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North Carolina Paralegal Association, Inc.



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

# Step Up Your Game

### BREAKING INTO TODAY'S PARALEGAL PROFESSION



The NCPA is an Affiliate Member of the National Association of Legal Assistants, Inc.

### IN THIS ISSUE...

- Step Up Your Game
- Most of the time we know the answer...but is it Ethical?
- Mid-Year Seminar Review

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To submit materials for publication, please send to the Senior Editor at brandonlruth@gmail.com.

For advertising and rate information for the NCPA FORUM, contact the Advertising Editor at brandonlruth@gmail.com.

Subject to availability, back issues may be found and printed online at www.ncparalegal.org, under the publications link.

Contributions or gifts to NCPA are not deductible as charitable contributions for federal income tax purposes; however, payments may qualify as ordinary and necessary business expenses.

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

Opinions expressed in articles and features herein are those of the author, and do not necessarily reflect the views of NCPA. The Editor strongly encourages the submission of materials for publication. The Editor reserves the right to edit material and accept or reject materials submitted.



#### **Table of Contents**

President's Message	2
Chairman's Message	2
2nd Vice President's Report (Membership)	4
Editor's Court	5
NCPA Student Scholarships	8
Tech Tips	
Statewide News	11
NALA Liason's Report & Calendar of Events	13
Step Up Your Game	14-15
Most of the Time We Know the Answer	17
Mid-Year Seminar Supporters	20
Mid-Year Seminar & Review Course	21
NCPA Member Birthdays	24
NCPA Contacts List	



Be sure to let us know!

Send both your old and new address information to:

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#### NORTH CAROLINA PARALEGAL ASSOCIATION, INC. . WINTER 2010



Patricia F. Clapper, ACP, NCCP



A group of NCPA members recently went through about 80 boxes that NCPA had accumulated in storage over the last 30 years; boxes of old minutes, correspondence and such. When we came to the historian boxes, what fun we had looking at the documented history of NCPA - things like old photos, a

videotape, balloons from our 10th anniversary and even an NCPA bumper sticker from 1983. Looking at those photos really brought forth NCPA's importance in the paralegal profession for me. Thirty years of serving paralegals like you, thirty years! We will be working to have some of the memories republished in future FORUM issues so we can share these pieces of NCPA's history with you. I hope you will enjoy seeing them as much as I did.

Our Education Committee has begun work on our 31st Annual Seminar and Meeting to be held in Cary on March 24-26, 2011. With a great, central location, we expect a big turnout. Keep checking our website early next year for more information.

I hope everyone has a great holiday season and I look forward to seeing you all in March!

Patricia. F. Clapper, ACD, NCCD

### Chairman's Message

Diane N. Morgan, CP, NCCP



I find it hard to believe that Thanksgiving and Christmas are right around the corner again, and a new year is quickly approaching. It is not too early to start thinking about 2011New Year Resolutions. Please consider as one of your New Years' resolutions to become more involved in NCPA.

I have enjoyed working with NCPA as both a District Director and Chairman of the Board. The District Directors are dedicated volunteers who are charged with bringing your concerns to the Board and Executive Committee and providing each member within their district with opportunities to network socially and professionally. As Margaret Mead once wrote, "never doubt that a small group of committed people can change the world. Indeed, it is the only thing that ever has." Please consider volunteering and leading your District as a director (or as an officer) in NCPA and help to shape the organization and sharpen your leadership skills.

Nominations are now open, so please nominate yourself (or someone you feel who would be worthy of the nomination) for an officer or director position with NCPA. The deadline for returning the "Declaration of Candidacy for Officer" form is December 19, 2010. The deadline for returning the "Recommendation for District Director" form is January 5, 2011. Please contact Nominations/ Elections Chair, Kimberly C. Pellicone CP, NCCP, at kpellicone@windstream.net for more information.

Christmas gift suggestions: To your enemy, forgiveness. To an opponent, tolerance. To a friend, your beart. To a customer, service. To all, charity. To every child, a good example. To yourself, respect. - Oren Arnold, novelist & humorist.

I wish you all continued success!

All the best,

Diane N. Morgan, CD, NCCD

Chaiman of the Board



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### Second Vice President's Report Membership

Yolanda N. Smith, ACP, NCCP

Current member ship breakdown through November 3, 2010:

General members:	323
Associate members:	48
Student members:	109
Sustaining Members:	13
Affiliate members:	4
Educational Program members:	5
Total	502

We would like to acknowledge our newest (G)eneral, (A)ssociate, and (S)tudent members joining from July 27, 2010 - Nov. 3, 2010:

Sarah Benner, Chapel Hill, NC (S)
Robyn L. Bunch, Charlotte, NC (S)
Lee T. Dioda, (G)
William "Bill" O. Everhart, III, Greensboro, NC (G)
Jacqueline B. Jones, Charlotte, NC (G)
Crystal Lea Layne, Sumerfield, NC (G)

Heidi Beth Marks, Durham, NC (A) Amanda Martin, Greensboro, NC (S) Amanda L. Overcash, Davidson, NC (S) Melissa A. Pretlow, Wilson, NC (A) Jessica C. Scott, Durham, NC (S) Jerome David Slatta, Cary, NC (S) Elayna Jarvis Slocum, Raleigh, NC (G) Catherine Stallings, Winston-Salem, NC (S) Stephanie C. Williams, Charlotte, NC (A) Anita Watts Wing, Greensboro, NC (G)

NCPA is proud to recognize the following Sustaining members:

4NC Records, Black Diamond Services, Carolina Paralegal News, Case-Closed Investigations, Case Works, Chapel Hill Reporting, LLC, Creel Court Reporting, LLC, Envision Discovery, Huseby, Inc., Kay McGovern & Associates, Lawyers Mutual Liability Insurance of NC, National Digital Forensics, Inc. and NC Academy of Superior Court Mediators.



NCPA would also like to recognize our Affiliate and Educational Program members:

Alamance County Paralegal Association, Caldwell Community College and Technical Institute, Carteret Community College, Cumberland County Paralegal Association, Guilford Paralegal Association, Guilford Technical Community College, Miller-Motte College – Raleigh, Miller-Motte College - Fayetteville, and Research Triangle Paralegal Association.

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

Yolanda N. Smith, ACP, NCCP Second Vice President, Membership Chair

#### North Carolina Paralegal Association, Inc. • Winter 2010



This issue of the FORUM represents the completion of my first year as Senior Editor. I hope all of you have found this year's issues to be interesting and informative, and I hope you have enjoyed reading them as much as I've enjoyed putting them together for you. Now, just because my name sits above a fancy title and I get



to write a column for you four times a year, it doesn't mean I do this alone. I'm just the traffic cop in this

process. There are many, many members of NCPA who put in extra time pulling together articles, writing columns, doing research, working with advertisers, and lots of other untold little tasks that help put each issue of the FORUM together. If it wasn't for them, I'd have very little to bring you, and I want to bring my first year to a close by thanking every NCPA member who has helped me, no matter how much or how little, along the way.

I recently took part in a meeting where I was able to have a peek at some of the archives of the NCPA. Among some of the dusty old boxes were files that contained every issue of the FORUM ever printed, going all the way back to the early 80's!

I didn't quite understand the history I held in my hands until my lovely wife reminded me that some of those first issues are older than her. Once that shock wore off, I began to wonder if that yellowed, corner stapled, Smith-Corona typeset history of our profession could still be relevant to us today. With that in mind, the 2011 issues of the FORUM will feature some "Blasts from the Past" where we will take a look at what was on the minds of NCPA members 20+ years ago and examine if those issues have become part of history, or if we continue to face those challenges today.

Please pay special attention to the Calendar of Events and State News sections! With 500 members, there is bound to be something going on that is intriguing to each and every one of you, and we love to see our members getting involved. As always, please don't hesitate to contact me or Crystal Robinson and let us know where we can find new and different articles you would like to see in future editions of the FORUM. As always, please enjoy this edition of NCPA's FORUM and please know that your feedback and/or comments are always welcome.

#### Regards, Brandon L. Ruth, NCSB/CP

P.S. Does anyone out there still have a working 5 ¼ inch floppy drive? Who knew the age of computers would someday have a Jurassic era?



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### Newly revised and thoroughly updated, this is a must-have resource for anyone preparing to take the NALA CLA/CP Exam!



#### CLA/CP REVIEW MANUAL: A PRACTICAL GUIDE TO CLA/CP EXAM PREPARATION, 3RD EDITION

Like the exam itself, this comprehensive manual is known in the field for high standards of paralegal professionalism and excellence. The introduction of the third edition describes the exam including policies and eligibility; the 16 chapters focus on specific content areas of the test. *Key features include:* 

- Tips for efficient study, including group study suggestions.
- Positive test performance suggestions, including tips for controlling stress and answering specific types of questions.
- Extensive outlines with law summaries, illustrative examples, sample questions, and charts for review.
- UPDATED realistic Self-Tests at the end of each chapter.
- NEW Section on Ethics discussing the fundamentals of email communication and computer use.



Watch the NALA Website for ordering details!

### LAWYERS WEEKLY

Dear Paralegal,

I am happy to inform you that **Carolina Paralegal News (CPN)**, a special publication of *North Carolina Lawyers Weekly*, will now be published monthly. As many of you know, this product started out as a quarterly publication, and then went to bimonthly and now monthly due to increased demands and content popularity.

I personally wanted to thank you for your continued support of **CPN**, which has allowed us to provide the large paralegal community in two states with important news, information, profiles and industry trends.

As of January 2010, **CPN** will be available to you each month for \$5.00 per issue. Subscribers to *North Carolina Lawyers Weekly* will continue to see **CPN** inserted in their mailed copies. Also, a PDF version of **CPN** will be available online at www.nclawyersweekly.com.

Please call our office toll-free at 877-577-6221 to order copies of **CPN**, which will be available the last Monday of each month.

Again, thank you very much for your support in growing this prod-

uct and I hope you have a successful new year!

Kind regards,

Ionya Matter

Tonya Mathis Publisher

Distribution dates:			
Jan. 25	July 26		
Feb. 22	Aug. 30		
Mar. 29	Sept. 27		
Apr. 26	Oct. 25		
May 31	Nov. 29		
June 28	Dec. 27		

### ATTENTION PARALEGAL STUDENTS NCPA STUDENT SCHOLARSHIP CONTEST IS NOVO OPEN!!!! STUDENT SCHOLARSHIPS

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### NORTH CAROLINA PARALEGAL ASSOCIATION, INC.

The North Carolina Paralegal Association, Inc. ("NCPA") is sponsoring its annual Student Scholarship Program. Any paralegal student enrolled in an accredited North Carolina paralegal educational program is eligible.

### An essay competition will be the basis of the scholarship. ESSAY TOPIC: "I HAVE CHOSEN TO BE A PARALEGAL..."

Essay Requirements: The essays must be typed, double spaced, and on letter sized paper. They may not exceed two pages in length. Please be aware that spelling, grammar and punctuation will be taken into consideration, so please review your work before submitting. The essays will be judged

anonymously, so do not reference your name or your paralegal program within the body of the essay.

### ESSAY DEADLINE: JANUARY 17, 2011

Essay Submission: Submit your essay via U.S Mail or Email with a cover sheet containing your name, address, telephone number, email address, and the paralegal program you attend.

> All essays must be post-marked or emailed by January 17, 2011 to: Student/School Relations Chair North Carolina Paralegal Association, Inc. Post Office Box 36264 Charlotte, NC 28236-6264 info@ncparalegal.org

### AWARDS\*\*: FIRST PLACE: \$400.00 SECOND PLACE: \$300.00 • THIRD PLACE: \$200.00 • FOURTH PLACE: \$100.00

In addition to the scholarship, all awards include a free one-year student membership to NCPA and free student registration to NCPA's 31st Annual Seminar and Meeting to be held March 24-26, 2011 in Cary, NC.

Notification: All award recipients will be notified by February 21, 2011.

If you have any questions please contact: Debby Sawyer, ACP - Student/School Relations Chair Debby\_Sawyer@nced.uscourts.gov 919-645-1783

\*\*All award scholarship checks will be made payable to the winners' educational facility

#### NORTH CAROLINA PARALEGAL ASSOCIATION, INC. • WINTER 2010

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### The following NCPA members recently passed the NALA Certification Exam:

Jennifer M. Eason, CP Durham

S.Asher R. Munger, CP Apex

*The next CLA/CP Exam window:* May 1-31, 2011 April 1, 2011 is the deadline to apply for the May exam.

If you have any questions, please do not hesitate to contact: NALA Liaison Kaye H. Summers, ACP, NCCP, kaye@pulleywatson.com

### The following NCPA members recently earned their NCCP designation:

Ruth Ann Brill, Roxboro Jill B. Clark, Mooresville Natalie Sawyer Copeland, Raleigh Stephanie K. Faris, Pittsboro Julia Grace Fisher, Kernersville Mary Beard Flannigan, Mooresville Alan M. Folk, Matthews Clifford J. Fulmer, Concord Danielle Rose Girard, Raleigh Ashley O'Neill Hibbard, Raleigh Vanessa Alexandra Jamal, Cary Joann M. Lyon, Mint Hill Heidi Beth Marks, Durham Ruth C. McSherry, Jacksonville Amy Whitfield Mitchell, Apex S.Asher R. Munger, Apex Marsha E. Myers, Raleigh Emanuel O. Paschall, Durham Heather Ann Plichta, Charlotte Sara Elizabeth Riopell, Sylva Mary Schindo, Raleigh Lee Sears, Raleigh Olivia Lorraine Swigart, Durham Liisa Trent, Raleigh Patrice Vaccaro Watkins, Fuguay Varina Nancy L. Welch, Raleigh



Paralegals change employers often, and if the email address in your NCPA profile was associated with your former employer, you couldn't use the "Forgot my Password" feature to have your username and password sent to you. We are making it easier than ever to recover that information. The next time you log into NCPA, consider adding an alternate email address to your profile. Then you can use that alternate email in the "Forgot my Password" function and the system will forward your user info to the alternate email address. Be sure to take advantage of this feature!

### Facebook and NCPA

Did you know you can now use your Facebook signin to access your NCPA profile? See our Login page for more details.

### eList are coming!

In the near future, NCPA will be developing eLists to keep you informed about various topics. If you have suggestions for eList subjects, please let us know.

# STATEWIDE NEWS

### **DISTRICT IV NEWS**

Guilford Paralegal Association and Alamance County Paralegal Association both hold monthly meetings, as well as many opportunities for CPE credit throughout the year. GPA's meetings are held in the evening on the second Tuesday of each month in either Greensboro or High Point. ACPA's meetings are held during the noon hour, and their meeting place also varies.

Please feel free to contact me with any of your suggestions, comments, questions or concerns!! You may call me at (336) 819-6015 or e-mail me at kengland@wehwlaw.com.

Karen Ferguson England, NCCP North Carolina Certified Paralegal WYATT EARLY HARRIS WHEELER LLP P. O. Drawer 2086 High Point, NC 27261 Telephone: (336) 819-6015 Fax: (336) 819-6075 E-mail: kengland@wehwlaw.com

#### DISTRICT III NEWS

NCPA's Mentoring Program for 2010-2011 has begun. The purpose of this program is to promote the career development and professionalism of future paralegals. Please feel free to contact me with any questions.

The Cumberland County Paralegal Association (CCPA) holds its monthly meetings on the second Thursday of each month at various restaurants in Fayetteville. CCPA's website is www.ccpara.com.

Sylvia L. Erickson, NCCP • District III Director (910) 484-0179 work • (910) 424-4856 home sylvia\_erickson@fd.org

### **DISTRICT IX NEWS**

The Catawba Valley Paralegal Association ("CVPA") is in their third year and holds monthly meetings at various locations in and around the Newton/Hickory area. Membership in CVPA is open to paralegals, legal assistants, legal secretaries, attorneys,students in paralegal programs, paralegal educators, and employees of judicial entities and/or other commonly recognized legal agencies in or around Catawba County. CLE is free to members. For more information please see CVPA's website at: www.catawbavalleyparalegalassoc.org.

Should you have any questions, comments, suggestions and/ or ideas, please do not hesitate to contact Lisa D. Childress, NCCP at (828) 460-1143 or via email at nc\_paralegal32@ yahoo.com.



### **Attention:**

The CLA/CP EXAM is now computer based. Below is updated information on testing and deadlines!

Testing Window

Application Deadline

Late Application fee (w/\$25 late filing fee)

September 1-30 January 1-31 May 1-31 August 1 December 1 April 1 August 10 December 10 April 10

For further details see NALA News on our website or contact our NCPA NALA Liaison Kaye H. Summers, ACP, NCCP @ kaye@pulleywatson.com

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### NALA Liaison's Report

NALA Liaison Report Kaye H. Summers, ACP, NCCP NALA Liaison

NALA ANNOUNCES THE New Computerized Certified Paralegal Exam

NALA's prestigious CLA/CP certification is a nationwide credential for legal assistants. The credential has been recognized by the American Bar Association as a designation marking a high level of professional achievement. The CLA/ CP is now computer-based, and is no longer a two day examination; however, applicants are still tested on federal law and procedure. For additional information regarding the computerized examination dates and fees see the following information below:

Testing Window	Application Deadline	adline Late Application	
		w/ \$25 late filling fee	
January 1-30	December 1	December 10	
May 1-31	April 1	April 10	
September 1-20	August 1	August 10	

Student Eligibility: Paralegal students who are nearing graduation may take the Certified Paralegal examination under certain conditions.

Testing Window	Graduation Date	
	No Later Than	1
January	March 15	2.8
May	July 15	
September	November 15	

Fees for testing: \$250.00 for NALA members and \$275.00 for non-members of NALA. Retake is \$60.00.

For ACT Testing Centers Information go to: www.nala.org/NALANEWS16.aspx or contact NCPA NALA Liaison Kaye H. Summers, ACP, NCCP, kaye@pulleywatson.com

Order the new CP Review Course Manual from NALA - available now!

### **CALENDAR OF EVENTS**

December 19, 2010 Declaration of Candidacy for Office Due

January 1, 2011 Membership renewal<u>s begin</u>

January 4, 2011 Recommendations for District Directors Due

January 14, 2011 Deadline for registration for the April 2011 NCCP Exam

January 17, 2011 Student Scholarship Essay Entry Deadline

January 22, 2011 NCPA BD/EC Meeting

January 31, 2011 2010-2011 Membership Year Ends

February 28, 2011 Memberships expire if not renewed

March 24-26, 2011 NCPA's 31<sup>st</sup> Annual Meeting and Seminar in Cary, NC

March 25, 2011 NCPA's 31<sup>st</sup> Annual Membership Meeting

April 1, 2011 Deadline to register for May 2011 NALA CLA Exam

April 16, 2011 NCCP Examination

July 27-30, 2011 NALA Annual Conference in Dallas, TX

# Step Up BREAKING INTO TODAY'S PARALEGAL PROFESSION

Layoffs and the down economy seem to be affecting every occupation these days, and the legal profession is no exception. The number of paralegal jobs available has decreased, while the number of qualified applicants has increased. Today's job market is highly competitive, as are the paralegals applying for each open position.

Being a paralegal is a demanding, highly skilled and stressful job, and one in which you must perform to a level where you will stand out from the masses. As the economy has turned, so have the expectations in the legal arena. Some firms are cutting jobs in order to deal with the financial pressures of the recession. Others have used the economy as a chance to "clean house" and ensure that their paralegal staff is the very best in the market. The paralegal profession has exploded, and it simply takes more than a paralegal degree or certificate and a desire to work in the legal field to break into this profession.

Ten years ago, when the economy was in an upswing and attorneys had really started to understand the value of paralegals, experience and a desire to work in the field may have allowed you to get your foot in the door. A paralegal certificate was a plus, but not necessarily a requirement. During those years, our biggest challenge as paralegals was getting the job title, individual work appreciation and recognition for the profession that was so deserved. Many firms were still calling paralegals "legal secretaries", even if the job responsibilities had moved beyond clerical and into "substantive legal work".

As time passed, firms began to realize the true economic and service value of paralegals, and it became much more apparent there really exists a significant difference between a "legal secretary" and a "paralegal". Once you earned and were awarded the "paralegal" title, it became a matter of salary and job duty negotiation. Those with the best education, experience and credentials essentially could write their own ticket regarding which job they would choose for themselves.

The employment climate has changed with time and the economy, and with that the paralegal profession has not only evolved, it has a developed a life of its own. Some firms have even replaced associate attorneys with paralegals to keep overhead down and billable hours up, largely due to the efforts of NALA and other associations in recognizing and promoting the need, in full agreement and cooperation with Supreme Court rulings, for the ability and necessity to bill for paralegal hours as legal fees.

This was not only a huge accomplishment for the paralegal profession; it increased the recognition of paralegal work in law firms and corporations across the country. Not only was the quality of our work valuable, but now it was recognized as a valuable contribution to firm revenue as well. This offered additional value to the profession and increased not only the need for paralegals, but the number of people who chose to enter the profession. Though all of this is progress, the job market has tightened considerably.

In order to even break into the paralegal business these days, experience and education are almost a must. It is the same double-edged sword we have dealt with for years. You need the experience to get the job, but you need the job to get the experience. Additionally, a new obstacle has appeared in that many graduates expect to be able to find a paralegal job immediately upon graduation. Many of these new graduates are frustrated with having completed their education successfully, whether it is a paralegal certificate, or an associate's, bachelor's, or master's degree in paralegal studies or law, and yet are not able to find that first paralegal job.

#### Step up Your Game - continued

Unfortunately for recent graduates, this is no longer an entry level profession. If you want a paralegal position, you may have to be willing to start somewhere else, such as a clerk, receptionist or legal secretary. You should be prepared to accept one of these types of jobs, although not the ideal that you may have envisioned in school, as necessary to provide you with valuable experience and business contacts. You also must be aware that in competing for the limited number of paralegal jobs, you will have to develop and be able to show that "something extra" you can bring to the table. Remember when you interview, employers are searching for what you can do for them, not what they can do for you.

As the competition has become fierce for every paralegal opening, networking also has become essential. What sets one paralegal apart from the pack might be experience, education, certification, or even his or her former associates. Active paralegal association membership, seminar attendance, networking, and participating in professional list serves and social networking websites have all become valuable tools of the job search.

Experienced paralegals also take advantage of every opportunity to participate in educating other paralegals, writing for legal publications or books, teaching seminars or classes at paralegal schools, and mentoring younger paralegals. You will find these are wonderful additions to a basic résumé and will give you a nice icebreaker for the interview process.

Employers are impressed with people who go above and beyond in their careers, as they believe these are the same people that will go above and beyond for their business. Volunteerism and community service have become another excellent way to further your business contacts. You never know if your next job might come from any of these sources. There is a level of pride in being involved in this profession and in being not just a paralegal, but an outstanding paralegal. Today's firms expect more of paralegals as the job has transitioned from a trade into a profession.

It is nearly impossible to be overqualified as a paralegal these days. Each opportunity to become a better paralegal should be grasped and cherished, whether that opportunity presents itself as education, experience, networking, certification or advanced certifications. Do not limit your education to only legal issues. Learn as much as you can as often as you can. You never know when a seminar or a single class can offer you that crucial step up in an interview. Learn to think outside the box and to find your experience where the opportunity presents. Grasp the opportunity to get involved with the court system, either as a clerk, runner, or participant in the juvenile court. Participate in organizations such as the Domestic Violence Coalition, Project Innocence, CASA, or Legal Aid. Not only are these very worthwhile charities, they will teach you compassion for your future clients and provide valuable networking opportunities.

Offer to work as an intern or summer runner in a law firm while you are in school or even after graduation. The firm may be so impressed with your work they ask you to stay with them in a more permanent capacity. Register with the paralegal temporary agencies as this is a great opportunity to be able to try different types of paralegal work and get some valuable legal experience without coloring your resume with a spotty job history.

Be open to moving into new areas of the law or even moving to a different city for the right position. Take pride in your career and in the paralegal profession and work toward your goals.

The professional paralegal is always moving forward and desires the profession, as a whole, to move forward as well. Embrace the competition that has developed within the profession and use it to become a better paralegal. Enjoy the intellectual challenges that come with being a paralegal.

Finally, take time to enjoy your job and/or your studies, and cultivate your career-building activities into your ultimate career position. This article originally appeared at the blog, Practical Paralegalism http://www.practicalparalegalism. com), and was re-printed with author Christina Koch's permission.





"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 Crystal L. Robinson, NCCP crystal@levineandstewart.com. You may also e-mail your comments, suggestions and possible article contributors to us as well.

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### MOST OF THE TIME WE KNOW THE ANSWER... BUT IS IT ETHICAL???

Written by and reprinted with the permission of Anna Pierro

I have been a paralegal for well over 15 years. Today I was reminded of something that I tell all the new paralegals. "Under no circumstances are you allowed to give legal advice."

From the minute I walked into the office this morning the phone did not stop ringing and the emails just kept on coming. Keep in mind that I am at the office at 7:30 a.m. London was calling at 7:45 and before then I wanted to make sure I sent some information over to our affiliate in Australia (maybe I could still find him awake and get a response). There were post-its on my desk of tasks I needed to complete before the day really got crazy (my attorneys like to leave "love notes" written on post-it notes. They really love me, I get lots of them).

1 My voice mail light kept blinking "yelling" at me that I had messages that needed to be picked up. It just felt like I was never going to have a moment to breath. In the midst of all this chaos I received a call from a client who had called twice the day before asking me a question about a QDRO (Qualified Domestic Relations Order).A "qualified domestic relation order" is a domestic relations order that creates or recognizes the existence of an alternate payee's right to receive, or assigns to an alternate payee the right to receive, all or a portion of the benefits payable with respect to a participant under a retirement plan, and that includes certain information and meets certain other requirements ("http://www.dol.gov/ebsa/faqs/faq\_qdro.html">Reference: ERISA § 206(d)(3)(B)(i); IRe § 414(p)(1)(A)).

The client wanted to know how he could go about taking the money out of the account to give it to his ex-wife. I knew how ... after all, I was looking right at the QDRO and it was specified right there, in black and white, in paragraph 6 ... the amount and the way to do it. I almost told him how to go about doing it and how he could accomplish this task the "easiest way" possible. It would have been so easy to just get this one thing off my plate. There were so many files I could not close and so many started projects that just remained on my desk waiting for one of the attorneys to have a chance to review and give me the final go ahead to complete my work so I could close the file and consider it done. This was one of those times, when alii needed to do was give a simple answer and get things done and move on to the next task.

I have to be honest. A part of me wanted this client to know that I knew what to do. I wanted to feel validated and feel intelligent. I wanted ... Ohhh I'm sure most of you have been in this place. I stopped myself.

It's
very easy
to cross
tbat line
at times.

Instead of telling the client what to do, I listened to the question (again) and advised the client that I was in possession of the QDRO and I was reading the same paragraph he was reading but I was going to have to review the file with an attorney and I, or the attorney, would get back to him within the next day or so and give him the information he needed.

Why did I take this route? Well, had I given the client the information he was seeking I would have been giving the client legal advice. I would have been instructing the client how to proceed legally.

That could have been considered unauthorized practice of law and it would have violated ethics rules.

As paralegals, we handle the same type of cases day in and day out and most of the cases are very similar. It's very easy to cross that line at times.

#### About the Author:

Ms. Pierro is a Paralegal Supervisor in Jersey City, New Jersey, currently working in securities litigation. Her blog, "The Paralegal" can be found at http://theparalegal.wordpress.com/.

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This year's MidYear Seminar and Review Course was held September 10-11, 2010, in beautiful Asheville at the Asheville Renaissance Hotel. Early Friday morning the review began and attendees were able to get a "crash course" on what to expect on the exams and helpful tips from members who have their designations. The Review Course was held over two days, and covered topics for both the CLA and NCCP exams, including real estate, family law, ethics, criminal law, communications, human relations and interviewing techniques. On Friday night, a reception was held and attendees were able to preregister and mingle, enjoying time away from work. Attendees were also able to mix the Exhibitors, including Lee Lloyd of NC Records, Janet Lovelace of Case-Closed Investigations, Debbie Lawrence of Huseby, Inc., and Frank McNeill of CaseWorks.



Stephanie Elliott-Park, NCCP; Melissa Stockley Jones, ACP, NCCP; Kaye Hare Summers, ACP, NCCP; Patti Foster Clapper, ACP, NCCP; Michelle Gordon Tuttle, CLA, NCCP

Seminar attendees enjoyed a variety of topics including: Procedural Aspects of Civil Practice in the US District Court, Western District of NC, Maintaining a Paralegal's Sanity & Health in a 90 M.P.H. World, Social Media for Career and Case Development and Unauthorized Practice of Law. A buffetstyle Italian themed lunch was served to attendees, members, exhibitors and special guests. Attendees and members were able to socialize and network with each other and the exhibitors, and even went home with great goodies courtesy of the Exhibitors. At the end of seminar, drawings were held for the great door prizes.

A tremendous amount of work went on behind the scenes to make the Review Courses and Seminar a success, and many hours were spent by the committees and NCPA members. Whenever you get a chance, thank your fellow members for their hard work and dedication!

Mark your calendars now for NCPA's 31<sup>st</sup> Annual Seminar and Meeting, to be held at the Embassy Suites in Cary, North Carolina. Planning is currently underway for an exciting time! Check our website, www.ncparalegal.org after January 1<sup>st</sup> for the full brochure. We'll see you in Cary!

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Melissa Rutledge, NCCP; Michelle Gordon Tuttle, CLA, NCCP; Patti Foster Clapper, ACP, NCCP; Erin Burris Galloway, NCCP

Participants discussing the day's events between sessions

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