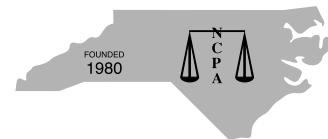


Fall 2011

North Carolina Paralegal Association, Inc.



Forum

noun [C]; fôr-əm
an occasion or a place for talking about a matter of public interest

NCPA

Office POLITICS?



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SEE NO **EVIL**,
SPEAK NO **EVIL!**



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IN THIS ISSUE...

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- A Look at New Court Fees
- NCPA goes to Dallas for the NALA Convention



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President's Message

Stephanie B. Elliott, NCCP



Happy Summer, NCPA! Having just returned from Dallas, Texas to attend the NALA Convention and Educational Institute, I can honestly say it's good to be from North Carolina! I had a fabulous time attending my first NALA Convention and feel very blessed to have been able to go. I met new paralegal friends from across the country, and I spent time getting to know the NCPA members who attended with me better. We learned a lot, had several inspirational moments, and we all left with a renewed sense of how wonderful an organization the North Carolina Paralegal Association is.

On the way home, I reflected on the week's journey and my own career journey in the legal field. The end result of this time of reflection is that I realized as a paralegal, service to others is my (our) calling. Often, I must sacrifice my time, energy, talents and emotions in order to deliver exceptional services to my legal team, and ultimately, to my clients. The same can be said of our organization. My challenge to each of you is this: Are you giving all you can? What talents do you have that remain under utilized? What are your dreams and are you doing anything to reach them? During this time of reflection on the airplane, I realized I think for the first time that my dreams and career path are somewhat blended. Five years ago I would have laughed if someone had told me that I would become the President of NCPA. Today however, through this service I was able to fulfill my dream to attend a NALA Convention, which at no other time during my career had been possible. I made new friends, friends who have the same interests and dreams as I do. This would not have been possible without my service to NCPA. As an organization, I believe we are able to provide our talents and abilities to help those who can't help themselves. Individually, and as an organization, I challenge us all to find ways to put our talents to good use. Help those around you. Teach. Motivate. Listen. Give. In the next few weeks, I will be sharing with you some exciting opportunities that have come our way as a result of the NALA Convention.

Until then, I leave you with this quote: "An essential part of a happy, healthy life is being of service to others." ~ Sue Pattom Thoele

Stephanie B. Elliott, NCCP

President

P.S. If you haven't already, take a look at our MidYear Review Course and Seminar brochure. The Education committee has been working all summer to plan an exciting and fun speaker line up. Get registered! See you in Charlotte in September!

Chairman's Message

Stephanie Ivans, NCCP



It is hard to believe that summer is coming to end and autumn is around the corner. Living in the mountains of NC has made fall one of my favorite times of the year. I love seeing the vibrant colors on the leaves and witnessing the beautiful transformation as they change.

As we head into the fall season, I want to challenge all of you to think outside the box.

You are probably wondering what that means? I want to encourage all of us to expand our knowledge. Knowledge is Power! In these economic times we need to make ourselves invaluable to the law firms and businesses in which we practice. Maybe it's as simple as taking an extra CPE course or doing some extra research. Or, it may be coming up with new and innovative ways to be more efficient and productive. We need to commit to our education. Let's motivate each other as we take this challenge to make ourselves better, to be the very best we can be!

Toward that end, mark your calendars for the 2011 Mid-Year Seminar and CLA/NCCP Review Course for September 16th - 17th in Charlotte. Registration and agenda information can be found on NCPA's website. Mid-Year Seminar is a great opportunity to obtain all of your CPE Credits and socialize with fellow paralegals. And for those of you planning to take the CLA or NCCP exams, please take advantage of the review courses and give yourself a competitive edge!

My inaugural June issue of the AMICUS newsletter can be found on NCPA's website. I hope you all enjoy! I am working on the next issue and hope to have it posted online in the near future. As always, please do not hesitate to contact me if you have questions, concerns or suggestions for NCPA. Your voice counts!!

Yours Truly,

Stephanie Ivans, NCCP

Chairman of the Board





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Second Vice President's Report Membership

Beverly K. Moore, NCCP

The current membership breakdown as of July 22, 2011 is as follows:

| | |
|------------------------------|------------|
| General members: | 265 |
| Associate members: | 50 |
| Student members: | 77 |
| Sustaining Members: | 11 |
| Affiliate members: | 3 |
| Educational Program members: | 4 |
| Total | <u>410</u> |

We would like to acknowledge our newest (G)eneral, (A)ssociate, and (S)tudent members joining from April 29, 2011 - July 21, 2011.

Amy R. Armstrong, Siler City, NC (S)
 Lisa P. Barnette, Southport, NC (G)
 Mary L. Beegle, Cullowhee, NC (A)
 Benecia C. Brooks, Durham, NC (S)
 Amy J. Carger, Raleigh, NC (G)
 Athena L. Chamblee, Raleigh, NC (G)
 Glynis R. Edmonds, Rocky Mount, NC (G)

Kelly A. Humiston, Fort Mill, SC (G)
 Terri L. Konwerksi, Kannapolis, NC (S)
 Margaret G. Powers, Cary, NC (S)
 Valeria Pozdeeva, Morrisville, NC (G)
 Regina B. (Gina) Sriraman, Raleigh, NC (G)
 Susan E. Stanley, Raleigh, NC (S)
 Marura J. Vo, Sanford, NC (S)

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NCPA would also like to recognize our Affiliate and Educational Program members:

Alamance County Paralegal Association, Caldwell Community College and Technical Institute, Carteret Community College, Cumberland County Paralegal Association, Guilford Paralegal Association, Guilford Technical Community College, and Miller-Motte College – Wilmington.

Feel free to contact me at any time if you have questions about membership in NCPA.

Beverly K. Moore, NCCP
 Second Vice President, Membership Chair

CALENDAR OF EVENTS

September 15-17, 2011

NCPA's Mid-Year Seminar and Review Course in Charlotte, NC

September 24, 2011

NCCP Exam

December 1, 2011

Deadline to register for January 2012 NALA CLA/CP Exam

December 10, 2011

Late Application Deadline to register for January 2012 NALA CLA/CP Exam (\$25 late filing fee)

January 1-31, 2012

Testing window for NALA CLA/CP Exam

March 22-24, 2012

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Editor's Court

Brandon L. Ruth, NCSB/CP

By the time you read this edition of the NCPA FORUM, there will have been two recent changes in my life . First, I made the decision to leave the realm of the paralegal and move into another area of law, accepting a position with my local Clerk's office. It's not that I didn't enjoy being a paralegal - I loved it and I learned

a lot from attorneys and other paralegals alike. What I saw was an opportunity for a different perspective

on how the law operates and is applied to the greater society. Maybe it's the Sociology major in me, but the chance to help the public access and use the legal system - whether it be for an estate, a small claims matter, or pursuing criminal charges - was too good to pass up. The time was right for a new challenge, and what could be better than something where the challenges could be different every single day?

Secondly, my personal paralegal universe got a little smaller this past month with the passing of Renee Novakoski, NCCP.

While I've met Renee in passing over the past few years, I had the opportunity to work with her at my most recent firm. Her passion and dedication to her position was outpaced only by the passion and dedication she showed her friends and family. I mention Renee today because her life was cut all too short by breast cancer, and it prompted me to remind everyone that the NCPA has, and continues to, raise money as part of the Susan G. Komen Race for the Cure. I urge everyone reading this to go to the NCPA's Facebook page, where on the Wall our own Patti Clapper has posted a link to the NCPA's fundraising site. As of the writing of this column, NCPA is at 49% of their goal. Let's keep that number growing!

In addition to all the usual treats, this issue features a look at office politics by regular contributor Vicki Voisin, and for all you technophiles out there, a look at how the iPad is changing the way we do our jobs, invaluable help for we iPad users. We are also including the most recent filing fee changes that went into effect August 1st. As always, thanks for reading, and don't hesitate to contact us with any feedback or ideas!

Regards, *Brandon L. Ruth, NCSB/CP*



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The North Carolina Paralegal Association, Inc. ("NCPA") will be sponsoring its annual Student Scholarship Program this fall. Any paralegal student enrolled in an accredited North Carolina paralegal educational program is eligible. An essay competition will be the basis of the scholarship.

In addition to the scholarship, all awards include a one-year, free student membership in NCPA and one free student registration to NCPA's 28th Annual Seminar and Meeting to be held March 22-24, 2012 in Atlantic Beach!

**THE CONTEST OFFICIALLY BEGINS ON OCTOBER 1, 2011,
SO BE ON THE LOOKOUT FOR SUBMISSION DEADLINES
AND ADDITIONAL INFORMATION ON THE NCPA WEBSITE.**

If you have any questions please contact:
Charlotte Ward, CLA, NCCP
Student/School Relations Chair
ward_charlotte@yahoo.com
919-489-9001

NCPA MEETS IN DALLAS

It is July 31st and I am settled into my seat on the flight back to Durham awaiting takeoff, and the restful “down time” gives me a chance to reflect on the five days I just spent in Dallas at the NALA Annual Meeting and Seminar. I remember the excitement I felt as I landed in Dallas on July 26th knowing that I was going to see a lot of good friends, and hopefully make some new acquaintances. I was also reminded of how much fun I have had at previous NALA Annual Meetings, and knew that this one was bound to be just as fun. I was not disappointed.

The format for the meetings was different this year in that they were all 3-day institutes which offered plenty of time to focus on a specific area of law. I chose the corporate institute which was very well presented.

NALA announced a couple of important changes that it is making to its membership dues, and also its subscription price for its Facts & Findings magazine. **NALA approved offering a 20% discount off of active membership dues for all active and reserve military personnel, and their spouses.** Beginning in the Fall 2011, NALA will offer a **free student membership** for a period of one year to those enrolled in a paralegal schools and are eligible for student membership. NALA will also be **providing an annual subscription to Facts & Findings and access to Facts & Findings archives at no cost to paralegal**

instructors and program directors. All active members of NALA will receive a gift certificate (\$80.00 value) at the date the member renews his or her membership. This gift certificate will be good for one year and will be able to be used for any NALA Campus live course, partial payment of any ACP course, as well as many other benefits, not to exceed the \$80.00 value.

And if that is not enough, NALA also announced that the CP exam is now offered via computer at more than 230 locations across the country. Two new ACP credentials were introduced this year, one in Land Use and the other in Criminal Litigation.

Finally, I was truly shocked and humbled at the Affiliates Meeting when Stephanie Elliott, Sharon Robertson and Sherry Vaughn surprised me by letting me know that I had been nominated by NCPA for an Affiliates Award. It was truly an honor to accept the award. Thank you to NCPA and my fellow board members for your continued support and belief in me.

Sincerely,
Kaye H. Summers, ACP, NCCP
NALA Liaison



*Go ahead. Whistle the theme song to “Dallas”.
We can wait.*

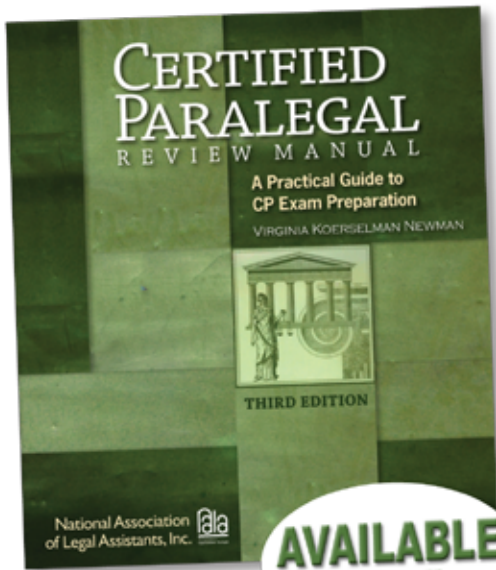


Rodeo Training??



*Front row: Belinda Thomas and Kaye Summers
Back row: Sherry Vaughn, Sharon Robertson and Julia Roberts*

Newly revised and thoroughly updated, this is a must-have resource for anyone preparing to take the NALA CLA/CP Exam!



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Dear Paralegal,

I am happy to inform you that **Carolina Paralegal News (CPN)**, a special publication of *North Carolina Lawyers Weekly*, will now be published monthly. As many of you know, this product started out as a quarterly publication, and then went to bimonthly and now monthly due to increased demands and content popularity.

I personally wanted to thank you for your continued support of **CPN**, which has allowed us to provide the large paralegal community in two states with important news, information, profiles and industry trends.

As of January 2010, **CPN** will be available to you each month for \$5.00 per issue. Subscribers to *North Carolina Lawyers Weekly* will continue

to see **CPN** inserted in their mailed copies. Also, a PDF version of **CPN** will be available online at www.nclawyersweekly.com.

Please call our office toll-free at 877-577-6221 to order copies of **CPN**, which will be available the last Monday of each month.

Again, thank you very much for your support in growing this product and I hope you have a successful new year!

Kind regards,

Tonya Mathis
Publisher

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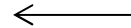
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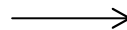
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DISTRICT III REPORT

Attention Dear Readers! District III is currently without a Director. If you are interested in filling the position, please contact Interim Director Sylvia Erickson, NCCP or our Chairman, Stephanie Ivans, NCCP for more information. You must have been a general member for one year and be able to attend Board meetings. This is a voting position. Be a part of helping NCPA grow and thrive!

Sylvia Erickson, NCCP
Sylvia_Erickson@fd.org

Stephanie Ivans, NCCP
wncparalegal@gmail.com

DISTRICT IV and DISTRICT IX REPORT

Currently Districts VI and IX do not have a local district director. Since am in Wake County, this will make it difficult for me to be able to work with members in those districts. If you are interested in serving as a director, you must have been a general member for one (1) year and must be able to attend our Board meetings (this is a voting position). If you are interested, please email me for more information.

Patti Clapper, ACP, NCCP
At-Large Director
Immediate Past President
lglduck@aol.com

DISTRICT VII REPORT

District VII had a meet and greet on Tuesday June 14, 2011 at Speedy Pizzeria in Sylva, NC. We discussed ideas for future meetings and ways for our district to become more involved.

I am in the process of planning our next meet and greet in Asheville, NC and will be sending out details in the near future. Hope to see everyone there! As District Director, I here to be your voice to the Board of Directors so please do not hesitate to contact me with any questions, suggestions or concerns.

Sincerely,
Stephanie Ivans, NCCP
District VII Director



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Office **POLITICS?**



HEAR NO **EVIL**,
SEE NO **EVIL**,
SPEAK NO **EVIL!**

By Vicki Voisin, ACP

Office Politics – strategies people use to achieve personal advantage -- are a fact of life. Some are “good” and some are “bad”.

When thought of as “bad” office politics, reference is to the tactics people use for their advantage at the expense of others, adversely affecting the work environment and relationships. “Good” office politics help you promote yourself.

You may hate them, but like it or not, you need to learn to handle office politics well to ensure your career success. If you refuse to deal with the ‘bad politics’ churning around you, your career may suffer as others take unfair advantage. If you avoid practicing ‘good politics’, you may miss opportunities to promote and advance your career.

Office politics may be compared to navigating a minefield. To deal with them effectively, you must accept the reality that they exist and then develop tactics to deal with them. The “See No Evil, Hear No Evil, Speak No Evil” approach is best. Here are some tips to help you survive:

HEAR NO EVIL.

Disregard Biased Comments. Negative feelings about a co-worker often result from something another co-worker says. Don’t pay attention to biased comments. Instead, get to know your co-workers and form your own opinions. Once you know someone well and understand what moti-

vates them, you may find they’re not so bad after all.

Don’t hold a grudge. Anger toward a co-worker only serves to adversely affect your work. Instead of bottling up your anger and risking an emotional explosion, take steps to diffuse the crisis regardless of who may be at fault. Once the problem is resolved let go of your anger -- treat the problem as history and move on.

SEE NO EVIL.

Observe your co-workers. It’s always helpful to know where other people stand. Take some time to observe your co-workers and assess their political power. Who are the real influencers? Are there groups or cliques? Who gets along with whom? Who are the chronic complainers and crisis seekers?

Build relationships that with peers as well as bosses. Be part of multiple networks so you can keep your finger on the pulse of the firm. Get to know politically powerful people in the firm or company. Build relationships with them but never fear them. Be friendly with everyone but don’t align yourself with one group or another.

SPEAK NO EVIL.

Treat everyone with respect and kindness. No matter how upset you are about something or how upset you are with a co-worker or client, keep your comments to yourself, put

on a smile and greet them warmly.

Avoid joining with voices that criticize your boss, the firm or the company. Never complain to a client or anyone outside the firm about internal conflicts. This only sheds a bad light on everyone, especially you.

Don't be boastful. Co-workers perceive you as bragging, you may have a label you don't want. It's best to let your work speak for itself or let somebody else do the bragging for you. Of course, it does no harm to point out to your boss what you have contributed and achieved beyond the call of duty. If you make a mistake, admit it and fix it...don't blame it on someone else.

Beware – ultimatums may be very dangerous.

Before you rush to a manager and lay down an ultimatum, consider what the results might be. If you get someone fired, you may pay a steep price with your co-workers. If you are ignored and nothing is done, you are no further ahead and you've made it known that you are so unhappy you're ready to leave the firm. When and if you decide to take your problems to a manager, always be able to offer constructive solutions.

*Beware –
ultimatums
may be very
dangerous.*

ADDITIONAL STEPS YOU SHOULD TAKE.

Concentrate on your work. Be the best at what you do, no matter the size of the job, and always leave your mark of excellence on your work. Be punctual, meet deadlines and follow the rules (written or unwritten) of the firm or company. Become an expert (the go-to person) in at least one area. Watch for trends in the industry. Always be learning new systems and software. You may have to make a change. If the chaos of office politics becomes too difficult to handle, you may have to request a transfer or decide that another job is the best route for you. Do not wait until you are completely broken down to do this. Know the danger signs and when it's time to quit. If at all possible, land the new job before letting go of the current one.

There's a saying that you attract more bees with honey than with vinegar. This certainly applies to office politics. Always weigh your options. Don't hesitate to ask for help. Be patient. Be open to new opportunities.

When you learn to deal with office politics, you will regain your self-confidence and enjoy your work more. You're a winner!

Has your

Email
address changed?

Please be sure to let us know so we can keep you informed of what's happening in our profession.

Send your old and new email addresses to:

info@ncparalegal.org

OR you may update this and other personal information on your own by logging onto the NCPA website and modifying your profile.



© 2011 Vicki Voisin, Inc. Vicki Voisin, "The Paralegal Mentor", delivers simple strategies for paralegals and other professionals to create success and satisfaction by setting goals and determining the direction they will take their careers. Vicki spotlights resources, organizational Tips, ethics issues, and other areas of continuing education to help paralegals and others reach their full potential. She publishes a Paralegal Strategies, a weekly e-newsletter for paralegals and co-hosts The Paralegal Voice, a monthly podcast produced by Legal Talk Network.

More information is available at www.paralegalmentor.com where subscribers receive Vicki's 151 Tips for Your Career Success.



Calling All Members!



“People who ask our advice almost never take it. Yet we should never refuse to give it, upon request, for it often helps us to see our own way more clearly.” --Brendan Francis

Please consider contributing to the next edition of the *NCPA Forum*. Not only do we want our association's publication to be informative and innovative for each and every member, we also want it to include helpful hints and sound advice from our main resources, our members. We are looking for all types of articles that relate to the paralegal community. Anything of interest to you will most likely be of interest to other paralegals across the state. Let your voice be heard in the *NCPA Forum*. Please submit all articles in Word format to mel_clayton79@yahoo.com. You may also e-mail your comments, suggestions and possible article contributors to us as well.

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NCPA JOINT MEETING OF THE EXECUTIVE COMMITTEE AND BOARD OF DIRECTORS

April 30, 2011

The North Carolina Paralegal Association ("NCPA") held its regularly scheduled joint meeting of the Executive Committee and the Board of Directors on April 30, 2011, beginning at 10:17 am at the offices of Wyatt Early Harris Wheeler, LLP, 1912 Eastchester Drive, High Point, NC 27265.

Attendance Recorded

| | |
|--------------------------------------|--|
| Stephanie B. Elliott, NCCP | President |
| Stephanie Ivans, NCCP | District VII Director, Chairman of the Board |
| Beverly K. Moore, NCCP | 2 nd Vice-President, (Membership) |
| Diane L. Tally, NCCP | Secretary |
| Ann C. Rogers | Treasurer |
| Shelby G. Tyson, NCCP | Parliamentarian, Bar Liaison |
| Kaye H. Summers, ACP, NCCP | NALA Liaison, Mentoring Committee |
| Crystal Robinson, NCSB/CP | District II Director |
| Karen F. England, NCCP | District IV Director, Historian |
| Patricia F. Clapper, ACP, NCCP | District VI (Interim), District IX (Interim), At-Large Director, Imm. Past President |
| Regina H. Newsome, CLA, NCCP | District VIII (Interim) |
| Kimberly C. Pellicone, ACP, NCCP | Audit, Nominations/Elections |
| Charlotte Ward, CLA, NCCP | Student/School Relations |
| Martha L. Blackman-Hughes, ACP, NCCP | Advertising Editor |
| Melissa Jones, NCCP | Articles/Association News Editor |

NCPA Board Secretary – Diane Tally, NCCP

Secretary Diane L. Tally presented the minutes from the Executive Committee/Board of Directors meeting of March 24, 2011 and March 26, 2011. Patti Clapper motioned that the minutes of March 24, 2011 be approved. The motion was seconded by Stephanie Ivans and carried by unanimous vote. President Elliott motioned that the post annual minutes of March 26, 2011 be approved. The motion was seconded by Crystal Robinson and carried by unanimous vote.

Education Committee – First Vice President Melissa Stockley-Jones, ACP, NCCP

Melissa was not present but submitted a written report. Her report states that we have gained a few new members since the 2011 Annual Meeting & Seminar. Melissa's report also states that Mid-Year Seminar Co-Chairs are getting into high gear in planning for the upcoming Mid-Year Seminar & CLA/NCCP Review Course to be held September 16-17, 2011 at the Embassy Suites in Charlotte, North Carolina.

Mid-Year Seminar Chairs – Michele A. Tuttle, CLA, NCCP Crystal L. Robinson, NCSB/CP and Debby Sawyer, CP

Debby and Crystal were present. Michele was not present. Debby reported that some of the speakers from Annual 2011 want to come back and speak again. We received really good reviews from Annual 2011. The only complaint we got was the lack of chairs and slight problems with registrations. Regarding registrations, individuals said they registered but we didn't show that they were registered.

Convention Coordinator's Report – Vicki Helm, NCCP

Vicki was not present but submitted a written report of three locations for Annual Meeting and Seminar 2012. The three locations are Hilton Wilmington Riverside, Sunspree Resort, Wrightsville Beach and Sheraton, Atlantic Beach. After reviewing each facility as a group, it was agreed that Annual 2012 will be held at Sheraton at Atlantic Beach. Patti Clapper motioned we hold Annual 2012 at the Sheraton at Atlantic Beach on March 22-24. The motion was seconded by Kaye Summers and carried by unanimous vote.

Membership Committee/Second Vice President – Beverly K. Moore, NCCP

Beverly was present and submitted a written report. She

reported that as of April 28, 2011 NCPA currently has 387 members consisting of the following: 255 General, 46 Associate, 71 Student, 11 Sustaining, 3 Affiliate and 1 Education Program members.

President Elliott asked if we had any feedback as to why our membership has dropped. The big question presented by Ms. Clapper was if we wanted to compete with the State Bar regarding cost of student membership. It was favorable that we should compete with the State Bar on this issue, but any change will not take place until membership renewal time.

The other question presented to think about was “what the bar does for student members vs. what NCPA does for students.” Debby Sawyer mentioned the idea about having an NCCP scholarship because we have other scholarships such as the Meredith Pollette and CLA scholarships. President Elliott suggested we table this discussion on student memberships until our meeting in November and table the discussion on scholarships for our meeting in January.

Treasurer’s Report – Ann C. Rogers

Ann was present and submitted a treasurer’s report for March 2011. The treasurer’s report could not be approved because it has not been audited yet. Approval of the March 2011 treasurer’s report will take place at our meeting in September.

Parliamentarian’s Report – Shelby G. Tyson, NCCP

Shelby was present and submitted a written report. She reported that she submitted an article to the NCPA Forum outlining the amendments to the Bylaws of NCPA as approved at the March 25, 2011 Board of Directors/ Executive Committee Meeting. Shelby submitted for review and consideration the following amendment to the Standing Rules of NCPA.

III. MEMBERSHIP:

- C. All past presidents of NCPA shall be entitled to lifetime general membership in NCPA at no cost, provided that said past president(s) continue to meet the eligibility requirements for General Members as set forth in Article IV.2(a) of the Bylaws and complete a renewal application by February 28th of each year. [effective 9/21/2001. amended 4/30/2011.]

Ms. Tyson motioned that the amendment to Standing Rule III (C) be approved. The motion was seconded by Ms. Summers and it was carried by unanimous vote.

District Director’s Reports

(Interim) District I – Diane N. Morgan, ACP, NCCP

Diane was not present but submitted a written report. Her report stated that District I currently has 49 members which consist of 15 General, 29 Student, 4 Associate and 1 Paralegal Educator.

District II – Crystal L. Robinson, NCSB/CP

Crystal was present but did not submit a written report. She reported that District II currently has 122 members. District II held a meet and greet on April 26, 2011.

(Interim) District III – Sylvia L. Erickson, NCCP

Sylvia was not present but submitted a report. Her report states that District III currently has 23 members consisting of 11 General, 2 Associate and 10 Student members. Sylvia reported that a majority of the non-renewals are because of monetary issues. Sylvia also reported that the Cumberland County Paralegal Association (“CCPA”) conducted its 20th Annual Educational Seminar on April 2, 2011 in Fayetteville. New officers were elected and installed. CCPA held a bake sale in the Cumberland County Courthouse on April 18, 2011 and all proceeds from the sale were donated to the American Red Cross – Highlands Chapter to assist tornado victims.

District IV – Karen F. England, NCCP

Karen was present and submitted a written report. She reported that as of April 30, 2011 District IV has 97 members that consist of 75 General, 5 Associate, 13 Student, 1 Attorney Advisor, 2 Affiliates and 1 Education Program member. Karen also reported that GPA will hold its 5th Annual Spring Seminar on May 14, 2011, which will provide those in attendance 6 hours of CPE credits.

(Interim) District VI – Patricia F. Clapper, ACP, NCCP

Patti was present and submitted a written report. She reported that District VI currently has 31 members. Patti reported that she her current list shows 34 non-renewals, 2 of those which she knows are former Presidents of NCPA (fee membership).

District VII – Stephanie Ivans, NCCP

Stephanie was present and submitted a written report. She reported that District VII currently has 17 members consisting of 13 General, 1 Associate and 3 Student Members. Stephanie reported that District VII held an ice cream party at Southwestern Community College for paralegal students to learn more about NCPA. One student joined NCPA since the ice cream party. The Paralegal Educator at SCC also joined NCPA as an associate member. Stephanie also reported that she gave out application forms and flyers to students at South College in Asheville. She plans to follow up with a letter to each student in hopes they will consider joining NCPA.

Ms. Pellicone suggested having a conference call among the district directors to generate ideas among the districts to promote NCPA membership. Ms. Ivans thought that would be a great idea to promote membership and she will coordinate the conference call.

(Interim) District VIII – Regina H. Newsome, CLA, NCCP

Regina was present and submitted a written report. She reported that District VIII currently has 6 members consisting of 4 general 1 student and 1 Gold Sustaining member. Ms. Newsome reported that 5 members did not renew their memberships this year. She sent letters to those that have not renewed setting forth the benefits of membership in hopes we will get them to renew their membership.

(Interim) District IX – Patricia F. Clapper, ACP, NCCP

Patti was present and submitted a written report. She reported District IX has 12 members and 7 members have not renewed. Patti reported that she is going to work on District IX to increase the membership. She would like to hold a joint meet and greet in Winston Salem over the summer to drum up some interest in the district director positions for District VI and District IX.

NALA Liaison – Kaye H. Summers, ACP, NCCP

Kaye was present and did not submit a written report. She reported that she has submitted information to Brandon for the scholarship program. She will be attending the NALA Convention in Texas. Her display board is going to be “NCPA Kicking Up Their Heels.” She needs pictures of people doing things in NCPA. She is going to post the scholarship programs and the mentoring program to highlight what we are doing. .

Bar Liaison – Shelby G. Tyson, NCCP

Shelby was present and submitted a written report. She reported that there was no activity to report for this period.

Committee Reports**Audit – Kimberly C. Pellicone, ACP, NCCP**

Kimberly was present but did not submit a report. Kimberly reported that she has not audited March 2011 Treasurer’s Report yet.

Historian – Karen F. England, NCCP

Karen was present but did not submit a written report. She reported that NCPA history is the same since March 2011.

Job Bank – Stephanie Woods , NCSB/CP

Stephanie was not present and did not submit a written report.

Mentoring Committee – Kaye H. Summers, ACP, NCCP

Kaye was present but did not submit a written report. She reported that she is re-doing the mentoring program. She is bringing back in the handbook for this program and will post it to the NCPA site. The handbook will be split in sections between the mentee and mentor. Once she gets it all together her plan is to send a letter to all the educational programs in the state offering to come and speak to their

students about the mentoring program. Kaye also reported that she will be more than happy to work with the district directors to come and speak at their meet and greets.

Kaye also reported that she wants to submit to NALA for an award in 2012. She feels this program is a worthwhile program and her goal is to fully develop it.

NC Board of Paralegal Certification Liaison – Yolanda N. Smith, ACP, NCCP

Yolanda was not present and did not submit a written report. She did email President Elliott and stated that she had nothing to report at this time.

Nominations & Elections – Kimberly C. Pellicone, CP, NCCP

Kimberly was present but did not submit a written report.

Patron & Sustaining – Michele A. Tuttle, CLA, NCCP

Michele was not present but submitted a written report. Her report states that as of April 29, 2011 NCPA has 10 Gold Sustaining Members and 1 Bronze Sustaining Member. She suggests that it may be time to have a discussion regarding evaluating the cost of our Sustaining Membership since we haven’t made any changes in some time, and it may be time for a slight increase. She’s not sure if it would be a good idea or if we should just leave it alone. It’s a topic for discussion at our next meeting but she just wanted us to think about it for now.

Public Relations & Official Publications**Senior Editor – Brandon Ruth, NCCP****Articles Editor & Association News Editor – Melissa****Clayton Jones, NCCP****Advertising Editor – Martha L. Blackman-Hughes, ACP, NCCP**

Brandon was present and submitted a written report. He reported that things are going smoothly. The FORUM continues to grow with each issue and we continue to add new advertisers as well as Sustaining Members. Brandon said he was able to spend some time chatting with many of our sponsors at annual thanking them for all they’ve done to help make each edition of the FORUM more successful than the last.

Brandon mentioned that we went into the Spring edition with a new Sustaining Member in Diamond Eye Legal, and will be going into the Summer edition with another new Sustaining Member in Ruffin Consulting, who upgraded from contract advertiser status during the Annual Meeting.

In addition to new Sustaining Members, Brandon welcomed some new additions to the FORUM team and they are Martha L. Blackman-Hughes as the new Advertising Editor, and Melissa Clayton Jones, NCCP as our new Articles Editor. Brandon gave special thanks to outgoing Articles Editor

Crystal Robinson who helped him settle in as Editor and worked tirelessly to provide FORUM readers with excellent material over the past few years.

Brandon also reported that the first NCPA Time Machine was a tremendous success. He thanked Patti for providing up to 5 boxes of history!

Student/School Relations – Charlotte A. Ward, NCCP
Charlotte was not present but submitted a written report. Her report states that she is in the process of contacting all of the colleges in North Carolina to see how she can assist them and their students. She also plans to contact Paralegal Program Directors/Educators in District II and volunteer to speak to their classes. She hopes this will be a good tool to obtain new members and to promote NCPA and the exams.

President’s Report – Stephanie B. Elliott, NCCP
Stephanie has reported that she has gotten all materials from Past President Patricia Clapper and is in the process of reviewing and getting organized.

**Review of Orientation Manual
Kimberly C. Pellicone, CP, NCCP and Brenda J. Mareski, ACP, NCCP**

Kimberly has reported that she has read through the Orientation Manual from beginning to end and it has a lot of valuable information. She reviewed each section of the manual with those at the meeting. Kimberly suggested that everyone should review the manual and highlight what their duties are and what is expected from them throughout the year. She asked that if anyone sees anything that needs to be changed to let Brenda know. Kimberly also stated that if anyone has any questions at all about their position just to visit the bylaws and standing rules.

Some items that were discussed:

Voting:

Minutes can be approved by anyone. The Executive

Committee reports to President Elliott. Anyone on the Board reports to Stephanie Ivans. In the Standing Rules, we are entitled to be reimbursed for mileage, anything over 100 miles roundtrip to EC/BD meetings and we do not get reimbursed for mileage for Annual Meeting. We discussed about how we need to include excluding mileage to Mid-Year Seminar as well.

Bylaws changes need to be changed and voted by the membership at Annual. Standing Rules changes can be changed by the Board and Executive Committee.

We talked about having the first ever District Directors conference call meeting with Brenda to go over how to use the e-lists on our website.

Old Business: None
New Business: None.

Ms. Clapper made a motion to adjourn. Ms. Summers seconded the motion. It was carried by unanimous vote. The meeting adjourned at 12:18 p.m.

Diane L. Tally, NCCP
Secretary to the Executive Committee
And the Board of Directors

APPROVED:

Stephanie B. Elliott, NCCP
President

Stephanie Ivans, NCCP
Chairman of the Board

NCPA would like to congratulate our members who passed the April 2011 NCCP exam!!

Amy M. Barber
Julianna D. Blair
Robyn L. Bunch
Susan F. Hinson
Sarah Webb Holsapple
Lynn B. Hughes



NOMINATIONS AND ELECTIONS

Now Is the Time to Offer Your Service

To paraphrase the esteemed Ralph Waldo Emerson -- It costs a beautiful person no exertion to paint his or her image on our eyes, but yet how splendid is that benefit?! It costs no more for a wise person to convey his or her quality to other persons, and every one can do his or her best thing easiest. Even though certain liberties have been taken with the above "quote", the meaning remains clear. Each of us is given certain talents and abilities that we can use for the good of others. Now is the time for each of us to consider using those abilities for the good of NCPA and its members. Please consider serving as an officer or director in the 2012-2013 membership year. As you ponder this decision, contemplate the special abilities you may have to share, and the leadership opportunities afforded each of us to further the paralegal profession in North Carolina and beyond.

Following this article, you will find a "Declaration of Candidacy for Office" form and a "Recommendation for District Director" form for some districts. If you are interested in becoming more involved in NCPA, or know of someone who you believe would be good for the organization, please complete the appropriate form and return it to the address listed on the form. The deadline for returning the "Declaration of Candidacy for Office" form is **December 19, 2011**, and the deadline for returning the "Recommendation for District Director" form is **January 7, 2011**.

For your convenience, listed below is a short description of the duties for each office. Please refer to the NCPA website, under "About NCPA", if you wish to further explore the duties of an officer or director.

| | |
|------------------------|---|
| President: | Represents needs and concerns of the membership before the Board of Directors; supervises the work of other Officers and Committee Chairs; and keeps the membership advised. [See Bylaws Article VIII.1. and Standing Rule VIII.A.1.] |
| First Vice President: | Responsible for the planning of seminars, workshops, and other educational events; serves as Education Committee Chair. [See Bylaws Article VIII.2. and Standing Rule VIII.A.2.] |
| Second Vice President: | Serves as Membership Committee Chair; responsible for compilation of the Membership Directory. [See Bylaws Article VIII.3. and Standing Rule VIII.A.3.] |
| Secretary: | Responsible for keeping a permanent record of all meetings of the membership. [See Bylaws Article VIII.4. and Standing Rule VIII.A.4.] |
| Treasurer: | Serves as Finance Committee Chair; prepares budget for the ensuing fiscal year to be approved by the Board of Directors; responsible for the deposit of funds as well as all disbursements as provided for in the budget. [See Bylaws Article VIII.5. and Standing Rule VIII.A.5.] |
| NALA Liaison: | A NALA member who is familiar with NALA Bylaws and Standing Rules, this officer represents NCPA at the NALA Annual Meeting of Affiliated Associations and makes quarterly reports to NALA concerning NCPA's activities; coordinates with the CLA Review Course Subcommittee Chair on planning and presentation of CLA Review Course. [See Bylaws Article VIII.6. and Standing Rule VIII.A.7.] |
| Parliamentarian: | Serves as Bylaws and Standing Rules Committee Chair; attends all membership meetings to give opinions on parliamentary procedure and interpret NCPA's Bylaws and Standing Rules. [See Bylaws Article VIII.7. and Standing Rule VIII.A.6.] |

For those district members who are electing new District Directors, a "Recommendation for District Director" form follows this article. Each District Director, as a member of the NCPA Board of Directors, is responsible for the promotion of NCPA within his or her own district, including recruitment of new members and assisting with development of educational events within each district. [See Standing Rule IX.C.5.] This position gives the District Director a great chance to network with other paralegals in a specific geographic district and it affords the opportunity to find out how other areas in North Carolina are educating and promoting paralegals in their districts. The completed "Recommendation for District Director" form must be returned by **January 7, 2012**.

If you have any questions about any officer or director position, please contact Nominations & Elections Committee Chair Kimberly C. Pellicone at (980) 387-4458 or info@ncparalegal.org, or contact one of the current NCPA officers or directors. Names and email addresses of officers and directors can be found on the NCPA website at www.ncparalegal.org. Rest your pointer on "About NCPA" on the left to see a drop-down menu for "Board of Directors" or "Officers and Executive Committee."

DECLARATION OF CANDIDACY FOR THE OFFICE OF

OF
NORTH CAROLINA PARALEGAL ASSOCIATION, INC.
2012-2013

The undersigned hereby declares that he/she is actively employed as a Paralegal or Legal Assistant; is legally competent to enter into contracts; and is currently a General Member in good standing of North Carolina Paralegal Association, Inc., and has been so for at least one (1) year.

Qualifications for Office:

Having read and understood Articles VII and VIII of the Bylaws of the North Carolina Paralegal Association, Inc. pertaining to officers, I hereby declare myself a candidate for the office of _____, subject to election at the 2012 Annual Meeting of the Corporation.

Date: _____
_____ (Print/Type Your Name)

(Sign Your Name)

Candidate's Address and Telephone Number:

Send to: Kimberly C. Pellicone, CP, NCCP
NCPA Nominations and Elections Chair
North Carolina Paralegal Association, Inc.
Post Office Box 36264
Charlotte, NC 28236-6264
info@ncparalegal.org

RECOMMENDATION FOR DISTRICT DIRECTOR
FOR DISTRICT ____ OF
NORTH CAROLINA PARALEGAL ASSOCIATION, INC.

Pursuant to the provisions of ARTICLE IX.3 and .5 of the Bylaws of North Carolina Paralegal Association, Inc. and Section IX.C of the Standing Rules, the position of District Directors for District II, IV, VI, and VIII (two-year term position), will be elected by the members of their respective regions and announced at the Annual Meeting in Atlantic Beach, North Carolina on March 23, 2012.

If you are a member of District I, III, V or VII, and wish to nominate a candidate for the Directorship of your District, **please complete the following form and mail it, together with a letter from your nominee expressing his/her interest in the position and a copy of the nominee's resume**, in accordance with the following instructions.

DEADLINE FOR RECEIPT BY ELECTIONS CHAIR IS JANUARY 7, 2012

Send to: Kimberly C. Pellicone, NCCP
NCPA Nominations and Elections Chair
North Carolina Paralegal Association, Inc.
Post Office Box 36264
Charlotte, NC 28236-6264
info@ncparalegal.org

FROM: _____
(Print/Type Your Name)

Address: _____

With his/her permission, I hereby recommend for election to the Board of Directors of North Carolina Paralegal Association, Inc. as Director of District _____, subject to the provisions of Article IX of the Bylaws:

(Print/Type Name of NOMINEE)

Address: _____

Employment: _____

Telephone No.: _____

This will certify that I am a member in good standing and that my nominee is a General Member in good standing of North Carolina Paralegal Association, Inc., and has been so for at least one year as of this day, is employed as a paralegal, and is a permanent resident of the State of North Carolina.

Dated: _____

(Signature of Nominator)

**STANDING RULES OF
NORTH CAROLINA PARALEGAL ASSOCIATION, INC.**

XIII. ELECTION OF OFFICERS:

- A. Qualifications and method of election are set forth in detail in Article VII of the Bylaws.
- B. Each candidate shall have the opportunity to campaign for his/her position as follows:
 1. Each candidate shall have the opportunity to make a speech at the annual meeting for no more than two minutes and three minutes for questions and answers from the floor.
 2. That by way of *NCPA FORUM* all candidates shall have the opportunity to notify all members of the Association that they are currently seeking an office. This shall be done by publishing the slate of candidates in the appropriate issue of *NCPA FORUM*. Each candidate may submit for publication in *NCPA FORUM* a photo and a statement not to exceed 750 words. No candidate shall be allowed to place an advertisement in *NCPA FORUM*, whether paid for individually or paid for by another individual, privately or publicly donated. Candidates shall be allowed to receive the current mailing labels for the membership (at the current cost to NCPA) so that they may send a separate mailing to the membership regarding their qualifications and other personal information. **[amended 1/10/1998]**
 3. A copy of all of the above mentioned rules shall be attached to the call for candidates that is to be issued to the membership by December 5.

GIRL SCOUT LAW EXPLORATION PROGRAM

Members of the Metrolina Paralegal Association along with others in the Charlotte legal community participated in the Girl Scout Law Exploration program at the Mecklenburg County courts on April 19, 2011. The event included courtroom observations, a demonstration by the K-9 unit, and mock trial sessions.



The MPA is a local affiliate of the National Association of Legal Assistants and serves as a source of networking and educational programs for paralegals in Charlotte and the surrounding area. For more information on MPA, go to www.charlotteareaparalegals.com

Mentoring Program

The purpose of the NCPA Mentoring Program is to develop and promote the career development and professionalism of future paralegals. The Program invites senior paralegals to share their knowledge of the profession and their area(s) of expertise with junior paralegals and students enrolled in a Paralegal Program in the State of North Carolina. NCPA strongly believes that it is vitally important that seasoned paralegals help foster the growth of its newer members as a means to meet the needs of our ever growing profession and to set the standard for the future.

If you are interested in either being a Mentor or Mentee, please contact the Mentoring Program Chair Kaye Summers at kaye@pulleywatson.com or 919-682-9691.



Your mentor/mentee relationship will contribute to the success and retention of new paralegals and the learning of the profession!



**Mark your calendar now for the
North Carolina Paralegal Association, Inc.'s
27th Annual Mid-Year Seminar
September 17, 2011
and
4th Annual CLA/NCCP Review Course**



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register for the seminar online at

<https://ncpa.memberclicks.net/>

North Carolina Paralegal Association, Inc.
Mid-Year Seminar Schedule

Friday, September 16, 2011

7:00 p.m. – 9:00 p.m. Early Registration/Welcome Reception/Exhibitor Exposition

Saturday, September 17, 2011

7:30 a.m. - 8:30 a.m. Registration & Continental Breakfast

8:30 a.m. - 8:45 a.m. Welcome Remarks, President, Stephanie Elliott, NCCP

8:45 a.m. - 10:00 a.m. **GENERAL SESSION**

“What is Your Brand? How to Define Yourself Before Someone Else Does” (Professionalism Tips)
Bruce Robinson, Raleigh, NC

10:00 a.m. -10:30 a.m. Break - Visit with Exhibitors (Hotel Checkout)

10:30 a.m. -11:45 a.m. **CONCURRENT SESSIONS** (Choose one)

SESSION A: “Recent Updates in Workers Compensation Law”
Brad Collins, The Roberts Law Firm, Gastonia, NC

SESSION B: “Obtaining Court Approval of Minor Settlements”
Amy Oleksa, Cranfill, Sumner & Hartzog, Charlotte, NC

11:45 a.m. -1:00 p.m. **LUNCH**

1:00 p.m. - 2:15 p.m. **CONCURRENT SESSIONS** (Choose one)

SESSION A: “Intellectual Property- A Practical Overview”
W. Thad Adams, Adams Intellectual Property Law, Charlotte, NC

SESSION B: “ABCs of Criminal Law for the Paralegal”
Ed Bogle, Bogle, Anthony & Leach, Gastonia, NC

SESSION C: “Hot Topics in Family Law for the Paralegal”
Wade Carpenter, Carpenter & Carpenter, Gastonia, NC

2:15 p.m. - 3:30 p.m. **CONCURRENT SESSIONS** (Choose one)

SESSION A: "How to Navigate a Closing Without Running Aground"
Judge Thomas Taylor, Gastonia, NC

SESSION B: “Immigration Court Fundamentals”
Jordan Forsythe, Forsythe Immigration Law Firm, Charlotte, NC

3:30 p.m. - 3:45 p.m. Break

3:45 p.m. - 4:45 p.m. **GENERAL SESSION**

“Ethics”
Judge Richard Abernethy, Gastonia, NC

4:45 p.m. Closing Remarks & Door Prizes

**North Carolina Paralegal Association, Inc.
CLA and NCCP Review Course**

Friday, September 16, 2011 - CLA/NCCP REVIEW COURSE

| | |
|-------------------------|---|
| 7:30 a.m. - 8:00 a.m. | Registration |
| 8:00 a.m. - 8:15 a.m. | Opening Remarks |
| 8:15 a.m. - 9:15 a.m. | Real Estate |
| 9:15 a.m. - 10:15 a.m. | Family Law |
| 10:15 a.m. - 10:30 a.m. | Break |
| 10:30 a.m. - 11:45 a.m. | Business Law / Business Organizations / Contracts |
| 11:45 a.m. - 1:00 p.m. | LUNCH (on your own) |
| 1:00 p.m. - 2:00 p.m. | Criminal Law |
| 2:00 p.m. - 3:00 p.m. | American Legal System |
| 3:00 p.m. - 4:00 p.m. | Legal Research |
| 7:00 p.m. - 9:00 p.m. | Early Registration / Welcome Reception / Exhibitor Exposition |

Saturday, September 17, 2011 - CLA/NCCP REVIEW COURSE

| | |
|-------------------------|--|
| 7:30 a.m. - 8:00 a.m. | Registration & Continental Breakfast |
| 8:00 a.m. - 9:00 a.m. | Judgment and Analytics |
| 9:00 a.m. - 10:00 a.m. | Rules of Civil Procedure |
| 10:00 a.m. - 10:30 a.m. | Break - Visit with Exhibitors (Hotel Checkout) |
| 10:30 a.m. - 11:45 a.m. | Communications / Human Relations / Interviewing Techniques |
| 11:45 a.m. - 1:00 p.m. | LUNCH (provided) |
| 1:00 p.m. - 2:00 p.m. | Probate and Estates |
| 2:00 p.m. - 3:00 p.m. | Ethics |
| 3:00 p.m. - 3:45 p.m. | Q & A Session for NCCP and CLA Exam |
| 3:45 p.m. - 4:45 p.m. | Mid-Year Seminar General Session: "Ethics" |
| 4:45 p.m. | Closing Remarks & Door Prizes |

Please Note: These sessions are review courses and not comprehensive instruction courses on the subjects taught. CLA/CP Review Course participants may want to purchase the *CLA Review Manual* published by West Publishing as this manual will be used during the CLA session. The manual may be ordered from NALA at (918) 587-6828 or www.nala.org.

CONTINUING LEGAL ASSISTANT EDUCATION CREDIT:

- The Mid-Year Seminar has been approved by the Certifying Board of the National Association of Legal Assistants, Inc. for ____ hours of CLE credit toward maintenance of the CLA/CP credential. **(Approval Pending)**
- The Review Course has been approved by the Certifying Board of the National Association of Legal Assistants, Inc. for _____ hours of CLE credit toward maintenance of the CLA/CP credential. **(Approval Pending)**
- The Mid-Year Seminar has been approved by the NC State Bar Board of Paralegal Certification for ____ hours of CPE credits including _____ hour of ethics CPE credit towards the NCCP credential. **(Approval Pending)**
- The Review Course has been approved by the NC State Bar Board of Paralegal Certification for ____ hours of CPE credit including _____ hour of ethics CPE credit towards the NCCP credential. **(Approval Pending)**

REFUNDS:

- If we receive your request by September 2, 2011, we will issue you a full refund, less a \$10.00 cancellation fee.
- If we receive your request between September 3, 2011 and September 9, 2011, we will issue a 50% refund.
- If we receive your request after September 9, 2011, no refund will be issued.
- You must notify the Registration Chair, Chreatha A. Alston, NCCP at (919) 807-7225.
- Refunds are not issued until after the seminar is completed.

MANUSCRIPTS: NCPA will provide each attendee with a written manuscript upon check in at registration. If you are not able to attend and would like to purchase the manuscript, you may purchase one from our website after the seminar is concluded.

DISCOUNTS: Law offices or corporations with three (3) or more paralegals attending the seminar, or three (3) or more paralegal students registering simultaneously, will be entitled to receive a 10% discount on the registration fee only. Discount does not apply to additional lunch or dinner tickets or manuscript purchase. Registration forms and fees must be received simultaneously to ensure proper credit for discount. Online registration is not eligible for the discount – you must submit paper registration forms.

HOTEL INFORMATION:

Room Rates: Standard Rooms are \$109.00, plus tax; the hotel is holding a block of rooms for NCPA until **September 2, 2011**. After this date, room availability and price are not guaranteed. Please be sure to designate that you are attending the North Carolina Paralegal Association Seminar, by giving the group code “NCP”, to receive this discounted rate.

Please make your own hotel reservations:

Via telephone: Please call 704-527-8400 or 1-800-EMBASSY (800-362-2779) and ask for the reservations department. Please provide the reservation agent with the special three letter code **NCP**. This will ensure you receive the discounted room rate. After **September 2nd**, we cannot guarantee you a room or the discounted rate.

On Line: Go to www.charlotte.embassysuites.com. Enter in both check in and check-out dates. Select Go. Scroll down to find Group/Convention code and enter **NCP**. Select suite type and proceed to confirm reservation.

Directions:

From the Greensboro Area: US-220 South / Freeman Mill Rd / Governor John Motley Morehead Hwy. At exit 79, take ramp right for I-85 South / US-29 South / US-70 West toward Charlotte / High Point. At exit 38, take ramp right for I-77 South / US-21 South toward Columbia. At exit 6B, take ramp right for S Tryon St South / NC-49 South toward Airport. Turn right onto NC-49 / S Tryon St.

From the Raleigh/Durham/Eastern NC Areas: I-40 West. Bear right onto I-40 West / I-85 South / NC-86 North. Take ramp left for I-85 South / US-29 South / US-70 West. At exit 38, take ramp right for I-77 South / US-21 South toward Columbia. At exit 6B, take ramp right for S Tryon St South / NC-49 South toward Airport. Turn right onto NC-49 / S Tryon St.

From the Asheville/Western NC Areas: I-40 East toward Statesville. At exit 123A-B, take ramp right for US-321 South toward Lincolnton/Gastonia. Take ramp right for I-85 North/Senator Marshall Arthur Rauch Hwy. At exit 33, take ramp right for Billy Graham Pkwy toward Charlotte/Douglas Intl Airport. Turn right onto US-521/Billy Graham Pkwy. Turn right onto NC-49/S Tryon Street.

FOR MORE INFORMATION, CONTACT

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michele@barrettfirm.com

Melissa Rutledge, NCCP
CLA/NCCP Review Course Chair
MelissaRutledge@andrewskurth.com

REGISTRATION FORM

NCPA’s 27th Mid-Year Seminar & 4th Annual CLA/NCCP Review Course

September 16- 17, 2011

Registration deadline is **September 2, 2011**. Please add the late fee if your registration is postmarked on or after this date. Walk-ins are welcome the day of the seminar. Checks should be made payable to NCPA for the total amount of all applicable fees. **Your check or credit card statement is your receipt. We do not send confirmations.**

Return this form and your payment to: Chreatha A. Alston, NCCP
NCPA, Registration Chair
PO Box 36264
Charlotte, NC 28236-6264

NAME: _____

(This is how your name will appear on your nametag - please be sure to include any credentials such as CLA or NCCP.)

ADDRESS: _____

FIRM NAME: _____

TELEPHONE: _____

E-MAIL ADDRESS: _____

CHECK NO.: _____ ENCLOSED: \$ _____

| | |
|----------------------------------|-----|
| IS THIS YOUR FIRST NCPA SEMINAR? | |
| <input type="checkbox"/> | Yes |
| <input type="checkbox"/> | No |

- I am attending the **Mid-Year Seminar** on September 17, 2011
- _____ \$120.00 NCPA/NALA Member*/Paralegal Educator
 - _____ \$195.00 Non-Member
 - _____ \$ 75.00 NCPA/NALA Student Member
 - _____ \$ 90.00 Student Non-Member
 - _____ \$ 20.00 Late Registration Fee (if postmarked after September 2, 2011)
 - _____ \$ 50.00 Manuscript Only (will be mailed after seminar date)

CHECK THE CONCURRENT SESSIONS YOU WILL ATTEND:

- | | | | |
|-----------------------------|------------------------|------------------------|----------------------------------|
| Saturday, 10:30 a.m. | Session A _____ | Session B _____ | (you can only attend ONE) |
| Saturday, 1:00 p.m. | Session A _____ | Session B _____ | Session C _____ |
| Saturday, 2:15 p.m. | Session A _____ | Session B _____ | (you can only attend ONE) |

- I am attending the **CLA and NCCP Review Course** on September 16 & 17, 2011
- _____ \$175.00 NCPA/NALA Member*
 - _____ \$250.00 Non-Member
 - _____ \$ 90.00 NCPA/NALA Student Member
 - _____ \$115.00 Student Non-Member
 - _____ \$125.00 Paralegal Educator
 - _____ \$ 20.00 Late Registration Fee (if postmarked after September 2, 2011)
 - _____ \$ 50.00 Manuscript Only (will be mailed after seminar date)

*If you are not an NCPA member but have a NALA General Membership, please include a copy of your NALA membership card.
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The Legal Evolution of the iPad

Christina L. Koch, ACP

Editor's Note: Printing this article in the FORUM in no way reflects an endorsement of the iPad or related products by the NCPA, it's Board of Directors, Executive Committee or FORUM staff. This is presented as an example of how the legal field continues to adapt to the ever-changing technology available in the 21st century, and for the benefit of members currently using an iPad as part of their legal operations, or considering the use of one in the future.

I. INTRODUCTION

As technology advances, paralegals get more and more in tune with software which can assist us, personally and professionally. Paralegals are consistently looking for ways to streamline our organizational structure with technology, from word processing to trial presentation software. As technology advances, society continually looks for the smaller, more portable, most functional option. After using an iPad for over a significant amount of time, I can attest that it is a wonderful legal tool. There is seldom a day I do not use the iPad. The original iPad was fairly expensive, starting at \$499.00 for the 16 GB Wi-Fi models, accelerating in price to \$829.00 for the 64GB Wi-Fi plus 3G. Now that the iPad 2 has been released, the price of the original has dropped to \$399.00, a steal for such a great legal tool. The iPad 2 starts at \$499.00 for a 16GB Wi-Fi model, with the price rising as you add memory and features. The 3G models allow you to have service wherever AT&T or Verizon have service (depending on which model you choose), however, in order to get the 3G service, you must purchase a data plan from AT&T or Verizon. My first iPad was the 32GB Wi-Fi original model, however when the iPad 2 was released, I upgraded to the 32GB Wi-Fi Verizon 3G model. The iPad is not designed to replace a full computer; however it is a wonderful supplement as it allows me to write articles and blog on the road, as well providing a number of legal tools. The iPad has a wonderful battery life at 10 hours and, allows me to browse the internet or conduct a little free legal research, using Fastcase, a free legal research tool for iPad. The original iPad was outstanding, but the iPad 2 weighs in with a design that is 33% thinner and up to 15% lighter. It has the same great battery life of ten hours, a great new smart cover which comes in ten colors, five of which are made of wonderful Italian leather. It sports a Dual Core A5 chip, which is a faster processor, FaceTime video chatting, dual cameras, and high definition video recording.



II. LEGAL APPLICATIONS

There are a number of other legal applications which are helpful. The ABA Journal is a free application that provides breaking legal news. LawBox provides access to the Federal Rules of Civil Procedure, Federal Rules of Criminal Procedure, Federal Rules of Evidence, The Constitution of the United States, and U.S. Code Title 28. LawStack provides access to the U.S. Constitution, Federal Rules of Appellate Procedure, Federal Rules of Bankruptcy Procedure, Federal Rules of Civil Procedure, Federal Rules of Criminal Procedure, and the Federal Rules of Evidence. Pocket Justice provides access to Supreme Court decisions, oral arguments and opinion announcements.

Additionally, there are iPad applications for different state statutes. I have Nebraska and Iowa on my iPad (approximately \$5.00 each), as well as the Title 3 Code of Federal Regulations and the U.S. Code. NOLO offers a free Law Dictionary for iPad. Black's Law

Dictionary is also available on iPad for \$54.99 and is worth every penny.

Court Days is a date calculator which allows you to quickly calculate the number of court days or calendar days before or after a given date. The program will allow you to calculate

multiple dates on a single screen. iCLE, a derivative of iJuror, allows you to keep track of your Continuing Legal

Education hours. Some courts are even providing applications for their Court Calendars. Nebraska Court Calendar is an application developed through the Nebraska Judicial Branch which allows you to access the Nebraska court calendars at any time of the day or night.

This is very useful if you wish to check the Court's calendar or the calendar for a specific judge. Paralegal Gateway has also developed their first iPad application, Court Day Count, which allows you to calculate deadline dates in a calculator format with no advertisements. It is a very affordable program at a cost of \$0.99. Date Ranger is a free calendar program, which allows you to calculate two separate dates on the same page in a calculator format. The tradeoff for the free program is that the program is advertisement based. Court Days Pro is a customizable calendar calculator which is rules-based and comes at a price of \$2.99. It can take into account federal holidays and al-

lows you the ability to transfer calendar entries to your iPad calendar. You can also choose to calculate on the basis of calendar days or court days.

The Present Value Calculator can be purchased for a charge of \$1.99 and can calculate present value, future value, time payments, or payments by a calculator format. It is not as user friendly as some of the other calendar programs, however is useful if you write demands or do a lot of Workers' Compensation or personal injury work.

Trial paralegals can get a lot of use out of the Jury Tracker, iJuror, Transcription Reader and TrialPad. iJuror allows you to track details about your jury selection, while Jury Tracker takes it one step further and allows you to set a timer to track time used by each party. This is very useful for opening and closing arguments, as well as voir dire when you have time limits. It also allows you to keep track of juror activity such as note taking, eye contact, body language, fidgeting or even whether your juror is paying attention or not. This is very useful when polling a juror after the verdict has been entered. Jury Tracker is a relatively new program, but allows much more versatility than iJuror.

Transcription Reader allows you to have the court reporter send the transcript to Transcription Reader for download. You can then highlight the deposition or start the timer and calculate the time it takes to review the deposition or index or summarize your deposition for billing purposes. MyWorkTime is a task, time and billing tracker that will allow you to keep track of the time spent on tasks or clients. The program is affordable at \$2.99. The iPad calendar program also works very well with Outlook by synchronizing through iTunes.

TrialPad is one of the new programs, which was just released in December of 2010. This program allows you to create different folders for each trial and store a portable data format (pdf) file for presentation at trial. This is the most expensive program I have at \$89.00. The program connects directly from your iPad to the standard projection software available in advanced courtrooms, enabling you to review, annotate, and scroll through your documents in front of the jury. It is a great tool if you are tech-savvy in the courtroom.

A more active and daily useful option is iAnnotate PDF, which allows you to annotate your pdf with notes, highlights, and bookmarks, which can be added or removed at will. This is a very good program at \$9.99, and very helpful for preparing for depositions or client meetings.

You may even stamp or bookmark your pdf documents, highlight or underline items. A nice complement to this program is Sign My Pad, which allows you to create a signature and add it to a portable document format (pdf) document and then e-mail the final document. You may also add

text, a date, or a check box or radio box. Sign My Pad is available for a cost of \$3.99.

There are a number of other programs I use frequently, such as Index Card and iCardSort, which have been very useful for brainstorming on cases and organizing facts. Medscape is useful for checking drug interactions or looking up medical procedures I am not familiar with. Docs-toGo is a great program to transfer Word, Excel and PowerPoint documents from your land computer to your iPad, at a very affordable price of approximately \$15.00.

Finally, iMeeting Pad is a very useful program for meetings and is fairly self-explanatory.

The program allows you to take notes at Meetings, which you can later organize into meeting minutes and e-mail to meeting attendees. The program has an option allowing you to Tweet from Twitter, for convenient "meeting tweeting". This is useful if all of your meeting attendees are on your Twitter list and you want to tweet a new meeting date and time. This, of course, leaves issues of confidentiality, as well.

LegalPad H.D. is a legal pad that allows you to take notes using your finger or a specially designed iPad pen, although Penultimate is a much better option as it has a choice of ink color, pen width and a wrist guard. Penultimate costs \$1.99. Other useful notes and meeting tools include Circus Ponies Notebook, at a cost of \$29.99, which includes customizable notebooks and has a lot of wonderful features, and Index Card at a cost of \$4.99, which can be customized by color and topic.

III. ACCESSORIES

The iPad comes with a built-in keyboard which is very easy to use; however, I have found that with the amount of time I spend on my iPad that purchasing an external keyboard was helpful. The keyboard connects through Bluetooth and makes work on the iPad as convenient as working on a netbook or laptop. You may also wish to purchase a stylus, which is useful for drawing, playing games, or taking notes with the notebook programs.

You can also purchase a camera attachment, headphones, an HDTV adapter cable, a VGA adapter cable, or a dock. There are many, many options for cases for the iPad as well. Overall, the iPad has become a very useful legal tool for both paralegals and attorneys and will pay for itself in convenience and value.

Christina L. Koch, ACP

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NCPA Wishes the Following Members a Very Happy Birthday!

If your birthday is not listed correctly, please edit your profile on our website (www.ncparalegal.org) to make sure we have the correct month!

September

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 Nesha L. Coleman
 Jamie E. Coll
 Karen E. Cook
 Samantha R. Demick
 Susan S. Floyd
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 Erica B Harrison
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 Stephanie Ivans
 Tracy Johnson
 Cathy C. Jones
 M. J. Rollins
 Catherine A Seal
 Hattie S. Sheets
 Yolanda Nicole Smith
 Mary A. Stapleton
 Elizabeth V. Sullivan

October

Martha L. Blackman-Hughes
 Debbie L. Bogess
 Ruth A Brill
 Heather M. Carpenter
 Joyce E. Carpenter
 Natalie S. Copeland
 Rebecca Ann Davis
 Melanie J. Deal
 Dennis Embo
 Cindy Frye
 Dianne B. Holsclaw
 Kelly A. Humiston
 Buffy L. Johnson
 Sheila M Lewis
 Vickey S. Merlin
 Beverly K. Moore
 Anita Y Mullinax
 Heather N. Padgett
 Ramon C. Rodriguez
 Susan M. Shaw
 Regina B. (Gina) Sriraman
 Susan E. Stanley
 Santana C. Vernon
 Marguerite J. Watso

November

Amy M. Barber
 Annette B. Barefoot
 Zendre C. Bell
 Caroline A. Brock
 Margaret S. Cate
 Michael M Costner
 Roxanne Crouch
 Denise K. Forbes
 Wanda K. Gatlin
 Gayle D. Green
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COURT COSTS AND FEES CHART

The costs listed below are effective **August 1, 2011**, and apply to all costs assessed or collected on or after that date, unless otherwise noted. Costs in other legislation that take effect after August 1, 2011, will be included in subsequent updates to this chart.

Changes to costs and fees for 2011 are shaded and blue. Changes effective August 1, 2011, are prefaced by **[Aug. 1]**. Legislation enacting new or amended cost items is cited in brackets. Items citing only a bill section (e.g., “[§ 31.23.(a)]”) refer to sections of S.L. 2011-145 (House Bill 200).

| CIVIL COURT COSTS G.S. 7A-305, unless otherwise specified. | | AMOUNT |
|--|-----------------------------------|-------------------|
| Civil filing fees listed are assessed for all complaints and for any subsequent pleading containing a counterclaim or cross-claim. [§ 31.23.(b), and see memo titled "Legislative Increases in Court Costs and Fees, July 2011."] | | |
| MAGISTRATES' COURT. G.S. 7A-305. (except cases under Chapter 50B or 50C ¹) | | |
| • General Court of Justice Fee. [§ 31.23.(b)] | General Fund | 77.55 |
| | State Bar Legal Aid Account (LAA) | 2.45 ² |
| | | 80.00 |
| • Facilities Fee. | | 12.00 |
| • Phone Systems Fee. | | 4.00 |
| • MAGISTRATE TOTAL | | 96.00 |
| [Aug. 1] Plus \$30.00 service fee for each item of civil process served by the sheriff. G.S. 7A-311(a)(1). [§ 31.26.(d)] | | +30.00 |
| DISTRICT COURT. G.S. 7A-305. (except cases under Chapter 50B or 50C ¹⁶) | | |
| • General Court of Justice Fee. [§ 31.23.(b)] | General Fund | 127.55 |
| | State Bar Legal Aid Account (LAA) | 2.45 ² |
| | | 130.00 |
| • Facilities Fee. | | 16.00 |
| • Phone systems Fee. | | 4.00 |
| • DISTRICT COURT TOTAL | | 150.00 |
| [Aug. 1] Plus \$30.00 service fee for each item of civil process served by the sheriff. G.S. 7A-311(a)(1). [§ 31.26.(d)] | | +30.00 |
| SUPERIOR COURT. G.S. 7A-305. | | |
| • General Court of Justice Fee. [§ 31.23.(b)] | General Fund | 177.55 |
| | State Bar Legal Aid Account (LAA) | 2.45 ² |
| | | 180.00 |
| • Facilities Fee. | | 16.00 |
| • Phone systems Fee. | | 4.00 |
| • SUPERIOR COURT TOTAL | | 200.00 |
| Plus Business Court Fee, upon assignment. | | +1,000.00 |
| [Aug. 1] Plus \$30.00 service fee for each item of civil process served by the sheriff. G.S. 7A-311(a)(1). [§ 31.26.(d)] | | +30.00 |

¹ No costs may be assessed for the filing, issuance, registration or service of a protective order or a petition for a protective order or witness subpoena under Chapter 50B (Domestic Violence) or 50C (civil no-contact). However:

- Civil District court costs are assessed for a petition for a workplace civil no-contact order filed under Article 23 of Chapter 95; and
- District Court costs must be assessed for amendments and counterclaims to actions filed under Chapter 50B, unless the subsequent claim also arises under that chapter. *E.g.*, if an amended complaint or counterclaim is filed in an existing 50B action, and the new filing makes a claim for divorce, the party filing the amendment or counterclaim is assessed civil filing fees (including the fee for divorce, if applicable).

² The portion of the General Court of Justice (GCJF) fee allocated to the State Bar's Legal Aid Account (LAA) has been reduced. The \$2.05 previously designated for the Bar's Access to Civil Justice fund, G.S. 7A-474.4, has been reduced to \$1.50. The \$0.95 designated for the Bar's Domestic Violence Victim Assistance fund, G.S. 7A-474.19, is unchanged. Therefore the Bar's portion of the civil GCJF is now a total of \$2.45. The remainder of the GCJF is remitted to the General Fund. The NCAOC's Financial Management System (FMS) will allocate these portions automatically when using the related code sets to assess costs.

COURT COSTS AND FEES CHART

The costs listed below are effective **August 1, 2011**, and apply to all costs assessed or collected on or after that date, unless otherwise noted. Costs in other legislation that take effect after August 1, 2011, will be included in subsequent updates to this chart.

Changes to costs and fees for 2011 are shaded and **blue**. Changes effective August 1, 2011, are prefaced by **[Aug. 1]**. Legislation enacting new or amended cost items is cited in brackets. Items citing only a bill section (e.g., “[§ 31.23.(a)]”) refer to sections of S.L. 2011-145 (House Bill 200).

| OTHER CIVIL FEES | AMOUNT |
|--|--------------------|
| [Aug. 1] Service fee for each item of civil process served by the sheriff. G.S. 7A-311(a)(1). [§ 31.26.(d)] | 30.00 |
| Alias & Pluries summons or endorsement on original summons. G.S. 7A-308(a)(21). ³ [§ 31.23.(e)] | 15.00 |
| Filing for absolute divorce. G.S. 7A-305(a2). | 75.00 ⁴ |
| Motion fee. G.S. 7A-305(f). ⁵ [§ 31.23.(b).] | 20.00 |
| Resumption of former name (within or subsequent to absolute divorce). G.S. 50-12(e). | 10.00 |
| MAGISTRATES SPECIAL FEES. G.S. 7A-309. | |
| Performing marriage ceremony. | 20.00 |
| Petition for year's allowance. | 8.00 |
| Taking a deposition. | 10.00 |
| Proof of execution or acknowledgment of instrument. | 2.00 |
| Performing any statutory function, not incident to a civil or criminal action. | 2.00 |

³ Although codified in G.S. 7A-308 (miscellaneous fees), the fee for alias and pluries summons and endorsements on an original summons is limited to "civil matters" only, and does not apply to summons in special proceedings or estates. In addition, the fee does not apply in child support actions commenced or prosecuted pursuant to G.S. Chapter 110, Article 9. Act § 31.23.(g), as enacted by House Bill 22, § 66.1. Nor does it apply to a summons in domestic violence proceedings under G.S. Chapter 50B. G.S. 50B-2(a).

⁴ The divorce fee is paid to State Treasurer; \$55 for the Displaced Homemaker Fund, and \$20 for the Domestic Violence Center Fund. This fee is assessed *in addition to* the filing fees for the pleading containing the complaint for absolute divorce. G.S. 7A-305(a2).

⁵ The motion fee does not apply to any motion listed in G.S. 7A-308; for a list, see "Appendix - Motion Fee Exemptions" at the end of this cost chart. The fee also does not apply to any motion "containing as a sole claim for relief the taxing of costs, including attorneys' fees" or to a motion in a child support proceeding under G.S. Chapter 110, Article 9.

COURT COSTS AND FEES CHART

The costs listed below are effective **August 1, 2011**, and apply to all costs assessed or collected on or after that date, unless otherwise noted, and unless subject to the “waiver exception” of G.S. 7A-304(g), as enacted by S.L. 2011-391, § 63.(b). Costs in other legislation taking effect after August 1, 2011, will be included in subsequent updates to this chart. Changes to costs and fees for 2011 are shaded and **blue**. Changes effective August 1, 2011, are prefaced by **[Aug. 1]**. Legislation enacting new or amended cost items is cited in brackets. Items citing only a bill section (e.g., “[§ 31.23.(a)]”) refer to sections of S.L. 2011-145 (House Bill 200).

An additional, summary chart of criminal costs has been attached to this cost chart as “Appendix - Criminal Costs Summary.” The appendix summarizes the basic costs common to all dispositions in a particular trial division. It does **not** include additional cost items that must be assessed depending on individual factors for each case (e.g., FTA fees, supervision fees, jail fees, etc.), nor does it apply to offenses for which the relevant statute assesses specific costs or prohibits the imposition of costs.

| CRIMINAL COURT COSTS | | AMOUNT |
|--|-----------------------------------|----------------------------|
| G.S. 7A-304, unless otherwise specified | | |
| DISTRICT COURT (including criminal cases before magistrates) | | |
| • General Court of Justice Fee. [§ 31.23.(a)] | General Fund | 127.05 |
| | State Bar Legal Aid Account (LAA) | 2.45 ¹ |
| | | 129.50 |
| • Facilities Fee. | | 12.00 |
| • Phone Systems Fee. | | 4.00 |
| • [Aug. 1] Misdemeanant Confinement Fund Fee. G.S. 7A-304(a)(2b). [§ 31.26.(b)] | | 18.00 ² |
| • LEO Retirement/Insurance. | | 7.50 |
| • LEO Training and Certification Fee. | | 2.00 |
| TOTAL | | 173.00 |
| Chapter 20 Fee. G.S. 7A-304(a)(4a) (for conviction of any Chapter 20 offense). | | +10.00 ³ |
| DNA Fee. G.S. 7A-304(a)(9) (criminal offenses, only; does not apply to infractions). | | +2.00 |
| Plus \$5.00 service fee for each arrest or service of criminal process, including citations and subpoenas. | | +5.00 |
| SUPERIOR COURT | | |
| • General Court of Justice Fee. [§ 31.23.(a)] | General Fund | 152.05 |
| | State Bar Legal Aid Account (LAA) | 2.45 ¹ |
| | | 154.50 |
| • Facilities Fee. | | 30.00 |
| • Phone Systems Fee. | | 4.00 |
| • LEO Retirement/Insurance. | | 7.50 |
| • LEO Training and Certification Fee. | | 2.00 |
| TOTAL | | 198.00 ⁴ |
| Chapter 20 Fee. G.S. 7A-304(a)(4a) (for conviction of any Chapter 20 offense). | | +10.00 ³ |
| DNA Fee. G.S. 7A-304(a)(9) (criminal offenses, only; does not apply to infractions). | | +2.00 |
| Plus \$5.00 service fee for each arrest or service of criminal process, including citations and subpoenas. | | +5.00 |

¹ The portion of the General Court of Justice (GCJF) fee allocated to the State Bar’s Legal Aid Account (LAA) has been reduced for 2011. The \$2.05 previously designated for the Bar’s Access to Civil Justice fund, G.S. 7A-474.4, has been reduced to \$1.50. The \$0.95 designated for the Bar’s Domestic Violence Victim Assistance fund, G.S. 7A-474.19, is unchanged. The Bar’s portion of the criminal GCJF is now a total of \$2.45. The remainder of the GCJF is remitted to the General Fund. The NCAOC’s Financial Management System (FMS) will allocate these portions automatically when using the related code sets to assess costs.

² The Misdemeanant Confinement Fund fee applies to crimes and infractions in the District Court **only**, including dispositions before a magistrate. It is **not** assessed cumulatively under G.S. 7A-304(b) for conviction after appeal to Superior Court and does **not** apply to offenses that have specified costs (e.g., front seat belt offenses, G.S. 20-135.2A(e)) or that are exempt from costs altogether (e.g., failure to turn headlights when windshield wipers are on, G.S. 20-129(a)(4)).

³ Like the Misdemeanant Confinement Fund fee, the Chapter 20 fee does not apply to offenses with specified costs or exempt from costs.

⁴ When a person convicted of a felony in Superior Court has made a first appearance in District Court, all Superior Court costs plus the District Court General Court of Justice fee shall be assessed. G.S. 7A-304(a)(4).

COURT COSTS AND FEES CHART

The costs listed below are effective **August 1, 2011**, and apply to all costs assessed or collected on or after that date, unless otherwise noted, and unless subject to the “waiver exception” of G.S. 7A-304(g), as enacted by S.L. 2011-391, § 63.(b). Costs in other legislation taking effect after August 1, 2011, will be included in subsequent updates to this chart. Changes to costs and fees for 2011 are shaded and blue. Changes effective August 1, 2011, are prefaced by **[Aug. 1]**. Legislation enacting new or amended cost items is cited in brackets. Items citing only a bill section (e.g., “[§ 31.23.(a)]”) refer to sections of S.L. 2011-145 (House Bill 200).

| OTHER CRIMINAL FEES | AMOUNT |
|--|--|
| Appointment of Counsel Fee for Indigent Defendants. G.S. 7A-455.1. ⁵ | 60.00 |
| Civil Revocation Fee. G.S. 20-16.5(j). | 100.00 |
| Community Service Fee. G.S. 15A-1371 and G.S. 143B-262.4. | 250.00 |
| Continuous Alcohol Monitoring Fee. G.S. 15A-1374 and G.S. 20-179. ⁶ | Up to 1,000.00 |
| Criminal Record Check Fee. G.S. 7A-308(a)(17). | 25.00 |
| Dispute Resolution Fee. G.S. 7A-38.3D and G.S. 7A-38.7. ⁷ [§ 31.24.(d)] | 60.00 per mediation |
| Expunction Fee. G.S. 15A-145. ⁸ | 125.00 |
| Expunction Fee. G.S. 15A-145.2. ⁹ | 65.00 |
| Failure to Appear Fee. G.S. 7A-304(a)(6). ¹⁰ | 200.00 |
| Failure to Comply Fee. G.S. 7A-304(a)(6). ¹¹ | 50.00 |
| House Arrest with Electronic Monitoring Fee (as a condition of probation). G.S. 15A-1343. | 90.00 |
| [Aug. 1] Improper Equipment Fee. G.S. 7A-304(a)(4b). ¹² [§ 31.26.(c)] | 50.00 |
| Installment Payments Fee. G.S. 7A-304(f). ¹³ | 20.00 |
| [Aug. 1] Jail Fees (pre-conviction). G.S. 7A-313. [§ 31.26.(e)] | 10.00 per 24 hours or fraction thereof |
| Jail Fees (split sentence served in local facility). G.S. 7A-313 and G.S. 148-29. | 40.00 per day |
| Limited Driving Privilege Fee – Petitions under G.S. 20-20.1. | At Petition/Application: If Issued: (G.S. 20-20.2) CVD Costs 100.00 (in addition to CVD costs) |
| Limited Driving Privilege Fee – Other than under G.S. 20-20.1. Note: If there is no underlying conviction in the county, charge civil filing fees as explained on form AOC-CV-350. | If Issued: (G.S. 20-20.2) 100.00 |
| Pretrial Release Service Fee (county). G.S. 7A-304(a)(5). ¹⁴ | 15.00 |

⁵ This fee is due only if the defendant has been convicted. Of the total fee, \$55.00 is credited to the Indigent Persons' Attorney Fee Fund, and \$5.00 is credited to the Court Information Technology Fund.

⁶ This fee is remitted to the system vendor.

⁷ This fee applies to cases resolved through community mediation. S.L. 2011-145 does not change the amount of the fee. Rather, it amends G.S. 7A-38.7 to provide that the fee is to be remitted to the “Mediation Network of North Carolina,” rather than to the State Treasurer. FMS will be updated to specify the new payee on the account for this fee (24315) when producing checks.

⁸ This fee does not apply to a person who files an expunction petition as an indigent. It also does not apply to petitions for expunction under G.S. 15A-146, 15A-147, 15A-148, or 15A-149.

⁹ This fee does not apply to a person who files an expunction petition as an indigent. It also does not apply to petitions for expunction under G.S. 15A-145.3.

¹⁰ This fee applies to a failure to appear after 20 days in any criminal or infraction case, not just motor vehicle cases.

¹¹ This fee applies to a failure to comply after 20 days in any criminal or infraction case, not just motor vehicle cases.

¹² The improper equipment fee applies to any defendant found guilty or responsible for an improper equipment offense in Chapter 20. See “Appendix - Chapter 20 Improper Equipment Offenses” for a list. This fee is charged in addition to the \$10.00 fee of G.S. 7A-304(a)(4a) that applies to all Chapter 20 offenses, and applies to both cases disposed in court and those disposed by waiver (unless subject to the waiver exception of G.S. 7A-304(g) for offenses committed prior to August 1, 2011).

¹³ Unless otherwise ordered by the court, this fee must be assessed when a defendant with monetary obligations in a criminal judgment does not make payment in full on the date costs are assessed.

¹⁴ The pretrial release services fee of G.S. 7A-304(a)(5) may be assessed upon conviction and remitted to a county providing pretrial release services, if the defendant was accepted and released to the supervision of a county agency. This fee is separate from and in addition to any fees assessed directly by the county under G.S. 7A-313.1 when the defendant has received pretrial electronic monitoring by a county agency. S.L. 2011-378. If the defendant has been accepted and released to the supervision of a county agency that provides pretrial services that include electronic monitoring, the court should assess and receipt only the \$15.00 pretrial services fee upon conviction. Any fees assessed for electronic monitoring under G.S. 7A-313.1 must be paid directly to the county by the defendant.

COURT COSTS AND FEES CHART

The costs listed below are effective **August 1, 2011**, and apply to all costs assessed or collected on or after that date, unless otherwise noted, and unless subject to the "waiver exception" of G.S. 7A-304(g), as enacted by S.L. 2011-391, § 63.(b). Costs in other legislation taking effect after August 1, 2011, will be included in subsequent updates to this chart. Changes to costs and fees for 2011 are shaded and blue. Changes effective August 1, 2011, are prefaced by [Aug. 1]. Legislation enacting new or amended cost items is cited in brackets. Items citing only a bill section (e.g., "[§ 31.23.(a)]") refer to sections of S.L. 2011-145 (House Bill 200).

| OTHER CRIMINAL FEES | AMOUNT |
|---|---|
| Satellite-Based Monitoring Fee for Sex Offenders. G.S. 14-208.45. | 90.00 |
| SBI Lab Fee. G.S. 7A-304(a)(7). | 600.00 |
| Local Government Lab Fee. G.S. 7A-304(a)(8). | 600.00 |
| Seat Belt Violations (adult, front seat) and Motorcycle/Moped Helmet Violations. ¹⁵ G.S. 20-135.2A and G.S. 20-140.4. | 25.50 fine +costs below: |
| General Court of Justice Fee, G.S. 7A-304(a)(4) | 129.50 (Dist.) |
| | 154.50 (Sup.) |
| Phone Systems Fee, G.S. 7A-304(a)(2a) | 4.00 |
| LEO Training and Certification Fee, G.S. 7A-304(a)(3b) | 2.00 |
| TOTAL | 161.00 (Dist.) 186.00 (Sup.) |
| Seat Belt Violations (adult, rear seat). G.S. 20-135.2A(e). | No Costs 10.00 fine only |
| Supervision Fee. G.S. 15A-1343, G.S. 15A-1368.4, and G.S. 15A-1374. | 40.00 per month |
| Worthless Check Program Fee. G.S. 7A-308(c). ¹⁶ [§ 31.24.(a)] | 60.00 |

¹⁵ Note that the bill of costs (AOC-CR-381) does not have a pre-printed entry for the costs applicable to offenses for adult front-seat seat belt violations and motorcycle/moped helmet and occupancy violations. Clerks should assess the three costs identified individually on the bill of costs. These three cost items are the **only** costs to be assessed for these offenses. **Do not** assess any of the other costs under G.S. 7A-304(a). However, pursuant to G.S. 7A-304(b), the three costs are cumulative on appeal. *E.g.*, a defendant found responsible for a motorcycle helmet violation in Superior Court after appeal from the District Court would pay a fine of \$25.50 plus \$296.00 in costs: both General Court of Justice fees, plus two assessments (one for District Court and one for Superior Court) of both the Phone Systems Fee and the LEO Training and Certification Fee.

¹⁶ For districts that still operate a worthless check program, the clerk should continue to receipt the worthless check program fee of G.S. 7A-308(c) and remit it to the State. The amount of the fee remains \$60.00. In addition, G.S. 14-107.2 has been amended, effective July 1, 2011, to allow a community mediation center to assist the NCAOC and district attorneys by establishing a worthless check program in districts where such programs have not been established and to charge for its services as part of such a program. However, the fees for such services are not set by statute, and are **not** to be receipted by the clerk. The center must assess its fees directly for users of its services in these cases. Further, the clerk should not assess the criminal mediation fee of G.S. 7A-38.7 when a community mediation center mediates a worthless check matter in the context of a pre-prosecution worthless check program. The clerk may receipt and disburse only the statutory program fee of G.S. 7A-308(c) and restitution to the check taker for the amount of the check plus any service charges and processing fees incurred or charged by the check taker.

Appendix - Criminal Costs Summary

Effective August 1, 2011

| Category ¹ | Total Amount | Amounts & Amount Descriptions | | | |
|---|---------------|-------------------------------|----------------|-------|-------------------|
| District Court Infraction (IFC/IF_) | 178.00 | 129.50 | GCJ | 18.00 | Misd. Confinement |
| | | 12.00 | Facilities | 5.00 | Service |
| | | 4.00 | Telephone | | |
| | | 7.50 | LEO Retirement | | |
| | | 2.00 | LEO Training | | |
| District Court Infraction Chapter 20 Offense (IFTC/IFT_) | 188.00 | 129.50 | GCJ | 18.00 | Misd. Confinement |
| | | 12.00 | Facilities | 5.00 | Service |
| | | 4.00 | Telephone | 10.00 | Chapter 20 |
| | | 7.50 | LEO Retirement | | |
| | | 2.00 | LEO Training | | |
| District Court Misdemeanor (CRDC/CRD_) | 180.00 | 129.50 | GCJ | 18.00 | Misd. Confinement |
| | | 12.00 | Facilities | 5.00 | Service |
| | | 4.00 | Telephone | 2.00 | DNA |
| | | 7.50 | LEO Retirement | | |
| | | 2.00 | LEO Training | | |
| District Court Misdemeanor Chapter 20 Offense (CRTC/CRT_) | 190.00 | 129.50 | GCJ | 18.00 | Misd. Confinement |
| | | 12.00 | Facilities | 5.00 | Service |
| | | 4.00 | Telephone | 2.00 | DNA |
| | | 7.50 | LEO Retirement | 10.00 | Chapter 20 |
| | | 2.00 | LEO Training | | |
| Superior Court <u>without</u> First Appearance in District Court (CRSC/CRS_) | 205.00 | 154.50 | GCJ | 5.00 | Service |
| | | 30.00 | Facilities | 2.00 | DNA |
| | | 4.00 | Telephone | | |
| | | 7.50 | LEO Retirement | | |
| | | 2.00 | LEO Training | | |
| Superior Court <u>without</u> First Appearance in District Court Chapter 20 Offense | 215.00 | 154.50 | GCJ | 5.00 | Service |
| | | 30.00 | Facilities | 2.00 | DNA |
| | | 4.00 | Telephone | 10.00 | Chapter 20 |
| | | 7.50 | LEO Retirement | | |
| | | 2.00 | LEO Training | | |
| Superior Court <u>with</u> First Appearance in District Court (CRDS) | 334.50 | 154.50 | GCJ (Sup) | 5.00 | Service |
| | | 129.50 | GCJ (Dist) | 2.00 | DNA |
| | | 30.00 | Facilities | | |
| | | 4.00 | Telephone | | |
| | | 7.50 | LEO Retirement | | |
| | | 2.00 | LEO Training | | |
| Superior Court <u>with</u> First Appearance in District Court Chapter 20 Offense | 344.50 | 154.50 | GCJ (Sup) | 5.00 | Service |
| | | 129.50 | GCJ (Dist) | 2.00 | DNA |
| | | 30.00 | Facilities | 10.00 | Chapter 20 |
| | | 4.00 | Telephone | | |
| | | 7.50 | LEO Retirement | | |
| | | 2.00 | LEO Training | | |

¹ These totals do not apply to offenses for which specific court costs are assessed, such as adult front seat belt offenses, G.S. 20-135.2A, or offenses that do not bear court costs, such as failure to burn headlights with wipers on, G.S. 20-129(a)(4). Nor do they include the \$50.00 that must be assessed for conviction of an improper equipment offense, per G.S. 7A-304(a)(4b).

| Category | Total Amount | Amounts & Amount Descriptions | | | |
|---|---------------|-------------------------------|------------------------------|--------|--------------------|
| Superior Court Infraction Appealed from District Court for Trial De Novo (IFDA) | 368.50 | 129.50 | GCJ (Dist) | 154.50 | GCJ (Sup) |
| | | 12.00 | Facilities (Dist) | 30.00 | Facilities (Sup) |
| | | 4.00 | Telephone (Dist) | 4.00 | Telephone (Sup) |
| | | 7.50 | LEO Retirement | 2.00 | LEO Training (Sup) |
| | | 2.00 | LEO Training (Dist) | | |
| | | 18.00 | Misd. Confinement Service | | |
| | | 5.00 | | | |
| Superior Court Infraction Appealed from District Court for Trial De Novo Chapter 20 Offense (IFTA) | 388.50 | 129.50 | GCJ (Dist) | 154.50 | GCJ (Sup) |
| | | 12.00 | Facilities (Dist) | 30.00 | Facilities (Sup) |
| | | 4.00 | Telephone (Dist) | 4.00 | Telephone (Sup) |
| | | 7.50 | LEO Retirement | 2.00 | LEO Training (Sup) |
| | | 2.00 | LEO Training (Dist) | 10.00 | Chapter 20 (Sup) |
| | | 18.00 | Misd. Confinement Service | | |
| | | 5.00 | | | |
| | | 10.00 | Chapter 20 (Dist) | | |
| Superior Court Misdemeanor Appealed from District Court for Trial De Novo (CRDA) | 372.50 | 129.50 | GCJ (Dist) | 154.50 | GCJ (Sup) |
| | | 12.00 | Facilities (Dist) | 30.00 | Facilities (Sup) |
| | | 4.00 | Telephone (Dist) | 4.00 | Telephone (Sup) |
| | | 7.50 | LEO Retirement | 2.00 | LEO Training (Sup) |
| | | 2.00 | LEO Training (Dist) | 2.00 | DNA (Sup) |
| | | 18.00 | Misd. Confinement Service | | |
| | | 5.00 | | | |
| | | 2.00 | DNA (Dist) | | |
| Superior Court Misdemeanor Appealed from District Court for Trial De Novo Chapter 20 Offense (CRTA) | 392.50 | 129.50 | GCJ (Dist) | 154.50 | GCJ (Sup) |
| | | 12.00 | Facilities (Dist) | 30.00 | Facilities (Sup) |
| | | 4.00 | Telephone (Dist) | 4.00 | Telephone (Sup) |
| | | 7.50 | LEO Retirement | 2.00 | LEO Training (Sup) |
| | | 2.00 | LEO Training (Dist) | 2.00 | DNA (Sup) |
| | | 18.00 | Misd. Confinement Service | 10.00 | Chapter 20 (Sup) |
| | | 5.00 | | | |
| | | 2.00 | DNA (Dist) | | |
| | | 10.00 | Chapter 20 (Dist) | | |

Appendix - Chapter 20 Improper Equipment Offenses

Effective August 1, 2011

Set out below is a table of Chapter 20 “improper equipment offenses.”

Effective for **costs assessed or collected on or after August 1, 2011** (unless the waiver exception of G.S. 7A-304(g) applies), a defendant who is found guilty or responsible for an “improper equipment offense” under Chapter 20 must pay a fee of \$50.00 in addition to the standard Chapter 20 criminal/infracton costs amount. See G.S. 7A-304(a)(4b). The Office of the Clerk of the Superior Court will remit this additional \$50.00 to the Department of Correction for placement in a new Statewide Misdemeanant Confinement Fund. *Id.* (For more information on the Statewide Misdemeanant Confinement Fund, see S.L. 2011-192 (HB 642), § 7.)

The Chief District Court Judges have traditionally limited “improper equipment offenses” on the list of waivable traffic offenses to equipment violations found in Part 9 of Article 3 of Chapter 20.

¹ The judges have, however, distinguished “equipment violations” in Part 9 from “height, length and width” violations in Part 9.² Using the waiver list as guidance, the NCAOC interprets the “improper equipment” fee to apply to any offense in Part 9 *other* than (i) violations relating to vehicle height, length and width and (ii) violations that otherwise could be considered equipment violations, but for which the equipment element of the offense is derivative of the height, width or length nature of the offense. An example of the latter would be violations of G.S. 20-117 (flags and lights at the end of loads), for which the equipment (the flag) is required only because of a load that has extended the overall length of the vehicle.

For each improper equipment offense, the table lists the statutory citation, the offense code description (or simply a brief description of the offense if there is no offense code for the violation), and the offense code for the violation where one exists.

| Statute | Description | Offense Code |
|-----------------------------|--|--------------|
| G.S. 20-116(g) | IMPROPER LOADING/COVERING VEH | 4425 |
| G.S. 20-117.1(a) | BUS, TRUCK OR TRUCK TRACTOR MIRROR VIOLATION | None |
| G.S. 20-120 | FLAT TRUCK OR TOBACCO TRUCK LOAD VIOLATION | None |
| G.S. 20-121.1 | LOW-SPEED VEHICLE EQUIPMENT VIOLATION | None |
| G.S. 20-122 | TIRE RESTRICTIONS EQUIP VIOL | 4421 |
| G.S. 20-122.1 | UNSAFE TIRES | 4462 |
| G.S. 20-123 | IMPROPER TOWING | 4413 |
| G.S. 20-123.1 | IMPROPER STEERING MECHANISM | 4423 |
| G.S. 20-123.2 | IMPROPER EQUIP - SPEEDOMETER | 4418 |
| G.S. 20-124 | IMPROPER BRAKES | 4488 |
| G.S. 20-125 | HORN AND WARNING DEVICE VIO | 4404 |
| G.S. 20-125.1 | DIRECTIONAL SIGNALS EQUIP VIOL | 4426 |
| G.S. 20-126 | MIRROR VIOLATION | 4407 |
| G.S. 20-127(a) | WINDSHIELD WIPER EQUIP VIOL | 4490 |
| G.S. 20-127(d) | WINDOW TINTING VIOL | 5596 |
| G.S. 20-128 | IMPROPER MUFFLER | 4486 |
| G.S. 20-128.1 | EMISSIONS CONTROL VIOLATION | None |
| G.S. 20-129(a) ³ | FAIL TO BURN HEADLAMPS | 4445 |
| G.S. 20-129(b) | DRIVE WITHOUT TWO HEADLAMPS | 4492 |
| G.S. 20-129(c) | MOTORCYCLE FAIL BURN HEADLAMP | 4422 |
| G.S. 20-129(d) | MOTORCYCLE FAIL BURN TAILLIGHT | 4424 |

¹ See Traffic Offenses for which Court Appearance May Be Waived (December 1, 2010), Item B.37., at: <http://www.nccourts.org/Forms/Documents/1219.pdf>.

² See Traffic Offenses for which Court Appearance May Be Waived (December 1, 2010), Item B.36.

³ The table does not include a violation of G.S. 20-129(a)(4) (offense code 4446), for failing to burn headlights when windshield wipers are in use, because the statute prohibits the assessment of court costs for that offense.



| Statute | Description | Offense Code |
|------------------|---|--------------|
| G.S. 20-129(d) | REAR LAMPS VIOLATION | 4427 |
| G.S. 20-129(e) | BICYCLE LIGHT VIOLATION | None |
| G.S. 20-129(f) | FARM TRACTOR OR OTHER VEHICLE LIGHT VIOLATION | None |
| G.S. 20-129(g) | BRAKE/STOP LIGHT EQUIP VIOL | 4429 |
| G.S. 20-129.1 | ADDITIONAL LIGHTING EQUIP VIOL | 4435 |
| G.S. 20-129.2 | MOBILE HOME LIGHTING VIOLATION | None |
| G.S. 20-130 | SPOT LAMP OR AUXILIARY LAMP VIOLATION | None |
| G.S. 20-130.1(e) | USE OF RED OR BLUE LIGHT | 5576 |
| G.S. 20-130.2 | AMBER LIGHT VIOLATION | None |
| G.S. 20-130.3 | WHITE LIGHT REAR – DRIVE FORWARD | 4436 |
| G.S. 20-131(a) | FAILURE TO DIM LIGHTS MEET VEH | 4554 |
| G.S. 20-131 | HEADLAMP OR AUXILIARY LAMP VIOLATION (OTHER THAN FAILURE TO DIM LIGHTS UNDER CODE 4554) | None |
| G.S. 20-132 | ACETYLENE LIGHTS VIOLATION | None |
| G.S. 20-134 | NO LIGHTS ON PARKED VEHICLE | 4481 |
| G.S. 20-134(b) | RURAL LETTER CARRIER VEHICLE OR NEWSPAPER DELIVERY VEHICLE LIGHT VIOLATION | None |
| G.S. 20-135 | DOOR, WINDOW, WINDSHIELD, WING OR PARTITION GLASS VIOLATION | None |
| G.S. 20-135.2 | FRONT SEAT BELT CONSTRUCTION OR INSTALLATION VIOLATION | None |
| G.S. 20-135.3 | REAR SEAT BELT CONSTRUCTION OR INSTALLATION VIOLATION | None |
| G.S. 20-136 | SMOKE SCREEN DEVICE VIOLATION | None |
| G.S. 20-136.2 | AIR BAG INSTALLATION VIOLATION | None |
| G.S. 20-137.1(a) | FAIL TO SECURE PASSENGER UNDER 16 | 4472 |
| G.S. 20-137.2 | LAW ENFORCEMENT VEHICLE RESEMBLANCE VIOLATION | None |



COURT COSTS AND FEES CHART

The costs listed below are effective **August 1, 2011**, and apply to all costs assessed or collected on or after that date, unless otherwise noted. Costs in other legislation that take effect after August 1, 2011, will be included in subsequent updates to this chart.

Changes to costs and fees for 2011 are shaded and blue. Changes effective August 1, 2011, are prefaced by **[Aug. 1]**. Legislation enacting new or amended cost items is cited in brackets. Items citing only a bill section (e.g., “[§ 31.23.(a)]”) refer to sections of S.L. 2011-145 (House Bill 200).

| ESTATES COSTS AND FEES G.S. 7A-307, unless otherwise specified | | AMOUNT |
|--|-----------------------------------|---|
| ESTATES. G.S. 7A-307(a).¹ | | |
| • General Court of Justice Fee. [§ 31.23.(d)] | General Fund | 104.50 |
| | State Bar Legal Aid Account (LAA) | 1.50 ² |
| | | 106.00 |
| • Facilities Fee. | | 10.00 |
| • Phone Systems Fee. | | 4.00 |
| • ESTATES TOTAL | | 120.00 (+% of gross estate, below) |
| • Separate GCJF based on value of the gross estate (at inventory and each accounting). Minimum fee per filing: \$15.00. Maximum cumulative fee: \$6,000.00. | | +0.40/100.00 of gross estate ³ |
| TRUST UNDER WILL – ESTABLISHMENT.⁴ | | |
| • General Court of Justice Fee. [§ 31.23.(d)] | General Fund | 104.50 |
| | State Bar Legal Aid Account (LAA) | 1.50 ² |
| | | 106.00 |
| • Facilities Fee. | | 10.00 |
| • Phone systems Fee. | | 4.00 |
| • TRUST UNDER WILL – ESTABLISHMENT TOTAL | | 120.00 |
| TRUST UNDER WILL – ANNUAL ACCOUNTINGS/RECEIPT OF NEW PERSONAL PROPERTY ASSETS. G.S. § 7A-307(a)(2a). Minimum fee: \$20.00. Maximum fee: \$6,000.00. | | 20.00 per accounting or 0.40/100.00 of gross value of assets (if new personal property) ⁵ |

¹ The estate fees set forth here apply at the filing of the inventory, if not previously collected. Other fees apply at the filing of accountings. **Do not** assess estate costs for payments to the clerk of debts owed the decedent pursuant to G.S. 28A-25-6.

² The portion of the General Court of Justice (GCJF) fee allocated to the State Bar’s Legal Aid Account (LAA) has been reduced. The \$2.05 previously designated for the Bar’s Access to Civil Justice fund, G.S. 7A-474.4, has been reduced to \$1.50. (Note: The \$0.95 designated in criminal and civil cases for the Bar’s Domestic Violence Victim Assistance fund, G.S. 7A-474.19, does not apply to special proceedings or estates cases.) The remainder of the GCJF is remitted to the General Fund. The NCAOC’s Financial Management System (FMS) will allocate these portions automatically when using the related code sets to assess costs.

³ “Gross estate” is the value of all personal property when received, plus the proceeds of any sale of realty coming into the hands of the fiduciary. Gross estate does not include fair market value of realty not sold. The fee is to be computed from the inventory and paid when the inventory is filed, except for collection of personal property by affidavit, described on the next page. Additional amounts will be due upon filing of an accounting.

⁴ When a trust is established under a will, the basic estates costs are assessed twice: once for establishment of the decedent’s estate file for probate of the will, and once for establishment of the trust file. The initial costs shown are to be assessed only once in the trust file; thereafter, costs for the trust are assessed only at the filing of accountings for new personal property received by the trust.

⁵ The gross-value percentage “shall be assessed only on newly contributed or acquired assets, all interest or other income that accrues or is earned on or with respect to any existing or newly contributed or acquired assets, and realized gains on the sale of any and all trust assets. Newly contributed or acquired assets do not include assets acquired by the sale, transfer, exchange, or otherwise of the amount of trust property on which fees were previously assessed.” G.S. 7A-307(a)(2a). This fee is **not** to be assessed on assets for which the gross-value fee was assessed in administration of the original decedent’s estate proceeding. If no new assets were acquired by the trust, the minimum fee of \$20.00 must be assessed for the filing of the accounting.



COURT COSTS AND FEES CHART

The costs listed below are effective **August 1, 2011**, and apply to all costs assessed or collected on or after that date, unless otherwise noted. Costs in other legislation that take effect after August 1, 2011, will be included in subsequent updates to this chart.

Changes to costs and fees for 2011 are shaded and **blue**. Changes effective August 1, 2011, are prefaced by **[Aug. 1]**. Legislation enacting new or amended cost items is cited in brackets. Items citing only a bill section (e.g., “[§ 31.23.(a)]”) refer to sections of S.L. 2011-145 (House Bill 200).

| ESTATES COSTS AND FEES G.S. 7A-307, unless otherwise specified | | AMOUNT |
|--|-----------------------------------|--|
| PROBATE OF A WILL WITHOUT QUALIFICATION OF PERSONAL REPRESENTATIVE. G.S. 7A-307(a)(3). | | |
| • General Court of Justice Fee (no State Bar share). | | 20.00 |
| • Facilities Fee. | | 10.00 |
| • PROBATE WITHOUT QUALIFICATION TOTAL | | 30.00 |
| QUALIFICATION OF LIMITED PERSONAL REPRESENTATIVE. G.S. 7A-307(a)(2d) & G.S. 28A-29-1. | | |
| • Petition Fee. ⁶ | | 20.00 |
| COLLECTION OF PERSONAL PROPERTY BY AFFIDAVIT. G.S. 7A-307(b).⁷ | | |
| • General Court of Justice Fee. [§ 31.23.(d)] | General Fund | 104.50 |
| | State Bar Legal Aid Account (LAA) | 1.50 ⁹ |
| | | 106.00⁸ |
| • Facilities Fee. | | 10.00 |
| • Phone systems Fee. | | 4.00 |
| • COLLECTION BY AFFIDAVIT TOTAL | | 120.00 |
| Separate GCJF based on value of the gross estate. Minimum fee per filing: \$15.00. Maximum fee: \$6,000.00. Note: Assessed on the AOC-E-204, Side One, “TOTAL RECEIPTS” | | +0.40/100.00 of gross estate ¹⁰ |

⁶ Assess the \$20.00 fee upon filing of the petition to serve as a limited personal representative under Chapter 28A, Article 29. This is the only fee assessed for such petitions; do not assess the GCJF, phone system fee, facilities fee, etc. The fee was effective October 1, 2009, and applies to estates of persons dying on or after that date.

⁷ Note that S.L. 2009-175 (House Bill 203) increased the threshold amount for small-estate administration under G.S. 28A-25-1 to \$20,000 (from \$10,000), and \$30,000 for a surviving spouse who is the sole heir (from \$20,000). This increased threshold was effective October 1, 2009, and applies to estates of persons dying on or after that date.

⁸ G.S. 7A-307(b) requires that, for collection of personal property by affidavit, “the facilities fee and thirty dollars (\$30.00) of the General Court of Justice fee shall be paid at the time of filing the qualifying affidavit.” The phone systems fee, the remainder of the GCJF, and the percentage of the gross estate are assessed at the filing of the final affidavit of collection.

⁹ The portion of the General Court of Justice (GCJF) fee allocated to the State Bar’s Legal Aid Account (LAA) has been reduced. The \$2.05 previously designated for the Bar’s Access to Civil Justice fund, G.S. 7A-474.4, has been reduced to \$1.50. (Note: The \$0.95 designated in criminal and civil cases for the Bar’s Domestic Violence Victim Assistance fund, G.S. 7A-474.19, does not apply to special proceedings or estates cases.) The remainder of the GCJF is remitted to the General Fund. The NCAOC’s Financial Management System (FMS) will allocate these portions automatically when using the related code sets to assess costs.

¹⁰ For collection of personal property by affidavit, “Gross Estate” is the value of all personal property received by the affiant. The fee is assessed based on the final affidavit of collection. See AOC-E-204 (Affidavit Of Collection, Disbursement And Distribution), Side One, “TOTAL RECEIPTS.”

COURT COSTS AND FEES CHART

The costs listed below are effective **August 1, 2011**, and apply to all costs assessed or collected on or after that date, unless otherwise noted. Costs in other legislation that take effect after August 1, 2011, will be included in subsequent updates to this chart.

Changes to costs and fees for 2011 are shaded and **blue**. Changes effective August 1, 2011, are prefaced by **[Aug. 1]**. Legislation enacting new or amended cost items is cited in brackets. Items citing only a bill section (e.g., “[§ 31.23.(a)]”) refer to sections of S.L. 2011-145 (House Bill 200).

| OTHER ESTATE FEES | AMOUNT |
|--|---------------|
| G.S. 7A-307(b1), unless otherwise noted. | |
| Motion fee. G.S. 7A-307(a)(4). ¹¹ [§ 31.23.(d).] | 20.00 |
| [Aug. 1] Service fee for civil process served by the Sheriff. G.S. 7A-307(c) and 7A-311(a)(1). [§ 31.26.(d)] | +30.00 |
| Filing and indexing a will without probate. | |
| First page | 1.00 |
| Each additional page or fraction thereof | 0.25 |
| Additional fiduciary letters (per letter over 5). | 1.00 |
| Safe deposit box inventory (per box, per day). | 15.00 |
| Taking a deposition. | 10.00 |
| Docketing and Indexing a will probated in another county in the State. | |
| First page | 6.00 |
| Each additional page or fraction thereof | 0.25 |
| Hearing petition for year's allowance. | 8.00 |

¹¹ In estates cases, the motion fee applies only to motions requiring a notice of hearing. However, the motion fee does not apply to any motion listed in G.S. 7A-308; for a list, see “Appendix - Motion Fee Exemptions” at the end of this cost chart. The fee also does not apply to any motion “containing as a sole claim for relief the taxing of costs, including attorneys’ fees.”

COURT COSTS AND FEES CHART

The costs listed below are effective **August 1, 2011**, and apply to all costs assessed or collected on or after that date, unless otherwise noted. Costs in other legislation that take effect after August 1, 2011, will be included in subsequent updates to this chart.

Changes to costs and fees for 2011 are shaded and blue. Changes effective August 1, 2011, are prefaced by **[Aug. 1]**. Legislation enacting new or amended cost items is cited in brackets. Items citing only a bill section (e.g., “[§ 31.23.(a)]”) refer to sections of S.L. 2011-145 (House Bill 200).

| MISCELLANEOUS FEES AND COMMISSIONS G.S. 7A-308, unless otherwise specified | | AMOUNT |
|---|--|-----------------------------|
| Proceeding supplemental to execution. | | 30.00 |
| Confession of judgment. | | 25.00 |
| Taking a deposition. | | 10.00 |
| Execution. | | 25.00 |
| Notice of resumption of former name. | | 10.00 |
| Taking acknowledgement or administering oath, or both, with or without seal, each certificate. | | 2.00 |
| <i>Note: Oaths of office are administered to public officials at no charge.</i> | | |
| Bond, taking justification or approving. | | 10.00 |
| Certificate, under seal. ³⁷ [S.L. 2011-285, House Bill 243] | | 3.00 |
| Exemplification of records. | | 10.00 |
| Recording or docketing (including indexing) any document: | First page | 6.00 |
| | Each additional page or fraction thereof | 0.25 |
| Preparation of copies: ¹ | First page (of each document) | 2.00 |
| | Each additional page or fraction thereof | 0.25 |
| Preparation and docketing of transcript of judgment. | | 10.00 |
| Substitution of trustee in deed of trust. | | 10.00 |
| Execution of passport application. | | Amt. allowed by federal law |
| Criminal record search (except if search is requested by an agency of the State or any of its political subdivisions or by an agency of the United States or by a petitioner in a proceeding under Article 2 of General Statutes Chapter 20). | | 25.00 |
| Filing the affirmations, acknowledgments, agreements and resulting orders entered into under the provisions of G.S. 110-132 and 110-133. | | 6.00 |
| Filing a motion to assert a right of access under G.S. § 1-72.1. | | 30.00 |
| Alias & Pluries summons or endorsement on original summons. G.S. 7A-308(a)(21). ² [§ 31.23.(e)] | | 15.00 |
| Motion for out-of-state attorney to appear in NC courts in a civil or criminal matter. G.S. 84-4.1. | | 225.00 ³ |
| Family Court Supervision fee. G.S. 7A-314.1. | | 30.00 ⁴ |

¹ Pursuant to § 7A-308(b1), attorneys representing indigents by court appointment or under contract with Indigent Defense Services are exempt from certification and copying fees if the request for certification or copies is made “in connection with the appointed case or the contract and during the duration of the appointment or the contract.”

² Although codified in G.S. 7A-308 (miscellaneous fees), the fee for alias and pluries issuance or endorsements on an original summons is limited to “civil matters” only, and does not apply to summons in special proceedings or estates.

³ The pro hac vice fee may be paid directly to the clerk in whole or in part. Many out-of-state attorneys pay \$25.00 of the fee directly to the State Bar and \$200.00 to the clerk. If an attorney pays the full \$225.00 to the clerk, \$200.00 is to be remitted to the State Treasurer. Of the remaining \$25.00, remit \$2.50 to the State Treasurer pursuant to G.S. 7A-321(d), and the balance of \$22.50 to the N.C. State Bar.

⁴ The family court supervision fee is to be assessed per hour “to persons receiving the services of a supervised visitation and exchange center through a family court program.”

COURT COSTS AND FEES CHART

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Changes to costs and fees for 2011 are shaded and **blue**. Changes effective August 1, 2011, are prefaced by **[Aug. 1]**. Legislation enacting new or amended cost items is cited in brackets. Items citing only a bill section (e.g., “[§ 31.23.(a)]”) refer to sections of S.L. 2011-145 (House Bill 200).

| SPECIAL PROCEEDINGS COSTS G.S. 7A-306, unless otherwise specified | | AMOUNT |
|--|-----------------------------------|---|
| SPECIAL PROCEEDINGS (except foreclosures). G.S. 7A-306. | | |
| <ul style="list-style-type: none"> General Court of Justice Fee. [§ 31.23.(c)] | General Fund | 104.50 |
| | State Bar Legal Aid Account (LAA) | 1.50 ¹ |
| <ul style="list-style-type: none"> Facilities Fee. | | 10.00 |
| <ul style="list-style-type: none"> Phone Systems Fee. | | 4.00 |
| <ul style="list-style-type: none"> NON-FORECLOSURE TOTAL | | 120.00 (+% of FMV) |
| Additional GCJF for proceedings involving land, except boundary disputes. Maximum additional fee is \$200.00 | | +0.30/100.00 FMV of land involved ² |
| [Aug. 1] Plus \$30.00 service fee for each item of civil process served by the sheriff. G.S. 7A-311(a)(1). [§ 31.26.(d)] | | +30.00 |
| FORECLOSURE UNDER POWER OF SALE. | | |
| <ul style="list-style-type: none"> General Court of Justice Fee. G.S. 7A-308(a)(1).³ [§ 31.23.(e)] | | 300.00 |
| <ul style="list-style-type: none"> Facilities Fee. | | None |
| <ul style="list-style-type: none"> Phone Systems Fee. | | None |
| <ul style="list-style-type: none"> FORECLOSURE TOTAL | | 300.00 (+% of sale price) |
| [Aug. 1] Plus \$30.00 service fee for each item of civil process served by the sheriff. G.S. 7A-311(a)(1). [§ 31.26.(d)] | | +30.00 |
| Additional GCJF assessed from sale. Minimum additional fee: \$10.00. Maximum additional fee: \$500.00. | | +0.45/100.00 of final sale price |
| OTHER SPECIAL PROCEEDING FEES | | AMOUNT |
| Motion fee. G.S. 7A-306(g). ⁴ [§ 31.23.(c).] | | 20.00 |

¹ The portion of the General Court of Justice (GCJF) fee allocated to the State Bar’s Legal Aid Account (LAA) has been reduced. The \$2.05 previously designated for the Bar’s Access to Civil Justice fund, G.S. 7A-474.4, has been reduced to \$1.50. (Note: The \$0.95 designated in criminal and civil cases for the Bar’s Domestic Violence Victim Assistance fund, G.S. 7A-474.19, does not apply to special proceedings or estates cases.) The remainder of the GCJF is remitted to the General Fund. The NCAOC’s Financial Management System (FMS) will allocate these portions automatically when using the related code sets to assess costs.

² Fair market value is determined by: (i) sale price if there is a sale; (ii) appraiser’s valuation if there is no sale; or (iii) appraised value from the property tax records, if there is neither a sale nor an appraiser’s valuation.

³ Although filed as special proceedings (SP), foreclosure costs are assessed under G.S. 7A-308 (miscellaneous costs), not the special proceeding costs statute, G.S. 7A-306. The facilities fee and phone systems fee are not assessed in G.S. 7A-308, so they are not assessed for foreclosure filings. Nor is any portion of the filing fee diverted to the State Bar’s Legal Aid Assistance (LAA) funds.

⁴ The motion fee does not apply to any motion listed in G.S. 7A-308; for a list, see “Appendix - Motion Fee Exemptions” at the end of this cost chart. The fee also does not apply to any motion “containing as a sole claim for relief the taxing of costs, including attorneys’ fees.” Finally, pursuant to G.S. 7A-306(f), the fee does not apply to motions filed in foreclosures under power of sale.

NCPA TIME MACHINE

Spring 2004

North Carolina Paralegal Association, Inc. North Carolina Paralegal Association, Inc.

Surviving the Incapacitation of Your Employer

by Kaye H. Summers, CLA

As a paralegal employed by a sole practitioner, would you know what to do if your employer suffered an untimely disability—or worse, a sudden death—requiring the law office to be closed permanently?



The permanent disability or sudden death of sole practitioner can create a nightmare of problems for the staff and family who are left to close the law office. The paralegal is often put in the position of being the first person to be confronted with many of these problems. This is a difficult and uncomfortable position to be in if plans have not been made ahead of time by the attorney.

Problems can range from ethical obligations to the clients, to the payment of bills owed by the practice and collecting receivables. If the attorney has made arrangements ahead of time to prepare the office for his or her sudden absence, closing the law office can be much smoother and easier.

A Paralegal's View. Consider the following scenario as a paralegal employed by a sole practitioner. One morning, while preparing to tackle mounds of work and meet with several clients already scheduled to come in, the phone rings. It is the attorney's spouse or a friend of the family calling to inform you that your attorney has died of a heart attack.

After hanging up the phone, and some time of stunned reflection, you begin to realize the magnitude of the situation you face as the only employee in the office. You are suddenly confronted by so many pressing problems that you have no idea where to begin, or who to call for help.

There are files on your desk that require immediate attention in order to meet the statute of limitations dates. There are interrogatories which need to be answered. The deceased attorney is scheduled for court at 11:00 a.m. for a hearing, and he had appointments with clients set for the afternoon. What are you going to do? Ethically, what are you allowed to do? Never assume that your attorney's spouse or family is going to take care of the law office; they are often unacquainted with the day-to-day operations of the law office. What about all the accounting and business matters at hand? Is your salary going to be paid while you work to close the office?

Devise a Plan. The paralegal can be instrumental in avoiding this nightmare scenario by helping the attorney develop a step-by-step plan. By being prepared ahead of time, the paralegal can actually head-off some of the problems that could arise.

It may be necessary to confront the attorney head-on. In order for the paralegal to be prepared, the attorney must be prepared, and candid discussion is required to attain this preparation. Potential problems should be discussed and a mutually prepared plan adopted to put into effect should the unthinkable happen.

An immediate matter to address is the appointment of another attorney willing to be responsible for closing the office. The paralegal should encourage their attorney to talk with other attorneys that he or she knows about accepting this appointment. The paralegal should contact the state bar to determine whether or not they have a program or specific course of action which should be followed. Work with the attorney in preparing an "Office Procedures" manual to serve as a guide for initiating the plan that has been developed. The manual should contain, among other things, a list of phone calls which will need to be made immediately. That list should include the name of a contact person, their phone number and their address. The list should also have contact information for the state bar, court clerks, trial court administrators, all utility companies and other accounts payable entities.

Prepare a list of all current clients and the status of their case. Maintain a list of closed files or files located in off-site storage. Regularly review accounts receivable and accounts payable records, and check trust account records to make sure they are in order. The information in this manual should be reviewed on a regular basis by the paralegal to ensure that all of the information is current and accurate.

The Rich Harris Committee. A number of these issues have been formally addressed as a result of the untimely death of Richard F. Harris, 2nd, a sole practitioner in Charlotte, NC, who, at the height of his legal career, had a heart attack and died in December 1999. He had discussed the possibility of his sudden demise with a fellow attorney who had agreed to assist in closing Harris' office if the need ever arose.

After the death, the friend consented to be the court-appointed trustee to assist in winding up Harris' legal practice. He soon discovered that the state bar had a program to assist trustees in dealing with client matters, but there were no guidelines for dealing with all the tasks necessary for closing an office.

In honor of Harris, who was a member of the North Carolina Bar Association and chair-elect of General Practice Solo and Small Firm Section at the time of his death, the "Rich Harris Committee" was formed to address these issues and develop a formal program to help outside attorneys called upon to work with the staff and family in winding up and closing a law office.

A handbook entitled *Death of A Lawyer: Planning for Your Unexpected Exit from Law Practice* and a brochure entitled *Be Prepared For Your Absence* have been published by the committee. Both publications provide the solo practitioner, as well as the paralegal, with information necessary to plan for the sudden close of the law office.

Being Prepared Pays Off. Being faced with suddenly closing a law office because of their untimely demise is a task that every attorney hopes his family and staff will never have to face, but planning for such an eventuality is wise. If the paralegal will encourage the attorney to develop a plan, and appoint someone to handle closing the office, the monumental task can be easier to accomplish.

continued on next page



Hey, y'all! I'm saying "y'all" in honor of the NALA convention in Texas. Although I have some Texan friends who will argue that it is spelled "ya'll". But that's neither here nor there. It's time again for another trip through the NCPA Time Machine.

For those of us in the civil litigation business in eastern North Carolina, we may be familiar with Doug Jones. Mr. Jones was a well known local attorney in New Bern - the type of local counselor who has little wooden billboards staked into the ground along the various two-lane roads around Craven/Beaufort/ Pamlico counties. Well, Mr. Jones was opposing counsel on a personal injury matter I've been working

North Carolina Paralegal Association, Inc. North Carolina Paralegal Association, Inc.
 Surviving the Incapacitation cont...
 Spring 2004

Remember that as the paralegal working with a sole practitioner, you may be the only employee in the office if the unexpected news arrives that your attorney is incapacitated or has died. Unexpected news, however, need not mean being unprepared for efficiently closing the office. Be prepared by making sure the attorney is prepared in advance.

Kaye Summers, CLA, is a paralegal with the firm of Pulley, Watson, King & Lischer, in Durham, NC. She is also a member of the Legal Assistants Division of the North Carolina Bar Association and serves as LAD Liaison for the General Practice Solo and Small Firm Section. She is a member of NALA, and is the Liaison for the North Carolina Paralegal Association. She was instrumental in assisting the Rich Harris Committee of the General Practice Solo Small Firm Section in developing guidelines specifically for legal assistants faced with closing the offices of a sole practitioner who dies or is suddenly incapacitated.

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Practical Skills Mid-Year Seminar

Saturday, September 27, 1986
 Hilton, Wilmington, North Carolina

Friday, September 26, 1986 - 7:00 p.m. - Hospitality Suite, Room 903
 Saturday, September 27, 1986 - 8:30 a.m. - 9:00 a.m. - Registration

9:00 a.m. - 9:15 a.m.
 Welcome
 Lee T. Deuto, CLA, President, NCPA

9:15 a.m. - 10:15 a.m.
 "Forming the Corporation"
 Fred Davenport, Esq., Assistant Professor
 UNC Wilmington
 Wilmington, N.C.

10:30 a.m. - 11:30 a.m.
 "Interviewing and Investigative Techniques"
 James A. Bailey, Lead Instructor
 Criminal Justice Department
 Cape Fear Technical Institute
 Wilmington, N.C.

11:30 a.m. - 12:30 p.m.
 "Effective Communications"
 J. Wendall Hall, Area Coordinator
 Division of Compensatory Education
 N.C. Department of Public Instruction
 Williamston, N.C.

12:30 p.m. - 2:00 p.m. - Lunch on Your Own

2:00 p.m. - 3:00 p.m.
 "Effective Legal Research"
 Kimberly Parker, Legal Assistant
 Ward & Smith, P.A.
 New Bern, N.C.

3:15 p.m. - 4:30 p.m.
 "Ethics and the Paralegal"
 Alice W. Penny, CLA
 Poyner & Sprull
 Raleigh, N.C.

4:30 p.m. - 5:00 p.m.
 Discussion and Evaluation

COMPLETE AND RETURN TO:

William J. Hepfinger, Mid-Year Seminar Chair
 321 Bretonshire Road, Wilmington, N.C. 28405

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Check No. _____ for \$ _____ is enclosed.

NCPA or NALA Member \$25.00
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* Hotel Reservation Cards will be sent to registrants upon receipt of Seminar Registration Form. Please make your own hotel reservation using card unless time does not permit. If reservations are made other than by card provided, be sure to designate that you are attending the Seminar.
 * Refunds for cancellations will be made **ONLY** if cancellation is received seven (7) days prior to the Seminar. If you must cancel, please notify Mr. Hepfinger at the above address so that plans may be made accordingly.

on the past few months. One day he came into our offices to hand deliver some documents regarding our case. He shook my hand, we exchanged pleasantries, he left a note for our attorney and went on his way. That night, Doug Jones suddenly passed. It was completely unexpected, and sent his office into the sudden position of "what do we do now?" In the Spring 2004 issue of the FORUM, our own Kaye Summers presented a piece on how your practice can prepare for and survive the passing of an attorney, and I think it is something we all need to review - as it is still very relevant today.

Also, in honor of our upcoming Mid-Year Seminar, I thought y'all might get a kick out of having a look at the ad for the 1986 Mid-Year, held at the fabulous "Hilton" in Wilmington. This ad compliments of the Summer 1986 issue, complete with yellowed pages and a rusty corner staple. Ah, history...

i'm ready for
the next step.

but what's
my next move?



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