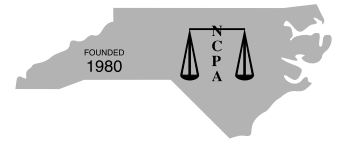




Winter 2015

North Carolina Paralegal Association, Inc.



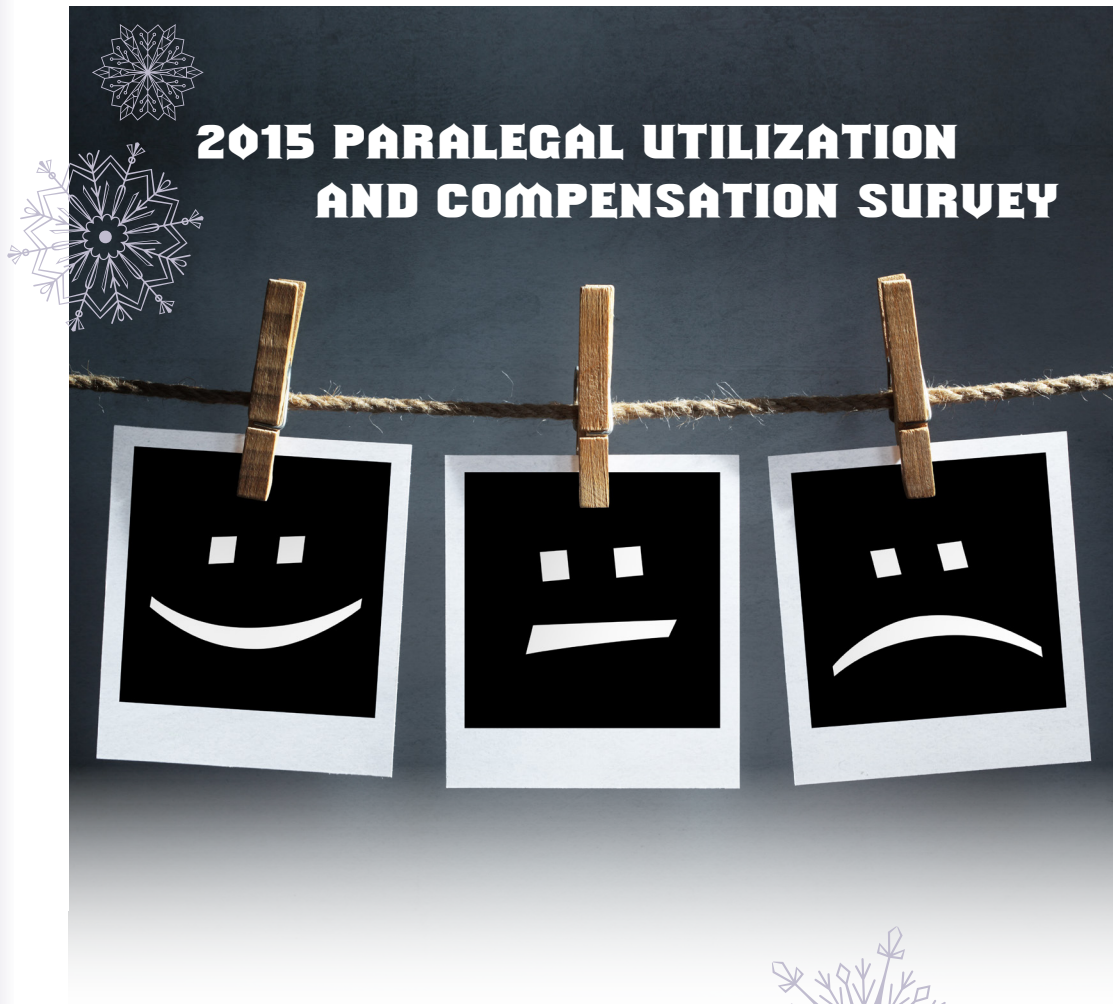
Forum

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

NCPA



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of the
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of Legal Assistants, Inc.



IN THIS ISSUE...

- EDiscovery - A Few Rules to Live By
- 2016-2017 Nominations and Elections - Volunteer with the NCPA
- 2015 Paralegal Utilization and Compensation Survey

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The NCPA FORUM is the official publication of the North Carolina Paralegal Association, Inc., PO Box 8680, Greensboro, NC 27419. 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.



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Moving?

Be sure to let us know!

Send both your old and new address information to:

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President's Message

Beverly K. Moore, NCCP



Greetings NCPA Members!!

What a privilege it was to be one of NCPA's representatives at the 40th Annual NALA Convention in Tulsa, Oklahoma July 21-24. NCPA is well respected in the paralegal community and I returned from Tulsa with some great information.

I know we are all so busy and fitting in time to attend a live CPE event, especially one that is two or more days, can be difficult. Obtaining CPE credit online is convenient and I admit I obtain some credits online. However, I also attend at least one live CPE event, usually NCPA's Annual Seminar. I attend for the education credits, which of course are important, but also for the networking with vendors, students and other paralegals. There is so much more to live CPE events than just the education portion. So, if you have never been, or if it has been a while, I encourage you to attend NCPA's Annual Seminar in March.

NCPA held its NCCP Review Course September 19 at Forsyth Tech. Thanks to Michele Bryant, CLA, NCCP, CRCP, for all her hard work.

The Mary F. Haggerty, CLA, Scholarship received 5 essays and the Board awarded 4 scholarships for the Registration Fee for the October Exam.

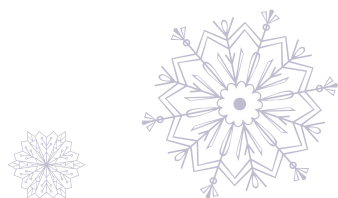
Thanks to Sandra Strickland, NCCP and Patricia F. Clapper, ACP, NCCP for all the work on the survey and to the Board/EC members who took time to review the survey and forward their comments.

It is that time of year; please think about how you can help NCPA. We need volunteers!! If you are interested in volunteering please contact me at bev@tissuelaw.com.

The Executive Committee and Board have been busy throughout the summer and fall. Please check you inbox and the website for upcoming events. We hope to see you at a NCPA event soon.

Beverly K. Moore, NCCP

Beverly K. Moore, NCCP
President



Chairman's Message

Bonnie Ruffin, NCCP, CLVS



Where has the year gone? We are already planning for the annual seminar at Wrightsville Beach, which will be held March 17-19. Please mark these dates on your calendars and plan to attend. This seminar allows you to meet paralegals from all over the state, have a fun relaxing weekend, and complete all of your CPEs all at once. We are looking forward to a

huge turnout.

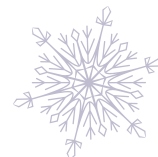
Thank you to all of our District Directors that have held meetings during the last few months. We know your time is valuable and we appreciate your efforts.

I know from now until early January we will all be extremely busy with the holidays. I hope each of you has a tremendously blessed holiday season. I'm looking forward to seeing many of you at annual.

If you would like to become more involved in the North Carolina Paralegal Association, we welcome your talent! Please contact me for more information. BonnieR@RuffinConsultingInc.com.

Bonnie Ruffin, NCCP, CLVS

Bonnie Ruffin, NCCP, CLVS
Chairman of the Board



I can't believe Thanksgiving is already over and we're getting ready for the holidays. Can you believe it? I am ready for cookie exchanges, family and eggnog though. Welcome back to another edition of NCPA FORUM! This edition is packed with things you may have missed about the Annual Seminar or the NALA's 40th Annual Conference, the Paralegal Utilization

Editor's Court

Charity L. Inglis,
ACP, NCCP

and Compensation Survey conducted by the NCPA, a article by one of our own members, and just plenty of "things" in general - new ads, new ideas, and new directions. In this issue we all these as well as one of our own members' articles. As always, please ensure you check out the Calendar of Events.



CALENDAR OF EVENTS

DECEMBER

December 1-14, 2015
Video Replays (1 CPE Hour Each)
<http://www.ncparalegal.org/>

December 10, 2015
Late Application Deadline to
Register for January 2016 CLA/CP Exam
(\$25 late filing fee)

December 18, 2015
Declaration of Candidacy for
Office forms due

JANUARY

January 8, 2016
Recommendation for District
Director forms due

January 9, 2016
Board of Directors and Executive
Committee Meeting
High Point, NC 10:00 a.m.

FEBRUARY

February 1, 2016
Spring Forum Reports due to
Senior Editor at ncpaforum@gmail.com

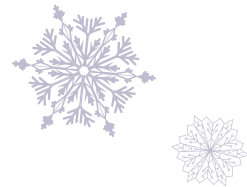
MARCH

March 17-19, 2016
NCPA's 36th Annual Seminar & Meeting
Wrightsville Beach, NC

APRIL

April 1, 2016
Application Deadline to
Register for May 2016 CLA/CP Exam

April 10, 2016
Late Application Deadline to
Register for May 2016 CLA/CP Exam
(\$25 late filing fee)



Report of the First Vice President & Education Committee

Michele A. Bryant, NCCP

NCPA's Annual NCCP Review Course was held on September 19, 2015 at Forsyth Technical Community College in Winston-Salem. We had seven to attend the Review, and most were preparing to take the exam in October. A huge thank you to Warren Hodges, Department Chair of the Paralegal Technology program at Forsyth Tech, for allowing us to use the facilities and assisting with technology set up. Also, thank you to all of the wonderful speakers who came out to speak for us.

NCPA will offer video replays for CLE at low prices beginning November 30th and continuing through December 14th. Check our website for registration information. If you are renewing your

NCCP in January and need additional hours, this is a great way to meet your requirement.

Annual Co-Chairs, Kelly Troy, NCCP, Rebecca Davis, NCCP, and Crystal Robinson, NCCP are getting into high gear planning for the upcoming 36th Annual Meeting & Seminar to be held March 17-19, 2016, at the Holiday Inn Resort Wrightsville Beach, North Carolina. Mark your calendars and keep looking at our website for more information to follow. We are looking forward to seeing everyone!

Michele A. Bryant, NCCP

Thank you



for providing the location for the 2015 NCCP Review Course!

Report of Second Vice President

Patricia F. Clapper, ACP, NCCP

We currently have 434 members, as follows:

208 general members

42 associate members

171 student members

2 affiliate members

1 education member

10 sustaining members

Sustaining Members: Case Closed Investigations (gold); Caseworks Inc. (gold); Courtlogic (gold); Incorporating Services (gold); Lawyers Mutual (gold); Rogers Realty & Auction (bronze); Ruffin Consulting (gold); Triad Land Surveying (bronze); Noteworthy Report Services, LLC (bronze); and North Carolina Association of Professional Process Servers (NCAPPS) (gold).

Affiliate Members: Cumberland County Paralegal Association, Guilford Paralegal Association

Paralegal Program Education Member: Carteret Community College

Patricia F. Clapper, ACP, NCCP

Patricia F. Clapper, ACP, NCCP
Second Vice President, Membership Chair



Patron Sustaining Membership Chair Report

Crystal L. Robinson, NCCP

As of November 16, 2015, we have seven (7) Gold Sustaining Members, including:

Case-Closed Investigations

CaseWorks

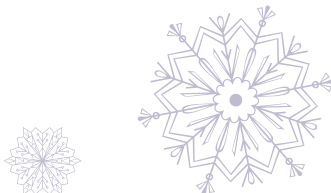
CourtLogic

Incorporating Services

Lawyers Mutual

NCAPPS

Ruffin Consulting Litigation Support Services



We have three (3) Bronze Sustaining Members, including;

NoteWorthy Reporting Services, LLC

Rogers Realty & Auction

Triad Land Surveying

Respectfully submitted,

Crystal L. Robinson, NCCP

Crystal L. Robinson, NCCP
Patron/Sustaining Membership Chair



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Search

EDiscovery - A Few Rules to Live By

By: **Margaret Power, CP, NCCP**

Technological and Internet innovations have made the legal world leap into the 21st century. It has allowed legal professionals to effectively research case law, streamline file management, and respond to clients with lightning speed. Emails, Facebook, Instagram, Twitter, texting, Cloud storage, to name a few, have also changed Discovery. The following is a brief overview of the some North Carolina Rules of Civil Procedure to remember as we play, and work, with eDiscovery.

N.C. R. Civ. P. 26(a)(1) - The "Initial Disclosure" rule - As we all know, this rule requires each party to disclose information related to the case. When discussing what ESI (Electronic Storage Information) should be produced, both sides should be forthcoming as to who, what, where and in what format the ESI will be produced. Some sources of ESI may include, but are not limited to, hard drives, cell phones, laptops, system backups, tape drives, emails (personal and corporate), software created documents, website postings, answering machine tapes, CD-DVDs, thumb drives, floppy disks, etc. As you can imagine, locating and producing this information can be extremely expensive, both for the firm(s) and the client(s).

N.C. R. Civ. P. 26 (f) - The "Meet and Confer" rule - Subsection (f)(3) outlines some of the subjects to be covered during this conference. A few issues may include: what will be the initial disclosures, discovery subjects, when discovery will be completed, whether discovery will be done in phases, if discovery issues will concentrate on specific issues, whether other issues could be added at a later time and the format of the ESI to be produced. Typically, ESI can be produced in its native format (metadata) or converted into .TIFF or .PDF files. N.C. R. Civ. P. 34(b)(1)-(3) discusses eDiscovery to be produced between the parties.

N.C. R. Civ. P. 26(5) - This subsection discusses the assertion of privilege and the inadvertent disclosure of privileged information such as Attorney - Client communications, work product or other material, such as a trade secret unrelated to the case. A mechanism to retrieve this information would need to be discussed by the attorneys during the "Meet and Confer" conference. An agreement between the attorneys to handle this issue is a commonly known as a "Clawback Agreement".¹ Additional information regarding this issue can be found in Fed. R. Evid. 5022 and in the North Carolina State Bar Rules of Professional Conduct, Rule 1.6, 2009, FEO 1.³

N.C. R. Civ. P. 26(b)(1a) - This rule discusses balancing how critical the discoverable information is to a party's case while not creating an "undue hardship" upon the producing party.⁴ If during the eDiscovery process a party cannot obtain the requested information due to the cost of retrieval (i.e., locating floppy discs from 1989 in storage), the inability to locate the material or the expense to recover and provide the requested information, or if the discovery request is too broad, the Court may follow the "Proportionality Principle", where the possible benefits of producing the ESI is weighed against the expense to provide the data. If the Court deems that the benefits outweigh the cost a party would incur to produce, the parties may be order to split the eDiscovery expenses between them.^{5,6} This is typically known as "Cost-Sharing".

N.C. R. Civ. P. 45 - When issuing a subpoena with eDiscovery, one must consider what eDiscovery is sought, who is the "Custodian or Owner" of the ESI (IT Department, individual user(s), 3rd party vendor, Facebook, Cloud Repository management, Verizon, etc.), what format the ESI should be produced and when the information should be provided. When ascertaining who or where to serve a subpoena, you may encounter a situation where a global entity, either an individual or company, is involved. Due to stricter confidentiality practices in some European countries, extensive delays or refusals to produce the ESI have occurred. Therefore, the open discussion of the location, Custodians, and the focus of the electronic discovery during the "Meet and Confer" will allow both sides to gauge the time needed for production and the cost in gathering, analyzing and producing ESI.

N.C. R. Civ. P. 37(b1) - In some cases, ESI may not be produced as a result of normal business IT operations. For example, if the eDiscovery production was for emails and documents created in December 2012, and the standard company policy is to

continued on next page

routinely recycle all backup systems every three months, the data will likely be unrecoverable, as the ESI was lost during routine business operations. In this scenario, the destruction of the ESI was in accordance with the company's written Records Retention Policy, therefore, the non-production of ESI was not done intentionally, but in accordance with the company's Standard Operating Procedures. Under these circumstances, Courts typically do not impose sanctions upon the producing party.⁷ Known as the "Safe Harbor" rule, this exception would not apply if ESI was intentionally not produced or destroyed once litigation was anticipated, such as after a subpoena was served, competitors or employees threaten litigation, etc. In these scenarios, the deliberate non-production of ESI is a known as "Spoliation". When these situations arise, Courts have imposed significant sanctions.^{8,9}

These are just a few highlights of the Rules that will help guide us through the maze of Electronic Discovery. We will all be diving deeper into this arena as technology, society and social media evolves. It is my hope that we can use the Rules to help keep us afloat. Happy swimming

Sources

1. Michele Molinaro, Esq., et al., An Investigative Piece on Clawback Agreements, Facts & Findings, 45 NAT'L ASS'N LEGAL ASST, Jul-Aug. 2015, 6-8.
2. Fed. R. Evid. Rule 502.
3. N.C. State Bar RPC, R 1.6, 2009, FEO 1.
4. N.C. R. Civ. P. 34(b). Additional discussion on the issue of accessibility and undue burden.
5. The Sedona Conference® Commentary on: Preservation, Management and Identification of Sources of Information that are Not Reasonably Accessible, THE SEDONA CONFERENCE WORKING GROUP SERIES, Jul. 2008, 2-20.
6. The Sedona Conference® Commentary on Proportionality in Electronic Discovery, THE SEDONA CONFERENCE WORKING GROUP SERIES, Jan. 2013, 1-14.
7. The Sedona Principles: Second Edition, Best Practices Recommendations & Principles for Addressing Electronic Discovery Document Production THE SEDONA CONFERENCE WORKING GROUP SERIES®, Jun. 2007, 70-71.
8. Margaret Koessel, et. al., Litigation for spoliation of Evidence, INSIDE COUNSEL, Jul. 18, 2013, <http://www.insidecounsel.com/2013/07/18/litigation-sanctions-for-spoliation-of-evidence>.



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Forum Nominations and Elections (2016-2017)

NCPA Colleagues:

We are quickly approaching the deadline for declaring your candidacy to be an NCPA officer or to recommend a member to serve as a Director during the 2016-2017 term of office. These positions are very important to the future of NCPA as the organization's strength is measured by the strength of its leaders.

Please carefully consider this opportunity to play an active role in the leadership and the future of NCPA.

If you have questions, please feel free to contact me at
cmcghee@smithdebnamlaw.com.

Sincerely,

Cindy McGhee, NCCP

Cindy McGhee, NCCP
Nominations & Elections Chair



NOMINATIONS AND ELECTIONS

Now Is the Time to Offer Your Service

Would you like to become more involved in NCPA? Are you eager to make a difference in the paralegal profession and committed to advancing the needs of the profession? Are there things you do or don't like about NCPA? If so, please consider serving as an officer or director in the 2016-2017 membership year.

Following this article, you will find a "Declaration of Candidacy for Office" form and a "Recommendation for District Director" form for some districts. If you are interested in becoming more involved in NCPA, or if you know of someone you believe would be good for the organization, please complete the appropriate form and return it to the address listed on the form. The deadline for returning the "Declaration of Candidacy for Office" form is **December 18, 2015**, and the deadline for returning the "Recommendation for District Director" form is **January 8, 2016**.

For your convenience, listed below is a short description of the duties for each office. Please refer to the NCPA website, under "About NCPA", if you wish to further explore the duties of an officer or director.

President:	Represents needs and concerns of the membership before the Board of Directors; supervises the work of other Officers and Committee Chairs; and keeps the membership advised. [See Bylaws Article VIII.1. and Standing Rule VIII.A.1.]
First Vice President:	Responsible for the planning of seminars, workshops, and other educational events; serves as Education Committee Chair. [See Bylaws Article VIII.2. and Standing Rule VIII.A.2.]
Second Vice President:	Serves as Membership Committee Chair; responsible for compilation of the Membership Directory. [See Bylaws Article VIII.3. and Standing Rule VIII.A.3.]
Secretary:	Responsible for keeping a permanent record of all meetings of the membership. [See Bylaws Article VIII.4. and Standing Rule VIII.A.4.]
Treasurer:	Serves as Finance Committee Chair; prepares budget for the ensuing fiscal year to be approved by the Board of Directors; responsible for the deposit of funds as well as all disbursements as provided for in the budget. [See Bylaws Article VIII.5. and Standing Rule VIII.A.5.]
NALA Liaison:	A NALA member who is familiar with NALA Bylaws and Standing Rules, this officer represents NCPA at the NALA Annual Meeting of Affiliated Associations and makes quarterly reports to NALA concerning NCPA's activities; coordinates with the CLA Review Course Subcommittee Chair on planning and presentation of CLA Review Course. [See Bylaws Article VIII.6. and Standing Rule VIII.A.7.]
Parliamentarian:	Serves as Bylaws and Standing Rules Committee Chair; attends all membership meetings to give opinions on parliamentary procedure and interpret NCPA's Bylaws and Standing Rules. [See Bylaws Article VIII.7. and Standing Rule VIII.A.6.]

For those district members who are electing new District Directors, a "Recommendation for District Director" form follows this article. Each District Director, as a member of the NCPA Board of Directors, is responsible for the promotion of NCPA within his or her own district, including recruitment of new members and assisting with development of educational events within each district. [See Standing Rule IX.C.5.] This position gives the District Director a great chance to network with other paralegals in a specific geographic district and it affords the opportunity to find out how other areas in North Carolina are educating and promoting paralegals in their districts. The completed "Recommendation for District Director" form must be returned by **January 8, 2016**.

If you have any questions about any officer or director position, please contact Nominations & Elections Committee Chair Cindy McGhee, NCCP at cmcghee@smithdebnamlaw.com, or contact one of the current NCPA officers or directors. Names and email addresses of officers and directors can be found on the NCPA website at www.ncparalegal.org. Rest your pointer on "About NCPA" on the left to see a drop-down menu for "Board of Directors" or "Officers and Executive Committee."

DECLARATION OF CANDIDACY FOR THE OFFICE OF

**OF
NORTH CAROLINA PARALEGAL ASSOCIATION, INC.
2016-2017**

The undersigned hereby declares that he/she is actively employed as a Paralegal or Legal Assistant; is legally competent to enter into contracts; and is currently a General Member in good standing of North Carolina Paralegal Association, Inc., and has been so for at least one (1) year.

Qualifications for Office:

Having read and understood Articles VII and VIII of the Bylaws of the North Carolina Paralegal Association, Inc. pertaining to officers, I hereby declare myself a candidate for the office of _____, subject to election at the 2016 Annual Meeting of the Corporation.

Date: _____
(Print/Type Your Name)

(Sign Your Name)

Candidate's Address and Telephone Number:

Send to: Cindy McGhee, NCCP
NCPA Nominations and Elections Chair
P O Box 26268
Raleigh, NC 27611
cmcghee@smithdebnamlaw.com

**RECOMMENDATION FOR DISTRICT DIRECTOR
FOR DISTRICT ____ OF
NORTH CAROLINA PARALEGAL ASSOCIATION, INC.**

Pursuant to the provisions of ARTICLE IX.3 and .5 of the Bylaws of North Carolina Paralegal Association, Inc. and Section IX.C of the Standing Rules, the position of District Directors for District I, III, V, or VII or IX (two-year term position), will be elected by the members of their respective regions and announced at the 2016 Annual Meeting.

If you are a member of District I, III, V, VII or IX and wish to nominate a candidate for the Directorship of your District, please complete the following form and mail it, together with a letter from your nominee expressing his/her interest in the position and a copy of the nominee's resume, in accordance with the following instructions.

DEADLINE FOR RECEIPT BY ELECTIONS CHAIR IS JANUARY 8, 2016

Send to: Cindy McGhee, NCCP
NCPA Nominations and Elections Chair
Post Office Box 26268
Raleigh, NC 27611
cmcghee@smithdebnamlaw.com.

FROM: _____
(Print/Type Your Name)

Address: _____

With his/her permission, I hereby recommend for election to the Board of Directors of North Carolina Paralegal Association, Inc. as Director of District _____, subject to the provisions of Article IX of the Bylaws:

(Print/Type Name of NOMINEE)
Address: _____

Employment: _____

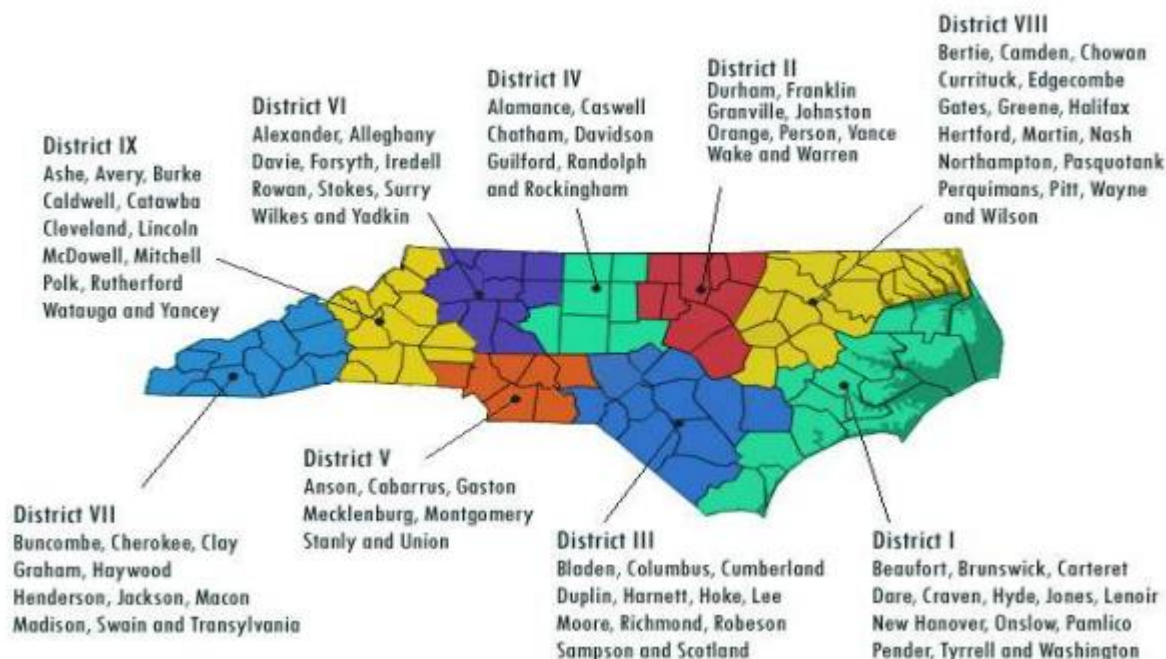
Telephone No.: _____

This will certify that I am a member in good standing and that my nominee is a General Member in good standing of North Carolina Paralegal Association, Inc., and has been so for at least one year as of this day, is employed as a paralegal, and is a permanent resident of the State of North Carolina.

Dated: _____
(Signature of Nominator)

AMICUS THE Director's Chair

Want to know what is going on in your district and which district you belong to? See below!



District I has 51 members. District I will be working to hold meet and greets in the district in order to provide educational and networking opportunities. As many of the members of District I are student members, we will also look for ways to encourage them to continue on as general members after graduation. NCPA's Annual Meeting & Seminar will once again be held in District I, in beautiful Wrightsville Beach. Any members interested in getting together for a meet and greet please contact Heather Padgett, District Director – padgett.hn@gmail.com.

District II has a membership of approximately 150 members. District II has welcomed one (1) Associate Member, two (2) General Members, and seventeen (17) Student Members in the last few months. District II held a Meet-n-Greet and Mini-Seminar from 8:30 a.m. to noon on Saturday, November 14, 2015 at Durham Technical Community College in Durham. Twenty-six people attended the free event and earned three (3) hours of CPE credit toward recertification. Victoria Scally, NCCP gave an in-depth presentation on title searching and discussed various mistakes that are often made when searching titles and how to avoid them. Kimberly Hamilton, President of the North Carolina Association of Professional Process Servers, provided information on service of process by private process servers and offered many tips on how to locate and serve an elusive subject. A special "Thank You" goes to Noteworthy Reporting Services, LLC of Raleigh, who sponsored the event as well as provided breakfast and many give-away items. A special thank you also goes to everyone who donated items for Military Missions in Action. Congratulations to our door prize winners, who went home with free NCPA t-shirts, NCPA backpacks, and gift cards to local eateries. We'd like to hold another District II 3-hour free CPE event in late spring or early summer, 2016. Please feel free to contact Sandra R. Strickland, CLA/NCCP, District II Director - srstricklandnccp@gmail.com, if you have any suggestions with regard to topics or speakers or if you would be interested in attending.

AMICUS - continued

District III has 29 members. District III is in need of a director. If you a General Member of District III and interested in getting more involved in NCPA, please contact Beverly K. Moore, NCCP at bev@tissuelaw.com or Bonnie Ruffin, NCCP, CLVS at bonnie@ruffinconsultinginc.com.

District IV has 81 members. For more information, please contact Jane Goeke, District IV Director - janegoeke@gmail.com.

District V has 58 members. District V is in need of a director. If you a General Member of District V and interested in getting more involved in NCPA, please contact Beverly K. Moore, NCCP at bev@tissuelaw.com or Bonnie Ruffin, NCCP, CLVS at bonnie@ruffinconsultinginc.com.

District VI has 39 members. For more information, please contact Toni Morgan, District Director - toni.morgan@inmar.com.

District VII has 13 members. District VII is in need of a director. If you a General Member of District VII and interested in getting more involved in NCPA, please contact Beverly K. Moore, NCCP at bev@tissuelaw.com or Bonnie Ruffin, NCCP, CLVS at bonnie@ruffinconsultinginc.com.

District VIII has 10 members. Membership Applications were emailed to the instructors at several community colleges in District VIII requesting the instructors to encourage their paralegal students to enroll in the free student membership. Bonnie Ruffin spoke on two separate occasions at Wilson Community College in order to encourage membership. One topic was regarding how to excel as a paralegal and the second topic was new technology in the legal field. Bonnie also spoke at Pitt Community College on November 6, 2015.

Bonnie Ruffin, District VIII Director - BonnieR@RuffinConsultingInc.com.

District IX has 26 members. District IX is looking to hold a meet and greet in early 2016 possibly with District VII. Suggestions for location and topics are appreciated. Please email to Beverly K. Moore, NCCP, District Director at bev@tissuelaw.com.

Affiliations Director – NCPA has two affiliates, the Cumberland County Paralegal Association (CCPA) and Guilford Paralegal Association (GPA). Both associations continue to be active with monthly meetings and special events. CCPA held its annual Winter Social on December 12 at The Big Apple Sports Bar in Fayetteville. The association meets the second Thursday of each month from 1:00 – 2:00 pm in varying locations. Plans are currently underway for CCPA's 25th annual spring seminar. More information about CCPA is available at <http://www.ccpara.com>. GPA held its annual Holiday Celebration on December 8, with dinner at Villa Rosa Italian Restaurant and Grill in Greensboro. Members enjoyed games and door prizes. The group collected monetary donations for the Legal Information and Access Program of the Women's Resource Center of Greensboro. GPA will be working with the Women's Resource Center in the coming months to help recruit attorney volunteers for its Attorney Hotline and legal information workshops. GPA meets the second Tuesday of each month, with dinner beginning at 6:00 pm and speakers beginning at 6:30 pm. More information about GPA is available on its website, www.guilfordparalegalassociation.org. Upcoming events are also posted on the association's Facebook page. Anyone interested in your local associations becoming an NCPA affiliate, please contact Elizabeth Vance, ACP, NCCP, District Director at paralegal878@earthlink.net.

NALA Liaison Report Winter 2015

Charity L. Inglis, ACP, NCCP

Beverly Moore and I had the privilege of representing NCPA at the National Association of Legal Assistants' 40th Annual Convention held in Tulsa, Oklahoma from July 21st to 25th. What an amazing convention! They offered many CLE opportunities and also many networking opportunities.

While spending time at the convention I heard different perspectives on a wide range of topics & meet some amazing paralegals from all over the United States. As this was the 40th Annual Convention, the excitement seemed especially intense. There was fun, laughter, drinks, and great food. Whether it was an attendee's first time, or their 40th, they found it was well worth the trip.

There were multiple educational sections available to attend. Some seminar topics included: Government Liability, EDiscovery, Immigration, Corporate, Soft Skills, Medical Malpractice, Mentoring &

Networking, Organizational Tips, and Twitter Tips. All of the presentations included meaningful and important information.

Besides the knowledge gained, and CLE credit received, the opportunity to network with such a broad base of paralegals is an opportunity that does not come along often. The chance to converse with paralegals from other areas and realize similar concerns and issues occur at firms of all sizes, locations and practice areas while discussing ways to address these with each other serves a greater purpose.

Next year's convention will be in Las Vegas and you will not want to miss it!

Charity L. Inglis, ACP, NCCP

Charity L. Inglis, ACP, NCCP

Liaison to the North Carolina State Bar Board of Paralegal Certification Report

Yolanda N. Smith, ACP, NCCP

The Fall 2015 NCCP exam was held on October 10, 2015, at various locations throughout the State. One hundred seventy people registered to take the exam and 140 people took for the exam. One hundred fourteen people passed the exam.

The next exam will be held on April 9, 2016. January 15, 2016 is the deadline to apply.

This summer NCPA presented the inaugural Mary F. Haggerty, CLA Scholarship Award. This scholarship will be given every year to students taking the Fall NCCP exam. The initial scholarship period produced four winning essays. Each recipient received \$125 to cover the cost of the NCCP application fee. The scholarship winners were Michelle Murdock, Michelle Martin, G. William Murphy and Kimber-

ly Coughlin. NCPA would like to congratulate our scholarship winners on their winning essays and on passing the exam!!!

On October 16, 2015, the Board of Paralegal Certification held a 10th Anniversary Luncheon to commemorate the creation of the Board and the passage of the Plan for Certification of Paralegals. Sherry Wall, Tammy Moldavan, Marissa Campbell and Mike Booe gave different perspectives regarding the effort involved in getting the Plan for Certification of Paralegals passed. It was a lovely event.

Charity L. Inglis, ACP, NCCP

Charity L. Inglis, ACP, NCCP

NCPA Winter Forum-Historian Report

By Historian, Sarah Burt Timmel

How the year has slipped by and before you know it, we will be making plans to attend the 36th NCPA Annual Meeting and Seminar, March 17-19, 2016 in Wrightsville Beach. On that note, the North Carolina Paralegal Association held its 35th Annual Meeting and Seminar this past spring, March 19th-21st 2015 at the Holiday Inn Resort in Wrightsville Beach, North Carolina. Plenty of good food, friends, fun, games, and useful giveaways were to be had, whilst expanding our knowledge base with continuing paralegal education. This enjoyable extended weekend closed with the election and/or appointments of new officers, final results being:

President - Beverly K. Moore, NCCP

First Vice President - Michele Bryant, NCCP

Second Vice President - Patricia F. Clapper, ACP, NCCP

Secretary - Martha L. Blackman-Hughes, ACP, NCCP

Treasurer - Lakisha Chichester, ACP, NCCP

Parliamentarian - Diane Talley, NCCP

NALA Liaison - Charity Inglis, ACP, NCCP



The NCPA not only is active centrally, but continues to hold local "Meet and Greets" throughout various districts of North Carolina, as well as staying connected nationally, through our NALA Liaison, Charity Inglis, ACP, NCCP. Speaking of which, Charity Inglis, Belinda Thomas, Lakisha Chichester and Beverly K. Moore, all attended NALA's 40th Convention in Tulsa, Oklahoma, July 21-25th. Lakisha Chichester became a LEAP participant, a professional development program component of NALA, standing for "leadership enhancement and preparation".

We continue to offer scholarships towards paralegal program tuition through a writing contest running from October to January. Charlotte Ward, NCCP, Student Relations Chair, presented scholarships to our most recent winners:

First Place-Sally Butcher-South College (Asheville)

Second Place-Lourdes Duran-Johnston Community College (Smithfield)

Third Place-Lacy Harris-Western Piedmont Community College (Morganton)

The NCCP Review Course was held in Winston-Salem, at Forsyth Tech on September 19th, in good time for the October 10th sitting of the NCCP Exam. In support of paralegal certification, the NCPA started the Mary F. Haggard, CLA NCCP Scholarship, which pays for the application fee for eligible NCPA members to sit for the NCCP exam. Four scholarships have been awarded for the October 2015 exam.

The North Carolina Paralegal Association, Inc.

2015 Paralegal Utilization and Compensation Survey



The data for this survey was collected from August 1, 2015 through September 30, 2015, via a web based survey form. Data from the survey form was compiled and analyzed electronically. Responses are anonymous.

This survey has been compiled from information provided by members of the North Carolina Paralegal Association, Inc. ("NCPA") and other paralegals in the State of North Carolina who are not members of NCPA. No attempt has been made by NCPA to independently verify the information provided to it by such persons. The information contained herein may or may not be representative of the salaries, benefits, or other job related aspects of work as a paralegal in North Carolina.

The survey is based upon information supplied to NCPA by paralegals who responded to the Survey Questionnaire. No expressed or implied representation, warranty, or guarantee is made by NCPA concerning the accuracy, completeness, statistical sampling method, or use for any particular purpose of the data presented in this survey.

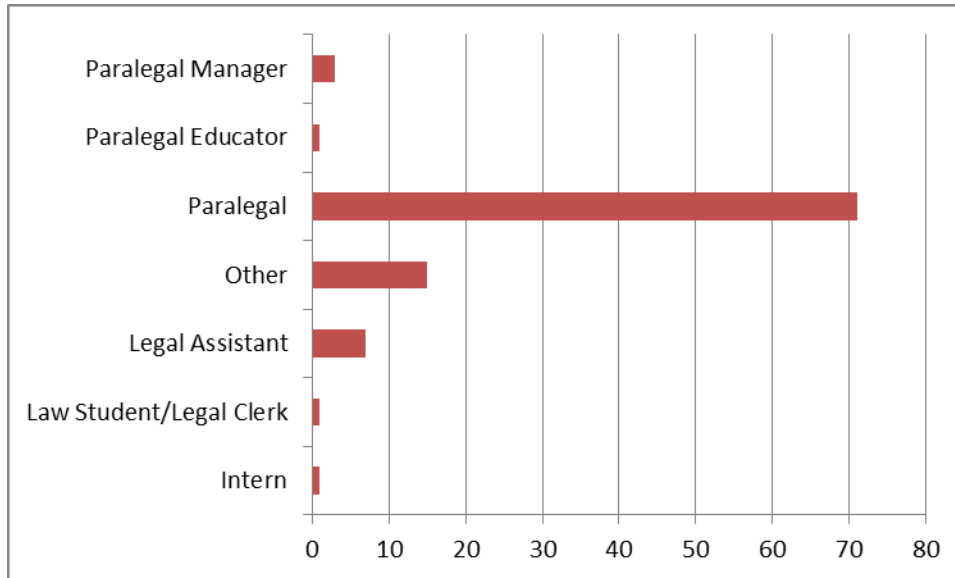
Total Number of participants in the survey was 97. Not every participant answered all questions. The number of participants who responded to each question is recorded below.

Any questions about this survey can be sent to info@ncparalegal.org.

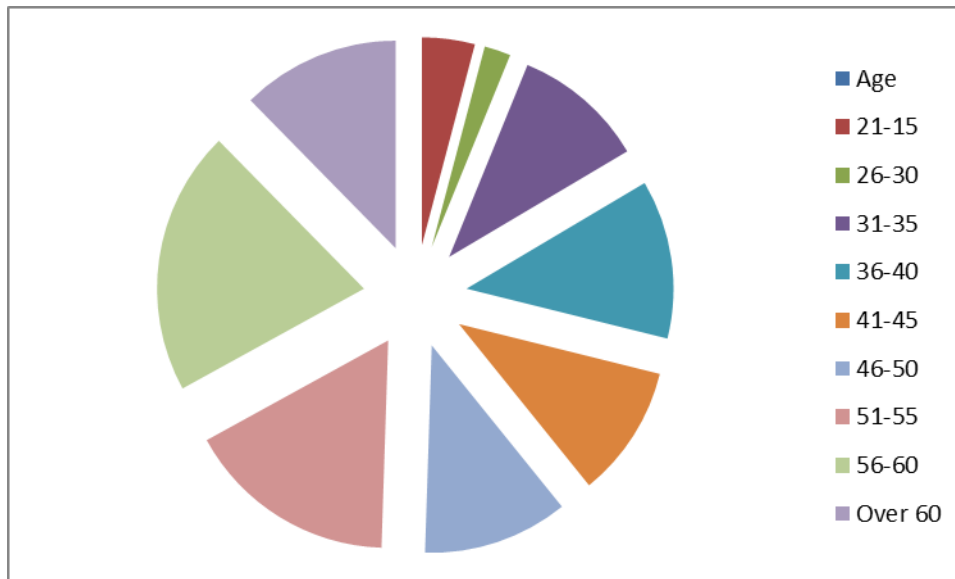
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NCPA 2015 SURVEY QUESTIONNAIRE

1. What is your job description?



2. What is your age?

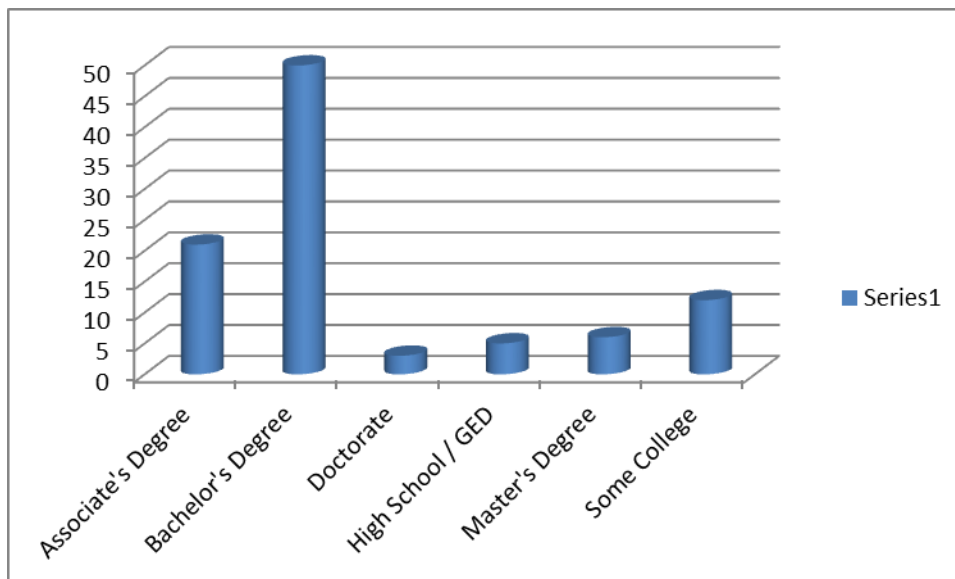


3. Gender

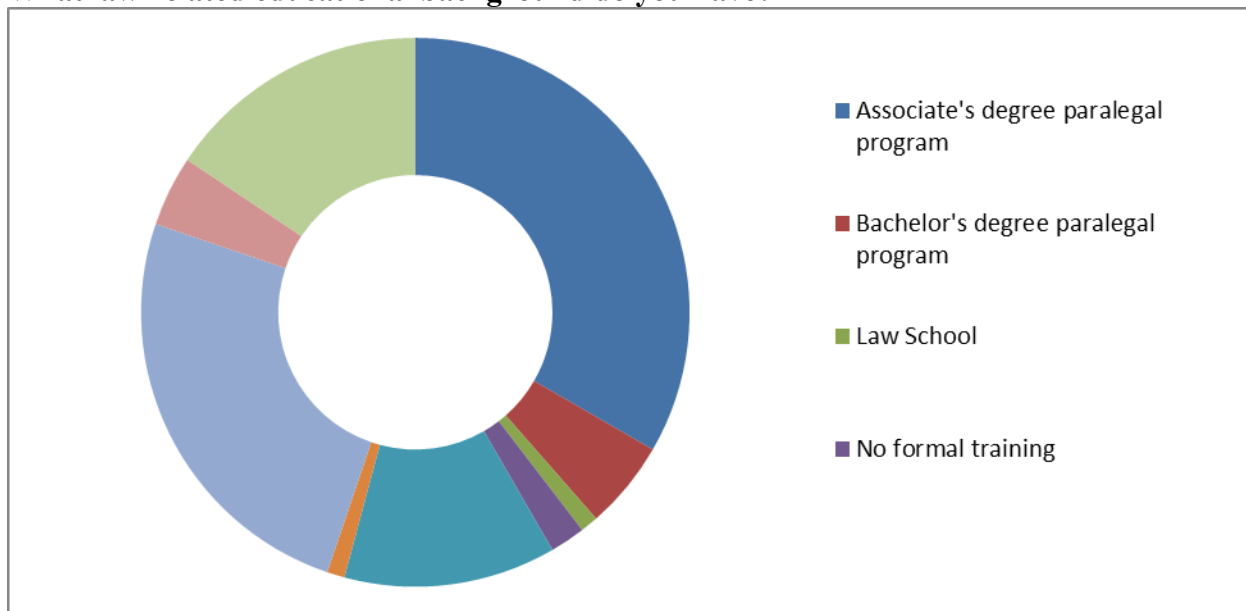
Male	7
Female	90

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4. What general education do you have (*excluding paralegal education*)?



5. What law-related educational background do you have?



6. Are you a North Carolina Certified Paralegal (NCCP), certified by the North Carolina State Bar Board of Paralegal Certification?

Yes 74
No 23

7. If you answered yes, did you pass the first time you took it?

Yes 52
No 4

continued on next page

8. **If yes, were you grandfathered in through education and/or experience or did you take the NCCP exam through the NC State Board of Paralegal Certification?**

Grandfathered 51
Exam 20

9. **Have you ever taken the Certified Legal Assistant (CLA) or Certified Paralegal (CP) exam through the National Association of Legal Assistants (NALA)?**

Yes 20
No 48
No, but considering it 28

10. **If you answered yes, did you pass the first time you took it?**

Yes 17
No 4

11. **If you have obtained the CLA/CP designation, have you also achieved either the Certified Legal Assistant Specialist (CLAS) designation or the Advanced Paralegal Certification (ACP – *not* APC) designation?**

ACP	5
CLAS	2
Neither, but considering	17

12. **If you obtained the CLAS, in what legal specialty or specialties have you obtained this certification?**

Civil Litigation	2
Real Estate	2
Corporation and Business Law	2
Probate	1

13. **If you obtained the ACP, in what area(s) do you have advanced certification?**

Business Organization	1
Incorporated Entities	1
Contracts Management/Contracts Administration	2
Social Security Disability	1
Trademarks	1
Trial Practice	1

14. **Have you ever taken the Paralegal Core Competency Exam (PCCE) through the National Federation of Paralegal Associations Inc.?**

No, but considering it 9

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15. If yes, have you ever taken the Paralegal Advanced Competency (PACE) exam?

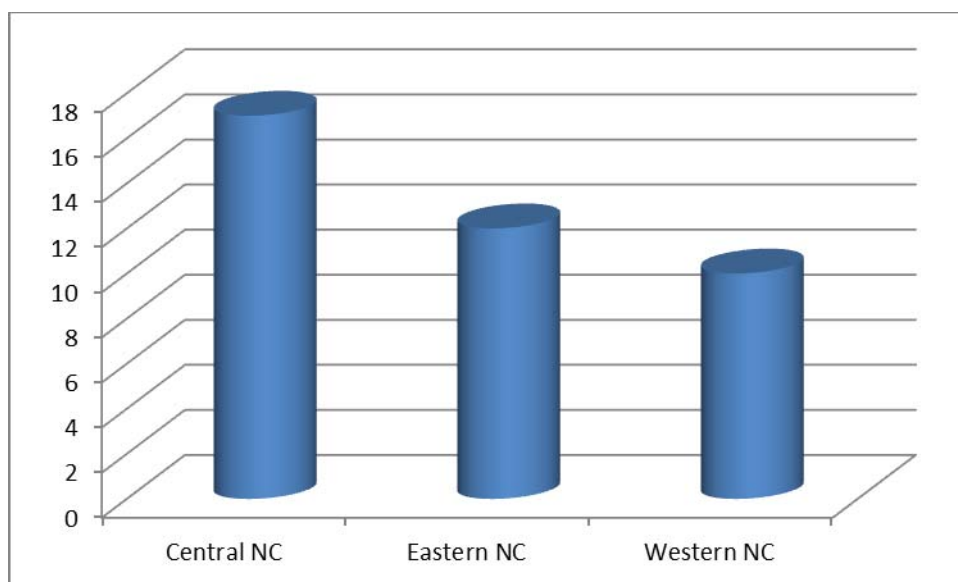
No, but considering it 6

16. Would you be interested in an NCCP review course to assist in preparing for the state exam, as well as counting toward CLE credits?

Yes 21

No 15

17. In what location would you prefer to attend a review course?



18. Would you be interested in joining a CLA/CP study group to assist in preparing for NALA's national exam?

Yes 15

No 23

19. In what location would you prefer to attend a study group?

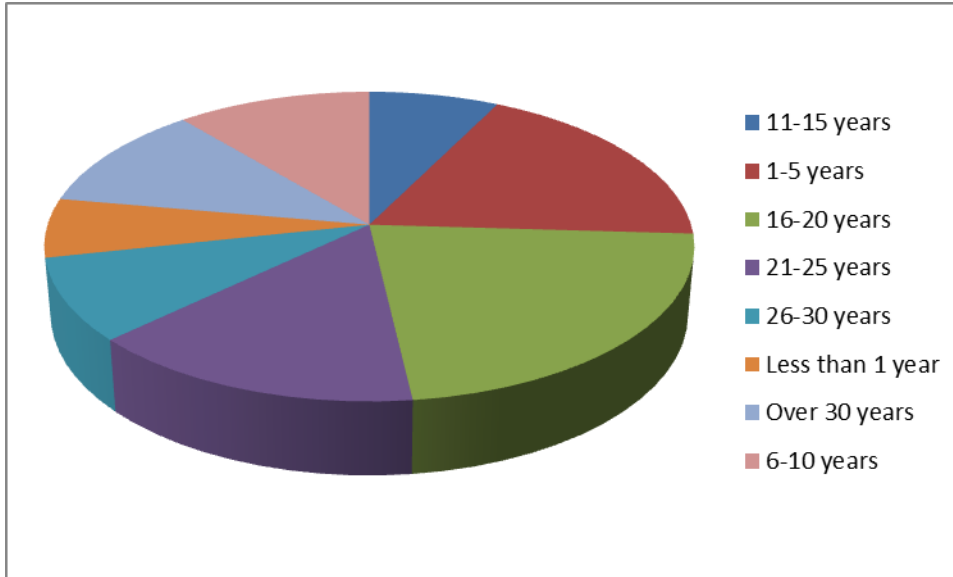
Central NC	17
Eastern NC	12
Western NC	10

20. If you are a student or new paralegal, would you like a paralegal mentor?

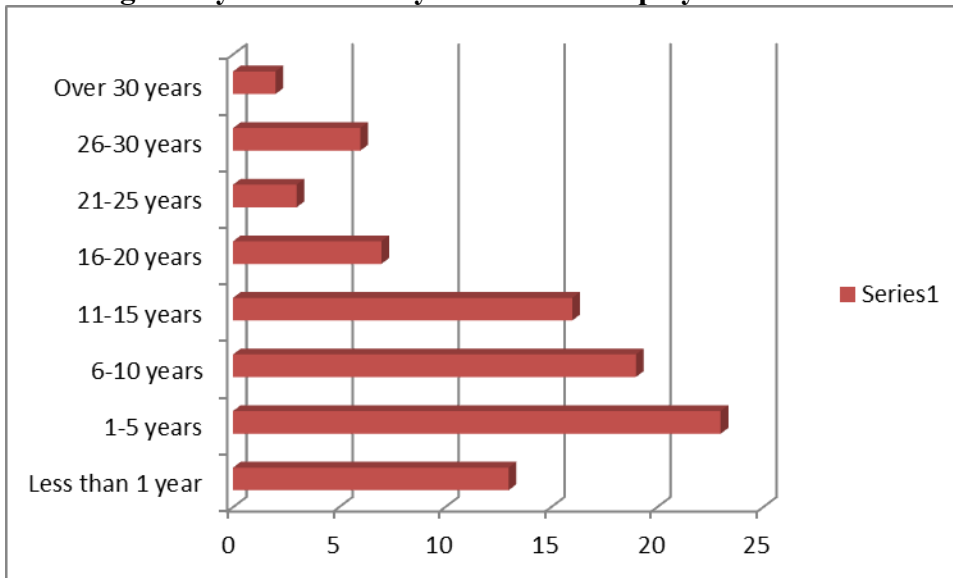
Yes 16

No 10

21. If you are working as a paralegal/legal assistant, how many total year(s) of experience do you have as a paralegal/legal assistant?



22. How long have you been with your current employer?



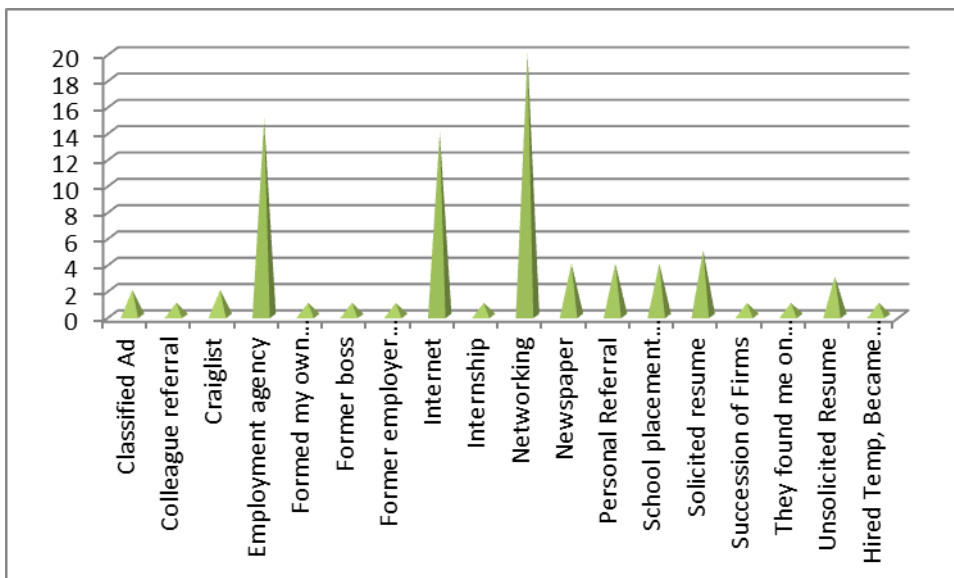
23. Do you have promotion potential in your present firm or company?

No	73
Yes	13

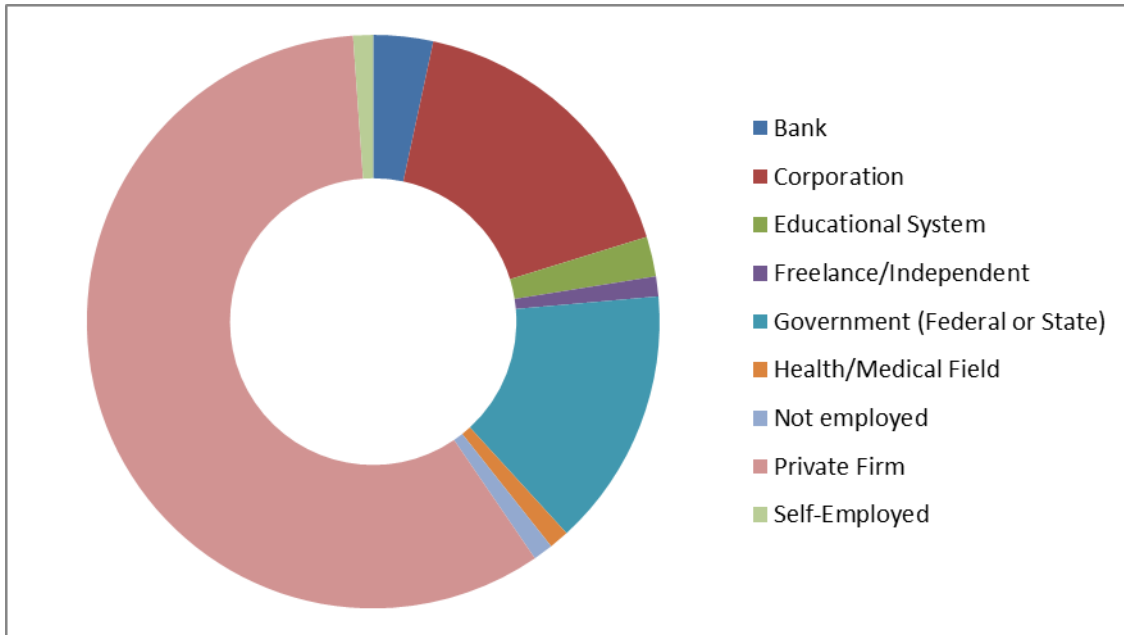
24. In what County do you work?

Alamance	9
Cabarrus	1
Catawba	1
Cumberland	2
Durham	9
Forsyth	5
Gaston	3
Guilford	15
Harnett	1
Johnston	1
Macon	1
Mecklenburg	22
New Hanover	5
Onslow	3
Orange	1
Out of State	1
Rowan	3
Wake	14

25. How did you find your current position?



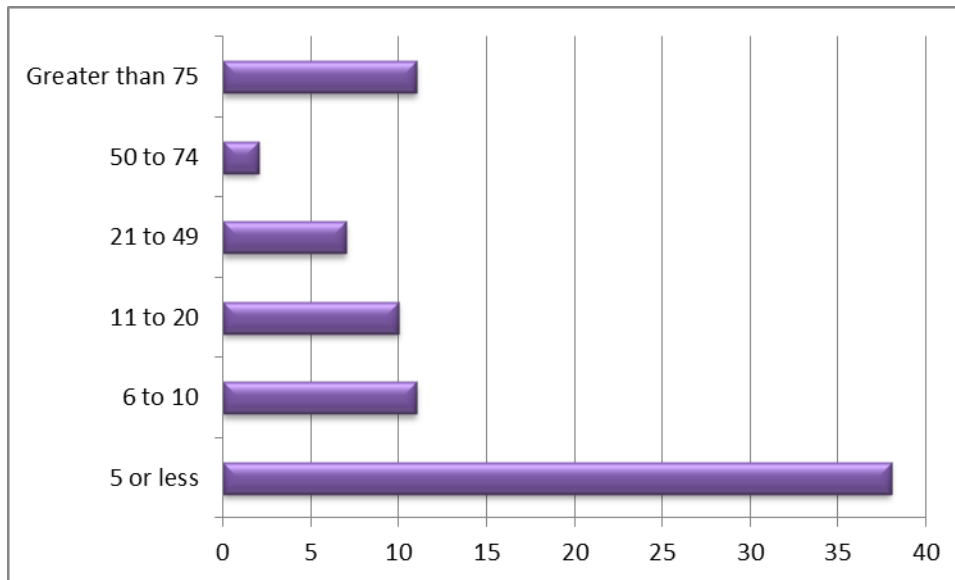
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26. In what environment do you work?**27. In which area(s) of law do you currently work? (check all that apply)**

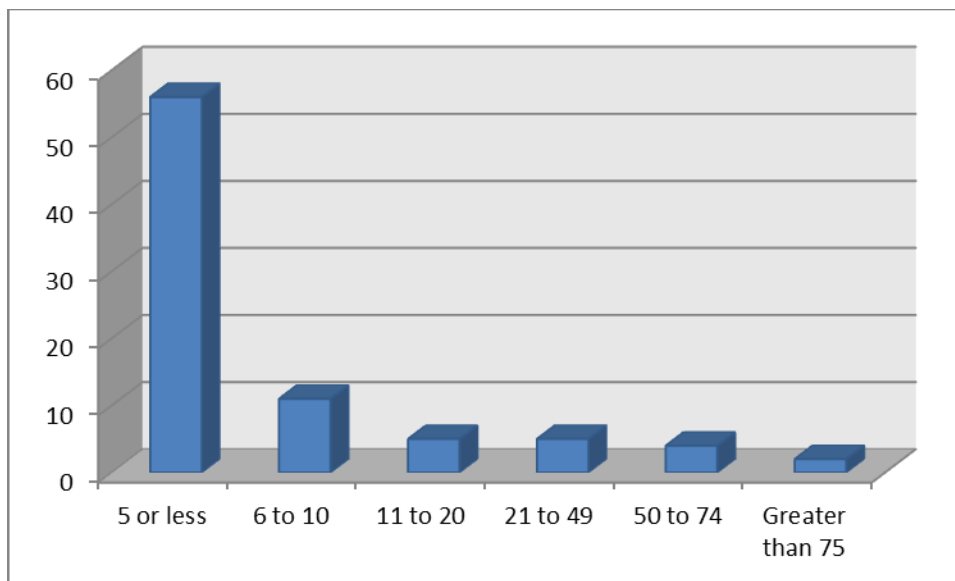
Administrative	7	Insurance	11
Banking/Finance/Taxes	4	Intellectual Property/Patent	6
Bankruptcy	11	International Business	1
Civil	34	Legislation/Governmental	5
Commercial Lending	3	Litigation	30
Construction Law	2	Medical Malpractice	6
Consumer	2	Medicare/Medicaid	1
Contract	22	Mergers and Acquisitions	1
Corporate	19	Non-profit Corporation/Foundation or Association	6
Court System	3	Personal Injury/Disability	15
Creditor's Rights	4	Probate/Trust/Estates	6
Criminal	11	Product Liability	4
Defense	12	Real Estate - Commercial	20
Employment	10	Real Estate - Residential	12
Environmental	3	Securities/Antitrust	3
Estate/Probate	12	Social Security	3
Family	10	Student	1
Health Care	2	Workers' Compensation	12
HOA law	1		

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28. How many attorneys work in your office?



29. How many paralegals work in your office?



30. How many support staff work in your office? (*secretaries, paralegals, runners, reception, copy center, billing department, IS/IT, Human Resources, etc.*)

5 or less	40
6 to 10	18
11 to 20	7
21 to 49	5
50 to 74	1
Greater than 75	10

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31. How many attorneys or individuals do you report to or regularly assist?

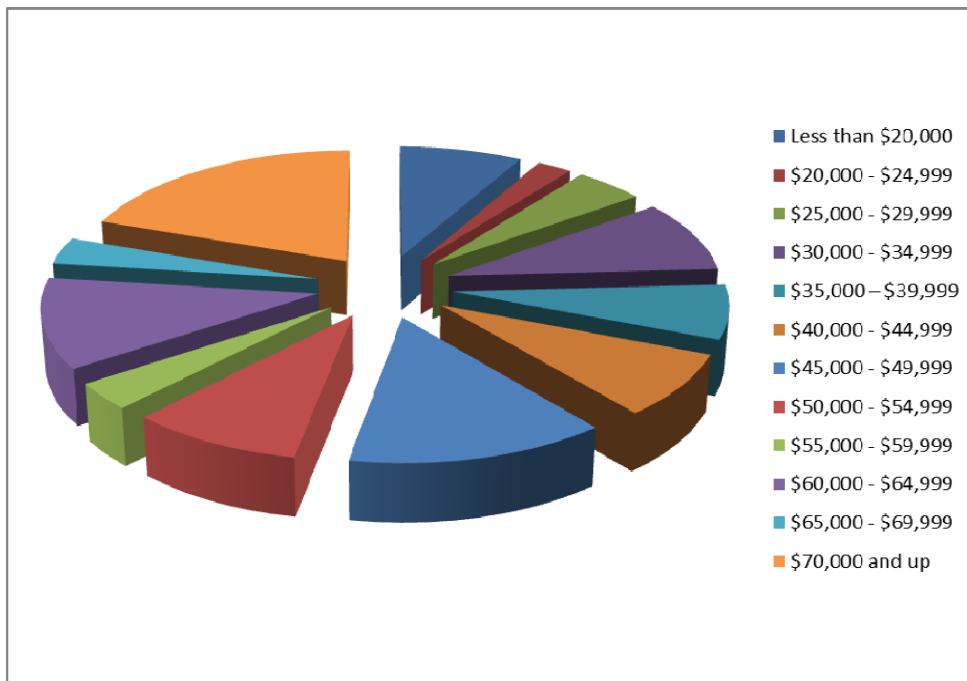
1	28
2 to 5	44
6 to 10	4
Over 10	3
Not directly assigned to any attorney(s) or individual(s)	6
Other	2

32. What type of secretarial support do you have?

Personal secretary	7
Share a secretary with paralegals	9
Share a secretary with attorneys	21
Word processing/secretarial pool	4
None	44
Other	1

33. What is your office space?

Open area	10
Cubicle in open area	14
Partitioned space only	3
Share office with another	10
Private office with window	29
Private office with no window	15
Work from home	3
Work from home and office	2

34. What is your Gross Salary?

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35. What is the average number of hours you work per week?

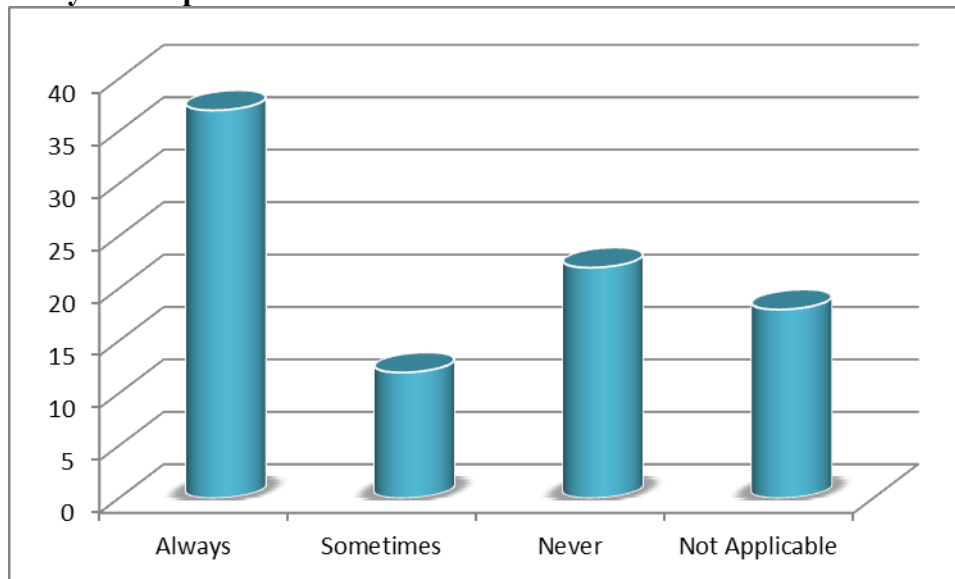
Under 35 a week	9
35-40	48
41-50	25
51-60	4
61 or more	1

36. How frequently do you work in excess of your employer's normal working hours?

Almost every day	16
At least once weekly	22
At least once monthly	12
Rarely or never	35

37. Are you classified as exempt or non-exempt?

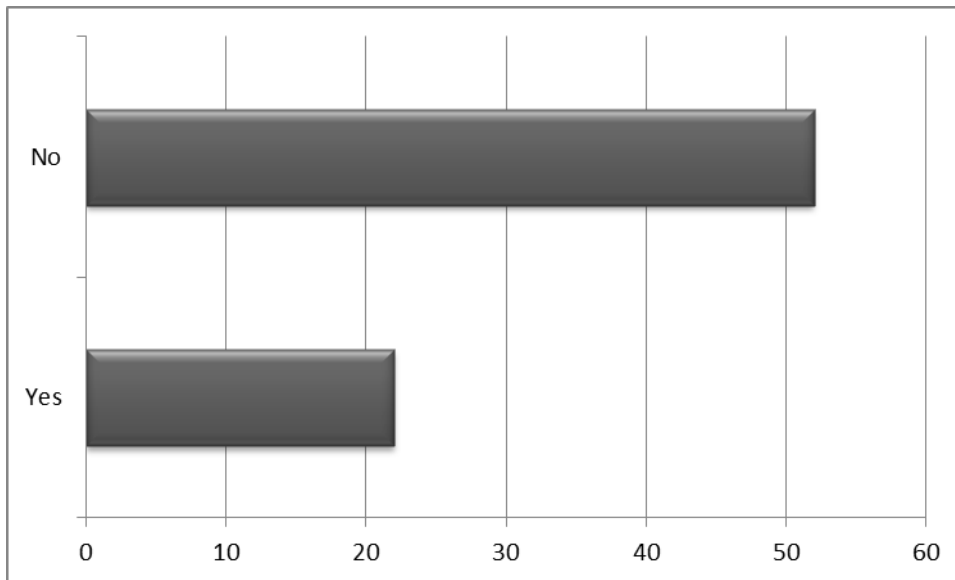
Exempt	34
Non-exempt	44

38. Are you compensated for overtime?**39. If you answered “always” or “sometimes” to the previous question, is the compensation in the form of:**

Money	24
Time off	12
Combination of money and time off	15
Other	1

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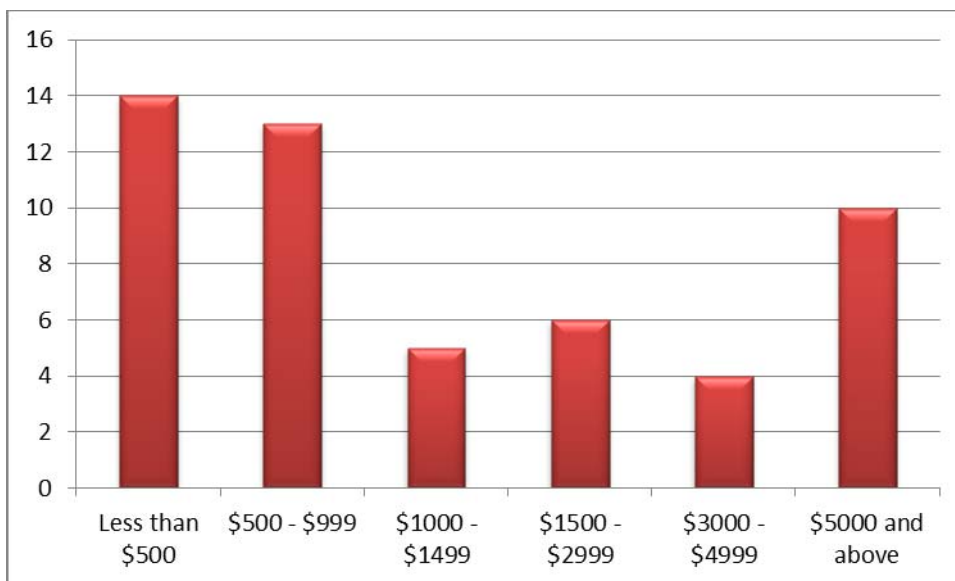
40. Do you receive an annual bonus, monetary or otherwise?



41. If yes, is your bonus based on

Firm/company success	14
Percentage of salary	3
Merit/performance/evaluation	12
Holiday	17
Years of service	1
Managing partner/personal attorney	1

42. If you receive a bonus, what is the average amount of your bonus?



43. If you receive a non-monetary bonus, what type of bonus is it?

Gift card	7
Extra vacation time	4

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44. Have you received a raise in the past year?

No	36
Yes	51

45. If yes, what was the percentage increase?

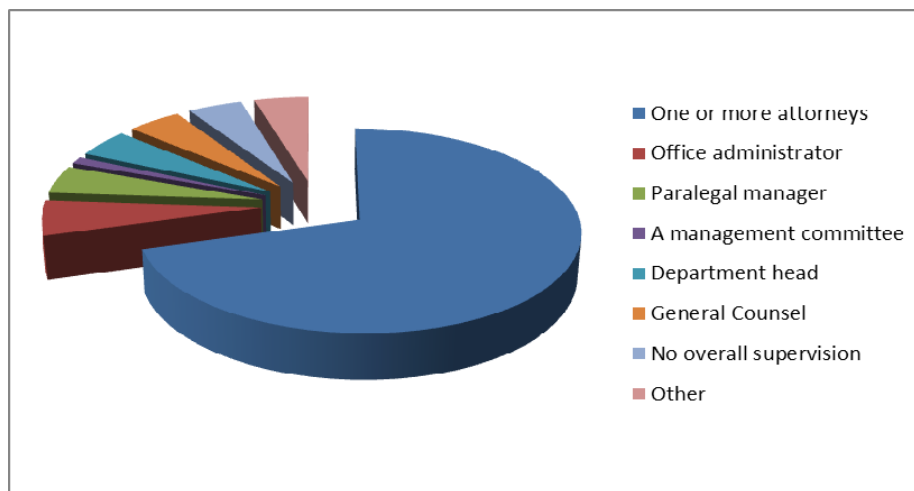
Less than 3%	29
3-5%	17
6-9%	2
10-15%	2
Over 15%	1

46. If you have received a raise in the last year, what was the dollar amount increase?

Less than \$1000	13
\$1000 - \$2999	27
\$3000 - \$4999	6
\$5000 - \$6999	0
\$7000 and above	3

47. Are you in a supervisory position?

Yes, over other paralegals	1
Yes, over other staff	3
Yes, over other paralegals and staff	5
I am in law office management	4
No	75

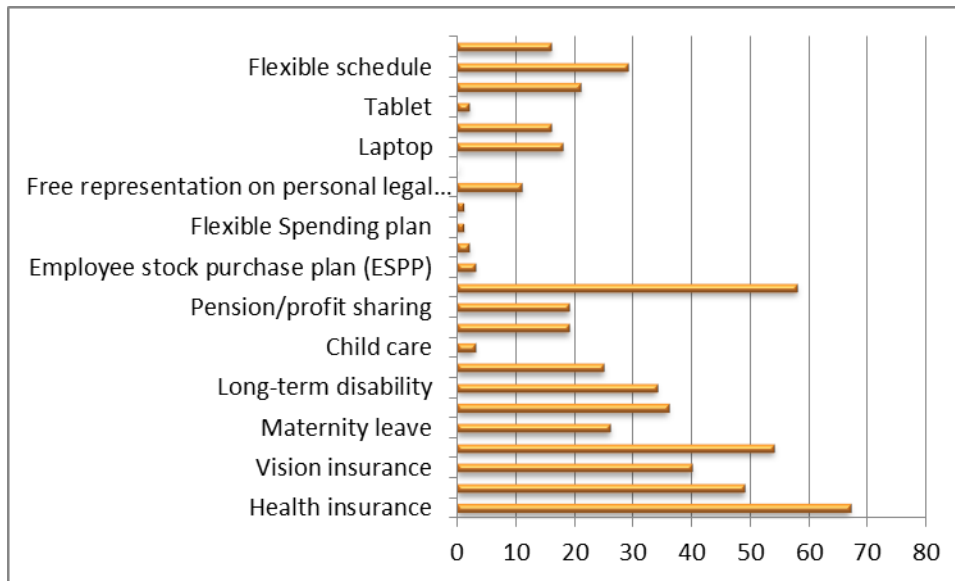
48. By whom are you supervised?

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49. Describe how you receive work assignments.

From within specific departments	4
From one or more specific attorneys	51
From attorneys at large	7
For certain types of matters	9
From paralegal manager	2
From office administrator	1
No definite assignment structure	8
Other	5

50. What benefits are provided, in whole or in part, by your employer? (check all that apply)



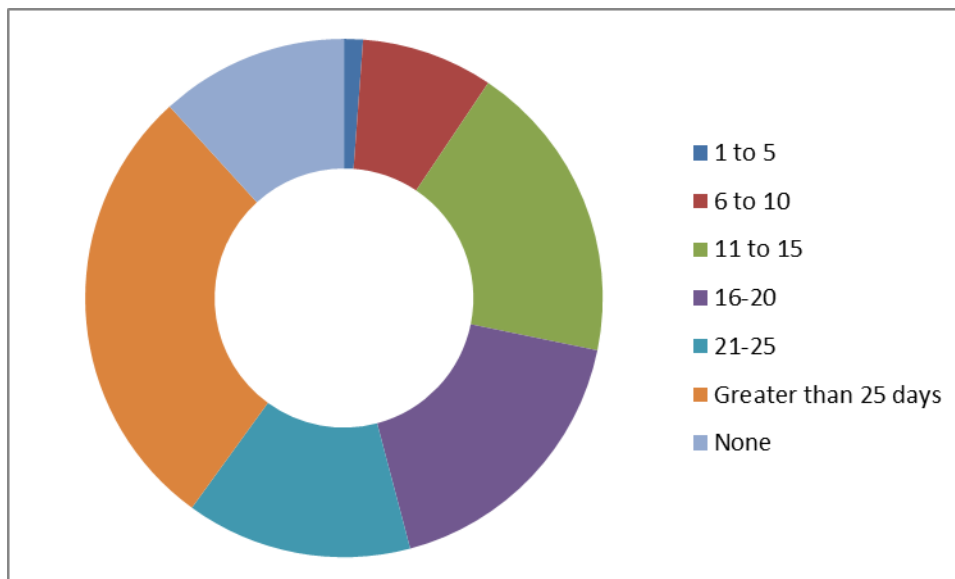
51. If your firm offers a pension, profit sharing, 401(k), IRA, or other savings plan, do you participate in it?

Yes	56
No	13
No But Plan To	2

52. If your employer contributes, what percentage of your salary is their contribution based on?

A percentage of my salary	23
Flat amount	3
Matches a portion of my own contribution	34
Other	3

53. How many paid all purpose days off per year do you receive? *(including vacation, sick, personal, holidays, etc.)*



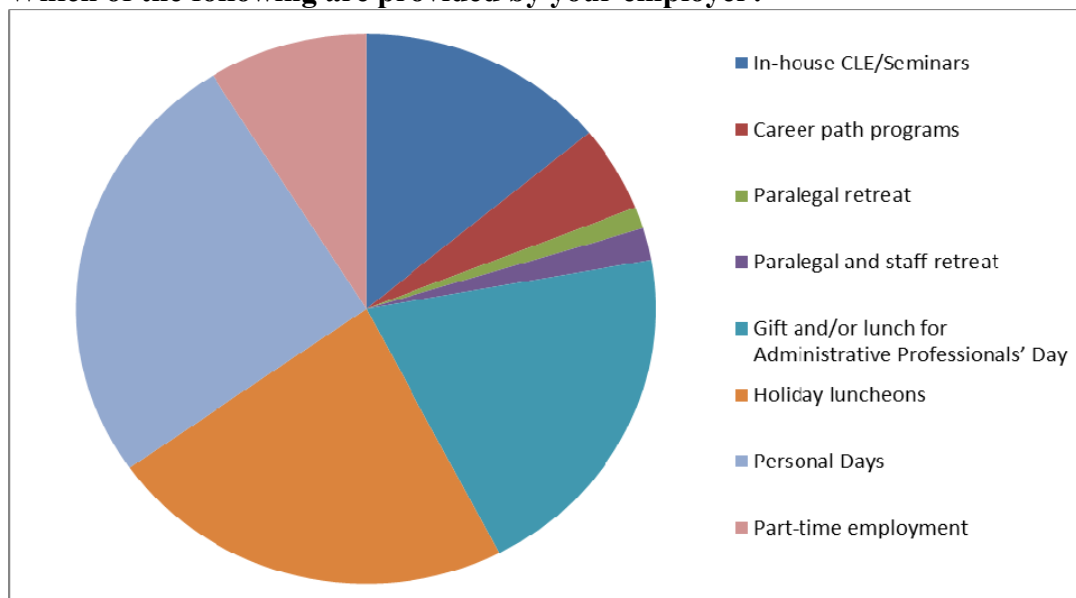
54. Is this paid time off accruable?

Yes 42
No 42

55. If yes, what is the maximum number of days that are accruable?

1 to 5	7
6 to 10	7
Greater than 10 days	31

56. Which of the following are provided by your employer?



continued on next page

57. For what expenses are you reimbursed, in whole or in part, relating to association meetings and seminars?

Membership dues	60
Certification testing fees	32
Seminar Registration	56
Lodging	30
Transportation	21
Mileage	42
Meals	28
None	14
Other	1

58. When attending seminars, are you required to take personal days?

Yes 8
No 73

59. In providing reimbursement for seminars, does your employer:

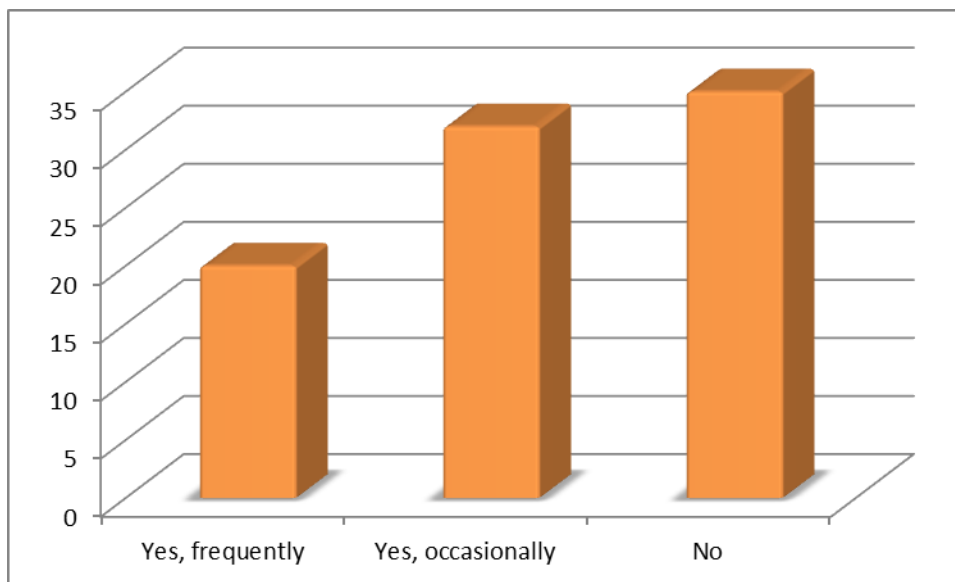
Have a set budget only	11
Have a range to work with	12
Decide on a case-by-case basis	44
My employer does not reimburse for seminars	14

60. Which of the following job duties do you perform? (check all that apply)

Documentation preparation, drafting, and/or review	79	Travel arrangements	14
Drafting correspondence	77	Secretarial support	22
Client conferences/witness interviews	47	Messenger runs	13
Deposition preparation, scheduling and/or attendance	32	Courthouse or other filings	40
Legal, medical, or general research	55	Training	20
Title searches/legal descriptions	27	Negotiations/settlements	15
Trial preparation, including exhibits and/or attendance in court or other hearings	32	Underwriting	1
Word processing	63	Preparation of tax returns	2
File maintenance	69	UCC searches	17
Preparation of billing	22	Obtaining EINs	13
Timekeeping for self and/or attorney(s)	39	Information Systems/IT	11
Library maintenance	15	Database maintenance	26
Tracking legislation	7	Other	54
Prepare closing packages	12		

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61. Do you attend client meetings, depositions, hearings, mediations, or trials?



62. Do you travel on the job?

Yes, frequently	2
Yes, occasionally	31
No	54

63. If you travel, what is the average number of days per year that you travel?

1 to 5	14
6 to 10	10
Over 10	9

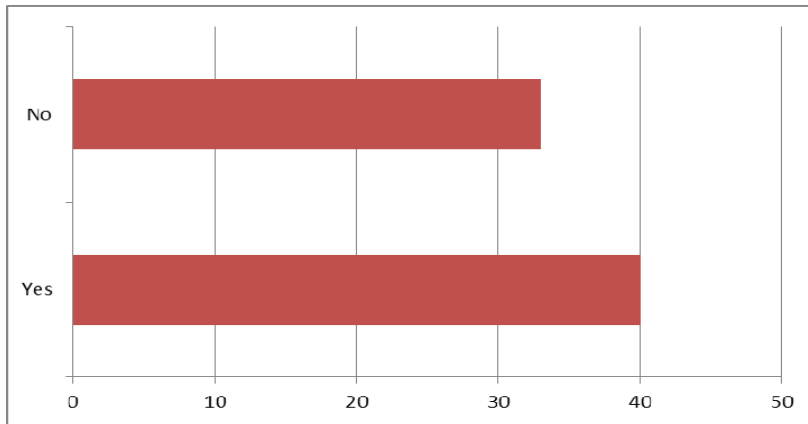
64. Where do you travel?

Within NC only	23
Throughout the southeast	2
Throughout the U.S.	8
Internationally	2

65. When traveling, for which expenses are you reimbursed? (check all that apply)

Lodging	19
Transportation	16
Mileage	34
Meals	19

66. Do you bill for your time?



67. If so, what is your hourly billing rate?

Less than \$50.00	3
\$50.00 - \$75.00	4
\$76.00 - \$100.00	10
\$100.00 - \$125.00	5
\$125.00 - \$150.00	8
Over \$150.00	5

68. Are you required to bill a certain number of hours per year?

Yes	14
No	54

69. If yes, what is the required goal?

Less than 1000	0
1000 - 1250	2
1250 - 1500	5
Over 1500	7

70. Does your employer provide a receptionist?

Yes	47
Yes, but not their primary task	9
No	25

71. Does your employer provide a runner/messenger?

Yes	50
Yes, but not their primary task	2
No	29

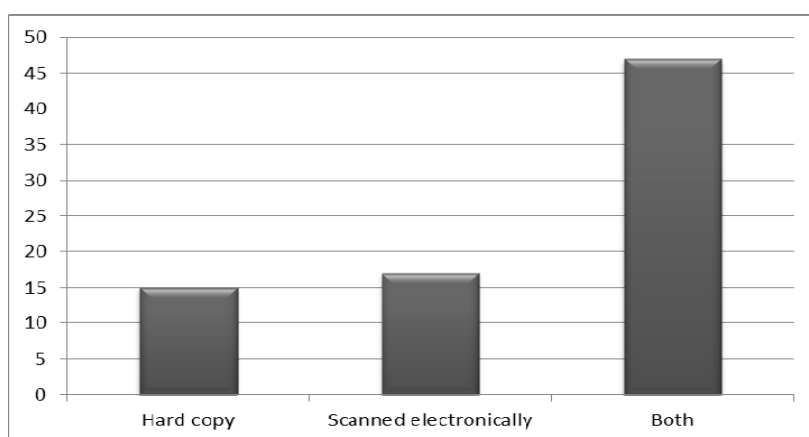
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72. Does your employer provide an in-house copy center or dedicated staff for copying?

No	44
Yes	59
Yes, but not their primary task	22

73. Does your employer provide a person to manage closed files?

Yes	59
Yes, but not their primary task	22
No	44

74. How are your closed files maintained?**75. Does your employer provide a fireproof safe for original wills and estate planning documents?**

Yes	34
No	39

76. Does your employer have an internal Information Systems/Information Technology person or department?

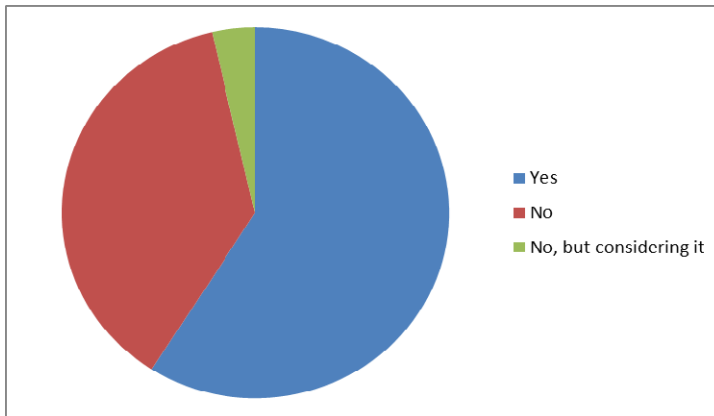
Yes	55
No	30

77. If yes, do they offer training?

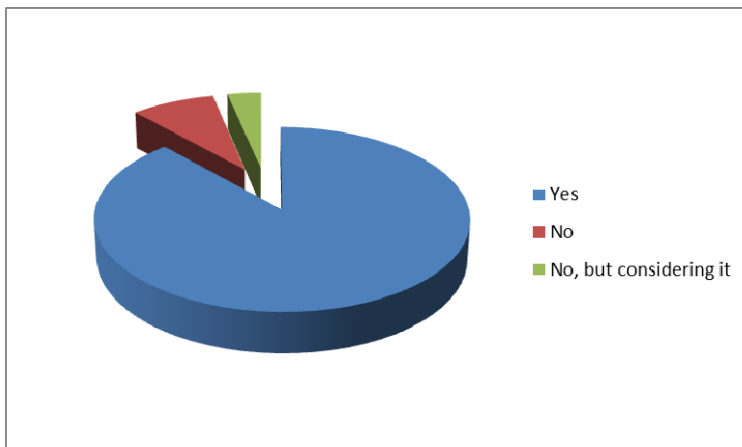
Yes	40
No	21

78. If yes, what kind of training is offered?

Orientation	13
Training Manual	7
Orientation and Training Manual	15
Periodic training classes	32
One-on-one training as needed	37
Help Desk phone support	35

79. Does your employer provide you remote access from home?**80. Does your employer have an internal Intranet website?**

Yes	44
No	36
No, but considering it	1

81. Does your employer keep backups of electronic files in an off-site location, such as a disaster recovery building, and/or through an Internet “cloud” software, such as Carbonite, Mozy, or another external backup program?

continued on next page

- 82. Does your employer use a metadata software program that strips identifying information and all draft versions from electronic documents to maintain confidentiality and integrity before sending files via email?**

Yes	26
No	18
No, but considering it	8

- 83. What case or office management software program(s) does your office use?**

Abacus Law	1	MyCase	1
Amicus Attorney	4	Needles	1
CaseMaster	1	PCDocs	2
Docket	1	PCLaw	1
eDocs	1	PracticeMaster	1
Eclipse	1	ProLaw	4
Elite Information Systems	6	Software Technology	1
FileMaker	2	Summation	4
FileSite	1	Time Matters	4
LegalFiles	2	Trialworks	1
LegalKM	1	Worldox	7
Microlaw	1		

- 84. What time keeping software program(s) does your office use?**

Advalogix	1
Amicus	1
APS RollCall 2008	1
Client Profiles (Aderant)	1
Elite	1
ExpertTime	1
Freshbooks	1
Juris Suite	1
PC Law	3
Quickbooks	1
TABS or Tabs3	10
Timeslips	4

- 85. Does your individual department use practice specific software; i.e., bankruptcy, real estate, estate planning, litigation, corporate, etc.?**

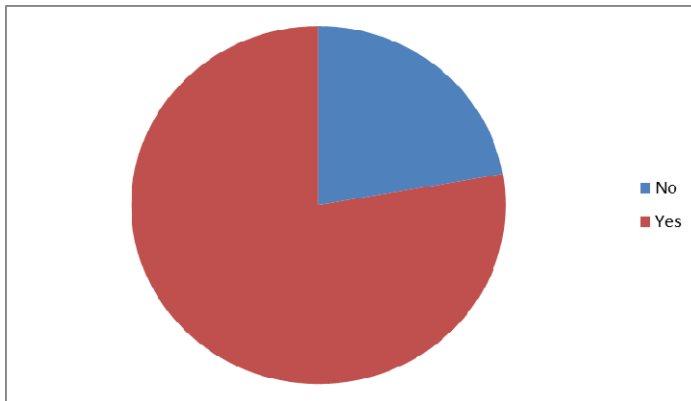
Yes	17
No	41
No, but considering it	3

continued on next page

86. Does your firm use digital forensic analysis to recover evidence from electronic documents for use in e-Discovery?

Yes	11
No	45
No, but considering it	2

87. Do you have access to Westlaw, Lexis, or other software-based research tools?



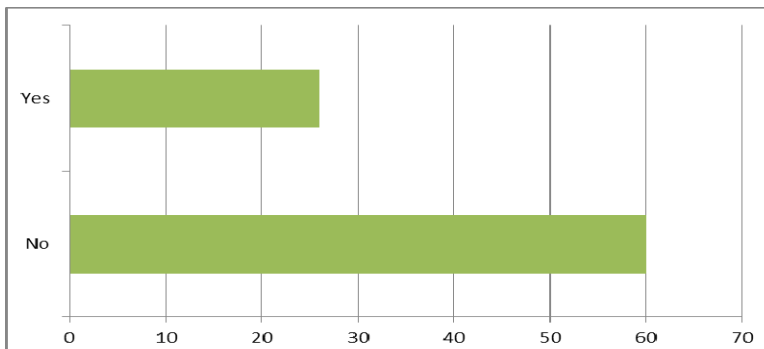
88. If yes, does your employer provide training for these programs?

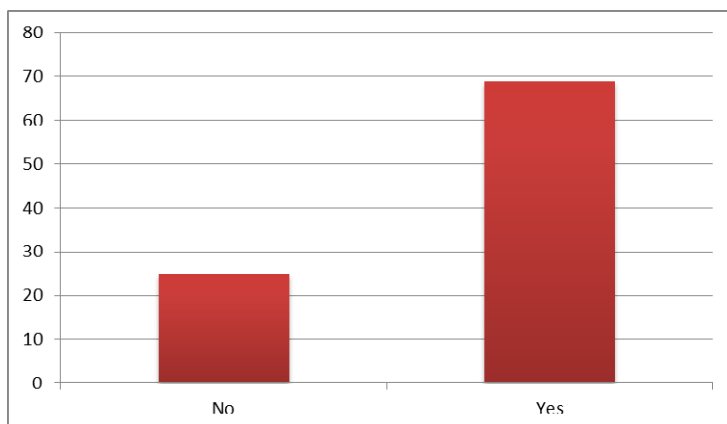
No	34
Yes	38

89. Are you currently unemployed?

No	81
No, but will be soon	2
Yes, but currently job searching	10
Yes, by choice	2

90. Do you participate in pro bono work?



91. Do you have a current, updated resumé?**92. Do you use LinkedIn?**

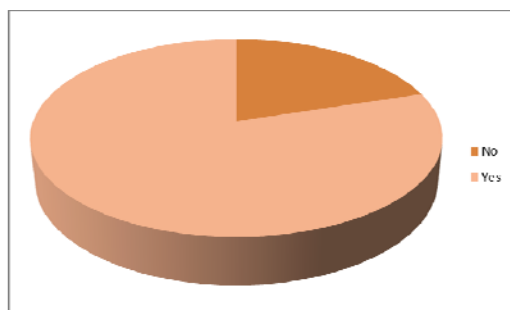
Yes 65
No 28

93. In the next twelve months, do you plan to look for a new job within the paralegal profession?

Yes 21
No 72

94. If yes, please indicate why you are planning to leave your current position. Firm merger/impending layoffs

Firm merger/impending layoffs	1	Relocating	1
General loss of job security	3	Unhappy with employer	4
Changing specialties	3	Unhappy with supervisor	1
Contributions not recognized	4	Unhappy with coworker(s)	1
Low pay	9	Unhappy with specific responsibilities	3
Not challenged	5	Other	4

95. Are you a member of the North Carolina Paralegal Association, Inc. (NCPA)?

continued on next page

96. Have you attended an NCPA seminar in the past three years?

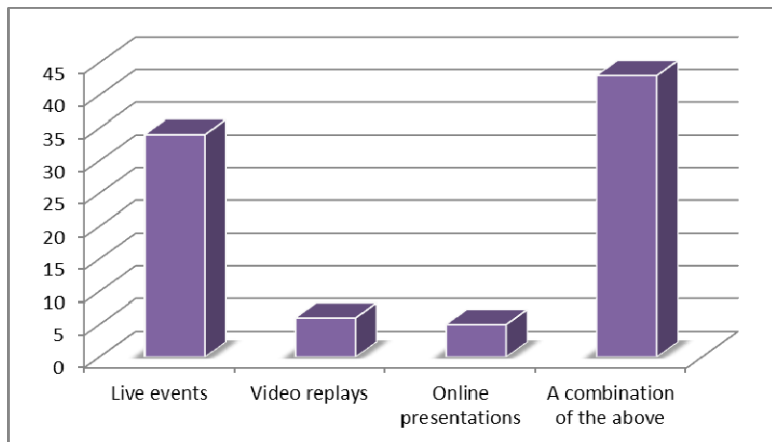
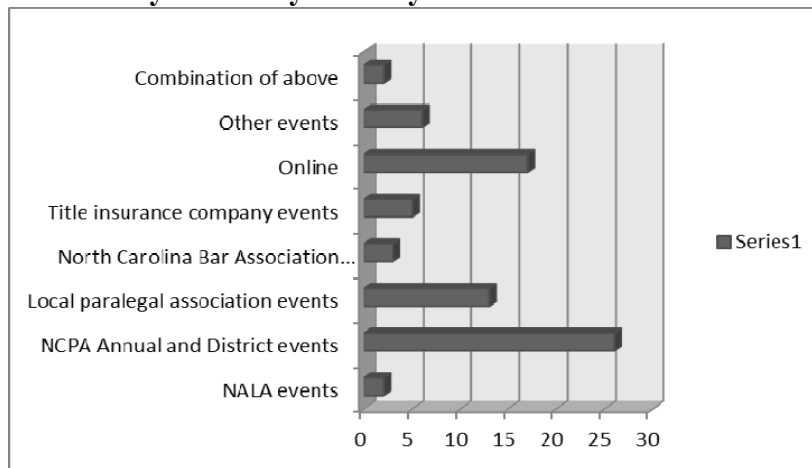
No	38
Yes	46

97. If the answer to the preceding question was “no,” why not?

Cost	4
Location/distance	10
Unable to obtain time off from work	4
Not interested in the topics offered	4
Was unaware of opportunity	10

98. If the answer to question 96 was “yes,” would you prefer having future NCPA Annual Meetings at the same location or at a different location than previous events?

Same location	30
Different location	12

99. How do you prefer to obtain your CPE credits?**100. Where do you usually obtain your CPE credits?**

continued on next page

101. Are you a member of other paralegal or legal assistant association(s)?

American Bar Association	5	NALS...the Association for Legal Professionals	1
Alamance County Paralegal Association	2	National Association of Legal Assistants	23
American Association for Paralegal Education	0	National Federation of Paralegal Associations Inc.	0
Asheville Area Paralegal Association	1	North Carolina Advocates for Justice Legal Assistants Division	5
Catawba County Paralegal Association, Inc.	5	North Carolina Bar Association's Paralegal Division	35
Coastal Carolina Community College Paralegal Society	1	North Carolina Notary Public Association	5
Cumberland County Paralegal Association	1	Pitt County Paralegal Association	0
Guilford County Paralegal Association	9	Research Triangle Paralegal Association	0
Legal Support Staff of North Carolina	1	Raleigh-Wake Paralegal Association	0
Metrolina Paralegal Association	9		

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Elizabeth Vance, ACP, NCCP

Alamance County Paralegal Association meets at various restaurants on the square in Graham on the 3rd Tuesday of the month at 12:30. The group usually has a speaker at the meetings.

Cumberland County Paralegal Association

The Cumberland County Paralegal Association (CCPA) held its 24th Annual Educational Seminar on April 11, 2015. The Seminar was a great success. Currently, members are in the process of electing a new Board with the installation of the new Board members to be held on May 14, 2015. The CCPA will be holding a Hot Dog Sale at the Cumberland County Courthouse to benefit a local charity. The date of the sale is still pending but anticipated for May or June. Please see our website for updated information to come. Those interested in joining the CCPA now is the time as it is currently our renewal period and any new members will get the benefit of being a member for an entire year. Please see our website for the application if interested. Our website is www.ccpara.com.

Guilford Paralegal Association

GPA welcomed guest speaker Gerry Chapman of the Chapman Law Firm to its February meeting. He presented a session on Immigration Law and current legislation. In March, Karen McKeithen Schaefer with Connors Morgan, PLLC spoke about Employment law and EEOC claims. Jodi Knox & Hilary Bowman of Womble Carlyle

Sandridge and Rice were the guest speakers at GPA's April meeting. Their topic was Health Care Law: Collaboration vs. Consolidation.

In March the association collected items for Military Missions in Action. The items will be included in care packages and given to homeless and low income veterans at various "Stand Downs" held throughout North Carolina. On March 7 GPA members participated in a "Prep Party" for Arts for Life, an organization that provides music and art activities for pediatric patients at several children's hospitals in North Carolina.

The association's May meeting was held at Logan's Roadhouse in Greensboro and included nominations of officers for the 2015-2016 year. On May 2, GPA hosted its 9th Annual Spring Seminar at Embassy Suites in Greensboro with approximately 100 paralegals in attendance. The seminar was approved for six hours of continuing paralegal education credit. GPA's June 9th meeting will be held at Wyatt Early Harris Wheeler in High Point and will feature the election of new officers. On July 8, the association will kick off its new membership year with a meeting at Elon Law School in Greensboro.

More information about GPA is available on its website, www.guilfordparalegalassociation.org. Upcoming events are also posted on the association's Facebook and LinkedIn pages.

Elizabeth Vance, ACP, NCCP

Elizabeth Vance, ACP, NCCP



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Contact the NCPA Forum (ncpaforum@gmail.com) if you'd like to contribute to future issues of the Forum, or if you simply have announcements or suggestions.

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Thank You for Your Support of NCPA!*

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