



THE AMERICAN ALLIANCE OF PARALEGALS, INC.

*Advancing the Paralegal Profession
by Focusing on the Individual Paralegal*



THE ALLIANCE ECHO

A quarterly publication of the American Alliance of Paralegals, Inc.

www.aapipara.org

Vol. 5– Fall 2007 Issue

PRESIDENT’S MESSAGE

Debbie Repass, AACP, RP

You could feel the excitement in the air in Wilmington, Delaware as the vendors set up to provide attendees of the second annual National Paralegal Summit (“Summit”) an opportunity to learn about the latest products. Expectations were high and everyone was excited. Paralegals from ten different states were in attendance and there were also members of the legal community other than paralegals. The President of the Delaware State Bar Association and the Chairman of the New Jersey State Bar Association Paralegal Committee were among those attending.

The day began with a keynote address by Richard S. Gebelein, Chief Deputy Attorney General for Delaware who from August 2005 until January 2007 was an International Judge to Section I for War Crimes of the Criminal and Appellate Divisions and Section II for the Organized Crime, Economic Crime and Corruption of the Criminal and Appellate Divisions of the Court of Bosnia and Herzegovina. Mr. Gebelein also served as a Superior Court Judge for the State of Delaware and as Chief of the Criminal Trial Division in New Castle County, Delaware.

Mr. Gebelein addressed the attendees on the makeup of the Attorney General’s Office in Delaware and the use of paralegals. He shared with the group how his office recognizes the value of paralegals, but the legislature continues to lag behind, opting instead to approve funds for additional attorneys, but not paralegals. Mr. Gebelein then went on to explain the process by which programs have been set up by Attorneys General across the country to address crime and, in particular, child pornography and identity theft.

After a short break, the Summit began. The future of regulation was the first topic. Reports on regulation, certification, and licensure were given by attendees from Wisconsin, California, Kentucky, and New Jersey. Each update made clear the increased possibility that licensure may soon become reality and that it is likely to create a domino effect once enacted.

The decision for the states currently creating a voluntary vs. mandatory regulation scheme was also addressed.

If you like to write articles or have articles you have written and would like to submit them to *The Alliance Echo* for publication, contact Karen Ray at secretary@aapipara.org.

Many states have begun voluntary regulation schemes that have the framework in place should mandatory criteria take effect. There are still many states struggling with this issue, and each state's selection of the regulating authority was discussed at length.

Exempt status of paralegals was the highlighted topic of the Summit. Discussion began with the recent *Wersinger v. Bank of America* case regarding the exempt status of a paralegal. The outcome could affect the use of the title "paralegal" across the United States, as the state issues in the case have been waived leaving only the federal issues to be argued. The conclusion from many attendees was that the issue of exempt/non-exempt status of paralegals and the role education and continuing education play in this scenario will continue to present itself. This means that paralegals will be faced with the issue that post high school education, and in particular, a bachelor's degree and paralegal certificate, are going to be requirements for the profession.

The group discussed the need for unity in educational standards among the national paralegal organizations and reciprocity in recognizing various paralegal CLE programs. Currently, the American Alliance is the only national paralegal association that recognizes the CLE programs of the two other national paralegal associations. At this time, efforts are being made, by the American Alliance, to gain the same recognition from the other national paralegal associations.

The topic that generated the most interest generated among the paralegals was the need for standardized education for paralegals. The discussion focused on whether standardized education criteria would be recognized by all programs offering paralegal education. This is becoming increasingly important as each state develops its own certification program. If states do not develop standardized

education criteria, then paralegals will have difficulty relocating from one state to another and be able to meet the requirements established in another state. It was also noted that the American Alliance is the only national paralegal organization that has an educational component to membership requirements.

A late addition to the agenda for the Summit was the recent case in the Southern District of Texas regarding certification marks. This case makes designations such as those earned through national paralegal associations not valid, proprietary, nor protected by trademark law. This case further diminishes the national associations' certifications that are already being diminished by the state certification programs. It was felt by the majority of the attendees that as more and more states develop their own certifications, unless a national standard is developed, the need for the national associations' certifications will continue to diminish. If given a choice, paralegals will probably choose to be certified by their own states, rather than attaining a national paralegal certification.

The one thing that every paralegal took away from the summit was the importance of continuing legal education.

The day ended with a reception sponsored by Digital Legal at the Hotel du Pont that allowed the attendees a chance to network.

The next day began with the Annual Meeting where elections were held for the offices of Vice President, Treasurer, and Director of Membership. Laura Ahtes AACP, RP, DCP was elected Vice President; Barbara Wallace AACP, RP, DCP was elected Treasurer; and Carolyn M. Saenz, AACP was elected Director of Membership. All terms will commence January 1, 2008 and expire December 31, 2010.

Lee Davis, AACP, Vice President, who will not be returning to the board, was

recognized for her work on the board. She is a charter member of the American Alliance of Paralegals, Inc. and also served as the Director of National Affairs.

The Annual Meeting provided a great opportunity to review all the projects that were Works in Progress last year:

- CLE Criteria – COMPLETED. The criteria was established and posted on the website.
- AACP Renewal Guidelines – COMPLETED – The guidelines were created and posted on the website.
- Linking Agreement – COMPLETED – A fee-based linking agreement to use when companies request to have their website linked to our website was created and has been implemented. This linking agreement does not apply to other paralegal associations. It was agreed that other paralegal associations would be linked on our site for free if there was a reciprocal link.
- Members Only Webpage – COMPLETED
- Member and AACP profiles in the Newsletter – COMPLETED
- Advertising Plan – Still in the process of being developed.

The Annual Meeting also gave the board the opportunity to highlight the year:

- The education of our AACPs:
 - 2 have Master Degrees
 - 18 have only a Bachelor Degree (Four of the Bachelor Degrees are in Paralegal Studies/Legal Studies. One in Criminal Justice)
 - 3 have a Bachelor Degree and an Associate Degree (Six of the Associate Degrees are in Paralegal Studies/Legal Assisting, One in Criminal Justice)
 - 10 have a Bachelor Degree and a Certificate

Board members attended and participated:

- Director of Education, Laura Ahtes, participated in a Paralegal Utilization Audio Conference sponsored by the Institute of Management and Administration.
- Treasurer, Barbara Wallace, presented at the Paralegal Super Conference in San Francisco on Antitrust Compliance Programs.
- Treasurer, Barbara Wallace, spoke at the ACC's Corporate Counsel University on Management Skill Development in an In-house Environment.
- Board members attended and reported on American Association for Paralegal Education (AAfPE) regional meetings.
- American Alliance invited to participate on AAfPE Annual Conference Panel on Partnering with Professional Organizations.

Board members and members contributed and wrote for *Legal Assistant Today*:

- Carolyn Saenz, AACP, Director of Membership, is a columnist for LAT.
- THE OVERTIME DEBATE- Director of Education, Laura Ahtes, AACP, RP, DCP - Laura and other paralegals give their opinions on the pros and cons of non-exempt status.
- My Specialty: Bankruptcy Law - Laura Ahtes, AACP, RP, DCP, Director of Education, American Alliance of Paralegals.
- My Specialty: Estates and Trusts – Marie E. Koster, Director of National Affairs, American Alliance of Paralegals.

- Four Paralegals Who Have Made It Big In the Freelance World (Vice President Lee Davis, AACP, featured).
- Vanessa Beam, CLAS, AACP quoted in LAT "Making the Grade Online" regarding online paralegal programs.

There were other highlights this year:

- The American Alliance held a successful joint educational conference with the Paralegal Association of Wisconsin in May and is looking into working with other local paralegal associations in the future.
- Website Coordinator position created.
- Marketing Coordinator - Working on a letter to send to State Bar Associations about the American Alliance's standard of education and experience as well as the certification program.
- All the original documents and minutes of the corporation have been placed on a CD to allow the Secretary of the Corporation to take the CD to meetings instead of the original documents.
- All forms on website can now be filled in and printed off instead of printing and writing in by hand.
- The Online Membership Application Form now has New and Renewal at the top of the page so that members are able to renew their membership online.
- A corporation debit card was obtained to allow the American Alliance to purchase items in the name of the corporation instead of members using their personal credit cards.
- A savings account was opened to allow the American Alliance to draw interest until funds were needed.

- A mail service was retained to forward the American Alliance's mail from our post office box to the Treasurer to streamline the processing of checks and mail to the appropriate board member.

There are still areas that the American Alliance needs to work on:

Getting the Word out about the American Alliance

- Getting the Word out about the AACP
- Member Participation
- Member Retention
- New Members

The board's goals for next year are to reach out to the members by finding out what they want from the Alliance and partner with other paralegal associations to work out reciprocal CLEs.

The board came away from the Annual Meeting energized as we head into the final quarter of the year. The National Paralegal Summit was so successful that the American Alliance has agreed to host it again next year. I hope it will be in a location that you can attend. It is certainly something you do not want to miss!

As we begin the holiday season, I want to wish all of you the beautiful moments and happy memories that this season brings.

Congratulations To Our Newest AACPs!

- Cheryl A. Burton, AACP
- Stephanie Morris, AACP
- Kara N. Stephens, AACP
- Cecily A. Renzi, AACP
- Amanda I. Warren, AACP

Welcome New Members

- Robert C. Alloway, Wilmington, DE
- Cordina Charvis, New Rochelle, NY
- Sheila Drewen-Mayer, Downingtown, PA
- Matthew A. Evans, Gurnee, IL
- Patricia Fisher, Coatesville, PA
- Sarah Hagge, South Lyon, MI
- Kelly Montgomery, RP, Prairie Grove, AR
- Barbie Mullins, Paintsville, KY
- Cristina Napier, San Diego, CA
- Sandra Nichols Sobel, Wilmington, DE
- Robin Nicholson, Nashville, TN
- Michael T. O'Rourke, Wilmington, DE
- Brian Schorr, J.D. Patchogue, NY
- Nancy C. Smith, Wilmington, DE
- Kristine Winner, New Castle, DE

Attention all Paralegals!

My name is Tom Donoho (an American Alliance Certified Paralegal). I work in the area of federal administrative law for Jeffrey A. Rabin & Associates, Ltd. and I want to inform you all of the opportunity to join your state bar associations.

Depending on the state, these associations are not restricted to attorneys at law, but, in fact, welcome applications from those performing substantive legal work, paralegals like us!

I think this is a great opportunity for members of the American Alliance and AACPs to become involved in yet another activity that recognizes the individual worth of the paralegal and promotes the advancement of our profession.

Attorney Jim P. Brown at our firm was pleased to sponsor me for membership. (Sponsoring by an attorney member of the bar association seems to be a significant criteria for the paralegal's membership.) The membership fee was reasonable and I now enjoy the benefits of bar association membership as a non-attorney member.

I hope you will join me in advancing the professional status of the paralegal and the American Alliance and the AACP by joining your state's bar association where allowed to do so.

Thomas C. Donoho, AACP
Paralegal Member
Illinois State Bar Association

Important Dates To Remember:

- October 18-22, 2007 – National Federation of Paralegal Associations Convention, Tampa, Florida
- October 24-27, 2007 – American Association for Paralegal Education, Annual Conference, Baltimore, Maryland
- November 9, 2007 – Kentucky Paralegal Association, 19th Annual Conference, Erlanger, Kentucky

AACP Member Profile

By José Pedro Santos, AACP

Cheryl Burton, AACP has worked as a paralegal since 1986, although she took two "detours" of about a year and a half each to be a travel agent and to work as a reservationist for American Airlines.

With an Associate of Arts and Bachelor of Arts from Schiller College in London, England, and a Paralegal Studies Certificate from Indiana University at South Bend, Cheryl felt she was fully prepared to join an exciting field and a promising career as a paralegal.

When Cheryl started out as a paralegal, she would have liked to have known that many attorneys are very self-centered and don't always know how to use a paralegal. Cheryl says: "It has been a struggle for me personally, particularly in my present position, to get beyond administrative duties."

"I don't really have a favorite anecdote as a paralegal," Cheryl says. "However, while taking classes at Indiana University at South Bend, one of the teachers said, 'When you go to an interview for a paralegal position, don't tell your prospective employer that you can type. If you do, that's all you'll do.' Sadly, that has proven to be correct in my personal experience."

As a paralegal, Cheryl prefers working in a mid-size law firm of about ten to twenty attorneys and staff. The firm she currently works for does primarily insurance defense work. She actually prefers working in the probate field because she likes interacting with people, and she virtually has no direct client contact in her present position. Regrettably her employer does not support Continuing Legal Education for paralegals either. "For attorneys, yes; for paralegals no," she says. "If a paralegal is willing to pay for the class him/herself and use personal or vacation time to attend the class, and the date/time doesn't interfere with the attorney's schedule, then the paralegal can usually attend the seminar."

Cheryl has had to deal with several difficult supervisors throughout her career. The only advice she has is for you to learn to deal with, or change your response to, your supervisor. Usually, the supervisor will have more time with the firm, has usually managed to ingratiate him or herself with a higher "power" within the firm, and most likely that situation isn't going to change. "Just do your best professional work and maintain a professional, if not cordial, relationship as much as possible," Cheryl advises. If possible, ask for or schedule an annual review of your job performance at which time these problems can be addressed or at least aired.

In Cheryl's opinion, the most valuable skill for a paralegal is to be open to learn new things while working as a paralegal. For example, when she started as a paralegal, computers were just coming into use in the legal office. Through both trial and error

and employer-sponsored classes, she learned many of the software applications now used in the legal office. In her present position, the computer she works on is the only one with the capacity to scan and produce PDF files, as well as the only one with the probate forms. "If I hadn't been willing to learn these new applications, I would be less valuable to the firm," Cheryl states.

Cheryl believes that the best thing about being a paralegal is having the ability to assist the client and attorney through the legal process. However, she does not enjoy very much all the administrative duties in her present position. As a paralegal, although it affects her blood pressure adversely, her favorite activity is going to probate court to file whatever forms are necessary in an estate or trust. She also enjoys the monthly general membership meetings and committee meetings of the Cincinnati Paralegal Association, her local paralegal professional group.

Another piece of valuable advice from Cheryl to the new paralegal is that you should not be afraid to ask questions and to say, "I really don't understand how to do this." If at all possible, she urges all new paralegals to find a mentor where you work or through a professional organization like your local paralegal association. "You won't learn or be able to use the information you've gathered from school or in the workplace, if you aren't sure about what you are doing or should do," Cheryl says.

When asked who has influenced her the most in her paralegal career, Cheryl answered that "it would probably be the members of the Cincinnati Paralegal Association, who are so responsive to questions that come up at work as well as being willing to listen and give helpful advice when I have been discouraged. Knowing there is a support system in place for the paralegal and using that support system is wonderful. As a paralegal, you aren't there

alone, even when attending committee meetings via telephone.”

Regarding paralegal regulation, Cheryl is in favor of statewide and/or national regulation. She thinks that regulation will only benefit the paralegal profession because there will be guidelines established regarding education and/or experience that is currently lacking in many so-called paralegals. With regulation, when someone is called a paralegal, everyone in the legal community will understand the guidelines set up, instead of individuals calling themselves paralegals but who do not have the education and/or experience. To put her money where her mouth is, Cheryl earned her AACP designation in July 2007, and she is currently working on her RP as well.

The paralegal profession, in Cheryl's opinion, will only continue to grow as our society is very litigious. Paralegals will continue to be able to do everything that an attorney can do except give legal advice and represent a client in court. With regulation, the attorney will be sure that the paralegal has the education and/or experience to do just that.

Her favorite websites are her local county courts websites for the ability to research a case online, the Anderson Ohio Revised Code website that keeps the ORC up to date, and the Hamilton County Probate Court website because for so long it was impossible to get any information from this court except by making a trip to downtown Cincinnati!

After work, Cheryl belongs to three book clubs through the Public Library of Cincinnati and Hamilton County. She also takes piano lessons, knits, crochets and embroiders. Additionally, she does some genealogical research. Her husband and she attend local theater events as well as the Cincinnati Symphony Orchestra. Cheryl participates in the CPA "Wills for Heroes" events. She also reads to a legally-blind

person through the Cincinnati Association for the Blind. The church she attends participates in a food co-operative which monthly distributes food for the poor in the community, and she enjoys helping the less fortunate people. Cheryl is certainly an accomplished volunteer in her community.

Finally, Cheryl says that, if she weren't a paralegal, she'd be an actor or professional genealogist. Well, Cheryl we are glad you are one of us. Broadway and Hollywood can wait. We wish you all the best in your career!

Announcement

The American Alliance is proud to announce that James P. Brown, J.D. is Of Counsel for the American Alliance. Mr. Brown is licensed to practice law in the states of Illinois and Utah. He focuses his practice in the area of Social Security disability law, representing individuals with a wide array of disabling medical conditions at the national level. He is the former attorney-manager of a legal clinic in the Chicago-land area where he now bases his current practice.

Favorite Bookmarks



Don't forget to submit your favorite website links! We are adding a section to the Members' Only page where favorite website links from our members will be posted. Please send your favorite website links, along with the name and description of the link, to kray@gtxinc.com or to webmaster@aapipara.org. These will be placed in categories.

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