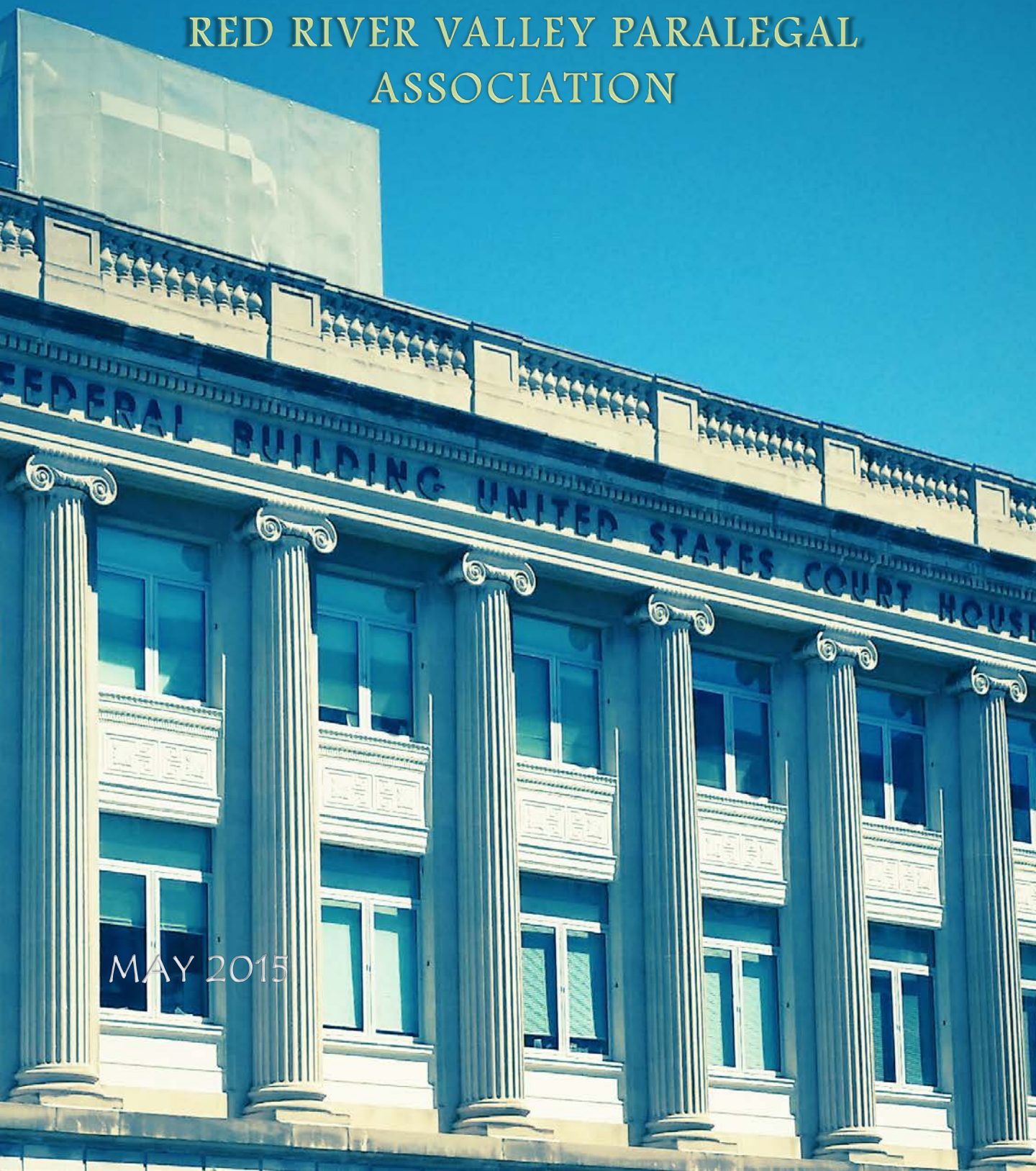


RED RIVER REVIEW

OFFICIAL NEWSLETTER OF

RED RIVER VALLEY PARALEGAL
ASSOCIATION



MAY 2015

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*Cover photo courtesy of RRVPA member Chelsea Hammond

PRESIDENT'S REPORT



A card on my desk, directly under my monitor, reads "Be the change you wish to see in the world... -Gandhi" This card, given to me from an attorney who spoke at our spring seminar in March, has brought much more than the thank you note that was inside. It has made me question - what change do I wish to see in our world?

No, I haven't figured out the answer yet, hence why the card still sits on my desk as my daily inspiration; however I do know that I can make a difference if I make an effort to reach out to others. I have realized through being active with RRVPA, that our organization is a great platform to reach out to others, be it paralegals, students, legal professionals or others within our communities. RRVPA can be there to help support, educate, connect and assist many individuals.

I ask that you ask yourself - what change do you wish to see in our world? Whether it be through your career as a paralegal or in your own personal life. Be that change!

Speaking of changes - thank you to everyone that participated in the recent survey! Your feedback has given the board some great insight as to how we can better serve you and what each of you would like to get out of your membership. We have some exciting new ideas, so look for some new events and changes!

Lisa R. Kilde

TREASURER'S REPORT



The RRVPA bank account balance as of April 30, 2015 was \$10,834.46.

Julie Koppelman

FIRST VICE PRESIDENT'S REPORT

We are currently working on a location and date of the 2015 Fall Seminar and we will get details out to the members as soon as they are available. Remember, it is also the time of our annual meeting & election of new officers, so be sure to try your best to make it out this year! It is looking like it will be held in late September 2015 in Fargo. On an exciting note, we are also going to attempt to reserve a national speaker to speak at our seminar! I can't remember the last time we did this, so everyone is really excited about the idea.



If anyone has any ideas or suggestions for topics and/or speakers please feel free to contact me, it is greatly appreciated! Hope all is well with everyone and have a great summer and we will see you in the Fall!

Stacy Brekke, CLA

SECOND VICE PRESIDENT'S REPORT

We currently have a total of 77 members!

- 62 voting members
- 6 student members
- 3 sustaining members
- 6 associate members



Around the beginning of July you will receive an email attaching the membership renewal form for 2015-2016. If you know of anyone who would be interested in joining RRVPA or would like information on our association, please give them my contact information below.

Amanda Lee

amanda@stefansonlaw.com

WHAT ATTORNEYS REALLY THINK ABOUT PARALEGALS

Originally published by The Estrin Report

http://estrinlegaled.typepad.com/my_weblog/2014/08/what-attorneys-really-think-about-paralegals-the-inside-scoop.html



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The Inside Scoop

Have you ever been curious, even just a tiny bit, about what attorneys really think about paralegals? You can use a little emotional intelligence that might help. You know the new science: interpreting expressions, analyzing perceptions and evaluating emotions.

Or, you can go right to the source and just ask - which is exactly what I did. Why wait? The world goes around fast enough these days and with the speed careers move and change, right from the horse's mouth seems to be the best bet to find out.

I went to Allen Brody, General Counsel for the Organization of Legal Professionals and an attorney for thirty years. He is also President for the Paralegal Knowledge Institute and teaches a number of online

classes. The whipped cream on all of this is that he has worked closely with paralegals since almost the start of his career. I figured, who would know better?

Here's what he told me:

Let's talk a little about how attorneys these days feel about paralegals. In general, do they see a value?

When I first started out, paralegals were a novelty, an added expense. There was a question mark, "What do I do with this person? This added payroll entry seemed like a luxury. That's all gone by the wayside. Attorneys definitely see paralegals as a means to keeping costs under control; saving time by delegating certain work to a competent lower level and the ability to create a profit center. If attorneys don't see this now, there's something wrong somewhere, in my opinion.

Why do some attorneys fail to realize how paralegals can handle much more sophisticated work than what they are presently doing?

Attorneys simply don't know in what areas paralegals are trained. They have no clue what they learned in school, rarely take the time to find out and even if they did, they may not trust in the education. The flip side is that paralegals make an assumption an attorney is well-versed with what paralegals know. Not so. Personally, I'd like to see a class in law school on utilization of paralegals. Then there's the problem of training. Few attorneys have time or the ability to personally train paralegals, It becomes much easier to keep them doing what they're doing. It's the old, "If it's not broken, don't try to fix it" routine."

What's the best way to approach an attorney for a higher level of work?

ASB: Don't wait for the attorney to automatically hand you an assignment you haven't done before. It's probably not going to happen. You're going to have to take the first step. A good way to do that is to know what's coming up. There's a deposition? You need to find out when. Why? Because you're going to give him/her a list of everything that you can do surrounding that deposition, even if it includes assignments you've never had before. It usually is not going to occur to the attorney that you can do these things. How would they know?

Let's say there's going to be some type of motion filed after the deposition. You need to approach the attorney well ahead of time and let him/her know that you can do the motion that is sure to follow.

Put him on notice. Don't expect a negative answer because that's what you'll then get. Frame the question in such a way that they have no choice except to agree. Wrong question: "Would you like me to file the motion after the deposition?" Answer: "No." Why would they answer "no"? It's easier and you gave them a 50/50 chance of being negative. Too risky. Tighten up that ratio. Instead, say, "I can prepare the SuchandSuch motion for you after the deposition. Would you like it Thursday or would Wednesday be better?" Now, how can you argue with that?



designed by Freepik.com

What if the paralegal doesn't know how to do that assignment?

ASB: Better find out. Don't rely on the attorney to train you. Take a class or a webinar. Look it up. Seek out someone in the firm who can train you. Tell the attorney you have never done that type of assignment. You're going to have to sell him/her on the idea. Either get the training or let him know you have the training. Don't sit there and wait.

What you do is bargain for time. "Look, an associate will take x amount of hours to do this assignment. I'll take y. It will be less expensive for the client and free you up so that you can take on more sophisticated work. Let's do this: I'll spend x amount of hours on the assignment. I will bill half the time and put the other half in admin because of training. I will take ½ hour (or whatever) of your time to go over it and I won't bill that time anywhere. The next time this kind of assignment comes up, you can automatically give it to me and we'll both know it will be done properly." There. You've just trained the trainer how to train you.

Let's talk politics. Why can some attorneys work with paralegals until midnight but wouldn't be caught dead having lunch with them. What's with the caste system?

ASB: Arrogance. Don't try to change things. It's not going to happen. It's not a reflection on you. It's all about the attorney's ego. These are things beyond your power to change.

What if the attorney sees me as his “golden girl/boy” and gives me too much work?

ASB: Get help. Always, always, figure out the revenue it's going to generate. Otherwise, the firm sees this as an expense that is going to eat into their profit which is going to affect their bonus. You reach an attorney's mind through profit and loss. If you're in-house, figure out how much time you're going to save that attorney and present it that way.

Do attorneys see paralegals as a threat to their billable hours?

ASB: The younger ones don't. The older ones started practicing without paralegals. While a lot of them have gotten used to it, some habits are hard to change. Don't worry. Those attorneys are going to retire soon. You'll have a whole generation of attorneys who do not expect to practice law without a paralegal.

What's the best way for a paralegal to get ahead?

Get training. Don't just get CLE because your state requires it or you're abiding by NALA's requirements. Stay updated because you want to. Otherwise, you end up doing routine and repetitious work. Just clocking in and clocking out. You fall behind while everyone else moves ahead and you don't know why you're not getting good raises or juicy assignments. It's because you expect the firm to “take care of you” or pay for your training. Not a good way to advance. With anything you want via the Internet available at your fingertips via the Internet, it's behind the times not to seek out additional training.

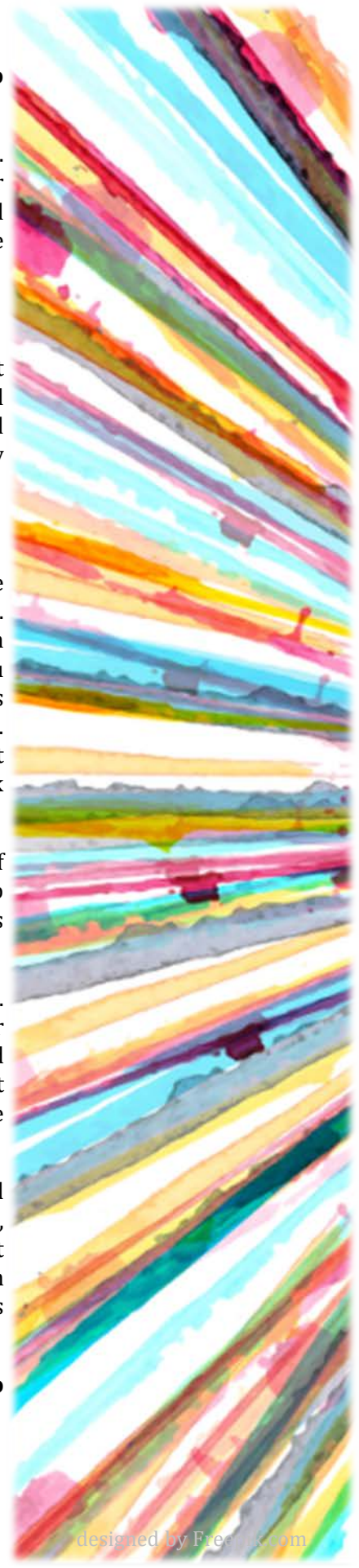
Remember: Attorneys are required to get CLE and like attracts like. If you're not constantly getting more education, attorneys are not likely to hold you in as high esteem as they could. This is a group that values education.

You have to let them know that you receive more education all of the time. Mention it in a conversation. “In my suchandsuch course I'm taking...” or send them an article that relates to a matter they are currently involved and say, “We discussed this in a webinar yesterday and I thought you might find it of interest.” Get the word out. You are your own PR machine. Take advantage of it. Attorneys will only tolerate stagnation so far.

I recall one paralegal telling me that her firm is just going to have to deal with the fact that she is not very good when it comes to technology. Oh, really? This entitlement attitude is not going to fly. Paralegals cannot exist today without technology. Attorneys will not admit it but they rely on paralegals to handle the technology or to teach them what to do. I give this paralegal six months before she's out on her you-know-what.

Your best advice to paralegals coming right from an attorney who works closely with them and who trains them is.....

Think about the future of your career. Things are changing. ■



NORTH REGION REPORT

The North Region enjoyed a holiday party in January at Sakura. Fun was had by all! We continue to have our monthly luncheons. We have also welcomed several new members and enjoy discussing the legal field during our luncheons. I am currently planning a special evening of drinks and apps for Paralegal Day at the end of June for Paralegal Day! Hope to see you all there!

Magen Pavlicek

SOUTH REGION REPORT

The weather has seemed to turn in our favor. It looks like summer is here. We continue to have our monthly lunches which are generally well attended. Our most recent lunch was held at Toscana in downtown Fargo where we had over 20 attendees. This may have been the highest attended regular lunch we have ever had! Legal Assistant Day is coming up next month so we will be doing something special for that. Look for an email from one of the members of the committee in the coming days. If anyone has any ideas for lunches, education or anything else for our group -- please let one of us know. Be safe all.

Heidi Neumann & Josh Roaldson

**“THERE IS NO GREATER CHALLENGE THAN TO HAVE SOMEONE RELYING UPON YOU; NO GREATER SATISFACTION THAN TO VINDICATE HIS EXPECTATION.”
- KINGMAN BREWSTER**

CALENDAR OF EVENTS

Events

- | | |
|------------------|---|
| June 25, 2015 | - Legal Assistant's Day |
| July 22-24, 2015 | - NALA 40 th Annual Convention |
| July 30, 2015 | - RRVPA Board Meeting |

NALA Certification Application Filing Deadlines

<u>Exam Window</u>	<u>Application Due</u>
January 1-31	December 1
May 1-31	April 1
September 1-30	August 1

North Region Luncheons

- June 18th – Location TBD
 - July 23rd – Location TBD
 - August 27th – Location TBD
- *dates are subject to change*

South Region Luncheons

- June 18th – Location TBD
 - July 23rd – Location TBD
 - August 27th – Location TBD
- *dates are subject to change*



Go to
www.rrvpa.org to
view our
Calendar of Events

OR

Like us on **Facebook**
to keep up to date
on RRVPA events!

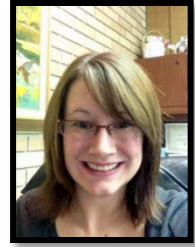
SECRETARY'S REPORT

RED RIVER VALLEY PARALEGAL ASSOCIATION BOARD MEETING MINUTES

April 30, 2015

11:20 a.m. – 12:23 p.m.

Ohnstad Twichell, PC



Andrea Miller

The meeting was called to order by President, Lisa Kilde. Roll call was held and the following members were present: Magen Pavlicek, Stacy Brekke and Andrea Miller (telephonically), Lisa Kilde, Heidi Neumann, Andrea Murphy, Julie Koppelman, Josh Roaldson, Amanda Lee and Dona Schock.

The first order of business was a review of the Spring Seminar which was held on April 2, 2015, in Grand Forks. There were 17 individuals who attended and 18 people registered. We had a loss from the Seminar of \$74.66.

Our membership currently includes 77 members consisting of 62 voting, 6 associate, 6 student and 3 sustaining. This is up four members from the last board meeting that was held in February.

With regard to the mentor program, this has been discussed with Globe University and MSUM. With regard to contacting Rasmussen and MSCTC it was suggested waiting until the fall as the spring semester is almost over for the year. Two applications for the program have been submitted but at this time no mentor applications have been submitted by any RRVPA members. Dona stated that she would send out the mentor applications to all members again so that we can try to get a databank of people willing to be mentors. Josh indicated that he would reach out to the current applicants.

The survey results were provided and reviewed. The overall response is that people are satisfied with RRVPA, even with the low participation numbers. From review of the survey results, it appears that members would like more networking and CLE opportunities. With regard to the seminars and luncheons, some changes have been suggested. For the North and South Region luncheons, it was determined that some structure should go with the luncheons, such as a specific topic to discuss. Brown bag lunches, with a speaker for CLE credit, were also discussed again. Also, the idea of having these short CLE opportunities being available via webinar or via conference call was suggested so that even those who would not be able to travel could still attend and receive credit.

Changing the seminar format was also discussed. It was decided that we should try to have one large seminar that we concentrate on each year in the fall. The idea is that the morning would be a time for everyone to be together for a speaker, perhaps one requested through NALA, and then in the afternoon there would be break-out sessions that would be specialized to certain areas of practice. It is hopeful that these specialized opportunities would increase attendance at the seminars.

The survey also revealed that some people would like more of the budget spent on Legal Assistant Day. An area for concern from the survey was a number of people do not understand the reasoning for the NALA liaison trip and would rather have the funds spent locally for our group. We discussed that maybe asking the employer to match funds would help cut down on the cost to RRVPA or perhaps having more people go to the convention.

To re-energize RRVPA, a number of ideas were discussed such as board members sitting by new members to strike up conversations; periodic questionnaires and surveys for feedback; member awards; bigger online presence; and materials to give to firms to inform them and their employees about RRVPA.

The sponsor drive needs to be completed by May 31st. Members will be contacted to see who will be willing to volunteer to assist with the sponsorship drive. It was decided to have a new type of sponsorship format. The amounts are different, to try to increase sponsorship, and the sponsors will now receive different benefits for the level of sponsorship chosen.

Paralegal Day is coming up in June. The North and South Regional Directors will plan events for Paralegal Day for their regions.

The next issue of the Red River Review is scheduled to be sent out during the month of May.

Andrea Murphy will work on a proposed amendment to the Standing Rules to change the newsletter from five issues per year to 2 per year, with supplemental emails. Also an amendment will be proposed to the Standing Rules to include the use, storage and password for the RRVPS Gmail account.

At the next board meeting we will reevaluate the membership fees before the renewal of memberships are sent out to all of the RRVPA members.

The next Board Meeting is scheduled for July 30, 2015.

The meeting was adjourned by Lisa. ■

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Visit Tulsa in 2015! During this year's annual convention, we will celebrate NALA's 40th Anniversary – 40 years of providing exceptional continuing legal education, national accredited paralegal certification, advanced specialty certifications, and 40 years of helping to shape the paralegal profession.

The NALA Continuing Education Council is providing eight exceptional institutes for you this year in the areas of Alternative Dispute Resolution, Corporate Law, Environmental Law, Essential Skills, Immigration Law, Litigation with Emphasis on Government Liability, Medical Malpractice, and Legal Technology. In addition to the Institutes, you will also have the unique opportunity to learn from fellow paralegals during the Member Exchange and from affiliated association members through the Affiliates Exchange, and a presentation from the NALA Leadership (LEAP) class of 2015.

As part of this year's convention, there will be a banquet on Friday evening. This will be a great time to celebrate the paralegal profession and NALA. The 40th Anniversary Banquet committee has planned a wonderful program and we hope that you will join us for the celebration!



Besides all of the educational opportunities available, you will also have opportunities to network with hundreds of paralegals from across the country. You will find inspiration in their stories, connect with old friends, and make many new friends. The remarkable networking opportunities available will leave you refreshed and renewed.

So please mark your calendar now for July 22-24, 2015 to attend the nation's largest paralegal conference. Please look over this brochure carefully and select the educational sessions that will give you the most benefit.

The warmth and hospitality of Tulsa awaits you! I look forward to seeing you there!

Kelly A. LaGrave, ACP
NALA President

NALA LIAISON'S REPORT



It feels like spring out there which means the NALA Convention is just around the corner! This year the convention is in Tulsa, OK - the birthplace of NALA - to celebrate its 40th anniversary! The convention will be July 22-24 and I am excited to attend and represent our association. This is such a great learning and networking experience for paralegals across the country and it really inspires us to grow in our profession! I encourage EVERYONE to attend! Check out nala.org today!

The NALA Liaisons will be meeting for Round Table discussions that include the following topics: Let's Get Social: Attracting and Retaining Younger Members Through Social Media; and "Scattered, Smothered, and Covered": How State Associations Keep Members Involved Across the Distances. The Affiliated Exchange presentation put on by the St. Louis Paralegal Association is titled "Business Partner Sponsorships for your Association".

As you can see, this year's convention is full of ideas for our association and I look forward to bringing ideas back to the Board and members. Watch for a report in July!

Here is a link to the latest Affiliates Brief: <http://www.nala.org/Upload/file/PDF-Files/Affiliates/Aff-Brief.pdf>.

Dona Schock, ACP

NALA EDUCATION

NALA offers a variety of continuing education. NALA Campus and NALA Campus LIVE! use the power of the internet to offer continuing legal education seminars for paralegals and legal assistants nationwide. These seminars may be used:

- For general continuing education
- To prepare for the Certified Paralegal Examination
- To support in-house training programs for law firms and corporations
- By Certified Paralegals to meet educational requirements to maintain the CP credential
- To supplement formal, classroom instruction

NALA Advanced Paralegal Certification courses and NALA Campus self study programs are now available for tablets in the Apple Store, and in Google Play.



Visit www.nala.org/onlined.aspx to find out more!

A screenshot of the Red River Valley Paralegal Association website. The header features a green box with the text "RED RIVER VALLEY PARALEGAL ASSOCIATION" and a navigation menu with links for "Home", "Members", "Resources", "About Us", "Join Us", and "Contact Us". Below the navigation is a promotional banner for "RRVPA.org" with the text: "RRVPA.org now has a NALA Connections page! Get more information on certification, NALA's Annual Convention, educational opportunities, and find out how to join NALA!"

RED RIVER VALLEY PARALEGAL ASSOCIATION

Home Members Resources About Us Join Us Contact Us

RRVPA.org now has a NALA Connections page! Get more information on certification, NALA's Annual Convention, educational opportunities, and find out how to join NALA!

IS IT POSSIBLE TO GO COMPLETELY PAPERLESS IN A LAW OFFICE?

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Originally published by Above the Law

http://abovethelaw.com/2014/07/is-it-possible-to-go-completely-paperless-in-a-law-office/#disqus_thread

Article by Jeff Bennion

Let me start out with some harsh truth. When I talk about going paperless, it has almost nothing to do with the environment. There are maybe five lawyers in the whole country who really feel that their printing of exhibits is destroying Mother Gaia and are therefore motivated to go paperless.

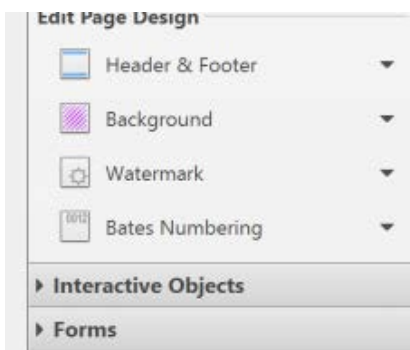
For the rest of us, it is a matter of two things: (1) convenience, and (2) efficiency/billable hours. I know it's weird to see efficiency and billable hours used in the same sentence without a negative in there somewhere, but if you have ever had three hours of time written off for looking all over the whole office for that one document that was dropped on the file clerk's desk last week, you know what I'm talking about. Sometimes when you charge by the hour, it is good to work efficiently. So, I want to discuss whether it's possible to go almost completely paperless and what steps we can take to get there.



Why Go Paperless?

I am mostly paperless and it's great. I know where all of my things are and I can find them instantly. My desk has no clutter. I don't have to get nervous when I put client medical records in the trash or worry about shredding. My office is not paralyzed when the toner waste drum breaks or when the machine tells me there is a jam in tray 3, but I'm looking there and there is no jam. I have a significantly reduced file storage area and paper/printer supply closet. In short, my office looks like Captain Picard's ready room, only with less Earl Grey.

There are some times when you are going to have to print things on paper because you go to trial and have to make exhibit binders, or you live in a village that does not have e-filing for state courts yet, but we can't fix that. Instead, I am only discussing here what we can do to get as close as possible to going paperless.



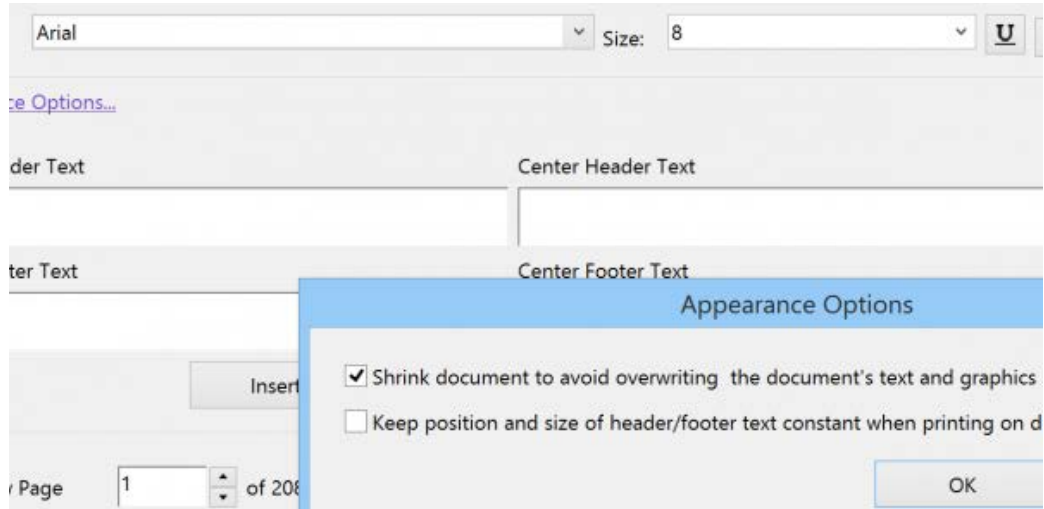
Bates Stamping the Old Way

I worked for a firm that did all of its Bates stamping by hand with printable mailing labels. All Bates-stamped documents would have an "Original" file, the "Bates stamp" copy, and the "Produced" copy. The Bates copy looked ridiculous because the bottom right corner was twice as thick because of the sticker label. It made the file fan out and it would never stack right on the shelf.

Bates Stamping the New Way

Adobe Acrobat comes with a Bates-stamping tool, see picture.

Aside from the clear advantages it has with labeling a 10,000-page document in about 1 minute, it also gives you the option of slightly shrinking a document so that your Bates labels do not overlap:



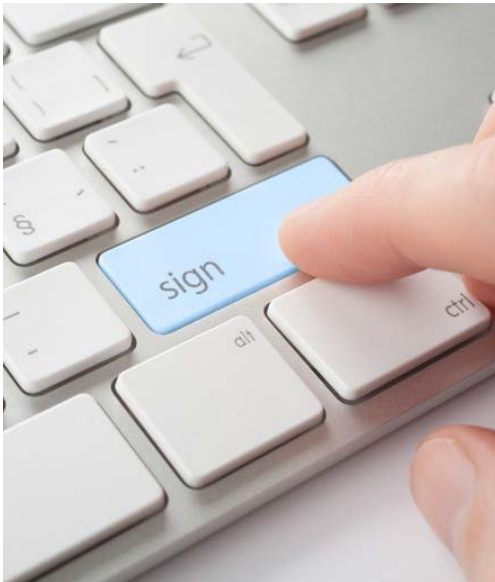
Adobe even has a blog for all of its legal features called Acrobat for Legal Professionals.

Facsimile Machines the Old Way

Fax machines are just the worst. The technology has only barely evolved in the last 30 years, yet it remains a staple of law office technology.

Facsimile Machines the New Way

Although fax technology has been completely replaced by scanning and emailing, there are still clients that insist on using faxes. Electronic fax providers such as RingCentral or Nextiva issue you a virtual number (meaning you don't need another phone line installed) that can send and receive faxes electronically like you would an email. You design a fax cover sheet and attach the scanned documents you want to send and email the documents to the client's fax machine. Incoming faxes come in as PDFs to your email account.



Signing Documents the Old Way

Occasionally, in federal cases filed electronically through PACER or in complex state-court cases with a case management order that requires documents to be served electronically, I get documents where everything is neat and crisp because it was printed to PDF from a Word document, but then the last page is ugly because the lawyer signed and scanned the signature page. I see this even at big firms and it drives me crazy. It seems that printing and signing the last page is something that tether people to their printers.

Signing Documents the New Way

Prepare an e-signature if your state or local rules allow. Sign your name to a blank piece of paper, scan it, and crop the page to just the signature. If you know how, create a transparent background so your stamp doesn't overlap with the signature line. Open Adobe Acrobat and create a custom stamp from the scanned signature.

Tips for Going Paperless

Scan your documents as black and white, not color or grayscale. Scanning as color or grayscale will give you an unwieldy file size, but, more importantly, it gives your documents a grey background with all of the imperfections and grains of the paper. If your scanner is not picking up light strokes or if it is picking up too much black, the setting you are looking for is called threshold.

Try to enter into a stipulation with opposing counsel to accept service by email. You'll cut down on process-server costs and reduce paper waste.

In Part 2, I'm going to discuss how to go paperless at depos. ▀

Jeff Bennion is a solo practitioner from San Diego. When not handling his own cases, he's consulting lawyers on how to use technology to not be boring in trial or managing e-discovery projects in mass torts/complex litigation cases. If you want to be disappointed in a lack of posts, you can follow him on twitter or on Facebook. If you have any ideas of things you want him to cover, email Jeff at jeff@trial.technology.

SPECIAL FACTS & FINDINGS

SUBSCRIPTION DEAL FOR AFFILIATE MEMBERS

Members of NALA affiliated associations are eligible for a special \$25 annual subscription to *Facts & Findings* magazine. This is a significant discount off the non-member annual rate of \$35 and is good for renewal as long as you remain a member of your NALA affiliated association. Should rates increase in the future, you will still receive a 30 percent discount off the published rates.

Simple as...



- 1 Advise your NALA affiliated association officer you would like to subscribe. Obtain their email address or daytime phone number. This will be needed to complete the subscription form.
- 2 Visit the NALA website. Find the subscription form on any page under "Facts & Findings" in the left sidebar. The form is also on the NALA Forms Page (link is found on the home page) under Affiliated Associations Forms.
- 3 Complete the subscription form and follow instructions for submitting payment.

If you should decide to take the next logical step of becoming an individual member of NALA in order to receive the benefits of this national association, you will receive a \$25 credit toward your first year's dues. Visit the NALA website to learn more about *Facts & Findings* and about membership in NALA!



**THE ASSOCIATION OF
LEGAL ASSISTANTS • PARALEGALS**

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THE POCKET PART

Supplement to
'Red River Review'

Periodic emails with updates on board meetings discussions, RRVPA events, new members, CLE information, and more!

5 TIPS TO MAKE YOU A MORE EFFICIENT AND PRODUCTIVE PARALEGAL

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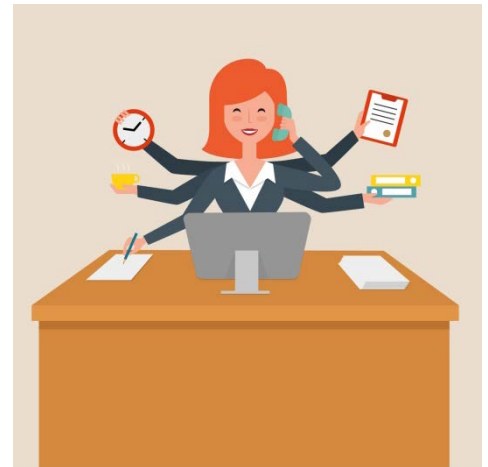
If you are a paralegal working in a busy law office, you know all too well one simple truth. There simply are not enough hours in the day to accomplish all of the tasks you have on your list! While we cannot exactly have a little talk with your boss about your workload, we can help you with a few time management and organization tricks.

Batch Tasks

You know the feeling of frustration that you get when you have to jump back and forth between a bunch of little tasks? It isn't just you - this is a universal occurrence that office workers suffer from. The reason is because it takes your brain a few minutes to process the task and you lose time in transition. Figure out a time in your day that will work for batching tasks. For instance, let it be known that you make and return phone calls twice a day, once at 8:30 a.m., and again at 3:30 p.m.

Limit Email

We all know that email is one of the biggest time sucks of them all. There is nothing you can do about opposing counsel and clients emailing you, but you can limit the amount of internal emails you send and receive by setting a work culture where people either walk into each other's offices to briefly talk, or they just pick up the telephone. Also, refrain from checking your email more than once every few hours.



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Deal with Paper Once

When you are going through your mail and email, be ready to deal with things as you are reviewing them. File it, delete it, or take action. You are not managing your time effectively if you are reading your mail over and over again.

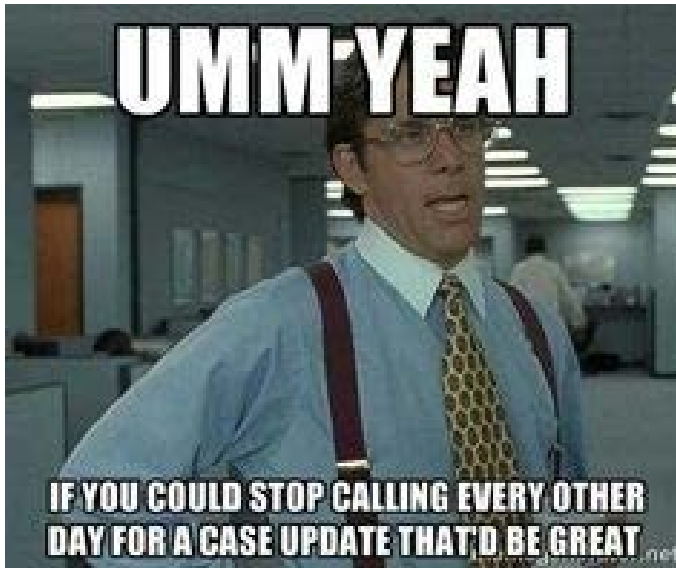
Keep a Task Checklist in Every File

This is something that no one thinks they have time to do, but if you fail to do this one simple little thing you are creating unnecessary headaches for everyone down the road. After you complete a task, just update your checklist of action items in the file so that anyone on your team can simply look at the file and easily ascertain what has already been done on the case, and what open items remain. You never want to waste an hour reviewing a file to figure out if someone has ordered records, or whether or not your client sent in updated documents. You need one master list that will reflect action items.

Limit Your Availability

Everyone wants to be friendly and accessible to their co-workers. After all, building relationships at work is critical to success. You can still be friendly and accessible, but let it be known that your designated times are the first fifteen minutes in the morning, and the last thirty minutes in the evening. The easiest way to be brilliant at work is to have the quiet time to think and be productive without interruption.

If you put these five tips to use, your work life should become more manageable. Paralegals in particular have to be time management and organizational ninjas. By being mindful of how you communicate with others and batching your tasks, you may be surprised at just how much more time you have! ■



THE SHREDDER

A young paralegal was leaving the office at 5:45 p.m. when he found the senior partner attorney standing in front of a shredder with a piece of paper in his hand.

"Listen," said the attorney, "this is a very sensitive and important document, and my secretary is not here. Can you make this thing work?"

"Certainly," said the young paralegal. He turned on the machine, inserted the paper, and pressed the start button.

"Excellent, excellent!" said the attorney as his paper disappeared inside the machine, "I just need one copy."

Lesson: Never, never, ever assume that your boss knows what he's doing!

BETTER OFF LAST

A secretary, a paralegal, and a partner in a big law firm are walking through a park on their way to lunch when they find an antique oil lamp.

They rub it and a Genie comes out in a puff of smoke. The Genie says, "I usually only grant three wishes, so I'll give each of you just one."

"Me first! Me first!" says the secretary. "I want to be in the Bahamas, driving a speedboat, without a care in the world." Poof! She's gone.

"Me next! Me next!" says the paralegal. "I want to be in Hawaii, relaxing on the beach with my personal masseuse, an endless supply of pina colodas and the love of my life." Poof! He's gone.

"You're next," the Genie says to the partner. The partner says, "I want those two back in the office right after lunch."

TECH TIP

Originally published by Marquette University,
<http://www.marquette.edu/its/help/docs/technologytips.shtml>

BROWSER TIPS

- Tap the space bar once to scroll down a full screen. Press the space bar and shift key to scroll back up a screen.
- Save time by searching for specific text within a web page with Ctrl F (Windows) or Command F (Mac)

GOOGLE SEARCH TIPS

- To find multiple definitions of a term, such as USB, try entering **define:USB** into Google Search.
- Search for exact phrases in Google by setting the phrase in quotes or by putting hyphens in between each word.
- For current time in world cities (like at Marquette University's Madrid Center) type time followed by the city, e.g: **time Madrid**.
- Use Google as a currency converter. Example: Try entering into Google Search: **50 usd in euro**

KEYBOARD SHORTCUTS

- Switch from one open program to the next. Windows: Press **Alt** and **Tab**. Mac: Press **Command** and **Tab**.
- Hide windows to view the Desktop. Windows: **Windows** key and **D**. Mac: **F11**, or on recent Mac laptops: **Command** and **F3**.
- Enlarge/reduce text size on web pages. Windows: **Ctrl** key and plus or minus key; Mac: **Command** key and plus or minus.
- To search your PC: press **Windows Key-F**; For Mac: press **Command-Space**.

EDITOR'S NOTE

I hope this newsletter is informative and enjoyable for all to read. I am continuing to improve the look and substantive value of the newsletter. I hope you all enjoy. If you have any suggestions for topics you would like to see in future newsletters please contact me. I am always thankful for your ideas!

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RED RIVER VALLEY PARALEGAL ASSOCIATION

RRVPA is a professional association committed to the professional development and continuing legal education of legal assistants/paralegals. For membership information please contact your Regional Director or Second Vice President, Amanda Lee.

Interested in serving RRVPA in a rewarding position as a Board Member, Director, or Committee Chairperson? Contact me for more information.

Lisa Kilde, Editor

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PARALEGAL ETHICS, RULES & GUIDELINES – KNOW WHEN TO FOLLOW YOUR MORAL COMPASS

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Article By:
Jamie Collins



Q1 Edition

January · February · March 2014

In life and legal careers, we often find ourselves cloaked beneath a veiled façade with regard to ethical issues in the work place. Most of us choose to believe we will never have the misfortune of working in an environment where we could fall victim to a potentially catastrophic ethical dilemma that could call into question our existence within the walls of the organization. But life and legal careers aren't always clear cut. And they aren't always pretty. One day you find yourself sitting at your desk, knee deep in pleadings, happy as a caffeinated paralegal subsiding on Godiva chocolates, and the next you may find yourself staring a major ethical dilemma in the ugly eyes, one which cannot be easily navigated, ignored, or escaped.

Not all employers are created equal in the ethical arena. Recent headlines have been peppered with news stories spinning the fates of attorneys and paralegals personally entrenched in prosecutions or high stakes court battles after discovering, or worse yet becoming involved in, ethical dilemmas or illegal acts. Ethical dilemmas are things we must be prepared to face head on. Alas, we arrive at the question of how to recognize an ethical dilemma.

With regard to the main ethical guidelines, most paralegals could readily recite them verbatim, as these points were permanently etched into the frontal lobes of our attorneys during law school. These well-known ethical guidelines dictate that a paralegal shall not:

- **Enter into the attorney-client relationship;**
- **Negotiate fees with a client;**
- **Appear in court on behalf of a client; and/or**
- **Give legal advice.**

But there are some additional guidelines which are not so well known in most paralegal circles; ones that could leave a paralegal potentially vulnerable ethical violations or career sabotage. These points are contained within the Model Rules of Professional Conduct.

Compliance with the Model Rules of Professional Conduct is Mandatory

A paralegal must abide by the same rules of professional conduct as an attorney. Failure to comply with these rules may result in an attorney being sanctioned, disciplined, or suspended. A paralegal's failure to abide by these rules could not only result in a disgruntled supervising attorney or law firm after an ethical fall out, but also in a paralegal potentially being blacklisted within the legal community, having one's "registered paralegal" status revoked in states that regulate their paralegals, or being stripped of any additional designations a paralegal has worked to earn. If an ethical violation steps into criminal territory, the paralegal could also face sanctions, fines, or imprisonment.

Now that I have your attention, here are some additional points of importance:

Rule 1.1 – Competence, Client-Lawyer Relationship

This rule states that an attorney shall provide “competent representation to a client” through “the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.” It sounds easy enough. Most attorneys do provide competent representation to their clients. But what if you believe your attorney is not competent to represent his clients? What then? What if he arrives at the office intoxicated by alcohol or high on drugs? What if you become aware of a discreet affair he has entered into with a client or witness? While these types of occurrences are not at all commonplace in the legal sector (thank goodness for that), if you ever find yourself in a situation where your attorney’s competence is called into question, do everything you can to depart your position immediately. The attorney has an obligation to provide competent representation. You have an ethical obligation to work for an attorney who does.

Rule 1.6 – Confidentiality of Information

Rule 1.6 deals specifically with issues surrounding confidentiality. Judge Gary Miller of the Marion Superior Court in Indianapolis, Indiana, recommends that every paralegal work to develop a better understanding of issues related to the confidentiality of client matters. Some paralegals may be under the false assumption that they simply must not share information which is not contained within the public record, but Judge Miller advises that a paralegal should not share *anything* learned through the representation of a particular client with *anyone* outside of the representation. He even takes it one step further to jokingly state, “This would even include a statement made by a member of the firm that a particular client is the client from hell,” because that is something undoubtedly learned through the representation of that client.

He advises that a case or client should never be discussed with anyone outside of the legal team, even in general terms. This means no vague discussions with a spouse or friend over dinner. It also means not revealing anything that would not be known to individuals outside of the firm.

Even if a particular client is listed on a firm’s website or a topic is laced clearly throughout the public record or other court documents, it is off limits for discussion. In essence, if you learned it while representing the client, it is confidential.

Any information concerning a client matter *may* typically be discussed with other members of the firm, unless the client has indicated limitations to the contrary.

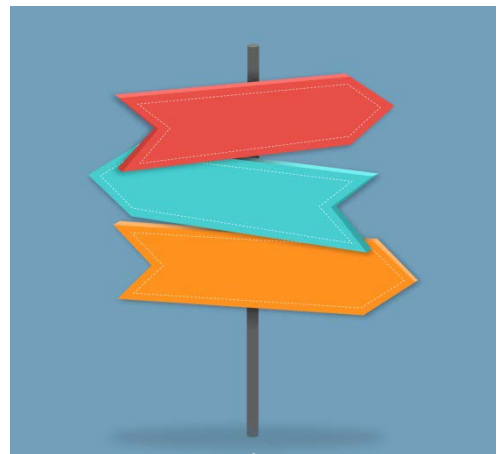
Rule 4.1 – Truthfulness in Statements to Others

A paralegal must be truthful in all statements made to witnesses or third parties. A paralegal cannot deliberately mislead a witness or third party by communicating an untrue statement (or an inferred mistruth) to a witness or third party at any time, even in an attempt to glean information or evidence for a case. This includes the investigation stage of pre-litigation claims and lawsuits. A paralegal cannot mislead or deceive others under any circumstance, verbally or otherwise.

So what can you do to avoid a potential misstep in dealing with third parties? Discuss the appropriate way to conduct witness interviews with your supervising attorney beforehand. Develop a clear understanding of how to handle any issues which may arise during a discussion with a third party. Understand your ethical boundaries and how to navigate a potential issue before it presents itself. Finally, document any discussions or interactions you have with any witness or third party to leave a paper trail detailing the substance of any conversations held or issues that arose in order to protect yourself and your firm.

Rule 4.2 – Communication with Person Represented by Counsel

Pursuant to the Model Rules of Professional Conduct, an attorney (and by association, his or her paralegal) shall not communicate with any person represented by counsel without the prior consent of the individual’s lawyer or a court order. In order to avoid potential issues or violations, do not take any calls from individuals known to you as being represented by counsel, or in the alternative, simply advise the individual that you cannot discuss the matter with him, but will gladly pass his contact information along to the attorney. When in doubt, avoid the call or communication until further instructions or guidance can be sought from your supervising attorney.



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Rule 8.3 – Reporting Professional Misconduct – Maintaining the Integrity of the Profession

While this rule specifically addresses integrity as it relates to other lawyers and an attorney’s ethical obligation to report any issues of misconduct, if a paralegal must adhere to the *Model Rules of Professional Conduct* (and we must), this rule includes us too. If you become aware of conduct that “raises a substantial question as to that lawyer’s honesty, trustworthiness, or fitness as a lawyer in other respects,” the rules dictate that there is an obligation to report it to the “appropriate professional authority.” The same is true if an attorney becomes aware of a violation committed by a judge.

While Rule 1.6 regarding confidentiality of information still applies to this type of situation, the obligation to report does exist. If an issue of misconduct makes its way onto your radar, deal with it in a timely, appropriate manner. Have a discussion with the attorney regarding the issue, if warranted, and report the misconduct to the appropriate authority if you believe it to rise to the level of misconduct.

The Performance of Illegal Acts

While all of the ethical issues discussed in this article are of great importance, of paramount importance are any issues which may arise that a paralegal believes to be not only unethical, but also crossing into the realm of illegality. Think along the lines of a misappropriation of a firm’s trust account funds, embezzlement, unethical billing practices, an attorney acting in the firm’s best interests during a time of financial hardship rather than the client’s, or a lawyer committing perjury or improperly misrepresenting himself or a certain material fact before a court of law. While these issues may seem farfetched and unlikely to occur – they can and do occur, hence attorneys and paralegals nationwide peppering newspaper stories and headlines as the result of illegal acts. It is important to know what to do if you ever find yourself facing a situation which could compromise your integrity, reputation, and professional standing.

Resources

There are several online resources available. A complete list of ethical guidelines can be found online by utilizing the search term: *Model Rules of Professional Conduct*. There is also a *Model Code of Ethics and Professional Responsibility and Guidelines for Enforcement* included on the website for the National Federation of Paralegal Associations, Inc. Go to the tab for “Positions and Issues” and click on the “Ethics” tab. The National Association of Legal Assistants also shares the *NALA Code of Ethics and Professional Responsibilities* on its website, under the “About Paralegals” tab. NALS... *the association for legal professionals* provides its *Code of Ethics and Professional Responsibility* on its website, under the “Join/About NALS” tab.

One can never be too knowledgeable where matters of integrity, ethics, and ethical obligations are concerned. Do yourself a favor – visit these sites today, review the rules and guidelines, and print them off or bookmark them as a personal resource.

What To Do If You Face an Ethical Dilemma – An Action Plan

If an ethical issue makes its way onto your radar, trust your gut. Conduct some research. Contact a few trusted colleagues (paralegals and attorneys) outside your place of employment to seek their professional opinions. Reach out to the Ethics Board for the National Federation of Paralegal Associations, Inc., to share your issue and seek additional guidance. It bears mentioning that any ethical inquiries directed to that board are treated in a confidential manner. If warranted, take it one step further to meet with a retained attorney to discuss the issue. Your discussion will be protected by the attorney-client privilege, making it a safe place to air any issues without breaching your confidentiality obligations.

After conducting sufficient due diligence, if warranted, contact your local disciplinary commission or the proper authorities to report the potential violations. Matters of ethical integrity or illegality must not be taken lightly. They could damage your spirit, tarnish your reputation, and kill your career.

A Judge's Advice

When asked what a paralegal should do if he or she ever faces a potential ethical issue involving either a supervising attorney or employing firm, Judge Miller candidly states: “You have to follow your moral compass. If you think an attorney’s integrity or ethical conduct is being called into question on a particular issue, realize that ethical violations typically run down a slippery slope. In other words, if an attorney would bend the rules here, he would likely bend them elsewhere, too. If your gut tells you something is wrong, your intuition is probably right. I would recommend doing everything you can to depart your place of employment as soon as possible. Issues of ethical violations or moral misconduct are never fun to deal with, but are incredibly important to tackle head on. Don’t chance it.”

One thing is for certain – navigating an ethical issue can be a lot like treading water in a lagoon of crystal blue water with gnashing piranhas swimming underfoot. It looks appealing from the outside, but as an insider, it is a fight for one’s personal, professional, and moral survival. If you ever find yourself entrenched in an ethical dilemma, turn to the ethical rules and guidelines, listen to Judge Miller’s sage advice, reach out to a few trusted colleagues, and follow your own moral compass, as you work to successfully navigate your way out of the unethical employer’s web of moral deceit en route to a more suitable work environment. Make your grand exit with poise, professionalism, confidence, and dignity.

And don’t forget to grab your integrity on the way out the door. It’s yours to keep. ■

“The price of integrity is more than any paralegal can afford to pay. With any matter of moral integrity – the cost is too high. The stakes are too high. The price is too much. You simply cannot afford it.” – *Jamie Collins*

Jamie Collins is the Founder of The Paralegal Society™, a forum created to educate, motivate and inspire paralegals. She works as a senior-level litigation paralegal in Indianapolis, Indiana, where she handles predominantly personal injury and wrongful death cases. She is a contributing writer to several main stream publications, sits on NFPA’s Ethics Board, has appeared as a guest blogger on The Estrin Report, and sits on the advisory board for Indiana University - Purdue University in Indianapolis. She was awarded Indiana’s New Member Paralegal of the Year in 2012. You can reach Jamie at: jamietheparalegal@yahoo.com.



PARALEGALS NAVIGATING PERILOUS WATER CRUISE EVENT 2016

Join us for the 2016 Paralegals Navigating Perilous Waters Networking and CLE Cruise aboard the Royal Caribbean Brilliance of the Seas. Paralegals can take advantage of 20+ CLE, a tropical themed swag bag, an open bar meet & mingle cocktail party, unique social and networking events, and a tropical vacation!

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Early Bird Event registration is \$49.99 for legal professionals (includes CLE credits), \$24.99 for friends and family outside the legal field, and \$0 for children under 18 at the time of sailing. Visit www.paralegalcruise.com or call 305-753-2443 for more details.

“This is the second year that I have gone to the Navigating the Perilous Waters cruise, and the first year that I was a presenter. You can not ask for a better format, organization and execution.”

Linda Murphy, *Paralegal*

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