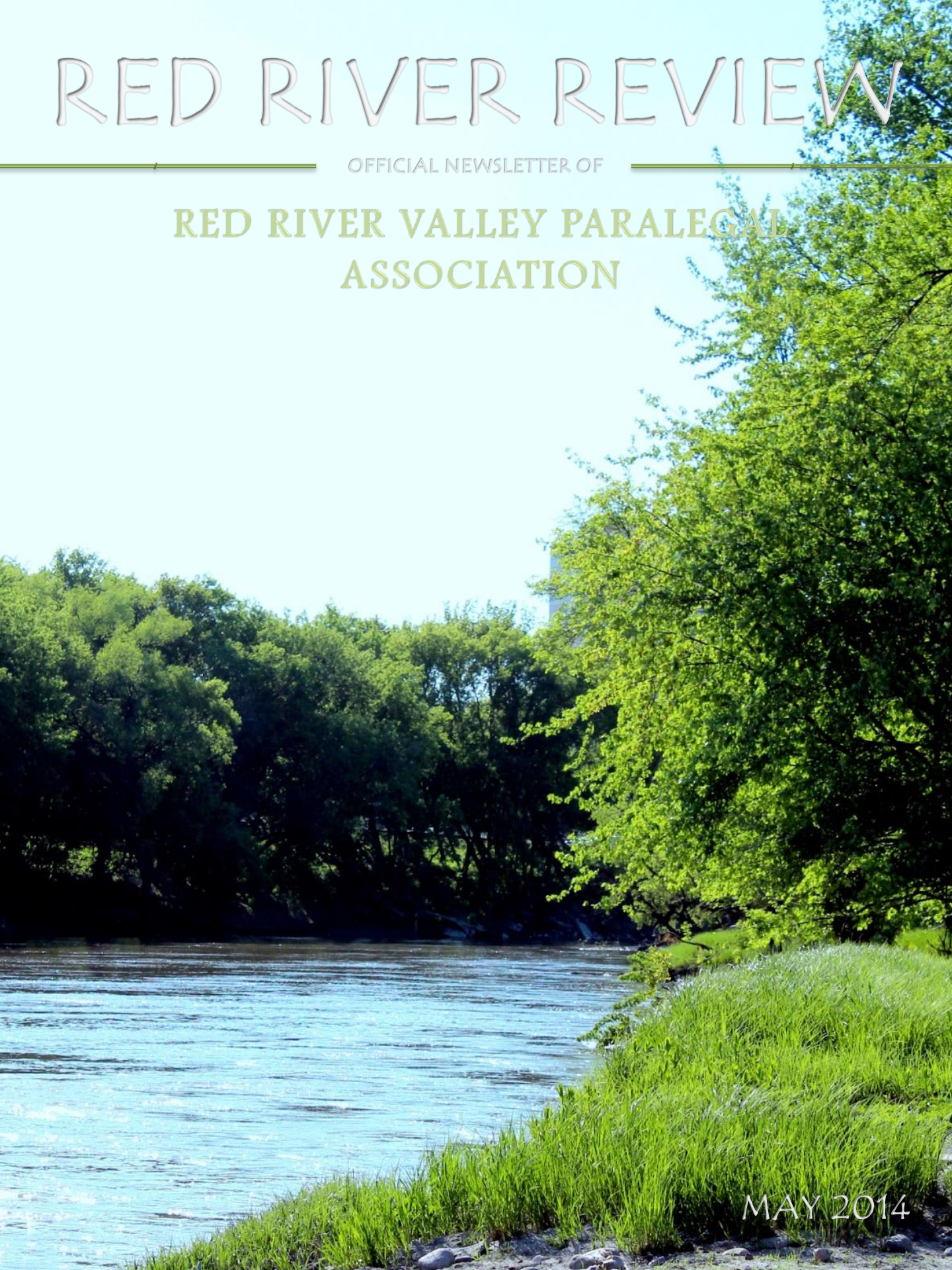


RED RIVER REVIEW

OFFICIAL NEWSLETTER OF

RED RIVER VALLEY PARALEGAL
ASSOCIATION



MAY 2014

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PRESIDENT'S REPORT



I hope everyone is finally getting to enjoy the wonderful weather!

We had a wonderful Spring Seminar with captivating speakers and interesting topics.

If you weren't able to make it, I sure hope to see you at our Fall seminar in Fargo.

Be on the look out for more RRVPA events coming this summer and fall for all to enjoy. Please let me know if you have any ideas! We are always grateful for our member's involvement.

Thank you,
Lisa R. Kilde

SECOND VICE PRESIDENT'S REPORT

We currently have a total of 67 members! Around the beginning of July you will receive an email attaching the membership renewal forms for 2014-2015. The renewal forms need to be returned to me by August 1, 2014.

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.

Thank you,
Amanda Lee

Second Vice President
amanda@stefansonlaw.com
218-236-1925



CO-VICE PRESIDENTS' REPORT



HELLO RRVPA MEMBERS!

We are currently working on a location and date of the 2014 Fall Seminar and we will get details out to the members as soon as they are available. It is looking like it will be held in late September 2014 in Fargo, and this time it will be held on a FRIDAY!



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

Thank you,
Katie Perlenfein, ACP
Stacy Brekke, CLA

NORTH REGION DIRECTORS' REPORT

We all seem to have survived winter in the north region! We enjoyed a holiday party at the Toasted Frog in January, the spring seminar in March, as well as monthly luncheons. We had a successful pet drive to get donations for the Grand Forks Humane Society. We donated a car FULL of goodies! An extra thank you to the Camrud Law Office for their winning donation efforts! We look forward to more luncheons this summer with something special for Paralegal Day.

We hope everyone has a great summer!

Thank you,
Nicole & Magen

GETTING TO KNOW THE CHILD SUPPORT PROGRAM

Reprinted with permission

By James Fleming, Director, Child Support Division of the North Dakota Department of Human Services

“Someone from Child Support is calling about a recent order in one of our cases.”

For those of you who work in family law on a regular basis or even once in a while, the odds are good that your receptionist has brought you this message before. And you may not have been sure what you did or didn't do that led to the call.

Law firms and the Child Support Division (Child Support) are kind of like dance partners – the more they can anticipate each other's actions, the better the outcome. This article will provide some information about the child support program in North Dakota that will help you anticipate Child Support's interests in each case.

Has it struck you as somewhat random when Child Support is involved in a case and when it is not? It is very easy for a case to open to Child Support, and much harder for a case to close after it is opened. Most of you know that if a child is receiving some form of public assistance (Temporary Assistance to Needy Families or Medicaid) or is in foster care, Child Support will almost always be involved. But that only accounts for about 25% of our caseload. Either parent can apply for child support services, and that accounts for another 17.5% of our total caseload. The remaining 57.5% are cases in which the person who used to receive public assistance for the child. After public assistance has stopped, most cases will automatically remain open to Child Support unless the parent specifically request closure of the case.

These numbers are important because it means that if you want to know whether a client has an open child support case, you can't simply ask whether the client has a child who is currently on TANF or Medicaid. You need to ask more questions about whether either parent has applied for child support services or if the child has been on public assistance or in foster care in the past.

North Dakota Rule of Civil Procedure 10 requires that Child Support be added to the title of a civil action if a case is open in one of the regional child support units (because the state is a real party in interest – see North Dakota Century Code section 14-09-09.26). This is not just a requirement that applies to Child Support when it learns of such actions – it is an obligation of all parties and their attorneys when filing pleadings in a family law action. In case of any doubt whether a case is open to Child Support, please don't add Child Support to the title of the action “just in case.” Contact a regional child support unit. The contact information for our offices can be found on our website at www.childsupportnd.com. Confidentiality laws usually don't allow Child Support to tell you why a case is open, but Child Support can confirm whether it has an open case and needs to be added to the action as a third party.



If you don't add Child Support to the action, and it turns out the Child Support should have been notified of the action, you will almost always receive a motion from Child Support to vacate the child support order. In egregious cases, you may also receive a request for sanctions against your law firm for the failure. In our experience, courts are not fond of needing to do the same work twice simply because one of the parties or their attorneys failed to follow Rule 10.

In cases where Child Support is involved, what outcome are we looking for? State child support programs work with five standard federal performance measures. These measures are:

- Percentage of open cases with a child born out of wedlock in which paternity has been established
- Percentage of open cases in which a child support order has been established
- Percentage of current support due in open cases that is collected on time
- Percentage of open cases with arrears in which there has been a collection toward arrears
- Amount of child support collected in open cases for each dollar spent on collection

Contrary to what you may hear in the local tavern or online in blogs and chat rooms, Child Support does not make money on what it collects, nor is it our program's goal to establish and enforce court obligations that are as high as possible. Child Support is required to follow the same income-based child support guidelines as law firms. Plus, we are much like a private collection agency – we want to collect what's owed, and the less that is owed, the easier child support is to collect.

For example, under the current support measurement above, if the parent's true ability to pay based on his or her income or earning ability is \$300 per month under the guidelines, it is much better to have an order properly set for \$300 per month (100% collection) as opposed to an order accruing at an inflated \$600 per month (50% collection). This is also why Child Support periodically reviews upon request and seeks appropriate modifications to child support orders - the amount due should rise and fall with comparable fluctuations in the obligor's income due to a job change, raise, or other circumstances.

The vast majority of North Dakotans who owe child support do a good job supporting their children; over 90% of Child Support's cases have a support order and 75% of the current support due each month is paid on time. Both of these numbers are well above the national average.

If Child Support seems to be getting anxious for you to get a support order in place, that's because there are federal timeframes within which child support orders are supposed to be established (75% within 6 months and 90% within one year).

Even if there is no open Child Support case, a law firm is still not free to include whatever it wishes in a proposed child support order. The guidelines still must be applied and the amount due is still collected through income withholding unless the narrow exceptions in state law apply (see NDCC 14-09-09.24). In addition, state law (NDCC 50-09-02.1) requires Child Support to maintain the official records of the state regarding all child support obligations, payments, and amounts that are still due. There is no such thing as child support that is due privately between the parents and is "off the books" in terms of the state. Now that all court orders are being scanned on Odyssey, a court order that lacks all the required statutory provisions, including payment through the state disbursement unit, will be discovered and lead to follow-up by Child Support.

In addition to Rule 10 compliance issues, the other most common problem arising in proposed court orders prepared by law firms involves equal parenting time. Take a close look at the child support guidelines – a court order must identify the separate obligation of each parent, and not just the net amount due after offset. If only the net amount due is expressed in the order, or if you decide the parents have sufficiently similar income that it would net to zero anyway and you don't do a guideline calculation at all, you can expect to hear from Child Support because we cannot fulfill our responsibility under NDCC 50-09-02.1 to record and monitor all child support obligations.

State law requires every child support order to include several specific provisions. To help parents and law firms and courts include all the required provisions, Child Support came up with the memory aid of IRISH INN:

- I = Income withholding
- R = Review every 3 years
- I = Interest accrues on arrears
- S = State Disbursement Unit must process all payments
- H = Health insurance or other provision for medical support

- In = Income of the obligor (or both obligors in a split or equal physical custody case)
- N = Notice must be provided to clerk or SDU of changes in address, telephone number, employment, etc.

If your proposed court order includes all these provisions, it will go a long way to avoiding any problems that Child Support may have with your proposed order and increase your chance of Child Support signing-off on your stipulations. Even if a case is not otherwise open to Child Support, courts regularly grant Child Support's motion to intervene when the equal parenting time calculations are not correct or when other mandatory provisions have been mandated, because it impairs Child Support's ability to fulfill its legal responsibility to maintain the state's official child support records.

There are many more areas of interaction between law firms and Child Support than can be covered in this article, so I conclude by recommending that you take the next set of pleadings you receive from Child Support and read it closely as an example of language you may want to use in your own documents. Many law firms use template language that was written years and years ago, and the language is out of date or simply doesn't address things that often come up such as emancipation of older siblings or credit balances created because a downward modification is retroactive to the date of the motion. Over the last several years, Child Support has spent a lot of time internally working on its template language to be as clear and easy to read as possible and to cover some of these changes. Please feel free to copy this language into your own templates. Not only will it help you include all the IRISH INN provisions, it may help avoid getting one of those messages from your receptionist.





James C. Fleming is the director of the Child Support Division of the North Dakota Department of Human Services, treasurer of the National Council of Child Support Directors, and member of the board of directors of the National Child Support Enforcement Association (NCSEA).

Jim is co-chair of NCSEA's Policy and Government Relations Committee and a member of the editorial committee for the NCSEA Child Support CommuniQue. He started working with Child Support in 1994 and is a frequent speaker on child support topics and state and national conferences.

Jim was the recipient of the 2009 Family Support Council Program Awareness Award and the 2004 Freedom Award from the North Dakota Newspaper Association. He also serves on the board of directors of the North Dakota Newspaper Association Education Foundation. He earned his Bachelor of Arts degree from the University of North Dakota in 1989 and his Juris Doctorate from Notre Dame Law School in 1993. A second-generation attorney and native of Cavalier North Dakota, Jim and his wife Terri live in Bismarck and are blessed with four daughters. In his spare time, Jim likes to sing, cook, garden, and do woodworking. ■



TREASURER'S REPORT



The RRVPA bank account balance as of April 30, 2014 was \$9,479.94.

Thank you,
Julie Koppelman

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PARALEGALS NAVIGATING PERILOUS WATERS CRUISE EVENT 2015

Reprinted with permission from Paralegal Resources
Article by: Linda McGrath-Cruz

Perfectly Paralegal Consulting, Inc. announces the second annual Paralegals Navigating Perilous Waters Cruise Event, a unique legal education cruise event that attracts hundreds of paralegals from across the country.

This tropical Caribbean cruise departs Port Miami on Friday, January 30, 2015 and return on Monday, February 2, 2015. It takes place on the beautiful Norwegian Sky, which features 13 dining options, 12 bars and lounges, an onboard spa and casino that has all of your favorite games and slots.



"Paralegals are tired of getting their CLEs by listening to stale material in boring conference rooms, what better way than to combine them with an exciting vacation to beautiful tropical destinations." said Linda McGrath-Cruz. "We will be kicking off our weekend of fun in the sun with a complimentary cocktail party as we mix and mingle with paralegals and other legal professionals from across the country." Linda knows all about boring CLEs, with over 15 years of experience in the field, she has attended hundreds of legal education and networking events, many of which failed to provide the wow factor.

This event defies the boring stereotype, allowing paralegals to participate in dynamic educational sessions with fun and exciting speakers, take advantage of one-on-one career counseling and resume reviews, relationship building and networking events, or simply lounge by the pool, play in the casino or be pampered in the spa. Paralegals will also benefit from many perks and surprises, including lots of fantastic prize opportunities. The first 275 paralegals who register will also receive a swag bag filled with tropical vacation necessities.

To make this paralegal cruise event even more irresistible, the early bird registration fee is only \$35 includes all CLE credits. "With so many paralegals unemployed, underemployed or simply looking for a fun and unique way to gain education, further their career and network with fellow professionals, we wanted to make this event as cost effective as possible." Cruise prices start at approximately \$300 per person, based on double occupancy and inclusive of taxes and port fees. With a dozen cabin types available and a variety of discounts or promotions ongoing, there is an option for everyone.

Attendees of the Paralegals Navigating Perilous Waters Cruise Event include all levels of legal professionals, including paralegals, legal assistants and all levels of support staff.

We invite you to sign up and join your colleagues from across the country in this exciting and unique event. For more information, please visit <http://www.paralegalcruise.com> today! ■

CALENDAR OF EVENTS

Events

June 26, 2014 – ND Legal Assistant Day

NALA Certification Application Filing Deadlines

Exam Window

January 1-31

May 1-31

September 1-30

Application Due

December 1

April 1

August 1

North Region Luncheons

June 26th – Location TBD

July 17th – Location TBD

August 21st – Location TBD

dates are subject to change

South Region Luncheons

June 26th – Location TBD

July 24th – Location TBD

August 21st – 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!



NALA NEWS



CP
CERTIFIED PARALEGAL

ACCREDITED

Certified Paralegal Program Receives Accreditation from the National Commission for Certifying Agencies (NCCA)

On April 30, 2014, The National Commission for Certifying Agencies (NCCA) granted accreditation to the NALA Certified Paralegal program for demonstrating compliance with the NCCA Standards for the Accreditation of Certification Programs.

NCCA is the accrediting body of the Institute for Credentialing Excellence. The NCCA Standards were created to ensure certification programs adhere to modern standards of practice for the certification industry.

The NALA Certified Paralegal program joins an elite group of more than 120 organizations representing over 270 certification programs that have received and maintained NCCA accreditation.

More information on the NCCA is available online at www.credentialingexcellence.org/NCCA.

Information describing the Certified Paralegal program is available at www.nala.org/certification.aspx.



**THE ASSOCIATION OF
LEGAL ASSISTANTS • PARALEGALS**

DID YOU KNOW?

A wedding ring is exempt by law from inclusion among the assets in a Bankruptcy estate. This means that a wedding ring cannot be seized by creditors, no matter how much the Bankrupt person owes.

NEW PRACTICE TESTS FOR THE CERTIFIED PARALEGAL EXAM

Since introduction of the computer based testing for the Certified Paralegal examination, examinees requested the experience of taking the examination. Examinees have also requested more practice tests for the Certified Paralegal examination. NALA put the two requests together and announces the availability of practice tests for the Certified Paralegal examination on the same testing environment as the Certified Paralegal examination itself. The practice tests have been developed from the web-based Certified Paralegal review programs on NALA Campus.

Features:

- * Practice tests may be accessed through <https://app.testrac.com/nalap/delivery>. The practice tests are delivered on exactly the same platform as the actual Certified Paralegal examination.
- * Participants will receive instructive feedback on most questions. The feedback describes why the answer is correct or incorrect. Upon completion of a test, participants will have an opportunity to download the question item feedback.
- * Participants also receive feedback describing how they scored on the exam based on the subject category of the question.
- * The Judgment & Analytical Ability practice test includes a bonus handout - an assignment and sample memo for self-grading.
- * The practice tests are about 1/2 of the entire Certified Paralegal examination.

To Purchase:

Individual sections: \$30 each for Communications, Ethics and Legal Research; \$40 each for Substantive Law and Judgment & Analytical Ability. Purchase of all five sections: \$85 (50% discount if all five sections purchased) *Upon purchase, a login will be provided. Practice tests may not be downloaded for future reference, nor printed. Printing and reproduction of the test questions is strictly prohibited.* ■

Certified Paralegal Exam–Practice Test

Communications • Ethics • Judgment & Analytical Ability
Legal Research • Substantive Law

- Delivered on exactly the same web-based platform as the Certified Paralegal Examination.
- Participants receive comments which describe why answers are correct or incorrect. Upon completion of a test, participants will have an opportunity to download question item feedback for future reference.
- Participants also receive feedback describing how they did on the exam based on subject category. The Judgment & Analytical Ability practice test is an objective test, but it includes a bonus handout - an assignment and sample memo for self-grading.
- The practice tests are about 1/2 the number of questions of the entire Certified Paralegal examination and use the same specifications as the Certified Paralegal exam.



Vouchers are available to schools and school bookstores.

For further details and price information, visit www.nala.org/cp-practice.aspx.

The practice tests are part of the CLE efforts of NALA and offered separate and apart from the Certified Paralegal examination and Certifying Board for Paralegals. The Certifying Board has not reviewed any questions nor provided any input in the authoring of these practice tests.



**THE ASSOCIATION OF
LEGAL ASSISTANTS • PARALEGALS**

PARALEGAL QUIZ – LEGAL DOCTRINES

Reprinted with permission from ParalegalAlliance.com

Article by: Shelley Riseden

Match each numbered legal doctrine with its lettered definition:

_1. Clean Hands

_2. Res Judicata

_3. Assumption of Risk

_4. Castle Doctrine

_5. Stare Decisis

_6. Open Fields

_7. Reasonable Man

_8. Eggshell Skull

_9. Laches

_10. Res Ipsa Loquitur

_11. Privity

_12. In loco parentis

_13. Inevitable

Discovery

_14. Fair Use

_15. Attractive

Nuisance

a. the policy of courts to abide by or adhere to principles established by decisions in earlier cases

b. exception to the exclusionary rule that allows into evidence illegally seized items that would have been discovered lawfully anyway

c. a rule of law that a person coming to court with a lawsuit or petition for a court order must be free from unfair conduct in regard to the subject matter of his/her claim.

d. doctrine that makes a defendant liable for the plaintiff's unforeseeable and uncommon reactions to the defendant's negligent or intentional tort

e. doctrine that an unreasonable delay in seeking a remedy for a legal right or claim will prevent it from being enforced or allowed if the delay has prejudiced the opposing party

f. doctrine which provides a set of guidelines pursuant to which researchers, educators, scholars, and others may use copyrighted works without seeking permission or paying royalties

g. precludes re-litigation of a claim or issue once a final determination on the merits has been reached

h. self-defense provision that allows for the use of force, including deadly force, within one's home.

i. theory that refers to a test whereby a hypothetical person is used as a legal standard, especially to determine if someone acted with negligence

j. defense to trespass by children used in tort law

k. a doctrine of law that one is presumed to be negligent if he/she/it had exclusive control of whatever caused the injury even though there is no specific evidence of an act of negligence, and without negligence the accident would not have happened

l. concept that anything plainly visible to the eye, even if it's on private property, is subject to a search since it's not hidden

m. states that a person who knowingly exposes him/herself to hazards with potential for bodily harm cannot hold others liable if harm occurs

n. doctrine under which an individual assumes parental rights, duties, and obligations without going through the formalities of legal adoption

o. contract law doctrine that says a contract cannot confer rights or impose obligations on any person except the parties to it

Answers on Page 17

HUMOR BREAK

If all else fails, just have your client draft their own Notice of Appeal.

Case 3:04-cv-05348-RBL Document 100 Filed 07/12/2006 Page 1 of 2

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United States District Court
Western District of Washington
George C. Swinger, JR.,
Plaintiff,
v.
Michael B. Cole, et al.,
Defendants. No. 04-5348RBL
Notice of Appeal

I hereby am informing you that I
am appealing the asshole Ronald B. Leighton's
decision in this matter.
you have been hereby served Notice,
you're not getting away with this shit that
easy.

signed this 10th day of July 2006

George C. Swinger JR
Plaintiff / pro se



George C. Swinger JR 844528
P.O. BOX 900
Shannon WA 98580



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TYPICAL MISTAKES MADE BY NEW AND EXPERIENCED PARALEGALS

Reprinted with permission from ParalegalAlliance.com
Article by: Shelley Riseden

Whether it is your first day as a paralegal or you have been working as one for over ten years, you are bound to make mistakes. However, you might be able to learn from those who have made them before you and avoid making some of the most common ones.

TOP 5 MISTAKES MADE BY NEW PARALEGALS

Everyone makes mistakes, especially those who are new to a job like that of a paralegal. The fast paced environment and need for multi-tasking can cause anyone to overlook some simple things that could have huge consequences. Some typical mistakes made by new paralegals include:

1. Filing a document in the wrong file

When filing a stack of documents, it is easiest to shove each document into its correct file without taking the file out of the filing cabinet. However, this can result in accidentally putting the document in the wrong file. As long as every file in the office is in the cabinet and in the correct order at the time, you might still be able to locate it later, but generally when this happens, the document is lost forever. While it may take more time, always pull a file out of the cabinet when putting new documents in it.

2. Failing to get enough information when scheduling an appointment

Imagine that your boss comes into your office and asks you to clear his calendar for the morning because he has an emergency hearing to attend. Now imagine that you go to call the first potential client who has an appointment, but there is no phone number listed. This has happened to me many times, as it is so easy for new paralegals to forget to get a phone number when scheduling an appointment.

Other information new paralegals may fail to collect from potential clients includes adverse party names and what they want to see the attorney about. This is important in case there is a conflict of interest or the attorney cannot help them with their particular problem. For example, if a potential client wants to see the attorney about probating an estate but your office does not handle probate cases, you would be wasting the attorney's time to go ahead and schedule them for an appointment. Scheduling appointments in a law office is not as easy as it sounds and in some cases you may have to talk to the attorney first before making an appointment for a potential client.

3. Not putting a hearing on the calendar

This can happen to anyone, not just the inexperienced. In a busy law office, hearings are being scheduled and rescheduled constantly, and notice of all of these hearings can come in many forms. Sometimes the Court calls to let you know a hearing has been scheduled or to coordinate a hearing time, other times you are notified of a hearing when you receive a docket sheet or chronological case summary from the Court, and still other times, a client will bring in a summons or notice of hearing. With all the activity, it may be easy to overlook a hearing and not get it on the calendar or not get it moved to its rescheduled time and day. You can minimize the risk of not properly calendaring a hearing by double checking all documents brought in by new clients and all docket or case summary sheets received by the Court.

4. **Failing to properly proofread pleadings**

No, it doesn't really matter if you misspell a word or leave one out, but when working in a law office, you are likely using forms and templates that have blank spaces or XXX's where you are supposed to fill in information. Sometimes these forms have been overwritten and will contain another client's information or you may need to intentionally use another client's pleading as a form. When doing this, you will need to be very careful that all old information is replaced with the new information. This can be especially important in adoption petitions, final orders, and criminal pleadings. Imagine having to explain to an adoptive parent why the petition for adoption has the wrong name for the child.

5. **Missing a deadline**

Deadlines are very important in the law and there are a few that come with almost every case. A common mistake made by new paralegals is to assume that if a deadline is approaching, the attorney will tell you about it. Many times, however, the attorney expects you to tell them about deadlines, or better yet, just take care of it. Some paralegals put deadlines on the attorney's calendar and others use their own calendar for deadlines, but however you choose to do it, one of the first things you should do when you start a paralegal job is come up with a system that works for you.

TOP 5 MISTAKES MADE BY EXPERIENCED PARALEGALS

Even paralegals that have been doing their job for years can make mistakes. Here are the top five mistakes made by those with 10 plus years of experience:

1. **Missing a deadline**

Yes, everyone does this at one time or another. Come up with a system for tracking deadlines and use it. (I check my e-mail several times a day, and usually leave it open whenever I am working, so I like to use my Outlook Calendar to track deadlines.)



2. **Not checking for conflicts of interest**

When you are new to the paralegal profession, checking for conflicts of interest means making sure the attorney has not represented an adverse party, but after you have been in the business for a while, conflicts of interest can arise because you have worked for the adverse party.

3. **Practicing law**

After working in the same office for many years, you may have learned some of the standard advice that your attorney gives clients and potential clients, and you might be tempted to repeat it to clients yourself. When doing this, you must be very careful. If you are telling someone what to do based on the specific facts of their case, you are practicing law.

4. **Violating confidentiality**

Clients can be funny. It might be tempting to talk about the funny things they do over dinner while talking to your spouse. However, you must be very careful not to violate anyone's confidentiality. Even when you do not use names, you might be giving details that allow a client to be identified. It is best to simply not talk about work at all, except with your co-workers. But even then, you might find yourself discussing a case in the elevator or lobby, where others can over-hear. Be diligent, and always keep the importance of your clients' confidentiality in mind.

5. Failing to protect attorney-client privilege effectively

While attorney-client privilege extends to the attorneys' staff, it does not extend to other clients or third parties. Remember, if someone besides the attorney and or his/her staff is in the room while you are talking to a client, there is no confidentiality.

WHAT TO DO IF YOU MAKE A MISTAKE

You are human and so you are going to make mistakes. The important thing is to know what to do when you realize you have made one.

1. **Figure out what happened.** Why did you make the mistake? This is important to know so that you can avoid making the same mistake in the future.
2. **Come up with a plan.** Once you realize you have made a mistake you will need to fix it. If you know how, that is good. If you do not know how, you will need your attorney's help.
3. **Tell your boss.** Report your mistake to your boss and let him or her know what you plan to do to fix it and ask if there is anything else you can do.

The most important thing is to never attempt to hide mistakes from your boss and to learn from them. Remember, your attorney is responsible for your mistakes, and could be sued for malpractice. Reporting your mistakes to him/her is important to protect the firm from law suits and to help build trust between you and your employer. ■

Answers:

1. c – See [Clean Hands Doctrine](#)
2. g – See [Doctrine of Res Judicata](#)
3. m – See [Assumption of Risk Doctrine](#)
4. h – See [Castle Doctrine](#)
5. a – See [Doctrine of Stare Decisis](#)
6. l – See [Open Fields Doctrine](#)
7. i – See [Reasonable Man Theory](#)
8. d – See [Eggshell Skull Rule](#)
9. e – See [Doctrine of Laches](#)
10. k – See [Doctrine of Res Ipsa Loquitur](#)
11. o – See [Doctrine of Privity](#)
12. n – See [In Loco Parentis](#)
13. b – See [Inevitable Discovery Doctrine](#)
14. f – See [Fair Use Doctrine](#)
15. J – See [Attractive Nuisance Doctrine](#)

TECH TIP

By: Lisa Kilde, President



AutoCorrect is a wonderful tool to assist us in our daily spelling lessons; help capitalize letters that we are too lazy or forgetful to capitalize; and catch even the smallest errors that would otherwise go unnoticed.

AutoCorrect can also be programmed to insert a phrase or string of text that you commonly type by typing a quick shortcut or code. For example, your firm's name is "Wright, Right, and Rite, LLP", you can create a shortcut or code, such as "WRR", that results in the name of your firm automatically being typed out for you. (the space bar after the last letter of your entry executes the macro). Follow these quick steps to create a custom AutoCorrect entry:

1. Word 2010 - Click on File > Options
2. In the Word Options dialog box, click the Proofing link on the navigation pane to the right, and then click AutoCorrect Options.
3. Look to the middle of the dialog box, you will see an area checked off to "Replace text as you type".
4. In the Replace box, type your desired shortcut . (Some tips (1) use 2 or more characters (2) do not use real words (3) you don't need to use caps (4) you can use numbers).
5. In the With box, type the full phrase (include caps and punctuation) that you want to shortcut to expand into.
6. Click Add
7. Click OK when done. ■

39TH ANNUAL NALA CONVENTION 2014

By: Ann L. Atkinson, ACP, NALA President

NALA's Continuing Education Council has put together a program of educational sessions which will provide attendees the chance to maintain their professional paralegal status and receive CLE hours. We have six remarkable institutes for you to choose from: Trial Practice, Elder Law, Intellectual Property, Corporate Law, Discovery/Litigation and Essential Skills. We will also have the unique opportunity not only to learn from our own members during the Member Exchange and from affiliate members through the Affiliates Exchange, but to hear a presentation from the LEAP Class of 2014.

The NALA Convention brings together hundreds of paralegals from all across the country providing you with great opportunities to meet paralegals that will inspire you, paralegals in your specialty area and paralegals who will become your friends. You will also have the opportunity to meet and learn from attorneys and other experts in their respective fields of law. As you mingle with others between sessions, during business meetings or during leisurely dinners in the evenings, you will be able to take advantage of the remarkable networking that only a convention of this size can provide.

Mark your calendar now for July 23-25, 2014. Please visit:

www.nala.org/14convention.aspx to view our brochure to select the educational sessions that will give you the most benefit.

Charleston is a wonderfully historic city, and I look forward to meeting you all there!



Charleston

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.

Thank you,
Lisa Kilde

DEBUNKING THE MYTH OF WORK/LIFE BALANCE

Reprinted with permission from The Paralegal Society: www.theparalegalsociety.wordpress.com, a social forum created to educate, motivate, and inspire paralegals. Be sure to check it out!

Article By: Jamie Collins

If I come across one more article which proclaims to enlighten people on the concepts of work/life “balance” or work/life “harmony,” I truly might leap from my fifth story office window.

As most of you know, I am a busy litigation paralegal by day. I double as a writer, legal columnist, blogger, loving mother and dedicated wife, by night. I guess in reality, I’m actually all of these things all of the time. I make an effort to be fully-present, engaged, and mentally focused in any environment in which I currently find myself – at work or home. But there are definitely moments when I find myself about one stray thought away from offering my supervising attorney a glass of chocolate milk with an accompanying bedtime story or sitting in the little league bleachers cheering loudly, as my mind wanders off to a task left undone or a call left unmade during the work day. I think this is probably true for most of us who ever so carefully straddle the line between the personal and professional worlds.

In through the gates of life charge the writers, promising they will tell us how to finally achieve that work/life “balance” (and accompanying harmony) we’ve always sought. Perhaps you’re buying into this theory, but I’m not...at least not on the level they’re selling it. Some days, perhaps even a vast majority of them, we find ourselves teetering between that ultra thin line of work life versus family life – attempting to assess, divide, and conquer our personal and professional desires, obligations, a multitude of tasks and endeavors, countless volunteer projects, and perhaps even a hobby or outside interest or two (maybe even a lime margarita, fresh coat of nail polish, that next massage or round of golf), while managing to keep our limbs attached, and our sanity at least partially intact. That is the reality of a life spent on the brink of this so-called “harmony” and “balance” line. I write this for every person on the planet who wants to hear the real deal on what this whole balance/harmony looks like. You ready for this? I’m about to drop a big one on you.

Work life balance/harmony does not exist.

Okay, maybe in fleeting moments it does, but typically the life of a busy working professional and dedicated spouse and parent is FAR from harmonious and balanced, perhaps a few solar systems away on certain days. That’s not to say we aren’t happy. It’s not to say we don’t see glimmers of calmness, peace, and a Zen-like balance. It’s not to say we aren’t living inspired lives. That’s not to say we don’t sometimes feel in control and overtly successful, like we’re living our lives out loud. We do. And we are. It just isn’t wrapped in a pretty little bow and easy to figure out. There is just life – our one crazy, precious, utterly beautiful, chaotic, splendid, wonderfully crazy life.

Some days, balance means not falling over on your stilettos while walking your child out to the bus stop or into the school building. It means forgetting to write the teacher an important note and frantically searching the contents of your purse or briefcase for anything even remotely resembling the likes of a writing utensil, giggling aloud while you scribble down serious notations with a light yellow highlighter. It means waking up late, getting ready a little too slowly, and issuing verbal orders to your household in the tone of a drill sergeant, because you swear no one is going to arrive to school (or work) late on your watch. It means forgetting to bring cookies for the teachers' pitch-in and driving to the local Walgreens to pick up a replacement item to avert a full-on contribution crisis. It means volunteering to be the room mom because it's a priority to you, even though you may need to enter the Witness Protection Program in order to depart your employer's building en route to each holiday party, to sharpen 30 pencils, and pass out cupcakes.

It means staying up late with a sick child and knowing there isn't a place you'd rather be, then arriving to work the next day resembling one of the cast members of *The Walking Dead*, if you arrive at all. It means helping with last minute school projects, which really came with a week long lead time...if only you had known about them the day they were actually assigned. It means providing compassion, guidance, empathy, and explanations to a little person, even when you don't feel entirely up to the challenge. It means bandaging cuts, mending hurts, laughing at silly-but-not-quite-funny jokes, and giving all the best of what you have to give to a piece of your heart that is sitting outside of your body, steadied by two legs. It means being soft. Being tough. Being whatever you need to be in order to help a person along. It means showing your child that work ethic matters. Morals matter; being a person of substance, character, and integrity matters.

It means showing them it always pays to work hard, even when you're sick, even when you're tired, even when you're sick *and* tired. It means making mistakes and owning up to failures, as your little one casts an innocent gaze up at you in quiet admiration. It means getting frustrated that you can't be all things, and do all things, and be all places. It means making choices. Assessing priorities, and learning to live with the consequences. It means being damn proud of the parent you've become, and the one you'll work to become in the future.

It means working hard. Sometimes working later than you'd like, occasionally more than you'd like, and being more tired than you thought humanly possible, while sliding in to "pretend" you care what makes its way down onto that wooden table as vittles for dinner (even if it came from a box, packet or microwave). It means volunteering for one more task, when you have absolutely no idea how you'll see it through to completion. It means wearing suits, even when you don't feel like it. Showing up, even when you'd rather not. It means sometimes feeling run down, half-sane, and borderline crazy. It means always being where you believe your time is needed most. It means being damn proud of the work you do, and the place you go each day to do it. It means explaining to your child that dedication matters. Helping people matters. Following through and meeting the expectations of those who rely on you matters.

It means owning the good choices you make. It means owning the bad choices you make. And making better choices in the future.

It means clinging to a glimmer of hope that you can accomplish all of the things sitting on your plate at any given time, even when that plate quickly begins to resemble one of those large, white, rectangular Styrofoam trays with all of the slots heaping over with a full serving of obligations. It means sometimes sacrificing one thing over another. Choosing to spend your time one place over another. It means choosing one task over another – sometimes a bedtime story over a weekend work project and sometimes, the other way around. It means feeling guilty about it. Doing it anyway. Promising to yourself you'll choose differently next time. Because you will. Feeling accomplished. Being proud. Counting the moments and hours you spend away from your child. Reflecting upon the number of years left in your career. Counting the moments until your head will hit the pillow that evening and wishing it were 30 seconds from now, rather than a continental time zone away.



Stop trading in
what you have
for
someone else's
idea of what
it should be.

Wanting to make every moment count. Seizing every good thing. Working through every bad moment. Pulling your weary soul upward and onward, even when you'd rather not. Being thankful for every good moment. Realizing you are in many regards, a time trader, with your biggest commodity being the way you choose to spend your time, and with whom. It means tears, and laughter, and every imaginable emotion all entangled and tucked between 24 hours, 7 days, or more. It means living life brilliantly. Basking in successes, forgiving yourself for less than stellar performances, and hanging on for one more day to do it all again.

So if you want to know the secret to work/life balance, it is this: Stop trading in what you have for someone else's idea of what it should be. It's maddening, crazy, rewarding, difficult, sensational, daunting, and most importantly – it's doable. And it's yours. All yours. Your world. Your choices. Your consequences. Your life to live the best way that only YOU can.

Should you manage your time better? Perhaps. Should you work to streamline your obligations and schedule? Absolutely. Should you read a few books on how to be a better person or live a better life? Go for it. Should you seek the advice of others? If it helps you.

Be true to yourself, your family, and your career – whatever that looks like for you.

In the end, you'll one day stop to make a mental note of this crazy, chaotic, beautiful time in your life; a time when you found yourself in the thick of things – struggling through the worst of things, living through the best of things, and realizing it was one heck of a journey (some of the best days of your life) spent between the folds of unwavering insanity and a vibrant happiness.

Work/life balance is a myth. The reality is something so much better. Crazier, but better. Don't let anyone tell you different. Work/life balance is a myth. Living a vibrant, unbalanced, ultra-crazy, beautiful life – that's the reality.

That is the reality. ■

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DO WHAT YOU
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LIFE

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