

RED RIVER REVIEW

OFFICIAL NEWSLETTER OF THE

Red River Valley
PARALEGAL
Association



MAY 2018

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*Fostering the utilization, networking,
development, and education of paralegals
throughout Eastern North Dakota and
Western Minnesota.*

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Mentor Program -----OPEN

Legal Assistant's Day-----Brooke Raser
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Want to become more involved?
If you are interested in serving as
RRVPA's Mentor Program
chairperson or North Region
director, contact Rachel Martin at
redrivervalley.paralegal@gmail.com!

WORDS FROM THE PRESIDENT

Face it, life is stressful! Kids, deadlines at work...oh the deadlines, the milk is gone again, the dog needs to be walked, are you feeding your family enough vegetables, are you getting enough exercise, did you call your grandma back, the car needs an oil change, are you contributing enough to retirement, and on and on and on and on. The list of responsibilities is overwhelming and that is just the bare minimum from day to day. Some days you need to remember that you've got what it takes, but it will take everything you've got. Other days, everything falls into place and you feel like you are totally nailing it!



What happens when we step out of our comfort zone and try something new? Something above and beyond the bare minimum. Give a little more. Maybe that means you take on a new responsibility at work. Maybe that means you volunteer [with RRVPA]. Maybe that means you finally try out that group fitness class you've been thinking about for at least a year. Maybe it's small, but to you it is big. It is new, and new is scary and hard, especially when life can already be so overwhelming.

I have seen a lot of people step out of their comfort zone over the past few months and I applaud each and every one of you. I have pushed the Board of Directors to try new things and we have already accomplished so much. As a team, as a group, as a collective paralegal profession, we have the power and the ability to influence and create change and that is exactly what we are doing. Life is stressful and sometimes you *know* you've got what it takes

but that it will take *everything* you've got. Just know that when you give an hour of your time to someone/something else, you are appreciated in a big way. That hour may be joining in a conversation about new processes, that hour may be packing meals, that hour may be networking and socializing with others in your profession. Whatever that looks like, YOU are making a difference.

Life is busy, it will always be that way. Some days you have it all under control and other days you don't. Take time to try something new. Step out of

your comfort zone and you just might find that new activity is exactly what you needed.



Rachel Martin

TREASURER'S REPORT

Happy Spring!! We are gearing up for our annual sponsorship drive starting August 1st. In doing so, we are revamping our sponsor benefits in order to provide some exciting new and improved benefits for our sponsors, both new and returning. Stay tuned for additional information and my plea for volunteers for this drive, which is so very important to our organization.

The RRVPA bank account balance as of April 30, 2018 was **\$14,389.01.**

Angie Bossert



FIRST VICE PRESIDENT'S REPORT

It has been a very busy year for the Vice-President. As many of you may know, the Vice-President is the committee chair of the education committee. This past year we have hosted our annual seminar where various topics were presented by some very good presenters. We have also continued our Lunch & Learn program, with more to come in the next few months.

The education committee is starting to plan the annual seminar, which will be held in October, 2018. We continue to work on providing members with a wide variety of topics and speakers.



I would like to thank all of the members who have taken time out of their busy schedules to help with the education committee or have provided suggestions on speakers/topics they would be interested in learning about. I am looking forward to another successful seminar and continued Lunch & Learns.

Magen Pawlicek

SECOND VICE PRESIDENT'S REPORT

My name is Katy Tellinghuisen. I currently work at the Fremstad Law Firm in Fargo, North Dakota, and this is my second term as the second vice president of RRVPA. As chairperson for the membership committee, we have worked to increase membership this year and our organization currently have 68 members! This year we have focused on increasing our student membership. We have 60 voting members, 2 associate members, 6 student members, and 1 sustaining member.



I am very excited to work with the rest of the RRVPA board to make 2018 a great year for our organization! If you know of anyone who would be interested in joining RRVPA or would like more information on our organization, please have them visit our website or contact a board member.

Katy Tellinghuisen

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NALA | THE PARALEGAL ASSOCIATION

NEWS

Interested in
creating/joining a Certified
Paralegal exam study group?

Contact Rachel Martin at
redrivervalley.paralegal@gmail.com
to coordinate!

NALA LIAISON'S REPORT

The NALA mid-year report was submitted on November 14, 2017.

A revised copy of the RRVPA by-laws were forwarded to NALA on November 28, 2017 and approved on March 19, 2018.

Additionally, the NALA Certifying Board announced new exam specifications effective with 2018 administrations. Click [here](#) to view announcement.

Eileen Tronnes Nelson



*Save the
Date!*

NALA WEBINARS

Issues Relating to Cybersecurity and Incidents
and Data Breaches

May 30, 2018 - 2:00 p.m.

Personal Injury Damages

May 31, 2018 - 10:00 a.m.

Franchise & Distribution Law

September 2, 2018 - 1:00 p.m.

Organization - The Silent Weapon of an
Effective Paralegal

September 10, 2018 - 11:00 a.m.

NALA Conference & Expo
July 11-13, 2018 | St. Louis, MO



S P E C I A L 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!



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The public relations committee is responsible for maintaining and distributing all RRVPA materials, as well as making sure the organization's social media presence is current and relevant. Additionally, this committee designs and published the Red River Review, a semi-annual organization publication.

Legal Assistant's Day | Chair: Brooke Raser

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The goal of the Legal Assistant Day Committee is to arrange for event to celebrate Legal Assistant's Day. The Legal Assistant Day Chairpersons are the current Region Directors.

Mentor Program | Chair: *OPEN (Interim: Rachel Martin)*

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The mentor program committee is responsible for facilitating the mentor/mentee program to encourage education through knowledge and experience. This program is especially helpful for area students and those seeking a career in the paralegal profession.

Membership | Chair: Katy Tellinghuisen

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The membership committee is responsible for marketing our organization to new membership within the region, as well as maintaining documentation of current membership, welcoming new members, and acting as a liaison for our organization within the community.

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The education committee is responsible for planning and implementing all educational opportunities for RRVPA members, including Lunch & Learns, our annual Fall Seminar, and other accredited programming. This committee works hard to make sure all content is kept in pace with current technology and the education standards of our ever changing market.

Outreach Program | Chair: Brooke Raser

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The outreach committee is responsible for researching, planning, and implementing a variety of impactful volunteer opportunities for membership.

Finance and Audit | Chair: Angie Bossert

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The finance and audit committee is responsible for maintaining the finances of the organization through transparency and communication. This committee also leads our annual sponsor drive each fall and heads up the scholarship opportunities available through the organization.

CONTACT YOUR COMMITTEE CHAIRPERSON TODAY IF YOU ARE INTERESTED IN BECOMING MORE INVOLVED!



TOP 5 DIVORCE QUESTIONS ASKED AND ANSWERED

BY GREG LIEBL

How Is Our Property Divided?

In North Dakota, “when a divorce is granted, a court shall make an equitable distribution of the property and debts of the parties.” [NDCC 14-05-24](#). All property held by either party, whether held jointly or individually, is considered marital property that the court can divide. You are probably asking yourself “what does equitable mean in this context?” Good question. Basically, it means “fair.” When making a property division in North Dakota, the division does not need to be equal to be “equitable” or “fair,” but any substantial disparity must be explained. Courts try to determine what is “fair” by applying what is called the [Ruff-Fischer](#) guidelines to the facts of your case. These factors include: the respective ages of the parties, their earning ability, the duration of the marriage and conduct of the parties during the marriage, their station in life, the circumstances and necessities of each, their health and physical condition, their financial circumstances as shown by the property owned at the time, its value at the time, its income-producing capacity, if any, whether accumulated before or after the marriage, and such other matters as may be material. Basically, you will try to show these factors weigh in favor of the distribution you want.

How Is Alimony/Spousal Support Determined?

In North Dakota, a person “may be required to pay spousal support to the other party for any period of time.” [NDCC 14-05-24.1](#). Like property division, the Court will look at the Ruff-Fischer guidelines for guidance; however, it really boils down to the “needs” of the spouse seeking support and the supporting spouse’s “ability to pay.” The North Dakota Supreme Court has frequently recognized a preference for rehabilitative support, rather than permanent support. This being said, because the factors are so subjective, the amount and duration are very hard to predict. Just know that if you take this issue to trial, whatever that Court finds, you will likely be stuck with that result if it were ever to be appealed.

How Is Custody Determined?

North Dakota courts love to apply facts to a list of factors! Like property division and spousal support, the Court will look at a list of factors called the “[Best Interest Factors](#)” to determine which parent the child or children should live with the majority of the time. This list includes factors such as, the ability of each parent to assure the child receives adequate food, clothing, and shelter, each parent’s ability to meet the child’s developmental needs, the sufficiency and stability of each parent’s home environment, the impact of each parent’s extended family, the length of time the child has lived in each parent’s home, the willingness and ability of each parent to facilitate and encourage a close and continuing relationship between the other parent and the child, the mental health of the parents, as that mental health impacts the child, the preference of the child, and evidence of domestic violence.

How Is Child Support Determined?

The answer to this question depends on what kind of child custody arrangement you will have, e.g. primary (with one parent the majority of the time), equal (both parties have exactly the same amount of time with the child), or split (one child staying with one parent the majority of the time and the other child living with the other parent the majority of the time). Regardless, the simple answer to this question is that it is based on your gross income. It is a good idea to employ an attorney knowledgeable of the ins-and-outs of the child support guidelines because there are arguments which can be made to either increase or decrease a child support obligation, depending on the facts and circumstances. If you want to try to “ballpark” your’s or someone else’s child support obligation, I would encourage you to visit the free child support calculator provided by the State of North Dakota by clicking on this [link](#).

Can We Avoid Court?

Absolutely. You can avoid ever having to step foot in a courtroom if, and this is a big if, you and your soon to be ex-spouse can agree to the terms and conditions of your divorce. One nice thing about living in North Dakota is that if you are divorcing, and if you have children, you will qualify for a program in which you will receive six free hours of mediation. Mediation is a chance to come together with a third-party neutral who will try to help you solve the issues you have not been able to solve on your own. If you and your soon-to-be ex-spouse reach an agreement I (or another attorney) can draft the documents which result in a Judgment from the Court –without ever having to see a judge.

Conclusion

The bottom line is that the result, like with most legal issues, varies greatly depending on the facts of your particular case and how you present them to a judge. If you have an impending divorce you should really speak with an attorney to help you navigate these issues.



Greg Liebl attended Concordia College in Moorhead, Minnesota. While there he double majored in Psychology and Sociology and minored in Classical Studies. After undergraduate school, Greg went to the University of North Dakota School of Law where he graduated with distinction. Greg co-founded Severson, Wogsland & Liebl, P.C. in 2013 and diligently serves clientele in Minnesota, North Dakota, and Montana with their complex family law matters.

WHAT WE'VE BEEN UP TO



Left: Members of the South Region enjoying happy hour and a fun plastic wrap gift game at Brewtus' Brickhouse in West Fargo on Wednesday, January 3rd, 2018 (from left to right): Andrea Miller, Jericka Lyon, Rachel Martin, Eileen Tronnes Nelson, Brooke Raser,, Dona Schock, Winter Brendemuhl, Angie Coppin, and Abby Hammes

Right: Members of the North Region enjoying happy hour at the Crooked Pint in Grand Forks on Friday, January 19th, 2018 (from left to right): Kathy Freidig, Sue Schaumburg, Denise Pike-Gordon, Dave Gordon, Bailey Willis, Magen Pavlicek, Eileen Tronnes Nelson



Above: Members of the South Region along with their coworkers and family members volunteered at the local Feed My Starving Children mobile pack on February 10th, 2018 at Atonement Lutheran Church. The session packed 67,000 meals for children in need.

Right: (from left to right) Brooke Raser, Eileen Tronnes-Nelson, Abby Hammes, Angie Bossart, Kylee Carlin, Rachel Martin





Left: Attorney Ben Freedman of Severson, Wogsland, and Liebl presented a Lunch & Learn regarding Restraining and Protection Orders on January 25, 2018



Members hosted a booth at the Career Expo at the Fargodome on November 30th, 2017.

Above: (from left to right) Kayla Peterson, Katy Tellinghuisen, Professor Tracy Gompf

Upper right: (from left to right) Angie Bossart, Eileen Tronnes-Nelson

Right: Maurice Rocha, Eileen Tronnes-Nelson



Are you taking advantage of all of the benefits RRVPA has to offer? Here are just a few...

Employment Opportunities: RRVPA promotes paralegal-related job openings of area employers.

Continuing Education: RRVPA sponsors an annual seminar, providing general legal education benefits, as well as continuing education credits required to maintain the CLA/CP certification. In addition, we host monthly Lunch and Learn opportunities with dynamic speakers.

Networking: RRVPA hosts luncheons, socials, fundraisers, and volunteering events, all of which are a great way to get to know other paralegals in the industry.

Scholarship: RRVPA offers an annual scholarship for members who are interested in taking the Certified Paralegal or Advanced Certified Paralegal exam.

Mentor Program: Members can participate as mentor in the program, which connects experienced paralegals with an up and coming paralegal.

Interested in more information about any of the above? Reach out to a board member today!

HAVE IDEAS FOR VOLUNTEER OPPORTUNITIES FOR RRVPA?
CONTACT BROOKE AT BRASER@ANDERSONBOTTRELL.COM



Did you miss out on your chance to order a RRVPA Volunteer shirt? We have an assortment of mens and womens sizes available for ONLY \$5. Please contact Rachel Martin at redrivervalley.paralegal@gmail.com to get yours today!

Keep an eye out for a full apparel order this fall!



TRAUMATIC BRAIN INJURY/CONCUSSION WITH VISION COMPONENT

BY DIANE KRAMER

A concussion is a mild traumatic brain injury (TBI) that usually occurs after a blow to the head, but it can also come from having one's head and upper body violently shaken. Concussions are not uncommon. Most people think of concussions as happening during football games or fights, but they can also be caused by car accidents or falls in the workplace, as you well know from your paralegal work.

Most concussions do not cause loss of consciousness. The symptoms of concussion can include headaches, inability to concentrate, and impairment of memory, judgment, balance and/or coordination. Most concussions are mild, and most people who get concussions recover fully. However, Post-concussion syndrome is a complex condition in which the patient's symptoms can last for weeks, months, or even a year or more after the concussion.

Approximately 10% of people who get concussions suffer from post-concussion syndrome. The symptoms of post-concussion syndrome are similar to those of concussion, but can also include new complications such as dizziness, fatigue, insomnia, irritability, anxiety, light and noise sensitivity, and behavioral or emotional changes. The symptoms are worse in some people than in others. Post-concussion headaches can feel like migraine headaches, but are usually more like tension headaches. The physiological aspects of post-concussion are still not completely understood. Medical experts still do not agree on exactly why some people get post-concussion syndrome, whether a person's symptoms are in fact post-concussion syndrome as opposed to more regular headaches, and how and why post-concussion syndrome occurs physically in the body.

The biggest problem with a diagnosis of post-concussion syndrome is that its symptoms can sometimes be vague and that reasonable physicians can differ as to whether a specific patient indeed has post-concussion syndrome. This is also true for [more severe cases of TBI](#).

At **EvaluMed**, an MES Solutions company, we are seeing an "epidemic" of minor traumatic brain injury (TBI) and concussions. Neurology providers doing IMEs for over 20 years have reported seeing one or two concussions a year up until about 5 years ago. Today, nearly 75% of the cases they see are TBI. This is a good example of 'expectation as etiology' and likely related to increased public awareness secondary to the NFL and other press addressing TBIs and concussions. In terms of treatment, there have been some changes, and occupational/physical and speech therapists as well as optometrists are front and center as most of these cases have some vision component. The vision component is the current trend, and in most cases we are seeing the same neuro-ophthalmologist involved on the plaintiff side. Neurologists can only comment to a certain extent regarding any vision component, and it is important to know who (specific specialty) the injured party is treating with and/or where. A neurologist has little credibility going up against a neuro-ophthalmologist who is more specialized and

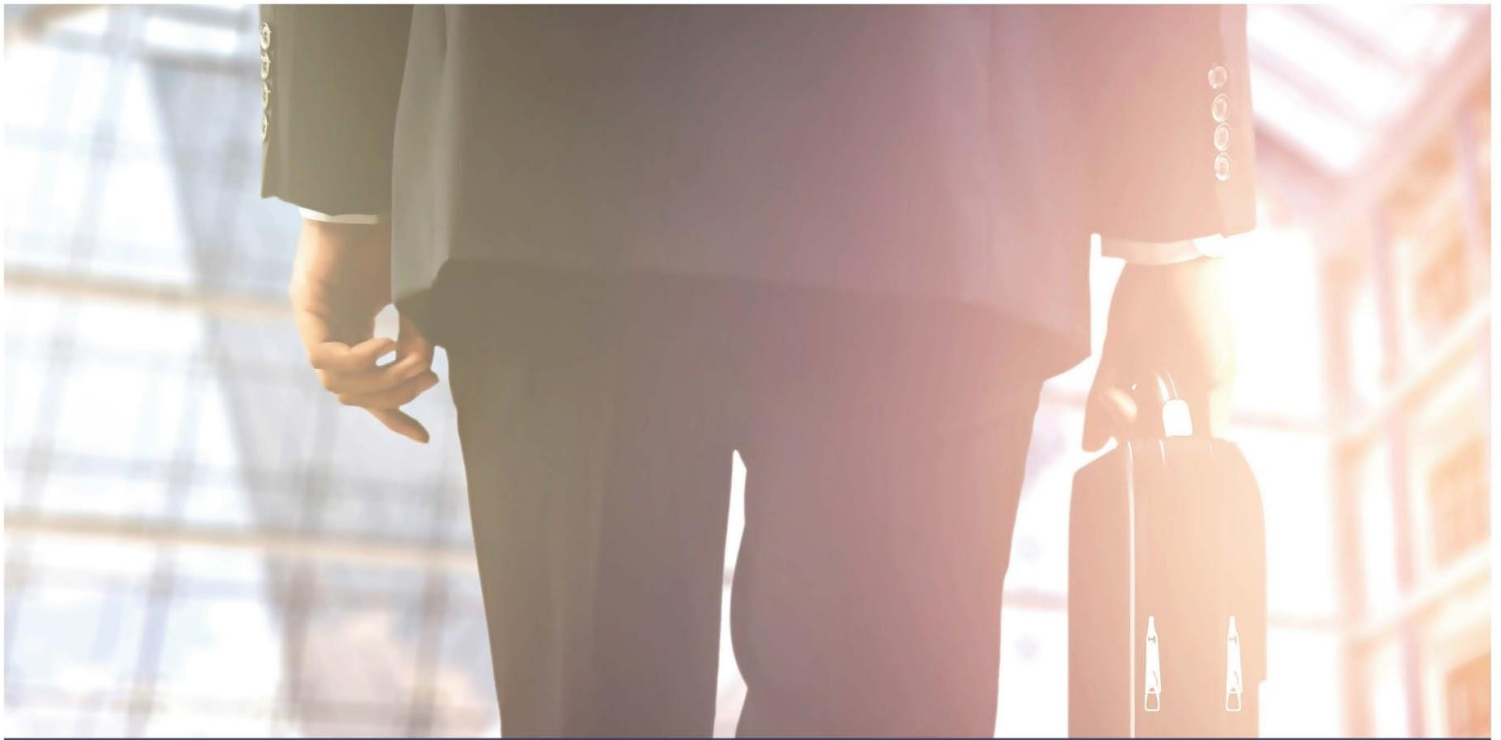
has more sophisticated tools at their disposal and therefore should not get the case. However, if there is only an optometrist involved, they would be able to take the case and comment sufficiently.

Hopefully this information helps educate and assist you and/or your attorney choosing the appropriate specialties needed for TBI/concussion IMEs. At **EvaluMed**, we need to make sure we are asking the right questions. Where a neuro-ophthalmologist is involved, you will need to go with that same specialty for your IME, which you will likely need in addition to neuro-psych to address any cognitive component. A side note is to keep in mind that some think a neuro-psych specialist can also comment on all things neurology, however, this is not the case.

The last thing we want to do is proceed with scheduling an exam that would ultimately be worthless to the client (you!) Give us a call or email if you need an assist in determining the appropriate physician specialty, or have an IME or Record Review to schedule. We are your Medical-legal experts!

Diane Kramer is an Account Manager with EvaluMed, a division of MES Solutions. Diane can be reached at diane.kramer@mesgroup.com or by phone: Toll Free: 800-806-5666 | Cell: 612-226-7428 | Fax: 952.925.9861. Visit www.messolutions.com for more information.





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CALENDAR OF EVENTS

Volunteer Events

Heart and Soul Cafe

June 24, 2018

Greenhouse Cafe

Details TBA

Walk to Defeat ALS

August 18, 2018

Lindenwood Park

Details TBA

Lunch & Learn

May 23, 2018

12:00 p.m. - 1:00 p.m.

OOLF

Ethics with Professor Gompf

Fall Seminar

October 2018

Details TBA

Board of Directors' Meetings

July 11, 2018

11:00 a.m. - 12:30 p.m.

Severson, Wogsland & Liebl, P.C.

4627 44th Ave. S., Ste. 108, Fargo

October 10, 2018

11:00 a.m. - 12:30 p.m.

Severson, Wogsland & Liebl, P.C.

4627 44th Ave. S., Ste. 108, Fargo

Social Events

South Region Happy Hour

June 13, 2018

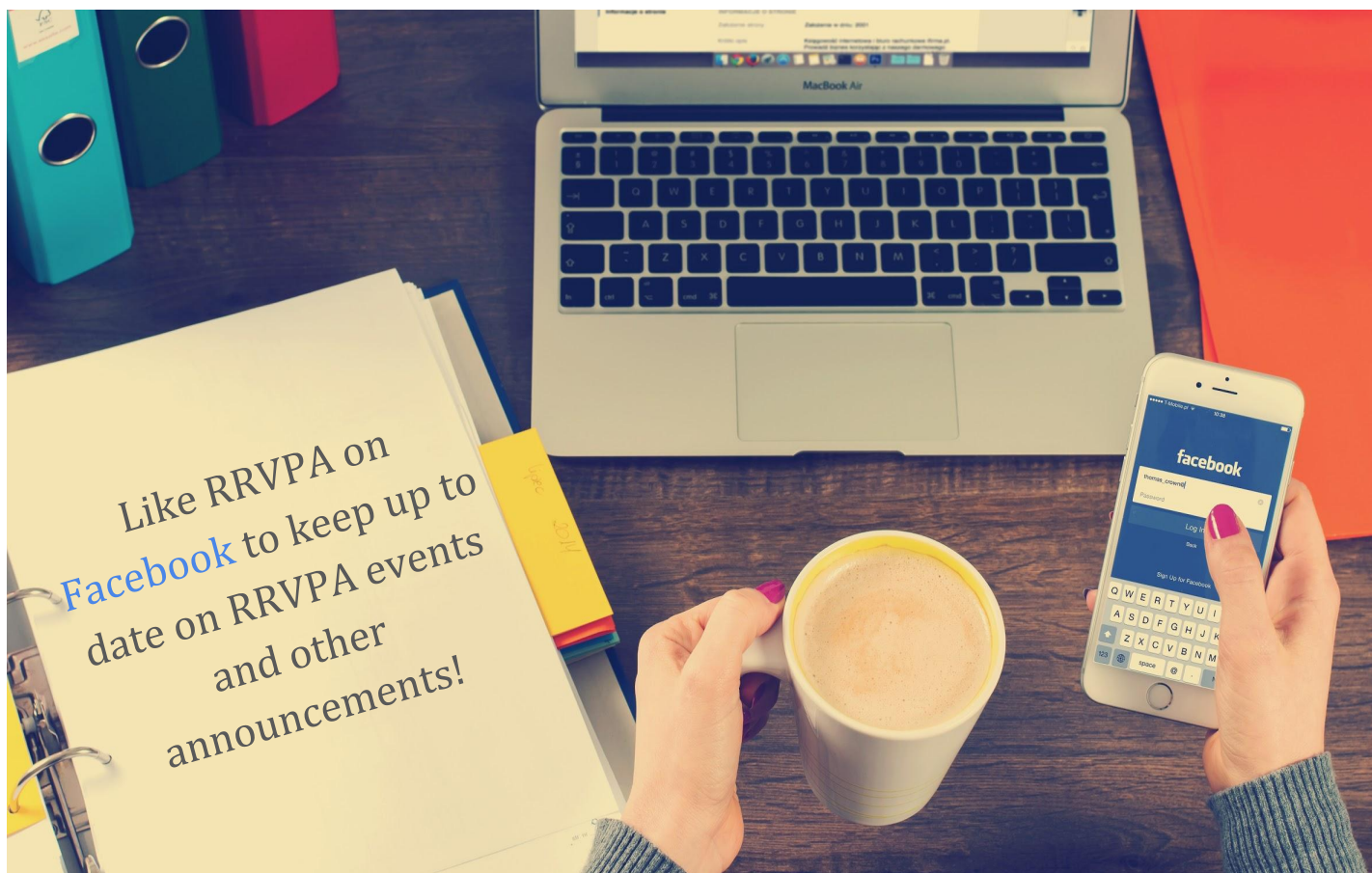
Bvld. 5:30pm

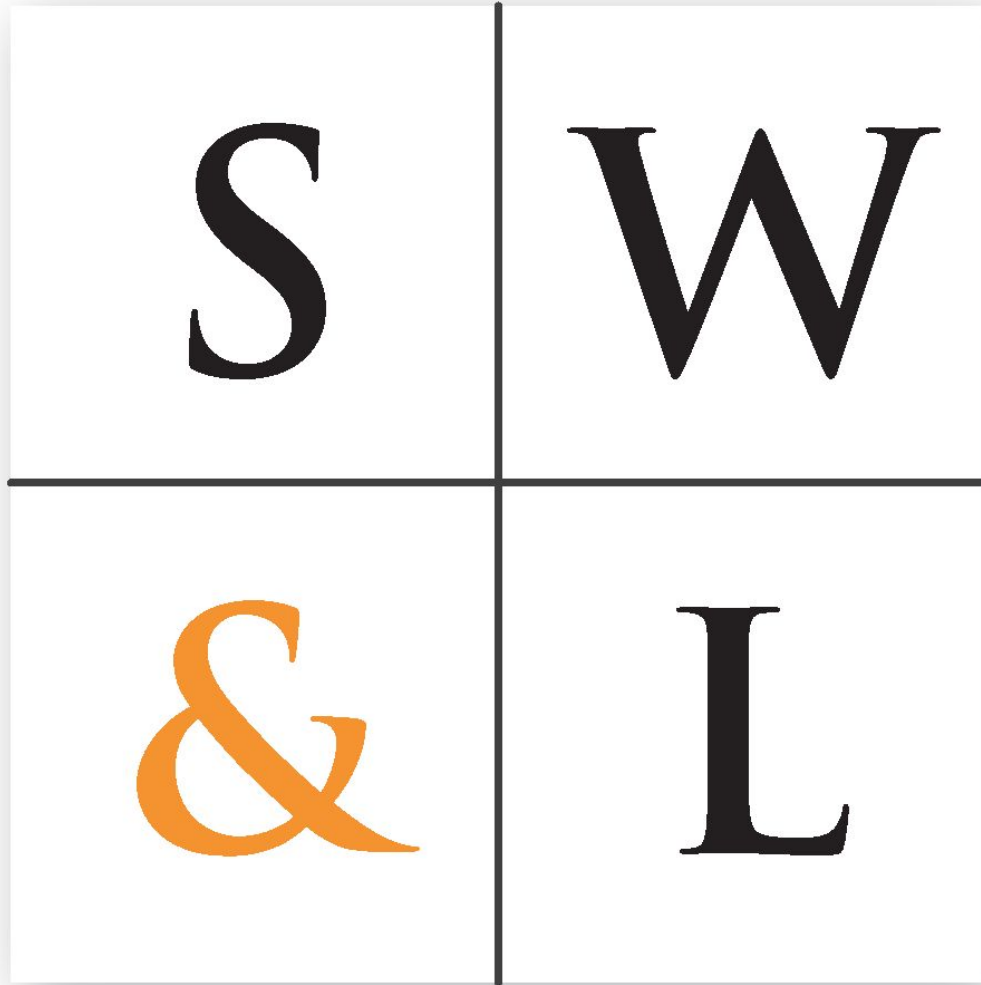
Paralegal/LA Day Celebration

June 28, 2018

Rhombus Guys Rooftop

Details TBA





SEVERSON, WOGSLAND & LIEBL PC

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NEW NORTH DAKOTA LAW MAKES IT EASIER TO CARRY CONCEALED FIREARMS

BY TATUM O'BRIEN

North Dakotans appreciate their Second Amendment rights, so many cheered when the governor signed several new bills passed by the legislature into law that impacted the rights of residents to carry firearms in public. Amongst these bills is a law making it easier for North Dakotans to carry a concealed firearm. Proponents of gun rights celebrated the passage of this

bill, but others wondered whether the law would lead to unintended consequences. Since the law has only recently gone into effect (the measure took effect on August 1, 2017), it remains to be seen whether any of the negative consequences feared by opponents and skeptics of the law will, in fact, come to pass.



The Details of the New Concealed Carry Law

The bill removes any requirement that law-abiding North Dakota residents over the age of 18 obtain any special license or permit before being able to carry a concealed weapon in the state. Before the bill's passage, carrying a concealed firearm in the state without an appropriate permit could lead to a 30-day jail sentence and/or a fine of up to \$1,500. Now any law-abiding resident over the age of 18 years and who has had a North Dakota state driver's license or identification card in force for at least one year can lawfully carry a concealed firearm on their person without having to obtain or display any other permit or identification. Individuals must disclose to law enforcement officers whether they are carrying a concealed firearm during traffic stops or other encounters with police.

Will the New Law Lead to Additional Violence?

One of the chief concerns is that the law will lead to an increase in violence as more individuals will be inclined to

carry – and then use – a concealed firearm. The fear is that by making it easier for individuals to legally carry a hidden firearm, more individuals will be inclined to not only carry but also utilize their firearm in the heat of a dispute or disagreement. However, the law's proponents believe such concerns are exaggerated and that not many more individuals will carry a concealed weapon than those who had previously obtained permits under the old law.



Tatum O'Brien earned her undergraduate degree in Sociology with criminal justice emphasis from North Dakota State University, Fargo, North Dakota. She graduated with distinction from the University Of North Dakota School Of Law. Tatum is currently an attorney and partner of O'Keeffe, O'Brien, Lyson & Foss, ltd. and has become recognized as a highly skilled and experienced attorney representing clients in criminal and personal injury cases.

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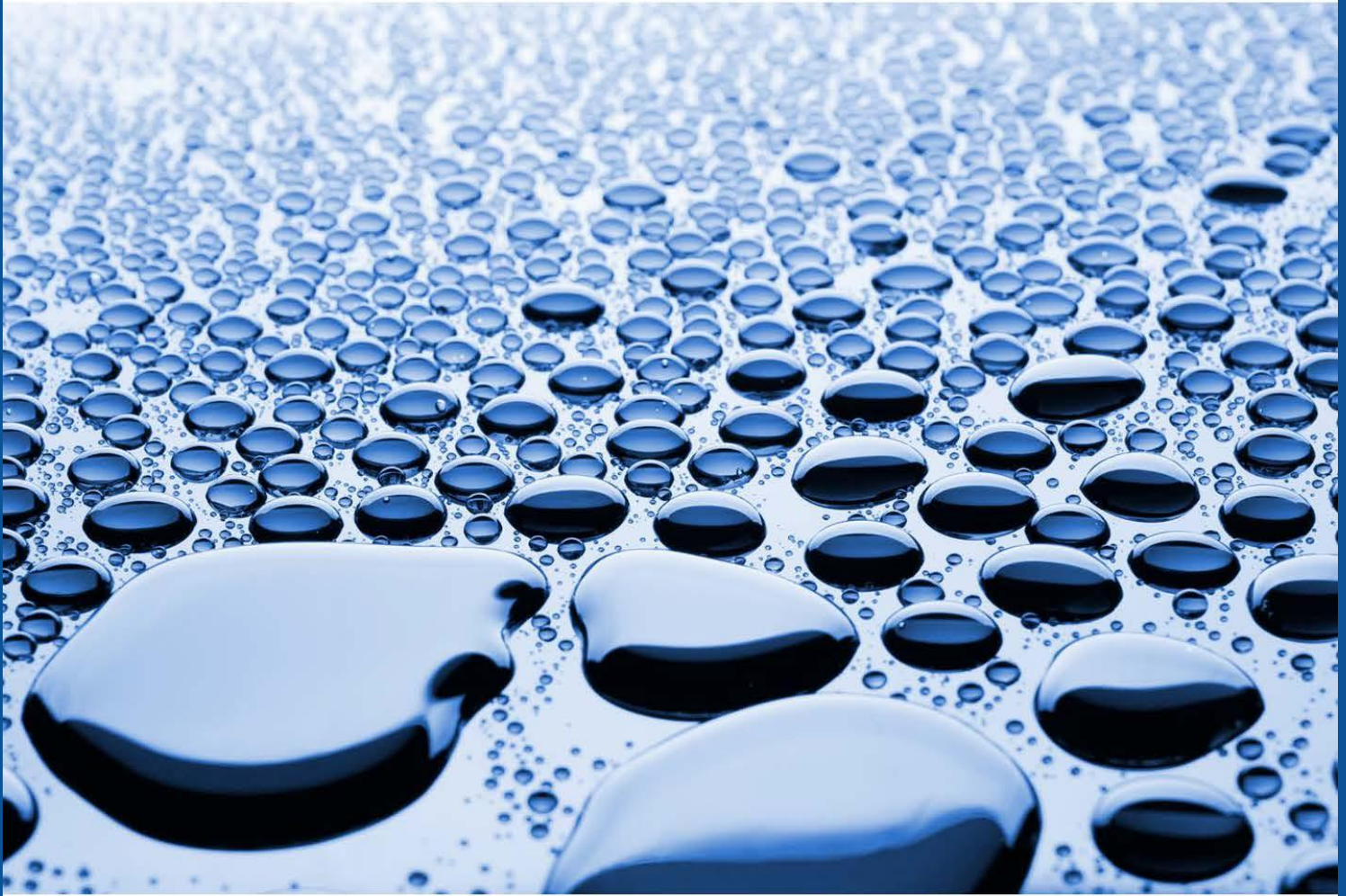
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EDITOR'S NOTE

It has been an absolute pleasure and personal challenge to bring you this edition of the Red River Review. Our curating, organizational, and design skills have truly been put to the test (who knew those high school publications classes would come in so handy?), and we hope our first finished newsletter as new Public Relations co-chairs is one you enjoy!

We will continue to work to improve the Red River Review with every issue, bringing you content we think you will find interesting in a format that is engaging and reader-friendly.

As always, if you have any suggestions for topics you would like to see covered in the next newsletter or if you come across any articles you believe would be worth reprinting, please contact us! We want our content to be enjoyable, informative, and useful. Additionally, if you are interested in working closer with the production of the Red River Review in the future, please reach out to one of us and we would be happy to accept your assistance!

Abby Hammes & Rachel Martin

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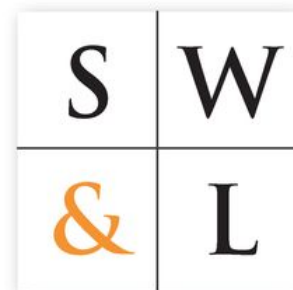
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