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Forum

North Carolina Paralegal Association, Inc. Spring 2007



noun [C]; *fôr-əm*
an occasion or a place for talking about a matter of public interest

NOTARIES PUBLIC

*Are you familiar
with the new
Chapter 10B?*



In this issue

- Notaries Public—What's the Big Deal?
And the New Chapter 10B of the General Statutes
- Back to the Books: Tips to Take and Pass
the Two Most Popular Paralegal Exams
- Meet the Candidates



how are we going to
get through
 all of those
depositions?
 everyone's so busy



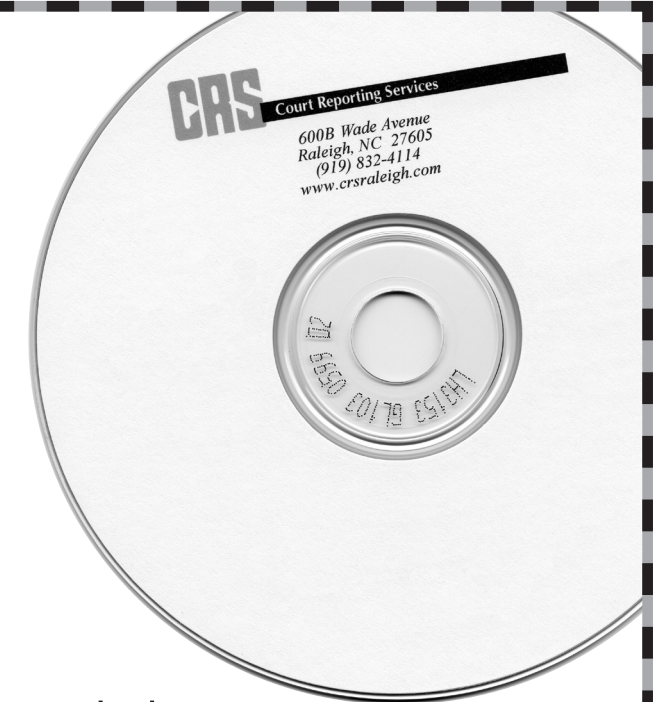
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Publication Notice: The NCPA FORUM is the
official publication of the North Carolina Para-
legal Association, Inc., PO Box 36264, Charlotte,
NC 28236-6264. Our publication is devoted to
informing and educating the paralegal profession.

Editorial Policy: Opinions expressed in articles
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President's Message

Erin B. Galloway, CP, NCCP



As the saying goes, "Time Flies." Another year has sprung upon us. As I write this, it's nearing the end of January and the end of my second term as President is almost here. Some days it seems like it's been an eternity, while others it seems as if I've just begun. I want to thank the Board, Executive

Committee and each of you for the support you have given me in these last two years. Serving as your President has been a rewarding experience and a time of great personal and professional growth. As I assume my new role as Immediate Past President/Director At Large, I will be here to lend a helping hand and provide any helpful hints and support that I may for our new President just as Belinda Thomas did for me when I assumed this role.

I will now leave you with a Recipe for a Happy New Year by an unknown author.

Take twelve fine, full-grown months; see that these are

thoroughly free from old memories of bitterness, rancor and hate, cleanse them completely from every clinging spite; pick off all specks of pettiness and littleness; in short, see that these months are freed from all the past—have them fresh and clean as when they first came from the great storehouse of Time. Cut these months into thirty or thirty-one equal parts. Do not attempt to make up the whole batch at one time (so many persons spoil the entire lot this way) but prepare one day at a time.

Into each day put equal parts of faith, patience, courage, work (some people omit this ingredient and so spoil the flavor of the rest), hope, fidelity, liberality, kindness, rest (leaving this out is like leaving the oil out of the salad dressing—don't do it), prayer, meditation, and one well-selected resolution. Put in about one teaspoonful of good spirits, a dash of fun, a pinch of folly, a sprinkling of play, and a heaping cupful of good humor.

See you at NCPA's Annual Seminar and Meeting in March! ♦

Chairman's Message

Beverly G. King, NCCP



As I am preparing this message, the Charlotte area is enjoying its first real snowfall of the winter season. It is absolutely beautiful outside - especially since I did not have to get out and try to get to work. I am using this day to catch up on things that I have let fall behind and to just enjoy the pretty view outside.

The birds are all over the bird feeders, the baby cement deer are covered in snow and the little pond is frozen.

There is not a lot of new stuff going on in my world right now. After a rough 2006, things are moving on rather smoothly. 2007 has been uneventful thus far - knock on wood.

In August 2006, my firm, Mitchell, Rallings & Tissue, PLLC split after four months of slamming doors, screaming and secret meetings. I was not sure how those of us left (four attorneys and three support staff) at the new firm of Rallings & Tissue, PLLC were going to make it. However, we are doing really well. We get along much better than ever imagined and we have high hopes and big dreams for the future. Those four months in 2006 were very stressful for everyone. We were all looking for stress relievers during that period, which seems to be a big topic these days. I was reading NALA's latest *Facts & Findings* and ran across an article on stress. Beth Stallings had a

Meet & Greet with tips on stress relief. Therefore, I thought I would share a few tips that I have used for stress relief. I hope that some of the following tips may help you cope with stress.

1. Get away - You may not think this is possible at times, but even a few minutes away will make a world of difference. You can take a walk around the block. The main objective is to get away from your desk or the situation.
2. Breathe - This seems easy enough, but sometimes we forget to take deep breaths, close our eyes and relax. It will make a big difference. Even if you are not feeling very stressed, a few good deep breaths will help you at anytime.
3. Do something nice for yourself - If possible, take some time off and pamper yourself. Get a massage, manicure, pedicure or just sleep in one morning.
4. Hot tub - This is my favorite way to relieve stress. My boyfriend has a hot tub in the sun room of his house. It does not matter how bad my day was, nothing makes me feel better than a little time in the hot tub. Since a hot tub is not always convenient, a nice bubble bath or even a nice hot shower can have the same effect.

I hope everyone is having a wonderful start to 2007. I am looking forward to seeing many of you at the Annual Meeting in New Bern, and for those of you who are unable to attend you will be missed and hopefully we will see you at a NCPA function soon.

Best wishes to all. ♦

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March 22-24, 2007

NCPA's 27th Annual Meeting and Seminar
in New Bern, NC

March 23-24, 2007

CLA/CP Exam

March 24, 2007

CLA/CP Breakfast

May 15, 2007

Deadline for submitting application to
take July CLA/CP Exam

July 20-21, 2007

CLA/CP Exam

September 20-22, 2007

NCPA's Mid-Year Seminar in Boone, NC

October 1, 2007

Deadline for submitting application
to take July CLA/CP Exam

November 30 - December 1, 2007

CLA/CP Exam

March 27-30, 2008

NCPA's 28th Annual Meeting and Seminar
in Concord, NC



Editor's Court

Laura C. Braswell, NCCP



I hope everyone is welcoming the new year with a positive attitude. While waiting in the lobby of a doctor's office, I recently read an article about Seasonal Affective Disorder. The shorter days of winter can cause some of us to experience lack of energy, an increased need for sleep, weight gain, and depression. The article suggested a few tips, such as spending time outdoors, sitting near windows and adding more lamps, for improving our mood during the cold winter months. It is extremely important to take care of our health, mentally and physically. Having a healthy mind and body will help us become better employees, spouses, parents, and members of society. In this issue, Chairman of the Board, Beverly G. King, NCCP, shares a few tips to help combat stress.

Also in this issue, we revisit Chapter 10B of the North Carolina General Statutes in an article entitled *Notaries Public – What's the Big Deal*. For those members planning on obtaining a national paralegal designation, the article *Back to the Books* provides some excellent guidelines for preparing and taking the CLA/CP and RP exams.

Ethics Chair, Therese A. Morin, NCCP, helps answer a NCPA member's question regarding billing a paralegal's time as attorney time. NALA Liaison, Darlene M. Patz, CP, NCCP, provides information on the NALA Campus LIVE! program and congratulates NCPA members that have recently passed the CLA/CP exam. Make sure to read up on the two NCPA members featured in this issue, Barbara A. Booker, CLA, NCCP and Roxanne Crouch.

May each of you enjoy reading this issue of the *NCPA FORUM*. As always, we look forward to receiving article submissions and suggestions from all of our members. ♦

Calling All Members!

"People who ask our advice almost never take it. Yet we should never refuse to give it, upon request, for it often helps us to see our own way more clearly." --Brendan Francis

Please consider contributing to the next edition of the *NCPA Forum*. Not only do we want our association's publication to be informative and innovative for each and every member, we also want it to include helpful hints and sound advice from our main resources, our members. We are looking for all types of articles that relate to the paralegal community. Anything of interest to you will most likely be of interest to other paralegals across the state. Let your voice be heard in the *NCPA Forum*. Please submit all articles in Word format to selliott-park@gastonlegal.com. You may also e-mail your comments, suggestions and possible article contributors to us as well.

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2nd Vice President's Report Membership

Brenda Mareski, CP



The current membership breakdown as of February 1, 2007 is as follows:

General members:	396
Associate members:	55
Student members:	90
Sustaining members:	1
Affiliate members:	4
Educational Program members:	2
Total	530

We are also pleased to welcome our newest Sustaining Member, **4NCRecords.com**. Please remember that our Sustaining members make possible many of the benefits that NCPA provides to our individual members. Whenever possible, please patronize or refer others to our Sustaining members - we appreciate their support! We are also proud to recognize our **Affiliate members**, Alamance County Paralegal Association, Cumberland County Paralegal Association, Guilford Paralegal Association, and Research Triangle Paralegal Association; as well as our **Educational Program Members**, Caldwell Community College and Technical Institute and Guilford Technical Community College.

NCPA sends a warm welcome to our newest (G)eneral, (A)ssociate, and (S)tudent members joining from November 1, 2006 - January 31, 2007:

- Patricia Alemparte Glass, Wake Forest, NC (G)
- Taiesha L. Ballentine, Greensboro, NC (G)
- Debra K. Cranford, Durham, NC (G)
- Roberta P. Glover, Durham, NC (S)
- R. Eugene Granger, Chapel Hill, NC (S)
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- Shelia Tevepaugh Hamby, Boomer, NC (S)
- Heather R. Hobgood, Charlotte, NC (A)
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- Franciska Walter, Durham, NC (G)
- Simone C. Walton-Cato, Charlotte, NC (G)

Have you renewed your NCPA membership yet? The membership year ended on January 31, 2007 - members who have not renewed by February 28, 2007 will have their membership rights suspended and will need to reapply for membership.

Remember that NCPA members pay a greatly reduced registration fee for the NCPA Annual Meeting and Seminar in March - and the seminar provides a full year's worth of Continuing Legal Education toward maintenance of the NC Certified Paralegal credential! Visit our website's link to the Annual Meeting and Seminar for more information.



Renew online at www.ncparalegal.org, or visit the renewal page and print out a hard copy of the renewal form if you need a paper copy to get a check printed. Renew now - and don't miss out on any of the great benefits of being an NCPA member.

Feel free to contact me at any time if you have questions about membership in NCPA.

Brenda Mareski, CP
Second Vice President, Membership
704.387.7605
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Notaries Public continued...

- and approving the Freeman holding include Lawson v. Lawson, 321 N.C. 274 (1987), Contract Steel Sales, Inc. v. Freedom Const. Co., 321 N.C. 215 (1987), and Matter of Hess, 104 N.C.App. 75 (1991).
- 9. See Sections 18-22, Session Law 2006-59.
- 10. See N.C.G.S.A7 10B-2, which give six underlying purposes, including:
 - (1) To promote, serve, and protect the public interests.
 - (2) To simplify, clarify, and modernize the law governing notaries.
 - (3) To prevent fraud and forgery.
 - (4) To foster ethical conduct among notaries.
 - (5) To enhance interstate recognition of notarial acts.
 - (6) To integrate procedures for traditional paper and electronic notarial acts.
- 11. See N.C.G.S.A7 10B-37(f).
- 12. See N.C.G.S.A7 10B-3.
- 13. See N.C.G.S.A7 10B-5(b).
- 14. See N.C.G.S.A7 10B-5(d).
- 15. See N.C.G.S.A7 10B-8(a).
- 16. See N.C.G.S.A7 10B-11(b)(3) as amended by S.L. 2006-59, providing that the testing requirement does not apply to notaries who have been continuously commissioned since July 10, 1991, who have never been disciplined as a notary.
- 17. See N.C.G.S.A7 10B-31.
- 18. See N.C.G.S.A7 10B-20(d) & (e).
- 19. See N.C.G.S.A7 10B-35 as amended by S.L. 2006-59.
- 20. See N.C.G.S.A7 10B-20(c) as amended by S.L. 2006-59.
- 21. See N.C.G.S.A7 10B-40, 41, 42, 42.1 & 43 as amended by S.L. 2006-59.
- 22. See N.C.G.S.A7 10B-50 through 55.
- 23. See N.C.G.S.A7 10B-60.
- 24. See N.C.G.S.A7 10B-99(a) as enacted by S.L. 2006-59.
- 25. See N.C.G.S.A7 10B-99(b) as enacted by S.L. 2006-59.
- 26. See Sec. 19 of S.L. 2006-59.
- 27. See Sec. 20 of S.L. 2006-59.
- 28. See Sec. 21 of S.L. 2006-59.
- 29. See Sec. 22 of S.L. 2006-59.
- 30. See Section 1 of S.L. 2006-59 as follows: N.C.G.S.A7 10B-3(1) for acknowledgements, N.C.G.S.A7 10B-3(2) for affirmations, N.C.G.S.A7 10B-3(14) for oaths, N.C.G.S.A7 10B-3(28) for verifications or proofs.
- 31. See Section 18 of S.L. 2006-59.
- 32. See Section 18 of S.L. 2006-59, G.S.A7 10B-40(b), (c), (c1) and (d).
- 33. Id.
- 34. The public comment period on the proposed rules for Chapter 10B ends October 31, 2006.
- 35. Go to <http://www.oah.state.nc.us/rules/register/register.html> and click on Issue 5 of Volume 21 for the full text of the rules in their proposed form for both regular and electronic notaries.
- 36. See N.C.G.S.A7 10B-116.
- 37. See N.C.G.S.A7 10B-105.
- 38. See N.C.G.S.A7 10B-107.
- 39. See N.C.G.S.A7 10B-106 and 108.
- 40. See N.C.G.S.A7 10B-106(b).
- 41. See N.C.G.S.A7 10B-126(d). ♦

Geaux to New Orleans with NALA 32nd Annual Convention & Exhibition - July 11-14, 2007

The 2007 Annual Convention Educational programs offer a wide array of educational opportunities for all paralegals. The program features 3 Institutes and 3 Educational Tracks, as follows:

Institutes:	Tracks:	Advanced Essential Skills	Essential Skills
• Appellate Procedure	<i>A la Carte</i>	• Alternative Dispute Resolution	• Written Communications
• Electronic Data Discovery	• Disaster Recovery: Lessons from Katrina	• Real Estate - Multi-use Development	• American Legal System
• Human Resources	• Fundamentals of Elder Law	• Personal Injury - Damages	• Judgment & Legal Analysis
	• Vulnerable Immigrant Populations - How to Recognize Them		• Legal Research

The speakers are noted experts in their fields. Check out the session details and descriptions at <http://www.nala.org>.

Very Special Session Announced . . . In recent years, members have asked for more in-depth leadership sessions for their personal growth as well as for the benefit of their affiliated associations . . . in 2007, we have merged these ideas into a very special Membership Forum Session.

Thanks to the sponsorship of Thomson/Delmar Learning, nationally recognized speaker Mark Levin is going to make a presentation on Thursday, July 12, from 1:15-4:30 p.m. Mr. Levin's presentation stresses that effective leaders have the ability to do things AND to get things done. His interactive presentation will help bring out the leader in you. For more details and a biography of Mr. Levin, please see the NALA web site or visit <http://www.bailleadership.com>.

The Venue. The meeting will be held at the Sheraton New Orleans Hotel, 500 Canal Street, New Orleans, Louisiana. Guest room arrangements for the 2007 convention may be made on the web at <http://www.starwoodmeeting.com/Book/nala>.



Notaries Public continued...

North Carolina. The Department is currently engaged in the rule-making process³⁴ to enable e-notarization to move forward in this state. Once the rules become effective³⁵ (January 1, 2007, is the proposed effective date), North Carolina will be the first state in the nation to have enabled a method for a variety of e-notary solutions to be approved and deployed. Because this law has been approached in terms of the standards that should govern the technology, the standards themselves are technology neutral. The added benefit is that we are setting the baseline for what is required without prescribing any specific technologies, as other states have chosen to do; therefore, future developments and improvements in technology may be enabled without further rule-making or legislative action.

You may be asking yourself what is meant by “electronic notary”—does this change a notary’s duties? Is personal appearance required in the e-notary world? The short answers are: no, the duties of a notary are the same, regardless if they are working on paper with their seal in hand or on a computer and accessing their electronic seal and signature; and yes, personal appearance³⁶ and all of the other bases for a notary acting in their official capacity are still required when an e-notary performs an official electronic notary act.

First, the basics: only already-commissioned notaries are eligible to become e-notaries;³⁷ they must also complete three additional hours of training in notarial laws, procedures, technology, and ethics and pass a test on these topics³⁸ before they are authorized to perform electronic notarizations. There are additional registration requirements along with a \$50.00 registration fee;³⁹ the term of registration coincides with the regular notary commission.⁴⁰

Next, the concept: electronic notaries will be using new tools (i.e. their electronic seal and signature) to perform their duties in an electronic setting. The Department is responsible for adopting rules to “insure the integrity, security, and authenticity of electronic notarizations.”⁴¹ The Department has proposed rules that set standards by which technologies are to be measured. If an e-notary solution measures up to the standards set by the rules, then that solution becomes an authorized method of performing e-notarizations. This allows notaries who wish to become e-notaries to do so easily and without having to learn the ins and outs of different technologies in order to know which method to choose. Instead, e-notaries will be able to choose from the list of approved vendors who have been found to have met the rules’ standards in order to move into the electronic arena.

A Final Word

Secretary Marshall believes in giving the public prompt and useful service, and everyone in the Department strives to meet that goal every day. If you have questions about this article or other matters relating to notaries, please feel free to contact me directly at (919)807-2005 or by e-mail: hmontgomery@sosnc.com. Director Gayle Holder, former Harnett County Register of Deeds, is also available for your questions. You may reach her at (919)807-2288 or at gholder@sosnc.com. Further detailed information about the e-notary program development can be obtained from Ozie Stallworth, E-Notary Analyst/Director, at (919)807-2295 or ostallworth@sosnc.com.

Haley Haynes currently serves as deputy secretary of state. She oversees several major divisions of the Secretary of State’s Office, including its corporations, trademarks, notary public, and Uniform Commercial Code sections. Haynes served as the department’s general counsel since 2002 before being promoted to deputy secretary in June 2004. Haynes worked as a private attorney in Asheville prior to joining the department. She is also a former public defender in both Asheville and Fayetteville.

Endnotes

1. Section 6.2, Session Law 2004-161.
2. Id.
3. Secretary of State Elaine F. Marshall is presently serving her 3rd consecutive term as secretary of state, having first been elected in 1996 and re-elected in 2000 and 2004.
4. Represented on the Advisory Council were the following organizations: NC State Bar, NC Property Mappers Association, NC Land Title Association, NC Association of the Register of Deeds, NC Association of Assessing Officers, NC Association of County Commissioners, NC Bar Association, NC Notary Association, NC Society of Surveyors, NC Department of Cultural Resources, NC Department of Transportation.
5. See Secretary of State Directive 2-04, The Secretary of State’s Advisory Council on the Uniform Real Property Electronic Recordation Act
6. See Report to the North Carolina Secretary of State on North Carolina Electronic Recordation and Notarization by the Secretary of State’s Advisory Council on the Uniform Real Property Electronic Recordation Act, February 10, 2005.
7. See Report on Modernization and Simplification of Notary Public Laws and E-Notarization, March 16, 2005.
8. See *Freeman v. Morrison*, 214 N.C. 240 (1938), in which the NC Supreme Court established a “substantial compliance” standard for evaluating whether an acknowledgment complies with statutory requirements. In that case, the Court reasoned that, absent evidence to the contrary, a “presumption of regularity” applied to the acts of public officers, particularly judicial acts, and then cited a case stating that taking an acknowledgement qualified as a judicial or quasi-judicial act. The Court then cited several secondary authorities supporting its holding, including this quotation from *American Jurisprudence*, “Probably in all jurisdictions the courts strongly advocate a liberal interpretation of the statutes, in order that acknowledgements may be upheld wherever there has been a substantial compliance with the law and no suspicion of fraud or unfairness attaches to the transaction.” As of the writing of this article, *Freeman* has not been overruled. Cases citing

continued on next page...

Back to the Books: Tips to Take and Pass the Two Most Popular Paralegal Exams.

By Stacey Hunt, CLA, CAS and Ann Price, RP

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Professional certification lends credibility to any profession, and the paralegal profession is no exception. Although paralegal certification is voluntary, an exam is often part of the certification process. Nationally, Nals ... the association for legal professionals has offered various exams in the legal field since 1960, adding one specifically for paralegals, the Professional Paralegal exam, in 2004. On a local level, several states have their own paralegal certification exams, including California, Texas, Ohio, Louisiana, North Carolina and Florida.

According to the Legal Assistant Today 2006 Salary Survey, the two most widely taken exams are also the two oldest: the National Association of Legal Assistants’ Certified Legal Assistant exam, created in 1976, and the National Federation of Paralegal Associations’ Paralegal Advanced Competency Exam, created in 1994. What are these exams all about and how can you prepare for them? In this article, two veteran paralegals give you all the background information, requirements and study tips you need to hit the books and get started on your next professional journey.

The CLA Exam: 30 Years and Still Going Strong

By Stacey Hunt, CLA, CAS

The “granddaddy” of voluntary certification examinations for paralegals is the CLA program offered by NALA. The examination has recently added a second designation, Certified Paralegal, for those who prefer the paralegal title. As of June 1, 2005, 12,883 paralegals had earned the CLA/CP designation. There is a 45 percent to 50 percent pass rate.

DESIGN OF THE EXAMINATION

To earn the CLA/CP designation, paralegals must take a comprehensive two-day examination on federal law and procedure, consisting of the following five sections:

- Communications, which covers grammar, composition, writing, vocabulary, professional and social contacts with clients, attorneys and co-workers, and skills for interviewing clients and witnesses.
- Ethics, which covers confidentiality, unauthorized practice of law, conflict of interest, advertising, identifying oneself as a nonlawyer to the public, professional integrity, attorney codes and discipline.
- Legal Research, which covers sources of law, primary and secondary authority, citing, Shepardizing, citation rules and research problems.
- Judgment and Analytical Ability, which covers analyzing facts and evidence, reading comprehension, data interpretation and logical reasoning. Examinees also must write a research memo.
- Substantive Law, which is a general section that covers the American court system, including structure and jurisdiction,

branches of government, sources of law, the appellate process, and sources and classifications of law.

Examinees then are tested on four subsections of their choice from the following areas of law: administrative, bankruptcy, business organization, civil litigation, contracts, criminal law and procedure, estate planning and probate, family law or real estate.

To be eligible to take the CLA/CP examination, a legal assistant must meet one of the following requirements:

- Graduate from an American Bar Association-approved legal assistant program, associate degree program or a post-baccalaureate certificate program in legal assistant studies; or graduate from a bachelor’s degree program in legal assistant studies or from a legal assistant program that consists of a minimum of 60 semester hours, of which at least 15 semester hours are substantive legal courses.
- Earn a bachelor’s degree in any field, plus have one year of experience as a legal assistant. Successful completion of at least 15 semester hours of substantive legal assistant courses will be considered equivalent to one year of experience as a legal assistant.
- Obtain a high school diploma or equivalent plus seven years of experience as a legal assistant under the supervision of a member of the bar, plus evidence of a minimum of 20 hours of continuing legal education credit to have been completed within a two-year period prior to the examination date.

The CLA/CP examination is offered in locations around the country three times a year, in March or April, July and December.

NALA has a two-day testing schedule, always starting on Friday, and you should know it ahead of time so you can be mentally prepared. On Friday from 9:30 a.m. to 11 a.m. you will be tested on communications. After a 90-minute lunch break, the judgment and analytical ability portion of the test will be given from 12:30 p.m. to 3 p.m. That evening you will have a chance to review for Saturday’s sections: ethics from 9:30 a.m. to 10:30 a.m. and legal research from 11 a.m. to 12:30 p.m. After a lunch break on Saturday, you will sit for the final section, substantive law, from 1:45 p.m. to 3:45 p.m.

One of the most difficult sections is the judgment and analytical ability portion, which requires you to write (not type) a research memo.

STUDYING FOR THE EXAMINATION

There are many ways to study for the CLA/CP examination. If you like to study independently, NALA has published three guides through Thomson Delmar Learning/West Legal Studies to help paralegals prepare for the examination. The first, the CLA Review Manual, is practically a must-read if you want to pass the examination. Each chapter covers a different section of the examination with sample questions and practice tests.

The second guide, the NALA Manual for Paralegals and Legal Assistants, covers general skills on which you will be tested during the examination, including the American legal system, research, ethics, judgment and analytical ability, interview techniques and

continued on next page...

Back to the Books continued...

other topics such as pretrial litigation skills, discovery and assisting at trial.

The guide book is the CLA Mock Examination and Study Guide, which consists of a two and a half hour mock examination. This guide is useful to help you find out where your strengths lie in the four substantive legal areas so you can sign up for those you are best in. The books can be ordered from the NALA Web site at www.nala.org. NALA also offers online self-study programs for eight different test areas. These are available 24 hours a day, seven days a week and can be taken at your own pace. The programs are available through NALA Campus (www.nalacampus.com).

If you would rather study with others, many state and local paralegal associations offer review programs for their members, or you also can form your own study group. Study groups usually meet once a week for three to four months before the examination, and they are a great way to keep up your enthusiasm and commitment.

Twice a year, NALA provides examination review programs. In October, the CLA Short Course is offered at a central location. (The October 2006 Short Course was taught in Denver.) The Short Course is a two and a half day program focusing on topics that you will be tested on during the examination. Every July at the NALA annual conference, the Essential Skills program is offered. The July 2007 Essential Skills program will be offered in New Orleans from July 11 to July 14.

NALA also offers live Web-based presentations of its Short Course programs through NALA Campus Live. The programs are interactive and participants are able to ask the instructors questions and discuss matters with other students. A telephone and a computer with high-speed Internet access are required. You can find more information at www.nalacampus.com.

CLE AFTER THE EXAM

Once you have earned your CLA or CP designation, congratulations, but the work doesn't stop here. To maintain your certification, you are required to complete 50 hours of CLE every five years. This must include at least five hours of legal ethics.

There are many ways to earn these hours, including attending conferences, seminars and workshops, taking NALA Campus Live courses, researching and writing articles in legal publications, and teaching or passing a NALA Advanced Specialty course.

TAKING THE PLUNGE

Studying for the CLA/CP examination requires a large time commitment, and some expense for the study materials, the examination fee and travel to the examination site and lodging. Will all this time and effort be worth it? The results are mixed on compensation.

NALA conducts a National Utilization and Compensation Study biannually. The results of the 2004 survey showed that average compensation for a non-CLA was \$45,651, while the average compensation for a CLA was \$47,331. The figures reported in Legal Assistant Today's 14th Annual Salary Survey (see "Taking Off," March/April 2006 LAT) show an average salary of \$51,078 for all paralegals as compared to an average salary of \$45,108 for CLAs.

For some, the CLA designation has translated into additional compensation, but money alone is not the major draw for a lot of CLAs. Many report feelings of personal satisfaction and accomplishment after successful completion of the examination.

Others find it provides a tremendous boost to their self-esteem and added prestige at their jobs.

PACE REGISTERED PARALEGAL:

Recognizing Excellence In The Paralegal Profession

By Ann Price, RP

A relative newcomer, PACE was created when delegates from the member associations of NFPA voted to develop a voluntary, advanced-level competency exam. PACE was designed to establish a national standard of paralegal excellence for experienced paralegals and to test critical thinking and problem-solving skills.

The resulting exam is neither state- nor practice-specific. Today, 11 years after its inception, there are more than 500 PACE Registered Paralegals in the United States. The most recent scoring run indicates a 63 percent pass rate.

PACE was created to provide a means for the general public and the legal community to evaluate paralegal expertise. If employers or clients see the designation "RP" after a paralegal's name, they know that the paralegal has risen to a national standard of excellence, competence and experience, and passed a demanding national certification examination that tests basic legal principles and ethics and their practical application.

EXAM ELIGIBILITY

PACE is not an entry-level certification exam. It's an exam of advanced competency with strict eligibility guidelines. Candidates must submit applications, supported by college transcripts and affidavits attesting to the nature and duration of substantive paralegal work experience. Candidates also must meet character requirements. An independent testing agency reviews applications to ensure eligibility.

To be eligible to take PACE, a candidate must have one of the following:

- a bachelor's degree in any area of study (institutionally accredited or ABA approved) and three years of substantive paralegal experience;
- a bachelor's degree (institutionally accredited or ABA approved) plus completion of a paralegal program (the paralegal program can be included in the bachelor's degree if applicable) and two years of substantive paralegal experience;
- an associate's degree in paralegal studies (institutionally accredited or ABA approved) and six years of substantive paralegal experience; or
- no degree and four years of substantive paralegal experience that must have been completed on or before Dec. 31, 2000 (grandfather clause).

PACE candidates don't need to travel long distances or wait several months to take the exam. Approved candidates can schedule the location, date and time for their exam at their convenience, at any one of the more than 200 Prometric (formerly Thomsen Prometric and Sylvan Learning Centers) testing facilities. The convenience of the exam's availability is one factor distinguishing it from other certification exams.

For NFPA members, the exam costs \$225 plus a \$25 application fee. For non-NFPA members, the exam costs \$250 plus a \$75 application fee.

Most of the exam fee covers the costs to administer the exam. NFPA procedures require that half of any profits are directed to the Foundation for the Advancement of the Paralegal Profession,

continued on next page...

Notaries Public continued...

The Final Result

The newly revised Chapter 10B now contains the following:

- An extensive definition listing—some revised and some new for clarification of the statutes;¹²
- Additional requirements for qualification to become a notary, including proof of legal residency in the United States, and the ability to speak, write, and read English;¹³
- Clarification of grounds for denying a notary commission;¹⁴
- Clarification and enhancement of educational requirements for commissioning of non-attorneys, including six hours of classroom instruction within three months preceding application,¹⁵ passage of a mandatory test with a score of 80% or better for initial and re-appointment applicants (excepting licensed members of the North Carolina Bar and certain other long-time notaries¹⁶);
- Maximum fee for performing a notarial act increased to \$5.00 per signature;¹⁷
- Clarification of the proper procedure for acknowledging a person's mark and for acknowledging an instrument for a person who is unable to sign or make a mark;¹⁸
- Clarification of the requirement that a notary sign by hand in ink (i.e. no facsimile or signature stamps);¹⁹
- Clarification of grounds or situations in which a notary is prohibited from notarizing an instrument;²⁰
- Clarification and simplification of various acknowledgment forms;²¹
- Clarification of process for a notary change of status (i.e. change of name, address, county, and resignation of commission);²²
- Enhancement of criminal penalties for a variety of notarial offenses, including making a person who knowingly solicits, coerces, or materially influences a notary to perform official misconduct an aider and abettor, therefore subject to the same level of punishment as the notary performing the misconduct;²³
- Clarification in statutory form that the "presumption of regularity" created by the doctrine of substantial compliance shall apply to all notarial acts, absent evidence of fraud or knowing and deliberate violation of Chapter 10B by the notary;²⁴
- Addition of a precautionary curative provision for all notarial acts performed before October 1, 2006.²⁵

Practice Tips

There are a few items worth a special mention to all notaries. The first is that, even though the non-exclusive statutory forms provided in the amended N.C.G.S.A7 10B-41,²⁶ 42,²⁷ 42.1,²⁸ and 43²⁹ are quite simple, those forms do not change the notary's role and duties when performing an official act. N.C.G.S.A7 10B-40 clearly states that, regardless of whether it is stated in the certificate, the notary is certifying to all of the requirements of an official act,³⁰ including the following by virtue of the now-amended N.C.G.S.A7 10B-40(a2),³¹ which reads as follows:

(1) At the time the notarial act was performed and the notarial certificate was signed by the notary, the notary was lawfully commissioned, the notary's commission had neither expired nor been suspended, the notarial act was performed within the geographic limits of the notary's commission, and the notarial act was performed in accordance with the provision of this Chapter.

(2) If the notarial certificate is for an acknowledgment or the administration of an oath or affirmation, the person whose signature was notarized did not appear in the judgment of the notary to be incompetent, lacking in understanding of the nature and consequences of the transaction requiring the notarial act, or acting involuntarily, under duress, or undue influence.

(3) The notary was not prohibited from acting under G.S. 10B 20(c).

Therefore, it is important the notaries remain mindful of their duties and roles regardless of whether or not the certificate they are using specifically recites the required elements.

The second practice tip is that the forms for various certificates provided in Sections 18, 19, 20, 21, and 22 of S.L. 2006-59 are non-exclusive and are meant to supplement, not replace, those that are already prescribed by other state laws. Section 18 of S.L. 2006-59 specifically states that notarial certificates are sufficient and shall be accepted if they are substantially in the form set out in Chapter 10B³² or if they are substantially in a form otherwise prescribed by the laws of this State.³³

My final practice tip to all attorney/notaries out there: consider taking a notary public course offered through your local community college. Due to licensure by the NC State Bar, we are exempted from taking such a course before becoming commissioned as a notary. However, taking one of these classes will serve to give you training in an area of law that many of us only come into contact with incidentally or indirectly. We have had attorneys tell us that taking the notary course was one of the most useful courses they had taken to improve their understanding of an everyday part of their practice.

E-Notaries: The Next Generation

I would be remiss if I did not take this opportunity to inform my colleagues about the exciting developments surrounding e-notarization in

continued on next page...

Notaries Public—What's the Big Deal? And the New Chapter 10B of the General Statutes

By Haley Haynes

This article was originally published in the Winter 2006 (Vol. 11, No. 4) edition of the North Carolina State Bar Journal.

If you had asked me before I joined the NC Secretary of State's staff about the importance of notaries public to society, I would have answered out of ignorance: "They serve to witness signatures—what's the big deal?" Now I know better. Notaries public are state-appointed officials who play a vitally important role in the deterrence of fraud by requiring that signers of legal documents be positively identified, as well as making sure the signer is signing knowingly and willingly. No technology can take the place of an impartial and unbiased individual identifying another person. In short, the notary is often the first, and sometimes best, line of defense against fraud in this age of increasing identity theft.

Recent enactments by the General Assembly include Session Law 2005-391, creating a new Chapter 10B in the General Statutes, and Session Law 2006-59, which further revises Chapter 10B. These laws serve to provide clear guidance to notaries regarding the standards to which they must conform. Plus, the changes still allow third parties to rely on notarizations for conducting their business even in the event of a technical defect within a notarization.

Additionally, S.L. 2005-391 took the steps necessary to enable electronic notarization (hereinafter "e-notarization") and electronic recording (hereinafter "e-recording"). As a result, North Carolina is positioned to be the first state to enjoy widespread adoption of both e-notarization and e-recording, further enhancing our financial and business communities' competitive edge in the global economy.

Chapter 10B: The Creation

At the direction of the General Assembly, the Department of the Secretary of State (hereinafter, the "Department") studied Chapter 10A in order to modernize and to improve the laws concerning Notaries Public.¹ Additionally, the Department was directed to study the appropriate method for authorizing e-notarization.² The Department undertook the General Assembly's mandate in two parts. First, for the "regular" notary act, in February 2005 the Department published for comment a re-draft of Chapter 10A based upon our extensive experience in commissioning and regulating approximately 168,000 notaries. Secondly, for the e-notary and e-recording portion, Secretary of State Elaine F. Marshall³ convened an advisory council of stakeholders⁴ in order to provide recommendations to her for transmittal to the General Assembly regarding the appropriate mechanism for enabling e-notarization and e-recording.⁵

After numerous meetings and vigorous public policy discussions, the Advisory Council on Uniform Real Property Electronic Recordation Act (hereinafter "URPERA") and E-Notarization provided its recommendations to Secretary Marshall.⁶

The Secretary reported to the General Assembly at the beginning of the 2005 Session.⁷ Throughout the 2005 Session, the North Carolina Bar Association's Real Property Section, the North Carolina Bankers' Association, the North Carolina Land Title Association, the North Carolina Register of Deeds' Association, and the Department, as well as a number of other organizations, continued to work on the mutually shared goal of providing an improved regular notary act and enabling e-notarization and e-recording in North Carolina. It was through the significant efforts by the leadership of all of these organizations to reach a common agreement on the text of the entire bill that this goal became reality with the passage of Senate Bill 671. On August 24, 2005, the General Assembly overwhelmingly approved this legislation, creating the new Chapter 10B, Notaries.

After the dust settled from the 2005 Session, concerns were raised about various unintended consequences from the new Chapter 10B. Among those concerns were: whether the repeal of Chapter 10A had any effect on the long-established common law concept of compliance⁸; whether the Chapter's new acknowledgment forms, which were intended to serve as "universal" forms, confused the issue of legal requirements of a notary's acknowledgment. To their credit, the drafters of the acknowledgments went back to the drawing board to re-work the acknowledgement forms in a fashion that would meet the intended goal of providing easily-used universal acknowledgment forms in North Carolina statutory law. The results of their efforts now exist in the recently-amended Chapter 10B,⁹ set to take effect on October 1, 2006. Legislative research staff were instrumental in teasing out and separating within the notary law two equally important concepts: (1) the authority of the Secretary to effectively regulate the conduct of notaries public in order to accomplish the underlying goals of the notary laws,¹⁰ and (2) the ability of third parties to rely on notarizations in the event of technical defects in a notarization. An example of this differentiation within the law can be seen in N.C.G.S.A. 7 10B-37: "Seal Image" which provides that the failure of a notary's seal to conform to statutory requirements is a matter for which a notary may be disciplined but "failure of a notarial seal to comply with the requirements of this section shall not affect the sufficiency, validity, or enforceability of the notarial certificate."¹¹

continued on next page...

Back to the Books continued...

an independent nonprofit foundation created to promote the paralegal profession. Although created by NFPA, the Foundation is separate from NFPA with its own independent board of directors.

EXAM MAKEUP

PACE consists of 200 multiple-choice questions. Candidates have up to four hours to complete the exam, although most finish within two hours. PACE is computer based and taken under controlled testing conditions at a Prometric testing facility. Prometric centers are located in most major cities in the United States. They are accessible, and many large cities have multiple locations. Candidates are not allowed to take any personal items into the testing room, and examinations are videotaped to ensure there isn't any wrongdoing. Preliminary test results are provided within minutes of completing the exam, although they will not be official until the test scores are validated in June and December of each year. The validation process includes a detailed review to analyze trends and identify potentially troublesome questions. One must know legal principles and have experience to succeed on PACE.

Areas that are tested throughout the exam include:

- administration of client legal matters;
- development of client legal matters;
- factual and legal research;
- factual and legal writing;
- office administration;
- ethics;
- technology; and
- terminology.

A paralegal meeting the minimum criteria for the exam should be able to use logical thought processes, elimination of incorrect answers and their expertise in the basic legal principles to correctly answer the test questions.

STUDY AIDS

NFPA has developed many study tools to assist candidates preparing for the exam. Even an experienced candidate should thoroughly review the PACE Study Manual published by NFPA (available at www.paralegals.org) prior to taking the exam. Each chapter includes sample test questions with detailed explanations of the logical process to deduce the correct response.

Examinees also should review other sources, including paralegal textbooks, seminar materials, flash cards and bar charts for law students, and paralegal journals such as *The National Paralegal Reporter and Legal Assistant Today*. In addition, NFPA offers a 50-question online practice exam that simulates test conditions.

NFPA encourages candidates to participate in a study group if possible. Study groups are organized at the local level, although NFPA can assist by providing sample guidelines, a sample syllabus and other information to help the study groups prepare for the exam. Study groups can be as formal or informal as the participants want. NFPA recommends that study groups meet at least once a week and follow the suggested syllabus over a seven- to eight-week period, although they can meet more often or less often. The group can be taught by members taking turns on the various study areas, or the group leader can solicit speakers from the legal community.

NFPA also encourages local member associations to designate

an individual as a PACE Ambassador. The local PACE Ambassador can be an invaluable resource in linking candidates to RPs in their local areas, mentoring candidates, offering review courses and facilitating study groups. Many local PACE Ambassadors have developed their own study tools. For example, the National Capital Area Paralegal Association in Washington, D.C., has compiled notebooks of additional study materials, notes from prior study groups, articles from legal publications and more to help candidates prepare for the exam. Also, NCAPA has developed flash cards for legal terminology. Each association maintains its own resource materials in addition to the Study Manual. If you are not a member of a local paralegal association and would like to contact a PACE Ambassador in your area, you can contact NFPA headquarters at info@paralegals.org or (425) 967-0045.

Study groups don't work for all paralegals. Many find it impossible to study any other way but individually. Recognizing that study groups are not an option for many paralegals, NFPA partnered with the American Institute for Paralegal Studies to offer a seven-week, online study course for PACE. This review course includes mentoring, discussions, homework assignments and online lectures, and ultimately provides a structured form of study. It also encourages a disciplined approach to study that many paralegals find difficult to maintain if they study on their own. The online course is available to anyone with an Internet connection and can be accessed any time. Many RPs credit the course for their success on the exam. The review course is offered several times a year, and more information is available at www.paralegals.org/displaycommon.cfm?an=1&subarticlenbr=125.

AFTER THE EXAM

RPs must meet CLE requirements, which include ethics training, to maintain their certification. RPs must renew their certification every two years and provide evidence of at least 12 hours of CLE (approved by the CLE coordinator on a case-by-case basis unless the CLE credits were obtained from a previously approved provider, e.g., bar associations, colleges and universities, etc.). At least one hour of CLE must be in ethics.

MAKING THE COMMITMENT

The single most important resource a PACE candidate can take into the test facility is the desire to become an RP. Making the commitment to take PACE is not something to be taken lightly or forced on anyone. The exam is voluntary, and candidates must be in the proper frame of mind to succeed. They must be confident of their skills and knowledge, but shouldn't approach the exam in an overconfident manner either.

Why should a paralegal take PACE? The reasons are as varied as the 500 plus RPs who have passed the exam to date, but they generally fall into the following categories:

- Career paralegals want to validate their expertise by taking a nationally recognized certification exam;
- In the absence of regulation, or with regulation on the horizon, paralegals want to establish their own identifiable standards of professional excellence;
- National certification provides a sense of professional accomplishment;
- Certified paralegals can gain recognition and respect from peers;
- Certified paralegals can enhance their marketability and stand apart from the rest of the uncertified paralegal workforce; and

continued on next page...

Back to the Books continued...

- Some employers offer higher salary levels or bonuses for certification.

There are many reasons why a paralegal might not want to take PACE, and indeed it's not an exam for everyone. Many candidates don't meet the education and experience criteria, or another national certification exam might be better suited to their background. Some paralegals might worry about how to fit studying for the exam into their schedule or be unsure of how exactly to study for the exam. And some paralegals resist taking the exam simply because of the fear of failure. No one, especially an experienced paralegal, likes to face the possibility of not passing a national competency exam. If you are a paralegal who is eligible for the exam but have some of these concerns, contact me or my future vice president and director of PACE at VPDP@paralegals.org. We might be able to help you work around some of these obstacles.

Paralegals who face their fears and pass the exam gain a huge sense of professional pride and accomplishment. They are authorized to use the trademarked phrase "PACE Registered Paralegal" or "RP." Some RPs enjoy increased pay, promotions or new job opportunities. Some find themselves in positions of additional responsibility within their place of employment and take on leadership roles within the paralegal community. At a minimum, many new RPs note the increased peer recognition that comes almost instantly with the announcement of their certification.

One of the most important reasons to become an RP is that

you want to become certified. Having a positive attitude is as critical to passing this exam as work experience and study. There are many resources to help prepare for the exam. With proper preparation and the right motivation, it's possible to pass PACE. For more information about PACE, please visit the NFPA Web site at www.paralegals.org and click on "PACE/RP."

SIDE BAR

Exam Tips

By Stacey Hunt, CLA, CAS

When it comes to test time, if possible, find a place to stay near the exam site the night before the exam so you don't have to rush in on the morning of the test. Allow yourself the luxury of being able to do some last minute review the night before without staying up late.

Here are some additional recommendations:

- Take vacation time the week before the test to prepare.
- Transcribe handwritten notes from study group classes and create flash cards for quick and easy review.
- Study a little at a time and don't focus on the whole exam.
- Be prepared physically as well as mentally by getting plenty of sleep before the exam and eating well. ♦

Ethics Corner

Therese A. Morin, NCCP

One of our members submitted the following question:

"Is it ethical for attorneys to bill clients for the attorney's time (at the attorney's billing rate) for work completed by paralegals? If not, what is the appropriate way for paralegals and other staff to address this issue when it happens?"

The question was presented to Alice Mine of the NC State Bar who responded as follows:

There is no ethics opinion on point. However, a lawyer has a duty to deal honestly with clients and to comply with the fee agreement with the client. See RPC 190 (on billing for reused work product): "Implicit in an agreement with a client to bill at an hourly rate for hours expended on the client's behalf is the understanding that for each hour of work billed to the client, an hour's worth of work was actually performed." If the fee agreement provides that the lawyer's work will be

billed at \$X per hour and the paralegal's work will be billed at \$Y per hour, the lawyer must comply with this billing arrangement or seek the client's agreement to modify the fee arrangement.

How to raise the issue with the lawyer is a difficult question. One thing a paralegal can do is tell the lawyer that she is "concerned" and suggest that the lawyer contact the State Bar for an opinion on his conduct. That way, the paralegal is not telling the lawyer that what he is doing is improper.

It should be noted that Ms. Mine, in her response, was not commenting on the conduct of a specific attorney.

Please contact the Ethics Committee Chairperson with any questions and/or comments at tam@vernonlaw.com or write at P.O. Drawer 2958, Burlington, NC 27216. ♦

Certified Members continued...

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Elizabeth H. Richardson
April N. Ritter
Beth J. Robertson
Sharon G. Robertson
Ann C. Rogers
Melisa D. Rollins
Pam T. Ross
Betty-Lou Rosser
Connie Rowe
Angela E. Roy
Joy Rubenstein
Bonnie T. Ruffin
Trudy Rutherford
Melissa A. Rutledge
Pauline Marie Sale
Kathryn M. Samuelson
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Valerie R. Shaw

Susan M. Shaw
Christine Shedrow
Patricia M. Siler
Shelli L. Simontacchi
Marcia L. Siuda
Teresa N. Smith
Yolanda Nicole Smith
Belinda M. Smith
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Meredith A. Soetermans
Tina S. Spears
Donna Hicks Spencer
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June O. Stewart-Sansom
Melissa Stockley Jones
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Sandra R. Strickland
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Mariann Swoyer
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Susan J. Talbert
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Michele A. Tuttle
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Elizabeth E. Vasques

Sherry G. Vaughan
Mary P. Wachob
Cara V. Wagoner
Jane Walker-Payne
Tammy L. Wallace
Carrie Johnson Walters
Simone C. Walton-Cato
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NCPA would like to congratulate the following members who have been certified by the North Carolina Board of Paralegal Certification as of January 31, 2007:

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Christine Garvin Bolyard	Tara G. Eudy	Staphanie Ivans	Frances Morris
Patty L. Bondurant	William Everhart	Lauren B. Jacuzio	T. Diane Mowrer
Barbara A. Booker	Jessica Carol Fann	Tracy Johnson	Elizabeth Macklen Narron
Thomas James S. Borges	Kelly M. Fesperman	Mary N. R. Johnson	M. Ann Necessary
Jennifer Roediger Boucher	Donna K. Fickenworth	Jo Ella Johnson	Annie E. Nelson
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Jennifer L. Chilton	Margaret F. Goldston	Sherian A. Liles	Jan Proctor
Patricia F. Clapper	Leigh M. Goodin	Paula Lovitt	Mara E. Purcell
Tiffany Driver Clark	Ruth H. Goodman	Jann G. Lund	Sharon M. Queen
Louann A. Clarke	Susan E. Gray	Brenda Lynam	Wayne Quick
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Meet The Candidates

The Slate of NCPA Officer Candidates for the 2007-2008 year is presented for your consideration. Nominations were received for the following officer positions:

★ **Kaye H. Summers, CLA, NCCP**
for the Office of President

★ **Patricia F. Clapper, ACP, NCCP**
for the Office of First Vice President

Ballots will be cast at the Annual Membership Meeting on March 23, 2007 at 3:30 p.m. at the Sheraton New Bern Hotel & Marina in New Bern, NC.

The following recommendations for District Directors were received:

★ **Two Year Term - District II:**
Tiffany D. Clark, NCCP

★ **Two Year Term - District VIII:**
Amy D. Moore, CP, NCCP

Pursuant to Standing Rule VIII(C)(7)(c) they will be declared Directors by acclamation of the Board at the March meeting.

Declaration of Candidacy for the Office of President

My name is **Kaye H. Summers**. I have worked as a paralegal in Durham since 1985. For the last 10 years, I have been a paralegal with Pulley, Watson, King & Lischer, P.A. in Durham, North Carolina. I work with Managing Partner Malvern King and Dieter Mauch on all types of commercial transactions, commercial litigation cases, and personal injury litigation cases. I earned my CLA designation from National Association of Legal Assistants (NALA) in 2001, and my NCCP designation in 2005. I am a member of the North Carolina Paralegal Association, and am currently serving as Registration Chair. I am also a member of the Legal Assistants Division ("LAD") of the North Carolina Bar Association ("NCBA") and serve as LAD Liaison for the General Practice Solo and Small Firm Section, a position I have held since 1999. I am currently serving as the Chair of the Utilization Committee for LAD, and produced a brochure entitled *PARALEGALS: An Asset To Your Team, An Overview of Paralegal Services*. I have been a member of the National Association of Legal Assistants since 2001. I am currently serving on the Advisory Board for the paralegal program at Durham Technical Community College. My article *Surviving the Incapacitation of Your Employer*, an article inspired by my work with the Rich Harris Committee, was published in the February 2004 edition of *Facts & Findings*, the national publication of NALA; the Spring 2004 edition of the *NCPA FORUM*; and the April 2004 edition of *TALA News*, a publication of the Toledo Association of Legal Assistants in Toledo, Ohio. I have enjoyed all of the various positions that I have held in the past with NCPA. Through my

involvement with NCPA, I have gained a great deal of knowledge in the various areas of law in which I have experience, and NCPA has also given me the confidence to believe in myself as a paralegal. NCPA is truly an extraordinary association and I look forward to serving as your President for the year 2007 and 2008.

Declaration of Candidacy for the Office of First Vice President

My name is **Patricia F. Clapper, ACP, NCCP** - most of you know me as Patti, and I am running for the office of First Vice President.

I graduated with honors from Central Carolina Community College in 1993 with my Associates Degree in Paralegal Technology. I have been working at Levine & Stewart in Chapel Hill since 1995. Levine & Stewart is a general practice, so I have experience in a lot of different areas. I also serve on the Paralegal Curriculum Advisory Board at CCCC. I obtained my CLA designation in 1996 and my APC designation in litigation in 2004. I obtained my NCCP in 2006.

I have been a member of NCPA since 1996, serving as the Senior Editor of the FORUM, as Treasurer, as Technology Chair, and most recently as District II Director and Annual Seminar Co-Chair. I believe my experience in working with the Annual Seminar the last two years will be invaluable to me in serving as NCPA's First Vice President.

Over the last 10 years, I have made many new friends within NCPA and have come to learn how invaluable membership in such a wonderful association can be. I hope to share that message with others and look forward to serving NCPA's members as First Vice President.

Candidate for District II Director

My name is **Tiffany Clark** and I am running for the position of District II Director for the 2007-2008 membership year. I am a paralegal for Dionne Loy Fortner of Woodruff, Reece & Fortner in Smithfield, North Carolina. I have worked with Dionne Fortner, a Board Certified Specialist in Family Law, since June 2002, and have assisted her with all cases pertaining to family law, including separation/divorce issues, child custody, child support and adoptions. I have also prepared and assisted in the execution of Wills and Power of Attorneys. Prior to coming to work with Dionne Fortner, I worked for the law firm formerly known as Atkins & Stephenson in Raleigh, which also specialized in family law. I joined NCPA approximately three years ago and have learned a great deal about the paralegal profession since joining by attending various seminars and continuing education classes. In addition to being a member of NCPA, I am also a member of the Legal Assistants Division of the North Carolina State Bar, and I received recognition as a North Carolina State Bar Certified Paralegal in September of 2005.

On a personal note, I have been married for four and one-half years and we are expecting a baby girl on March 14, 2007.

I am excited about this opportunity and would be honored to serve as your District II Director for this upcoming year. ♦

MEET NCPA MEMBER...

Roxanne Crouch
NCPA Member for 3 years

Ms. Crouch has been a paralegal for 2 years. She has a Bachelor of Science in Marketing. She obtained a Post-Baccalaureate Diploma in Paralegal Technology from Central Piedmont Community College ("CPCC"). Prior to becoming a paralegal, Ms. Crouch was a self-employed business owner. After closing her business, she began researching various careers. She saw an ad in the newspaper promoting a paralegal program at a local college. The ad peaked Ms. Crouch's interest. She recalled a conversation with her brother-in-law, an attorney, in which he encouraged her to investigate the paralegal profession. She decided to attend the post-baccalaureate paralegal program at CPCC and graduated from the program in 2004. Ms. Crouch currently works with BB&T in Charlotte. She works in the area of municipal and tax exempt financing. She drafts and negotiates contracts for tax exempt financing. She also perfects security interest and works with local government units to assist with the closing of transactions. Ms. Crouch's advice to those interested in the paralegal profession is that they research the profession by speaking with paralegals, instructors and attorneys. She also suggests that they join and become involved in their local paralegal association.

Barbara A. Booker, CLA, NCCP
NCPA Member for over 10 years

Ms. Booker has been a paralegal for almost 15 years. She has served as NCPA First Vice President, District IV Director, and Chairman of the Board. She began working for a law firm in a clerical position. As time progressed, Ms. Booker's clerical responsibilities were delegated to another employee and she began to concentrate on paralegal duties. She is currently employed with the law firm of Nexsen Pruet Adams Kleemeier, PLLC in Greensboro. Ms. Booker's main areas of practice include business litigation and family law. Amongst many other legal duties, she assists with trial and deposition preparation, conducts online research, and participates in client conferences. She also conducts document reviews and assists with document management. Ms. Booker drafts correspondence and pleadings, prepares documents for discovery production and assists with the compilation and preparation of exhibits. She obtained her CLA designation in 1996 and her NCCP designation in 2005. Ms. Booker suggests that all potential paralegals research the certification provisions to assure that their paralegal education program complies with the North Carolina State Bar's requirements. She also recommends that those interested in the legal field interview paralegals in various practice areas to observe which areas may appeal to them. ♦



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Ms. Clapper can be reached at
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NALA Liaison's Report

Darlene M. Patz, CP



Congratulations to the following people who passed the CLA Exam given in July of 2006: Melissa M. Gillen, CLA of Durham, Lloyd H. Harrison, Jr., CLA of Charlotte, Phyllis M. Hines, CLA of Morrisville and Elizabeth Vance, CLA of Greensboro. Currently, there are 395 CLAs in North Carolina.

NALA Campus LIVE! began January 30, 2007, and offers 31 informative programs during the spring schedule. Programs include Evidence (Basic, Intermediate and Advanced), Trademark Prosecution, Commercial Leases, Advanced Ethics, Immigration Pitfalls along with many others including many CLA/CP Review programs. Need CLE credit? Remember NALA Campus offers ten courses available twenty-four hours a day and seven days a week. Most NALA Campus LIVE! and NALA Campus self-study programs qualify for credit toward maintaining the CLA/CP credential. In addition, the North Carolina State Bar has given provisional approval to NALA Campus and NALA Campus LIVE! programs for CPE credit. For more information on NALA Campus LIVE!, including a complete schedule, registration, and up to date information, please visit www.nalacampus.com.

NALA membership dues are due March 31, 2007. Renewal notifications have already been sent out.

NALA President Tita Brewster, has graciously agreed to attend NCPA's 2007 Annual Meeting as a speaker at the CLA/CP breakfast.

Upcoming NALA dates and deadlines:

March 23 - 24, 2007 CLA Examination

May 15, 2007 Deadline for registration for the July 2007 CLA Exam

May 30, 2007 Deadline for late registration for the July 2006 CLA Exam

July 20 - 21, 2007 CLA Examination

July 11-14, 2007 NALA's 32nd Annual Convention & Exhibition in New Orleans, Louisiana

October 1, 2007 Deadline for registration for the December 2007 CLA Exam

October 16, 2007 Deadline for late registration for the December 2007 CLA Exam

November 30 - December 12, 2007 CLA Examination

For further information on NALA or the CLA/APC programs, please email me at dmp1002@carolina.rr.com. ♦

**Statewide News
& Seminars**

Guilford Paralegal Association, an NCPA affiliate, will sponsor a full-day continuing education seminar on Saturday, May 5, 2007 at the Hilton Garden Inn on Big Tree Way in Greensboro. GPA is seeking approval for 6 hours of NCCP credit for this seminar. Registration information, speaker details and credit approval will be listed on our website: www.guilfordparalegalassociation.org. GPA met at the new Elon University Law School in downtown Greensboro on March 13 and will also hold its April 10 meeting there with Frank Forde, a real estate paralegal at Carruthers & Roth, P.A., presenting on the Surveys & Legal Descriptions. Details about this meeting are available on GPA's website. GPA's monthly meetings are open to any attorneys, legal support staff, and others connected to the legal profession who wish to attend. Visit GPA's website or contact Blanche Berkowitz at 336-854-1950 for information on meetings, events, and local continuing education opportunities. ♦

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