



**NCPA**



The NCPA is an  
Affiliate Member  
of the  
National Association  
of Legal Assistants, Inc.

Summer 2008

North Carolina Paralegal Association, Inc.

# Forum



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



## IN THIS ISSUE...

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als submitted.



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**Moving?** Be sure to let us know!

Send both your old and new address information to:

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## PRESIDENT'S MESSAGE

Kaye H. Summers, CLA, NCCP



Greetings to all. I am Kaye H. Summers, CLA, NCCP, and I am your President for 2008 – 2009. I am very pleased to have this opportunity to serve you again this year. I began my career as a paralegal in 1986 as a real estate paralegal. Throughout the years I have had the opportunity to work in many areas of law including commercial and residential real estate, corporate formation, commercial litigation, estate planning and administration, intellectual property, and personal injury. I received my CLA designation in 2002, and my NCCP certification in 2005.

My first year as President was quite a “learning year”, however, the members of the Board, Executive Committee, and the Committee Chairs and Co-Chairs who served last year worked hard in their capacities, and made my job much easier. Thank you to all!!!

We have a fantastic Board of Directors and Executive Committee again this year, and they are already hard at work. We will be meeting in May for our first Board/EC meeting.

To the membership of NCPA, I encourage you to become involved in NCPA by joining a committee that interests you. If you need information about committees or would like the contact information for a Committee Chair, please call or email me. If you have any questions or concerns about NCPA, please let me or a member of the Board or Executive Committee know.

I'm excited about the future of NCPA and my part in it. NCPA has a lot to offer to its members. I hope you will each take an active role in the Association. ♦

*Kaye H. Summers, CLA, NCCP*

## CHAIRMAN'S MESSAGE

Beverly G. King, NCCP



### ***Greetings NCPA!***

What a wonderful Annual Seminar in Concord. It was wonderful to see so many of you. I met so many new paralegals. A special thanks to Patti Clapper, CP, NCCP, Michele Tuttle, CLA NCCP, and Melissa Stockley-Jones, CP, NCCP for all their hard work. You ladies continue to amaze me at each seminar. I look forward to seeing what you come up with for Mid-Year.

A special thanks to all our Sustaining members. Thank you for your support and for being a part of NCPA. Not to be forgotten, thanks to all the Annual exhibitors and sponsors – thanks for your continued support of NCPA.

One of the highlights of Annual for me was the “roast” of Mary F. Haggerty, CLA. It was great to see her so surprised. I was astonished to realize that all who were in on the roast were able to keep it a secret. Way to go!! But with all sincerity, Mary you are a great lady and thank you for all you have done for NCPA and the Paralegal profession. You will be missed tremendously by all. Brenda Markeski, CP, NCCP has taken on the role of NCPA Coordinator. She has officially been on the job for a short time but is has done a great job and I know she is going to do well in this position. Thanks Brenda!!!

We have several new faces on the Board and Executive Committee this year. Welcome!! I am excited that you are here and involved in NCPA. There are also some that have served on the Board or Executive Committee in other positions, but now they are branching out and trying something new.

Since Annual everyone has been working hard to get up to speed on their position and have been very busy. Thanks to you all for the work you have already done and for the work you are continuing to do for 2008-2009 to make NCPA and the Paralegal profession the best it can be. The District Directors are working diligently to set up Meet and Greets. I look forward to attending as many as I can. These informal gatherings are great and I encourage everyone to attend.

Finally, the firm split and move is complete. There have been some bumps along the way (getting the server to run, getting the telephones installed, unpacking, etc..) but all in all things have gone rather well. Things have calmed down and we are finally getting back to really focusing on work. I guess one of the best parts is that both new firms are still able to cooperate on matters. I still have lunch with the other “girls” from the office as our offices have relocated within 5 minutes of each other. The process is still going on as we still have “Rallings & Tissue “ matters to wind up – but we are starting to see a light at the end of the tunnel.

I wish everyone a very happy and safe summer. I hope everyone gets sometime away to get some rest and relaxation we all need. ♦

*Beverly G. King, NCCP*



# AFFILIATE DIRECTOR NEWSLETTER

Teresa A. Stacey, Affiliate Director

NORTH CAROLINA PARALEGAL ASSOCIATION, INC.  
P.O. Box 36264  
Charlotte, NC 28236-6264

Reply to:

Teresa A. Stacey, Affiliate Director  
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Burlington, NC 27216  
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Dear Fellow Paralegals:

I am Teresa Stacey, Affiliate Director of the North Carolina Paralegal Association, Inc. ("NCPA"), Alamance County Paralegal Association ("ACPA"), (my local association) elected me to be the representative from our organization to the North Carolina Paralegal Association ("NCPA"); and, the representatives from the Affiliate members of NCPA voted me to be the Director.

NCPA changed their Bylaws on March 13, 1991, to allow Affiliate membership from paralegal associations. ACPA was the first Paralegal Association who joined NCPA as an Affiliate Member. We now have a total of four (4) affiliate members, Alamance County, Guilford County Paralegal Association, Cumberland County Paralegal Association, and Research Triangle Paralegal Association. I feel very honored to have been elected as the Affiliate Director again and have learned many things about NCPA through being involved as a Director, even though I have been a general member of NCPA for many years. Listed below are some of the "perks" of a paralegal organization becoming affiliated with the North Carolina Paralegal Association, Inc.

The purpose of becoming an Affiliate Member is to help create and facilitate a network among the Paralegal Associations in the state, to help provide added resources for greater communication throughout the network of Paralegal Associations in North Carolina as well as furthering the common goals of the paralegal profession. There would also be added resources for use by the associations through the knowledge of each individual association's members.

I would like to encourage any Associations for Paralegals in your areas to join NCPA as an Affiliate Member. Please contact

me for the application if your Association would like to join. The requirements for becoming an Affiliate Member are as follows:

1. Be a North Carolina paralegal association whose aims, objectives, constitution, bylaws and practice conform with that of NCPA;
2. Be a paralegal student association within a North Carolina educational institution and its aims, objectives, constitution, bylaws and practice conform with that of NCPA; and
3. Agree to comply with and adhere to the following requirements:
  - A. To comply and not conflict with any NCPA bylaw requirement;
  - B. Provide a minimum of five (5) hours of continuing legal education each year;
  - C. To remit annual dues to NCPA in the amount of \$25.00, plus \$1.00 per member of your Association (up to a maximum of \$100.00);
  - D. To delegate one of its members, who is also an NCPA member, to serve on NCPA's Associations Network Committee;
  - E. To submit an annual report (membership renewal) on a form supplied by NCPA; and
  - F. To annually provide NCPA with a current membership roster at the time of affiliate membership renewal.

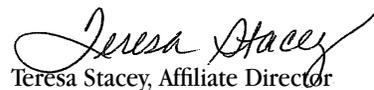
As an Affiliate Association, you may have one (1) **non-NCPA** member from the Affiliate Association to attend NCPA's Annual Meeting and Seminar at the discounted cost of an NCPA/NALA member.

If you have any questions or concerns I will try to address them or find someone who can. You can reach me at the above address or e-mail me at [tas@vernonlaw.com](mailto:tas@vernonlaw.com).

You can get information on the North Carolina Paralegal Association at their website at [www.ncparalegal.org](http://www.ncparalegal.org).

I look forward to hearing from you or seeing you at one of our seminars.

Sincerely,



Teresa Stacey, Affiliate Director

North Carolina Paralegal Association ♦

# SECOND VICE PRESIDENT'S REPORT MEMBERSHIP

Yolanda N. Smith, ACP, NCCP

The current membership breakdown as of April 23, 2008 is as follows:

General members:	359
Associate members:	28
Student members:	55
Sustaining Members:	8
Affiliate members:	4
Educational Program members:	2
Total	456

We would like to acknowledge our newest (G)eneral, (A)ssociate, and (S)tudent members joining from February 1 - April 23, 2008:

Teresa D. Ashcraft, NCCP, Monroe, NC (G)	Dina S. Griffith, Cary, NC (S)	Heather D. Peek, Richlands, NC (S)
Stacie L. Batchel, Jacksonville, NC (S)	Lloyd H. Harrison, Charlotte, NC (G)	Angela T. Powell, North Wilkesboro, NC (A)
John C. Barden, Charlotte, NC (S)	Lisa H. Hite, Charlotte, NC (G)	Amber L. Reeb, Jacksonville, NC (S)
Laurie A. Benz, NCCP, Waxhaw, NC (G)	Ken Hoff, Chapel Hill, NC (S)	Mary I. Ridout, Raleigh, NC (G)
Martha L. Blackman-Hughes, Apex, NC (G)	Beverly I. Holland, Statesville, NC (S)	Brooke M. Riley, Midway Park, NC (S)
Tiffanie M. Cannon, Jacksonville, NC (S)	Teri Howard Strom, Waxhaw, NC (G)	Crystal L. Robinson, Graham, NC (G)
Donna C. Carlton, Shelby, NC (A)	Marsha A. Johnson, Jacksonville, NC (S)	Laura K. Rodgman, Raleigh, NC (G)
Yvonne Caudle, NCCP, Matthews, NC (G)	Casey L. Jones, New Bern, NC (S)	Greg L. Sears, Mint Hill, NC (S)
Karen Ruth Cherrix, Beaulville, NC (S)	Sandy G. Lail, Taylorsville, NC (S)	Martha P. Sheffield, Lewisville, NC (S)
Rebecca D. Clark, NCCP, Concord, NC (G)	Simona R. Lane, Clayton, NC (G)	Lisa M. Shepard, Burnsville, NC (G)
Beth H. Cloninger, NCCP, Lincolnton, NC (G)	Kristen E. Lowe, High Point, NC (G)	Deresia L. Sherrill, Belmont, NC (G)
Cheryl P. Clouson, Jacksonville, NC (S)	Katherine Lowery, Jacksonville, NC (S)	Marc A. Smith, Asheville, NC (G)
Charlotte Crone, Durham, NC (S)	Linda L. Lyle, Jacksonville, NC (G)	Jennifer Smith, Clayton, NC (A)
Minerva A. Dantzler, NCCP, Chapel Hill, NC (G)	Monica M. Marchildon, Indian Trail, NC (G)	Janet E. Sullivan, Charlotte, NC (G)
Lisa T. Edwards, Mills River, NC (G)	Marie E. Maurer, Concord, NC (G)	Ellen C. Thomas, Concord, NC (G)
Kathy Eichenbrenner, Charlotte, NC (S)	Steven A. McCloskey, Winston-Salem, NC (A)	Ashley Diane Vance, Kannapolis, NC (S)
Susan M. Faith, Cary, NC (A)	Theresa W. McKenzie, Canton, NC (G)	Sheri Varner, Lexington, NC (S)
Jean T. Fleming, Union Mills, NC (G)	Marilyn L. McKinley, Concord, NC (G)	Patricia C. Walton, Pineville, NC (S)
Jeanette E. Fritz, Raleigh, NC (S)	Sukesha Moore, Jacksonville, NC (S)	Gina K. Warakois, Waxhaw, NC (G)
Kelly R. Garwood, Lexington, NC (S)	Kristie B. Motley, Salisbury, NC (G)	Linda R. Watson, Charlotte, NC (G)
James D. Granberry, Huntersville, NC (A)	Lynn P. Murphy, Kings Mountain, NC (G)	Marilyn J. Whipple, Indian Trail, NC (G)
Sigrid H. Grandstaff, Durham, (G)	Carrie A. Nichols, Jacksonville, NC (S)	Jessica N. Williams, Jacksonville, NC (S)
Megan B. Greene, Midland, NC (A)	Heather N. Padgett, Wilmington, NC (G)	David M. Wood, Danbury, NC (G)

NCPA is proud to recognize the following Sustaining members:



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

Alamance County Paralegal Association, Caldwell Community College and Technical Institute, Cumberland County Paralegal Association, Guilford Paralegal Association, Guilford Technical Community College, and Research Triangle Paralegal Association

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

Yolanda N. Smith, ACP, NCCP

Second Vice President, Membership Chair ♦

# “I HAVE CHOSEN TO BE A PARALEGAL....”

## Student Essay Contest Winners

Throughout the year, the Student/School Relations Committee fields a variety of e-mail requests from current and prospective students interested in the paralegal field. We provide information, as we are able, including links to other sites that may be of interest to the students. The majority of requests concern school programs and requirements for a paralegal working in the State of North Carolina.

Another responsibility of the Student/School Relations Committee is to promote The North Carolina Paralegal Association, Inc.'s yearly Student Scholarship Program. Any paralegal student enrolled in an accredited North Carolina paralegal educational program is eligible, and an essay competition is the basis of the scholarship. The essay topic is: “I have chosen to be a paralegal...”

All winners received a complementary student registration to the Annual Meeting and Seminar, a complementary one-year student membership to NCPA, and a scholarship check to be paid to his or her school.

This year, we received a total of nineteen (19) essays from eleven (11) different programs for the Contest. It was a difficult decision for the judges. In this article, we have included the winning essays:

### 1st Place Winner

#### Charlotte Crone

*Durham Technical Community College*

I've always known I wanted to work in the legal field. As a teenager, I used to tell my parents that I wanted to be a lawyer when I grew up, because I loved to argue. Now, a decade older (and hopefully a bit wiser), I know that I'll never really grow up. And I've found that I don't relish arguing nearly as much as a well-reasoned, orderly, and logical debate. Many people might consider these to be the traits of a budding young attorney, but having observed law firms in action, I know that paralegals do a great deal of substantive legal work. Over and over, I've seen that paralegals are the ones who meet and communicate with clients. I've listened as friends touched by the subprime mortgage implosion talked about the bankruptcy paralegal who was so compassionate and helpful during one of their darkest hours. As a licensed real estate broker, I know that real estate professionals recommend law firms to their clients based not on the attorneys, but the competency of the paralegals who coordinate the myriad of things that must happen prior to a successful real estate closing. In short, I believe that I can make a much bigger difference in the lives of ordinary people as a paralegal, than as an attorney.

While working as a paralegal affords me the opportunity for client contact that is so often marginalized in the legal field, I'd be remiss if I failed to note the excellent job outlook that the career as a paralegal affords. Both government and private publications consistently report that jobs in the paralegal field will exponentially increase for at least the next ten years. But the paralegal field promises not only outstanding employment prospects, it also represents an excellent investment. Few other

fields can compare in providing such outstanding earnings returned for a relatively meager educational investment.

As a student, my educational investment is measured in both time and money. Like many young adults, spending a decade (or longer) in school before having any hope of earning my first dollar is an untenable proposition. Studying to be a paralegal in an intensive associate's degree program only requires two years of study, and students have the added benefit of being able to put the skills they learn in class to immediate use in the private sector while they complete their schooling. Likewise, while education is certainly important, the crushing burden of bloated tuition expenses cannot be ignored. In my opinion, it makes much more sense to pursue the education required to work as a qualified paralegal, than to amass unspeakably large amounts of student loan debt in order to attend law school.

It will be another year before I graduate (with an associate's degree) from the paralegal program where I study. But already, I find myself looking forward to entering the legal field. In every class, in every topic studied, I find myself associating what I'm learning with real legal situations that I'll no doubt encounter as a paralegal. But mostly, I'm at a loss for words to express my gratitude, because I know that what I'm learning, and what I can do with that knowledge, will touch the lives of others.

### 2nd Place Winner

#### Kathy Eichenbrenner

*Duke University*

I have chosen to become a paralegal! I am 57 years old and will graduate from the paralegal program in which I am enrolled on my 58th birthday, March 2, 2008.

I graduated from college in 1971 with a B.A. degree in mathematics education. I taught secondary mathematics for one year, but did not enjoy classroom teaching. I saw an advertisement for a computer program trainee at a company in my hometown, took the aptitude test, and instantaneously became a computer programmer. I had a 20 year successful career as a computer programmer/software engineer (as we later came to be called). In 1992, just a few months short of my twentieth anniversary with the company, I was laid off due to “downsizing”. In just a few months, I was hired by another software company and in 2002, was laid off again due to a corporate buyout. I was unable to find employment due to the decline of the information technology industry in the United States. For a year, I worked diligently at part-time jobs, sometimes going from one to another to another in a single day. Information technology changes so fast, and at the time, the job market for software engineers was so tight, that I was forced to take a job making half of what I made as a software engineer and doing something that I really did not enjoy. At the present time, I work in inventory control and spend all of my workdays trying to keep track of our corporation's assets, only to discover at the end of the day that it really is an impossible job. I find this very frustrating, unsettling, and useless. I would like

*continued on next page...*

Essay Winners continued...

to go home at the end of the day feeling as though I have done something worthwhile, or solved a problem, or made a difference to someone.

In August of this year, my present company was sold. I found myself at another crossroads in life as I was told that I was losing my job yet again, for the third time. To myself I said, "I must find something to do that I enjoy for the rest of my working years". I decided to take control of my destiny, instead of being controlled by it.

I must say that my favorite TV shows are "Law and Order" and "CSI". I have been known to watch five hours of "Law and Order" straight on more than one occasion. I have always been intrigued by the legal system. In my idealistic mind, I always want justice to prevail, and even though I know it always does not, I know that America does the best job of any nation in the world of pursuing justice for all.

Around the time I found out I was losing my job yet again, I went to lunch with one of my coworkers. I picked up a "Jobfinder" magazine which usually ads for blue collar jobs. However, my eye went to an ad that said "Get your paralegal degree in 15 weeks". The ad was from one of the most respectable universities in the nation, and I immediately knew that I was going to pursue this. It was like destiny reached out and touched me. I knew that getting a paralegal certificate in 15 weeks would be quite a challenge. After all, I had not studied for anything since 1971! And I have a full-time job and a household to run. But I knew that I could do anything for 15 weeks, especially pursue something that I was passionate about.

I have just completed the 15-week course of study and am proud to say that I finished with an A, having made only one B on any test or paper that I turned in. In 15 short weeks, I have learned to write pleadings, discoveries, and motions; learned more legal terminology than the lawyer around the corner; learned how structured sentencing works in criminal law, and studied a multitude of other intricacies and concepts in the legal system. In 15 weeks, I have become educated, trained, and prepared to launch a new career! And launch a new career is what I intend to do. While many people my age are retiring, I am starting fresh on a new adventure as a paralegal, and can hardly wait to find myself in the courtroom with my attorney.

*I have chosen to be a paralegal...*

### **3rd Place Winner (tie)**

**Kelly Garwood**

*Davidson Community College*

I have chosen to be a paralegal for a number of reasons. As I sit here, writing my thoughts and feelings down on paper for a stranger to evaluate, I begin to realize just how difficult this is going to be. I have started to write this paper at least four times since the beginning of January. I am so passionate about becoming a paralegal, and I don't want that to be lost as I transfer my dreams onto paper.

The biggest reason I have for going back to school is to have a better future. I began working various jobs when I was fifteen, and have been struggling my whole life to get better opportunities. I grew up in an environment filled with tension because my mother didn't have a choice; she had to work two

jobs and hated them both, but the rent had to be paid somehow. She was never happy. My childhood was strained, to say the least.

My decision to go back to school at age thirty was tough, but I know it was the right choice for me. You can't really have a career anymore without an education; it's something to be proud of. No one can take the things I've learned and experienced away from me! I am so thankful to have the choice of going back to school, especially since my parents were never as fortunate. I don't want to be like my mom had to be; stuck at a job I hate, and feeling as if I'll never have a better chance to make something of myself.

Another reason I chose to be a paralegal is the thought of being helpful to people. The best way to achieve this goal is to start every day with a positive attitude and put in a lot of hard work. It can be so rewarding to help someone, especially when they're in a rough situation.

I want to be the kind of paralegal who thinks outside the box, taking the job seriously. I don't want the attorney to second guess themselves about asking me to do something. I want them to know that I'm confident, and can get the job done for them. I am going to do the job to the best of my ability and give the clients, and my superiors, what they deserve. If I can make people's lives a little easier at the end of the day and give them some assurance, then I know I've done an outstanding job.

These are only a couple of the many reasons I have for choosing to become a paralegal. In a way, I feel as if the career actually chose me. This paper has helped me to reflect on my decision to be in this program, and I know it's the right choice for me. This essay isn't just a scholarship opportunity, it's my future!

### **3rd Place Winner (tie)**

**Sheri Varner**

*The University of North Carolina at Charlotte*

Just imagine, a 21 year old young woman, who has just graduated from college with a degree in History, sitting in an employment office. She worked diligently on her resume; she prepared her interview questions, and got dressed up nicely. The woman across the desk from her looks at her resume and says to the young woman, "Sweetie, I don't have anything for you, I can't use you for a single thing." Then she looks at the young woman again and said, "What do you want to do? What is your dream career?" The young woman feels like she's been hit with a brick, what do I want to do? What IS my dream career??

When I went to college, I chose a major in something that I have always loved learning about and did well at. I always just thought that having a bachelor's degree in anything would secure my future. When the job placement agent looked at me and asked me those two questions it really made me think. Just having a degree wasn't going to cut it. So I began to recall all the things that I learned while being a history major.

First of all, I thought of how I had learned written and oral communication. If I did anything as a history major it was WRITING. I mean, as a historian it isn't really so much the endless facts but understanding the past and what it a difference

*continued on next page...*

Essay Winners continued...

it makes on the future. My exams were filled with identification and essays; that is, if they weren't take-home five page written exams. I began to learn typing, punctuation, citations, and eventually research. Research and how you use the material from the research was vital to being successful. I began to learn how to use all types of search engines and became familiar with the library.

After I thought about the things I had learned, I began looking for careers that use those skills. Somehow I stumbled onto the U.S. Dept. of Labor website and I read all about Paralegals and what they do. They file forms, conduct research, prepare documents, and, sometimes even represent clients in administrative hearings. I read all about how many different places they work, training, and job outlook, and even how much money they usually make. As I read more about Paralegals, the more I just knew this was my "dream job". I had thought about law school, but quickly

decided that it would be too expensive and would take too long to complete. Being a Paralegal would give me an opportunity to work in a law firm, learn about the law, and assist an attorney in helping his clients.

I then started thinking about what type of law I would want to work in, and I decided that working in a general practice law firm would give me the opportunity to learn an array of different things. Because I am not currently working as a Paralegal and I do not have a specific job lined up, I think my best option would be to learn about general law such as estates, wills, and family law to begin my career.

My life is just beginning in this fast paced and exciting workplace and when I imagined myself working as a Paralegal, I really think it was something that I could do and be proud of. I have chosen to be a Paralegal because it is my "Dream Job". ♦

***NCPA would like to congratulate the following members who have been certified by the North Carolina Board of Paralegal Certification as of April 23, 2008:***

Sheila K. Aldrich  
Shelia L. Alexander  
Chreatha A. Alston  
Mary Lynn Anderson  
Amy R. Armstrong  
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Teresa H. Blackburn  
Carolyn V. Blanchard  
Diane Bobal  
Debbie L. Boggess  
Patty L. Bondurant  
Barbara A. Booker  
Jennifer A. Boucher  
Tracy Bowling  
Kathryn L. Boyd  
Kimberly C. Braswell  
Laura C. Braswell

Caroline A. Brock  
Staci L. Brogan  
Virginia M. Burrows  
Ann Morgan Cantrell  
Donna C. Carlton  
Joyce E. Carpenter  
Heather M. Carpenter  
Sandra G. Carter  
Yvonne Caudle  
Michelle L. Ceely  
Shannon S. Champion  
Jennifer L. Chilton  
Lonnie E. Christopher  
Patricia F. Clapper  
Tiffany Driver Clark  
Louann A. Clarke  
Rachel M. Clarke  
Melissa A. Clayton  
Beth H. Cloninger  
Dominca C. Cobb  
Nesha L. Coleman  
Adell M. Collier  
Karen E. Cook  
Lisa Cornatzer  
Camilla B. Cover  
Debra K. Cranford  
Betsy T. Crittenden  
Melinda W. Dabbs  
Melinda B. Daigle  
Ann W. Dandison  
Janice I. Davies  
Melanie J. Deal  
Michelle D. Digsby  
Eileen S. Dunlap

Jean P. Durham  
Glynis R. Edmonds  
Camille F. Edwards  
Rhonda W. Edwards  
Terri L. Edwards  
Lisa T. Edwards  
Paula E. Eller  
Angela S. Elliot  
Phoebe P. Elliott  
Stephanie Elliott-Park  
Dennis Embo  
Cindy Shay Emswiler  
Karen F. England  
Kimberly Roberts Eshleman  
Tara G. Eudy  
Kimberly M. Fakhoury  
Beth Falgout  
Harvetta M. Finley  
Jean T. Fleming  
Susan S. Floyd  
Mary D. Fogleman  
Susan L. Foltz  
Darlene C. Foster  
Alison E. Foster  
Ginny Fry  
Cindy Frye  
Margaret E. Gabriel  
Erin B. Galloway  
Cheryl W. Garcia  
Wanda K. Gatlin  
Bethanie Holland Gauntt  
Lisa M. Gay  
Carla Frances Gibson  
Kristal L. Glasco

Nancy Glasgow  
Robin L. Goins  
Margaret F. Goldston  
Leigh M. Goodin  
Ruth H. Goodman  
Sigrid H. Grandstaff  
Gayle D. Green  
Megan B. Greene  
George Hall  
Mary B. Hardy  
Martha A. Harmon  
Jane A. Harris  
Jane L. Harrison  
Lloyd H. Harrison  
Georgie A. Hartman  
Susan R. Hayes  
Sharon K. Hedgecock  
Mara M. Heer-Busby  
Ponchita L. Heggie  
Heather W. Helms  
Carmi H. Henderson  
Selene C. Hendricks  
Cynthia N. Herring  
Melinda R. Hess  
John F. Hetzel  
Susan S. Heusinger  
Angela C. Hill  
Robin S. Hill  
Judy M. Hill  
Lisa H. Hite  
Beverly I. Holland  
Elaine S. Holley  
Dianne B. Holsclaw  
Melissa C. Hooker

Paralegal Certification continued...

Sadie E. Howard  
Teri Howard Strom  
Myra P. Howell  
Cheryl N. Hughes  
Laura Cloninger Hughes  
Sarah C. Hutchins  
Nichole D. Hutchins  
Jennifer L. Iaquinto  
Theresa Irvin  
Stephanie Ivans  
Linda L. Johnson  
Mary N.R. Johnson  
Patricia A. Johnson  
Saundra D. Johnson  
Tracy Johnson  
Buffy L. Johnson  
Beverly H. Johnston  
Cathy C. Jones  
Pamela A. Jones  
Helen B. Jordan  
Kathy Justice  
Susan Kasek  
Nancy Lee Kerr  
Beverly G. King  
Heather D. Kinrade  
Celeste Konicky  
Christina Marie Korman  
Sylvia J. Lawrence  
Jo Ella Ledford  
Gail L. Leppa  
Roberta V. Lewis  
Tami C. Lewis  
Judy Z. Li  
Sherian A. Liles  
Paula Lovitt  
Jann G. Lund  
Linda L. Lyle  
Brenda Lyman  
Carren Mackiewicz  
Sarah A. Maha  
Sharon B. Malburg  
Nancy R. Mallett  
Charlotte A. Mangum  
Monica M. Marchildon  
Brenda J. Mareski  
Linda Lee Marion  
Ann C. Marshall  
Susie G. Martin  
Frances A. Martti  
Amy L. Maruschock  
Marie E. Maurer  
Angela Maynard

Kathryn A. McAllister  
Barbara McDaniel-Bowker  
Tamica M. McFadden  
Patricia A. McGill  
Theresa W. McKenzie  
Marilyn L. McKinley  
Martha E. McMillan  
Janet McPherson  
Donna Parker Meadows  
Stephanie Medlin  
Vickey S. Merlin  
Tracy D. Millsaps  
Tricia A. Millward  
Catrina P. Mitchell  
Amy D. Moore  
Martha W. Moore  
Tanya A. Morand  
Diane N. Morgan  
Therese A. Morin  
Kristie B. Motley  
Elizabeth Macklen Narron  
Regina H. Newsome  
Vickie C. Norris  
Ashley M. Norris  
Mary D. Oakes  
Kaye L. Orander  
Lynda S. Outen  
Katrina Ransom Owen  
Heather N. Padgett  
Elizabeth K. Parker  
Michelle M. Parker  
Tony Parker  
Anne H. Patterson  
Darlene M. Patz  
Ujeana A. Pearson  
Kimberly C. Pellicone  
Lou Ann Phelps  
Kathy C. Pilkington  
Loretta M. Plitnick  
Morag A. Polaski  
Angela T. Powell  
Allison Prendergast  
Caroll P. Prevette  
Sharon E. Price  
Linda C. Price  
Jan Proctor  
Sara T. Pulaski  
Mara E. Purcell  
Sharon M. Queen  
Wayne Quick  
Crystal L. Reece

Richard H. Reich  
Judy F. Reins  
Elizabeth H. Richardson  
Mary I. Ridout  
April N. Ritter  
Sharon G. Robertson  
Crystal L. Robinson  
Veronica Rockwell  
M. J. Rollins  
Connie Rowe  
Angela E. Roy  
Joy Rubenstein  
Bonnie T. Ruffin  
Trudy Rutherford  
Melissa A. Rutledge  
Kathryn M. Sameuelson  
April V. Sansom  
Victoria L. Scally  
Rita J. Scott  
Vickie L. Setzer  
Vicki L. Sgro  
Keith Smith Shannon  
Susan M. Shaw  
Valerie R. Shaw  
Christine Shedrow  
Lisa M. Shepard  
Deresa L. Sherrill  
Shelli L. Simontacchi  
Cathy Sink  
Marcia L. Siuda  
Jennifer Smith  
Belinda M. Smith  
Cheryl P. Smith  
Yolanda N. Smith  
Teresa N. Smith  
Stephanie J. Smith  
Marc A. Smith  
Donna Hicks Spencer  
Teresa A. Stacey  
Elizabeth A. Stallings  
Lynn F. Stevens  
Catherine L. Stewart  
Helen B. Stewart  
June O. Stewart-Sansom  
Melissa Stockley-Jones  
Jennifer G. Story  
Janet E. Sullivan  
Jo Ann C. Summerlin  
Kaye H. Summers  
Gina Y. Surratt  
Dawn H. Sutton

Sarah L. Swanson  
Mariann Swoyer  
Diane L. Tally  
Denise P. Tedescucci  
Belinda Ann Thomas  
Ellen C. Thomas  
Lisa M. Thompson  
Jacqueline M. Thurman  
Dianne Tillis  
Sarah Burt Timmel  
Kelly Collins Troy  
Sandra E. Turner  
Michele A. Tuttle  
Shelby G. Tyson  
Susan D. Umberger  
Alison R. Van Dyke  
Elizabeth R. Vance  
Elizabeth E. Vasques  
Sherry G. Vaughan  
Caroline A. Vogel  
Mary Patterson Wachob  
Cara V. Wagoner  
Jane Walker-Payne  
Sharon L. Wall  
Tammy L. Wallace  
Carrie Johnson Walters  
Simone C. Walton-Cato  
Gina K. Warakois  
Grace C. Ward  
Joyce A. Ward  
Marguerite J. Watson  
Peggy J. Watson  
Sherry L. Watson  
Linda R. Watson  
Judy Weeks  
Marilyn J. Whipple  
Ann Marie Wiertel  
Vickie A. Wiggins  
Eunice Wilkerson-Evans  
Mary E. Willard  
Angela K. Wilson  
Betty P. Wood  
David M. Wood  
Ute Woodall  
L. Dianne C. Woods  
Stephanie B. Woods  
Elizabeth D. Young  
Lisa M. Young  
Annette T. Younger  
Pamela K. Zinser  
Mark A. Zuboff



## EDITOR'S COURT

Melissa Rutledge, NCCP

Welcome to Summer! I love to hear the laughter and liveliness that the warm weather brings. The sweet smell of fresh cut grass and the neighbor's grill helps us shake off the winter haze.

I would like to welcome all of the new NCPA officers, directors, and executive committee members. It was nice to see new faces at the BD-EC meeting on May 4th. All of your efforts are truly appreciated across the state – thank you for participating!

Thanks to all of the District Directors for submitting reports and information about your districts! More and more paralegals are expressing their interest to write articles for the FORUM – all I can say is bring it on! We'd love to hear from you and publish your experiences and knowledge.

In this issue we've included the 2008 National Achievement Award Nomination for NCPA. NCPA is a certainly a prime candidate for this recognition. The last few sentences of the nomination sums it up best "Other paralegal associations from across the country have looked to NCPA for its efforts, professional standards, professional achievement, and outstanding leadership during this process, and these associations have reviewed the North Carolina certification program to pursue regulation of the profession in their respective states. Without a doubt, through this achievement, NCPA has impacted the paralegal profession as a whole."

"A Well-Rounded Paralegal PARTICIPATES!" is our theme for this issue. We want to reinforce the importance of paralegals and their role in the continued education of their colleagues and congratulate those who have stepped up to the plate to volunteer with their local, state, and/or national paralegal associations.

As always, please enjoy this edition of NCPA's FORUM and please know that your feedback and/or comments are always welcome. ♦

## 2008 MEREDITH R. POLLETTE, CLAS SCHOLARSHIP AWARD

THINKING ABOUT TAKING THE  
CLA OR APC EXAM?

WORRIED ABOUT THE EXAM FEE?

THIS IS FOR YOU!!

**TWO AWARD SCHOLARSHIPS  
ARE NOW AVAILABLE!**

One for the CLA exam fee AND one for the APC exam fee!!

### CLA EXAM FEE AWARD

Submit an essay on one of the following two topics:

*"Discuss the Advantages and Disadvantages of  
Certification and Licensure for the Legal Assistant Profession"*

or

*"What the CLA Designation and the CLA  
Program mean to Me".*

### ACP EXAM FEE AWARD

Submit an essay on the subject:

*"I am pursuing the ACP designation because ..."*

**All essays must be 1,000 to 1,500 words in length,  
typewritten and postmarked on or before August 15, 2008**

Send your typewritten essay by August 15, 2008 to:

Beverly G. King, NCCP, Chairman of the Board;  
P.O. Box 36264  
Charlotte, NC 28236-6264

Participants do not need to be NALA members, but must be NCPA members in good standing and meet the eligibility criteria for sitting for the CLA or ACP Exam. Finalists will be notified by September 1, 2008. Scholarship fees will be paid directly to NALA and the finalists will have one year from the date of the awards to sit for the exams. The fees will be refunded to NCPA if the finalists do not sit for the exam within the one-year time requirement.



## 2008 NATIONAL ACHIEVEMENT AWARD NOMINATION

### The North Carolina Paralegal Association

From its inception and in accordance with its Bylaws, one of the North Carolina Paralegal Association's (the "NCPA") most worthy objectives has been "to encourage a high order of ethical and professional attainment" for North Carolina paralegals. When NCPA created a regulation task force in 1995 to investigate certification, registration or licensure of paralegals in North Carolina, it initiated a course of action that culminated in The Plan for Certification of Paralegals (the "Plan"). The Plan is the fruition of much arduous and challenging work on the part of many dedicated members of the North Carolina paralegal profession and its advocates. In addition to the Plan's enhancement of the paralegal profession, it has also enhanced the credibility of NCPA within the North Carolina legal community.

The Plan, which was established by the North Carolina State Bar (the "State Bar"), the bar that licenses and disciplines lawyers in North Carolina, and was adopted by the North Carolina Supreme Court on October 6, 2004, is a self-funded, voluntary certification program that was established to assist with the development of paralegal standards through education. Today, approximately 4000 paralegals in North Carolina are certified by the State Bar's Board of Paralegal Certification, which administers the certification program, and hold the credential "North Carolina Certified Paralegal" ("NCCP").

The idea of paralegal regulation had been discussed informally by NCPA members for many years. However, during November 1995, the NCPA Board of Directors ("Board") met to discuss the business of the NCPA. The significance of this Board meeting, however, was an item placed on the Board's agenda for discussion, which was the consideration of the creation of the Regulation Task Force (the "RTF") to study the issue of paralegal regulation in North Carolina. During 1995, NCPA was faced with addressing and responding to inquiries about paralegal supervision issues from the State Bar Ethics Committee as a result of the State Bar Rules of Professional Conduct 216 (*Using the Services of an Independent Contractor*) and the North Carolina Bar Association (the "NCBA"), a voluntary bar association, Special Committee to Consider Paralegal Affiliation as a result of NCPA's inquiry to the NCBA for paralegal affiliation. The State Bar and the NCBA wanted to specifically know the education criteria and police mechanisms for paralegals. In addition, the trend toward paralegal regulation continued to gain momentum across the nation with the establishment of national and state paralegal voluntary certification programs, along with many states actively exploring the issue of paralegal regulation.

NCPA recognized a direct correlation of these issues and further recognized the need for North Carolina paralegals to have a voice in the discussions about the possible regulation of their profession. NCPA established the RTF as a direct result of these recognitions and charged the RTF with the following goals and objectives:

- Educate the [NCPA] membership regarding the purpose and types of regulation for professional recognition for the paralegal profession.

- Determine the interest of the [NCPA's] membership to define a recognized, professional standard for the paralegal profession.
- Define and establish the process of regulation for the paralegal profession in North Carolina.

In an effort to accomplish NCPA's first goal, the RTF set out on its mission by researching paralegal regulation topics, concepts and key terms. By 1999, the RTF had made over 20 presentations regarding its research at various locations across the state to groups of paralegals, paralegal students, educators and attorneys. At most of these presentations, an anonymous survey was provided which asked five key questions regarding paralegal regulation. More than 450 people responded to the survey. In addition to these activities, the RTF published articles in several legal community publications discussing the many facets of paralegal regulation. As a result of these efforts, the RTF outlined its research in a Memorandum, dated February 23, 1999, and concluded that regulation of paralegals in North Carolina had evolved to a critical stage in its development and forces from outside the profession were taking incremental steps that could ultimately lead to *de facto* paralegal regulation without the members of the profession having a voice in the process. As a result, the RTF recommended:

"That the NCPA define a recognized, professional standard for the paralegal profession in North Carolina and that the regulatory process be an inclusive effort involving paralegals, paralegal educators, attorneys and members of the judiciary working together to develop a generally acceptable standard for paralegal regulation in North Carolina."

After discussion and deliberation, the NCPA voted unanimously on March 17, 2000, during its 25th Annual Meeting and Seminar, to approve the RTF's recommendation. On October 28, 2000, the NCPA hosted a historic meeting with representatives from leading North Carolina paralegal associations and attorney-paralegal educators to address paralegal standards in North Carolina. The meeting concluded with an agreement to create an alliance to address this issue.

On February 3, 2001, the Alliance for Paralegal Professional Standards ("APPS") was formed to develop and facilitate implementation of generally acceptable professional standards for the paralegal profession in North Carolina. APPS was comprised of representatives from leading North Carolina paralegal organizations, namely: the North Carolina Academy of Trial Lawyers-Legal Assistants Division, the NCBA-Legal Assistants Division, the NCPA, the Metrolina Paralegal Association, and the Raleigh-Wake Paralegal Association. In addition to these organizations, representatives of freelance paralegals and representatives from North Carolina paralegal education programs also served on APPS. From its inception, the primary impetus for APPS was to 1) enhance the quality of legal services provided to the citizens of North Carolina by establishing basic minimum standards for North Carolina paralegals; 2) facilitate the employment process whereby North Carolina attorneys could

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2008 National Achievement Award continued...

be assured that the paralegals they employed met minimum standards; and 3) enhance the paralegal profession in North Carolina.

By the fall of 2002, the constituent APPS groups had drafted and approved the "Paralegal Profession Act" (the "Act"), which was intended to be a voluntary title act not a licensing mechanism for paralegals, which defined the term "paralegal", required paralegals to meet threshold educational criteria and maintain annual continuing legal education requirements, and adhere to ethical guidelines. The Act provided for oversight of the paralegal profession through a Paralegal Regulation Board comprised of paralegals, attorney paralegal educators and attorneys. During the drafting of the Act, APPS invited the State Bar to participate directly in the paralegal regulation process. As APPS worked on the regulatory process, State Bar representatives also attended several APPS meetings. APPS strongly and consistently held that cooperation with the State Bar as well as the North Carolina Academy of Trial Lawyers and the NCBA was necessary to create a professional standard for paralegals that would be generally acceptable to all groups. In addition to these groups, APPS kept the leadership of the North Carolina Community College System advised of its activities, as there were then over 25 community college paralegal programs in the State that would be affected by this regulation. On April 2, 2003, the Act was introduced in the North Carolina General Assembly as Senate Bill 922 and was introduced on April 8, 2003 as House Bill 957.

APPS was in the process of working with the legislative Bills' Sponsors to correct changes which occurred during bill drafting, particularly with the paralegal definition, when it learned that the State Bar Council voted not to support the Act at its April 2003 quarterly meeting because the paralegal definition was too broad, as it included all non-lawyers in a law firm, and because there was little justification for creating a new regulatory agency to oversee non-lawyers who work under the supervision of lawyers. APPS met with the State Bar regarding its concerns in May 2003 and expressed its willingness to work with the State Bar. APPS also requested in May 2003 that its Bill Sponsors suspend legislative activity regarding the Act until the State Bar's concerns had been addressed.

As a result, APPS was invited by the State Bar to attend a joint meeting of its Legislative Committee and Emerging Issues Committee in July 2003. The State Bar decided after that meeting to create the Legislative Study Committee on Paralegal Regulation ("Study Committee") to review the Act and address the State Bar's concerns. The seven-member State Bar Study Committee met four times between the fall of 2003 and February 2004, each time inviting APPS and other bar members to participate in its discussions, before finalizing then the proposed Plan. In order to implement the Plan, the State Bar Study Committee also proposed revisions to North Carolina General Statute ("NCGS") Chapter 84-23 giving the State Bar the authority to regulate certified paralegals, and proposed revisions to NCGS 84-37 to authorize the State Bar to enjoin the unauthorized use of statutory designations for paralegals certified by the State Bar (the "Statutory Amendments").

NCPA and APPS sent a letter of support in March 2004 of the then proposed Plan, and on April 23, 2004, the State Bar

Council voted unanimously during its quarterly Council meeting to approve for publication the Plan for a 90-day comment period and introduce the Statutory Amendments in the North Carolina General Assembly. As evidence of its good faith support of the Plan, APPS requested that its proposed legislation, the Act, be withdrawn.

The Plan was formally adopted by the State Bar Council at its quarterly meeting on July 16, 2004, contingent on the Statutory Amendments being ratified by the North Carolina General Assembly and signed by the Governor. Governor Michael Easley signed HB 356 into law on August 2, 2004. The North Carolina Supreme Court formally approved the Plan on October 6, 2004.

As referenced earlier, the Plan is a self-funded, voluntary certification program, which provides incentives to paralegals to meet a minimum level of education to become a "North Carolina Certified Paralegal" and a minimum level of continuing education to maintain the certification. The Plan does not restrict the use of the term "paralegal" nor does it differentiate the services between a certified paralegal and a non-certified paralegal. It does, however, provide a much-needed benchmark of State certified paralegal competency to improve and enhance the quality of legal work provided by North Carolina paralegals. Upon meeting the criteria of the Plan after application, you can legitimately use these designations:

- North Carolina Certified Paralegal ("NCCP")
- North Carolina State Bar Certified Paralegal ("NCSB/CP"); and
- Paralegal Certified by the North Carolina State Bar Board of Paralegal Certification.

Between July 1, 2005 and June 30, 2007, paralegals could apply for certification under the Plan through a "grandfathering" provision known as the Alternative Qualification Period. This provision allowed you to apply for certification by showing proof of one of three methods, including NALA's CLA credential, and required you to also show proof of work experience as a North Carolina paralegal. Currently, however, paralegals wishing to become certified under the Plan must graduate from a qualified paralegal studies program approved by the State Bar and successfully pass a state examination. In order to maintain the certification credential, the certified paralegal must demonstrate annual participation in not less than 6 hours of credit in State Bar approved continuing legal education, or its equivalent.

There is no doubt that the Plan has been very successful in North Carolina by evidence of over 4000 certified paralegals. The Plan has clearly established new professional standards for North Carolina paralegals and meets one of NCPA's most worthy objectives "to encourage a high order of ethical and professional attainment" for North Carolina paralegals. The journey was a long one from that faithful day in November 1995, but NCPA is pleased to have played a role in the course of action that culminated with the development and promotion of an important and distinctive program that, without question, positively impacts the paralegal profession in North Carolina and the nation as a whole. Other paralegal associations from across the country have looked to NCPA for its efforts, professional standards, professional achievement, and outstanding leadership

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2008 National Achievement Award continued...

during this process, and these associations have reviewed the North Carolina certification program to pursue regulation of the profession in their respective states. Without a doubt, through this achievement, NCPA has impacted the paralegal profession as a whole.

**Written by Past Chair of NCPA's Regulation Task Force:**

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**Respectfully submitted by:**

Cindy Frye, ACP, NCCP  
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Mark your calendar now for  
the North Carolina Paralegal  
Association, Inc.'s

# 24th Annual Mid Year Seminar

**September 13, 2008**

Announcing the 1ST Annual  
CLA/CP Exam Cram &  
NCCP Review Course  
September 13, 2008



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# Statewide News

## DISTRICT I

**Director: Diane N. Morgan, NCCP**

District I - Let's make 2008-2009 a bigger and better year for our District by getting involved and networking! I hope to see you at the Mid-Year Conference in Greensboro this September. In the meantime, I would like to get some feedback for a Meet and Greet somewhere in our District. I look forward to hearing all your suggestions! Contact me at [dmorgan@nhcgov.com](mailto:dmorgan@nhcgov.com) or (910) 798-7168. I welcome all comments, questions or concerns!! ♦

## DISTRICT II

**Director: Tiffany Driver Clark, NCCP**

The Research Triangle Paralegal Association (RTPA), the Raleigh-Wake Paralegal Association (RWPA), the North Carolina Paralegal Association (NCPA), and the North Carolina Bar Association Legal Assistants Division (LAD) have joined forces to raise money for Interact.

TICKETS: \$5.00ea. (OR 5 FOR \$20)

Raffle Winners will be notified by June 15th (via telephone and/or email). A complete list of Raffle Winners will be listed on the websites below by June 15, 2008.

Please visit [www.rtpanc.org](http://www.rtpanc.org) OR [www.rwpa.net](http://www.rwpa.net) for information about the event and the prize list (which will continue to grow between now and the event).

**Interact** is a private, non-profit, United Way agency located in Raleigh, North Carolina that provides safety, support, and awareness to victims and survivors of domestic violence and rape/sexual assault. Interact fulfills this mission through the support of its volunteers and community. Through a remarkable community effort, **Interact** will open a new Safety and Empowerment Center in 2008. However, this facility is in need of major renovations and furnishings. You can learn more about Interact at [www.interactofwake.org](http://www.interactofwake.org). ♦

## DISTRICT IV

**Director: Blanche S. Berkowitz, NCCP**

Congratulations all Paralegal Graduates!!! Welcome all Paralegal Students!!! Consider joining NCPA for the most comprehensive around the state networking!

District IV members had a great presence at NCPA's Annual seminar in Concord. It was nice to see that many District IV members in one place on one day. Any District IV member who would like to suggest any future meet and greets, please contact me.

Guilford Paralegal Association, an NCPA affiliate, sponsored a full-day continuing education seminar on Saturday, May 3, 2008 at the Doubletree Hotel in Greensboro. GPA received approval for 6 hours (5 general and 1 ethics) of CPE credits for this seminar. This seminar was a huge success with 72 participants registered. The seminar was videotaped and will

be presented for replay on a future date during the next year. Any paralegals interested in attending the video replay are asked to contact GPA by e-mail at [vicepresident@guilfordparalegalassociation.org](mailto:vicepresident@guilfordparalegalassociation.org).

### The speakers and topics were:

- Dirk W. Siegmund, Esq.-Basic Bankruptcy for the Non-Bankruptcy Assistant
- J. Patrick Haywood, Esq. – Construction Law: Laying the Foundation
- Kim R. Bauman, Esq. – Employment Laws Everyone Should Know
- April E. Kight, Esq. – Corporate Law 101
- Yolanda N. Smith, ACP, NCCP – Law Office Technology
- David N. Woods, Esq. – Supervision of Nonlawyer Assistants

GPA meets on the second Tuesday of every month either in Greensboro or High Point. GPA's monthly meetings are open to any attorneys, legal support staff, and others connected to the legal profession who wish to attend. Visit GPA's website <http://www.guilfordparalegalassociation.org/> for current information on meetings, events, and local continuing education opportunities.

Alamance County Paralegal Association is holding its election meeting on Tuesday, May 20th. The listing of new officers for ACPA's new year will be available after this meeting. ♦

## DISTRICT V

**Director: Vicki L. Sgro, NCCP**

Hi District V Members. My name is Vicki L. Sgro, North Carolina State Bar Certified Paralegal. I am your Interim Director for District V for the next year, ending in March 2009. My position is to serve as your representative to the NCPA Board. District V currently has 112 members. NCPA presented a great meeting in Concord on March 27-29, 2008. We hope you were able to attend, as there were many members from District V.

### *District V is made up of the following counties:*

Anson, Cabarrus, Gaston, Mecklenburg, Montgomery, Stanly and Union.

District V has two officers and one Coordinator serving for NCPA. These members were elected at the March Annual Meeting and are as follows:

- Kimberly C. Pellicone CP, NCCP -- Treasurer
- Cindy Frye ACP, NCCP -- NALA Liaison
- Brenda J. Mareski, CP, NCCP -- NCPA Coordinator

Brenda held office as Second Vice President prior to her Coordinator position. Brenda will also be a presenter at the NALA convention in July, in Oklahoma City.

NCPA also honored and nominated District V member Mary Haggerty, CLA for a NALA Affiliates Award at a dinner

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*District News continued...*

on Friday evening at the Annual Meeting and Seminar. She was honored for her many years of outstanding service to NCPA serving as President, Second Vice President, NALA Liaison, Special Liaison, Treasurer, Mid Year Speaker Chair, Director at Large, on the Forum publication committee, NCPA Coordinator, and numerous other committees. Mary plans to retire in 2009. She is well known throughout the legal community nationwide and will be missed by all who know her in our profession.

Congratulations to Kathy Eichenbrenner who won 2nd place for the 2008 Student Scholarship Contest. Kathy, who is a District V member, was presented with a \$300.00 monetary award and one year membership to NCPA plus free registration to March 2008 Annual Seminar. Kathy was presented with the award at the Annual Meeting on Friday afternoon.

The Metrolina Paralegal Association ("MPA") holds monthly meetings in uptown Charlotte at noon on the second Thursday of each month. Most meetings are "lunch and learns." For further information please contact me, Vicki L. Sgro, North Carolina State Bar Certified Paralegal, at Vicki.Sgro@Clariant.com or, check out the MPA web site at charlotteareaparalegals.com.

If you are interested in serving or volunteering for a committee position, or running for office in the future, please send me an email. I welcome the opportunity to know you better and to hear your ideas. NCPA's next meeting is the Mid-Year Seminar to be held at the Sheraton in Greensboro at Four Seasons on September 11-13, 2008. I look forward to seeing all of you there! ♦

## YOU ARE INVITED TO NORTH CAROLINA PARALEGAL ASSOCIATION

*District V Meet and Greet Breakfast*

**Saturday, June 7, 2008**

at Bob Evans Restaurant in Concord  
7791 Gateway Lane, Concord, NC

**Dutch Treat**

**9:30 a.m. – 10:30 a.m.**

Meet your District Director, the Chairman of the Board and other officers of NCPA. You will have a chance to get acquainted with us and other paralegals in your area.

All are welcomed. We hope to see you there!

Vicki.Sgro@Clariant.com

## ESTATE ADMINISTRATION AND THE TRANSFER OF REAL PROPERTY

By Nichole D. Hutchins, NCCP

When I was studying to become a paralegal, I thought that I wanted to work in a firm doing real estate closings and handling real property transactions. Naturally, with that in mind I focused a lot of my classes towards real property. When I started working as a paralegal, the firm I was working for already had a full time real estate paralegal. Luckily, I had also focused a lot of my studies towards estate planning and ended up working mostly in estate planning and administration. Boy! What a blessing that was! After watching our real estate paralegal haggle with lenders, real estate agents, and try to keep everything running smoothly with the transaction, I was glad I ended up with working on estate planning and administration. It was also beneficial that I had the background in real property to help me through the issues that often came up in estate administration.

### **Estate Planning Before Administration:**

The estate administration process can be made much easier by estate planning first. Effective estate planning provides for property to be passed to heirs or transferred to others easily. Without effective estate planning you could end up in a big mess. There have often been times, where the decedent wanted to take the 'cheapest' route and downloaded a "fill in the blank Will" from the internet. Needless to say, it would have been easier if they had died intestate rather than having used a cheap internet version.

An example of one of the messes that was created by one of these 'do it yourself' Wills that I encountered: The Clerk said it was not clear whether or not the title to the real property was vested into the Executor and if the Executor had the power to sell the real estate. So, long story short, we had to round up every single heir and their spouse, to sign the deed to the real property when we sold it. Of course, everyone had to agree on the sale price, and all of the other fun things that come with selling a house. If the Executor had the power to sell the property, by way of the Will, it would have been a done deal, no heirs or other parties of interest would need to be involved.

If the testator wants a personal representative to be able to sell real estate, then they must spell that out in their Will. A common trend in estate planning is to vest "legal title" of the real property to a personal representative, essentially giving them the authority to sell it if needed to pay the debts of the estate.

Another thing that is important to know is the type of property that you are passing on to someone else. Is it really real property or is it personal? A mobile home is not necessarily real property, it must be permanently affixed and sometimes it is still considered personal property because it has a motor vehicle title. Also it is good to mention in the Will if the decedent has property in another county or state, that clues in the personal representative to look for information regarding that property.

Know who might be inheriting the property! If there is a possibility of a minor inheriting real property, provisions should be made in the Will as to how that the transaction would be

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handled for the minor. I had worked on an estate about a year ago where a minor ended up inheriting real property, and it had to be sold to settle the debts of the estate. We ended up selling the property, but the minor held a 1/3rd interest in the property, so we held her proceeds in trust until she turned eighteen and then she was able to sign her 1/3rd interest over to the buyers. All this could have been avoided with proper planning.

**Passing of Property during Estate Administration:**

The decedent's real property will vest title when the Will is probated; meaning, it is automatically transferred to the heirs. When the Will is probated the property actually vests to the heirs back to the date of death. There is no deed necessary to convey the title to the property, because the Will is the instrument that conveys the property. Title does not vest to the Executor unless it specifically says so in the Will. If the property is vested to an Executor, then a deed must be prepared at the appropriate time to pass the property. This deed should typically be a Non-Warranty or Limited Warranty Deed.

**Mortgages**

When property passes to the heirs, so does the mortgage! NCGS §28A-15-3 states that a general testamentary direction to pay the debts of the decedent is not enough to require payment of a mortgage or deed of trust by the Estate. It says that property is specifically devised, the devisee takes the property subject to the encumbrance (except judgment liens), unless there is an express provision for the estate to pay the mortgage.

"There is an unanswered question in North Carolina as to whether any part of the mortgage on entireties property is the responsibility of the estate of the first spouse to die." Sometimes, Personal Representatives will pay 1/2 of the mortgage, sometimes they pay nothing. There is some case law regarding this issue, see *Wachovia Bank and Trust Company v. Black*, 198 NC 219, 151 S.E. 269 (1930), *Underwood v. Ward*, 239 N.C. 513, 80 S.E. 2ndh, 267 (1954), and *Motsinger v. White*, 240 N.C. 441, 82 S.E. 2nd 361 (1954).

There are times when it is not necessary to proceed with a full administration; you can just probate the Will in the Clerk's office for a small fee. This should be done in every case if there is a Will and real property. Attorneys and paralegals conducting title searches will be very appreciative; probating the Will establishes a good chain of title for the future if the property is ever sold. If the property is in another county other than the one the decedent was domiciled in North Carolina, then a certified copy of the Will should be filed in that county where the property is located to establish a good chain of title there as well. If the real property is in another state, Exemplified Probate documents will need to be sent to the county in that state where the property is located. It is always a good idea to contact the Clerk's office in another state and see if they have certain requirements for Exemplified documents.

It is always a good idea before you go through the process above, to examine the deed to the property. Make sure that the decedent actually owned the property! There was a time when an Executor brought in the tax bill to the property with the decedent's name listed as the owner, and after examining the deed, the decedent did not own the property. He had deeded the property several years earlier to his daughter and retained a life estate!

Typically Tenancy by the Entireties property cannot be devised to any one else if the spouse is still alive. If there is a devise of real property on tenancy by the Entireties property, then the spouse would most likely retain a 1/2 interest in the property with the other person to whom the property was devised.

**What if we want to sell the property?**

NCGS § 28A-17-12 controls the effects of sale, lease or mortgage of real property by heirs or devisees. In general it states that the Notice to Creditors being posted is essential to the transfer of real property. If the heirs lease, sign a deed of trust, sell the property, or most other transactions regarding the real property within 2 years of the date of death and BEFORE the Notice to Creditors has been run, then those transactions are void. Also, most transactions including the sale of real property will be void if done while the estate is open and before the Final Account is approved, UNLESS the Executor/Personal Representative signs the deed and joins in the transaction. After the 2 year period from date of death, then real property transactions conducted by the heirs are valid.

**Passing of Property in an Intestate (with out a Will) Situation:**

NCGS Chapter 29 sets out intestate succession. There are many different scenarios to be considered in an intestate situation. Depending on how the property was titled and if there were surviving children, brothers, sisters, parents and/or spouse, then each situation would warrant a possible different scenario as to how the property would pass according to intestate succession. For more information on intestate succession and transfer of real property refer to NCGS § 29 14.

**Key Terms for Estate Administration and Real Property:**

- **Testator** – person making the Will.
- **Testate Estate** – Estate where there is a Will.
- **Intestate Estate** – Estate where there is no Will.
- **Executor** – Person named in the Will to carry out its provisions.
- **Administrator** – Person who administers an intestate estate.
- **Administrator CTA (*administrator cum testamento annexo*)** – 'with the will attached' - person who administers a testate estate, but was not named as the Executor.
- **Personal Representative** – is a general term for Executor, Administrator, etc.
- **Clerk of Superior Court – "The Clerk"** - The court officer that is responsible for overseeing probate proceedings.
- **Devise** – gift of real property in a Will.
- **Bequeath** – gift of personal property (usually other than money, but not in all cases).
- **Pecuniary Bequest** – gift of money in a Will.
- **Vest** – to confer ownership of property on a person.
- **Real Property** – land and anything permanently affixed to it.
- **Exemplified Probate Documents** – Certified copies of the original court documents, usually has to be signed by the Clerk of Court and a Judge. ♦

<sup>1</sup> From NC Bar Association CLE Transfer, Taxation, Estate Audits and Estate Administration Manuscript Getting Real: Real Property Issues in Administration by Linda F. Johnson  
<sup>2</sup> From NC Bar Association CLE Transfer, Taxation, Estate Audits and Estate Administration Manuscript Getting Real: Real Property Issues in Administration by Linda F. Johnson, page VI-7

*Excerpts and material for this article came from the North Carolina Estate Administration Manual published by the North Carolina Bar Association and manuscript from North Carolina Bar Association Transfer Taxation, Estate Audits & Estate Administration CLE.*

NCPA would like to extend its sincere thanks to the following companies, without whose support our Annual Seminar would not have been possible:

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## AMENDMENTS TO NCPA BYLAWS

The NCPA Bylaws below contain those proposed amendments (see highlighted texts below) voted upon and ratified by the membership of NCPA during its Annual Meeting held March 28, 2008 in Concord, NC. In accordance with NCPA Bylaws Article XVIII, the amendments provided below are not in conflict with NALA Bylaws.

### Article IV.2.

- (a) General Member Eligibility. General Membership is open to any individual who resides or is employed in North Carolina, and meets at least one of the following requirements: *[amended 3/21/1997]*
- (iii) is a Certified Paralegal or Certified Legal Assistant (CP<sup>®</sup> or CLA<sup>®</sup>) in good standing **as credentialed by the National Association of Legal Assistants**; or *[amended 3/21/1997, 3/11/2005, 3/31/2006, 3/28/08]*
- (iv) is a North Carolina Certified Paralegal (NCCP), a North Carolina State Bar Certified Paralegal (NCSB/CP), or a Paralegal Certified by the North Carolina State Bar **Board** of Paralegal Certification, in good standing. *[effective 3/31/2006; amended 3/28/08]*

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## U.S. SUPREME COURT TO HEAR PARALEGAL FEES CASE

Decision will affect how fees are determined in cases  
against federal agencies.

By Tommy Sangchompuphen

Paralegal fees are once again up for discussion in the United States Supreme Court, with the Court's Nov. 12 decision to hear the *Richlin v. Chertoff* case. The issue before the Supreme Court's nine justices in the *Richlin* case is straightforward: Under the Equal Access to Justice Act, can a prevailing party be awarded fees for paralegal services at the market rate for such services or should such reimbursement be limited to the actual cost incurred by the attorney?

The decision by the Supreme Court will affect how EAJA fees are determined in cases against all federal agencies. In general, the EAJA provides that "fees and other expenses" are awarded to eligible parties who have prevailed in administrative adversary adjudications and in litigation against the federal government, unless the agency adjudicator or court finds that the position of the United States was substantially justified or that special circumstances make an award unjust.

In *Richlin*, employees of Richlin Security Service Company were underpaid because of mistakes in contracts between Richlin and what was then the Immigration and Naturalization Service. Following lengthy proceedings before the Department of Transportation Board of Contract Appeals and the Court of Appeals for the Federal Circuit, the Board awarded Richlin the amount of the additional wages, payroll taxes and workers' compensation premiums that the company was required to pay.

After prevailing on the merits, Richlin sought an award of attorneys' fees and other expenses under the EAJA for time spent over nearly nine years by its lawyers and paralegals. The Board found that the government's position on the merits was not "substantially justified" and awarded Richlin about \$50,000 for work done by its lawyers.

The Board did not, however, award Richlin fees at the \$50 to \$95 per hour market rates for paralegal services charged to Richlin over the course of the proceedings. The Board noted that the EAJA does not "expressly provide for the reimbursement of paralegal services at the market rate," and held that paralegal services are reimbursable only at the attorney's cost, even when paralegal time is billed to the client at hourly market rates in the relevant legal market and not at the attorney's cost as an out-of-pocket expense.

The Board took judicial notice of paralegal salaries in the Washington, D.C., area "as reflected on the Internet" and awarded Richlin \$35 per hour as the reasonable cost to the law firm. The Board awarded approximately \$10,600, representing about 300 hours of compensable paralegal time.

Richlin appealed to the federal circuit court, and in a decision issued Dec. 26, 2006, the federal circuit court agreed with the Board's decision, although its decision was contrary to four other

U.S. circuit courts. Richlin appealed to the Supreme Court, which now has decided to hear the case to resolve the contrary holdings between the federal circuit and the other circuit courts.

In January, the National Association of Legal Assistants was permitted by the Supreme Court to file an amicus brief in the *Richlin* case regarding the role and qualifications of paralegals in modern law practice. This is the third time NALA has appeared in front of the Supreme Court as an amicus party, having filed amicus briefs in two previous cases: *Blanchard v. Bergeron*, 489 U.S. 87 (1989) and *Missouri v. Jenkins*, 515 U.S. 70 (1995). Both cases dealt with the issue of awarding paralegal fees in civil rights cases under 42 U.S.C. §1988. In *Blanchard*, the court reserved "for another day, the question of whether legal assistants' fees should be included in the attorney fee award." In *Missouri*, the court held that paralegal time can be billed at market rates, which encourages the use of paralegals in the practice of law and therefore the cost-effective delivery of legal services. The court concluded that when "the prevailing practice is to bill paralegal work at market rates, treating civil rights lawyers' fee requests in the same way is not only permitted by §1988, but also makes economic sense."

According to Amy Howe, Esq., a partner at Howe & Russell in Washington, D.C., and the counsel of record for NALA and two other amicus parties in the *Richlin* case, Paralyzed Veterans of America and the National Organization of Social Security Claimants' Representatives, both *Richlin* and the United States Supreme Court gave consent for the NALA brief to be filed. "Occasionally one or both parties to a case will deny permission for an amicus brief to be filed, in which case the amicus will have to seek leave to file the brief," Howe said. How much weight the court will give the content of this brief is solely within the court's discretion, she added.

"It is rare that this opportunity is available," said Tita Brewster, ACP, president of NALA. "Through filing the brief, NALA is able to focus the court's attention to the issue of inclusion of paralegal time in attorney fee awards, [and] apprise the court of the growing utilization of paralegals and how use of paralegals enhances the cost-effective delivery of legal services."

The use of paralegals is a win-win for the clients and the government. "The clients pay less, and then the government pays less if it is ordered to pay compensation under EAJA," Howe said.

But the federal circuit court, in limiting reimbursement for paralegal services to cost only under the EAJA, concluded that higher reimbursement rates for paralegal services might result in the increased use of legal assistants, which, in turn, might result in the less efficient performance of legal services. "This isn't necessarily the case," Howe said. "This argument rests on the assumption that paralegals are either not going to perform a legal task as well as an attorney or will, in any event, require more time to do it," she said. Even if paralegals require more time, she said the difference between a paralegal's billing rate and that of an attorney means that the use of paralegals still is likely to result in a lower bill for the client.

Howe added that "it is important to remember that an attorney is ultimately responsible for the work that a paralegal performs." Therefore, she said, the attorney has no incentive

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U.S. Supreme Court continued...

to delegate work to a paralegal that is beyond the paralegal's capability or to the extent that it would be inefficient.

Oral arguments in *Richlin* are set for March 19, with a decision expected by the end of June.

Tommy Sangchompuphen, Esq., is a freelance writer based in Columbus, Ohio. ♦

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## DELAWARE CASE EXAMINES OVERTIME COMPENSATION

Classification of paralegals once again is in the spotlight.

By Ursula Furi-Perry, Esq.

Should paralegals be classified as nonexempt employees and receive overtime compensation? This question has plagued the paralegal profession for years, and once again it's in the spotlight as part of the legal issue presented in *Wersinger v. Bank of America*, a pending case in the United States District Court for the District of Delaware.

William Wersinger, who worked as a nonexempt paralegal for Bank of America from November 1989 to November 2006, filed a suit against his former employer on May 15, 2007, in Delaware for overtime compensation he says he is owed but never received. In the official complaint, Wersinger claimed he was not paid overtime compensation for regularly working more than 40 hours a week. He also claimed that there were times when he worked unpaid through meal periods and at mandatory off-site company events, and he was not compensated for performing at least six hours per month of nonexempt work in the bank's customer service area. According to the complaint, Wersinger requested compensation in the form of owed overtime, penalty or liquidated damages, and also asked the court to allow the case to proceed as a class action, which would affect current and former employees of the bank.

The case taps into a long-standing debate: whether paralegals and legal assistants are considered nonexempt employees and should receive overtime compensation, or whether they are considered exempt employees and therefore are not entitled to overtime pay. Under the federal Fair Labor Standards Act, all employees are entitled to overtime compensation unless they are exempt as professional or administrative employees, explained Frederick T. Golder, attorney and labor law professor at the Massachusetts School of Law at Andover in Andover, Mass.

But, Golder explained, it's not enough to call someone a professional. To qualify under this exemption, an employee must meet certain tests, which would include receiving compensation on a salary or fee basis at a rate of at least \$455 per week. Also, according to the FLSA, the employee must primarily perform work "requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction; or requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor."

Over the years, the Department of Labor has looked at the

overtime issue in regard to the paralegal profession specifically and, in the most recent FLSA regulations that went into effect in August 2004, reiterated its position that paralegals are not considered exempt. (See "DOL Addresses Paralegal Exemption," July/August 2004 LAT.) The DOL found that while paralegals might use specialized skills in their work, they don't meet the administrative exemption criteria because they do not exercise independent judgment regarding matters of significance. The DOL also found that paralegals don't meet the professional exemption criteria because there is no educational requirement for the paralegal profession as a whole. According to the preamble of the 2004 FLSA regulations, "Although many paralegals possess a bachelor's degree, there is no evidence in the record that a 4-year specialized paralegal degree is a standard prerequisite for entry into the occupation."

The *Wersinger* case speaks to all paralegals, and paralegals should be aware of their status under the FLSA and be compensated for the overtime they work, said Wersinger's lawyer, Stephen Lebau, an employment attorney with the offices of Lebau & Neuwirth in Towson, Md. In addition to the 2004 FLSA, Lebau noted that several formal opinion letters released by the DOL also support the plaintiff's position, including a letter dated Dec. 16, 2005. "It continues to be our opinion that the duties of paralegal employees do not involve the exercise of discretion and independent judgment of the type required," wrote DOL Deputy Administrator Alfred B. Robinson, Jr., in the December letter. "[P]aralegal employees appear to fit more appropriately into that category of employees who apply particular skills and knowledge in preparing assignments. Employees who apply such skills and knowledge generally are not exercising independent judgment, even if they have some leeway in reaching a conclusion." The letter further cited statutes on the unauthorized practice of law as evidence that paralegals generally don't use independent judgment.

Lebau urges paralegals to be aware of their status, keep track of the hours they work and question employers if they are not receiving overtime compensation. Paralegals should put their concerns in writing, Lebau said, pointing out that it's against the law for employers to retaliate against employees who are rightfully seeking overtime compensation owed to them.

Bank of America commented on the pending litigation in a statement via e-mail on Feb. 4 from Shirley Norton, a media relations specialist for Bank of America, based in San Francisco. In the e-mail, Norton stated, "The class [action] claims brought against the Bank have been dismissed, and plaintiff is proceeding with this case solely on his own behalf. The Bank is continuing to contest the validity of the plaintiff's wage claim asserted under federal law. The parties are currently engaged in discovery."

Whether *Wersinger* has any definitive effect on the paralegal profession will depend on whether the court will treat it as an individual case or opt to define paralegals' status as a whole under the FLSA. Either way, Lebau has already noticed effects from the case. "Since the complaint has been filed, paralegals from all over have been contacting us," he said. "And we are considering other cases." One thing is for sure: The entire paralegal profession is keeping a close eye on the *Wersinger* case.

Ursula Furi-Perry, Esq., is a nationally published legal writer and adjunct paralegal professor based in Massachusetts. ♦

## JOINT MEETING OF THE EXECUTIVE COMMITTEE

## BOARD OF DIRECTORS & OF THE NCPA

March 27, 2008  
Concord, North Carolina

The Executive Committee and Board of Directors of the North Carolina Paralegal Association held its regularly scheduled joint meeting on Thursday, March 27, 2008, at Embassy Suites, Concord, North Carolina. The President, Chairman of the Board, and Secretary were all present. President Summers called the meeting to order at 2:25 pm.

### **Attendance Recorded:**

#### **Board Members Present**

Beverly King, NCCP  
*Chairman of the Board, District IX Director*  
Blanche S. Berkowitz, NCCP  
*District IV Director*  
Vicki Sgro  
*District V Director*  
Beth Stallings  
*District VII Director*  
Teresa A. Stacey, NCCP  
*Affiliate Director & Associations Network Committee*

#### **Officers Present**

Kaye H. Summers, CLA, NCCP  
*President*  
Patricia Clapper, ACP, NCCP  
*First Vice President*  
Brenda Mareski, CP  
*Second Vice President*  
Elizabeth Vance, CP, NCCP  
*Secretary*  
Nancy Glasgow, NCCP  
*Treasurer*  
Cindy Frye, ACP, NCCP  
*NALA Liaison*

#### **Committee Chairs Present**

Melissa Rutledge, NCCP  
*Senior Editor*  
Yolanda N. Smith, ACP, NCCP  
*NC Board of Paralegal Certification Liaison*  
Catrina Mitchell  
*Nominations and Elections*  
Dennis Embo, NCCP  
*NC Land Records Task Force Liaison*  
Karen England, NCCP  
*Historian*

Eunice Wilkerson-Evan  
*Bar Liaison*  
Michele A. Tuttle, CLA, NCCP  
*Patron & Sustaining, Annual Seminar,  
Advertising Editor*

#### **Others Present**

Mary F. Haggerty, CLA  
*NCPA Coordinator*

#### **NCPA Secretary & Board Secretary-**

Elizabeth R. Vance, CP, NCCP  
The minutes of the January 12, 2008 meeting were presented and reviewed. Teresa Stacey made a motion to approve the minutes as submitted. The motion was seconded and approved by unanimous vote.

#### **Education Committee and 2008 Annual Seminar and Meeting Update**

First Vice President Patricia F. Clapper, ACP, NCCP and Michele A. Tuttle, CLA, NCCP  
Patti reported that there are approximately 176 people registered for the seminar; 76 of those registered in the last week. There are a total of 20 exhibitors, and the exhibitor hall is at capacity. Michele Tuttle reported that there are now eight sustaining members, and they are included in the exhibitors. Michele has been able to secure sponsorship money to defray food costs.

Patti continued with her report and asked that the Board/EC approve a formal refund policy for seminar registrations. Patti researched other organizations and continuing education providers to see what their policies are. Some allow substitutions or a partial refund less a service charge.

Teresa Stacey moved that we adopt the following cancellation policy: If a registration is cancelled more than 10 days prior to the seminar, the registrant will get a refund less a \$35 administrative fee. If a registration is cancelled within 5 - 10 days of the seminar date, the registrant gets a 50% refund, but does not receive the seminar materials. If the registrant cancels less than 5 days before the seminar, there will be no refund, but the registrant can get the seminar materials sent to them. If the registrant does not attend the seminar and wants to get the materials, he/she may get the materials, but will not get a refund.

The motion was seconded and approved unanimously.

After a brief discussion of the inability to purchase extra meal tickets online, Brenda Mareski reported that she would update future online registration to enable the purchase of extra tickets.

#### **Convention Coordinator**

Sherry G. Vaughan, CLA, NCCP  
Sherry was not present, but Kaye did report on her behalf that dates and locations have been chosen for the 2008 Mid-Year

*continued on next page...*

Joint Meeting continued...

Seminar and CLA/CP Review Course. It will be held September 12-13, 2008, at the Sheraton Four Seasons, Greensboro. The 2009 Annual Seminar and Meeting will be held at the Hilton Riverside in Wilmington from March 26 - 28.

**Membership Committee**

Second Vice President, Brenda Mareski, CP

Brenda reported that as of March 24, 67 new members joined since January 9. She reported that there are now seven new sustaining members under the new tiered system that NCPA has implemented.

Brenda also reported that in a three-year comparison of sustaining revenue, the revenues for 2008 far exceed previous years.

Currently there are 137 non-renewed members; Brenda is providing a list of them to each District Director so that Directors may contact non-renewed members in their districts.

General Members:	350
Associate Members:	26
Student Members:	46
Patron Members:	0
Sustaining Members:	7
Affiliate Members	4
Educational Program Members	<u>2</u>
<b>TOTAL:</b>	<b>435</b>

**Treasurer**

Nancy Glasgow, NCCP

Nancy reported that the January, 2008 Treasurer's Report has been audited by Belinda Thomas. She has a draft of the February, 2008 report, however, it has not yet been audited by Belinda Thomas. Nancy circulated a draft of the January and February reports and the NCPA net worth statement as of January 31, 2008 for review.

She asked about where the Job Center revenue should go, and it was decided that this should be included in Miscellaneous Revenue, Online Revenue.

Mary Haggerty had some questions as to the placement of income and expenses. She and Nancy were unable to verify these during the meeting, and will need to review documents and resolve the differences in numbers at a later time.

It was decided that the January and February reports would be presented at the May Board meeting for discussion and approval.

Nancy announced that the Association's Certificates of Deposit are going to roll over on April 2, and that we need to decide whether to roll them over or to move them to a different bank with higher interest rates. There was a general consensus that we do nothing and let the certificates automatically renew.

**Parliamentarian**

April V. Sansom, CP, NCCP

April was not present, but did advise President Summers that she would be available by phone if needed during the meeting.

**District Directors' Reports**

**District I**

Morag A. Polaski, CP, NCCP

Morag was not present and did not submit a report.

**District II**

Tiffany Driver Clark, NCCP

Tiffany was not present but did submit a written report.

**District III**

Trudy Rutherford, NCCP; Trudy was not present and did not submit a report.

**District IV**

Blanche S. Berkowitz, NCCP

Blanche was present and submitted a written report. She also reported that she has organized a District IV meeting tonight during the reception.

**District V**

Vicki Sgro, NCCP

Vicki was present and submitted a written report. She also stated that District V has had a couple additional new members since her report was written.

**District VI - At Large**

Erin B. Galloway, CP, NCCP

Erin was not present but did submit a written report.

**Interim District VII**

Elizabeth A. Stallings, CLA, NCCP

Beth was present and gave a verbal report. She has been trying to keep the members of her District informed by sending out summary notices after the board meetings. The Asheville Area Paralegal Association continues to be very active and has monthly meetings. AAPA will hold a three hour seminar on April 17 with the topics to include e-discovery, e-notarization and computer forensics.

**District VIII**

Amy D. Moore, CP, NCCP

Amy was not present and did not submit a report.

**District IX**

Beverly King, NCCP

Beverly was present and submitted a written report. She is trying to get her district organized to meet during the seminar this weekend.

**Affiliate Director**

Teresa A. Stacey, NCCP

Teresa was present and submitted a written report.

**NALA Liaison**

Cindy Frye, ACP, NCCP

Cindy was present and submitted a written report. She announced that Tita Brewster, NALA President, is sick and unable to attend this weekend. Sharon Robertson will be filling in for the installation of officers and the CLA/CP breakfast.

Cindy would like to nominate NCPA for the NALA Affiliate award for its work on paralegal certification. She is working

*continued on next page...*

*Joint Meeting continued...*

with other NCPA members to prepare the nomination. This was informally approved, as it requires no vote. Cindy also asked for input from officers and district directors for the NALA annual report.

#### **Bar Liaison**

Eunice Wilkerson Evans

Eunice was present and submitted a written report. She is attempting to get involved with other legal organizations.

#### **Executive Committee Reports:**

##### **Audit**

Belinda A. Thomas, ACP, NCCP was not present

##### **Associations Network Committee**

Teresa A. Stacey, NCCP was present and submitted a written report.

##### **Ethics**

Vacant

##### **Historian**

Karen England, NCCP was present. She did not have a written report, however, she did report that she had completed an NCPA scrapbook for 2007 - 2008 and had a video from the 2007 Mid Year seminar, which she would have on display at the NCPA table throughout the seminar.

##### **Job Bank**

Vacant

##### **Long Range Planning**

Belinda A. Thomas, ACP, NCCP was not present.

##### **NC Board of Paralegal Certification Liaison**

Yolanda Smith, APC, NCCP was present and reported that there were 86 people registered for the first NCCP exam at five sites around the state. She stated that she had presented NCPA's concerns about the lack of formal recognition for the paralegal profession, since the Governor's office does not do the declaration anymore. Alice Mine suggested that the three statewide paralegal organizations get together and do something for recognition or coordinate with the State Bar to do something with Law Day. She has talked with members of the NC Bar Legal Assistants Division and the legal assistants division of NCATL. Their boards have agreed to work on a joint endeavor and perhaps work with major local organizations also.

##### **NC Land Records Task Force Liaison**

Dennis Embo, NCCP was present but did not submit a report. He stated that the Task Force had a meeting a few weeks ago, but he has not gotten the minutes to do a full report.

##### **Nominations & Elections**

Catrina Mitchell was present and reported that she has ballots and proxies ready for the Annual Meeting tomorrow.

##### **Patron & Sustaining**

Michele A. Tuttle, CLA, NCCP was present and presented her report at the beginning of the meeting.

#### **Pro Bono**

Teresa N. Smith, NCCP was not present and did not submit a report.

#### **Public Relations & Official Publications**

##### **Senior Editor**

Melissa Rutledge NCCP was present and reported that her first issue has been published and sent to members. She expressed appreciation for everyone's help and input on the transition and her first issue. She asked for clarification on a few items. President Summers noted that the Calendar of Events is done by the President and will be sent out with the Orientation Manual for the May Board/EC meeting. This will be printed in the summer issue of the Forum. Melissa emphasized that she will be glad to put any district news in the Forum. She encourages committee reports and anything new and interesting for publication.

She will continue sending a To-Do list for the Forum to Board and EC members to help them remember when their submissions are due for the publication.

##### **Articles Editor**

Stephanie Elliott-Park, NCCP was not present and submitted no report. Melissa noted that Stephanie has done an excellent job of getting articles gathered and submitted for the Forum.

##### **Advertising Editor**

Michele A. Tuttle, CLA, NCCP was present and reported earlier in the meeting.

#### **NEXT FORUM DEADLINE IS April 25**

##### **Student/School Relations**

Erin B. Galloway, CP, NCCP was not present, but submitted a written report which announced the winners of the student scholarship essay contest. Laura Braswell will hand out the awards to the Scholarship winners during the Annual Meeting.

##### **The winners are as follows:**

###### **First Place:**

Charlotte Crone (\$400) Durham Technical Community College

###### **Second Place:**

Kathy Eichenbrenner (\$300) Duke University in Charlotte

###### **Third Place (tie):**

Kelly Garwood (\$200), Davidson Community College, and Sheri Varner (\$200) University of North Carolina at Charlotte.

##### **Survey**

Erin B. Galloway, CP, NCCP was not present, but did submit a written report.

##### **Technology**

Brenda J. Mareski, CP

Brenda reported that the Career Center has generated \$360 in job posting revenue since November and is on pace to reach \$1,200 this year. It appears that employers do not have

*continued on next page...*

*Joint Meeting continued...*

a problem paying \$25 for each posting.

Brenda reported that the survey ends April 4; there have been 357 responses so far. She stated that Erin did a great job creating and posting the survey, and that Erin will tabulate the results in April or May. Melissa Rutledge volunteered to assist Erin in tabulating the results.

**Paralegal Educator Liaison** was not present and did not submit a report.

**Attorney Advisors** were not present and did not submit reports.

**NCPA Coordinator**

Mary F. Haggerty, CLA was present and reported that she has 351 days remaining until her retirement and relocation to Florida. When pressed for additional details, she stated that tomorrow she would only have 350 days remaining.

**President**

Kaye H. Summers, CLA, NCCP was present, but did not submit a written report. Chairman - Beverly G. King, NCCP was present and submitted a written report.

**Old Business**

Kaye announced that there were candidates or appointees for most open slots for Board and committee positions. She has not yet confirmed appointees for Ethics and Pro Bono committees.

Iron Mountain document storage issue: Nancy Glasgow provided documentation from Iron Mountain regarding the number of boxes NCPA has at their facility and the costs required to get the boxes back. Kaye stated that Iron Mountain is ridiculously expensive. She indicated that the Board/EC needs to take time to pull the boxes, go through them, and move to a new facility. She asked for volunteers from the Raleigh/Durham area to go through the boxes, and offered her home as the location to do the sorting.

Teresa Stacey made a motion that we remove the boxes from Iron Mountain at President's discretion and move to a new facility. The motion was seconded and unanimously approved.

Cindy will forward a sample document retention policy to Kaye. Once Kaye gets the policy, she will send a report to the Board/EC. She will contact the storage facility recommended by Teresa and get pricing information. Kaye will get a committee together to make a final decision as to which facility to move the boxes to.

**There was no other old business.**

**New Business:** Beth Stallings suggested that district directors meet choose or design a standard program that could be used as a meet and greet, and have the directors go over the program and each director give that presentation to their own districts.

The group discussed a request from Erin Galloway that NCPA participate in a fundraiser for Interact, either by making a donation or providing volunteers to seek out vendors to make donations. Interact is looking for room sponsors to donate \$3,800 for a room of their facility.

It was decided that the Interact flyer will be posted on the website under District News.

Brenda and Mary next brought up an issue regarding NCPA membership for non-residents, but then, through discussion, it was determined that this will be a moot issue by the time the bylaws could be amended to address it.

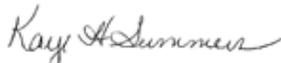
Brenda advised the group that NCPA bylaws state that "If you join as Associate, then later qualify as General, then you shall upgrade," however, we have not been enforcing this. Some Associate members do not want to upgrade, even if they qualify for General membership. After some discussion, it was agreed that we propose a change to the Bylaws to state that Associate members "may choose to upgrade as soon as practical or upon renewing their membership." This change will need to be included in the notice to members for the 2009 Annual Meeting.

Kaye asked all officers and board members to make certain the orientation folder and other materials are ready for their successor, and to meet with their successors in person or by phone as soon as possible.

There being no further business, the meeting was adjourned at 4:40 pm.



Elizabeth R. Vance, CP, NCCP  
Secretary



Kaye H. Summers, CLA, NCCP  
President



Beverly G. King, NCCP  
Chairman of the Board ♦

## 2008 NCPA ANNUAL SEMINAR



Two of the Four Student  
Essay Winners: Sheri Varner & Kathy Eichenbrenner



Kaye H. Summers, CP, NCCP awards and thanks  
Mary Haggerty, CLA for her continued service and  
dedication to the paralegal community.



Left to right -- Cindy Frye, ACP, NCCP; Dennis Embo, NCCP;  
Kimberly C. Pellicone, CP, NCCP; Diane L. Talley, NCCP;  
Yolanda N. Smith, ACP, NCCP; Patricia F. Clapper, ACP, NCCP; and  
Kaye H. Summer, CP, NCCP -- thank you BD-EC Members!



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Kaye H. Summers,  
CP, NCCP awards  
Michele A. Tuttle, CLA, NCCP



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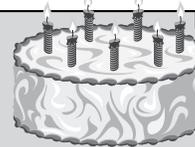
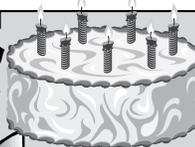
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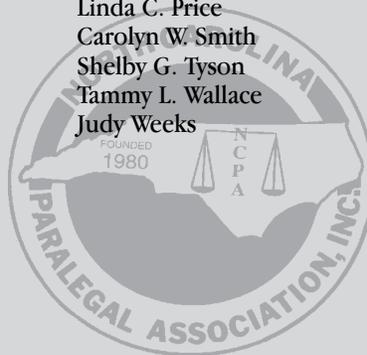
Charlene T. Bell  
Ann Morgan Cantrell  
Dominica C. Cobb  
Melinda W. Dabbs  
Lisa Daboll  
Angela S. Elliott  
Stephanie Elliott-Park  
Jean T. Fleming  
Sylvia J. Lawrence  
Shirley M. Lester  
Sarah A. Maha  
Tanya A. Morand  
Diane N. Morgan  
Arryn J. Morris  
Kaye L. Orander  
Mellisa G. Pate  
Ujeana A. Pearson  
Wayne Quick  
Scott W. Rhoney  
Crystal L. Robinson  
Deresa L. Sherrill  
Sarah L. Goddard Swanson  
Mariann Swoyer  
Alison R. Van Dyke

### July

Leslee N. Black  
Joan Brinson Dressler  
Karen F. England  
Kimberly Roberts Eshleman  
Jeannette E. Fritz  
Bethanie Holland Gauntt  
Anna M. Hamby  
Martha A. Harmon  
Robin S. Hill  
Laura Cloniger Hughes  
Martha W. Moore  
Regina H. Newsome  
Lou Ann Phelps  
Linda C. Price  
Carolyn W. Smith  
Shelby G. Tyson  
Tammy L. Wallace  
Judy Weeks

### August

Sheila L. Alexander  
Kathryn L. Boyd  
Yvonne Caudle  
Michelle D. Digsby  
Eileen S. Dunlap  
Darlene C. Foster  
Margaret E. Gabriel  
Erin B. Galloway  
Nancy Glasgow  
Mara M. Heer-Busby  
Selene C. Hendricks  
Saundra D. Johnson  
Mary N. R. Johnson  
Pamela A. Jones  
Simona R. Lane  
Jann G. Lund  
Daniel T. Macemore  
Brenda J. Mareski  
Steven A. McCloskey  
Teresa A. Stacey  
Pennie H. Starnes  
Lynn F. Stevens  
Joyce A. Ward  
Courtney N. Whitaker  
Ann Marie Wiertel  
Stephanie B. Woods



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**July 11-12, 2008**

CLA/CP Exam

**July 30 -**

**August 2, 2008**

NALA's 33rd Annual  
Convention in  
Oklahoma City, OK

**August 15, 2008**

Meredith R. Pollette  
CLAS Scholarship  
Essays Due

**September 12-13, 2008**

NCPA's Mid-Year  
Seminar; NCCP and  
CLA Review Course in  
Greensboro, NC

**October 1, 2008**

Deadline for  
submitting application  
to take December  
CLA/CP Exam

**December 5-6, 2008**

CLA/CP Exam

**March 26-28, 2009**

NCPA's Annual Meeting  
and Seminar in  
Wilmington, NC



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# Calling All Members!

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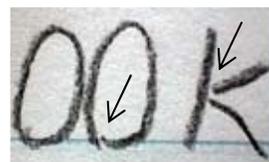
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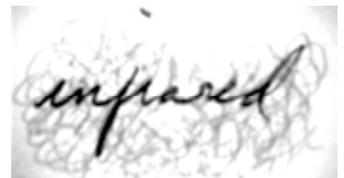
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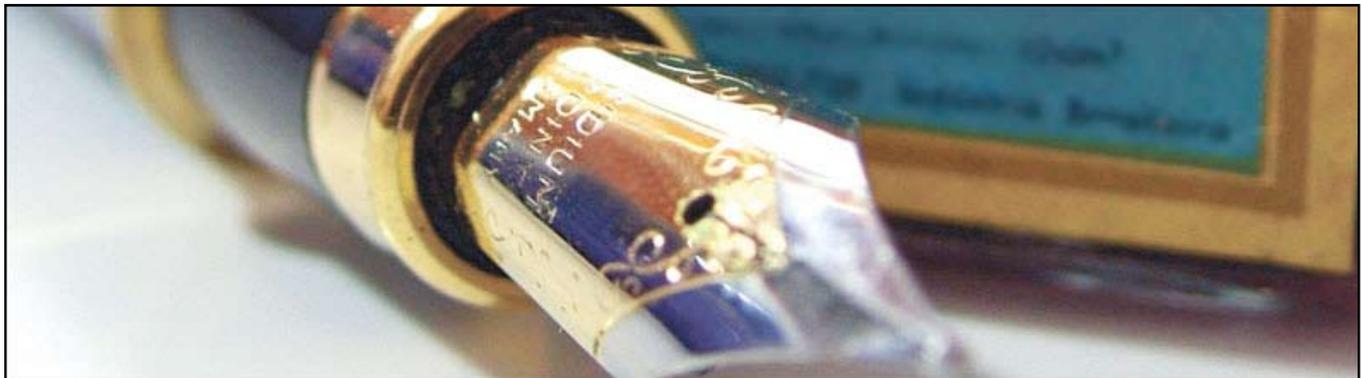


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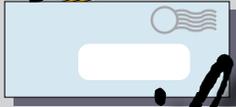


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