



# NCPA FORUM

WINTER 2018

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*As I Leave the Bench,  
What Troubles  
Me about Trial Lawyers,  
By The Honorable Donald  
W. Stephens*

**Contest!!!**



**PRO BONO  
PROJECT**

**MORE CARDS  
GOING TO  
THE TROOPS**



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**NCPA Nominations  
and Elections**



## NCPA FORUM

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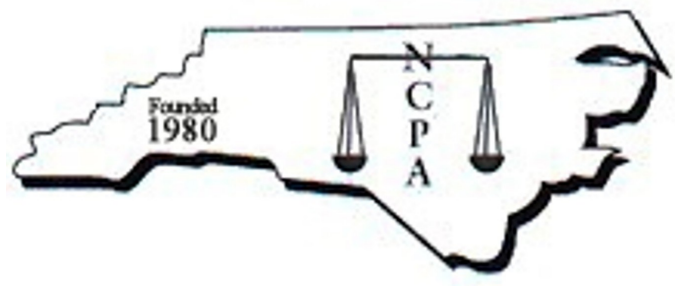
NCPA  
PO Box 1133  
Holly Springs NC 27540  
704-535-3363  
[www.ncparalegal.org](http://www.ncparalegal.org)

To submit materials for publication or to advertise, please contact our Editorial Staff at [ncpaforum@ncparalegal.org](mailto:ncpaforum@ncparalegal.org)

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**Have you moved? Please login to your profile and check your contact information. We use email as our primary means to contact members. Please be sure your information is up to date!**



**President's Message**  
**Beverly K. Moore, NCCP**



*Where did 2018 go? The older I get the faster each year seems to zip away. Really, 2018 was just a flash. I am thankful for each and every day that I get to spend with my family, friends and for the opportunity to do the things I love.*

*Annual Seminar is just around the corner. Please make plans now to join us at the beautiful Courtyard by Marriott in Carolina Beach, April 11-13, 2019. The Education Committee is hard at work putting the seminar together. I know everyone is busy, but you do not want to miss this weekend of great CLE and networking. We look forward to going back to the beach. Hopefully, being in April the weather will be a bit warmer ☺.*

*As the calendar year is winding down, I would like to take this opportunity to thank the Board and Executive Committee for all the hard work and effort in 2018. Everyone is busy with work, family, and other commitments, but each member of the Board and Executive Committee have stepped up and put in so much effort to help NCPA have a great year.*

*I wish you all a very HAPPY HOLIDAY season. Stay safe and I look forward to seeing you at a NCPA event in the very near future.*

Beverly K. Moore, NCCP

President



**Membership Report**  
**Patricia F Clapper, ACP, NCCP**  
**2nd Vice President**



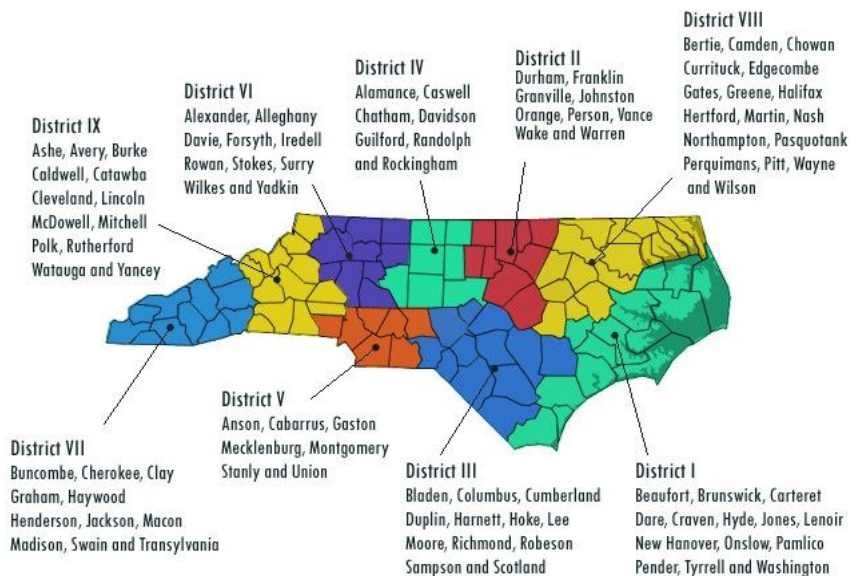
*Membership Report*  
*December 15, 2018*

*Membership Per Membership Status:*

188 General  
 31 Associate  
 101 Student  
 5 Sustaining - Courtlogic (Gold), Ruffin Consulting (Gold), Lawyers Mutual Insurance (Bronze), Registered Agent Solutions (Bronze) and Alliant National Title (Bronze)  
 2 Education - Carteret Community College and Meredith College

*Membership Per District:*

District 1: 22  
 District 2: 96  
 District 3: 16  
 District 4: 74  
 District 5: 48  
 District 6: 21  
 District 7: 6  
 District 8: 12  
 District 9: 26



*Patti*

*Patti Clapper, ACP, NCCP*  
*2nd VP/Membership Chair*





# NCPA NEWS



## SAVE THE DATE

We're going back to the  
BEACH!!!

### SAVE THE DATE

**April 11 – April 13, 2019**

NCPA's 39<sup>th</sup> Annual Seminar &  
Meeting

Courtyard Carolina Beach Ocean-  
front

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**Did you know that many of our annual seminar sessions are available online, on demand for CPE credit? Each session is 1 hour of CPE credit. Registration information is on [our website](#).**

# DISTRICT HAPPENINGS NEWS

## Chairman's Message Heather Padgett, NCCP



I hope this issue of the FORUM finds everyone well and happy! The holidays are here, in case you've not been around the internet, TV, radio, shops, or the kid next door who won't stop singing "Rudolph, the Red-Nosed Reindeer". Seriously, that song is an earworm – it gets stuck in my head and the next thing I know I'm humming it during case update meetings and getting funny looks.

Whether you're a Christmas fanatic who has already pinned the handmade gifts you're going to pull together, or if you're more of the let's put a "stake of holly through his heart" type, sort of like Dickens' Ebenezer Scrooge, I hope you find time during this season to give a little back. For the fanatics, it will put some of that seasonal stress into perspective. For the more Scrooge-like among us, well, you know how that one turned out. (Can you tell *A Christmas Carol* is a favorite? I pull it down and re-read it every year around this time.) NCPA has been privileged to work with a fantastic organization, Military Missions in Action (MMIA). MMIA works with veterans to assist with home accessibility, as well as with active duty service men and women serving in combat zones by collecting and providing hygiene and comfort items. I encourage you to check them out and become involved in NCPA's efforts – we make cards to include with packages, collect items to donate, and for those close enough to MMIA's office, we've had NCPA members volunteer in person. We have an excellent Pro Bono Chair, Elizabeth Vance, ACP, NCCP, who would be happy to hear from you, if you're interested in becoming more involved.

I know everyone is crunched for time during this season, but I hope you'll take the opportunity to participate if your district is having a meet and greet this month. Directors, if you need help in organizing or planning an event, please reach out. We have resources and people to assist. Meet and greets are really the best avenue to network and meet other paralegals in your area. I do want to give a special shout out to Lakisha Chichester, ACP, NCCP, District II's new director! She has really jumped in with both feet and is doing an amazing job in planning meet and greets for her district. Way to go, Lakisha!

And I know you all didn't think I was going to end without mentioning Annual, right? In case you didn't mark it on your calendar the last hundred or so times we've mentioned it, Annual is scheduled for April 11- 13, 2019 in Carolina Beach. We would love for you all to meet us at the beach. We have some interesting topics planned, so stay tuned for more information about registration.



I hope everyone has a safe and happy holiday season. As always, if you have comments or suggestions, please reach out. We love hearing from you.

*Heather Padgett, NCCP*  
[padgett.fn@gmail.com](mailto:padgett.fn@gmail.com)



**NALA Liason Report**  
**Michele Bryant, CP, NCCP, CRCP**  
**NALA Liaison**

## **Report of the NALA Liaison**

Winter is here. The holidays are coming and everyone is extremely busy.

Let's see, what is happening with NALA? I filed NCPA's Mid-Year Affiliate Report with NALA on November 30, 2018 which was due December 1<sup>st</sup>.

I wanted to bring your attention to some changes to the CLE Requirements which were recently announced by the NALA Certifying Board to take effect January 1, 2019. The changes were announced as follows:

### **CLE for Published Articles:**

Certified Paralegals will be awarded three CLE hours for an individually-authored article of at least 1,000 words published in a legal publication in accordance with NALA Facts & Findings Editorial Guidelines (2014) or similar published guidelines. Hours for articles with more than one author will be awarded pro-rata based upon the number of authors and words.

After entering three hours of CLE into your NALA account, submit the following for review to [cle@nala.org](mailto:cle@nala.org):

Certified Paralegal Contact Information  
Copy of Article in Publication  
Word Count



## CLE for Selected Articles in Facts & Findings:

Beginning with the September/October 2018 issue, one hour of CLE credit will be provided to NALA members for reading five designated articles in a single issue of Facts & Findings and successfully completing a follow-up test on those articles. Articles eligible for CLE credit will be identified in each issue of Facts & Findings and Facts & Findings Digital. No partial credit will be given, articles cannot be combined from different Facts & Findings issues, and CLE credit must be submitted within one year of the publication date. No other publications will be considered. Up to two hours of CLE will be available per year with a maximum of five hours of CLE available per each five-year certification period.

### One-year Certification Extension:

This is a very important change so if you have gotten bored and think you don't need to read any further, you're wrong! Keep reading! **The automatic one-year extension to meet recertification requirements will no longer be provided to Certified Paralegals.** Certified Paralegals will receive a courtesy reminder via e-mail one year prior to the expiration date. In addition, courtesy reminders will be sent via e-mail at three months, two months, and one month prior to the expiration date of the certification. A Certified Paralegal's failure to meet the recertification requirements prior to expiration of the certification will result in revocation of the Certified Paralegal credential.

Certified Paralegals with extenuating personal challenges (which could include (i) long term unemployment, (ii) severe medical issues hampering one's ability to work or engage in activities outside of work for a period of one year or more; or (iii) active military service or active military reserve duty) may file a hardship appeal within 60 days prior to the expiration date of the certification. Click here [[nalainc.informz.net](http://nalainc.informz.net)] for the hardship appeal form on the NALA website.

The 2019 NALA Conference & Expo will be held July 11-13th at the Westin Kierland Resort & Spa in Scottsdale/Phoenix, Arizona so save the date!

Thank you and I'm looking forward to 2019!

*Michele*

Michele A. Bryant, CP, NCCP, CRCP  
NALA Liaison





# *Suggestions for the FORUM*

*If you have any articles or suggestions of legal interest you would like to see in the next edition, please submit those to [ncpaforum@ncparalegal.org](mailto:ncpaforum@ncparalegal.org) for publication in the next edition.*





## **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 2019-2020 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 28, 2018**, and the deadline for returning the "Recommendation for District Director" form is **January 4, 2019**.

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 4, 2019**.

If you have any questions about any officer or director position, please contact Nominations & Elections Committee Chair Landon McKinney at [llmckinn@ncsu.edu](mailto:llmckinn@ncsu.edu), 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](http://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.**  
**2019 - 2020**

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 2019 Annual Meeting of the Corporation.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Print/Type Your Name)

\_\_\_\_\_  
(Sign Your Name)

Candidate's Address and Telephone Number:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Send to: Landon McKinney  
NCPA Nominations and Elections Chair  
P O Box 26268  
Raleigh, NC 27611  
llmckinn@ncsu.edu



**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 II, District IV, District VI, and District VIII (two-year term position), will be elected by the members of their respective regions and announced at the 2019 Annual Meeting.

If you are a member of District II, District IV, District VI, and District VIII 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.

Send to: Landon McKinney  
NCPA Nominations and Elections Chair  
Post Office Box 26268  
Raleigh, NC 27611  
llmckinn@ncsu.edu

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 resides and/or is employed in the State of North Carolina.

Dated: \_\_\_\_\_  
(Signature of Nominator)



**Serve your NCPA  
community and run  
for District Director  
in the 2019-2020  
membership year**





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Bonnie Ruffin, NCCP, CLVS

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# CHECK IT OUT!!

## Pro Bono Project - More Cards Going to the Troops Elizabeth Vance, Pro Bono Chair

NCPA's Board of Directors and Executive Committee extended the length of its October meeting to make time for fun and service. Board members and officers enjoyed socializing and getting creative as they made beautiful cards for active duty U.S. troops. Three dozen cards were completed and sent to Military Missions in Action to be included in the organization's next overseas shipment of care packages. A sampling of the cards is shown in these photos.

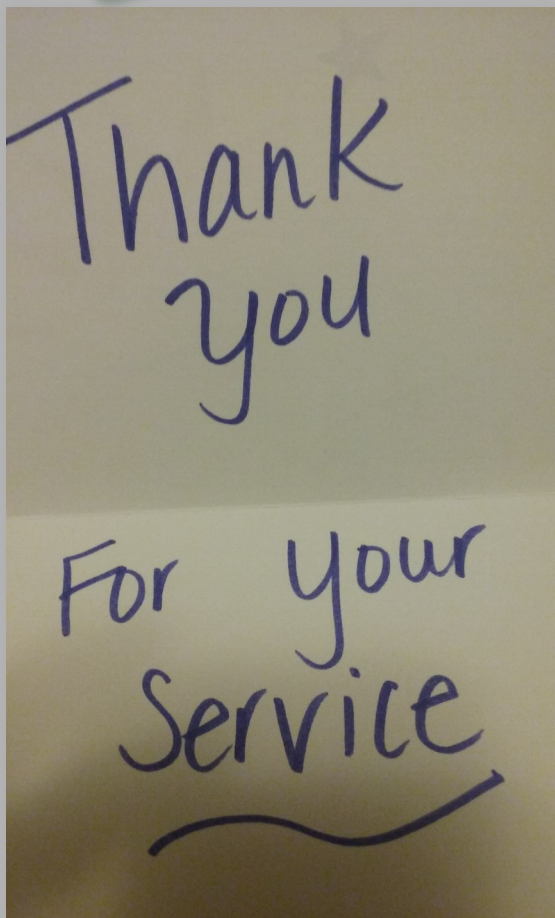
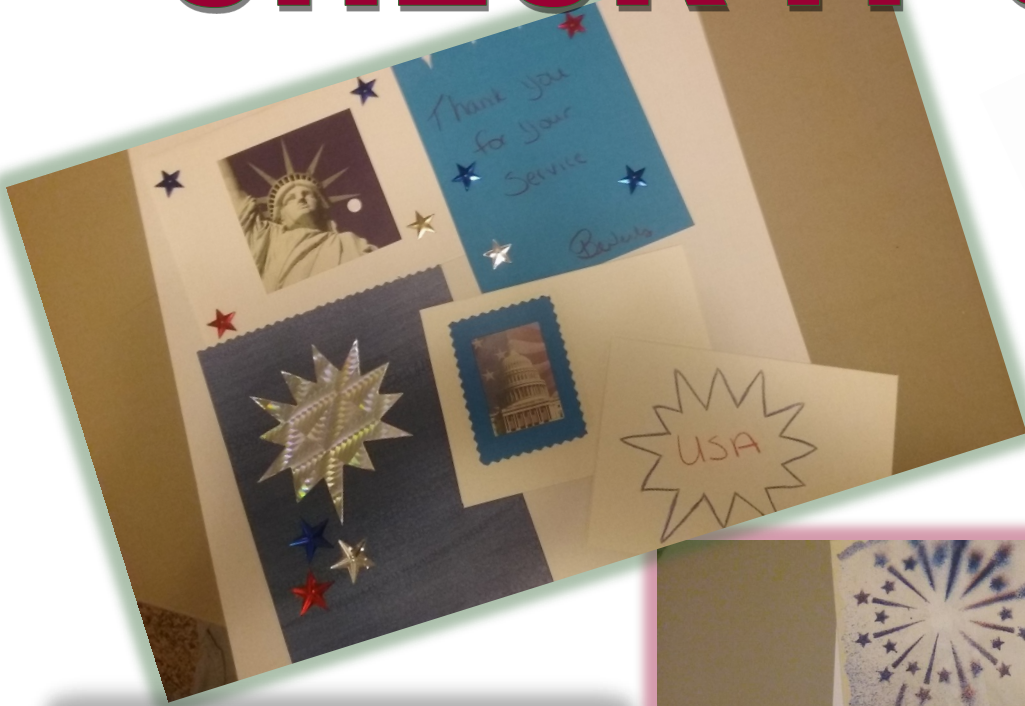
Plans are in the works for our members to participate in Pro Bono projects at NCPA's Annual Meeting, April 11 - 13. Stay tuned for details!

If you would be interested in participating in making cards or organizing a fundraiser to help MMIA pay shipping costs for the care packages, contact Pro Bono Chair Elizabeth Vance, [paralegal878@earthlink.net](mailto:paralegal878@earthlink.net) or by phone 336-686-6847.

**Elizabeth Vance, ACP, NCCP**  
**Email: [paralegal878@earthlink.net](mailto:paralegal878@earthlink.net)**  
**Telephone: 336-686-6847**

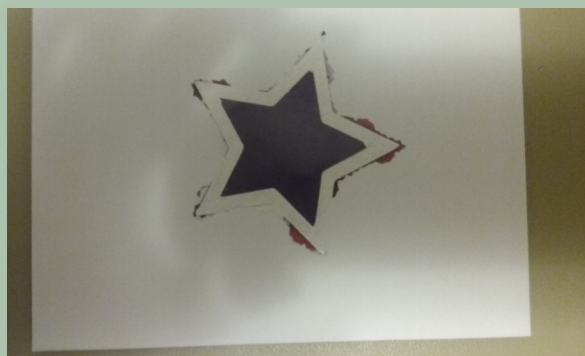
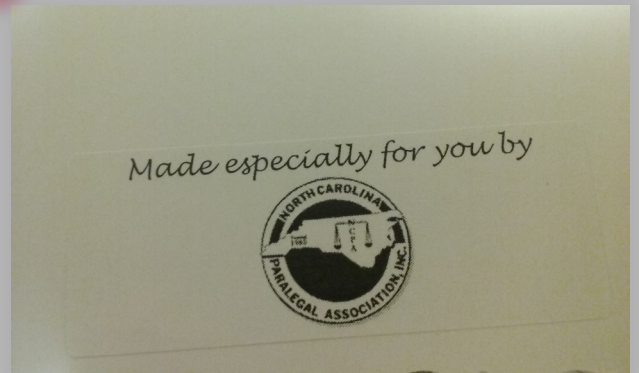
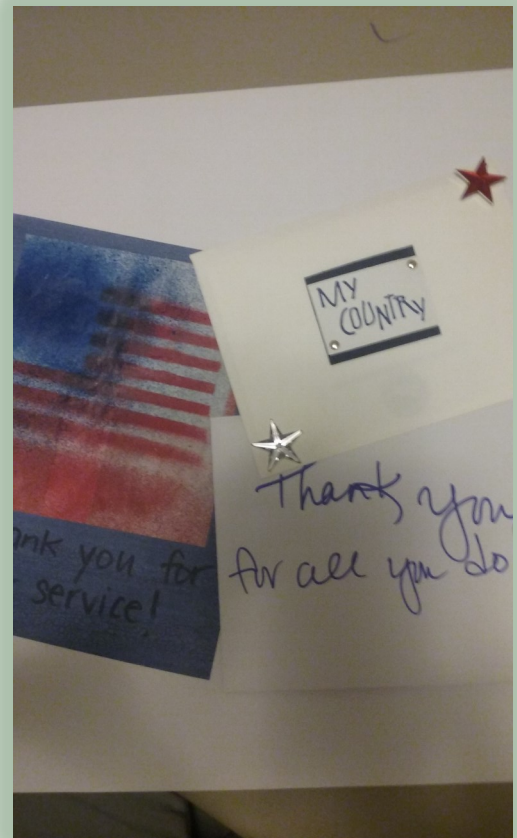


# CHECK IT OUT!!





# CHECK IT OUT!!



# CHECK IT OUT!!





## ATTENTION PARALEGAL STUDENTS

### NCPA STUDENT SCHOLARSHIP ESSAY CONTEST

SPONSORED BY  
*NORTH CAROLINA PARALEGAL ASSOCIATION, INC.*

The North Carolina Paralegal Association, Inc. ("NCPA") will be sponsoring its annual Student Scholarship Essay Contest opening October 1, 2018. 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. Please provide a cover page providing your contact information and paralegal program.

<b>Awards**:</b>	<b>First Place:</b>	<b>\$400.00</b>
	<b>Second Place:</b>	<b>\$300.00</b>
	<b>Third Place:</b>	<b>\$200.00</b>
	<b>Fourth Place:</b>	<b>\$100.00</b>

In addition to the scholarship, all awards include one free student registration to NCPA's 39th Annual Seminar and Meeting to be held April 11-13, 2019 in Carolina Beach, NC.

**Send your typewritten essays by January 1, 2019 to (email is preferred):**

Charlotte A. Ward, NCCP

Student/School Relations Chair

[info@ncparalegal.org](mailto:info@ncparalegal.org)

PO Box 1133

Holly Springs, NC 27540

Please contact Charlotte A. Ward at (919) 906-1822 with any questions.

**\*\*The final number of scholarships to be awarded will be at the discretion of the judges. All award scholarship checks will be made payable to the winners' educational facility. Please note that winners for the previous year are ineligible.\*\***



# As I Leave the Bench, What Troubles Me about Trial Lawyers

BY THE HONORABLE DONALD W. STEPHENS

*These remarks were delivered by Judge Donald W. Stephens shortly after his retirement from the bench at an event hosted by the Eastern North Carolina Chapter of the American Board of Trial Advocates on December 4, 2017, in Raleigh at which Judge Stephens was recognized for his years of service as a trial judge of the superior court.*

After 33 years on the North Carolina Superior Court bench and having reached the mandatory retirement age of 72, I retired on November 1, 2017.

I was licensed to practice law in 1970, 47 years ago. That was the year that the old Wake County Courthouse was dedicated and opened for business.

In 1970, there were about 500 lawyers in Wake County. Today, we have close to 6,000 lawyers in our Bar.

Many things have changed in the practice of law over the last 47 years. However, there has been one constant that has remained the same throughout all those years—the client. These are real people whose side of a real story may unfold in a courtroom in front of a jury of 12 citizens.

I asked Nick Ellis [the former president of the Eastern NC Chapter of ABOTA], what do you want me to talk about today, and what is my time allotment to speak? He advised me to talk about trying jury cases for about five to seven minutes. So, I need to compress the hundreds of significant jury trials that I have presided over during the last 33 years into five to seven minutes...I don't think that's possible.

Instead, I decided to talk to you about the things that worry me as I leave the trial bench. These are not the political things that



are happening in the North Carolina legislature. They are the practical things happening to trial lawyers.

Just like all of you, my great passion has been the trial of jury cases, both as a lawyer and a judge. It is the essence of democracy. It is the grand stage on which lawyers strut, and fret, and perform to an audience of 12 disinterested strangers, selected randomly, who represent the moral conscience of their community, as they engage in a search for justice.

When I tried my first jury cases in the 1970s, citizens seemed to enjoy being on a jury. They accepted the jury summons as an opportunity to serve their community. They saw it as a responsibility of citizenship. They viewed jury service as an essential part of America. It was democracy in its purest form.

Very few summoned citizens asked to be excused. They were a different generation

from today's juror, and we did not demand as much time of those jurors.

The first capital case I prosecuted in the early 1980s in Halifax County was tried in four days. Today, it would take two weeks to pick the jury and another four weeks to try that same case.

The first medical malpractice case I presided over as a judge in 1985 was completed in a week. Today, it would probably take three or four weeks to try that identical case.

The public at large simply does not have six to eight weeks to give you to try your malpractice case, or your personal injury case, or your complex business dispute.

How many of you could afford to take off six to eight weeks from your law practice to sit on a jury? Imagine the average citizen, just barely making ends meet, being required to take six weeks off from work to be paid no

more than \$40 a day to sit on a jury.

At the time I retired, we had to summon 200 jurors in Wake County to be sure that 100 would show up. Of the ones who did show up, very few wanted to be there. And, if selected, they expected to serve only a day or two.

We need to find a way to streamline jury trials so that disputed issues of fact can be resolved without taking weeks and weeks to get that done. If we don't, we will all lament the demise of the jury trial—where no citizen can afford to serve, and where those who are compelled to serve greatly resent being there to the detriment of every lawyer and every party in the courtroom.

Just as I lament the potential demise of the jury trial, I lament the foreseeable passing of you, the trial lawyer.

I have presided over the trial of horrific criminal cases and of every form of civil dispute you can dream up—from medical malpractice cases and all the various forms of personal injury cases, including those from vehicle accidents, to coffee spills at Starbucks, and the slip and fall cases at the Winn-Dixie grocery stores.

Many of these cases were fascinating because they involved people—trauma and drama in the lives of real people. They involved the grist of what trial lawyers like each of you do. Trial lawyers are first and foremost great speech makers and storytellers. They are the great courtroom performers. The courtroom is your stage.

But you are a dying breed. Who will replace you? How will they learn how to be who you are? Who will train them? Where are the jury cases that they will need to try in order to become as good as you are?

Where will we get real trial lawyers in the future? Lawyers who are known for their self-discipline and self-restraint. Who are known for what they choose not to say, not to do, and not to ask. Who are stingy with words, but the words they choose to use are powerful and compelling. Trial lawyers who suffer fools poorly and do not constantly repeat themselves. Who do not talk for the mere sake of talking. When a witness is tendered, the trial lawyer who has the intelligence and courage to say, “no questions,” because the witness has not hurt his client nor said anything relevant to the disputed issues of fact.

The lawyer who knows how to ask a competent question which will not be subject to any objection and will require the witness to state a fact or deny a fact. The lawyer who

speaks less, but when he does speak, says far more than his verbose adversary can even contemplate or comprehend. The lawyer who wins all his motions because they all have merit or, otherwise, he would not have made them.

He is a lawyer who has great credibility, because he tries his cases on a higher plane, above the pettiness of personal attacks, and the silliness of technicalities. He does not waste time and prolong the burden of litigation that is already oppressively burdensome.

The trial lawyer who is not so blinded by the quest for money that he completely loses his objectivity. Nor is he one that takes risks that his clients can neither understand nor afford.

He is a lawyer who can control his own arrogance and his own ego, and sacrifice it for the good of his client. He is a lawyer who fully understands that the case belongs to the client, not to the lawyer. He is a lawyer who is truly honest with his client and with himself and with the court.

This is a lawyer who is a true professional. Who knows there is no case, no cause, no controversy, no client that is more important than his own honesty, his own integrity, and his own reputation.

He is a lawyer who knows that his character and his reputation are not for sale, no matter what amount of money is available to purchase it. He is a lawyer who knows that the greatest tool of advocacy is civility. It can be said about great trial lawyers that he or she was one of the toughest lawyers I ever faced in a courtroom, and one of the nicest people I ever met.

As each of you retire, where will the real trial lawyers come from? Who will replace you? Who will teach them?

I lament the rise of the litigator. He is not a trial lawyer. He is a legal technician. He knows all the local rules and rules of civil procedure. He loves discovery fights and motion hearings. He writes 100-page briefs and he builds a dandy record on appeal, because there will be an appeal.

He admits nothing and fights everything with all his legal tools until his client can no longer afford to fight or is too tired to fight.

He is not a trial lawyer. He is a litigator. He is a Rambo-gladiator. He will never be a trial lawyer.

As I leave the trial bench, I have a unique view from where I sit. I feel like the canary in the coal mine.

I fear that many great trial lawyers, like

the people in this room, will be replaced by litigators who do not know how to tell their client's story to a jury.

I fear our jurors will no longer appreciate their role in this process and may refuse to show up. Those who do come will have very little enthusiasm for their responsibility as fact-finders.

I fear that everyday people will cease to have a champion—a true trial lawyer—to tell their story.

You have the obligation to train those who come after you to be true trial lawyers. You have an obligation to find a way to streamline our jury trials so jurors will again feel honored to serve. I leave these concerns in your capable hands.

If we have tried cases together, I hope that experience made you a better lawyer, because I am sure it made me a better judge. I am honored to have been invited to share my thoughts with you here today. ■

*Judge Donald W. Stephens served as a superior court judge in Wake County, North Carolina, from December 31, 1984, until he retired on November 1, 2017, as the senior resident superior court judge for the 10th Judicial District. He earned his BS and JD degrees from the University of North Carolina at Chapel Hill in 1967 and 1970, respectively. After receiving his law license in 1970, he served as a trial lawyer and trial judge in the United States Marine Corps JAG Division, as a prosecuting attorney in Durham County and as chief of the Special Prosecution Division of the North Carolina Attorney General's Office.*

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## Helpful Links

NCPA — [www.ncparalegal.org](http://www.ncparalegal.org)

NALA - [www.nala.org](http://www.nala.org)

NC State Bar Board of Paralegal Certification - [www.nccertifiedparalegal.org](http://www.nccertifiedparalegal.org)

NC State Bar — [www.ncbar.gov](http://www.ncbar.gov)

## ETHICS CORNER

NCCPs can now access an online, interactive, one-hour trust account management continuing legal education course on the North Carolina Bar Association's website. The program, a joint project of the North Carolina State Bar and the North Carolina Bar Association, provides the most current explanation of the management duties for a lawyer's trust account, and satisfies the provision in Rule 1.15-2 (s) of the Rules of Professional Conduct requiring anyone with trust account signatory authority to complete a one-hour trust account management CLE course. Each one-hour program includes great content and helpful resources and is available **free of charge to North Carolina State Bar licensed lawyers until February 2018, and until further notice for certified paralegals**. These high quality online trust account management programs were produced by the North Carolina Bar Association and the State Bar and are sponsored in part by Lawyers Mutual Insurance Company, Old Republic National Title Insurance Company, and the Board of Paralegal Certification.

<https://www.ncbar.gov/news-and-publications/news-notice/2017/10/free-trust-account-management-cle-course-available-to-members-paralegals/>

If you have any questions about these or any other ethic issue, you can email Alice Mine at the NC State Bar — [amine@ncbar.gov](mailto:amine@ncbar.gov)



## BY LISA M. SHEPPARD

It has been 32 years since North Carolina adopted a set of Rules of Professional Conduct (Rules) in a format recognizable to today's lawyers. Prior to that time, North Carolina lawyers were governed by a set of canons, disciplinary rules, and ethical considerations based on the American Bar Association's (ABA) 32 original Canons of Professional Ethics which, in turn, were adopted in 1908 and re-drafted in 1969 into the ABA Model Code of Professional Responsibility. From the vantage point of 2018, it is startling to learn that the Rules applicable to lawyers in North Carolina before 2003 were much the same as those studied by lawyers in 1836.

Over the years, the priority placed on the virtues of professionalism has been a hallmark of North Carolina practice, and the CJP is a direct heir to this legacy.

It can be fairly stated that modern notions of professionalism and legal ethics in the United States grew out of the Watergate scandal in the early 1970s. At that time, legal ethics was an elective, one-quarter credit course in most law schools that focused on specific prohibited behaviors, such as lying, cheating, stealing from client accounts, and attorney advertising. As John Dean, White House counsel to Richard Nixon, has noted, "In 1972, legal ethics and professionalism played almost no role in any lawyer's mind.

Review of *North Carolina Bar Magazine* (now known as the NC State Bar *Journal*), reveals that North Carolina Bar leaders were concerned about the crisis in public confidence in government and the legal profession, as a self-regulating profession, arising from the revelation that 29 lawyers in the Nixon administration were implicated in misconduct or convicted of illegal activity. In response, State Bar President Ralph H. Ramsey Jr. noted in his inaugural column in 1973 that the State Bar was taking steps to improve the quality and availability of legal services in North Carolina. He sought "to build a better legal profession and to carry out our high calling as keepers and defenders of the liberties of the people."<sup>1</sup>





On a national level, the ABA reacted by forming a commission to evaluate whether existing standards of professional conduct provided comprehensive and consistent guidance for resolving the increasingly complex ethical problems in the practice of law. Known by the name of its chair, Robert Kutak, the Kutak Commission spent the next six years working on a complete restatement of the 1969 ABA Model Code of Responsibility, then in effect in some form in all states, including North Carolina.

The enormity of the task and the controversy surrounding the Kutak Commission's recommended changes to the 1969 ABA Model Code were based in part on the commission's approach—viewed as radical at the time—that lawyers have obligations to the system of justice above and beyond that which they owe their clients.

This notion of a higher duty was embodied in a series of recommended amendments to the 1969 Model Code, including a proposed disclosure rule permitting lawyers to disclose client confidential information about corporate officers or employees engaged in illegal activity. The Kutak Commission also proposed a duty of fairness in negotiations requiring disclosure of material facts and a requirement that lawyers engage in *pro bono publico* work. These proposals drew significant criticism and, as a result, were not included in the final version of the ABA Model Rules of Professional Conduct approved by the House of Delegates in August 1983.

However, the connection between the concept of lawyers having a higher duty to the rule of law and the “Watergate defense,” infamously used by several of Nixon’s lawyers—that their duty of confidentiality prevented them from disclosing illegal activity by their clients—is clear in hindsight.

Another result of the public disgrace of so many prominent lawyers was a proliferation of required training in legal ethics and professionalism in law school curricula and in CLE programs, as well as additional bar examination questions focused on ethics and professional conduct.

Throughout the 1980s and 1990s, various state and national Bar organizations continued the effort to clarify and strengthen the codification of the legal profession’s ethical and professional responsibilities. Of relevance here, the Conference of Chief Justices resolved in 1996 to study and undertake

action to address lawyer professionalism. The result of this effort was a report issued by the conference entitled *A National Action Plan on Lawyer Conduct and Professionalism*, which was adopted by the ABA on January 21, 1999. The report and the Action Plan were published and distributed to state chief justices, lawyer disciplinary agencies, and state Bar associations throughout the US.

The Action Plan specifically recommended that state judiciaries should establish “...a Commission on Professionalism or other agency under the direct authority of the appellate court of highest jurisdiction.”

At this time there were six state-level professionalism commissions: Florida, Georgia, New Jersey, Ohio, Oregon, and Texas.

The CJCP was formed in 1998 against this backdrop.

### Creation of the CJCP

In 1997, Bill King, then-president of the NC State Bar, and Jerry Parnell, the NC delegate to the ABA House of Delegates, were aware of the ABA Action Plan and brought the idea of forming a commission on professionalism in North Carolina to then-Chief Justice Burley Mitchell. Chief Justice Mitchell embraced the idea and created the CJCP by Order of the Supreme Court dated September 22, 1998:

BY THIS ORDER, the Court issues to the commission the following charge: The commission’s primary charge shall be to enhance professionalism among North Carolina’s lawyers. In carrying out its charge, the commission shall provide ongoing attention and assistance to the task of ensuring that the practice of *law remains a high calling*, enlisted in the service of clients *and in the public good*. (Emphasis added).

The language italicized above in the order reflects the impact of the Watergate events and the subsequent evolution of the concept of professionalism in North Carolina in the reference to the practice of law as a “high calling,” which directly tracks State Bar President Ramsey’s words from 1973. It is also interesting to note that by 1998 the practice of law encompassed the notion of service to “the public good” in addition to the service of clients; this was one of the controversial concepts in the Kutak Report rejected by the ABA 15 years earlier.

Fast forward to 2011. As chair of the

ABA Standing Committee on Professionalism, Melvin F. Wright Jr., then-executive director of the CJCP, guided the writing and publication of *A Guide on Professionalism Commissions* - August 2011 (*ABA Professionalism Commission Guide*). This document captures some of the history summarized above and details the origins of then-existing state professionalism commissions. In the section describing North Carolina’s CJCP, the *ABA Professionalism Guide* states that the CJCP’s mission is embodied in its Lawyer’s Professionalism Creed:

To my clients, I offer competence, faithfulness, diligence, and good judgement. I will strive to represent you, as I would want to be represented, and to be worthy of your trust.

To the opposing parties and their counsel, I offer fairness, integrity, and civility. I will seek reconciliation and, if we fail, I will strive to make our dispute a dignified one.

To the courts and other tribunals, and to those who assist them, I offer respect, truthfulness, and courtesy. I will strive to do honor to the search for justice.

To the profession, I offer assistance. *I will strive to keep our profession a high calling in the spirit of pro bono and public service. To the public and our system of justice, I offer service. I will strive to improve the law and our legal system, to make the law and our legal system available to all, and to see the common good through the representation of my clients.* (Emphasis added).

Comparing the principles highlighted above in the Lawyer’s Professionalism Creed and the order creating the CJCP, with those rejected in the Kutak Commission’s proposed Model Rules in 1983, we can see further evidence of the maturation of the concept of professionalism in North Carolina over the intervening 28 years.

Today, North Carolina recognizes limited exceptions to the duty of confidentiality, such as to prevent the commission of a crime by the client (NCRPC 1.6(b)(2)), and specifically prohibits counsel from assisting a client in conduct that the lawyer knows is criminal or fraudulent (NCRPC 1.2(d)). It is no longer controversial to hold lawyers accountable for duties owed to the “public and our system of justice” or to expect them to devote time to *pro bono* service.

The creation of the CJCP brought togeth-

er all of the energy that had been focused by North Carolina Bar leaders on ethics and professionalism, as influenced by the ABA, other state Bars, as well as national political and social upheavals, and gave it a home.

### The Contribution of the CJCP Since 1998

For the past 20 years, the CJCP has been developing programming and initiatives designed to promote understanding by North Carolina lawyers of what the duty of professionalism means and how to apply it in their practice. It has done that by offering training, and support for training offered by others, as well as a series of initiatives that recognize lawyers and judges who embody the highest ideals of professionalism, as well as guidance for those that fall short of expected standards of conduct.

Early activities of the CJCP include the adoption of the Professionalism Creed set forth above and, in 2000, the creation of a Historical Video Series, consisting of video interviews with distinguished lawyers and judges from across the state to preserve their thoughts and commentary on professionalism and its evolution throughout the years. These videos serve as historical memoirs and have been used for educational purposes in presentations and CLE programs given by the CJCP.

In 2001 the CJCP awarded the first Chief Justice's Professionalism Award to recognize lawyers who have exemplified principles of professionalism in all aspects of their careers. To date, 27 outstanding North Carolina lawyers and judges have received this prestigious award. Many recipients of the Chief Justice's Professionalism Award have been interviewed for the Historical Video Series.

From its inception, the CJCP has developed materials and offered presentations for CLE programs and law school professional responsibility classes. The CJCP also began offering assistance to other organizations through grant-making to support professionalism initiatives in 2003, and the first recipients were North Carolina law schools. Over the years, the CJCP has also made grants to the Equal Access to Justice Commission, the NC Bar Association, and local Bar organizations and their individual professionalism initiatives.

Seeking to provide assistance to North Carolina judges, the CJCP formed the

Judicial Response Committee, which is available to respond to unwarranted attacks in the media on the judiciary. Another significant project undertaken by the CJCP was the formation of the Professionalism Support Initiative (PSI), which serves as a confidential peer intervention program to improve professionalism among lawyers and judges.

As part of its mission to serve all lawyers in North Carolina, the CJCP has also taken its programming on the road by sponsoring, in conjunction with Lawyer's Mutual, professionalism CLE and luncheon programs with the local North Carolina Judicial District Bars. Over the past 15 years, the CJCP has held these programs in 39 of North Carolina's 44 judicial districts, totaling 49 programs. In 2018 the CJCP is scheduled to sponsor six programs throughout the state in conjunction with the North Carolina Supreme Court's 200th Anniversary historic courthouse visits, from Asheville to New Bern.

Throughout the years, the CJCP has also participated in professionalism-related activities on a national level, representing North Carolina at conferences, boards, and programs, including at the ABA and its Center for Professional Responsibility.

### Anniversary Celebration Activities in 2018

The CJCP kicked off a series of events celebrating its 20th anniversary with a press conference by Chief Justice Martin announcing his proclamation of the "Year of Professionalism." Throughout 2018, the CJCP has highlighted an event each month where its anniversary videos are screened and its mission and history are explained to audiences throughout North Carolina. The videos were produced to capture the history of the commission and its vision for the future, and they are available for viewing on its dedicated YouTube channel.

As part of the 20th Anniversary celebration, the CJCP has established a new program, the Law School Ambassador Program, in collaboration with North Carolina's law schools. The program offers a distinguished third year law student selected by each North Carolina law school the opportunity for engagement with and service on the commission as a non-voting participant. We look forward to this program becoming a prestigious and valuable opportunity for law students in the years to come.

### Esse Quam Videri - The Fruits of a Frequent Recurrence to Fundamental Principles

Professional conduct by lawyers, judges, and law students is a foundational and integral part of all of the mundane aspects of the practice of law, in any practice area and at every stage of the legal process. We do not recognize it as such because it is so embedded in all that we do. It has been my observation that most North Carolina lawyers and judges recognize unprofessional conduct when they see it. I attribute this to the efforts of law schools to educate law students on the bounds of appropriate behavior; evolving CLE requirements and the widespread availability of training, including that provided by the CJCP; a consensus in local Bar associations of proper behavior; and, most importantly, active formal and informal mentoring in law firms and local Bars. All of these activities have contributed to the fact that professional conduct has become habitual among the majority of North Carolina lawyers.

As lawyers, we practice law in a wide range of environments: in solo practices and large, multinational law firms, in corporate counsel offices, government, and legal services organizations. We also practice in small towns, cities with large and small populations, in the mountains, the foothills, and the piedmont, in verdant farming towns and on the Atlantic coast and the Outer Banks. However, we all share a common understanding of the expectations of professional conduct as part of a larger community of shared values and behavioral norms.

In recognition of this shared value, the CJCP adopted the state motto, "*esse quam videri*" as its watchword in its re-branding efforts this year. You will see it on all CJCP materials, staff business cards, and stationery. Hopefully, the meaning of this phrase in this context is clear: it is a reminder to North Carolina lawyers to treat everyone with dignity and respect, in all aspects of their lives, when it is uncomfortable and difficult, as well as when it is convenient and expedient, to actually be professional, rather than to merely seem so.<sup>2</sup>

In closing, Justice Sandra day O'Connor summarized a lawyer's duty of professionalism well when she observed,

To me, the essence of professionalism is a commitment to develop one's skills to the



fullest and to apply that responsibly to the problems at hand. Professionalism requires adherence to the highest ethical standards of conduct and a willingness to subordinate narrow self-interest in pursuit of the more fundamental goal of public service. Because of the tremendous power they wield in our system, lawyers must never forget that their duty to serve their clients fairly and skillfully takes priority over the personal accumulation of wealth. At the same time, lawyers must temper bold advocacy for their clients with a sense of responsibility to the larger legal system which strives, however imperfectly, to provide justice for all.”<sup>3</sup>

*Lisa Sheppard is the executive director of the Chief Justice's Commission on Professionalism.*

#### Endnotes

1. Message from the President, North Carolina State Bar Magazine, Vol. 20, No. 4, pp. 6-7 (1973).
2. The CJCP welcomes new ideas for projects and initiatives that enhance professionalism among NC lawyers, judges, and law students, as well as feedback on its existing programming. Please contact Lisa Sheppard, executive director, at [lisa.m.sheppard@nccourts.org](mailto:lisa.m.sheppard@nccourts.org) to share your thoughts.
3. Justice Sandra Day O'Connor, Court of Appeals of Maryland Professionalism Course, "Professionalism Above and Beyond Ethics," p. 15 (1992).



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# COLOR ME!!



# Is It Ethical for Lawyers to Accept Bitcoins and Other Cryptocurrencies?

BY JAMES M. MCCAULEY, SHARON D. NELSON, AND JOHN W. SIMEK

*The Ethics Committee recently received an inquiry regarding the ethical implications of a lawyer receiving cryptocurrency (Bitcoin) as payment for legal fees or as payment for the benefit of a client or a third party. The inquiry was referred to a subcommittee for further review. Nebraska is currently the only jurisdiction that has issued an opinion on the ethical issues implicated by the multifaceted nature of cryptocurrency. The Virginia State Bar recently published an article referencing the Nebraska opinion and noting their concerns about the implications of cryptocurrency on a lawyer's professional responsibility. With permission from the authors and the Virginia State Bar, that article is republished here for our members' contemplation.*

## Cryptocurrency Baseline

Bitcoins are digital currency, and yes, lawyers are beginning to accept them from clients. They are also known as virtual currency or cryptocurrency since cryptography is used to control Bitcoin creation and transfer. They use peer-to-peer technology with no central authority or banks. The issuance of bitcoins and the managing of transactions are carried out collectively by the network.

Cryptocurrencies are created by a process called mining—by becoming a miner of cryptocurrencies, you make money (not much unless you are a major league miner). We won't go into all of the technology that is used to create and verify the transactions since it will probably make your head hurt. Mining is accomplished by executing complicated mathematic operations that take a lot of processing power. Hence the new phenomenon of cryptojacking in which miners hijack the computing resources of unknowing victims so they can mine cryptocurrencies. And yes, your network could be victimized and there is little chance you would know unless so much power is used that your network slows down.

Today there are a lot of different cryp-

tocurrencies. Bitcoin is still one of the most well-known and popular. However, other cryptocurrencies such as Ethereum, Bitcoin Cash, Monero, Litecoin, Ripple, Dash, and others are gaining in popularity. They promise to scale better than Bitcoin and to provide stronger anonymous protections. As of April 26, 2018, the amazing number of different cryptocurrencies is 1,759 according to investing.com's current list located at <https://www.investing.com/crypto/currencies>. With all the various "flavors" of digital currencies, we're sure you'll find one to your liking.

All cryptocurrency transactions are recorded in a computer file called a blockchain, which is synonymous to a ledger that deals with conventional money. Users send and receive Bitcoin and other cryptocurrencies from their mobile device, computer, or web application by using wallet software. You can even use cloud services to host and manage your wallet(s). Frankly, we prefer to have direct control and keep our wallet(s) stored on local devices. Of course, don't forget to back up your wallet(s).

We won't get into all the technical and legal issues surrounding cryptocurrencies. Suffice it to say that these virtual currencies are here to stay and have value, although they remain extremely volatile. In the US, cryptocurrencies are regarded as property rather than cash, with all the consequent tax implications.

## Ethical Issues

Let's deal with some of the ethical issues concerning the acceptance of cryptocurrencies.

Nebraska is the only state we are aware of that has issued an ethical opinion specifically for Bitcoin usage. Nebraska's opinion states that lawyers may accept payments in digital currencies, but must immediately convert

them into US dollars. Any refund of monies is also made in US dollars and not in digital currency.

It is well known that an attorney can't access client funds until they are earned, hence the existence of trust accounts. Also, an attorney can accept property as payment, but there must be a valuation for the property. This is where accepting digital currencies could get a little muddy. The Virginia rules require that a fee for legal services must be "reasonable." If attorneys receive digital currency, they should immediately convert and exchange it to actual currency AND put it in their escrow account. This effectively (and actually) puts a value on the cryptocurrency, which is exactly the process described in the Nebraska opinion. As part of the reconciliation and billing process, the lawyer would just note wording stating the number of bitcoins or other cryptocurrency and the market value at conversion. What the Nebraska opinion did not address is the handling of transaction fees, which can be rather substantial. The majority of lawyers will use an exchange to convert the cryptocurrency into cash. Who pays the fee for this conversion? And what if the client insists that the lawyer hold an advanced fee payment in Bitcoin instead of converting it to US currency? If Bitcoin increases in value, who gets the windfall—the lawyer or the client? Who bears the risk if Bitcoin drops in value?

Criminal defense lawyers, of course, can face potential ethical and even criminal issues if clients pay them with assets they are determined to have acquired through illegal conduct. And yet, almost invariably, when we hear about lawyers accepting Bitcoin as payment, the lawyers involved are criminal defense attorneys. For all the talk of "privacy" and the frequent inability to prove the connection between illegal conduct and Bitcoin, it is clear that federal authorities believe the



bitcoins are used to keep criminal activities financially untraceable. On the other hand, many legitimate businesses in the United States and Europe accept Bitcoin, including Dish Network, Overstock.com, and Expedia.

### Holding Cryptocurrencies

What if the lawyer wants to keep the cryptocurrency for their own use? Can they just keep the cryptocurrency in their own electronic wallet and deposit cash in the trust account on behalf of their client? The answer to this question depends on whether the Bar considers bitcoins “funds” or “property” that a client entrusts to the lawyer. *See* Rule 1.15. Client “funds” belong in a trust account, but client “property” must be kept safe by the lawyer. Since a lawyer cannot deposit bitcoins in a trust account, describing it as “funds” is a problem.

When a client gives a lawyer bitcoins, it is “property,” not actual currency, but Rule 1.15 requires a lawyer to safeguard client property. This means making sure your digital “wallet” is secure and backed up. If the lawyer wants to keep the bitcoins and give the client the equivalent value in cash, those funds must go into the trust account if the bitcoins were payment of an advanced fee. This would require the client’s consent and would be subject to the business transaction rule under Rule 1.8(a), requiring that the terms of the transaction be fair and reasonable, confirmed in writing, and that the client be advised to seek independent counsel before entering into the agreement.

One legal ethicist, the late Professor Ronald D. Rotunda, disagreed with the Nebraska Bar’s Ethics Opinion 17-03 that says the lawyer must convert the cryptocurrency immediately into US currency. *See, Bitcoin and the Legal Ethics of Lawyers*, dated November 6, 2017, on *Justia’s Verdict* blog at [bit.ly/2OzOFoT](http://bit.ly/2OzOFoT). Professor Rotunda correctly explains how Bar opinions have allowed that, subject to certain requirements, lawyers may accept from their clients’ stock and tangible property in lieu of cash for payment of legal fees even if the stock or property might fluctuate in value after the lawyer has accepted it. In Rotunda’s view, bitcoins are like gold in the sense that it is worth whatever people are willing to pay for them.

The Nebraska opinion requires that lawyers “mitigate the risk of volatility and possible unconscionable overpayment for services” by not retaining the digital currency

and by converting it “into US dollars immediately upon receipt.” To Rotunda, it is a business decision rather than an ethics decision if the client wants to shift the risk of volatility to the lawyer. If a client and lawyer agree to pay the lawyer with stock in lieu of currency, and the original value is reasonable at the time the parties contracted, the fact that the stock goes up or down in value does not make the acceptance of the stock unethical. The Bar opinions “look back” to the time that payment was accepted to determine whether the payment was “reasonable,” and the lawyer may suffer a loss or a windfall, as the case may be. These opinions do not require that the lawyer sell the stock immediately to convert it to cash. In some initial public offerings, there may be “blackout periods” in which the lawyer is prohibited from selling the stock. That Bitcoin might drastically drop in value, resulting in the lawyer being underpaid, is not an ethics issue either, according to Rotunda. Lawyers are educated adults and can make the call to sell or keep the bitcoins and accept that risk.

Rotunda may have a point if the client pays the lawyer in bitcoins for past legal services. In that case, the lawyer has earned the fee and the bitcoins becomes the property of the lawyer. The lawyer can accept risk with respect to his or her own property. That the bitcoins cannot be deposited into a bank account is not an ethics issue if the bitcoins are payment toward an earned fee. Even if the client paid the fee in cash, a lawyer cannot deposit an earned fee in a trust account because that would be commingling. The ethics rules do not require the lawyer to deposit an earned fee in an operating account either. The lawyer could deposit the cash directly into a personal checking account.

If the client gives the lawyer bitcoins as an “advance fee,” however, there are some problems. Rule 1.15 requires that a lawyer safe keep property that the client has entrusted to the lawyer. An “advanced fee” is property of the client until the lawyer has earned it, per Legal Ethics Opinion 1606. If Bitcoin plummets dramatically in value, and the client discharges the lawyer before the work is completed, the lawyer will not have kept safe sufficient funds or property to make a refund of the unearned fee as required by Rule 1.16(d); or, if the lawyer accepts Bitcoin in settlement of a client’s claim, and Bitcoin loses value, the lawyer is unable to pay the client or to discharge third-party liens as required by Rule

1.15(b). The lawyer may discharge these obligations with other funds or property, but in doing so the lawyer would be making payments “out of trust” and not in compliance with the rules.

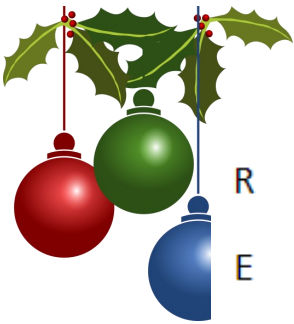
Another problem arises out of the fact that the Bar’s regulation of trust accounts and recordkeeping has not kept pace with technology and does not contemplate cryptocurrency. Lawyers are required to keep records of trust account transactions that are auditable and verified through an approved financial institution’s records and statements. No regulatory Bar is currently equipped to audit Bitcoin transactions and storage.

### The Future

Unless some serious security measures are built into Bitcoin, we wouldn’t recommend that you invest any serious wealth with the virtual currency. Certainly some virtual currencies are better protected than others, but you still might want to think long and hard about accepting Bitcoin or other cryptocurrency as lawyers. The bulk of people we know regard Bitcoin as “shady money,” and they may well regard lawyers accepting Bitcoin as “shady lawyers.” Will Bitcoin be legitimized one day in the eyes of average Joes and Janes? Maybe—but not soon. ■

*Jim McCauley is the ethics counsel for the Virginia State Bar where he has been employed for almost 29 years, and teaches professional responsibility at the T.C. Williams School of Law in Richmond, Virginia. Sharon Nelson is the president and John Simek is the vice-president of Sensei Enterprises, Inc., a legal technology, cybersecurity, and digital forensics firm based in Fairfax, Virginia. (703) 359-0700, [senseient.com](http://senseient.com).*





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# Calendar of Events

## DEADLINES

- ♦ Student Essay Contest— January 1, 2019 (Winner announced at NCPA 39th Annual Seminar)



## UPCOMING NCPA CALENDAR EVENTS 2018

- ♦ January 12, 2019—BD/EC Meeting @ Smith Debnam Narron Drake Saintsing & Myers, LLP
- ♦ April 11-13, 2019—NCPA 39th Annual Seminar @ Carolina Beach (woohoo!!)
- ♦ July 11-13, 2019—NALA Conference to be held at the Westin Kierland Resort & Spa in Scottsdale (Phoenix), Arizona!



## 2018-2019 NCPA Officers, Directors & Committee Chairs

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Secretary	Jennifer Smith Stuphin, ACP, NCCP	(C)336-212-9346	<a href="mailto:jennifer.smith-sutphin@greensboro-nc.gov">jennifer.smith-sutphin@greensboro-nc.gov</a>
Treasurer	Kaye Hare, ACP, NCCP	(C)919-475-2084	<a href="mailto:khare@walkerlambe.com">khare@walkerlambe.com</a>
Parliamentarian	Martha L. Blackman-Hughes, ACP, NCCP	(C)919-606-0236	<a href="mailto:mlblackman-hughes@nc.rr.com">mlblackman-hughes@nc.rr.com</a>
NALA Liaison	Michele Bryant, CP, NCCP	(C)336-682-4195	<a href="mailto:mtuttle@wakehealth.edu">mtuttle@wakehealth.edu</a>

### Directors:

I	Heather Padgett, NCCP	(C)910-515-6402	<a href="mailto:heather.padgett@wilmingtonnc.gov">heather.padgett@wilmingtonnc.gov</a>
II	Lakisha A. Chichester, ACP, NCCP	(C)919-358-0861	<a href="mailto:lachichester@gmail.com">lachichester@gmail.com</a>
III	Michelle "Shelly" Troutman, NCCP	(C)931-801-5821	<a href="mailto:shelley@woodsdooster.com">shelley@woodsdooster.com</a>
IV	Amanda Odom	(C)336-209-7119	<a href="mailto:akodom823@gmail.com">akodom823@gmail.com</a>
V	Karen L. Wood, NCCP	(C)704-779-7207	<a href="mailto:krneagl3@yahoo.com">krneagl3@yahoo.com</a>
VI	Michele Bryant, CP, NCCP	(C)336-682-4195	<a href="mailto:mtuttle@wakehealth.edu">mtuttle@wakehealth.edu</a>
VII	Patricia F. Clapper, ACP, NCCP	(C) 919-210-0197	<a href="mailto:lglduck@gmail.com">lglduck@gmail.com</a>
VIII	Patricia F. Clapper, ACP, NCCP	(C) 919-210-0197	<a href="mailto:lglduck@gmail.com">lglduck@gmail.com</a>
IX	Jen Hollar, NCCP	(C)828-962-7812	<a href="mailto:hollar_jen@yahoo.com">hollar_jen@yahoo.com</a>
Affiliate Director	Jennifer Eason, CP	(C)919-452-4451	<a href="mailto:Jennifer.Eason@allscripts.com">Jennifer.Eason@allscripts.com</a>
Attorney Advisors	Joseph N. Tissue, Esq.	(W) 704-321-4745	<a href="mailto:joe@tissuelaw.com">joe@tissuelaw.com</a>
Chairman of the Board	Heather Padgett, NCCP	(C)910-515-6402	<a href="mailto:heather.padgett@wilmingtonnc.gov">heather.padgett@wilmingtonnc.gov</a>
	Jennifer Smith-Stuphin, ACP, NCCP	(C)336-202-9346	<a href="mailto:jennifer.smith-sutphin@greensboro-nc.gov">jennifer.smith-sutphin@greensboro-nc.gov</a>
Board Secretary	Patricia F. Clapper, ACP, NCCP	(C) 919-210-0197	<a href="mailto:lglduck@gmail.com">lglduck@gmail.com</a>
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Audit Chair	Patricia F. Clapper, ACP, NCCP	(C) 919-210-0197	<a href="mailto:lglduck@gmail.com">lglduck@gmail.com</a>
Associations Network Committee Chair	Jennifer Eason, CP	(C)919-452-4451	<a href="mailto:Jennifer.Eason@allscripts.com">Jennifer.Eason@allscripts.com</a>
Annual Seminar Co-Chairs/Registration	Lakisha A. Chichester, ACP, NCCP	(C)919-358-0861	<a href="mailto:lachichester@gmail.com">lachichester@gmail.com</a>
	Crystal L. Robinson, NCCP	(C)336-212-1513	<a href="mailto:crissi1975@gmail.com">crissi1975@gmail.com</a>
NCCP Review Course	Yazmeen Gadall	(w)336-717-9163	<a href="mailto:ygadalla@waldrepllp.com">ygadalla@waldrepllp.com</a>
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	Martha L. Blackman-Hughes, ACP, NCCP	(C)919-606-0236	<a href="mailto:mlblackman-hughes@nc.rr.com">mlblackman-hughes@nc.rr.com</a>
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Long Range Planning Chair	Paulene Scott Kearney, NCCP	(C)919-671-9439	<a href="mailto:pkearney@smithdebnamlaw.com">pkearney@smithdebnamlaw.com</a>
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Convention Coordinator	Rebecca Adams		<a href="mailto:nailztek4u@yahoo.com">nailztek4u@yahoo.com</a>
NC Land Records Task Force Chair	Victoria Quarles, NCSB/CP	(C)919-272-8980	<a href="mailto:Victoria.Quarles@Yahoo.com">Victoria.Quarles@Yahoo.com</a>
NCSBar Bd of Plg Cert Liaison	Yolanda N. Smith, ACP, NCCP	(C)919-274-5363	<a href="mailto:ynsmith72@gmail.com">ynsmith72@gmail.com</a>
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Pro Bono Chair	Elizabeth Vance, ACP, NCCP	(C)336-686-6847	<a href="mailto:paralegal878@earthlink.net">paralegal878@earthlink.net</a>



## 2018-2019 NCPA Officers, Directors & Committee Chairs (Continued)

### Committee Chairs (Continued)

Public Relations / Senior Editor	Jen Hollar, NCCP	(C)828-962-7812	<a href="mailto:hollar_jen@yahoo.com">hollar_jen@yahoo.com</a>
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Advertising Editor	Abigail Powell, NCCP	(C)919-915-1273	<a href="mailto:acp0923@gmail.com">acp0923@gmail.com</a>
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Technology Chair	Patricia F. Clapper, ACP, NCCP	(C) 919-210-0197	<a href="mailto:lglduck@aol.com">lglduck@aol.com</a>
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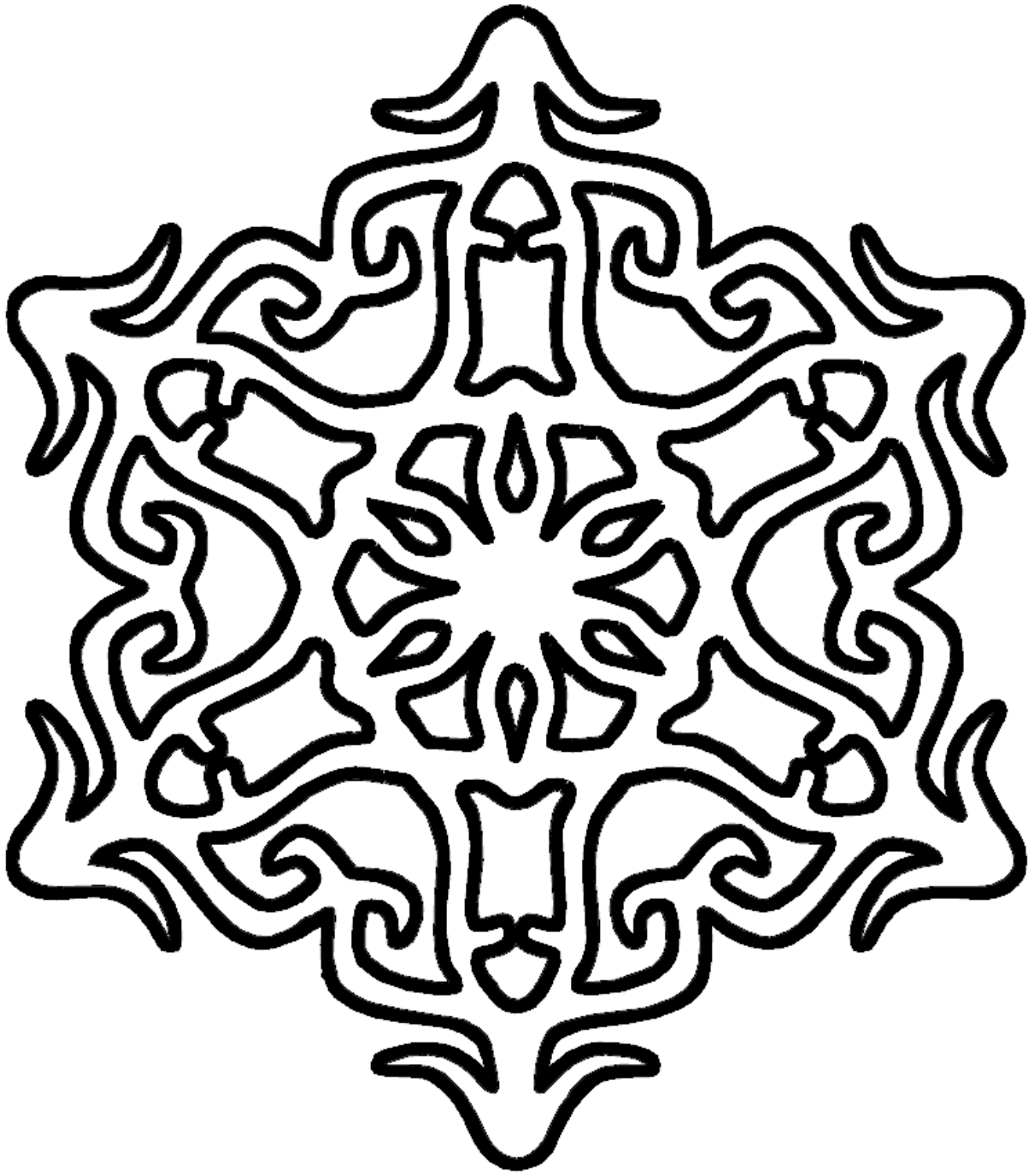
## CONTEST!!!!

I want to see who will read this newsletter all the way through! Just complete all puzzles throughout this edition of the FORUM! Puzzles include: 1) Maze; 2) Word Search; & 3) Sudoku. The first person to submit your correctly completed puzzles in this Winter edition of the FORUM will win a prize. Simply send an email to [ncpaforum@ncparalegal.org](mailto:ncpaforum@ncparalegal.org) with pictures/scanned copies of your completed puzzles. You will be notified if you are the lucky winner, and the winner will be announced in the next edition of the FORUM!

**GOOD LUCK everyone!!!!**

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