WHAT WILL BE
THE GUIDELINES FOR
TITLE IX VIOLATIONS
How paralegals can help

VIEW FROM THE
BENCH

JOINT CONFERENCE
RECAP

2019 ANNUAL CONVENTION
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The 2019 Joint Conference was huge success. I want to personally, and on behalf of NFPA, thank the Rocky Mountain Paralegal Association (RMPA) for hosting a wonderful event. Everyone enjoyed the food, presentations and the social event. RMPA hosted the Second Annual Judicial Reception on Friday evening with Joint Conference attendees invited. We enjoyed meeting some of the local judges and celebrating as RMPA announced their Board Election results.

During the Certification Ambassadors Conference on Friday, attendees learned about the US Army’s Military Justice Redesigned and Pilot Program and various certification exams. We had seven attendees from the United States Army, United States Navy and United States Air Force.

On Saturday, Regulation Conference attendees learned about unconscious and implicit bias and development of a Regulation Program. That evening we enjoyed dinner and networking at Rhein Haus Denver.

Finally, during the Leadership Conference on Sunday, attendees learned about succession planning, mobilizing your board members to action and increasing membership. There was also a Board Q&A Session where attendees learned more about those board members in attendance.

RMPA did an outstanding job! Thank you to RMPA and Ed Schneider, RMPA President for all of your hard work. See page 30 for photos and a recap of this year’s Joint Conference.

I want to also thank the NFPA Joint Conference Committee Lori Boris, RP, MnCP; Yvonne DeAntoneo; Linda Odernott, RP, OCP; Tom Stapleton; Jessica Kubiak; and Becky Kerstetter! Without dedicated Board Members and Coordinators this event would not have been possible.

I would also like to thank headquarters staff for handling registration for the conferences and social event, and organizing the amazing food for the conference.

Are you attending the 2019 NFPA Annual Convention and Policy Meeting in Rochester, New York? NFPA is celebrating its 45th anniversary this year! NFPA would not be celebrating 45 years of excellence without the many board members and coordinators who have volunteered to serve NFPA and our members over the past 45 years to make NFPA the Leader of the Paralegal Profession! It takes a TEAM to accomplish NFPA’s goals and initiatives and I am honored to serve on the board with such an amazing TEAM of paralegal leaders. There is no “I” in TEAM!

This year’s board positions will be elected during this year’s Annual Meeting:
- Vice President & Director of Profession Development
- Vice President & Director of Membership
- Vice President & Director of Marketing
- Treasurer & Director of Finance

Nominations for NFPA Awards and Scholarship Applications are open! Do you know an outstanding Paralegal? Why not nominate them for one of NFPA’s Awards? The awards are: NFPA Outstanding Local Leader, William R. Robie Award, Paralegal of the Year, Individual Pro Bono Award, Local Association Pro Bono Award, Justice Champion Award, and Paralegal Certification Ambassador of the Year Award.

This year’s scholarships are: PCCE Scholarship and paralegal student scholarships made possible by the following sponsorships:
- $3,000 by Thomson Reuters,
- $2,000 by Thomson Reuters, and
- $1,000 by Buckfire & Buckfire PC.

Information about the Awards and Scholarships as well as the applications are available on the NFPA website at https://www.paralegals.org/i4a/pages/index.cfm?pageid=3281. The deadline for awards and scholarships is July 1st.

The Paralegal Association of Rochester and Convention Committee have been working hard to line up great speakers, presentations and a fun social event at the George Eastman Museum. You can read about what the committee is planning starting on page 35. Also watch for more information in the Wednesday News You Can Use email and NFPA website! See you in Rochester, New York!

Please contact me at president@paralegals.org if you have any questions or comments about serving NFPA in a leadership position, submitting a nomination for an award or scholarship, or attending this fall’s annual convention.

NITA SERRANO, RP
PRESIDENT
AAfPE Regional Conference 2019 Recap
By Alyson D. Poppiti, DCP

As the NFPA Education Coordinator I had the opportunity to attend the AAfPE (American Association of Paralegal Educators) conference in Chicago, Illinois from April 3-April 6, 2019. Being the daughter of a college professor and administrator, it was enlightening to be in the midst of the world of academia.

The conference included many interesting seminars on the paralegal education programs and issues throughout the country. The conference started with a discussion of the debate between brick and mortar paralegal programs versus online paralegal programs. There are more and more paralegal programs being offered online.

The ABA will not approve a paralegal program which offers 100% of its classes online. However, the ABA will approve paralegal programs which have a limited number of hours of online classes. In many instances, required courses are presented in person and the remainder of the curriculum is presented as online courses.

Thomas McClure, Esq., presented a session on A Social Science Analysis of the ABA Guidelines whose purpose was to present the relationship between program characteristics and the ABA approval process.

A few characteristics of ABA approved programs are that the classes must have interaction between the students and instructors. Further, the paralegal program must hold meetings of the paralegal faculty including the full time professors and the adjunct professors. There must be regularly scheduled meetings at least twice annually and minutes of these meetings, including a list of those in attendance must be recorded and maintained. Further, these meetings must be held for the purpose of discussing program goals, course content and overall curriculum planning instructions methodology and assessment. Additionally, the paralegal education program must have an advisory committee that includes practicing lawyers, paralegals from the public and private sector, managers of paralegals, and one or more members of the general public who should not be in the legal field.

Although online courses may be more convenient for students (and many potential students are requesting them), certain courses are difficult to teach online, most especially legal research. In some instances, extra training is required for online professors. For example, paralegal programs in Detroit, MI require that online students first take a special course on how to take online courses and this was made part of the program. Not every paralegal instructor is a good online instructor.

A discussion arose as many of the heads of the paralegal programs have difficulty finding a member of the general public interested in being on the advisory board. The admission policies of the program of education for paralegals must be designed to enroll students qualified for and interested in careers as paralegals.
Doug Lusk, Esq. presented a seminar on the ethical duty to be technologically competent. The presenter stressed that a lawyer should keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology, engage in continuing study and education and comply with all continuing legal education requirements to which a lawyer is subject.

There is no single path that leads to technological competence. Artificial intelligence is the new rage in the legal field and it all started in eDiscovery. eDiscovery is the process of having computer software electronically classify documents based on input from expert reviewers in an effort to expedite the organization and prioritization of the document collection. This process may dramatically reduce the time and cost of reviewing eDiscovery by reducing the amount of time to review documents.

The presenter showed a few applications found at the ABA Tech show in 2019, which help attorneys perform their work more efficiently and with the use of the most up-to-date technology. A few examples of these applications are Jurism, Contract One, Your Firm App, CLEO, Ourchildinfo, and Dtour.life.

There were a few other sessions such as a session on professionalism across the curriculum, the importance of facility dogs in the courtroom and what if clients decided not to seek the assistance of an attorney.

This last session, presented by Page Beetem, Esq. of the University of Cincinnati, focused on the issue of Access to Justice by which 80% of people who need lawyers are not able to afford a lawyer and as such, many clients are trying to use the services of alternative legal service providers rather than seeking the assistance of an attorney.

An example of these issues is the use of LegalZoom for the drafting of contracts, wills and formation documents using artificial intelligence rather than attorneys. It was also noted that internationally there are not as many regulations regarding non-lawyer representation as there are here in the United States.

California actually has a task force in place to allow for non-attorneys to go into business with lawyers. These developments are not surprising but are just another reason why we as paralegals and NFPA members need to continue our push towards regulation and to continue to promote higher standards of paralegals.

In summary, it was a very enlightening conference and it was an honor to represent NFPA and the paralegal profession.
The Military Justice Act of 2016

By MSG David Lyons

Military Justice within the Armed Forces has been an ever evolving system. Throughout the history of the military there have been changes that shaped the way Attorneys and Paraprofessionals conduct business. From 1775 to 1912 military justice remained mostly unchanged and was based on the British Articles of War. From 1913 to 1950 many changes to the military justice system were made to improve rights of the accused and ensure due process was granted.

On May 5th of 1950, President Truman signed into law the Uniform Code of Military Justice (UCMJ) to ensure all services were conducting military justice in the same manner and is what all servicemembers know today. The UCMJ went through several revisions since its inception, however, none of the revisions have been as significant as the Military Justice Act of 2016 (MJA 16).

In October of 2013, the Secretary of Defense ordered “a comprehensive review of the [UCMJ] and the military justice system with support from military justice experts…” be conducted. This was done by a group known as the Military Justice Review Group. They created a 1,302 page report that was provided to Congress for consideration.

This gave birth to the Military Justice Act of 2016, which was signed into law through the National Defense Authorization Act of 2017 (signed December 2016). The Executive Order implementing the Military Justice Act of 2016 was signed by the President 1 March 2018. All of the changes then went into effect on 1 January 2019. What follows are a few of the changes implemented by the act.

PRE-REFERRAL AUTHORITIES:

In the pre-MJA 16 world, the trial counsel could not issue subpoenas until preferral and the military judge did not get involved until referral. MJA 16 changed this and now allows the trial counsel, or military judge, to issue subpoenas duces tecum at the inception of any criminal investigation.

Further, the military judge, upon application, may issue a warrant for electronic communications. Both of these tools will allow investigators to provide commanders with even more information prior to preferring and referring charges to courts-martial.

NEW TYPE OF JUDGE-ALONE COURT MARTIAL:

MJA 16 introduces a new type of special court-martial known as the “bench trial.” This new forum is referred under Article 16(c)(2)(A) and consists only of a military judge, trial counsel, and defense counsel.

The punishment at this forum is limited to six months of confinement, forfeiture of two-thirds pay for six months, and is not authorized to issue a punitive discharge. The accused cannot turn this court-martial down unless the max authorized punishment, per specification, exceeds two years or would require sex offender notification under Secretary of Defense Regulations.

PLEA AGREEMENTS:

Pre-MJA 16 the convening authority an accused could enter into a pre-trial agreement to limit what could be approved post-trial. MJA 16 rescinded Article 60, which was where the previous authority for pre-trial agreements came from. Article 53a under MJA 16 implemented through RCM 705, MCM 2019 Edition, gives the accused and convening authority the ability to enter into a plea agreement, which can limit what the court-martial is authorized to impose.

Included in the new plea agreement is the ability to negotiate a maximum punishment, a minimum punishment, or a maximum and minimum punishment. Once the military judge accepts the plea agreement, all parties are bound by the terms of the agreement. The sentence agreed to is what the sentencing authority at the court-martial is limited to impose.

PUNITIVE ARTICLES:

Punitive articles were reordered into like offenses and over 30 Article 134 offenses were moved to enumerated articles. In their new location, previous Article 134 offenses lost the need to prove the terminal element, as many of these offenses were inherently prejudicial to good order and discipline and service discrediting. MJA 16 introduced four new punitive articles the first being Article 93a: Prohibited activities with a military recruit or trainee by a person in position of special trust.
This new article focuses on the abuse of a specially protected junior member of the armed forces by a person in a training leadership position or a military recruiter and consent is not a defense.

**Article 121a:** Fraudulent use of credit cards, debit cards, and other access devices was the next new punitive article. This article focuses on the wrongfulness of misusing an access device to obtain something of value rather than depriving the victim of something of value, therefore, losing the need to prove who the victim is in this type of crime.

The third new punitive article is **Article 123:** Offenses concerning Government computers. This article is broken up into three separate crimes: (1) wrongfully accessing classified material and delivering it to a person not authorized to have the material, (2) wrongfully accessing and obtaining protected information, and (3) wrongfully accessing a Government computer and introducing a program or code causing damage to a Government computer.

The last new punitive article is **Article 132:** Retaliation. Retaliation focuses on the intent to retaliate or discourage any person from making or planning to make a protected communication to a covered individual or organization concerning a violation of the law, mismanagement, waste of funds, abuse of authority or substantial and specific danger to public health or safety. Many other punitive articles were amended to codify case law and align with Joint Proceedings Panel recommendations.

**SET PANEL SIZES AND SENTENCING:**

The area of panel selection and panel sizes has been significantly modified. Each level of court-martial will have a fixed panel size. A capital case will have and maintain 12 members. A non-capital general court-martial must start with eight members. A special court-martial will have and maintain four members. With the authorization of the convening authority, the military judge may impanel alternate members. The process of getting to the fixed panel sizes is through randomization. Any member can be directly detailed to serve on panel duty regardless of whether they are an enlisted member, warrant officer, or officer.

An enlisted accused still retains the right to select an all officer panel or at least one-third enlisted representation. Although any member may serve as a panel member, enlisted members cannot serve on the panel for a warrant or commissioned officer (seniority in rank of the accused requirement retained from pre-MJA 16 rules). The default sentencing authority is now the military judge. The accused will have to elect sentencing by members, however, this selection may only be made if members were present for findings.

If the accused is sentenced by the military judge, the military judge will now segment punishments of confinement and fines, then decide whether confinement will run concurrently or consecutively. Members will still sentence in the same manner as they did pre-MJA 16 by providing a unitary sentence.

**POST-TRIAL DESIGNED TO BE MORE STREAMLINED AND QUICKER:**

The pre-MJA 16 post-trial process was long due to every step being dependent on the step before. MJA-16 changed the way post-trial was designed and built it for efficiency. While the post-trial packet is making its way from the military judge to convening authority, to the military judge and ultimately to the court reporter for certification, the court reporter will be creating the verbatim transcript. With both processes moving simultaneously, processing times of records of trial, in theory, should be half the time of the pre-MJA 16 system.

**MSG DAVID LYONS** is currently the Senior Non-commissioned Officer for the Army’s Military Justice Legislation Training Team charged with training the Army’s Judge Advocate General Corps on the Military Justice Act of 2016. Prior to his position with the training team he was assigned as the Senior Military Justice Operations NCO for 8th Army in Yongsan, Seoul, South Korea with the responsibility of all military justice actions within the Republic of Korea.

His other assignments include Senior Paralegal, 5th Special Forces Group (Airborne), Platoon Sergeant, J Co, 262d QM BN, Battalion Paralegal, 91st Civil Affairs Battalion (Airborne), and Battalion Paralegal, 1-504th Parachute In-
fantry Regiment. His military education includes, the Senior Leaders Course, Advanced Leaders Course, Basic Leaders Course, Military Justice Managers Course, Senior Paralegal Course, and the Command/Chief Paralegal Course. He holds a Bachelor’s Degree in Legal Studies

ARTICLE REFERENCES.

2. The trial counsel could only issues subpoenas if they were in connection with the preliminary hearing conducted under Article 32, UCMJ.
3. RCM 703(g)(3)(C), MCM 2019 Edition. The TC may issue the pre-referral investigative subpoena with the authorization of the General Court-Martial Convening Authority.
4. RCM 703A, MCM 2019 Edition
5. RCM 705, MCM 2016 Edition
6. RCM 501, MCM 2019 Edition
7. Randomization is a term the Army uses to describe the impanelment process, under RCM 912A, MCM 219 Edition, were excess members are removed via the issuance of a randomly assigned number by the military judge.
8. RCM 1002(d)(1), MCM 2019 Edition is how panel members will sentence, RCM 1002(d)(2)(A)-(C), MCM 2019 Edition is how the military judge will sentence.

Ed’s HR Corner

FORMER LITIGATION PARALEGAL TURNED HUMAN RESOURCES PROFESSIONAL DISCUSSES IMPORTANT HR TOPICS AS THEY RELATE TO THE PARALEGAL PROFESSION

By Ed C. Schneider, M.A.

CALIFORNIA’S FINDINGS ON INDEPENDENT CONTRACTORS – A WARNING TO OTHER STATES

Freelance paralegal services are a popular career opportunity for experienced paralegals across the country. However, this career opportunity comes with greater risks not only for the freelance paralegals but for law firms looking to avoid the responsibilities when it comes to hiring paralegals for regular support. California issued a rather groundbreaking ruling back in 2018 which discussed the issues of independent contractors versus employees. While the case does not specifically apply to the paralegal profession, it certainly has an impact that we all as either managers or contractors should be aware of.

THE HISTORY OF THE PROBLEM

As it pertains to the legal profession, paralegals have either served attorneys in the role of an employee paralegal or an independent contractor paralegal. However, some smaller firms would employ paralegals as “independent contractors” but dictate their hours, not pay for benefits, direct their work load, and required regular commitment. Sounds a lot like being an employee over a contractor, doesn’t it? Some firms, to skirt the responsibilities that come with having employees, will hire full time staff as an “independent contractor” to avert responsibilities such as employee income taxes; unemployment insurance; worker’s compensation insurance; even avoid wage & hour disputes for non-payment.

The issue here is where an employer controls the wages, the hours worked, and the conditions of which the workers are employed under sway the classification from “independent contractor” to that of a traditional employee. Martinez v. Combs, 231 P.3d 259 (Cal. 2010).

PROCEDURAL HISTORY

The premise of an independent contractor, overall, is they are project based, can dictate their own hours, and enjoys the freedom to accept projects as they wish. See generally, S.G. Borello & Sons, Inc. v. Department of Industrial Relations, 769 P.2d 399, 349 (Cal. 1989). The perk to law firms is they no longer need to offer benefits, pay for unemployment or worker’s comp insurance, nor pay for employee taxes to the IRS. They may also arbitrarily create wage and hour standards outside of the purview of the state labor enforcement agency. See generally Dynamex Operations W. v. Superior Court, 416 P.3d 1, 5 (Cal. 2018).

This is not the first time the question of independent contractors came into play, especially in California, one of the strictest states when it comes to labor law. This conundrum had been discussed nearly 30 years ago in S. G. Borello & Sons, Inc. where a test and standard had been set forth to decide on the status of a worker, a test that had been used in the Martinez case and one that is now used again in the Dynamex case. Dyanmex, supra at 12-13.

THE INDEPENDENT CONTRACTOR VERSUS THE EMPLOYEE

As stated, the independent contractor is just that, an independent person who
decides what work they take, the rate they will accept, the terms of the payment, and timeframe to which they will commit. While a contractor does have a set group of guidelines on a project, they are providing a service for a specified recompense for a specific result, under the control of his principal as to the result of his work only and not as to the means by which such a result is accomplished. S.G. Borello & Sons, supra at 349.

If you are a true freelance paralegal, this is the reason you selected such a career path. Presumably, you did not want a set schedule, the requirement to work on various cases at once for a single attorney; and you wanted to control the projects you accept. However, if you are in a relationship where the attorney dictates your work, your hours, and the conditions under which you work (to just name a few), you could be in a traditional employee status. Dynamex, 416 P.3d at 10-11.

Under the Borello test, one is actually an employee if the organization receiving services has the right to control the manner and means of accomplishing the result desired as well as the following factors “

1. right to discharge at will, without cause;

2. whether the one performing the services is engaged in a distinct occupation or business;

3. the kind of occupation, with reference to whether in the locality the work is usually done under the direction of the principal or by a specialist without supervision;

4. the skill required in the particular occupation;

5. whether the principal or the worker supplies the instrumentalities, tools, and the place of work for the person doing the work;

6. the length of time for which the services are to be performed;

7. method of payment, whether by the time or by the job;

8. whether or not the work is part of the regular business of the principal; and

9. whether or not the parties believe they are creating the relationship of employer-employee.”

As the trial court observed, Borello explained that “the individual factors cannot be applied mechanically as separate tests; they are intertwined and their weight depends often on particular combinations.” Dynamex, supra at 12-13.

As you can see, it is a rather murky condition of whether you are or are not an independent contractor.

CONCLUSIONS

While many hoped for a more definitive suggestion on how to handle the sticky situation of being hired as an independent contractor, it is not as black and white as we hoped. The clear line should be if you applied for a job with a set number of hours; no control over your workload; set standards on your working conditions; and no control over the means and timing of payment, you are an employee, not an independent contractor.

ED C. SCHNEIDER, M.A. is the California and Colorado Practice Group Staff Supervisor for the western offices of Faegre Baker Daniels, LLP. He has nearly eleven years of litigation and appellate paralegal experience and possesses his Master of Arts in Legal Studies as well as his Bachelor of Arts in Law and Criminology. He is the immediate past president for the Rocky Mountain Paralegal Association and is currently a member of the NFPA Advisory Council.
What Will Be the Guidelines Surrounding Title IX Violations?

By Ramona Atkins

Title IX has been a hot bed for debate on several occasions regarding the handling of sexual assault claims by colleges/universities and the way in which these educational institutions have responded without any action being taken. More and more cases are not only coming to the forefront, however, the same disregard for the serious nature of the same continues.

Nonetheless, the work of former Senator Claire McCaskill and Kirsten Gilliband paved the way for recognition of the issues in 2014 followed by a bipartisan group of senators in April of 2019 reintroducing the Campus Accountability and Safety Act. Wording is so important on what should be required of universities. Once basic definitions and responsibilities are set in place, the need for support staff including paralegals will be evident.

ANOTHER SAD BUT TRUE TITLE IX VIOLATION

The following is a sad and unresolved account of a Title IX incident that happened to a young United States co-ed studying abroad in Germany as part of a United States’ University’s International program. She was sexually assaulted, reported the incident to her university liaison, as well as the Director of International Germany University Programs in the States only to fall on deaf ears.

Instead, her university dismissed the complaint as being a positive cultural experience. The name of the co-ed is being withheld to protect her privacy rights. However, the University she attended is on the list of schools being investigated for multiple Title IX violations. Title IX prohibits discrimination on the basis of sex in all education programs, or activities that receive federal financial assistance.

Imagine being in a foreign country, experiencing a sexual assault at knife point while being told “Do not move or you will die” Further, imagine driving all night long in a German squad car looking for the attacker. Worse yet, put yourself in the shoes of the student who experienced a near death sexual assault with no one taking responsibility for the student’s safety.

What makes the story even worse is the fact that this student did not want to go to Germany in the first place but was encouraged to do so because the international director at the United States university had a brother who started the particular German program.

Frightened, alone and without any emotional support, or offers to send the student back home to the States, the student did not know who she was to seek help from, felt abandoned and denied her “right to have equal access to educational opportunities free from sexual violence (Title IX)”. Instead the University forced the young co-ed to learn and live in a sexually offensive environment, as well as remain in fear for her life.

Even sadder, the area that the young woman was assaulted at was in the same area that a subsequent sexual attack took place a few weeks later. This young woman wasn't so lucky. She was another foreign student from Lithuania who was assaulted, raped and lost her life. (For further information, please see: http://www.novinite.com/articles/154764/Bulgarian+Arrested+in+Germany+for+Brutal+Rape,+Murder)

Despite the efforts of the co-ed’s family and multiple conversations with the liaison of the International program, the college did nothing to assist the young woman. Instead a series of communications took place whereby the University dismissed the incident as a positive and enriching cultural experience for the student!

How attempted rape can be viewed as enriching is a twisted view on studying abroad, not to mention a means of covering up a higher institution of learning’s responsibility to give its students equal access to an educational environment free from sexual harassment and free from sexual violence.

Further, it appears this young co-ed was passed from university department to university department to get her to tire and forget the incident and thus get nowhere with her concerns. This scenario is all too common both on homeland soil, as well as part of international programs on foreign turf as well.

The value of human dignity and the right to live free from sexual assault and harassment is brushed under the carpet for fear of losing federal educational funding, as well as not wanting liability, or to take responsibility for letting the ball drop in serious situations. Many university employees are afraid to step up to the plate and assist, as they are afraid of losing their jobs.
What a sad commentary it is when a learning institution places money above a human being’s life. Even sadder is the fact that the same human being is one of many paying to learn and whose financial aid is helping pay for an employee’s salary even if it means learning in a sexually hostile environment that could cost the student her life. **LET THE INVESTIGATION BEGIN**

Those who are unfamiliar with the law often think that sexual harassment, discrimination, assault and the like only pertain to the workforce. They often confuse Title IX with Title VII, which pertains to employment discrimination. Further, those who have heard of Title IX seem to only have a familiarity with it in terms of women in athletics. However, recent media attention over the past several years has brought an awareness of the topic which extends to our educational institutions. Prior to this, many were unaware of Title IX of the Education Amendments of 1972. “As indicated above, Title IX prohibits discrimination based on sex in all education programs or activities that receive federal financial assistance.”

In the past, Department officials confirmed individual Title IX investigations at institutions, however, on May 1, 2014; the Office for Civil Rights (OCR) took a comprehensive look at which college campuses are under review for possible violations of the law’s requirements around sexual violence. (http://www.ed.gov/news/press-releases/us-department-education-releases-list-higher-education-institutions-open-tiitle-ix-sexual-violence-investigations)

All colleges, and universities and K-12 schools receiving federal funds must comply with Title IX. Schools that violate the law and refuse to address the problems identified by OCR can lose federal funding or be referred to the U.S. Department of Justice for further action. Surprisingly, many of our nation’s esteemed universities had complaints of being sexually hostile environments, had numerous rape reports, and with at least one that required pregnant and parenting cadets to leave the school, as well as failing to follow through with investigating and appropriately responding to sexual assault complaints resulting in no action being taken.

Among these highly acclaimed universities were Yale, University of Montana-Missoula and the Virginia Military Institute. (http://www.motherjones.com/politics/2015/04/department-of-education-investigation-colleges-sexual-assault)

**FORMER SENATOR CLAIRE MCCASKILL AND KIRSTEN GILLIBRAND STEP UP TO THE PLATE**

In the middle of 2014, then acting Missouri Senator, Claire McCaskill lead round table discussions in Washington with the primary focus on reporting, enforcement and prevention of campus sexual assaults. Title IX was designed to protect students from discrimination based on sex-including sexual harassment and assault- and policies to combat rape and sexual assaults on college and university campuses.

“I’m holding these roundtables in order to bring together a diverse group of stakeholders to hear about what is working and what is not, what we can do to improve the response to sexual violence on college campuses, where we may need to legislate, and maybe where we may need to un-legislate,” McCaskill said.

“When many people think about Title IX, they think about it in the context of women’s athletics—but it is so much more. It is part of our federal civil rights scheme that ensures that students have equal access to educational opportunities free from sexual discrimination. This also means an educational environment free from sexual harassment and free from sexual violence.”

Topics covered in the roundtable included how to improve data collection from schools, how to make that data actionable, and policies’ inclusiveness of LGBT students. Participants in the discussion found consensus around ideas of requiring all colleges to disclose the name of officials coordinating Title IX matters, considering expanding the financial penalties available against schools that fail to protect their students effectively, potentially adjusting the current statute of limitations in these cases, and the need to publicize schools achieving excellence in protecting their students from sexual violence in order to incentivize better results.

Another area of the roundtable’s attention was how to structure the penalty for violations while providing incentives to comply with Title IX with confidentiality of the victim remaining intact and public safety at the forefront at our nation’s colleges and universities.

Unfortunately, former senator McCaskill’s bill never came up for a vote. She was able to persuade over forty Democratic and Republican senators to back her bill. She and Kirsten Gilli-
brand, D-N.Y. also publicly slammed a competing bill that would have prevented colleges from opening their own investigations into reported sexual assaults unless students had also reported the incidents to local law enforcement.

In 2015 the Senate’s education committee held a public hearing on McCaskill’s measure. But the bill never made it out of committee. She and other senators tried to revive it in 2016 and 2017 but were unsuccessful with these endeavors.

McCaskill’s advocacy packed less punch once Trump took office, but she continued making regular public statements about campus sexual misconduct. The senator signed onto several letters to Education Secretary Betsy DeVos, criticizing her for overhauling the Obama-era approach to enforcing Title IX. https://www.chronicle.com/article/The-Difference-Claire/245030 The McCaskill-Gilbrand bill lets victims control how the schools handle their cases to be handled and requires schools to comply with requirements under Title IX to ensure campus safety and the proper treatment of both victims and the accused. That’s not the case in the competing bill, McCaskill said.

McCaskill said she and Gilbrand worked hard to ensure their bill provides due process to anyone who is accused, transparency for the process and training for the colleges in the right way to go about a Title IX investigation and determination. https://news.stltoday.com/news/featurereports/story/5585028-McCaskill-Gilbrand-bill-for-campus-sexual-assault-enforcement.aspx The McCaskill-Gilbrand bill gets victims control over their cases to be handled and requires schools to comply with requirements under Title IX to ensure campus safety and the proper treatment of both victims and the accused. That’s not the case in the competing bill, McCaskill said.

A LESSER STANDARD GIVING STUDENTS NO REASSURANCE

DeVos’s rule would also relieve schools of the obligation to respond to allegations of sexual misconduct that occur outside of their educational programs or activities. That may sound reasonable, but it becomes untenable when many students live or interact off campus, at, say, a fraternity house that is independent of the school. Worst of all, the new regulations say that schools are in violation of Title IX only if they know of sexual-misconduct allegations and are deliberately indifferent to them—an exceedingly low expectation that appears designed to allow schools off the hook. It should be enough to show that a school reacted unreasonably—that it should have known of a substantial risk of sexual misconduct and acted to address it. DeVos’s proposed rule would instead excuse everything short of deliberate indifference. https://www.newyorker.com/news/our-columnists/assessing-betsy-devos-proposed-rules-on-title-ix-and-sexual-assault

WHERE IS OUR COMMON SENSE?!

Senator Jon Tester of Montana, who also participated in the roundtable discussion, expressed: “This is an issue that unfortunately we shouldn’t even have to be here talking about. It should be something that’s handled in a way that treats people with dignity.”

When we teach our children about strangers, we provide them with tools on what to do, including not talking to them, running towards safety, screaming, and getting help. However, in situations involving the providing of safety for adults who fall under the purview of a university’s duty to protect its students, there does not appear to be a clearly adhered to protocol that is universally set in place for all educational institutions of higher learning. In fact, in many cases, the duty to protect our nation’s students from unreasonable risks of harm is ignored and put on the back burner of administration, as the gravity of the situation is often ignored and not recognized.

Many times, the buck is passed from one person to another with nothing getting accomplished. A higher duty of care is owed to our students by educational institutions. Just as innkeepers and other establishments receive funds for overnight accommodations, universities and colleges receive funds for living accommodations, and for instruction on their premises. A customer is a customer regardless.

Universities and colleges should be made directly responsible for students’ safety, as well as recognize the foreseeable harm that could result with so many individuals culminating in a large environment such as an academic institution. The passage of Senator McCaskill’s revised bill (see below) will be coated with strict liability for instances that either could have been prevented or were mishandled or ignored in the first place.

The young study abroad student given in the example above went to the chancellor of her university only to be bounced from his office to the vice chancellor, followed by student services and the head of the international program who never answered her telephone and finally dropped with no response from anyone.

The foreign university subsequently lost her grades, emptied her email and any correspondence with her professors and made it impossible to have contact with them. This student was/is too afraid to return to her American university to dispute the grades she earned, as well as be present on the United States campus for fear of future sexual assaults.

Additionally, since she has already gone to the top of her university without any success, she has nowhere to turn to not only resolve her situation, but to get the grades that she earned. Her situation appears to smack of retaliation on the part of the university for bringing to its attention its possible non-compliance with Title IX for which her school was among the schools under investigation.

The third roundtable focused on how schools handled rapes and sexual assaults on campuses, as well as how these crimes are investigated and how students are notified about services available to them. http://www.mccaskill.senate.gov/media-center/news-releases/campus-sexual-assaultsecond-roundtable-focuses-on-reporting-enforcement-prevention
We provide sex education to our students at an early age, and yet when it comes to sexual assault, we provide little to no guidance to our students/children on the meaning, how they are protected and how to report these incidents and how perpetrators will be held accountable for their actions.

Consequently, Senator McCaskill launched a survey conducted by a Subcommittee on Financial and Contracting Oversight of hundreds of colleges and universities nationwide requesting details on not only how assaults are being reported, but what services are available to victims and students and whether students are made aware of such services. Further, inquiries of the relationship/association universities have with their local law enforcement, as well as the data that schools collect were also part of the investigation.

The answers to the investigation are “aimed at helping us gauge the effectiveness of federal oversight and enforcement under federal civil rights law, Title IX of the Education Amendments Act, and the Crime Awareness and Campus Security Act, commonly known as the Clery Act. Title IX prohibits schools that receive federal funds from discrimination based on sex -- including sexual harassment and violence. (McCaskill).” Isn’t it ironic that institutions that provide education in terms of various degrees and programs, but do not educate on safety on their campuses albeit in the United States or abroad?

CAMPUS SAFETY AND ACCOUNTABILITY ACT

In July of 2014, bipartisan Senators introduced the Campus Safety and Accountability Act. Approximately less than five percent of rape victims report their attack. An investigative series from the Center for Public Integrity in 2010 found that in many cases, victims wishing to report sexual assault faced confusion over how to do so, confusion over acceptable standards of conduct and definitions of sexual assault, and a fear of punishment for activities preceding some assaults, such as underage drinking.

The Department of Education handles laws covering sexual assault on campus. Title IX, a federal gender equity law, mandates colleges and universities to respond to sexual assault and harassment cases on campus and have policies in place to help prevent such incidents.

The Jeanne Clery Act mandates that colleges and universities report information on crime on and around campuses and provide victims with select rights and resources. [http://www.mccaskill.senate.gov/media-center/news-releases/campus-accountability-and-safety-act]

NOTE

The Clery Act is named in memory of Jeanne Clery who was raped and murdered in her residence hall room by a fellow student she did not know on April 5, 1986. Her parents championed laws requiring the disclosure of campus crime information, and the federal law that now bears her daughter’s name was first enacted in 1990.

It has been amended regularly over the last two decades to keep up with changes in campus safety with the most recent update in 2013 to expand the law’s requirements concerning the handling of sexual violence. See the summary of the Campus Sexual Violence Elimination Act for additional information about these requirements which took effect in 2014. [http://www.cleryact.info/clery-act.html]

A STRONGER REVISION TO THE FIRST CONGRESSIONALLY INTRODUCED BILL

The first bill although backed by strong bipartisan support did not get passed, as Congress’ business was finished at the time the bill was introduced. However, on February 27, 2015, Senator McCaskill introduced a stronger amended bill which made a second legislative attempt at addressing sexual assaults on campuses nationwide.

Two changes to the bill include “referring to assailants as accused students and requiring institutions to provide both a victim and an accused student with written notice of plans to move ahead with disciplinary proceedings regarding an allegation of sexual misconduct, within 24 hours of that decision. Schools would also be required to give such notice with a sufficient amount of time in advance of such a hearing. [http://news.stlpublicradio.org/post/mccaskill-introduces-new-bill-address-sexual-violence-campus]

In summary, the new bill which is expected to pass includes the following:

• New campus resources and support services: Schools will have confidential advisors to aid students with sexual harassment, dating violence, sexual assault and stalking, among other issues.

• Fairness in campus disciplinary process: All schools will use a uniform system for student disciplinary proceedings. Athletic departments are barred from handling such complaints.

• Training standards for on-campus personnel: Specialized training will be provided for confidential advisors, investigating personnel, and those involved in disciplinary proceedings.

• Campus accountability and coordination with law enforcement: Schools must have written memorandums of understanding with local law enforcement agencies establishing clear responsibilities for investigations and the sharing of information in such cases. [http://news.stlpublicradio.org/post/mccaskill-introduces-new-bill-address-sexual-violence-campus]

Senator McCaskill’s bill was projected to pass however, it didn’t even come up for a vote. So, the battle gets muddier to fight on behalf of those who have suffered sexual assault on college campuses at home and abroad. The big debate is now centered around these three issues:

• the requirement for cross-examination in live hearings,

• the fact that colleges would no longer
have to investigate many off-campus assaults, and

- the narrower definition of sexual harassment.”

This is problematic for a variety of reasons. Secretary of Education Betsy Devo's new regulations as well as the guidance documents from the Education Department will be interpreting Title IX on campus. (chronicle) Under the Obama administration, sexual harassment was defined as “unwelcome conduct of a sexual nature.”

DeVos has proposed narrowing it to “unwelcome conduct of a sexual nature that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity.” The issue with DeVos’ definition is that it would limit the incidents that colleges would be required to respond to and investigate. “Some incidents, such as a single incident of unwanted touching, might no longer meet the threshold. Several senators and witnesses expressed concern about what effect that change, and other efforts to roll back colleges’ responsibilities, would have on the willingness of victims to come forward.” (chronicle).

“We HAVE TO MAKE IT EASIER TO REPORT SEXUAL HARASSMENT, NOT MAKE IT HARDER,” SAID SEN. PATTY MURRAY, DEMOCRAT OF WASHINGTON. “AND THAT’S WHAT I FEAR SECRETARY DEVOS’S PROPOSED TITLE IX RULE WOULD DO WHEN IT ONLYRequires SCHOOLS TO RESPOND TO REPORTS OF CAMPUS SEXUAL ASSAULT THAT WERE MADE SPECIFICALLY TO A VERY SMALL GROUP OF CAMPUS OFFICIALS. “I’M DOUBTING MOST KIDS KNOW WHO THEIR TITLE IX COORDINATOR IS,” MURRAY ADDED.

HOW SHOULD WE DEFINE SEXUAL HARASSMENT?

Harvard University law professor Jeanie Suk Gerson said the federal government should provide a basic definition of sexual harassment. She also called attention to the difference between “severe and pervasive,” which is what the proposed regulations say, and her preferred definition, “severe or pervasive.”

The use of the word “or” versus the use of the word “and” would help to ensure that colleges are still held accountable for investigating the kinds of sexual misconduct that can unravel a student’s academic journey.

The other interesting and concerning fact was brought up by Minnesota Senator Tina Smith who said that the arbitrary definition of “only on campus” would serve to perhaps limit colleges’ liability as colleges would have to dismiss many of the complaints of the off campus sexual assaults.

Sen. Tina Smith, Democrat of Minnesota, dug into the fact that colleges would have to dismiss many complaints of off-campus sexual assaults under the proposed regulations. “A strictly arbitrary definition of ‘only on campus’ probably has the goal of limiting liability, but not limiting discrimination,” Smith said.

On April 2, 2019, a bipartisan group of senators reintroduced the Campus Accountability and Safety Act. The legislation, which has appeared multiple times since 2014, would standardize some elements of the campus disciplinary process and require colleges to provide confidential advisers for sexual-assault victims.

HOW PARALEGALS CAN HELP

Many offices such as the one at Georgetown University are short staffed. They often only have one coordinator in the Title IX office. Many offices have a Title IX investigator who investigates the cases and a paralegal who communicates with those involved in a case. Additionally, paralegals would be able to assist with research as well.

Additionally, working for personal injury attorneys or civil rights attorneys is an avenue for paralegals who want to work with clients claiming Title IX violations, as many victims have sought these avenues as a means of being heard and resolution to their cases. Paralegals may also volunteer at the offices of Senators who are passionate about this topic as well.

THE BOTTOM LINE

Our nation has become desensitized to horrific events, as well as fearful of reporting anything adverse to those who are supposed to be providing us with services. However, thanks to caring individuals such as Senator Claire McCaskill, Kristen Gillibrand and those involved in the bipartisan group who are seeking clarification and resolution for students and victims, perhaps we will be able to better educate and encourage young individuals in reporting cases of sexual assault.

We need to turn the tide in fostering a more caring environment at our nation’s universities and colleges. Unfortunately, the only way to impact universities who do not comply with the law is to retract their funding and/or assess penalties against them for their improper handling of sexual abuse complaints.

It seems to be the only way to get them to pay attention to the complaints/incidents of those to whom they claim to want to educate and care for – our children, our nation’s students. Universities owe a duty of due care to not subject others to unreasonable risks of harm, of which arguably by not investigating sexual assault claims impliedly continues to jeopardize the safety and well being of our nation’s students regardless if it’s at home or on an abroad campus.

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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.
Tribal Legal Self-Governance and Traditions

By Ronell B. Badua

Tribal justice systems are diverse in concept. Indigenous people have the right to equitable access to resolving conflicts and disputes with consideration to their traditions, customs and rules. Tribal law and legal knowledge can be applied to advance and recognize indigenous peoples’ self-determination.

The Navajo Nation extends to over 27,000 square miles through Utah, Arizona and New Mexico. Tribal courts organized by court’s state location can also be found in: Alabama, Alaska, California, Colorado, Connecticut, Florida, Idaho, Iowa, Kansas, Louisiana, Maine, Massachusetts, Michigan, Minnesota Mississippi, Montana, Nebraska, New York, Nevada, North Carolina, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Washington, Wisconsin and Wyoming.

Originally patterned on the American adversarial court system, the Navajo Nation is the largest Indian court system and a flagship of the American tribal courts. In 1934, Section 16 of the Indian Reorganization Act recognized the existing powers of Native American tribes and retained their sovereign authority to operate under their own laws and establish self-governing judicial systems. Congress began a process to abolish Indian Nation governments in the 1950s.

The Arizona Legislature asserted jurisdiction over the Navajo Nation shortly thereafter and created a court system that followed the state’s justice system and created the Navajo Nation Courts on April 1, 1959. The Supreme Court in *Williams v. Lee* affirmed tribal court authority over reservation-based claims transforming the jurisprudential movement among Indian tribes and indigenous people around the world, allowing usage of traditional values to address contemporary legal issues.

Protected by the federal government, under the Indian Self-Determination and Education Act, this judiciary is governed by the Navajo Nation Code, Title 7, Section 101-853 of the Judicial Reform Act of 1985. Its adversarial-style tribal court system is modeled on Anglo courts. The Law and Order Committee is the legislative oversight for the Judicial Branch of the Navajo Nation and all legal tribunals.

The Navajo Nation courts appoint members of the Navajo Nation Bar Association to represent indigent criminal defendants and has adopted the American Bar Association Model Code of Professional Responsibility to govern the conduct of lawyers admitted to practice before its courts. Navajo lawyers have a connection with the Nation or tribal enterprises.

Annually nearly 50,000 cases are handled in one of two of the Navajo Nation two-level court systems; the trial courts and the Supreme Court. The Navajo Supreme Court is served by three appellate justices, headed by the Chief Justice. General civil cases cover Indian and non-Indian persons who reside in the Navajo Indian Country. Criminal crimes are codified whereby the Navajo Court has jurisdiction over Native Americans. Major crimes are subject to U.S. federal jurisdiction, unless both the victim and then perpetrator are non-Indian, where the state will have jurisdiction.

The Navajo culture of law is restorative. The dynamics of its form of justice is most importantly attributed to relationships. Tribal courts are faced with the task of restoring harmony and structuring remedies acceptable to the people and community they serve. An integral part of Navajo Common Law is called Peace-making. This Navajo tradition is first applied to settle disputes in a mutually satisfactory solution while maintaining stability with both parties and avoiding family courts. This model has been shared around the world in countries such as Bolivia, Canada and South Africa.

The Navajo Nation Bar Association is a non-profit corporation that regulates the practice of law on the Nation which consists of licensed attorneys in Arizona, New Mexico, Utah and Colorado, as well as tribal court advocates which are analogous to paralegals.

The State Bar of Arizona provides guidance on ethical considerations for non-attorneys to be licensed as tribal advocates to represent plaintiffs in civil divisions of the Salt River Pima-Maricopa Tribal Court. The Native American tribal court and its ethical rules govern the assistance an attorney and non-lawyer can provide in representing clients.

There are a number of paralegal programs approved by the Navajo Nation Tribal Advocacy training program which provides the opportunity to becoming a licensed
DIVERSITY, EQUITY AND INCLUSION

Traveling to the Supreme Court

By Wendy A. Otto, RP®

Tribal Advocate on the Navajo Nation for qualified individuals. These programs include San Juan College in Farmington, New Mexico and Turtle Mountain Community College in Belcourt, North Dakota.

The American Bar Association’s Tribal Courts Council is a committee of the Judicial Division. This Council was formed in response to the large membership base involved with tribal justice and issues along with supporting the ABAs goal of promoting diversity in the legal profession. In its on-going effort to consecrate awareness of the function of Native American tribal courts, the Council also advocates Congress to nominate more Native American federal judges and pass legislation of importance to Native American tribes and individuals and support Native American law students to pursue judicial clerkships, and encourage lawyers to become familiar with Native American laws while building public knowledge.

RONELL B. BADUA

is a former NFPA Board member and is the president of the Hawaii Paralegal Association. He received his paralegal certificate from an ABA-approved paralegal program and is employed with the Department of the Corporation Counsel, City and County of Honolulu. He currently serves on various NFPA committees and is a member of the Oregon Paralegal Association.

It’s 5:00 a.m. in mid-April, 2018. The west plaza facing the United States Supreme Court is bathed in street light alone. Two lines have already begun to form for access to the Nation’s highest court: attorneys, whose seats are guaranteed if they are admitted to the Supreme Court Bar, stand to the left. The line to the right, about 200 people, consists of interested parties, law students, and tourists, all hoping to be one of the 50 people granted entrance and a seat to hear oral argument in the three cases scheduled for the morning’s public session.

This is the line I am in. At 8:00 a.m., the entrance tickets are handed out, and I am lucky enough (#15) to make the cut. By this time, my fingers are numb and my feet are frozen. Even having prepared for the long wait, hours of standing on concrete and marble sidewalks in 30-40 degree weather has taken its toll.

The cases that travel to the Supreme Court are as diverse as their route. There are three pathways cases can follow in order to reach the oldest and highest court in the federal system. First, and least common, is a case heard under the Court’s “original jurisdiction”. Under the United States Code, this type of case has no other jurisdiction than that of the Supreme Court, for example, a dispute between states. Second, the Supreme Court hears, also infrequently, appeals from state supreme courts.

Generally the Supreme Court will not challenge the state court’s ruling on an issue of state law. Third, and most common, are cases that arrive at the Court by way of petition for a Writ of Certiorari.

The Supreme Court receives thousands of petitions for Writs of Certiorari every year. These petitions ask “to inform” (Certiorari – Latin) the Court of a request for review; in order to move forward, at least four of the nine justices must vote to accept the case. Of the roughly 7,000 petitions received by the Court each year, only a fraction—80 to 100 cases—are granted. Most have national significance, precedential value, or a harmonizing effect on conflicting decisions in federal circuit courts.

My trip to the Supreme Court was more than 40 years in the making. United States v. Washington was first filed in 1970 by United States Attorney General Stan Pitkin. The suit alleged the State of Washington had infringed upon the treaty fishing rights of several Washington State treaty tribes. The trial judge, George H. Boldt, heard testimony from 50 witnesses and admitted 350 exhibits before ruling. His decision, immortalized as “The Boldt Decision”, held that when the tribes ceded millions of acres of land in Washington State, they reserved the right to continue fishing off their reservations “in common with” the citizens of the territory, part of which is now Washington State. Boldt’s interpretation of this treaty language set up the current 50/50 division of harvestable fish between treaty and non-treaty fishers.

Since Boldt’s 1974 ruling, arguments raised in United States v. Washington
have traveled to the Ninth Circuit Court of Appeals with occasional requests for review by the Supreme Court. On this day in April 2018, the Supreme Court would hear an appeal from the Ninth Circuit known as 01-1 Culverts. It is the 68th subproceeding of U.S. v. Washington. This subproceeding asked the Court to find that Washington State has a treaty-based duty to preserve fish runs and to compel the state to repair and replace culverts under state-owned roads that impede salmon migration and habitat.

Once the tickets for court seats are handed out, the lines take turns entering the courthouse and its first layer of security. Like all buildings in the Nation's capital, there are lists of prohibited items and a mandatory screening of each person requesting entrance. Beyond the security checkpoints, the ground floor houses the building's cafe, a busy place; on mornings when sessions are open, it is a place where visitors who have waited hours for entrance can take in rotating exhibitions about the Court's history and wander among portraits and busts of former Justices.

A statue of Justice John Marshall, the fourth Chief Justice of the United States, stands between two self-supporting marble staircases. President John Adams, who appointed Marshall in 1801, was later quoted as saying his appointment was a gift to the United States and the "proudest act" of his life.

John Marshall’s thirty-four year tenure on the Court shaped and solidified the Supreme Court's role as the third co-equal branch of the U.S. government. John Marshall has greatly impacted Indian Country as well. He primarily authored decisions in three cases, known as the “Marshall Trilogy” (Johnson v. M’Intosh, 21 US 543 (1823), Cherokee Nation v. Georgia, 30 US 1 (1831), and Worcester v. Georgia, 30 US 515 (1832). These cases establish the basis for federal Indian Law by confirming Indian nations as sovereigns, excluding state law from Indian Country, and recognizing tribal governance authority. Without these determinations, I would be working in a different forum of law.

At 9:00 a.m. lines form anew on the ground floor of the courthouse. Seating for the 10:00 a.m. session begins at 9:30 a.m. and in order to join this line visitors must show up empty handed, having stored all personal items in lockers. Visitors are not allowed to wear any display buttons, distracting or inappropriate clothing. The line moves slowly up the marble staircase to the foyer before the courtroom. After another security check, the Officers of the Court seat visitors and enforce a hush. The courtroom itself stands grand in size and solemn in feeling. The ceiling and sienna marble columns dwarf the audience, while the red velvet curtains magnify the Justices’ bench. Once visitors are seated, a countdown begins. The silence in these moments before the Justices enter the courtroom is electric. At promptly 10:00 a.m., the Marshal of the Court announces: "The Honorable, the Chief Justice and the Associate Justices of the Supreme Court of the United States. Oyez! Oyez! All persons having business before this Honorable, the Supreme Court of the United States, are admonished to draw near and give their attention, for the Court is now sitting. God save the United States and this Honorable Court.”

The Justices file out wearing the black robes that have been the dress attire of the Supreme Court since the 1790s Court of John Jay. Before taking their seats, the Justices participate in a judicial handshake, a tradition dating back to mid-19th century. This practice was instituted by Chief Justice Melville in order to remind the Justices that differences of opinion on the Court did not preclude overall harmony of purpose.

During argument, it becomes quite clear that the Justices have differing interests in each case, as their questions occupy more time than either side’s oral argument. Listening to the two cases prior to the hearing that I had come to witness confirmed in my heart and head the tradition of justice in this country, and how the seemingly tiniest action can mean so much: the customs of dress and handshake, the signs of respect through address, “Mr. Chief Justice,” “Justice Ginsberg,” “Justice Gorsuch,” etc.

Traditions of the Court don’t end with oral argument, even though my visit to
the Supreme Court did. Throughout the session, the Justices decide cases through a Judicial Conference - a meeting just between themselves. This conference commences again with a handshake and a discussion of the cases to be decided. Once all of the Justices have spoken, voting begins with the Chief Justice and then each Justice in descending order of seniority. The opinion of the Justices is assigned by the Chief Justice or the senior-most Justice in the majority. Opinions of the court are handed down no later than the last day of the Court’s term.

Statistically, cases are decided by a 9-0 vote of the Justices just as often as a 5-4. While each side aspires to an opinion that sets precedent, not every case has a glowing majority opinion or a scathing dissent. There are instances when Justices recuse themselves due to their work prior to their Supreme Court appointment. Given *U.S. v. Washington’s* lengthy history and frequent trips to the Ninth Circuit Court of Appeals, Justice Kennedy did not participate in the oral argument or in the decision making of the Culvert case.

Almost two months to the date of the Culverts oral argument, the Supreme Court issued a per curiam opinion. These opinions are typically short and to the point. For the Culverts case, a simple single sentence: “The judgment is affirmed by an equally divided Court.”

Cue Career is an online career center provided free to students and schools. Their mission is to provide students with an easy and effective way to access information about careers and professional development opportunities.

NFPA has three videos and an information page online at https://www.cuecareer.com/industryassociation/national-federation-of-paralegal-associations/

In the first six months of NFPA’s videos being online the NFPA page was viewed nearly 5,000 times and the first video featuring Past President Val Wilus, RP, Pa.C.P., had been viewed nearly 500 times with an average viewing time of 16 minutes.

Since that first video was recorded and posted two other video interviews have been done with Angela Gonzalez, SB-WCP and Tom Stephenson, ILAP.

WENDY A. OTTO, RP
Wendy received her Bachelor of Arts in History from the University of Washington (2003), her Paralegal Certificate from the University of Colorado (2006) and her Registered Paralegal accreditation in 2015. For the past 13 years, Wendy has worked in the Office of Tribal Attorney for the Swinomish Indian Tribal Community, supporting up to 8 attorneys at any given time, and focusing on complex litigation, natural resources law, and tribal government administration.

ARTICLE REFERENCES.
2. https://www.supremecourthistory.org/
When I was in high school my guidance counselor told me “You’re really not college material.” That was the moment I decided I wanted to go to college, I just had to figure out for what. It wasn’t until almost two years after I graduated high school that I realized I wanted to be a paralegal. Beginning college as a dyslexic single mother and working a full-time job made things extraordinarily difficult, but I worked hard and made it through with the support of my family and friends.

I was hired out of college as a legal secretary where we did mostly criminal work. Another two years went by and I came across an ad for a real paralegal position. When I went on the interview I was told that in order to be a successful paralegal I would need to be a sleuth, a ninja, and a rock star all at once. It was a challenge I eagerly accepted.

I was lucky enough to have a boss that took me under his wing, teaching me everything there was to know in the world of personal injury and medical malpractice. I worked cases from the minute a client walked in the door until the jury came back with a verdict. I investigated, drafted pleadings, prepped cases for trial, and even helped pick the jury as I sat next to the attorney and aided him throughout the trial.

After 11 years of working with that attorney, I once again had a hunger for more. I wanted to learn more, and was fortunate enough to join another firm where I continued to learn more. During this time I also volunteered in my community as a fire commissioner, and was also a member of my home town’s Public Safety Board. Despite all that I had going on at the time, I felt that I still had yet to reach my full potential. I was actively looking for my next challenge.

If someone had told me 20 years ago that I would someday be a Judge I wouldn’t have believed them. I was a paralegal and while I was always looking for ways to improve in the field, I never aspired to go to law school and had no interest in becoming an attorney.

So when I was approached in 2014 about running for town justice I was blown away to learn that in New York State Village and Town Justices do not have to be an attorney. The idea intrigued me, but I wasn’t sure if I was fit for the challenge.

That was, until the moment someone told me I couldn’t do it. It was then that I decided not only would I run for town justice against an attorney, but I would win. In 2014 that is exactly what I did, and in 2018, once again running against an attorney, I was elected to my 2nd term.

Being a Town Justice has opened my eyes quite a bit. From behind the bench I have learned more than I ever could have imagined, but most important of the things I’ve learned came from the journey to get there.

The same simple lesson we teach our children over and over: Regardless of your situation, your struggles or even your disabilities, if you work really hard and believe in yourself anything is possible.

**Jennifer McPhail** - In addition to being the Town Justice, Jennifer is a Litigation Paralegal in the Mass Torts Department at Martin, Harding & Mazzeotti. In her personal life, Jennifer is the mother of four, and a brand new grandmother who enjoys writing, reading and kickboxing.
6 Best Practices to Improve Your Firm’s Culture

By John Sweeney

Even in a hyper-competitive legal environment, firm culture matters. While most discussion of office dynamics focuses on trendy Silicon Valley startups, law firms should not ignore the value that a consciously curated culture can add to their organizations.

In the absence of direction, culture develops on its own. That’s fine when everyone gets along, but as firms grow and new people arrive, negative experiences and miscommunication can turn a positive culture into a toxic environment.

The only way to avoid a bad culture is to intentionally nurture a good one. Follow these best practices to create a sustainable, positive culture at your firm:

1. DEFINE THE FIRM’S VALUES.

What makes your law firm different from the rest? What principles guide the behavior of the people who work there? It doesn’t matter what kind of cases the firm takes on — people, not practices, determine whether firms succeed or fail.

Establishing values isn’t just a feel-good exercise. Organizations with a high sense of purpose outperform others by 400 percent. By defining a purpose, firms can protect themselves against disillusionment and ensure that new recruits share the same priorities as others in the organization. Higher employee engagement leads to lower turnover and burnout, helping build the firm’s future. Not sure where to begin? Common core values include integrity, ownership, hard work, excellence, accountability, contribution, and legacy.

2. INSTILL A CODE OF ETHICS.

Great law firms don’t skirt the rules for short-term cash. Put clients first and act in their best interest no matter what the potential business implications are. Abide by basic rules of professional conduct by maintaining separate accounts for client money and firm money. Make only truthful representations to clients and tribunals. Act within the limits of the law for every situation.

3. CLARIFY EXPECTATIONS FOR THE TEAM.

Every employee should understand what the firm expects. Healthy competition is fine, but backstabbing is not. Collaborate for the benefit of the client first, then focus on personal goals second. Keep these expectations realistic to avoid indirectly encouraging employees to cheat the system. Make sure they understand career advancement paths so they can see their future at the firm.

Help employees understand the KPIs that measure their performance between annual reviews. Work with team members to create personal goals, and reward those who exceed expectations.

4. PROVIDE WORK-LIFE BALANCE.

At our firm, we offer a variety of compensation models to let attorneys choose the best work-life balance for their individual needs. Some choose to work on commission only, others prefer salaried work, and a few choose to take a base salary plus incentives.

Don’t worry about losing too many hours. Happy employees with low stress levels tend to stay longer and perform better at work. Lawyers need more breaks than most, which is why the American Bar Association launched its Pledge Campaign to improve the mental health and well-being of people who work in the legal industry.

5. LEAD WITH TRANSPARENCY.

Good lawyers have a variety of options when they look for new firms. Stand out from the masses by transparently communicating the firm’s culture to potential recruits. Not only does this solidify the firm’s values, but it also encourages more candidates who fit the culture to apply.

Prioritize transparency within the office, too. Research shows that transparency is the top contributing factor to employee happiness. We host collabo-
rative management meetings regularly to talk about every facet of the business and keep workers in every department informed about our direction.

Transparent business practices matter to employees, candidates, and prospective clients alike. Nine out of ten consumers would stop buying from a brand that lacks transparency, and law firms are no different. If prospects question the firm's trustworthiness, they will look elsewhere to find a more honest partner.

6. GIVE EMPLOYEES TRAINING, MENTORSHIP, AND GROWTH.

Law firm employees don’t want to stagnate. They deserve career mobility and personal growth. Give workers the resources and support they need to enjoy the careers of their dreams.

Our firm offers goal-oriented and incentive-based management pay to tie personal drive to professional success. We also emphasize employee development and offer training to keep our employees up to speed on the skills the industry demands. Thanks to our investment in leading case management software, we can track productivity and compliance on every employee and management level, keeping everyone on track.

Not every employee will stay for life, but that’s okay. Invest in employee growth, and other talented people will flock to the firm to enjoy the positive, supportive culture.

Competitive environments like law firms may not seem to be natural fits for positive culture, but don’t be fooled. Even the busiest firms can develop sustainably supportive cultures without losing their edge. Follow these best practices to reduce employee burnout, increase client satisfaction, and set the stage for years of success.

JOHN SWEENEY is the CEO of Thomas J. Henry Injury Attorneys, one of the largest plaintiffs’ firms in the country. He’s a persuasive leader and hands-on builder of equity for publicly traded companies, private equity concerns and law firms with direct P&L responsibilities ranging from $6.5mm to $775mm with EBITDA of $2mm to $54.5mm. Additionally, Sweeney is a market visionary and builder of high powered management teams who execute on the strategic plans of the business.

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A Paralegal’s Call for Greatness

By Tina M. Johnson, RP, MnCP

What drives you as a career paralegal? In our ever-changing and ever-growing profession, we continue to fight for recognition as a vital part of the professional legal team. This may be because you are a self-respecting individual who strives for respect from your peers and from your legal practice and community.

By setting goals and standards for yourself as a career paralegal, you are helping this long-standing campaign for paralegal professionalism and credibility. As with all fields of work, those paralegals that are the most highly regarded are those who are simply the best at what they do.

We’ve seen this crusade for setting a competent standard of professional paralegals happening through paralegal networking both locally and nationally, through the various paralegal educational programs, through the fight to establish “paralegal standards” on state and federal levels, including efforts regarding paralegal certification, and finally, through the hard work, dedication, and commitment that paralegals put in every single day.

A paralegal has the ability to move beyond the ever-so-common “legal secretary/assistant” clerical and dictation tasks by providing more and more substantive contributions to the legal project, whether small and large.

Our profession offers unlimited opportunities for continued learning and for being a part of a continuously evolving legal community. With the right combination of skills, including technological know-how and education, a paralegal can reach maximum levels of achievement, success, and satisfaction overall. Let me share with you why. Research has shown that the key to paralegal success involves several key tips, as verified by experienced paralegals like me with over 20 years of experience in this profession.

The first tip is to obtain a paralegal education. Education instills a sense of security and provides confidence to a paralegal entering the legal field. We have a growing pool of experienced paralegals that are helping to push for entry-level paralegals to be even more qualified. Often, the paralegal profession is an individual’s second profession, which makes it imperative for higher education standards.

Also, our profession is a self-regulated profession (for instance, paralegal certification exams are voluntary) and States define, by statute, a minimal education standard to be able to call oneself a paralegal. This leads to the next tip, which is to “stand out” as a paralegal. Paralegal utilization has been a common issue over the years and continues to be the case with the growing number of associate attorneys joining the legal field.

Be sure to outline your goals and discuss your passions and education-
al background with your attorneys and supervisors. This includes setting the goal to become a certified paralegal and achieving that goal, thereby earning yourself an enhanced credential for your paralegal signature block.

Of course, hard work and taking initiative also goes a long way in getting noticed and standing out. Volunteer for projects, take the initiative to get the work done on your own, and put the effort in when finding answers to your questions. Think “big picture” and act with that mindset! Possessing a strong presence in the office and having compatibility with your coworkers also goes a long way.

As the law has become more and more specialized into categories, such as real estate or probate, or family law, there is the movement toward hiring paralegals with specialized interests or education.

Think about the evolution of “Women in E-Discovery” and the specialized education and certifications created for this specialized paralegal. Zoning in on the well-developed skills and knowledge in a particular practice area will bring you expertise in your paralegal career.

Another tip for paralegal satisfaction is taking advantage and keeping abreast of technological advances in the field and maintaining a mindset that each and every day “you learn something new.” Learning new things about the law or about things you can personally accomplish, such as a paralegal certification credential, our profession is ripe with valuable experiences.

It takes work to continue learning, to prove your worth to attorneys, and to keep abreast of ever changing technology and economy. With the right mindset, perseverance and leadership, the next generation of paralegals will continue the progress that experienced paralegals have fought hard to attain over the years. Take the initiative and be proactive in helping to honor and declare the importance of the paralegal profession.

Finally, striving for paralegal certification helps to show the legal community that we are professionals, that we are knowledgeable and experts in the legal field, and continues to help us set higher standards and higher goals for our paralegal profession.

TINA JOHNSON, RP, MNCP is a paralegal at Gray Plant Mooty. She has worked in the estate and trust administration area since entering the legal field in 2000 and joined Gray Plant Mooty in 2006.
MY CAREER 2.0
A BABY BOOMER’S JOURNEY FROM TRADITIONAL PRIVATE LAW TO A MODERN IN-HOUSE PRACTICE

By Susan Draeger Coker, RP®

I’ve been around the legal field a long time. I mean a LONG, LONG time. We’re talking DeLorean cars-Live Aid-New Coke time. When I started my career, the Titanic had just been located (yes, it was actually lost after it sank in 1912). Ted Bundy was still rotting in prison but Jeffrey Dahmer was, frighteningly, still walking the streets unencumbered by anything but his internal demons.

IT WAS A DIFFERENT WORLD. THINK QUILL PENS VERSUS WIRELESS KEYBOARDS.

Like many paralegals, I spent the bulk of my career working in traditional law firms (nine, but who's counting). I dealt mostly in the various iterations of litigation but also enjoyed a healthy dose of law’s Greatest Hits: estate planning/probate, intellectual property, immigration, a bit of criminal defense, some real estate/franchise, and probably more that I’ve long since forgotten. One of the things I’ve always loved about the law is its vast breadth of practice areas (a boon for the lifelong learner, the easily bored, or the schizophrenic; for the record I’m the former, not the latter).

Over the years, life in the various firms was pretty consistent. Most were dec- orated in traditional style: dark wood, crown molding, chandeliers, swag drap- eries, diplomas hung in tasteful group- ings in the private offices. There was a formal hierarchy of partners, associates, paralegals, and legal assistants (known in the old days as “legal secretaries”).

Paralegals were usually assigned to an attorney or two along with an assistant. Together they formed a little practice family that operated fairly in- dependently within its department. There were strict dress codes, structured hours, and at times a bit too much proximity to each other (I was fortunate to have a private office, but still…).

Working from home was not encour- aged and privileges were mostly limited to the attorneys. The paralegals spent every day in the office unless they were attending trial or CLE. The attorneys and paralegals billed in six-minute in- crements and carefully managed their time so as not to fall below their annual billable hours goals -- the law firm equivalent to academia’s “publish or perish.”

The colleagues with whom I worked were members of homogenous groups that associated mostly with each other at firm functions. The attorneys were usually males -- smart, focused, very goal-ori- ented. They spent huge swaths of time in service of the clients’ (and therefore the firm’s) needs, sometimes at the expense of family, hobbies, or personal time.

Despite the occasional griping they seemed okay with that. The associates were dues-paying apprentices to the partners. Over time the associates rose through the ranks to oppress, er, mentor the next generation of young lawyers. The paralegals were mostly females and, just like the attorneys, were smart and dedicated.

The majority held bachelors degrees and paralegal certificates, though a few earned their positions through hard work, motivation, and promotion after years of service as assistants. The assis- tants were invariably female and had differing levels of education, but were solidly knowledgeable in their roles and very focused on keeping the legal machinery running smoothly. This last bit put the assistants not infrequently at odds with the attorneys (three guesses who usually won those battles -- a wise attorney understands that assistants run the world).

All in all, law firm life was pretty pre-scribed. Things evolved in terms of office technology, of course, though at a notoriously slower pace than the rest of the world. Aside from that, I didn’t see all that much change in the law office experience over a period of 30 years.

FAST FORWARD TO TODAY.

For the last few years, I’ve been managing contracts in the legal department of a small but growing biomedical technology accelerator in the drug development space (hence, phrases like “biomedical technology accelerator” and “drug development space” now roll off my tongue).

This is not your mother’s legal career (Dis-claimer: my mother did not have a legal career). This is Gen X, Gen Y, Millennials, and Gen Z’s turn (anyone else wondering what comes after Gen Z -- Gen A1?). They do things a different way and the handful of baby boomers here realized we can ei- ther get on board or get out of the way. Personally, I love the innovative ways in which these new leaders have re-thought the traditional work paradigm (another word that didn’t get much play in traditional law firms) and developed new and better approaches for the modern era.
The environment here could not be more different from a traditional law firm. Mercifully, our legal department is wholly divorced from the scourge of billable time (high five!). I work directly with everyone from executives to scientists to business managers to accountants to interns.

Women represent about equally to men at every level. Almost no one has a private office and despite the overabundance of advanced degrees from the nation’s top universities there’s not a single diploma in sight. Instead, there are small breakout rooms for meetings and quick private chats.

There are no cubicles here. Our office is split into different areas of open workspaces amongst huge floor-to-ceiling windows that flood the office with natural light. And although there are separate project teams, members are scattered across different locations within the office. This was a deliberate plan designed to break up the teams and promote interaction among people who don’t usually work closely together.

I have to say the plan works, as there is a lot of camaraderie around here. Scientists, business types, legal people, younger, older, people of diverse ethnicities, backgrounds, and levels of experience -- all easily mix together resulting in a higher level of morale than I experienced at most law firms. There is no pecking order here, no big egos. The emphasis is on a multi-disciplinary, company-wide collaboration in which no one’s contribution is less important than another’s. Everyone adds to the overall success of our projects.

The dress here is casual. There are no suits or ties unless the company hosts an out of office function in a more formal setting. Work schedules are flexible with people coming and going depending on their personal schedules and the demands of the work. Some, like me, work from home at least some of the time. Others work from our satellite office in a neighboring state and pop in as needed.

Another huge difference from traditional law firms is that our office is paperless, which makes it easy to stay organized and to quickly share documents and information. Workspaces are uncluttered by stacks of paper and files which adds to the airy and open feel of the office. You know that battle-scarred veteran who claims to know where everything is even though his office could be featured on an episode of Hoarders? That guy doesn’t work here.

The downside to all this? Although I love feeding off the energy and enthusiasm of my much (much, much) younger colleagues, spending so much time with people whose parents are younger than me sometimes has the effect of underscoring that I am, in fact, a dinosaur.

When sharing funny stories over lunch, I’ve learned to skip the part about how many years ago that anecdote happened (since chances are the listeners weren’t born until a decade later) or cultural references like Jeffrey Dahmer (they’ve never heard of him). On the whole, however, I’ve been amazed at how little the age differences among employees seem to matter.

I admit I accepted this job with a lot of hesitation, having not worked in a science-based industry and certainly not in this kind of open environment. I also made the mistake of researching everyone in the company on LinkedIn prior to my interview; to my eyes, it read like a Who’s Who of Mensa. I worried that with just my lowly bachelors degree I wouldn’t have anything in common with them. Happily, it was just the opposite. Everyone is down to earth, friendly, and respectful of our differences.

In the end, I’m grateful for the shot in the late-career arm this job has given me. Having spent the last few years taking on challenges, expanding my abilities, and changing my approach to the work, I’m confident that my skills are now sharper than ever. And when I finally close out my career, it will be on my terms and not because a new-century job market moved beyond my ability to evolve with it.

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SUSAN DRAEGER COKER, RP is a paralegal in Cleveland, Ohio and moonlights as a background actor under the name Suzie Coker. Her appearances include a film about – you guessed it – Jeffrey Dahmer. She lives with her husband and two spoiled rotten cats. She can be reached at scoker@biomotiv.com.
MEMBER SPOTLIGHT ON:

Chris Hansen, ILAP
Illinois Paralegal Association

By Tom Stephenson, ILAP

Over the last four decades, Christine J. Hansen, ILAP has been an active member of the IPA, serving in various positions and capacities. Chris has transformed the paralegal community in Illinois by encouraging and providing for the continuing education of paralegals, informing members of developments in the profession, and promoting communication and collaboration among paralegals and the legal community. She is a dedicated member who has retained the history of the Illinois Paralegal Association ("IPA") and refined the profession's future.

While growing up in a Milwaukee suburb, Chris read an article on legal assistants. "I liked the type of work that was described," said Chris. "I knew I would need a very good educational background, so I went to the University of Wisconsin-Eau Claire and earned my bachelor’s degree in history and political science. I got my formal paralegal training at Roosevelt University, where I specialized in litigation."

In April 2019, Chris retired from AT&T after 35 years and 11 months. You don't have to be a former co-worker or member of the IPA to take away important lessons from Chris that can drastically change the landscape of the paralegal profession as a leader.

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Chris has held many positions within the IPA over her career including President, Vice President, Board Member, Honorary Director, Co-Founder of the In-House Section, Chair of the Senior Section, and NFPA Primary Representative and NFPA Secondary Representative.

During her tenure as President in 1982, Chris oversaw the first meeting of the IPA Board of Directors. Chris served as Chair of the Illinois State Bar Association ("ISBA") Subcommittee on the Utilization of Paralegals, which put forth the Recommendations to Attorneys for the Use of Legal Assistants. The ISBA Assembly approved those recommendations on June 25, 1988.

Chris has chaired IPA’s Standards Committee since its inception, which is responsible for the annual salary survey and was used throughout the state for 33 consecutive years as a resource for IPA members and other members of the legal community to be informed of compensation and benefits.

Chris continues to be a major contributor of the Survey of Standards and Utilization of Paralegals, developed and distributed since 1988 to all paralegals,
members and non-members, to create a profile of the typical paralegal and duties performed by paralegals in Illinois.

Chris received two outstanding member awards in 2002 and 2013 for her years of service and dedication to the IPA. She has spent the last 40 years investing her time, energy, and effort into developing the IPA and mentoring paralegals to not only become better at their job, but also better as people.

Her involvement, commitment, and responsibility have been an important part of the progress the IPA has made in increasing membership while fulfilling its mission to educate members and the public about the paralegal profession.

If you happen to run into Chris at Annual Convention later this year in Rochester, NY, the first thing you will notice is her post-retirement radiant glow! Chris has plans to visit family in Wisconsin and wants to travel to new parts of the world, including Italy.

Although she is officially off-the-clock from AT&T, Chris won’t let that stop her from continuing to be active in the paralegal profession by mentoring paralegals within IPA and supporting one of the oldest In-House sections within IPA. Chris’ accomplishments will pass into legend, but her legacy will positively impact the paralegal profession for decades to come.

On behalf of all IPA board members, past and present, we thank Chris Hansen for all she has done for the leadership, our members, and the profession. We wish Chris many years of happiness and success as she ends this chapter of her career, but we know she will continue to advise and contribute to all of IPA’s future endeavors in a meaningful way.

Liana Podman, Tisha Delgado, Caren Mansfield, Tom Stephenson, ILAP, Doug-las Brann, Melissa Jurik, Molly King, Sue Patel, Elma Saxon, and Susan Vander-walker, The Illinois Paralegal Association Board of Directors

TOM STEPHENSON, ILAP is Coordinator of NFPA’s Regulation Review Committee, serves on NFPA’s Diversity, Inclusion, and Equity Committee, and is Primary Representative for the Illinois Paralegal Association.

LEFT: CHRIS HANSEN, KATHI HELLER
RIGHT: CHRIS HANSEN
Forty-three years ago when I became a paralegal, I found myself explaining my job to everyone because it was so novel. I fell in love with the law the first time I walked into a courtroom as an intern. I knew immediately this was my path. I started my career working for the government before moving to private practice firms in Washington, DC. From small general firms to international firms, we lobbied on Capital Hill. What an adventure! I met Tip O’Neill, Ted Kennedy, Prince Charles and Princess Diana, and attended functions at the British Embassy. Our firm helped newly formed countries from the old Soviet Union create embassies in Washington. My fondest and most joyful memory is taking a new ambassador to a grocery store for the first time. The look on his face at the selections and quantities on the shelves is something I will never forget. This is why I became a paralegal!

Leaving the hectic D.C. atmosphere, I moved to practices that I thought would provide a less stressful work environment. I soon discovered that stress is ever present in any law firm. I recently read an article that stated one in three attorneys suffer from alcohol/drug abuse. Of course, we, the paralegals, suffer the trickle-down effect. The first red flag came in my 30s when I was hospitalized for a bleeding ulcer. After a week in the hospital, I was sent home with a plethora of drugs for my stomach and for the stress. My doctor told me to find a new career. I did not listen. I continued working. By 2009, my children were grown and gone. So, I pressed even harder at work. That summer, the second red flag went up. I had a “cardiac event” something short of a heart attack. I was treated for high blood pressure and warned about stress. I did not listen. I continued working.

Please listen as I did not, dear paralegals.

By Patti Moyer

Spring of 2015 brought new opportunities. For fourteen years I had worked at an insurance defense firm. The stress of poor management, the cow towing to insurance companies, the lack of moral leadership, and a slew of other issues, made me realize it was time to move on. My next stop was a small personal injury/criminal defense firm. I loved it! But once again, court dockets, deadlines, calendars, discovery responses, discovery requests, subpoenas, hand-holding of clients, last minute bombs dropped by opposing counsel, clients on social media, lost witnesses, pro se opposing parties, AWOL clients, clients dying, clients committing suicide, and the myriad daily problems we all juggle showed me I was not in control. Red flags went up again in the Fall of 2018, when I began to feel very weak and lethargic. I started having issues with my memory, and I fell - a lot: four falls within a few months. I broke ribs and my nose. I chalked it up as being clumsy. And then on January 2, 2019, the red flags became my worst nightmare. The first stroke. It was mild, leaving me with weakness in my legs and balance issues. So, back to work I went, but it was difficult to work more than 3-4 hours at a time. My doctor told me to retire. Once again, I did not listen. I continued working.

Ignoring what my body was trying so desperately to tell me, I tried to push through, to push forward. Sleepy? Drink coffee or take a nap, but get the job done. I remember one Easter we had a federal civil RICO trial starting that Monday. With dinner finished and my kids playing with their Easter baskets, I pulled out six banker’s boxes to mark over 3,500 exhibits. This was how I worked. Do whatever, whenever, however to get the job done. On February 27, 2019, the Universe once again came knocking. I suffered a second stroke. This time God wasn’t playing around. I was life-flighted to a stroke center where I spent days in CCU and telemetry care before going home where therapists visited every day. Now I have a new full time job: PT, OT, and speech therapy appointments. I walk with a cane and am forbidden to drive. My recent major and proud accomplishment? I walked 1,000 feet and was able to put pegs into a board. On April 30th, I turned in my notice. Although the managing attorney was upset and I was sobbing, this was the right decision. I had not worked in 66 days and my recuperation period was the next 6-12 months. It was time to face the truth. Stress was a formidable foe. God told me many times to slow down. I did not listen. I continued working.
Please listen as I did not, dear paralegals. I am told my strokes were caused by unending and continuing stress. Please take time for yourself, your family, and your loved ones. Take a walk, smile, laugh, and enjoy your life. When it gets too stressful, listen and do not continue to work. Take temporary or permanent leave.

I loved my career and wouldn’t change that choice. What I would change is how I handled the stress! I would have taken that stress management CLE. I would have listened. I would have stopped working.

I wish you all meaningful and lower stress careers. You will always have dockets and deadlines, but be kind to yourself. Rock the legal community but not at the expense of your own health.

Special thank you to my dear friend, Lisa G., for her support, and for proofreading and organizing my stroke brain thoughts.

**PATTI MOYER** has four children and four grandchildren with a new grandson expected in early August. She is newly retired and enjoying life in West Virginia.

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**Congratulations new RPs and CRPs**

**CONGRATULATIONS TO THE FOLLOWING RPS FOR SUCCESSFULLY PASSING PACE FROM 1/6/2019 TO 4/17/2019:**

Laura Temoyan, RP - Moorestown, NJ
Adele Jean, RP - Tysons, VA
Mary Towle, RP - Citrus Heights, CA
Michele Sisson, RP - Warwick, RI
Donald Bristol, RP - West Chester, PA
Lisa Cody-Smith, RP - Leesburg, VA
Kristine Curtis, RP - Oxford, FL
Rhianna Brownell, RP - Tulsa, OK

**CONGRATULATIONS TO THESE CRPS FOR SUCCESSFULLY PASSING THE PCCE FROM 1/6/2019 TO 4/17/2019:**

Sabre Jessup, CRP - Wilmington, NC
Allison Zeal, CRP - New Orleans, LA
Catherine Bovitz, CRP - Battle Creek, MI
Nicole Carlson, CRP - Aliso Viego, CA
Natalie Baker, CRP - Bradford, NH
Crystal Brand, CRP - Spokane WA
Lucia Becchetti, CRP - Portland, OR
Pamela Ayaay, CRP - US Army

Pedro Banegas, CRP - US Army
Stephanie Castle, CRP - US Army
Frederick Claro, CRP - US Army
Cindy Eaton Smith, CRP - US Army
Joshua Furrow, CRP - US Army
Annette Hidalgo, CRP - US Army
Virginia Hurtado, CRP - US Army
Melissa Hutchins, CRP - US Army
Kenneth Kalim, CRP - US Army
Andrew King, CRP - US Army
Jennifer Lancaster, CRP - US Army
Travis Lee, CRP - US Army
Jessica Mutchler, CRP - US Army
Logan Nelson, CRP - US Army
Kenneth Palacios, CRP - US Army
Ivania Ray, CRP - US Army
Terrance Smith, CRP - US Army
Naasson Sorrells, CRP - US Army
Barbara Surgi, CRP - US Army
Cynthia Thomas, CRP - US Army
Zakaria Traore, CRP - US Army

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**THE PACE EXAM UNDERWENT AN EXTENSIVE UPDATE, WITH A BETA TESTING PHASE BEGINNING MARCH 25, 2019 AND ENDING JUNE 30, 2019.**

**APPLICATION BLACK OUT DATES:**

NO APPLICATIONS WILL BE ACCEPTED JUNE 11TH - JULY 31ST

**PACE TESTING BLACK OUT DATES:**

JULY 1ST - AUGUST 31ST

THE UPDATED 7TH EDITION OF THE PACE STUDY MANUAL IS AVAILABLE FOR PURCHASE AT WWW.PARALEGALS.ORG/PACE.
Joint Conference 2019
“Paralegals Rise at Mile High”

NFPA’s 2019 Joint Conference on Certification, Regulation and Leadership was held April 26 - 28 in Denver, Colorado. Thank you to our hosts the Rocky Mountain Paralegal Association.

Friday evening’s social event was a Judicial Reception hosted by RMPA at the Hampton Inn.

Thank you to the sponsors and exhibitors who supported the Joint Conference.

**SPONSORS:**
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Roland Process Service & Investigations LLC

VeriFyle

WALZ

Well States Healthcare
Friday - Certification
Saturday - Regulation
JOINT CONFERENCE RECAP

Sunday - Leadership

SAVE THE DATE FOR NEXT YEAR’S JOINT CONFERENCE
APRIL 24-26, 2020
HILLSBOROUGH COMMUNITY COLLEGE
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HOSTED BY THE TAMPA BAY PARALEGAL ASSOCIATION
Annual Convention ~ Registration Opens 7/1

By Deborah Wilcox Mabry

PROGRAM-AT-A-GLANCE

WEDNESDAY, OCTOBER 9, 2019
PAR Welcome Reception

THURSDAY, OCTOBER 10, 2019
Continuing Legal Education Seminars, Workshops, Keynote Luncheon, Vendor Booths, Trade Show Reception, 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

REGISTRATION

Wednesday evening welcome hosted by PAR - No cost to attend but RSVP required

SEMINARS

Early Registration (before 8/10/19)
- Full Day - Member: $250
- Full Day - Nonmember: $280
- Full Day - Student: $160

Discounts available for organizations sending 3 or more students or employees
Workshops are free to attendees

POLICY/REGION MEETINGS

Local Association Officer (Delegates & Other): $280
Observer - Member: $80
Member cost per lunch: $45
Nonmember cost per lunch: $55
Friday Evening Social Event: $85

KEYNOTE SPEAKER:

Deborah L. Hughes is President & CEO of the National Susan B. Anthony Museum & House, holding this position since 2007. During her tenure, the Anthony Museum has completed a major phase of restoration to the National Historic Landmark, secured its Absolute Charter as a Museum, and dramatically grown attendance while staying true to its mission and vision. Ms. Hughes has also spearheaded innovative programming and events. Her keynote presentation will be “Susan B. Anthony: We are Always Progressing.”

CONVENTION HOTEL

HYATT REGENCY ROCHESTER

125 East Main Street,
Rochester, NY 14604

Room rate: $159 plus tax
Hotel deadline: September 16, 2019 or until room block is sold

THURSDAY CLE EDUCATION OVERVIEW

TRACK 1 | 8:30 AM - 9:45 AM

Mediations and Arbitrations  Why They Can be a Tool for a Successful Settlement
Hon. Robert J. Lunn (Ret. Supreme Court Judge), Trevett Cristo P.C.

Contested Probate and Accountings - When Things Go Wrong
Edward C. Radin, Esq., Member, Bond Schoeneck & King, PLLC

Fair Debt Collection Practices and the Law
Joseph M. Shur, Esq., Partner, Relin, Goldstein & Crane, LLP

Focus on Cybersecurity
Alan M. Winchester, Esq., Partner, Harris Beach PLLC

TRACK 2 | 10:15 AM - 11:30 AM

The Nuts and Bolts of Federal Jurisdiction (Everything you Always Wanted To Know About Federal Jurisdiction But Were Afraid To Ask)
Judge Elizabeth A. Wolford, United States District Judge, Western District of New York

David H. Tennant, Law Office of David Tennant, PLLC

Working with the New York State Attorney General's Office: The Procedures and Rules
Audrey Cooper, Assistant Attorney General, NYS Attorney General's Office

The Paralegal’s Role in the Practice of Real Estate
William N. LaForte, Esq., Partner, Trevett Cristo P.C.

Social Security Disability and Supplemental Income: An Overview of the Rules
Steven P. Dolson, Esq., PLLC

TRACK 3 | 1:15 PM - 2:30 PM

Appellate Practice with a Focus on NYS Rules and E-filing
Robert C. Brucato, Esq., Counsel Press

Fiduciary Income Tax: Planning and Preparation
Darice Dinsmore Hickey, Esq., HSBC US Retail Banking and Wealth Management

Choosing an Entity - Impact of New Tax Regulations on the Choice of Entity and Basic Non-Tax Considerations
Julia A. Garver, Esq., Merzbach & Solomon, P.C.

Ethics for Paralegals Beginning Their Careers
Margaret Phillips, J.D., Associate Professor and Director, Paralegal Studies Program at Daemen College

SESSION 4 | 2:45 PM - 4:00 PM

Litigation - Cradle to Grave
William G. Bauer, Esq., Partner, Woods Oviatt Gilman LLP

Planning and the Law Concerning Medicaid, the Elderly, and Guardianships
Richard A. Marchese, Esq., Partner, Woods Oviatt Gilman LLP

Public Record Due Diligence in Modern Transactions: UCC, Tax Liens, Judgment Liens and Intellectual Property Liens
Despina Shields, VP of UCC Product Management at COGENCY GLOBAL, INC.

Ethics for Seasoned Paralegals
Margaret Phillips, J.D., Associate Professor and Director, Paralegal Studies Program at Daemen College

WORKSHOPS | 4:15 PM - 5:15 PM

Getting and Keeping a Paralegal Position in Today's World
Reagan Weinhart, Bankruptcy Supervisor and Paralegal at Fein, Such & Crane, LLP

Exploring Our Own Relationship with Unconscious Racial Bias
Maisha Enaharo, Director of the Dept. of Pediatrics, Rochester Regional Health

What if You Could Streamline Your Legal Drafting Process While Also Reducing the Risk of Errors or Inaccuracies
Peter Colin, Jr, Technical Client Manager for Thomson Reuters

WEDNESDAY EVENING WELCOME

The Paralegal Association of Rochester, Inc. will be hosting a welcome reception at the Genesee Brew House for 2019 Convention attendees on Wednesday, October 9, 2019 from 6:00 – 9:00 pm. See the registration form to register to attend.

PAR WOULD LIKE TO THANK HEDONIST CHOCOLATE FOR THEIR AMAZINGLY DELICIOUS CHOCOLATE CONTRIBUTIONS TO OUR 2018 PASSING OF THE TORCH CEREMONY FROM SEATTLE, WA TO ROCHESTER, NY AND FOR THE 2019 NFPA ANNUAL CONVENTION. HTTPS://HEDONISTCHOCOLATES.COM/
SUMMER 2019   37

ANNUAL CONVENTION

EXHIBITORS AND SPONSORS

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

Sponsors:
• Advanced Paralegal Institute (Certification Ambassador Award)
• All New York Process Servers (Break)
• Bond, Schoeneck & King, PLLC (Lunch)
• Broom Clean Estate Services (CLE session)
• Harris Beach (Name Badges)
• Legal Med (CLE track)
• Merzbach & Solomon, P.C. (Student Event)
• Nixon Peabody LLP (Social event)
• Paralegal Education Group (PCCE Scholarship)
• Robson Forensic, Inc. (Lanyard)
• Thomson Reuters (Thomson Reuters Student Scholarships)
• Trevett Cristo Attorneys (Break and Thursday Breakfast)
• United Corporate Services, Inc (CLE session)
• Woods Oviatt Gilman LLP (Convention bag)

Exhibitors:
• Broom Clean Estate Services
• Counsel Press
• CSC
• George Washington University Paralegal Program
• Incorporating Services, Ltd.
• International Business Company
• Legal Med
• Monroe Community College/Law and Criminal Justice Department
• National Association of Professional Process Servers (NAPPS)
• Registered Agent Solutions, Inc.
• Robson Forensic, Inc.
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• Thomson Reuters
• United Corporate Services, Inc.

Connect with paralegal leaders through exhibiting, sponsoring, and advertising. Details are online at https://www.paralegals.org/i4a/pages/index.cfm?pageid=3282. Reserve by September 1 to be listed in the convention program.

FRIDAY EVENING SOCIAL

GEORGE EASTMAN HOUSE

Entrepreneur George Eastman (1854–1932), the pioneer of popular photography, completed his Colonial Revival mansion on East Avenue in Rochester in 1905 and resided there until his death. Eastman’s house presented a classical facade of decorative craftsmanship. Beneath this exterior were modern conveniences such as an electrical generator, an internal telephone system with 21 stations, a built-in vacuum cleaning system, a central clock network, an elevator, and a great pipe organ, which made the home itself an instrument, a center of the city’s rich musical life.

CONVENTION CHARITY

The National Susan B. Anthony Museum & House in Rochester, New York was the home of the legendary American civil rights leader, and the site of her famous arrest for voting in 1872. This home was the headquarters of the National American Woman Suffrage Association when she was its president. This is also where she died in 1906 at age 86. The National Susan B. Anthony Museum & House interprets the great reformer’s vision and story, preserves and shares her National Historic Landmark home and headquarters, collects and exhibits artifacts related to her life and work, and offers tours and interpretive programs to inspire and challenge individuals to make a positive difference.

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.

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”. Visit the website at http://susananthonyhouse.org/visit-us/main.php to learn more about hours of operation, available tours and related costs.

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

FRIDAY EVENING SOCIAL
Insurance Products for Small Business – Now available to NFPA members

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Professional liability insurance, sometimes known as Errors and Omissions Insurance or Malpractice Insurance, protects legal professionals from lawsuits that stem from the services they provide. The coverage can protect lawyers from a variety of lawsuits, including suits alleging negligent professional services, failure to uphold contractual promises, incomplete work or made omissions in your work product.

We have negotiated comprehensive and affordable insurance programs from top-rated insurance companies to help our members meet their insurance needs. Through our partnership with 360 Coverage Pros, a best-in-class business insurance provider administered by Gallagher, our members can conveniently access these valuable insurance products and services online.

It takes just minutes to obtain a quote and put these important coverages in place today. It’s all supported by licensed service agents. Get started by visiting the member benefits section of our web site at www.paralegals.org.

Take advantage of our custom member insurance program. Whether you’re a sole proprietor or an organization with a 100 employees, make sure your business is protected today.

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Celebrating NFPA
Local Anniversaries

OREGON PARALEGAL ASSOCIATION, INC.
40TH ANNIVERSARY
The Oregon Paralegal Association ("OPA") is proud to celebrate 40 years of advancing and promoting the professional, ethical, and educational standards of paralegals!

On June 6, 2019, OPA hosted an anniversary celebration soiree and fundraiser for The Lawyers’ Campaign for Equal Justice ("CEJ"). All raffle proceeds from the event went to the CEJ. OPA was honored to have Oregon Supreme Court Chief Justice Martha L. Walters as its keynote speaker at this event.

INDIANA PARALEGAL ASSOCIATION
40 YEARS AND GROWING!

The Indiana Paralegal Association celebrates its 40th Anniversary this year and was recognized for this accomplishment by the Indiana Senate on April 2 during a ceremony in the Senate’s Chamber.

The Indianapolis Paralegal Association was formed June 25, 1979, in response to the growing need for an organized professional association for paralegals, and became the Indiana Paralegal Association ("IPA") in 1983. The IPA has grown from an organization consisting of a small handful of pioneer members to the successful collaboration of several hundred paralegals that it is today. The IPA is dedicated to the professional development and education of its members and the establishment of ethics and professional standards for all paralegals in the State of Indiana.

The IPA will officially celebrate its 40th Anniversary with a CLE event to take place on October 5, 2019. In the true IPA tradition, eight CLE presentations will be offered, intermingled with a celebratory luncheon. For additional information on this CLE event, please visit the IPA’s website: https://indianaparalegals.org/ or contact them at info@indianaparalegals.org

CENTRAL PENNSYLVANIA PARALEGAL ASSOCIATION
35TH ANNIVERSARY
Since 1984, the mission of CPPA is to promote, protect and advance the paralegal profession and its interests through fostering, creative expansion of the paralegal roles, at all times operating within the boundaries of the profession; to offer continuing education to paralegals; and to encourage communication between individual paralegals and paralegal associations regarding developments in the profession.

The first organizational meeting of what would become the Central Pennsylvania Paralegal Association was held on April 12, 1984. By September 1985, CPPA had 45 members. That number almost doubled by 1992. During this time CPPA operated both a Harrisburg Chapter and a York Chapter. Sometime later, the York Chapter would spinoff and form its own association. In June 1995 there was some discussion regarding the possibility of changing the name of the association to the Dauphin County Paralegal Association or the Capital Region Paralegal Association, but ultimately it was decided to keep the name as the founders intended. At present, CPPA represents approximately 100 members each year.

CPPA has been affiliated with the National Federation of Paralegal Associations (NFPA) since approximately 1987. CPPA is also a charter member of the Keystone Alliance of Paralegal Associations. The Keystone Alliance was formally established in 1995 from groundwork laid in the 1980s by the paralegal associations in Pennsylvania. At present the Keystone Alliance represents 7 member associations and approximately 700 paralegals of varying backgrounds, experience, education and job responsibilities, reflecting the diversity of the paralegal profession.

CPPA is proud of its accomplishments over the last 35 years and we look forward to many more years of being a leader in promoting the paralegal profession.

BATON ROUGE PARALEGAL ASSOCIATION
35TH ANNIVERSARY

Formed in 1984, the Baton Rouge Paralegal Association is the area’s oldest paralegal association.

CONTINUED ON NEXT PAGE...
Coming to NFPA in 2019

**JULY 1**
NOMINATIONS OPEN FOR 2019-2021 BOARD OF DIRECTORS POSITIONS
SCHOLARSHIP AND AWARDS NOMINATION DEADLINE

**JULY 1**
REGISTRATION OPENS FOR 2019 ANNUAL CONVENTION

**JULY 12-14**
SUMMER BOARD MEETING
INDIANAPOLIS, IN

CONTINUED FROM PAGE 39...

**MICHIANA PARALEGAL ASSOCIATION**

30TH ANNIVERSARY

Michiana Paralegal Association (“MPA”) was established in September 1989. As an association of dedicated professionals, MPA has matured into a strong paralegal association with members from every part of northwest Indiana and southwest Michigan, a geographic area known as “Michiana.” In addition to their affiliation with NFPA, they are a member of the Alliance of Indiana Paralegal Associations.

**THE FALL ISSUE OF THE NATIONAL PARALEGAL REPORTER WILL CELEBRATE NFPA’S 45TH ANNIVERSARY. WE ENCOURAGE ALL LOCAL ASSOCIATIONS TO SUBMIT PROFILES TO RECOGNIZE THEIR LONG-TERM MEMBERS. SEND INFORMATION BY AUGUST 1 TO RACHEL@PARALEGALS.ORG.**

**NFPA IN-HOUSE PARALEGAL COMMITTEE WELCOMES OUR 2019 MEMBERS:**

The In-House Paralegal Committee would like to welcome and introduce the members of the committee:

- Larice Davis, ILAP – Illinois Municipal Retirement Fund, Illinois Paralegal Association (IPA), NFPA Member, NFPA In-House Paralegal Committee
- Yvonne DeAntoneo – State Farm, Tampa Bay Paralegal Association, NFPA Board Member, Vice President and Director of Membership
- Renee De La Cruz, ILAP – Boeing, Illinois Paralegal Association (IPA), NFPA Member, NFPA In-House Paralegal Coordinator, IPA Accreditation Chair
- Christine Hansen, ILAP – Retired AT&T Paralegal, Illinois Paralegal Association (IPA), NFPA Member, NFPA In-House Paralegal Committee, IPA In-House Paralegal Chair
- Tracey Woolsey, RP – Cummings Company, Indiana Paralegal Association, NFPA Member, NFPA In-House Paralegal Committee, PCCE Renewal Coordinator for NFPA, Indiana Paralegal Association’s Primary Representative

Thank you so much to these volunteers for contributing their time. The In-House Paralegal Committee is kicking off the year with a commitment to bring more webinars, articles, events at annual conference, and information especially for in-house paralegals. Thanks for the NFPA Board for all their support to make this committee a success.

We are very excited about the upcoming plans for the In-House Paralegal Committee. We know everyone will be a great help in all these endeavors and we can’t wait to hear your ideas!

*Renee De La Cruz, ILAP – NFPA In-House Paralegal Coordinator*
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Association Directory

ALASKA
Alaska Association of Paralegals
Anchorage, AK alaskaparalegals.org

CALIFORNIA
Sacramento Valley Paralegal Association
Sacramento, CA svpa.org

COLORADO
Rocky Mountain Paralegal Association
Denver, CO rockymtnparalegal.org

CONNECTICUT
Central Connecticut Paralegal Association, Inc.
Hartford, CT ccpaparalegals.wildapricot.org

DISTRICT OF COLUMBIA
National Capital Area Paralegal Association
Washington, DC ncapa.com

FLORIDA
Tampa Bay Paralegal Association, Inc.
Tampa, FL tampa.org
South Florida Paralegal Association
Miami, FL sfpa.info

GEORGIA
Georgia Association of Paralegals, Inc.
Atlanta, GA gaparalegal.org

ILLINOIS
Illinois Paralegal Association
New Lenox, IL IPAonline.org

INDIANA
Indiana Paralegal Association
Indianapolis, IN indiana-paralegals.org
Michiana Paralegal Association
South Bend, IN michianaparalegalsassociation.org
Northeast Indiana Paralegal Association, Inc.
Fort Wayne, IN neindianaparalegal.org

KANSAS
Kansas Paralegal Association
Topeka, KS ksparalegals.org

KENTUCKY
Greater Lexington Paralegal Association, Inc.
Lexington, KY lexingtonparalegals.com

LOUISIANA
Baton Rouge Paralegal Association
Baton Rouge, LA brpa12.wildapricot.org
New Orleans Paralegal Association
New Orleans, LA noapa.onefireplace.com

MARYLAND
Maryland Association of Paralegals, Inc
Severna Park, MD mdparalegals.org

MASSACHUSETTS
Central Massachusetts Paralegal Association
Worcester, MA cmpa.net
Massachusetts Paralegal Association
Cambridge, MA massparalegal.org
Western Massachusetts Paralegal Association
Springfield, MA wmassparalegal.org

MINNESOTA
Minnesota Paralegal Association
St. Paul, MN mnparalegals.org

MISSOURI
Missouri Paralegal Association
Jefferson City, MO missouriparalegalassoc.org

NEW HAMPSHIRE
Paralegal Association of New Hampshire
Manchester, NH panh.org

NEW JERSEY
South Jersey Paralegal Association
Haddonfield, NJ sjpaparalegals.org

NEW YORK
Capital District Paralegal Association
Albany, NY capdistparalegals.org
New York City Paralegal Association
New York City, NY nyc-pa.org
Paralegal Association of Rochester, Inc.
Rochester, NY rochesterparalegal.org
Western New York Paralegal Association, Inc.
Buffalo, NY wnyparalegals.org

OHIO
Cleveland Association of Paralegals, Inc.
Cleveland, OH capohio.org
Paralegal Association of Central Ohio
Columbus, OH pacparalegals.org

OREGON
Oregon Paralegal Association
Portland, OR oregonparalegals.org

PENNSYLVANIA
Central Pennsylvania Paralegal Association
Harrisburg, PA centralpaparalegals.com
Chester County Paralegal Association
West Chester, PA chespaparalegals.org
Lycoming County Paralegal Association
Williamsport, PA lcparalegals.org

RHODE ISLAND
Rhode Island Paralegal Association
Providence, RI riparalegals.org

TENNESSEE
Judge Advocate General's Association of Legal Paraprofessionals (JAGALP)
Clarksville, TN www.jagalp.org
Middle Tennessee Paralegal Association
Nashville, TN mtpa.memberlodge.org

TEXAS
Dallas Area Paralegal Association
Dallas, TX dallasparalegals.org

VERMONT
Vermont Paralegal Organization
Burlington, VT vtparalegal.org

VIRGINIA
Paralegal Association of Northern Virginia
Chantilly, VA panv.org

WASHINGTON
Washington State Paralegal Association
Seattle, WA wspaonline.com

WISCONSIN
Paralegal Association of Wisconsin
Milwaukee, WI wisconsinparalegal.org

If you are interested in obtaining the address and phone number of any of these associations, please call NFPA headquarters at (317) 454-8312 or paralegals.org.

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