks with you. Website: denverzoo.org

DENVER BOTANIC GARDENS
Located in the Cheesman Park neighborhood of Denver, Colorado, this 23-acre park contains a conservatory, a variety of theme gardens and a sunken amphitheater, which hosts various concerts in the summer. Website: botanicgardens.org

MUSEUMS

AMERICAN MUSEUM OF WESTERN ART
The Anschutz Collection – Just 4 minutes by bus from the JC Hotel. Founded in 2010, it is the permanent home for The Anschutz Collection, a formerly private collection of paintings that surveys the art of the American West from the early 19th century to the present. Website: anschutzcollection.org

DENVER ART MUSEUM
One of the largest art museums between Chicago and the West Coast, the Denver Art Museum (DAM) is dedicated to helping visitors explore art and creativity through hands-on activities, extensive art collections, and world-class exhibitions. The Denver Art Museum’s Hamilton Building is an architectural work of art. Designed by Daniel Libeskind, it will change the way you experience art and architecture. Website: denverartmuseum.org

DENVER MUSEUM OF NATURE & SCIENCE
The Denver Museum of Nature and Science is a treasured landmark of the city and boasts more than 700,000 sq. ft. of award-winning wildlife dioramas, gems and minerals, mummies, and our famous dinosaurs. The four-story West Atrium features the best view in Denver — especially sunset from the Sky Terrace. Website: dmns.org

MUSEUM OF CONTEMPORARY ART
Denver’s contemporary art museum is located at the corner of 15th Street and Delgany in LoDo, or lower downtown Denver. Website: www.mcadenver.org

POINTS OF INTEREST

THE BLUE BEAR
The 40-foot tall Blue Bear, designed by Lawrence Argent is formally named “I See What You Mean” The Bear can be found peering into the Colorado Convention Center and has become a favorite of tourists and locals alike.

DENVER UNION STATION
Known as Denver’s Living Room – Originally built in 1881, it burned on March 18, 1894 when a fire ignited the electrical system in the ladies’ restroom. The current structure was erected in two stages, with the enlarged center portion completed in 1914. In 2012, the station underwent major renovations to re-open in 2014 with the Crawford Hotel, several retailers, restaurants and a train hall.

COLORADO STATE CAPITOL
Tour the Capitol and see the three Mile High Markers, Allen True water Murals, Women’s Gold Tapestry, Colorado General Assembly Chambers and the Rose Onyx wainscoting. Free tours available Mondays through Fridays. (9 minutes by buss from the JC Hotel)

U.S. MINT
See where American money is made. One of three United States Mints is just blocks from the Denver Art Museum. Website: usmint.gov/mint_tours.
Annual Convention ~
2019 Preview

By Deborah Wilcox Mabry

The jewel of Western New York, Rochester is the third largest city in New York State, located on the southern shore of Lake Ontario. You can get to Rochester, NY from just about anywhere at any time, by air, train and car. The Paralegal Association of Rochester, Inc. is thrilled to be your host association and hope that you will join us for the 2019 Annual Convention, October 11 – 13, 2019. If you want to come early or stay later, we consider the Rochester area to be an excellent place to vacation.

Rochester’s magnificent waterways are among its top attractions for visitors. Happily, there is also an abundant number of ways to enjoy the natural beauty, as well as recreational and sporting opportunities, offered by these natural resources. From the charm and history of the Erie Canal to the power of the Genesee River and its waterfalls, the Rochester area offers watery treasures everywhere. Autumn is the most popular tourist season due to the many diverse fall foliage tours offered.

From the Rochester staging grounds, many autumn road trippers continue their visit by spending time in the Finger Lakes Region, the Genesee Valley and Niagara Falls (only a 90 minute drive west of Rochester). Please go to www.visitrochester.com for more information.

George Eastman was an American innovator and entrepreneur who founded the Eastman Kodak Company, in Rochester, NY. With the slogan “you press the button, we do the rest,” George Eastman put the first simple camera into the hands of a world of consumers in 1888. The Kodak name is recognized around the world for its long heritage of delivering imaging innovations. He focused his company on making film by providing quality and affordable film to every camera manufacturer. A big part of the 2019 Convention logo design is a camera with the concept behind it of “FOCUS”. Our Friday night event will be dinner at George’s home, including private tours of this historic mansion – museum.
2019 is the celebration of 100 years since the Nineteenth Amendment was approved by Congress and submitted to the states for ratification. It was ratified by the requisite number of states a year later, on August 18, 1920. The Nineteenth Amendment to the United States Constitution prohibits any United States citizen from being denied the right to vote on the basis of sex. The Amendment was the culmination of the women’s suffrage movement in the United States and one of its original authors was Susan B. Anthony. Rochester, NY is proud to say that it was the home of Susan B. Anthony for forty years while she was a national figure in the women’s rights movement. The home was purchased for use as a memorial in 1945 and declared a National Historic Landmark in 1965.

When the museum was faced with cut backs that threatened its existence, members reached out to a local entrepreneur, artist and founder of the “Abigail Riggs Collection”. Gail Riggs thought was to use the alligator purse that Susan B. Anthony carried on all her travels around the country to raise money. It was “a bag, not a fashion statement, but a symbol of independence at a time when women were not allowed to enter into contracts or even open a bank account”.

Dr. Riggs has given to the NFPA 2019 Convention Committee a very special purse and a beautiful scarf to raise money for our charity, which is of course, The National Susan B. Anthony Museum & House. We will auction off the beautiful purse and the scarf at Convention. All proceeds will go to The National Susan B. Anthony Museum & House.

During her last public address the pioneer of women’s rights, Susan B. Anthony, inspired her followers with the now famous words, “Failure is Impossible”. While you are in Rochester, please take the opportunity to visit The National Susan B. Anthony Museum & House, where Susan B. Anthony lived until her death in 1906 and whose walls bore witness to the numerous meetings and famous guests that propelled a movement for women’s suffrage and re-wrote history for women across our nation! Visit the website at http://susanbanthonyhouse.org/visit-us/main.php to learn more about hours of operation, available tours and related costs.

We are proud to have as our keynote speaker at the 2019 Convention, Deborah L. Hughes, President and CEO of The National Susan B. Anthony Museum & House. Please be sure to sign up for the Thursday luncheon on October 11, 2019 – you do not want to miss it.
Let’s not forget that Susan B. Anthony also campaigned for the abolition of slavery. Rochester is the home of her longtime friend, Frederick Douglass, a national leader of the abolitionist movement. In one of his famous speeches, he stated that “without struggle, there can be no progress”. The right to vote was first seriously proposed at the women’s rights Convention in Seneca Falls, NY in 1848. It was a 72 year struggle and sadly Susan B. Anthony did not live to see the successful end to all of her work and her dogged determination to secure equal rights for all. We will celebrate her achievements at our 2019 Convention.

We thought about Rochester’s rich history, its innovators, entrepreneurs and statesmen as the members of the 2019 Convention Committee for the Paralegal Association of Rochester, Inc. decided that our theme must be “Continued Focus on Legal Rights.” The fight has not ended and the struggles of many are all still so real. As paralegals we want to and need to promote access to justice for all, delivery of quality legal services, the right to vote and to give our time and talents to the worthwhile organizations that continue with these important goals.

Rochester has so much to offer you, fall foliage, lakes, rivers and falls, history, shopping, wonderful and diverse restaurants, and amazing wineries/breweries. The Paralegal Association of Rochester, Inc. will be hosting a welcome reception at the Genesee Brew House for our members and the 2019 Convention attendees on Wednesday, October 9, 2019 from 6:00 – 9:00 pm. We’ll have an RSVP on the registration form when it is sent out in July so we can plan accordingly. The Genesee Brew House is a pub-style restaurant that was part of the original Genesee Brewery campus more than 100 years ago. The 9,200 square-foot space was transformed into a beer destination with exhibits, a gift shop and brewery. The Brew House was created to capture and share with its guests its long history of The Genesee Brewery – one of the largest and oldest continually operating breweries in America. It is a special place that tells the story of brewing beer in Rochester, New York. We hope you will join us to enjoy a nice cold Genesee Beer! The Genesee Brew House website is www.geneseebeer.com/brewhouse/.

DEBORAH WILCOX MABRY is 2019 NFPA Annual Convention Host Coordinator and an Estates and Trusts Paralegal at Nixon Peabody LLP.

EXHIBITORS, SPONSORS, ADVERTISERS
There are many opportunities to connect with paralegal leaders through exhibiting, sponsoring, and advertising. Details are online at https://www.paralegals.org/i4a/pages/index.cfm?pageid=3282

Thank you to the following companies who have already committed to supporting the convention:

SPONSORS:
• Bond, Schoeneck & King, PLLC (Lunch)
• Broom Clean Estate Services (CLE session)
• Merzbach & Solomon, P.C. (CLE session)
• Nixon Peabody LLP (Social event)
• Robson Forensic, Inc. (Lanyard)
• Woods Oviatt Gilman LLP (Convention bag)

EXHIBITORS:
• Broom Clean Estate Services
• CSC
• International Business Company Formation, Inc.
• National Association of Professional Process Servers (NAPPS)
• Robson Forensic, Inc.
• The TASA Group
• United Corporate Services, Inc.

PHOTOS COURTESY OF VISIT ROCHESTER

CONVENTION INFORMATION
HYATT REGENCY ROCHESTER
125 East Main Street, Rochester, NY 14604
Room rate: $159 plus tax

REGISTRATION
• Registration (opens July 1, 2019)
• Early Bird Registration before 8/10/19

PROGRAM-AT-A-GLANCE
THURSDAY, OCTOBER 10, 2019
Continuing Legal Education Seminars, Vendor Booths, Trade Show Reception, Keynote Luncheon, NFPA Board Meeting

FRIDAY, OCTOBER 11, 2019
Region Meetings, Networking/Recognition Luncheon, Vendor Booths, Evening Social Event

SATURDAY, OCTOBER 12, 2019
Policy Meeting, Awards Luncheon, Region Dinners

SUNDAY, OCTOBER 13, 2019
Policy Meeting, NFPA Board Meeting

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• Woods Oviatt Gilman LLP (Convention bag)
How to Integrate a Litigation Friendly Document Management System

By Benita Fortenberry

As an in-house paralegal, your document management system likely consists of a cheat sheet, created by a variety of departments, that helps you index contracts in filing cabinets and bankers boxes. It makes sense and works for you… but what about the bigger picture? What happens if you are not around? Will anyone else be able to easily decipher your system or will you be able to find documents that are located in another department? Can your company’s system evolve with the changing times as more files become electronic? And, finally, are your files litigation-friendly? As a former in-house paralegal who has spent 20 years in litigation, here are a few litigation-friendly suggestions to streamline your system.

BACKGROUND

First, it is important to recognize that most litigation is document-intensive and locating relevant files is critical and time-sensitive. At the outset of litigation, it is often difficult to determine what exactly is and is not relevant. Because outside counsel are under an obligation to produce all relevant documents, they request all of your files. Many times, it is unknown what is relevant until outside counsel reviews the files to get a feel for what is actually in the documents. My job involves helping organize documents for the attorneys to review before they are produced to the opposing party.

Often, as I begin to go through the piles of bankers boxes that get delivered when we ask for relevant documents, I find that many of the boxes are labeled incorrectly; some are incomplete and some are even empty. Even when the boxes are full, I regularly find that the organization system does not make sense. Thus, we end up making subsequent requests to locate the originally requested documents. For example, I might be looking for documents related to a certain project or deal and find that the sales team refers to the project by one name while the development team uses a completely different name. Then, to complicate matters further, the accounting department refers to the project by a number. When I call the custodian of records to make sense of it, we frequently find ourselves working as detectives to try and piece together the puzzle—trying to find somebody who was there at the time who knows the specifics to help find a critical document that is the proverbial needle in a haystack of unlabeled documents.

Unfortunately, even though electronic filing has rapidly become the preferred method of maintaining files, it has not avoided some of the same problems. We see the same issues: people not using the same method of naming files, compounded with multiple copies of the same document in different locations and usually without any order. Then, despite these multiple copies, and even though everyone knows it exists, the original signed letter, contract, invoice or memo is nowhere to be found.

WHY THIS IS IMPORTANT

No one wants to be in these types of situations. It creates extra work for both you and your counsel. Not only that, it increases the cost of litigation. Companies with an archaic organization system may appear organized; however, when faced with litigation, the system is not user-friendly. Companies that implement and integrate a system for both hard copy and electronic documents that are regularly audited and litigation-friendly save significant costs in the event litigation arises.

TIME-SAVING TIPS FOR STREAMLINING YOUR SYSTEM

As an in-house paralegal you don’t have to sit back and fall in line with an ancient organizational system. You can make your job easier and save your company money in the process by taking the following steps:

1. ASSEMBLE A FORWARD-THINKING ORGANIZATIONAL TEAM. Ideally, this team
would consist of people from different departments so that all aspects of your organization are considered as they evaluate existing document management procedures. If your budget allows, you may also want to bring in a consultant. Either way, your goal is to take a good look at your current system to see where it can improve, including understanding what you already have. If you have colleagues who worked at similar companies, you may want to involve them to see what kind of organizational systems/processes they used in the past that you might consider implementing.

2. **DEVELOP A USER-FRIENDLY RECORDS MANAGEMENT SYSTEM THAT WORKS FOR ELECTRONIC AND HARD COPY DOCUMENTS.** One of the most important, and most difficult, things you can do to make your system litigation-friendly is coming up with a system that addresses both electronic and hard copy documents. Doing this is integral to timely obtaining documents in the event litigation arises. Some of the specifics you should consider:

- **Document Preservation** – Make sure your company has processes in place for hard copy and electronic document preservation.
- **Electronic System** – Integrate one that enables employees to perform thorough searches, which may include dates, key terms and or information located within the metadata. Although it takes up more space, if you perform Optical Character Recondition (OCR) on all PDFs saved electronically, searching the system will be more effective.
- **Hardcopy boxes** - Label, Label, Label! Archiving old boxes in an effective efficient manner will later help with retrieval. Create a master index or database that will allow someone to search and locate relevant files and documents.
- **Implement a document naming convention** – Saving documents in a consistent way is essential in being able to locate documents in the normal course of business or during litigation discovery. Create a logical document-naming key that is accessible to everyone in all departments to use and reference.
- **Legal Holds and Spoliation of Evidence** - Know what is at risk in advance and have a plan for how you will preserve documents, including how to convey this to other employees, when the need arises.
- **Cybersecurity** – Data breaches will occur, do not think your company or its employees are immune. Whether employees work remotely, use their personal email accounts to conduct company business or they repeatedly use the same passwords for everything, your data is at risk of being damaged, stolen, or destroyed. Make sure that passwords and permissions are regularly updated—especially whenever someone who previously had access leaves your company.

3. **IMPLEMENT THE NEW SYSTEM.** Get excited! This does not have to be an onerous integration. You can do it in a way that does not exhaust you or your resources. While ideally you will go back to old files to convert them to the new system, it does not have to be done right now. The best approach is to convert your current files and apply the system to all new documents going forward.

Once that is done, go back and start working on old files that are most likely to be needed. For some companies, it might make sense to start the new system with a pilot group to work out the kinks. Either way, make sure you train employees on the new system and processes put in place by the team—impressing upon them the importance of adhering to the new system and the need to adapt.

4. **REGULARLY AUDIT YOUR SYSTEM.** Once you have implemented your system, you should conduct regularly scheduled audits to ensure compliance. This will allow you to determine what is working and what is not. If something is not working, do not be afraid to change. Continue evaluating best practices for your company that will not only benefit you, but also can assist counsel with defending litigation. Do not allow your system to go untended and do not forget to be aware of developing issues. Issues with cybersecurity and changes in court rules can have an impact on what is best for your system. Consider reaching out to your counsel on occasion to get updates about their needs. Doing all this will allow your system to change and grow in a manageable way.

**CONCLUSION**

Using these tips should give you a good start toward creating a litigation-friendly document management system. You will be ready the next time litigation is on your company’s doorstep and counsel is requesting all relevant documents. Instead of facing a daunting, invasive task that takes hours, or even days, away from your already busy workload, you will be excited to show off how efficient and friendly your system has become.

**BENITA FORTENBERRY**

is a paralegal in the Las Vegas office of Newmeyer & Dillion LLP. For over two decades, Benita has supported litigation both in-house and in-private practice.
Preparing for an Independent Medical Examination

By Sheree Morris

Litigation begins when an injured person cannot settle his/her dispute amicably and files a complaint with the appropriate court. There are different phases in litigation but the discovery process is the part that allows both parties to gain knowledge of what information is in possession of the other party. During this phase, contracts, correspondence, medical records and other documents are produced, but the medical records provide insight into Plaintiff’s medical history and treating medical providers. The medical records can either make or break a case, and the Defendant will closely examine the medical records for new injuries, pre-existing injuries, or exacerbation of injuries. The medical records will also be sent to experts when needed.

In civil and workers’ compensation litigation, Plaintiffs will most likely undergo an independent medical examination. An independent medical examination (IME) is often used to determine if Plaintiff was injured, still injured, or recovered. A doctor will determine what injuries Plaintiff suffered, if any, and to what extent. These findings are often explained in the IME report.

An IME doctor is often chosen by specialty, reputation in the legal industry, and location. The IME doctor is Defendant’s expert and Defendant will schedule the IME according to deadlines and governing rules.

The paralegal can be tasked with scheduling the IME, preparing medical records, and preparing the cover letter. A paralegal should handle medical records and discovery with the intent of preparing same for an IME. To give the IME doctor insight on the alleged injuries and Plaintiff’s mindset, the following documents should be sent to the doctor, if they are available, for the IME:

1. Complaint;
2. Plaintiff’s discovery responses;
3. Claimant’s testimony, statement, or deposition transcript;
4. Medical records;
5. Police report, and
6. Testimony from other experts contradicting claimant’s statements and medical experts should also be included regarding injuries (rebuttal).

Depending on how long the file has been in your office, you may have little to no medical records. The first thing to do is try to schedule the IME as far out as possible, but within the deadline, to ensure you have all the medical records needed. A paralegal should immediately check the file to determine if the medical records are voluminous or non-existent to determine how much time is needed to prepare for the IME.

If the records are in a voluminous state, you should speak with your attorney to determine what medical records need to be sent, the starting date of the medical records, and if the medical records are complete. If the medical records portion of the file is empty, you should review the file to determine if subpoenas were sent out. If no records were subpoenaed, you should speak with your attorney as soon as possible to discuss what providers need to be subpoenaed, the dates for same, and what films are needed. If subpoenas were already provided, you should make follow-up calls to those providers right away to ensure that the subpoena was received and being processed. This is crucial because some providers will send out medical records right away and some may take up to 30 days or more to send out the records.

Also, you want to make sure you review Plaintiff’s discovery responses. Discovery responses will give you information about how the accident happened, photographs of the injuries and/or accident scene, medical records, and additional providers to subpoena. Other important documents to send are the police report and ambulance records. The police report will note statements made from the involved parties, speed of the motor vehicles before the collision, skid marks, and if any objects were hit. This information can let the doctor know if the impact or incident was forceful enough to cause the alleged injuries. The ambulance report will provide information regarding Plaintiff’s behavior after the accident, what injuries were observed, and comments made by Plaintiff. Lastly, testimony from another expert may help refute Plaintiff’s alleged injuries.

In addition to gathering the medical records and other relevant documents, a cover letter must be prepared. This letter is essential to having a successful IME and should provide an outline of claim-
SHEREE MORRIS has been an Insurance Defense Paralegal for 19 years. She has a Bachelor’s Degree in Paralegal studies and a Masters Degree in Adult Education Management.

ant’s injuries, details about the incident, and summary of relevant medical history. This letter can be time consuming because you have to review all the medical records to get Plaintiff’s medical history and identify relevant treatment. If medical records are already summarized, then this letter will be less exhausting because you can simply copy and paste.

However, the letter must be concise and relevant. The closing of this letter should ask the doctor to answer a list of questions geared towards getting a favorable report and reducing liability. Lastly, if you have a deadline approaching you should let the doctor know so the report can be prepared timely and so you can follow-up for the report.

IME’s are essential to a lawsuit. They are performed to get a better understanding of Plaintiff’s injuries, if any, and done in accordance with the governing rules. Paralegals should always manage a file with the expectation that an IME will be scheduled. Good medical record management will make IME preparation less burdensome for a paralegal.
Virtual Paralegal Education

By Cordina Charvis

Virtual Paralegals are contract, independent or freelance paralegals qualified by education, training or work experience who are employed or retained by a lawyer, law office, corporation, governmental agency or other entity and who performs specifically delegated substantive legal work for which a lawyer is responsible on an as needed basis with such services being supplied using technology and remote access systems. Virtual paralegals are not required to hold a license to perform their duties as paralegals. However, the legal restriction for operating a virtual paralegal business is for the virtual paralegal to work exclusively under the supervision of licensed attorneys to prevent unauthorized practice of law.

Virtual paralegals must always represent themselves as the paralegal and never an attorney and maintain a log of all their clients and projects to prevent any conflicts of interest.

The education necessary to become a virtual paralegal is the same as a paralegal who works in a law office. Paralegals may have a variety of formal education. Some obtain a one-year certificate, while others have two or four-year degrees in paralegal studies. Some paralegals have a combination of some form of paralegal education and a four-year degree in some other area of study.

Most virtual paralegals have several years of experience working in a law office and/or in-house legal departments. It is recommended that before starting a virtual paralegal business you should have worked as a paralegal for three or more years. Though it is not required, most virtual paralegals specialize in one or more practice areas.

CURRENT MARKET TRENDS FOR VIRTUAL/FREELANCE PARALEGALS

There is a growing market for freelance and contract paralegals. Per Forbes.com there are 53 million freelancers in America today. By 2020, 50% of the U.S. workforce will be freelancers including virtual paralegals.

HOW MUCH DO FREELANCE/VIRTUAL PARALEGAL JOBS PAY PER HOUR?

According to ZipRecruiter, as of Jan 27, 2019, the average hourly pay for the Freelance Paralegal jobs category in the United States is $27 an hour.

BEST BUSINESS STRUCTURES FOR VIRTUAL PARALEGALS

When forming their businesses, most virtual paralegals opt for a sole proprietorship model, an increasing number of those making over six figures in 1099 income are choosing to incorporate. According to The Freelancer by Contently, once a single freelancer’s taxable income passes $157,500, she will start to lose the benefits of the 20 percent qualified business deduction. (Those benefits phase out completely if income passes $207,500.) For anyone in this situation, Brad Paladini, tax attorney at Paladini Law suggests becoming a C Corp, which is now taxed at only 21 percent, compared to the previous 35 percent rate.

SO, SHOULD YOU LAUNCH A VIRTUAL PARALEGAL BUSINESS?

Whether or not you should launch a virtual paralegal business will depend on your qualifications, practice areas, motivation and hard work. Starting a business can be challenging, and it’s important to have all your questions answered before you take the plunge. There are several reasons why paralegals launched virtual paralegal businesses but regardless of the reason why you decide to start a business; you must first determine if you want to be an employee or an entrepreneur?

Determine your motivation for wanting to offer your services remotely as opposed to working in a law office? Do you want to operate your own business, or do you just want the flexibility of working from home?

To learn more about whether the virtual paralegal business is the right choice for you, download a free copy of the Virtual Paralegal FAQ eGuide that will answer frequently asked questions about the virtual paralegal business such as, major challenges working as virtual paralegals, myths associated with operating a virtual paralegal business, how long it takes to launch a virtual paralegal business and much more. If you decide to move forward with your virtual paralegal business; this eGuide will also give you step by step instructions on how to transition from a law office paralegal to a virtual one.

CORDINA CHARVIS Prior to launching Cordina Charvis Paralegal Services Cordina worked at top large law firms and in-house legal departments. Cordina is the President and co-founder of the Virtual Paralegal Training Center.
With NFPA’s partnership and ongoing relationship with the Armed Forces I thought it would be interesting to update a previous article with Lorri Jenkins (formerly Lorri Turner). With that, I picked right up where Being All that She Can Be left off. The original article, written by Chere B. Estrin and published in Legal Assistant Today, November/December 1994 is reprinted on the following two pages.

“At the time of Ms. Estrin’s interview I was active duty military and went on to retire in 1998. Initially I took care of my mother. I decided that I would stay where I was until my youngest child graduated high school in 2005,” said Jenkins.

Ms. Jenkins’ title was Legal Assistant. Over the years the Army updated job titles and transitioned from Legal Clerk to Legal Specialist, then to Legal Assistant, and most recently to Paralegals.

“In October of 2005 I was hired as a contractor to work on lessons learned with paralegals who were deployed,” said Jenkins.

During this period, Ms. Jenkins researched what paralegal duties were and were not working for those deployed in Iraq and Afghanistan. She analyzed issues the Army’s paralegals faced while deployed and then gave recommendations for solutions. She attended and briefed monthly The Judge Advocate General’s Legal Center and School’s (TJAGLCS) Commandant and Chief of Training and Development. The rest of the days of the month she teleworked.

“In 2006, as a civilian, I was asked by the Regimental Command Sergeant Major of the Army to work for him, serving in a capacity similar to an Executive Officer or Executive Assistant. I trained, mentored and served four Regimental Command Sergeants Major for the Army Judge Advocate General’s Corps (JAGC) until September 2018, where I was hired to another Army position outside the JAGC,” said Jenkins.

She served the JAGC for 34 years total, both as a Soldier and civilian. During her time working with the Regimental Command Sergeant Major, she was involved with the Judge Advocate General’s Corps Retired Non-Commissioned Officers Corps Association (JAGCRN- COA) which later became the JAGALP (Judge Advocate General’s Association of Legal Paraprofessionals),” Jenkins remembers. She held the positions of President and Vice President while serving on the Executive Committee.

Military paralegals and civilian paralegals, contracted to work alongside active duty members, often have very diverse duties and tasks. Ms. Jenkins explained: “When I was active duty, I performed many legal assistance tasks and worked on many criminal cases and all paralegal duties for a Division, Brigade and/or Battalion level units. When you are promoted in the Army you earn a higher rank and with the higher rank comes increased duties, such as becoming a supervisor and managing the JAGC offices.

As a civilian paralegal, working at the higher echelon in the JAGC, I still had the responsibility of working with the active duty Soldiers. For example, I worked on cases that required The Judge Advocate General (TJAG), a three star General Officer, to approve/disapprove various actions. The Regimental Command Sergeant Major (RCSM) is the approval/disapproval authority for actions that allowed a Soldier with another job position in the Army, to apply to become a paralegal. The RCSM is responsible for all the Paralegal Soldiers serving in the Army and therefore must manage all the positions from his level. In 2016, TJAG approved for all paralegals in the Army to become certified.

With the certification process in place, TJAG had to determine how to handle decertifying the paralegals, if ethically, they no longer adhered to the rules required of a Certified Army Paralegal. I worked directly with Chief Paralegals in the field by ensuring the paperwork was accurate prior to receiving the cases at the RCSM level. The final approval authority for these ethical infractions/decertification requests is TJAG.” The TJAG can take actions to approve, disapprove, or suspend for 180 days, the decertification request. The Staff Judge Advocate (the Senior Attorney), at the paralegal Soldier’s unit, submitted the request with all supporting documents to include the Soldier’s acknowledgement with his/her supporting documents. If TJAG approved a Paralegal Soldier to be decertified, the Soldier, depending on their time left in service, would immediately be reclassified into another Military
Being All That She Can Be

The Life and Times of an Army Paralegal

By Chere B. Estrin

CHERE B. ESTRIN is president of The Quorum Group/Estrin Project Specialists, a national temporary attorney and paralegal service organization. She is also CEO of Estrin Publishing Company, which specializes in books for legal professionals. She is a noted seminar speaker and author of two books: "Where Do I Go From Here? Career Choices for the Experienced Legal Assistant" (Estrin Publishing) and "The Paralegal Career Guide" (Wiley Law Publications).

Movies like the film "A Few Good Men" portray military law as highly exciting, with all the drama and behind-the-scenes action of Hollywood's civilian criminal trials. What's missing? The role of the hard-working legal assistant — a legal assistant like U.S. Army Sergeant First Class Lotti Turner.

"In the Army, the legal assistant summarizes some of the court proceedings; it's our job to abstract the case for the attorneys," says Turner, who worked in military criminal law for several years. Working directly with Army attorneys, Turner handled a variety of felony and misdemeanor cases ranging from rape to stolen goods. In her role, she attended more trials as a legal assistant than most paralegals will attend in their entire career.

Turner had not always planned on a military career. As a high school graduate in 1976, she knew she wanted to explore a legal career, but faced obstacles. Like many new graduates, she needed a degree, a method for financing her education and job experience. Only after exhausting other avenues did she nervously make her way down to the Army recruiting office to learn more about the career opportunities she had heard announced so many times on TV.

Today she can look back on a thriving and stimulating career spanning 18 years and three continents. During her Army tenure, her legal assistant experience has led to work in criminal trials, research, teaching, management, logistics and career planning and placement. Her original plan to sign up for a single tour of duty fell by the wayside as...

Lotti Turner
she found herself enjoying the challenges and variety offered through the Army.

"I loved it," says Turner of her first post in Germany. At the time, there were no openings for Army legal assistants, so she took the closest position she could find — an administrative assistant position overseas. "Getting to know the different cultures, people, traditions and geography was motivating. There was no doubt in my mind that I wanted to re-enlist when my tour was up."

At re-enlistment she hit the jackpot when the Army assigned her as legal assistant. After an intensive 10-week training course, Turner drew Fort Ord, CA for her first legal assignment — and her criminal training began. Next came Fort Sam Houston, TX. Working again in criminal law, Turner was introduced to the law library and learned how to conduct legal research. She also picked up government claims and administrative law experience. The additional exposure to new practice areas increased her enthusiasm for her chosen career.

When she was stationed back in Germany a short time later, her new responsibilities were high-level — thanks to all the acquired experience. Assigned to work in tandem with a Commander, Turner's job was to make recommendations to officers in charge on legal matters involving soldiers, and to advise them on the proper approach for handling cases. For instance, when a soldier violated either military regulations or the equivalent civilian law, Turner would present options for the case — from a full court martial to less severe punishment that could be decided without going to court.

Was it all top-flight legal assignments? What had happened to boot camp and the hardships of military life?

"In the Army, you are both a paralegal and a soldier. But first you are a soldier," says Turner. "This means you may have to be separated from your family at some point."

Sent to Korea for one year, Turner experienced both the highs and the lows of soldiering. Assigned as First Sergeant/Chief Legal NCO, she headed a unit managing all areas of the Army's legal practice, including contracts, administrative claims and international law. She also had full responsibility for administration, budgeting and logistics. This experience — supervision of an office and personnel in a foreign country — provided a solid foundation for developing her management skills.

But the stark reality that she was a soldier first hit home miserably as she left her two children (now ages 12 and 7) and her husband for the entire year she was in Korea. Split between family and duty to her country, Turner understood in the most drastic way the difficulties of being a working mother. Fortunately, her husband was able to take on all the responsibilities of the household and children.

"I had to go," Turner says. "I had no choice; the Army needed people." But it was tough.

"The assignment was hard on my daughter. She talks about when I get out, saying that I'll be a 'plain businesswoman.' I tell her that with my drive to succeed, it probably wouldn't be any easier on her. My son, on the other hand, thinks an Army career is great. He's always running around in combat boots playing soldier."

Her legal assistant experience has led to work in criminal trials, research, teaching, management, logistics and career planning and placement.

Other reminders of the seriousness of a military career came during the Persian Gulf War. Because of the very real possibility that some soldiers would not return from battle, Turner's expertise was required in assisting with drafting wills and powers of attorney. She also provided practical guidance to young soldiers and sailors on separation agreements, name changes, adoptions and divorces-working with attorneys. "We were on call 24 hours a day, making sure those wills were in line in case the soldier did not come back. It was a dose of reality," she says.

Now stationed at Fort Belvoir, VA, just 30 miles from Washington, DC, Turner faces yet another challenge as she tackles a newly created position. Her new job title: Director, Enlisted Judge Advocate in Recruiting and Placement Service. In this role, Turner focuses on placing Army paralegals and attorneys in civilian practice when personnel cutbacks occur.

"They were looking for someone who wasn't afraid to network with the civilian side," Turner says. "After all, we are trying to pay back what those in the Army have given to their country for sometimes 20 years." A service long offered for Army attorneys, Turner's new position was created to assist placing Army legal assistants who were returning to civilian life along with the attorneys.

"Currently, we have over 200 outplacement candidates, about 140 attorneys (who are officers) and about 65 legal assistants (enlisted personnel)." As part of her outreach efforts, Turner has joined paralegal associations and attended seminars to expand her contact network. "It's helped quite a bit," she says. The service already has placed about 20 to 25 paralegals in civilian jobs.

Candidates seeking employment through the Army's Recruiting and Placement Service rank around the GS-9 rating. Most paralegals find civilian positions paying somewhere between $30,000 and $35,000 per year right out of the Army. Some candidates, particularly those with 20 years of experience in the military, accept federal government assignments; after all, the additional 10 years in government earns them a second retirement benefit.

"What I absolutely love is talking with each person. Being able to find that perfect job for our clients gives me a tremendous sense of satisfaction. We look for matches that will fit the practice areas in which the candidates are interested, of course. But candidates are also concerned about what they can accomplish on the job. For the most part, money falls third in importance, if the other job needs are matched."

What has been the best part of being a military paralegal? "The Army has given me an opportunity that sets me up for a lifetime," says Turner. Of special benefit, "The Army constantly pays for you to upgrade your education. I have taken every course they have to offer because it's so important to educate yourself to a higher level all the time."

And what does the future hold? "No matter whether I ultimately choose to stay in the Army or move to a civilian position, I'm in a winning situation," she says.
Ms. Jenkins recently took a position with the Army Review Boards Agency working with the Army Board for Correction of Military Records. "I review cases submitted by applicants who request a board review based on something they want corrected in their military records. Documents are received, the analyst researches, articulates in writing, by drafting what the applicant is asking, so the board members who review the case, have a clear picture of what they need to vote and recommend to the approving authority. The board members make recommendations to grant, deny, or grant/deny in part. Cases could include requests for upgrading discharges, corrections to their Social Security Number/ birthdate/name, or adding awards to their records that were not documented when they left the service."

Ms. Jenkins offered some advice and guidance to those thinking of enlisting in the military: "I'd tell anyone right now that being a paralegal is the best job in the military. There’s a broad spectrum of paralegal tasks that you must learn. Army paralegals often work on various paralegal tasks like criminal law, legal assistance (with duties of preparing Wills, Powers of Attorney, Separation Agreements, etc.), and international law, to name a few. The various areas of law outweigh what may be done in a civilian law firm. I would proudly enlist all over again.

Ms. Jenkins went on to say that military paralegals are very active with the defense, prosecution, appellate practice, and have direct interaction with military judges.

"Everything you experience in the military is easily transferrable and military paralegals become marketable once they have retired.

The downside of being employed as a civilian paralegal working for the military, eventually you may need to find another career path, or apply to go into the civilian sector law firms, in order to obtain a promotion."

Currently the highest pay grade for civilian paralegals working for the government is a GS-11.

She admits that each sector has things they do “the right way” and they can show each other valuable takeaways. Describing the military side, she says: "The civilian world has done a great job with promoting credentialing of paralegals and showing the value of joining associations and networking. The military prepares veterans for the civilian world as they bring loyalty, punctuality, diversity, team players and, adapting quickly to changes."

The civilian paralegal world often has its own unique situations with balancing work, family, and personal lives. “You must make the time to balance all that life has to offer. While working at the Pentagon, I would never push away from my desk to take breaks at times or not leave my job until midnight. I became a Zumba instructor and taught at various military installations which helped make me leave work on time at least three times a week. It also incorporated my physical exercise which became an additional plus for my well-being.”

Ms. Jenkins said that everyone needs to find something in their life that pulls them away from their job while giving them the balance they need.

While Ms. Jenkins was working paralegal as an active duty Soldier and as civilian paralegal she saw the value in paralegal associations. While on active duty she became a member of the NFPA in 1993. Since 2003 she’s been involved with the JAGRNCOA which later transitioned into the Judge Advocate General’s Association for Legal Paraprofessionals (JAGALP). The JAGALP is the newest voting member association of NFPA.

Ms. Jenkins attended NFPA’s Annual Convention in New Orleans with her active duty counterpart and really enjoyed the experience. "I wish more military paralegals knew the benefit of joining associations. Paralegals that live in close proximity to the Convention should attend. I believe that the military paralegal has very little knowledge on how paralegals are required to work in the civilian sector. Credentialing and networking will help. It is always a great learning experience to listen to both paralegals and attorneys, from the civilian sector, and learn how they manage their office, conduct their work, and the benefits that are given.

When I attended the training in New Orleans, I learned quite a bit on immigration. I had no idea that paralegals accomplish so much on that scale to include the difficulty that job brings. It is very important for the military paralegals to team up and network.

I attended a training in Atlanta and sent an email inviting all the paralegals assigned to military bases in Georgia. The paralegals from Fort Gordon showed up and they were impressed with the training and that the civilian paralegals received CLEs for attending this training.”

She also hopes that more military paralegals will become credentialed and that one day it will be a requirement for the military.

It certainly was a pleasure to catchup with Ms. Jenkins. She and I initially met at the 2017 Convention in New Orleans and Conventions are often so busy that you just don’t get an opportunity to chat long enough and gather everyone’s life and work experiences. Her unique career history offers valuable insight into other aspects of the paralegal field.

NicoLe MartineZ is a member of the Maryland Association of Paralegals, Inc. and serves as NFPA Armed Forces Coordinator.
History of JAGALP

By Nicole Martinez

The JAGALP is the newest voting member association of NFPA and is a valuable part of Region III. RCSM (Retired) Joseph (Pat) Lister serves as the current JAGALP President. Pat is always very eager to share the history of how the Judge Advocate General’s Association of Legal Paraprofessionals (JAGALP) came to be. But before you know the story of the JAGALP you must know the story of its predecessor the Judge Advocate General’s Corps Retired NCO Association (JAGCRNCOA).

“The idea of a JAG Non-Commissioned Officer’s (NCO) Association actually arose where most great ideas are formed - over a beer at bar with a couple of old guys telling lies and war stories. Actually, MSG(R) Rick Cox, SGM(R) Tae Sture, SGM Bobbie Giddens and LTC Tom Pyrz met at a bar outside of Ft. Benjamin Harrison, Indiana, to discuss the idea. We met outside of Ft. Harrison in 1990 because we did not want to run afoul of any rules against private organizations meeting on a military installation.

During that meeting, we discussed the possibility of forming an Association of Retired JAG NCOs as a means of: promoting camaraderie of Retired JAG NCOs; renewing friendships; swapping war stories; contributing in some fashion to the development and education at Active Duty JAG Soldiers; and promoting a separate identity for the JAG NCO. We spoke of purchasing the JAG Regimental crest for our AIT graduates and then “pinning” them in a formal ceremony so they would understand and appreciate the significance of becoming a member of the JAG Regiment. We spoke of sharing with active duty senior JAG NCOs, who were about to retire, our collective experiences in transitioning to retired life. We spoke of recognizing outstanding accomplishments of young JAG soldiers through scholarship awards or certificates of recognition. We spoke of collecting a history of the enlisted JAG Corps from those retirees who knew how it all got started.”

“The principal founder (SGM Tae Sture) of the JAG NCO Association envisioned an association which would include retired JAG NCO’s, JAG Legal Specialist(s), who got out after completing their enlistment, and Reserve and National Guard Legal NCO’s (retired or otherwise), hence the name JAGNCO Association. From 1999 to 2003, the Association was known as the JAG NCO Association. However, at the inaugural reunion of the Association in 2003, Sherwin Fulton and others suggested a name change to JAG Retired NCO Association. This name change was voted in by the newly formed Association and stuck until the name to “JAGALP” at the Association meeting in New Orleans in 2016.”

The new JAGALP leadership has three “I’s” they want to address so that all members see the changes to the organization as worthwhile for all members.

First, we hope to IMPROVE communication throughout the organization. We all feel that all current and future member benefits will be enhanced by improved communication so that current and potential members know the full benefit of being part of JAGALP. Our plan is to improve communication by growing our social media footprint.

Second, by improved communication and showing folks the benefits of being a JAGALP member and joint member of NFPA, we hope to INCREASE membership. JAGALP’s current membership is mostly made up of Army members, but by reaching out to our sister services and opening our membership categories, we can increase the opportunity of our current members to give back, while also growing our membership dramatically; thus giving us even more possibilities to offer greater benefits for both current and new members.

Finally, the new leadership wants to IMPLEMENT some of the new benefits the group has been discussing for years – CLE benefits and pro bono opportunities. By doing so, we would give more benefit to our current members and show true benefit of being a JAGALP member. We would hope by showing this benefit, it would increase membership – all tying the three initiatives together.”

For more information about the JAGALP and a fuller picture of its history, please go to www.jagalp.org or contact JAGALP President, Joseph (Pat) Lister, at joseph.lister49@gmail.com.

NICOLE MARTINEZ is a member of the Maryland Association of Paralegals, Inc. and serves as NFPA Armed Forces Coordinator.
Coming to NFPA in 2019

**APRIL 1**
CALL FOR AWARD NOMINATIONS AND SCHOLARSHIP APPLICATIONS

**APRIL 13**
REGION I SPRING MEETING ANCHORAGE, AK

**APRIL 25**
REGION II SPRING MEETING DENVER, CO

**APRIL 26-28**
JOINT CONFERENCE DENVER, CO
Hosted by the Rocky Mountain Paralegal Association, Inc.


NFPA’S OFFICE IS MOVING

EFFECTIVE FRIDAY, MARCH 22, THE NFPA HEADQUARTERS STAFF OFFICES WILL RELOCATE TO:

3502 WOODVIEW TRACE, SUITE 300 INDIANAPOLIS, IN 46268

THIS MOVE DOES NOT CHANGE THE PHONE NUMBER OR EMAIL ADDRESSES OF STAFF MEMBERS.
**NFPA PRO BONO COMMITTEE WELCOMES OUR 2019 MEMBERS:**

We are proud to have representatives from all five regions serving on the committee. The NFPA Pro Bono Committee stands ready to assist our local associations with any pro bono and community service issues.

Christine Flynn  
Deborah Arbuckle, Pa.C.P.  
Joanne Randa, VARP  
Kelley Chaney, RP  
Nicole Martinez  
Mariana Fradman  
Cassandra Franklin  
Linda Odermott, RP, OCP  
Teresa Scharf, OSBA  
Kelli Smith, CRP  
Terri Yang  
Mindi Schaefer, M.S., RP, OSBA, AACP, NFPA VPPD  
Nita Serrano, RP, NFPA President

If you have any questions for the committee or are looking for local pro bono and/or community service opportunities or projects, please e-mail Christine Flynn at cflynn917@yahoo.com.

**NFPA PCCE SCHOLARSHIP AWARDED**

NFPA awarded a PCCE Scholarship to Shelly-Marie Magdadaro on October 27 at the 2018 Annual Convention in Seattle, WA. Sponsored by the Paralegal Education Group (PEG), this scholarship covers the costs of a review manual, a PEG online review course and the exam fee for PCCE.

Magdadaro has worked in the legal field since 1997 starting her career as a clerk in a small law firm in Honolulu, Hawaii. She joined the Hawaii Paralegal Association in 2009 becoming their 2012-2013 Board Secretary. After relocating to Bellevue, Washington in 2012 she has been an active member of Washington State Paralegal Association. She is currently a corporate paralegal working at a financial services company.
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Monday through Friday,
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Breaking News

7th Edition PACE Review Manual complete

The PACE exam is in the final stages of being updated and BETA testers are needed. Key dates in the update are:

- March 11: New PACE Study Manual available for purchase
- March 11: New PACE application open
- March 11: New eligibility pathways available:
  - An associate’s degree in any course of study obtained from an institutionally accredited school or ABA-approved program and at least 7 years of substantive paralegal experience, or
  - An associate’s degree in any course of study obtained from an institutionally accredited school, successful completion of the PCCE, and 2 consecutive renewals of the CRP credential, or
  - Member of the active duty, retired, former military, or the reserve component of any branch of the US Armed Forces, qualified in a military operation specialty with the rank of at least an E6 in a paralegal rate as a Staff Sergeant (Army and Marines), Petty Officer First Class (Navy), Technical Sergeant (Air Force), or higher as a supervisory paralegal within that branch of service and 12 hours of continuing legal education (CLE), including 1 CLE hour of ethics, within 2 years preceding application.
- March 25: BETA testing begins and will continue until required number of BETA testers have completed the exam. Once BETA testing is complete, the PACE exam will not be offered until the question verification process is complete. Watch www.paralegals.org for updates.

Thank you!

Thank you to the following individuals for their contributions to updating the PACE Study Manual in time for the updated PACE exam.

Kristen Baker, CRP, OCP; Dora J. L. Dye; David A. Dye; Celia C. Elwell, RP; Margaret Haase, RP; Thomas Holmes, RP; Beth Magee, RP; Mary McKay, RP, CP; Loretta Nesbitt, RP; Dianna L Noyes, RP; Theresa Prater, RP; Erin Raml, CRP; Laurie Roselle; Juanita “Nita” Serrano, RP; Sybil Taylor Ayotch, RP, M.Ed.; Edna M. Wallace, RP; the 2019 NFPA Ethics Committee chaired by Angela R. Hopson, RP, IRP; Pamela Starr, CBA, J.S.M, MATD; Cindy Welch, RP.
# Association Directory

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<td>wmassparalegal.org</td>
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<td>manchester-nh.panh.org</td>
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<td>Cleveland Association of Paralegals, Inc.</td>
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<td>Lycolaw.org/lcpa/main.htm</td>
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<td>Judge Advocate General’s Association of Legal Paraprofessionals (JAGALP) Clarksville, TN</td>
<td><a href="http://www.jagalp.org">www.jagalp.org</a></td>
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