



THE AMERICAN ALLIANCE OF PARALEGALS, INC.

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



THE ALLIANCE ECHO

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PRESIDENT’S MESSAGE

Debbie Repass, AACP, RP

It has really been a tough spring. The country has been hit by so much flooding in the heartland and fires out west that I am sure this is one spring that many people are glad to see over. I hope that all of you were fortunate enough to not be affected by any of these dramatic occurrences. My dealings with high heat, severe thunderstorms, and major power outages seem mild compared to the devastation faced by those affected. Not only personally, but think of the loss of business records. With computers being part of nearly every business, the threat of losing client records makes many businesses turn to backup systems to protect against the loss of records. While I have a system that backups my home computer, it is located in my house. As an alternative for American Alliance files not stored on my home computer, I use a flash drive. If you have not considered a backup option, it may be time to think about what would happen if you lost all the files on your computer or worse yet, if you serve on the board of a professional association and lost those files.

The American Alliance has recently experienced technical difficulties with its website when the hosting company’s hard drive crashed. While the main functions of

the website were restored within a few days, the member’s only webpage is still not functioning and the online payment system is not fully operational. The board has made every effort to work with the current website hosting company, but unfortunately these issues have yet to be resolved. As a result, the board is seeking bids from other hosting companies. The board again wants to thank the members for bearing with us while we consider hosting companies that can better fit our growing association’s needs.

In response to our association’s growth, the board has continued to think of ways to reach the members and provide a platform for more involvement. So after careful consideration, the board voted that instead of the previously announced face-to-face third annual National Paralegal Summit in Tampa, Florida in September, we will have a Webinar instead. The board recognized that the current strain on the transportation industry would have an affect on our member’s ability to attend the Summit. Hosting a Webinar Summit will allow every member of the American Alliance to

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.

participate as well as others from national paralegal and paralegal related associations. In addition, the Webinar Summit will save air fare, hotel room cost, and/or gas. The platform will remain the same and information to register will be available soon. Keep checking the website.

Director of Education, Angela Baker Colyer, AACP, has been working on streamlining the AACP renewal process. If you are an AACP and your designation is due to be renewed, you will be receiving information from Angela. If you are a member, but not an AACP, Angela will be contacting you as well. There are still states under "AACPs by State" that we do not have AACPs and it would be really nice if we could have at least one for each state. If you have questions about becoming an AACP or the AACP program, please feel free to contact Angela.

Director of National Affairs John Goudie has been working hard to keep updated on current cases affecting the profession. We hope you appreciate the e-mail updates sent out to the members. Remember, if you know of a case dealing with paralegals, please notify John so we can keep the rest of the members updated.

Take time this summer to enjoy yourself with a vacation break. It has been proven that you benefit from taking a vacation much more than if you do not.

Annual Elections

Elections for the offices of Secretary and Director of Education will be held in September. Job descriptions for these positions will be posted at a later date. If you are interested in running for either of these offices, please let us know.

Congratulations To Our Newest AACP!

- Karen Anne Billieu, AACP
- Debbie Dawn Gregersen, AACP
- Terri Lawrence, AACP
- Paulette J. Russell, AACP
- Kathryn Wagner, AACP

Mark Your Calendar!

American Alliance to Hold Its Third Annual National Paralegal Summit

The Board has decided that as a result of the rising gas prices, the American Alliance will hold its Third Annual National Paralegal Summit via a Webinar conference call on September 19, 2008. We hope you will be able to participate! The winning ticket will be chosen "live" during the Webinar regarding the Membership Referral Awards Program! You don't want to miss it! More details will be provided at a later date.

Welcome New Members

- Karen Billieu, AACP, Cincinnati, OH
- Yvonne Burkee, Milwaukee, WI
- Walter Cavers, Bear, DE
- Timothy Warren Davis, Winston-Salem, NC
- Malinda Dodson, Eugene, OR
- Judy Galaate-Swartzbaugh, Kansas City, MO
- Linda Gometz, Lilburn, GA
- Katafa Hall-Reed, Solon, OH
- Donald Kovaleski (no location given)
- Helen C. McMahon, Kennett Square, PA
- Randall Minthorn, Pendleton, OR
- Jessica Swedenhjelm, RP, Harrisburg, PA
- Lori Thompson, Alexandria, VA
- Mary K. Wagner, West Berlin, NJ
- Christina C. Wallace, Philadelphia, PA
- Anne E. Winn, Kansas City, MO

**Delaware Paralegal Named
Adjunct Professor**

Local Litigation Paralegal Appointed to Widener University Law Center, Legal Education Institute Board of Advisors; Named Adjunct Professor Anthony J. Iannini, AACP, DCP, a Litigation Paralegal in the Wilmington, Delaware office of Saul Ewing LLP, has been appointed to be a member of the Board of Advisors at Widener University Law Center Legal Education Institute. Anthony's term began in March and runs through 2011. In his capacity as a Board member, Anthony will be assisting with the development and advisement of several new ABA-approved instructional programs at Widener, specifically geared toward the education and training of paralegals and legal nurse consultants.

Anthony is also honored to join the faculty at Widener as an adjunct professor. Anthony will begin teaching legal research and e-filing at Widener in June. Anthony has been a regular lecturer at Widener on e-filing for the past three years.

"I am incredibly excited about joining the faculty at Widener. It makes me feel official" Iannini said. "I have always wanted to teach, and Widener is giving me the opportunity to achieve my goal. There is nothing more rewarding than having a role in the education and development of students who wish to enter our profession. I am very grateful for the opportunity and look forward to the experience."

Iannini is also currently the Vice President of the Board of Directors of the Delaware Paralegal Association, sits on the Delaware Supreme Court E-Filing Committee and is the Executive Director of the Young Crowns of Delaware, a non profit community service organization in Dover.

NATIONAL NEWS

Summarized by
Carolyn Saenz, AACP, CP
Director of Membership

**LATEST RULING ON "WE THE PEOPLE
OF CINCINNATI"**

The Ohio State Bar Association (OSBA) brought an action against Terry and Eva Martin and their business "We The People of Cincinnati" (WTPC), a franchise, for engaging in the unauthorized practice of law. The OSBA alleged that WTPC, for a fee, had advised individuals how to complete legal pleadings and other documents and provided advice about their legal rights.

WTPC has advertised legal services with statements such as, "No lawyers! Save money" and offered "Living Trusts - \$399" which pointed to the advantages of having living trusts. They also offered information on divorce, qualified domestic relations orders, bankruptcy and incorporation.

A number of disputes arose because of the services provided by WTPC including one particular client, Lartia Walters, who was filing for personal bankruptcy with the United States Bankruptcy Court. The Martins gave advice to Walters as to how to complete some of the information on the forms requested by the trustee, and also advised that her spouse's income need not be listed. Walters was dissatisfied with the service and filed a complaint with the Better Business Bureau.

Other clients had complaints about WTPC relating to probate and divorce matters.

The court found that the Martins and WTPC had engaged in the unauthorized practice of law and were ordered to pay a fine, refund fees to clients, and were enjoined from preparing pleadings, others documents and giving legal advice.

For further information see *Ohio State Bar Assn. V. Martin*, Slip Opinion No. 2008-Ohio-1809.

District Court of Appeal of Florida, Fourth District
Patricia A. Patterson, Appellant
v.
A law Office of Lauri J. Goldstein, P.A.
No. 4D07-1355
(2008 WL 1958654)
(Unpublished Opinion)

The Court considered whether the bonus arrangement violated 4-54(a) of the Rules of Professional Conduct, Florida Bar. Lauri Goldstein (lawyer) hired Patricia Patterson (paralegal), and agreed to pay Patterson bonus wages of 10% of the lawyer’s fees from cases. Patterson was not receiving bonuses as had been agreed upon and asked Goldstein for the money. Goldstein refused saying that she had a “problem” with the Florida bar in that her actions might violate the Rules of Professional Conduct. Goldstein terminated Patterson’s employment.

Patterson filed suit seeking \$87,300 in unpaid wages and bonuses and Goldstein argued that the agreement was not enforceable because her promise to pay Patterson was “unethical and thus void as against public policy.” The trial court entered summary judgment in favor of Goldstein.

The Florida Bar Rules of Professional Conduct state that a lawyer is prohibited from sharing a percentage of the lawyer’s fees with a paralegal because it may lead to improper interference in a case by a paralegal.

The Court of Appeals reversed the summary judgment and ruled that the agreement between Goldstein and Patterson was enforceable and Patterson is entitled to the bonus and unpaid wages.

American Alliance Treasurer Spoke at the Annual Convention of Delaware Trial Lawyers

Barbara Wallace, AACP, RP, DCP and AAPI Treasurer spoke at the Annual Convention of the Delaware Trial Lawyers on June 13, 2008. Her presentation to the gathering of Delaware lawyers and Judiciary was titled the Principles of Paralegal Utilization.

Important Dates to Remember

- July 30-August 2, 2008 – The National Association of Legal Assistants Convention, Oklahoma City, Oklahoma
- September 11-14, 2008 – NALS Conference and National Forum, Norfolk, Virginia
- **September 19, 2008 – The American Alliance of Paralegals, Inc. Third Annual National Paralegal Summit will be held via Webinar (details to follow)**
- October 9-12, 2008 – National Federation of Paralegal Associations Convention, Rogers, Arkansas
- October 15-18, 2008 – AAfPE Annual Conference, Dallas, Texas
- October 15-18, 2008 – International Paralegal Management Association Annual Conference and Expo, New Orleans, Louisiana
- October 23-24, 2008 – Advanced Paralegal Education Group Discovery Practice for Seasoned In-House Paralegals, Atlanta, Georgia

For further details, look under the Calendar Tab on the American Alliance website.

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