

WINTER 2004 VOL. 10 NO. 3

TPIJ

Texas Paralegal Journal

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PRESIDENT'S *Message*

Kim J. Cantu, CLA

In my first Presidential Message, appearing in the Fall 2004 issue of the *Texas Paralegal Journal*, I compared the Division to Dorothy and her journey down the "yellow brick road." I noted the need of a *Brain for the Scarecrow*, a *Heart for the Tin Man*, and *Courage for the Lion*.

In this article, I share concern for how LAD Active and Associate members are able to meet the Division's six (6)



hour CLE requirement — similarly speaking, a *Brain for the Scarecrow*. Just as Dorothy wanted to help the

Scarecrow, the Division wants to help its members.

In this regard, the Division is happy to announce that by the end of 2004, it will have ONLINE CLE available for its members at www.lad.org. See page 13 for full article regarding release of ONLINE CLE.

What a great opportunity — simply being able to log on to www.lad.org, click on "CLE," enter a credit card number, and have CLE available at your desk. All you will need to do is grab a sandwich and attend CLE in the comfort of your own office or even after hours, in the comfort of your own home. No more trying to find a CLE location, nor CLE on a convenient date and time; nor



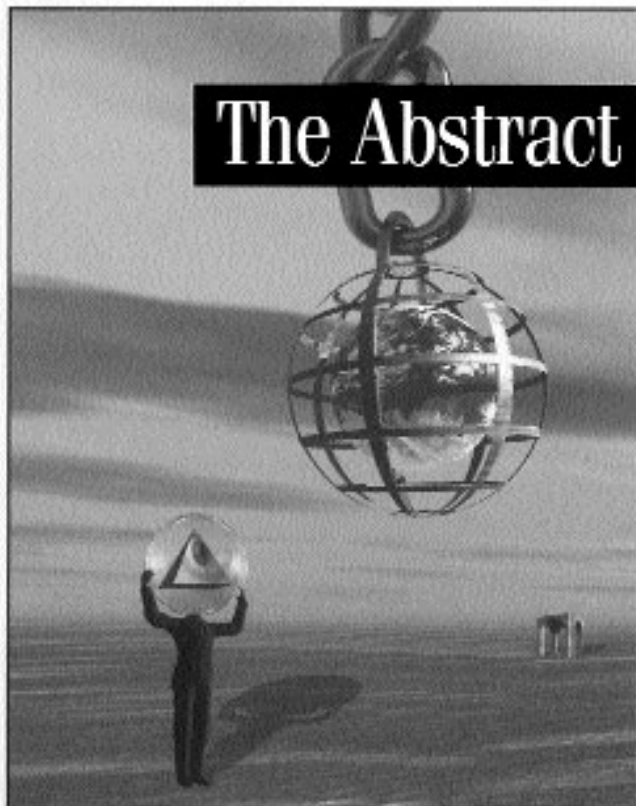
CLE that is affordable. The CLE answer will be right at your desk at the click of your mouse.

This is an exciting time for the Division, and LAD is proud to bring to you this added benefit — ONLINE CLE.

We must remember that sitting in the comfort of our home or office and earning CLE credit is a great benefit provided by the Division; but we must also remember that the Division requires its sixteen (16) District Directors to offer three (3) hours of participatory CLE each year. Not only is on-site CLE offered, but networking opportunities

(Continued on page 3)

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Texas Paralegal Journal



Focus on . . .

2004: 50 Years After Brown v. Board of Education of Topeka Kansas, 347 U.S. 483 (1954)

There is no doubt that that decision helped to shape our society today. From a legal standpoint and from a social science perspective, the *Brown* decision was phenomenal.

7

Ten Years: TBLS Specialty Exams – Its Genesis and Now History

One of the first issues addressed after the creation of the Division in 1982 was “certification.”

11

Hot “Cites”

Coming Soon – Online CLE Provided by LAD

13

Why Everyone Needs a Will

14

Columns

President’s Message

1

Editor’s Note

5

Scruples

The Code and The Rules

27

Et Al.

LAU 2004 – The Race is On!

19

Paralegal Recognized

23

Notice of Elections

24

Notice of Election for By-Law Amendments

26

Member News

29

(Continued from page 1)

too. We never really seem to realize the benefits of networking until we need that one important contact.

Just as the *Scarecrow* never quite knew how beneficial it would be for him to climb down off of the scarecrow pole out in the middle of the corn field and travel the yellow brick road with Dorothy, similarly Division members should remember the benefits of frequently getting out the office, attending participatory CLE opportunities, and networking.

So, just as Dorothy helped the Scarecrow find a Brain, the Division is helping you find CLE — ONLINE and ONSITE CLE. Be sure to visit www.lad.org and click on CLE.

WHEN DO WE MEET?

MEETINGS ARE OPEN – COME WATCH US WORK

BOARD OF DIRECTORS MEETINGS

February 25 & 26, 2005, Austin, TX

June 23, 24, & 25, 2005, Dallas, TX

For detailed information regarding the board of directors meeting, please contact your district director. Each director's information can be located on the LAD website at www.lad.org under Contacts.

IMPORTANT DATES TO MARK ON CALENDAR:

June 23 24, 2005, Dallas, TX - Annual Meeting of the Legal Assistants Division

September 21-23, 2005, Austin, TX - Legal Assistant University (LAU) 2005, a three day CLE seminar

www.lad.org

IMPORTANT NEWS

CONTINUING LEGAL EDUCATION

ONLINE CLE COMING SOON

The Legal Assistants Division has signed a contract to set up online CLE via the LAD website. Please check the website (www.lad.org) after January 2005 to access online CLE.

CLE REQUIREMENT

Active and Associate members of the Legal Assistants Division are required to obtain six (6) hours of CLE (2 of which can be self-study). CLE hours must be obtained between June 1 – May 31 of each year. The mandatory CLE hours will be reported during the membership renewal process. For additional information, please go to www.lad.org and review the FAQs posted under CLE/Upcoming Events.

DISTRICT CLE OPPORTUNITIES

Each District Director is mandated to offer at least 3 hours of participatory CLE in each district between June 1 – May 31 of each year.

CLE CALENDAR

A statewide CLE calendar can be found on the LAD website at www.lad.org under Upcoming Events/CLE. You can find a variety of CLE programs offered around the State. Please check the LAD website often because the calendar is updated weekly.

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EDITOR'S *NOTE*

by Rhonda J. Brashears

Here we are again right in the middle of the holiday season. It is one of my favorite times of the year, minus the hectic traffic and impatient people of course. It is a time when many of us get together with friends and family to enjoy and remember. This issue of the *Texas Paralegal Journal* contains a little bit of remembering the past, as well as reminding us of just how far we have come, not only our Nation but as a Division of the State Bar of Texas.

The article by Judge Lora J. Livingston provides a wonderful history lesson on the *Brown v. Board of Education of Topeka Kansas* decision which broke down the walls of segregation in our public schools.

The article by Michele Border on the Texas Board of Legal Specialization reminds Texas paralegals of the opportunities that are now available because of the hard work of so many people over 10 years ago.

This issue also highlights a couple of new services that are now available to both members of the Legal Assistants Division and non-members that will continue to further our profession. One such article is by Pam Horn debuting On-Line CLE. This has been a work in progress for more than 3 years and will finally be aired soon. The other is by Carolyn Goff to announce the LAD Ambassador program. This is a wonderful new program designed to bring information about LAD and other relevant topics to the local associations across the state.

I hope that you enjoy this issue, and I sincerely wish you and your family a blessed holiday season and new year.

LEGAL ASSISTANTS DIVISION LAUNCHES ONLINE CLE Available at www.lad.org January 1, 2005

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DEADLINE FOR SUBMISSION OF ARTICLES FOR THE SPRING ISSUE IS FEBRUARY 15, 2005.

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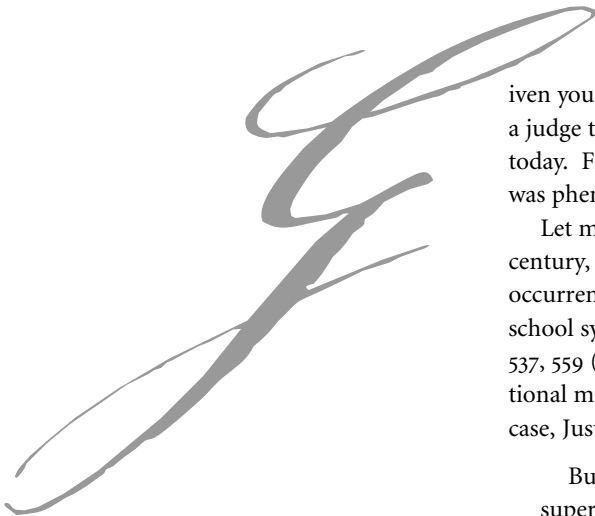


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2004: 50 Years After *Brown v. Board of Education of Topeka Kansas*, 347 U.S. 483 (1954)

Judge Lora J. Livingston



iven your theme *Brown v. Board of Education of Topeka Kansas*, I can see why you wanted a judge to address you. There is no doubt that that decision helped to shape our society today. From a legal standpoint and from a social science perspective, the *Brown* decision was phenomenal.

Let me try to put *Brown* in some historical context. Of course, by the late nineteenth century, slaves were free, but racial segregation and racial discrimination were common occurrences. Further, the law of the land at that time provided that separate but equal school systems were legally sufficient. In 1896, in a case called *Plessy v. Ferguson*, 163 U.S. 537, 559 (1896), the U.S. Supreme Court decided that segregated schools passed constitutional muster; however, the handwriting was on the wall. In his dissent in the *Plessy* case, Justice Harlan disagreed with the majority and wrote:

But in view of the Constitution, in the eye of the law, there is in this country no superior, dominant, ruling class of citizens. There is no caste here. Our Constitution is color-blind, and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law. The humblest is the peer of the most powerful. The law regards man as man, and takes no account of his surroundings or of his color when his civil rights as guaranteed by the supreme law of the land are involved. It is, therefore, to be regretted that this high tribunal, the final expositor of the fundamental law of the land, has reached the conclusion that it is competent for a State to regulate the enjoyment by citizens of their civil rights solely upon the basis of race.

In the 1930's and 1940's the NAACP legal team won several significant victories in the courts in the area of school desegregation—at the graduate level. And in 1950, due to the decision in *Sweatt v. Painter*, 339 U.S. 629 (1950), our very own University of Texas Law School was forced to admit a black law student named Herman Sweatt.

Still, secondary schools remained segregated. But black families all around the country were fed up with this concept of separate but equal because they knew first hand, that separate meant not only unequal but also grossly inferior. For example, in a South Carolina desegregation case, it was determined that school authorities in Clarendon County were spending \$166.00 per white student while spending only \$43.00 per black



If things are equal, what's wrong with segregation by race or gender or religion, et cetera? But Earl Warren saw the fallacy of this logic, and he understood the racist reality of the implementation of such an unfair policy.

student in the same school district. Now math is not my strong suit, but I know that \$166.00 buys a whole lot more books and educational materials than \$43.00 does, and you don't have to be the product of an integrated school district to figure that one out. Black parents were fed up with this inequity, and they went to court to fight it.

By the mid 1950's, several desegregation cases were making their way through the appellate courts and were headed to the Supreme Court. Ultimately, the Supreme Court agreed to hear a total of five school desegregation cases as a group, noting that the issue of school segregation was a national issue.

It's interesting to note that while Earl Warren wrote the opinion for a unanimous court, he had not actually participated in all of the oral arguments presented in the case. The Court first heard argument in December of 1952. In June of 1953 the court ordered a reargument. At the time of the first argument, Earl Warren was still the Governor of California.

Then in September of 1953, Chief Justice Fred Vinson, Jr., died of a heart attack. Later that month President Eisenhower appointed Earl Warren as Chief Justice. In December of 1953, the Court heard the reargument. Earl Warren wasn't actually confirmed by the U.S. Senate until March of 1954. The *Brown* decision came down on May 17, 1954.

Earl Warren once said "It is the spirit and not the form of law that keeps justice

alive." This statement was never more true than when you look critically at the notion of separate but equal. If things are equal, what's wrong with segregation by race or gender or religion, *et cetera*? But Earl Warren saw the fallacy of this logic, and he understood the racist reality of the implementation of such an unfair policy.

The *Brown* decision was indeed historic. The Court overturned *Plessy v. Ferguson* and decided that "in the field of public education the doctrine of 'separate but equal' has no place." Specifically, the court ruled that segregation in public schools deprives children of "the equal protection of the laws guaranteed by the Fourteenth Amendment." Thus, segregation in public education was declared unconstitutional.

The court knew that the changes that needed to occur could not and would not happen overnight. Consequently, the court gave the states time to fashion remedies and develop plans. Almost one year after this landmark decision the court heard arguments in the case concerning the appropriate remedies. And on May 31, 1955, the decision in *Brown v. Board of*

Education of Topeka Kansas, 349 U.S. 294 (1955) ("*Brown II*"), was handed down. In that decision, the court ordered that desegregation occur with "all deliberate speed."

The leaders in many southern states pretended not to understand the term "all deliberate speed" so stall tactics were used to try to delay implementation of integration. But that plan backfired because the delay actually served as a catalyst for the student protests that ignited the civil rights movement. And we all know what happened next.

In fact, the whole notion of separate but equal backfired on those segregationists who vehemently supported it. But I have to tell you, I sometimes wonder what would have happened to the quality of education for people of color if separate but truly equal schools were continued. I often wonder what might have become of historically black colleges like the Tuskegee Institute, Morgan State University, Prairie View, Grambling and so many others that now struggle for survival.

Even now, I wonder with all the promises of integration, why so many children of color can't read or write; why so many children of color have become incarcerated adults.

Our society has a responsibility to do a better job of educating children of color so they can compete in this new integrated America. And we had all better understand that integration or as they say today—diversity—is a much broader concept than blacks going to the same schools as whites. It is a new world! It's a new multicultural world that is much more complicated than black and white.

The court knew that the changes that needed to occur could not and would not happen overnight. Consequently, the court gave the states time to fashion remedies and develop plans.



Litigation and controversy over public education has continued ever since the *Brown* decision. After *Brown*, there was considerable litigation over the way in which desegregation was to occur. Thurgood Marshall, Constance Baker Motley and other legal giants were very busy fighting in the courts to ensure the implementation of *Brown*.

Opposition to desegregation was coming not only from the parents of white students, but also from state legislators who tried to thwart the decision in *Brown* by enacting laws designed to maintain segregated school systems. Serious opposition also came from the highest courts of several states. Some judges apparently felt that segregation was ordained by God. In a case called *State ex rel. Hawkins v. Board of Control*, 83 So. 2d 20, 27-28 (Fla. 1955), Justice Terrell of the Florida Supreme Court wrote in a concurring opinion:

I might venture to point out that segregation is not a new philosophy generated by the states that practice it. It is and has always been the unvarying law of the animal kingdom. The dove and the quail, the turkey and the turkey buzzard, the chicken and the guinea, it matters not where they are found, are segregated; place the horse, the cow, the sheep, the goat, and the pig in the same pasture and they instinctively segregate; the fish in the sea segregate into "schools" of their kind; when the goose and duck arise from the Canadian marshes and take off for the Gulf of Mexico and other points in the south, they are always found segregated; and when God created man, he allotted each race to his own continent according to color, Europe to the white man, Asia to the yellow man, Africa to the black man, and America to the red man, but we are now advised that God's plan was in error and must be reversed despite the fact that gregariousness has been the law of the various species of the animal kingdom.

Obviously, Justice Terrell was wrong, but his opinion was popular in his day.

In the 1970's, the infamous *Regents of*

University of California v. Bakke, 438 U.S. 265 (1978), case evoked as much animosity as *Brown* must have in its day. Mr. Bakke threatened to turn *Brown* on its head by suggesting that affirmative action plans were discriminating against white students. *Bakke* outlawed quotas but confirmed that race could be taken into account in graduate school admissions programs.

In 1995, the U.S. Supreme Court ruled that disparities, such as poor achievement among African-American students, were beyond the authority of the federal courts to address. In other words, this is an issue

that should be left to the states to resolve.

In the 1990's proponents of affirmative action suffered a bit of a setback once the 5th Circuit handed down the *Hopwood v. Texas*, 999 F. Supp. 872 (W.D. Tex. 1998), decision. However, just last year, in 2003, in two challenges to the University of Michigan's affirmative action programs, one involving the undergraduate school and one involving the law school, the Supreme Court decided that race, among other factors, can legitimately and legally be considered in admissions programs.

I wish I could tell you that the rest is history or that the issue of equality in pub-

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Today, the issues are perhaps more complex than just the mixing of races. Today the fight is over the mixing of dollars. Should a rich school district support a poor one?

lic education is fully resolved. But the bad news is that it's not. Lawsuits relating to equality in public education continue to be filed and challenges to the administration of public education continue to threaten the notion of equal educational opportunities for all students.

Today, the issues are perhaps more complex than just the mixing of races. Today the fight is over the mixing of dollars. Should a rich school district support a poor one? Should we do away with the so-called Robin Hood Plan and let each community support—or not—its own schools?

Another unresolved and equally complex issue has to do with the administration of Magnet Schools. Some would argue that the Magnet program creates an elite school within a school where the races are segregated and the money is divided unequally. Some argue that Magnet programs achieve their goals in many ways, and still others are just trying to make sure these Magnet programs are administered fairly.

The issue of school vouchers further adds to this debate. Should the limited resources available for public education be used to allow students to pay for private or parochial schools? Or, on the other hand, should we let parents choose how and where their tax dollars should be spent when it comes to the education of their children?

These are complicated issues that will require sophisticated answers.

In 1954, schools were segregated by skin color. In 2004, schools are segregated by the color of money—greenbacks. These

days, schools are segregated by those who have money and those who don't.

The sad irony of *Brown* is that organized segregation, deliberate, systemic segregation sanctioned by the government is illegal. But the reality of segregation—the segregation created by poverty for instance, is completely legal.

Until we take a critical look at every aspect of our society—the economy, jobs, hunger, homelessness and poverty—we will never be able to realize the goals of *Brown*. Integration of schools may have been a first step in a long battle against inequality in this country, but it cannot be the last stand in a war we have yet to win. The benefits of *Brown* will be lost for generations if we don't deal with the problem of poverty. The value of integration and the beauty of diversity will be lost forever if we continue to ignore the root causes of separation of cultures and communities.

Fortunately, to this day, efforts are ongoing to integrate public schools and to ensure equal educational opportunities for students from all walks of life. The language is a little different now—we call it affirmative action or “creating a diverse campus.” Call it what you want, but as I see it, it's an effort to open schools to all students within America's borders, and no one should be deprived of that right.

Oliver Brown, the father of three black school children in Topeka, Kansas, knew that his children wouldn't have a chance at a better life without a quality education. And he knew that the segregated schools they attended were inferior. He leaves behind the great legacy that is *Brown v. Board of Education* but he also leaves the

legacy of hope and opportunity. His children are leaving outstanding legacies of their own.

Linda and Cheryl are co-owners of Brown & Brown Associates, an educational consulting firm, and they have dedicated themselves to preserving the legacy of the *Brown* decision. Both sisters grew up to be teachers and so much more. They benefited from the decision in a very personal way, and they have been giving back to the world community ever since.

Theodore Roosevelt once said “[W]hat we do for ourselves dies with us. What we do for our community lives on long after we are gone.” Oliver Brown's legacy, his daughter's legacies, Earl Warren's legacy and the legacy of all our ancestors, black and white, will live on long after all of us are gone. I salute them today and every day.

Judge Livingston is a 1982 graduate of the UCLA School of Law. She began her legal career as a Reginald Heber Smith Community Lawyer Fellow assigned to the Legal Aid Society of Central Texas in Austin, Texas. After completion of the two-year fellowship program, she continued to work with legal services until 1988 when she entered private practice with the law firm of Joel B. Bennett, P.C. In 1993, she and S. Gail Parr formed a partnership and opened the law firm of Livingston & Parr. She was engaged in a general civil litigation practice with an emphasis on family law. In January 1995, she was sworn in as an Associate Judge for the District Courts of Travis County, Texas. After her successful election, Judge Livingston was sworn in as Judge of the 261st District Court in January 1999.

Judge Livingston has been active in state, local and national bar association activities. Judge Livingston serves on the Board of Directors of The Texas Equal Access to Justice Foundation and the Board of the Judicial Section of the State Bar of Texas. In 1992, she received the “Outstanding Attorney” award from the Travis County Women Lawyers Association.



Ten Years

TBLS Specialty Exams— Its Genesis and Now History

Michele Boerder, CLA, Dallas, TX



ne of the first issues addressed after the creation of the Division in 1982 was “certification.” At the time, not even a definition existed for our profession. In 1983, a survey of the members and local associations asked, “Do you believe that voluntary certification would enhance the development of the profession in Texas?” 72.8% responded “yes.”

In 1985, the Division held public hearings across the state focusing upon certification proposals. In 1988 a referendum proposing a NALA-Adjunct Texas certification was defeated. Because during the pendency of the various proposals, the Division had set aside funding earmarked for certification, in November of 1989, the Division Board approved a referendum to the membership whether to “release” these funds, or to “reserve” the funds for future certification endeavors. The results were 494 to retain and 416 to release.

In 1990, the Division Board stated it would proceed with “determination, not haste” in moving forward with another certification proposal. It commissioned a Digest to review the historical actions from 1982 to 1990, and after completion of this Digest, the Board asked each member to discuss certification within their local Districts.

At the April, 1991 Board meeting, a roundtable discussion was held to determine a consensus on certification. (Michele Boerder led the discussion as Chair of the Board of Directors, now the President position of the Division). The result was a Resolution for a joint Task Force between the Division and the State Bar Legal Assistant Committee on *specialty* certification, rather than a general certification. The first such Joint Task Force meeting was held June 21, 1991 and the Chair was Justice Linda Thomas. Nine meetings were held during 1991 and 1992 to develop a specialty certification concept.

The Joint Task Force on Specialty Certification consulted with the President of the State Bar, State Bar Board advisors to the LAD and LAC, the State Bar Executive Director, State Bar General Counsel, the Executive Director of TBLS and Justices of the Texas Supreme Court. After these consultations, the State Bar leadership, in particular, President Bob Dunn, supported the Texas Board of Legal Specialization to be considered as the vehicle for such Specialty Certification. In April 1992, an explanatory letter and Referendum was sent to Division members to determine interest in such examination and the area(s) of specialization desired.

In May, 1992, the State Bar Board of Directors approved the concept that TBLS administer specialty certification examinations for legal assistants. Subsequently, in December, 1992, the TBLS approved the proposed plan/structure drafted by the Joint Task Force for implementation.

The Texas Board of Legal Specialization, an entity that reports to the Texas Supreme Court, began in 1974 and the first board certified attorneys were recognized in 1975. At that time Texas was one of only a few states that had specialization.

Almost twenty years later, in 1993, the Texas Supreme Court entered a Miscellaneous



Docket Order amending the "Texas Plan for Recognition and Regulation of Specialization in the Law" to allow the TBLS to administer specialty certification examinations for legal assistants in Texas.

With such launching, the work of the Joint Task Force was deemed completed, a final report submitted in October, 1993, and an Advisory Commission to oversee the creation of the legal assistant exams was established. The Advisory Commission began the task of recruiting legal assistants and attorneys (most of whom were Board Certified) to draft the exams.

In March, 1994 the first three specialty tests were administered in Austin, Texas to those who applied and met the established criteria. Three exams were given: Civil Trial, Personal Injury and Family Law. Successful candidates were conferred the use of the term "Board Certified Legal

Assistant – [area of law], Texas Board of Legal Specialization and presented certificates at the 1994 Annual Meeting.

Now, ten years later, there are six specialty areas for legal assistants: Civil Trial, Criminal Law, Estate Planning and Probate, Family Law, and Real Estate. Over 300 are currently Board Certified. The following numbers of paralegals are Board Certified in each area:

Civil Trial	86
Criminal	8
Estate Planning/Probate	13
Family Law	94
Personal Injury	104
Real Estate	13

The Texas Board of Legal Specialization, specifically Gary McNeil, Denise Schumann and Molly Galvez are to be commended

and credited with supporting the specialization exams and developing additional specialty areas in which tests could be offered. Thank you, TBLS!

For more information about the Texas Board of Legal Specialization, applications and test dates, visit the TBLS website at www.tbls.org and select the "get certified" tab. Or, contact Molly Galvez at mgalvez@texasbar.com, 1-800-204-2221 x 1454 or 512-453-7266 x 113.

Ms. Boerder is a Board Certified Legal Assistant in Civil Trial Law and a Certified Paralegal with NALA. She is a former Chair of the Board of Legal Assistants Division and also a former District 2 Director. Ms. Boerder is a current member of the State Bar of Texas Joint Task Force on Specialty Certification and a member of the State Bar of Texas Legal Assistant Committee.

Labels are Only Skin Deep

Whether you call yourself a "Certified Legal Assistant" or a "Certified Paralegal," beneath the label, you are still the same consummate legal professional. When you have completed the NALA certification program, you can be assured that your credential indicates the same high achievement that has defined expertise and excellence in the paralegal profession since 1976. We'll make sure the certificate on your wall shows your preference in terms.



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Coming Soon—Online CLE Provided by LAD

Pamela R. Horn
Board Certified Legal Assistant
Civil Trial Law—Texas Board of Legal Specialization



The Legal Assistants Division is pleased to announce that soon, paralegals will be able to take continuing legal education courses online through the LAD website, www.lad.org. LAD plans to offer several courses that were originally presented live at Legal Assistant University in September 2004, including:

Charles W. Shewmake—Corporate Law, Intellectual Property for Non-IP Practitioners; David Ellis – Corporate Law and Civil Litigation, Whistleblower & Qui Tam Actions; Heather King and Bruce Beverly – Family Law, Civil Litigation, and Personal Injury, Internet Investigation of Personal Information and Assets; Sydney Aaron Beckman—Family Law, Civil Litigation, & Personal Injury, Discovery Techniques to Make Your Lives Easier; R. H. Wallace – Civil Litigation, The Legal Assistant's Role in Preventing and Litigating Legal Malpractice Cases; Jill Bindler – Civil Litigation, Evolution of Technology in Federal Courts; Kristi Thomas – Civil Litigation, Cost Shifting of

Electronic Discovery; Angela Hunt – Civil Litigation, Harnessing the Hyperlink: A Paralegal's Guide to E-Briefing; Earl Harcrow – Civil Litigation and Personal Injury, Summary of House Bill 4; Robert Brownrigg—Probate and Estate Planning, Guardianship Matters for the Advanced Paralegal; Nathan Griffin – Probate, Creditor's Issues – Insolvency and the Estate; Justice Terrie Livingston – Probate, Appellate Issues Related to Probate; Steve F. Malouf—Civil Trial Law, Personal Injury Law, Family Law, and Criminal Law Electronic Evidence & Discovery

Other courses will be added in the future. If you know of an upcoming CLE seminar that you think would lend itself to presentation in the online program, please contact Pam Horn, Continuing Education Committee co-chair, at cle@lad.org or Karen Briere, Continuing Education Committee co-chair, at kbriere@coxsmith.com. In the meantime, the State Bar of Texas offers a complete online CLE program at affordable rates (including some free online cle). Go to

www.texasbarcle.com for details and to sign up for CLE courses.

In December 2002, the LAD board of directors adopted a six-hour minimum continuing legal education requirement for members of the Division. This new requirement was implemented through reporting of CLE hours with membership renewals beginning in May 2004. The Board of Directors is sensitive to those paralegals whose firm does not support or pay for CLE for its paralegals. However, the Board came to the decision to mandate CLE for members after a thorough review of continuing education requirements for national, state, and local paralegal associations. We believe that this is a move that maintains the Division's position as a leader in professional paralegal organizations nationwide. By establishing this standard for continuing education, our members will be better prepared to assist both the attorneys, for whom we work, and the public, for whom we provide valuable services.

In order to renew your LAD membership in May 2005, you must accumulate six hours of CLE between June 1, 2004 and May 31, 2005. Start keeping track of your CLE now! It's best to establish a folder with a copy of the brochure and the certificate of attendance from each event you attend.

Many people have asked which courses will qualify toward the LAD mandatory CLE requirement. Although LAD does not accredit or qualify CLE seminars, the board has adopted a standing rule outlining the criteria for acceptance of CLE. This rule states:

a. The Division will accept substantive law CLE presented or approved by the Division, the State Bar of Texas, the Texas Board of Legal Specialization, the National Association of Legal Assistants, the National Federation of Paralegal Associations, and local bar or paralegal associations for credit towards the Division mandatory CLE requirement.

b. If the CLE course is not accredited by any of the above-referenced

groups, the Division will accept a seminar, if it is a substantive law course offered by a qualified presenter, that would qualify for approval if submitted to one of the above organizations. "Substantive Law Course" means an organized program of legal education dealing with:

- substantive or procedural subjects of law;
- legal skills and techniques;
- legal ethics and/or legal professional responsibility; or
- alternative dispute resolution.

Additionally, law office management programs accredited by the State Bar of Texas will be accepted.

A "Qualified Presenter" means an attorney, judge, or legal assistant/paralegal who is familiar with the topic presented, or an expert in the particular subject matter comprising the course.

c. Speaking and writing credit will be considered for approval under the same criteria as (a) and (b) above.

Generally speaking, if a course qualifies

for credit by one of the organizations above (or would qualify if submitted), it meets the criteria for the LAD mandatory CLE requirement. The heart of the rule deals with its substantive law requirement. As long as the seminar deals with a substantive law topic, and it is presented by a qualified presenter, it should qualify under the rule toward the LAD requirement.

In addition, the board imposed upon itself a requirement that each district director provide at least three hours of LAD-sponsored CLE in each district per year. In so doing, we hope to increase the amount of low cost, paralegal-specific continuing education available throughout the state. The board realizes that in some areas, local paralegal associations already provide continuing legal education; however, it is our desire to increase the offerings available to paralegals throughout Texas. Contact your district director or your continuing education committee sub-chair for details concerning upcoming seminars in your area.

As part of the board's continuing emphasis on CLE, we have also implemented a comprehensive online CLE calendar. Go to www.lad.org, and click on the "CLE/Events" tab at top, or click on a date on the calendar at the right sidebar. At any given time, there are over 50 CLE seminars posted. You can also search for

seminars in your geographic area or your specialty area of the law. For example, to search for CLE in Dallas, after clicking on "CLE/Events", in the search field on the left sidebar, input "Dallas" where it says "enter your search" and click on "events" on the "query/search engine" pulldown menu. All the events posted for Dallas are then listed. Click on "more info" for more details. If you use Microsoft Outlook, you can even add an event to your calendar—just click on "Add to my calendar" and the event will be added.

The Legal Assistants Division Board of Directors and Continuing Education Committee have worked tirelessly to provide meaningful continuing legal educational options to members and non-members alike. We welcome your feedback—send an e-mail to cle@lad.org or contact any director.

Pamela R. Horn serves as LAD District 4 Director, LAD Secretary, and Co-Chair of the Continuing Education Committee, and is a former President of Capital Area Paralegal Association. She is Board Certified in Civil Trial Law by the Texas Board of Legal Specialization. Pam specializes in utility law at the firm Lloyd Gosselink Blevins Rochelle & Townsend, PC in Austin. You may contact her at (512) 322-5893 or phorn@lglawfirm.com.

Why Everyone Needs a Will

E. Scot Dixon

Everyone should have a Will. Your Will generally covers the disposition of your property at death by making specific gifts of cash or property, directing the division and distribution of the remainder of your estate, designating the person who is to carry out your wishes (the Executor), and setting forth trust provisions if a trust will be established to hold property for a child (or grandchild) or in order to protect property from a beneficiary's financial

reverses, divorce, incompetency, and similar provisions. A Will can also include a provision naming a guardian (called the "guardian of the person") for minor children.

Inheritance Laws.

Many people are under the impression that a Will is unnecessary because the inheritance laws of the State of Texas will direct their property where they want it to

go. In such cases, people are often surprised to find out who will actually inherit their property at their death.

For example, people often assume that if they are married when they die, all of their property just goes directly to their spouse. Right? *Wrong.*

If you are married when you die and part of your estate consists of what is called *separate* property (generally defined as property you owned before you were

married along with property you received via a will or inheritance from someone else), here is how that portion of your estate passes if you die without a Will, according to Section 38 of the Probate Code:

(i) your separate personal (i.e., non real estate) property goes 2/3 to your children or other descendants and 1/3 to your spouse. If you die without any living descendants, your separate personal property all goes to your spouse.

(ii) as to your separate real estate (e.g., your home, rental property, country property, etc.), your spouse receives what is called a "life estate" (meaning he or she can use the property during his or her lifetime, but does not "own" it) in 1/3 of your real property, with the remainder going to your children or other descendants. If you die without leaving any living descendants, then ? of your separate real property goes to your spouse outright, *and the other*



half goes to your other relatives (e.g., parents and siblings), if you have any surviving!

Now, if you are married when you die and part of your estate consists of *community* property (generally being property you and your spouse acquire during your

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marriage, regardless of in whose name the property is titled), this property may also not pass as you might expect or wish. Remember that generally each spouse owns ? of the community property in the marriage. Without a Will, your community property will pass as follows according to Section 45 of the Probate Code:

- (i) If you die without having any living descendants, or if all your living descendants are also the descendants of your surviving spouse, then your ? of the community estate passes to your spouse.
- (ii) However, if you have *any* children or descendants from prior marriages, then all of your ? of the community property goes to your descendants (both yours from prior marriages and those with your current spouse), skipping your spouse entirely (with the spouse being left with only his or her ? share of the community estate).

The spouse is not totally out in the cold, however. If, for example, your homestead passes to someone other than your spouse, Texas law gives the surviving spouse the right to live in the homestead until his or her death, but the spouse must provide for the upkeep of the homestead, pay taxes on it, and the like. Again, keep in mind that the spouse does not "own" the homestead, which makes a big difference. For example, the spouse cannot sell the homestead, nor can he or she abandon or move out of the homestead without losing these rights.

Advantages of a Will

This Will is the most basic part of the estate planning process, and it is generally necessary to review the following information:

- (a) your assets (for example, a financial statement);
- (b) your family situation (including names and ages of children, whether a parent or other individual is supported, and the like); and

The advantage of a Will . . . is that, after you have met with an attorney and reviewed this information, you generally outline a plan for dividing and distributing all of your property, and decide whether trusts will be established for certain individuals.

- (c) the nature of your property - whether it is separate or community property, and the type of property, whether it is real estate, securities, property held in joint tenancy with right of survivorship, life insurance, pension benefits, etc.

A Formal Plan

The advantage of a Will versus simply letting the laws of the state determine how your property passes is that, after you have met with an attorney and reviewed this information, you generally outline a plan for dividing and distributing all of your property, and decide whether trusts will be established for certain individuals.

For example, if a minor child inherits property from you under the laws of the State, the child is legally prohibited from getting access to that property (whatever it may be) while still a minor. As a result, an adult who is called the "guardian of the estate" has to be appointed to administer the property on behalf of the minor child. The Probate Court appoints the guardian in a legal proceeding, and as you can easily imagine, getting a guardian appointed and administering a guardianship (which must be with Court supervision) can be an expensive and time consuming process. Also, the guardian has the discretion to

administer the property in accordance with what he or she thinks is best (within certain limits), but which may not necessarily be in accordance with your wishes (and since you left no Will, it is possible that no one really knows what your wishes were). Next, a guardianship for a minor terminates when the child reaches 18, which means that the child has full access to his or her property at that time. Most people are not comfortable giving a beneficiary any significant amount of money or property at such a young age.

If you have a Will, you can leave property to minor beneficiaries in a trust. This Trust can generally outline a plan for dividing and distributing all of your property. The property would be administered by a Trustee whom you would designate in your Will (rather than a court-appointed guardian), and the Property would be administered and distributed in accordance with instructions you spell out in your Will. For example, perhaps you only want the Trust property to be used for the education of the beneficiary, or perhaps you want the property to be held in trust until the beneficiary reaches 30 or 40. It is all up to you, but unless you specify these things in your Will, you will basically have no say as to what happens to this property.

Reduced Estate Administration Expenses. Having a Will can greatly reduce the costs of administering your estate. In your Will, you can (and most Wills do) provide for what is called an "independent administration" which is an administration that is, for the most part, unsupervised by the Probate Court. In an independent administration, your Executor can deal with your Estate without having to constantly get permission from the court to perform certain acts, such as paying bills and selling assets to provide liquidity. Without an independent administration, the Probate Court plays a much greater role in your Estate, and at a much higher cost.

Scot Dixon is currently an Associate with the Business Planning and Tax practice group in the Houston office of Haynes and Boone, LLP. Mr. Dixon is a 1990 graduate of Rice University and a 1993 graduate of the University of Texas School of Law.

LAD Creates Ambassador Program

Carolyn B. Goff

Would you like to know more about . . .

- The History of "Certification" in Texas
- The Definition of Paralegal in Texas by the Task Force
- How the Legal Assistants Division Began
- The Structure of LAD and the People Behind the Positions
- Acronymobelia in Texas – LAD, ALC, TAPA, LAU, SCOP, AAFPE
- Paralegal Education in Texas
- The Texas Forum: The Division, The Bar, The Educators

For answers to these topics and to meet and talk with some of the most experienced paralegals in Texas, have one of our AMBASSADORS present one of these or other topics at your next local paralegal association or district CLE event.

Since the inception of the Legal Assistants Division in 1981, the Division has had an outstanding group of individuals serve as President. The Presidents displayed marked leadership skills, dedication to serving the membership, and a demeanor of professionalism. It is for this special group of LAD members that the LAD Ambassador Program has been developed. At the June Board of Directors Meeting, a new ad hoc committee was formed and invited former LAD presidents who are current members of the Division and who are working in the legal field to participate in this program.

The LAD Ambassador Program affords the opportunity for this select group of individuals to continue to serve the Division by sharing their knowledge and experience with local paralegal associations, educational programs, and community service organization. Those who choose to participate will be asked to make two presentations per year with a focus on continuing education and professionalism.

The AMBASSADORS will promote

LAD and the benefits of membership. It is hoped that their valuable knowledge of the profession can be of benefit to potential and current LAD members. Their volunteer spirit will be critical in the effort to reach out to local paralegal associations to gain their membership and involvement in LAD.

This article will introduce you to the six charter AMBASSADORS for 2004 - 2005!

MICHELE M. BOERDER, CLA, TBLS



Ms. Boerder served as Chair of the Board of the Legal Assistants Division (a position now known as President) from 1990 – 1991. She has also held the position of

LAD District 2 Director, member of the State Bar of Texas Joint Task Force on Specialty Certification, member of the State Bar of Texas Legal Assistant Committee, member of the Editorial Review Board for *Legal Assistant Today* and past President of the Dallas Area Paralegal Association. Michele has co-authored several paralegal textbooks and is a well-known speaker for various seminars on the local, State, and national levels. She was recipient of the Legal Assistant of the Year award in 1995 from the Dallas Association of Legal Assistant (now known as DAPA). Ms. Boerder received her Bachelor's degree from the University of North Texas and her Associate's Degree (Paralegal Program) from El Centro College. She is a Board Certified Legal

Assistant in Civil Trial Law and a Certified Paralegal with NALA. Michele is a senior paralegal with the Dallas firm of Hughes, Luce, L.L. P., and has twenty-four years of experience in litigation, both state and federal, in civil and criminal matters.

On September 11, 2004, Michele Boerder represented the Legal Assistants Division at Career Day on the campus of the University of Texas at Arlington providing student membership information and applications.

WENDI A. ROGERS, CP, TBLS

Ms. Rogers served as President of LAD from 1997 - 1998. She has served in several capacities with the Dallas Area Paralegal Association, the National Federation of Paralegal Associations, and the Legal Assistants Division. She is an affiliate member of the Association of Trial Lawyers of America and received their Paralegal of the Year Award in 2003. She also received in 2004 the William R. Robie Leadership Award from NFPA and Paralegal of the Year Award from DAPA for 1998. Ms. Rogers received her Associate's in Applied Arts and Sciences degree in Legal Assistant Studies from Tarrant County Junior College and her Bachelor's degree in Legal Information Management from the University of North



Texas. Wendi is a Board Certified Legal Assistant in Personal Injury Trial through the Texas Board of Legal Specialization and a Certified

Paralegal through NALA. Ms. Rogers is a frequent speaker and author on various litigation topics and is a former paralegal instructor at Southwestern Career Institute. She is currently employed as senior paralegal with the law firm of Parham, Jones & Shiver, L.L. P. in Dallas, Texas, and has worked as a litigation paralegal for eighteen years.

DEBRA CROSBY

Ms. Crosby was President (formerly referred to as Chair) of the Legal Assistants Division from 1993 – 1995. For the Legal Assistants Division, she has served as Editor of the *Texas Paralegal Journal*, District 5 Director, and Chair of the Annual Meeting Committee. Ms. Crosby has also been active in Alamo Area Professional Legal Assistants, Inc., serving in several positions. Her current leadership roles are as Chair of the Long-Range Planning Task Force that examines issues vital to the paralegal profession and member of the Joint Task Force of the State Bar of Texas Standing Committee on Legal Assistants. Debra has spoken at numerous seminars on varied topics involving paralegals and was part-time lecturer at San Antonio College for several years. Ms. Crosby has her Masters in Administration in Public Address/Communications from North Texas State University. Ms. Crosby has worked as a paralegal since 1976 and is currently employed by Jackson Walker L.L.P. in San Antonio.

LAD Director of District 1, Debbie Solaski, invited Ms. Crosby to attend a luncheon in Houston on October 13 to speak about the Task Force and definition of the paralegal.

RHONDA J. BRASHEARS, CP, TBLS

Ms. Brashears served as President of the Legal Assistants Division from 2002 – 2003. With LAD, she has held the positions of District 7 Director, Secretary of the Board of Directors, LAU Chair, and currently serves as Publication Committee Chair. In the past, Ms. Brashears has



been an instructor at Amarillo College in the Paralegal Studies program and is Chair of the Paralegal Studies Advisory Committee at the college. Rhonda holds a Bachelor's degree from West Texas A & M University, Certification from NALA and Texas Board of Legal Specialization in Personal Injury Trial Law. Rhonda has worked as a paralegal since 1986 and currently is responsible for management of a number of state and federal litigation files at Underwood, Wilson, Berry, Stein & Johnson, P.C. in Amarillo.

LISA SPRINKLE, CLAS, TBLS

Ms. Sprinkle served as President of LAD from 1999 – 2000. Lisa has served in various capacities with LAD including Director of District 16. She has been on the Board of Directors of NALA and is a past president of the El Paso Association of Legal Assistants (now known as El Paso Paralegal Association). Lisa holds her Bachelor's degree in Psychology and completed her certificate in paralegal studies at El Paso Community College in 1983. Ms. Sprinkle received her CLA designation in 1985 and the NALA Litigation Specialty certification in 1987. Lisa completed the Texas Board of Legal Specialization examination in Civil Trial Law in 1994. From 1985 – 2004, Ms. Sprinkle taught part-time at El Paso Community College in the paralegal program and continues to serve as Chair of the Advisory Board for the Paralegal Program at El Paso Community College. She has worked as a paralegal since 1982 and owns her own company, Legal Works, which is a freelance contract paralegal business in El Paso specializing in civil trial work.

served in numerous capacities for the Texas Panhandle Association of Legal Assistants. For the past five years, Ms.

Brashears has

JAVAN JOHNSON, CLAS, TBLS

Javan Johnson served as President of the Legal Assistants Division from 2000 – 2001. She has also held numerous positions in the North Texas Association of Legal Assistants and in District 14 including the position of Director. Javan has been Chair of the LAD Legal Assistants University (LAU) Committee, Membership Committee and Public Relations Committee. She has been a member of the Long Range Planning Task Force Committee for over ten years and is a charter member of the College of the State Bar, Legal Assistants Division. Javan was recipient of the LAD Outstanding Committee Chair awards in 1995 and 2002 and the Award of Excellence in 2004. She holds a Bachelor's degree in Business Administration from Baylor University. Javan is a Certified Legal Assistant with specialty in Civil Litigation and is Texas Board Certified in Civil Trial Law. For the past 15 years, Javan has taught the Introduction of the Legal System and Civil Litigation courses at Kilgore College. After



working as a paralegal for 18 years for Kenneth Ross in Longview, Javan started Professional Paralegal Services, a freelance paralegal business.

Carolyn B. Goff is Chair of the Legal Assistants Division Ambassador Program Ad Hoc Committee. She has served on the LAD Board of Directors as Director of District 13, Parliamentarian, and Chair of the Mandatory CLE Ad Hoc Committee. She earned her Bachelor's Degree from West Virginia University and has hours towards her MBA. In 1982 she was elected Charter President of the Legal Assistants of West Virginia and has worked as a paralegal since 1972. Ms. Goff is currently employed as senior paralegal at Mills Shirley in Galveston, Texas, and can be reached by email at cgoff@millsshirley.com.

ET *al. . . .*

LAU 2004 THE RACE IS ON!

By Leticia Martin, CP, Fort Worth

The Legal Assistants Division's (LAD) Annual Legal Assistants University (LAU) was held in Fort Worth September 22-24. Melissa Sherman, CLA, LAU Planning Committee Chair and Immediate LAD Past President, her 11 planning committee co-chairs, and LAD's Executive Director Norma Hackler were all instrumental in the great success and attendance of LAU this year. For those who are not familiar with LAU, each year LAD provides its members a three-day multi-track CLE event which is held in a different Texas city each year. Attendees can earn up to 14 hours of CLE in three days (two half-days and one full day). LAU is also well known for its entertaining socials that are planned for the attendees to attend during the evenings. This year there were just over 200 registered attendants at LAU who traveled from all corners of the State of Texas.

The CLE was held at the Doral Tesoro Hotel and Golf Resort that is located in the Alliance area of Fort Worth and located five minutes away from the Texas Motor Speedway. One side the hotel overlooks the lavish golfing grounds and the other side of the hotel provides an awesome view of the Texas Motor Speedway.

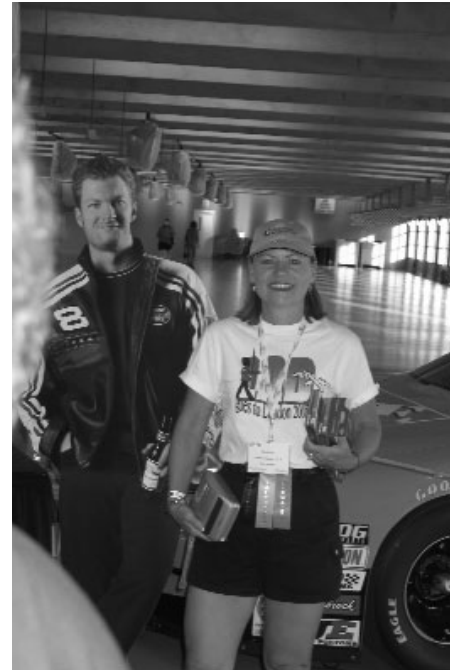
Over 60 hours of advanced CLE was available. The seminars were broken down into sections including Civil Litigation, Personal Injury, Intellectual Property, Corporate, Real Estate, Family, Probate and Estate Planning, Criminal, Labor and Bankruptcy. The speakers were recruited from both Fort Worth and Dallas by paralegals working in the field of



law they were recruiting for. From the report cards turned in by the attendees the seminars were outstanding.

The Civil Litigation seminars included 14 hours of CLE from Wage & Hour Law Overview and Update to Electronic Evidence & Discovery, Evolution of Technology in Federal Courts, The Legal Assistant's role in Preventing and Litigating Legal Malpractice Cases, Introduction to Insurance Principles & Litigation, Cost Shifting of Electronic Discovery and many more. Personal

Injury including 8 hours of CLE with topics such as Healthcare Liability Claims after Tort Reform, Asbestos medicine and Case Management, Medical Records as a Second Language, HIPAA – One Year Later, just to name a few. There were 7 hours of Family Law, 6 hours of Corporate, 6 hours of Real Estate, 6 hours of Probate and Estate Planning, 4 hours of Criminal, 4 hours of Labor and 4 hours of Bankruptcy. As you can see there was something for everyone. And each year we learn from the last so each year LAU





mph — WHOOSH!!!

Thursday morning CLE started at 8:00 am and continued through about 4:30 pm that afternoon. On Thursday an Exhibit Hall was set up for 33 legal service vendors. These generous vendors provided a variety of goodies at each of their booths and they all provided awesome door prizes. LAU could not be a successful CLE event without the support of the legal vendor community. Attendees visited the exhibit hall in early morning, at mid morning break and during the lunch hour. Much information was gained through the exchange of ideas and one-on-one contact.

Thursday evening's social, *Switch Gears*, was held at the hotel and was full of golfing/putting activities, a barbecue buffet, door prize giveaways from many vendors, and tethered balloon rides (sponsored by Esquire Deposition Service). The evening was a great success and it was awesome for everyone who experienced the tethered balloon rides which were set up on the golf course next to the golf pro shop.

On Friday morning there was additional CLE to attend. The *Last Lap* attendee luncheon was held at noon and included special recognition of the LAU Planning Committee, LAU volunteers, luncheon sponsors, and another opportunity for additional CLE presented by keynote speaker Robert Schwartz of Bailey, Galyen & Gold who spoke on *Mass Torts - Litigation Involving Corporate America*. Alas an additional one-hour CLE was provided after the luncheon to complete the full LAU event.

It was awesome to see old friends as well as many new faces in attendance at LAU and for those who could not make it this year, start thinking about attending next year in Austin!

becomes more superior.

Wednesday's activities started at 12:00 noon beginning with the first CLE classes that continued until about 4:30 that afternoon.

The Wednesday Welcome Social, *Hit the Track...the Race is On!*, was filled with Pace Car rides on the track of the Texas Motor Speedway (speeds up to 80-90 mph) and a fajita dinner that was held in one of the garage depots on the race track grounds. This social would not have been possible without the following sponsors: The Marker Group (sponsored cocktail hour at hotel prior to race track activities); American Language Technologies (sponsored bus rides from the hotel to TMS); Hollerbach & Associates (provided free Pace Car rides); Written Deposition Service (sponsored use of the garage area); and Fort Worth Paralegal Association (sponsored dinner). We were also fortunate to have someone from the TMS executive offices speak on the making and history of this enormous facility. For those attendees who had "the need for speed", for an additional fee, took a *real* race car ride in *real* race cars driven by *real* professional race car drivers at speeds up to 160

LAU 2004 Planning Committee

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The LAD Would Like to Extend Special Thanks to the Sponsors of the LAU 2004 Seminar Held in Fort Worth, TX

*Wednesday Welcome Social Sponsors, Hit
The Track... The Race is On!*

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Ride to the Races
Fort Worth Paralegal Association, Fort
Worth – *Racetrack Concessions*
Hollerbach & Associates, San Antonio -
Pace Car Rides
The Marker Group, Houston – *The Tune
Up*
Written Depositions, Dallas – *The Pit Stop*

Thursday Social, Switch Gears
Esquire Deposition Services, Dallas – *Take
a Ride Up* in a Hot Air Balloon

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EMSI Legal Facts, Waco

Henjum Goucher Reporting Services,
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RLS Legal Solutions, Houston

Robert Half Legal, Englewood, CO

Rydman Record Retrieval, Austin

Safesite, Inc., Dallas

Special Counsel, Dallas

Special Delivery Service, Inc., Dallas

Spherion, Dallas

Team Legal, Houston

The Marker Group, Houston

The Mortgage Institute, Inc., Grapevine

Thomson West, Eagan, MN

Tusker Group, LP, Austin

Written Deposition Services, Inc., Dallas

National Recognition of Texas Paralegal

Not only do LAD members do great things, but great things also happen to them. It is important to recognize those selected to receive national awards. It should be a proud moment, not only for the recipient, but also, for Texas. In 2004, recognition went to one of the Division's own members, Allen Mihecoby, RP, CLA, paralegal in District 2 (Dallas) and working for the in-house corporate legal department, Neiman Marcus Group, Inc., Allen was one of the final three (3) U.S. paralegals nominated for the 2004 *Legal Assistant Today's* Paralegal of the Year Award.

Allen works as a Compliance and Regulatory Law Paralegal with an emphasis in intellectual property. Allen is a strong advocate for continuing legal education for the paralegal profession. This past year, he served as the Program Vice President for the Dallas Area Paralegal Association. Allen focuses on professional development and education. Allen was quoted in his *LAT* interview as saying that "in order for our profession to mature, it's imperative for paralegals to pursue credentials. "Paralegals are all in the same boat, so we should grab an oar and row — otherwise the profession will not move forward." Also in 2004, the National Federation of Paralegal Associations (NFPA) and Computer Services Corporation awarded Allen the Outstanding Local Leader award.

The Division takes pride in Allen's achievement and that he has chosen to be a member of the Legal Assistants Division, State Bar of Texas. The Division congratulates Allen Mihecoby and thanks him for his tireless service to our profession.

NOTICE OF ELECTION

Jennifer Fielder

The election of directors to the Board of Directors of the Legal Assistants Division of the State Bar of Texas from District 1, District 3, District 5, District 7, District 9, District 11, District 13, and District 15 will be held April 18, 2005, through May 2, 2004. All active and free-lance members of the Legal Assistants Division of the State Bar of Texas in good standing and registered to vote as of February 1, 2005, will be eligible to vote online at the Legal Assistant Division's website (in the Members-Only section). **All voting must be completed on or before 11:59 p.m., May 2, 2004.**

Each potential candidate must satisfy the following requirements:

- a. **Eligibility Requirements.** The candidate must satisfy the eligibility requirements of Article III, Section 3 and Article IX, Section 1 A and Section 4 of the Bylaws and Rule V B, Section 5c of the Standing Rules.
- b. **Declaration of Intent.** The candidate must make a declaration of intent to run as a candidate for the office of director through an original nominating petition declaring such intent that is filed with the Elections Subcommittee Chair in the candidate's district pursuant to Rule V B, Section 5 of the Standing Rules.
- c. **Nominating Petition.** The original nominating petition must be signed by and must be submitted to the Elections Subcommittee Chair in such district, on or before March 18, 2005. The number of signatures required on the original nominating petition shall be as follows:

Number of Registered Voters	Number of Signatures Within District
0 - 50	Required 5 signatures

51 - 100	8 signatures
101 - 150	10 signatures
151 - 200	12 signatures
201 - 250	15 signatures
251 - 300	18 signatures
301 +	20 signatures

Beginning on February 16, 2005, each Elections Subcommittee Chair shall prepare and forward, upon request, the following materials to potential candidates for director in their respective district at any time during the nominating period:

- a. A copy of the List of Registered Voters for their district;
- b. A sample nominating petition; and
- c. A copy of Rule VI of the Standing Rules entitled "Guidelines for Campaigns for Candidates as Director."

To request information from the Elections Subcommittee Chair for your district contact (please see the Bylaws, Article III, Section 4 for a complete listing of counties in your district):

District 1:	Sherry Contreras, 713/265-1276 (Harris County) scontrer@wm.com
District 3:	Misty Callicot, 817/992-6629 (Tarrant County) estatepara-legals@yahoo.com
District 5:	Janna J. Hutton, 210/832-3328 (San Antonio area) jannahutton@clearchannel.com
District 7:	Jennifer Fielder, 512/236-9955, (Amarillo area) jfielder@riewelaw.com
District 9:	Robert Soliz, 361/575.0551 (Waco area) rsoliz@cce-vic.com
District 11:	Lee Bell Ulvestad, 432/684-5782 (Midland-Odessa area) lbell@cbtd.com
District 13:	Judi Kleinschrodt, 409/849-5741 (Angleton/Galveston area) judik@jrgpc.com

District 15: Jennifer Fielder, 512/236-9955, (Amarillo area)
jfielder@riewelaw.com

The following timetable is provided to guide you through the election process.

February 1, 2005: In accordance with the Standing Rules V B, Section 5e, the voter registration deadline shall be February 1 of each year.

February 16, 2005: Contact the Elections Subcommittee Chair for your district and request a nominating petition and, at your option, prepare a short resume to attach to such nominating petition.

Brochure or Resume: A brochure or resume pertaining to each candidate for director may be posted on the Legal Assistant Division's website (in the Members-Only section) and shall be prepared and furnished to the Elections Subcommittee Chair at each candidate's own expense. Such brochure or resume shall be received by the Elections Subcommittee Chair or the Legal Assistant Division Coordinator on or before April 11, 2005 (7 days prior to the posting of the ballots) to be included in the mailing of the ballots. Such brochure or resume shall not exceed two 8 1/2" x 11" pages or one 8 1/2" x 14" page.

Campaigning: After the signatures on the Nominating Petition have been verified (March 18, 2005), the nominee may begin actively campaigning. Solicitation by mail is proper, provided that any mailing is on personal stationery or employer letterhead (provided that the employer's permission has been obtained), or any mailing or communication by electronic mail is conducted by a member of the Legal Assistants Division. No mailing or communication can be conducted by any individual/entity not a member of the Legal Assistants Division. Candidates themselves, in addition to the above, may campaign by personal solicitation. The full expense of such mail solicitation shall not exceed the sum of \$500. However, to the fullest extent possible, all communications

NOTICE OF NOMINATIONS / ELECTION OF PRESIDENT-ELECT

Pursuant to Standing Rule XIV of the Legal Assistants Division, State Bar of Texas, notice is hereby given of an election for the office of 2005-2006 President-Elect. This election will be held by mail during the month of January 2005 by the Board of Directors.

Qualifications for serving as President-Elect of the Legal Assistants Division are contained in Standing Rules XIV as follows:

XIV. OFFICERS; B. Eligibility

1. Any current or past Director who is currently an active member of the Division is eligible to be elected as President or President-Elect.

Any qualified individual who is interested in running for office of President-

Elect should forward a one-page resume, together with a letter of intent to run, to the nominations committee at the following address NO LATER THAN JANUARY 15, 2005:

Ginger D. Williams, CLAS
Board Certified Legal Assistant - Real Estate
Texas Board of Legal Specialization
Sheldon, Jordan & Dunham, LLP
905 Orleans
Beaumont, Texas 77701
<mailto:gwilliams@sjdllp.com>gwilliams@sjdllp.com

In the event the Board elects an individual who is currently serving as a Director, a vacancy will be declared in the district in which that individual serves. An election will be held to replace the outgoing Director (President-Elect) at the time the elections for the Board of Directors are regularly scheduled.

and solicitations, whether by letter or card or telephone, should concentrate on the candidate's merits and should avoid criticism of the other candidate or candidates. The excessive use of telephone solicitation by persons other than candidates through the use of WATS lines and similar organized solicitation is discouraged. Directors running for re-election cannot use Director communication as a form of campaigning. Any incumbent director must conduct his/her campaigning by personal, separate communication. Candidates shall avoid personal campaigning prior to 30 days before the date designated to mail or post ballots or the next following business day when the signatures on the nominating petitions for Director have been verified.

March 18, 2005: Return your Nominating Petition, properly completed, and at your option, with a resume or brochure (for posting to the Legal Assistant Division's website) to the District Subcommittee Chair. (Any petition

received after March 18, 2005, will not be accepted. Faxed, Xeroxed, or telecopied nominating petitions *cannot* be accepted as proof of a candidate's eligibility for

nomination.)

March 29, 2005: Elections Subcommittee Chair, after verifying signatures on the Nominating Petition, will forward a draft of the ballot to the Elections Chair.

April 4, 2005: Elections Committee Chair shall forward ballots to the Legal Assistants Division Coordinator for posting.

April 18, 2005: Postcards mailed for Director Election. Voting begins online.

May 2, 2005: Deadline for voting for Director Election. *All voting must be completed on or before 11:59 p.m., May 2, 2005.*

May 3, 2005: The Legal Assistants Division Coordinator with the Elections Subcommittee Chair for District 4 will cause such ballots to be tabulated and notify the active candidates of such election results.

If you do not have access to the Internet at home or the office, you can access the LAD website at your local library. If you have any questions, feel free to contact the Elections Subcommittee Chair for your district.

ATTENTION LAD MEMBERS NOTICE OF REDISTRICTING SURVEY

The Legal Assistants Division (LAD) is conducting a brief SURVEY (7 questions) to determine the best representation for the members of each district. LAD is comprised of 16 Districts with a Director assigned to each District. These Directors are working harder than ever for LAD members. Since enacting the six (6) hour CLE mandatory requirement for Active and Associate Members, LAD has requested that each

District Director arrange and conduct at least three (3) hours of CLE annually in each District. As you may know, some of the districts are quite spread out geographically. This makes it difficult for a Director to work, plan and conduct CLE in conveniently located sites. In this regard, the Division is looking at the need to redistrict. Please take a moment to answer the BRIEF SURVEY presented by the Ad Hoc Committee on Redistricting, located on the LAD website at www.lad.org by entering the Members Only area. LAD is conducting this SURVEY from December 1, 2004 - January 21, 2005. Please help us help you by taking a few minutes of your time and responding.

NOTICE OF ELECTION FOR BYLAW AMENDMENTS

Effective June 23, 2005

AMENDMENT #1 CURRENT BYLAW ARTICLE III BOARD OF DIRECTORS Section 2. Term of Office.

A Director is limited to serving two consecutive terms. If a Director shall be appointed to serve an unexpired term, such unexpired term shall not be considered within this provision.

PROPOSED AMENDMENT ARTICLE III BOARD OF DIRECTORS Section 2. Term of Office.

A Director is limited to serving two consecutive terms. If a Director shall be appointed or elected in a special election to serve an unexpired term, such unexpired term shall not be considered within this provision.

EXPLANATION OF REVISION

The revision is needed to clarify that a Director has the opportunity to serve two full terms if said Director chooses to do so.

AMENDMENT #2 CURRENT BYLAW DEFINITIONS

Ballot/Postcard Mailing Date: the date on which ballots or postcards are to be mailed by the Legal Assistants Division Coordinator to the Registered Voters in their respective Districts as shown in the timeline prepared by the President Elect.
(Amended September 1999)

PROPOSED AMENDMENT DEFINITIONS

Ballot Notification Date: the date on which ballot notification is to be mailed by the Paralegal Division Managing Director to the Registered Voters in their respective Districts as shown in the timeline prepared by the President Elect.
(Amended September 1999)

EXPLANATION OF REVISION

This revision is needed to broaden the definition of "ballot notification" to allow for different forms of notification such as electronic notification, as well as written notification such as a postcard. Additionally, this revision reflects the recommended title change for the Legal Assistants Division Coordinator as shown in Amendment #5.

AMENDMENT #3 & #4 CURRENT BYLAW ARTICLE I NAME, PURPOSE AND DEFINITION

Section 1. Name.

The name of this organization shall be "Legal Assistants Division of the State Bar of Texas."

Section 2. Purpose

The purpose of the Division shall be to enhance legal assistants' participation in the administration of justice, professional responsibility and public service in cooperation with the State Bar of Texas.

PROPOSED AMENDMENT ARTICLE I

NAME, PURPOSE AND DEFINITION

Section 1. Name.

The name of this organization shall be "Paralegal Division of the State Bar of Texas."

Section 2. Purpose

The purpose of the Division shall be to enhance members' participation in the administration of justice, professional responsibility and public service in cooperation with the State Bar of Texas.

EXPLANATION OF REVISION

These revisions are necessary to reflect the preference of the LAD membership of the term "paralegal" as determined by a membership survey and in the adoption of the 2003 Resolution denoting "paralegal" as the preferred term over "legal assistant." Furthermore, it is in keeping with the current trend in the paralegal profession as evidenced by the American Bar Association adoption, at its August 2003 Annual Meeting, of the term "paralegal" in lieu of "legal assistant."

AMENDMENT #5 CURRENT BYLAW ARTICLE VII FINANCES

Section 2. Annual Budget.

The Treasurer, Legal Assistants Division Coordinator, and Executive Committee shall prepare a detailed budget for the ensuing fiscal year, based upon anticipated revenues, and present same to the new Board for approval at their first regular meeting in June.

(Amended September 1994, September 1999)

Section 4. Annual Report.

The Treasurer and Legal Assistants Division Coordinator shall prepare an annual report in writing showing all assets and liabilities, including unallocated or unspent funds, plus receipts and expenditures, of the Division for the preceding fiscal year and shall submit same to the Board for review at the regular meeting of the Board immediately prior to the Annual Meeting of the general membership.

(Amended September 1999)

DEFINITIONS

Legal Assistants Division Coordinator: the individual with whom the Division has contracted to perform the duties of the Legal

Assistant Division Coordinator.

List of Registered Voters: an alphabetical List of Registered Voters prepared by the Legal Assistant Division Coordinator on the Voter Registration Deadline Date pursuant to Article IX, Section 3 of the Bylaws.
(Amended September 1999)

Marked Ballot Deadline Date: the date on which ballots must be received by the Legal Assistant Division Coordinator in order to be tallied as shown in the timeline prepared by the President Elect.
(Amended September 1999)

PROPOSED AMENDMENT ARTICLE VII FINANCES

Section 2. Annual Budget.

The Treasurer, Paralegal Division Managing Director, and Executive Committee shall prepare a detailed budget for the ensuing fiscal year, based upon anticipated revenues, and present same to the new Board for approval at their first regular meeting in June.

(Amended September 1994, September 1999)

Section 4. Annual Report.

The Treasurer and Paralegal Division Managing Director shall prepare an annual report in writing showing all assets and liabilities, including unallocated or unspent funds, plus receipts and expenditures, of the Division for the preceding fiscal year and shall submit same to the Board for review at the regular meeting of the Board immediately prior to the Annual Meeting of the general membership.

(Amended September 1999)

DEFINITIONS

Paralegal Division Managing Director: the individual with whom the Division has contracted to perform the duties of the Paralegal Division Managing Director.

List of Registered Voters: an alphabetical List of Registered Voters prepared by the Paralegal Division Managing Director on the Voter Registration Deadline Date pursuant to Article IX, Section 3 of the Bylaws.
(Amended September 1999)

Marked Ballot Deadline Date: the date on which ballots must be received by the Paralegal Division Managing Director in order to be tallied as shown in the timeline prepared by the President Elect.
(Amended September 1999)

EXPLANATION OF REVISION

This revision reflects the Legal Assistants Division Coordinator title change recommended by the LAD Board of Directors. It is necessary because it reflects the "paralegal" name change preference of the LAD membership as well as the Division's name change to Paralegal Division.

Scruples

The Code and The Rules

Paralegal Standards of Conduct and Integrity, Part 1

Laurie Borski, Ethics Chair

The Code of Ethics and Professional Responsibility of the Legal Assistants Division of the State Bar of Texas (the "Code") was adopted on March 27, 1982.¹ The Code serves as a general guide to the high standard of conduct and integrity by paralegals that is fundamental to the profession. The reason for the Code's existence is set out in the preamble:

The paralegal profession is by nature closely related to the legal profession. Although the Code of Professional Responsibility of the State Bar of Texas does not directly govern legal assistants except through a supervising attorney, it is incumbent upon the members of the Legal Assistants Division to know the provisions of the attorneys' code and avoid any action which might involve an attorney in a violation of that code or even the appearance of professional impropriety.

On January 1, 1990, the new Texas Disciplinary Rules of Professional Conduct (the Rules)² became effective, replacing the attorneys' code. The Rules are mandatory and provide a minimum standard of professional conduct for lawyers that, if violated, may subject a lawyer to disciplinary action. Professional disciplinary and disability proceedings are addressed in the Texas Rules of Disciplinary Procedure.

Like the Rules, our Code is a set of

mandatory rules, or canons, that govern paralegal professional behavior and provide a minimum standard of professional conduct. Paralegals that violate these canons are subject to disciplinary action, either through LAD (if they are a member) or through the State Bar's disciplinary proceedings. Nor are the canons intended to be self-limiting. The preamble states: "the enumeration of these canons does not exclude others of equal importance although not specifically mentioned." Just as our profession is closely related to the legal profession, our Code of Ethics and Professional Responsibility is closely related to the Texas Disciplinary Rules of Professional Conduct.³

The Rules are lengthy and detailed, as you would expect. The purpose of this article is to introduce you to the Rules and highlight the relationship between the Rules and our Code.

Canon 1. A legal assistant shall not engage in the practice of law as defined by statutes or court decisions, including but not limited to accepting cases or clients, setting fees, giving legal advice or appearing in a representative capacity in court or before an administrative

or regulatory agency (unless otherwise authorized by statute, court or agency rules); the legal assistant shall assist in preventing the unauthorized practice of law.

The first half of this canon addresses the unauthorized practice of law, providing some of the prohibited activities by way of example.

Note that this canon specifically excludes certain situations, such as when a person is represented *pro se*, or those in which nonlawyers are authorized to represent the public directly such as in certain administrative and regulatory law matters. These types of special situations are not the focus of discussion in this article.

A lawyer is a representative of clients, an officer of the legal system and has a special responsibility for the quality of justice. *Tex. Disciplinary R. Prof. Conduct*, preamble. A paralegal that provides legal services directly to the public without authorization is not qualified to render competent legal services. The Rules provide that the public has a right to be protected "from the mistakes of the untrained and the schemes of the unscrupulous, who are not subject to the judicially imposed disciplinary standards of competence, responsibility and accountability." *Id.* at 5.05, comment 1.

Licensed attorneys may employ paralegals and delegate functions to them. So long as the attorney supervises the delegated work, retains responsibility for the work and maintains a direct relationship



with the client, a paralegal cannot reasonably be said to have engaged in an activity that constitutes the unauthorized practice of law. *Id.* at 5.05 (b), comment 4.

The Rules are clear on the duty to report professional misconduct. *Tex. Disciplinary R. Prof. Conduct*, at 8.03. The lawyer having knowledge of the misconduct is required to report it. Frequently, the existence of a violation cannot be established with certainty until disciplinary investigation has been undertaken. *Id.* at comment 2.

The second half of the canon makes it incumbent on paralegals to assist in preventing the unauthorized practice of law. Should you become aware of someone engaging in UPL, you have a duty to report the activity to the LAD Ethics Chair (if you believe the illegal activity is being conducted by a LAD member) or to the State Bar Disciplinary Committee.

Canon 2. A legal assistant shall not perform any of the duties that attorneys only may perform or do things which attorneys themselves may not do.

The language of this canon is broad because the definition of what constitutes the practice of law is established by law and varies from jurisdiction to jurisdiction. *Tex. Disciplinary R. Prof. Conduct* at 5.05, comment 3. Paralegals may not sign pleadings, even with an attorney's permission, nor can they sign certificates of service on pleadings. Paralegals may not represent clients in court (unless authorized by law, as discussed above). Paralegals may not refer to themselves as attorneys or let stand uncorrected a person's assumption or perception that they are attorney. Paralegals also should avoid referring to a client of their attorney or firm as "my client."

The second half of this canon states that the paralegal shall not perform or do things the attorney may not do. Again, the language is broad and examples run the gamut from neglecting delegated matters to committing criminal or fraudulent activities.

Canon 3. A legal assistant shall exercise care in using independent professional judgment and in determining the extent to which a client may be assisted without the presence of any attorney, and shall not act in matters involving professional legal judgment.

This canon recognizes that the rendition of legal services calls for the professional judgment of the lawyer and that the one receiving the services generally will be unable to judge whether adequate services are being rendered and is, therefore, in need of the protection afforded by regulation of the legal profession. *Tex. Disciplinary R. Prof. Conduct* at 5.05, comment 3. The Rules define "competent professional judgment" as the product of a trained familiarity with law and legal processes, a disciplined, analytical approach to legal problems and a firm ethical commitment. *Id.* In other words, it is the educated ability to relate the general body and philosophy of law to a specific legal problem of a client. *Id.*

A paralegal may relay information to a client that is substantive and/or which contains legal advice, so long as the client understands the information is being relayed at the attorney's direction. And the reverse certainly applies: should a client seek advice or information that involves professional legal judgment, the paralegal can offer to relay the question to the attorney.

Canon 4. A legal assistant shall preserve and protect the confidences and secrets of a client.

The Rules go into detail on the confidentiality of information and instances when a lawyer may or may not reveal confidential and/or privileged information.

The confidences and secrets of a client are protected in the interest of proper functioning of the legal system. Free discussion between lawyer and client is necessary for the lawyer to be fully informed and for the client to obtain the full benefit of the legal system. *Tex. Disciplinary R. Prof. Conduct*, 1.05 (a). Confidential information includes both privileged information,

which is protected by the lawyer-client privilege and various rules of evidence, and unprivileged client information, generally defined as all information relating to the client or furnished by the client acquired during a lawyer's representation of that client. *Id.*

A lawyer who employs non-attorney staff is obligated to provide appropriate instruction and supervision concerning the ethical aspects of their employment, particularly regarding the obligation not to disclose information relating to representation of a client. *Tex. Disciplinary R. Prof. Conduct*, 5.03 (a) and comment 1.

Canon 5. A legal assistant shall not solicit legal business on behalf of an attorney.

Lawyers may not pay, give, or offer to pay or give anything of value to a person not licensed to practice law for soliciting prospective clients for, or referring clients or prospective clients to, any lawyer or firm. *Tex. Disciplinary R. Prof. Conduct*, 7.03 (3)(b). These sorts of activities have always been considered to be against the best interest of both the public and the legal profession. Such actions circumvent the Rules by having a non-lawyer do what a lawyer is ethically proscribed from doing. *Id.* at comment 3.

¹ The Code of Ethics and Professional Responsibility of the Legal Assistants Division of the State Bar of Texas is available at lad.org

² *The Texas Disciplinary Rules of Professional Conduct* is available at *Tex. Govt. Code Ann* and at <http://www.texasbar.com>.

³ Southern Methodist University Underwood Law Library, Guide 306, Ethics Opinions of the State Bar of Texas, available at <http://library.law.smu.edu/res-guide/txethics>

Laurie Borski is Chair of the Professional Ethics Committee of the Legal Assistants Division. She has served on the LAD Annual Meeting and Election Committees and is a past president of the Alamo Area Professional Legal Assistants in San Antonio. You can reach her at 210.250.6041 or laurie.borski@strasburger.com.

IMPORTANT NEWS

UPCOMING SPRING ELECTIONS

Director Elections will be held in the Spring 2005 for odd numbered Districts (1,3, 5, 7, 9, 11, 13, 15). These elections will be **HELD AND VOTED ONLINE** via the LAD website under the Members Only area. Active members will be able to vote online beginning in April 2005. We encourage each Active member to cast your vote for the leaders of this organization.

Interested in running for a Director Position? Contact LAD's Election Chairperson, Jennifer Fielder at jfielder@riewelaw.com and request a Petition (rules and procedures included in this issue of TPJ). Interested candidates must obtain signatures of LAD members prior to election. Notice of elections will be posted in the Winter 2004 issue of the Texas Paralegal Journal. Only Active members registered as of February 1 of each year are eligible to **run** for a director position or **vote** in the election. Contact Jennifer for details.

Look for notice of BYLAWS AMENDMENT to change the name of the Division to The Paralegal Division of the State Bar of Texas to be voted on in Spring 2005. The ballots will appear on the LAD website. All voting will take place online. Notice will be forwarded to Active members during month of April 2005 notifying of how and when to vote.

UPDATE MEMBER INFORMATION

Legal Assistants Division members can now change their credentials, addresses, email addresses, preferred mailing address and/or phone numbers via the State Bar of Texas website. Go to www.texasbar.com; click on MyBarPage (top of home page). If you have never visited this page, you will need to set up a pin/password. Your password to set up your NEW Pin/password is the last four digits of your social security number (if the State Bar does NOT have your social security number on file, you will not be able to use this area nor will you have access to MyBarPage); once you set up the new pin/password, you will be able to enter this section of the website to update your member records.

MEMBERSHIP CARD

Need to replace your membership card? Please send \$5.00 made payable to the Legal Assistants Division along with a letter requesting a new membership card to the Membership Department, State Bar of Texas, P. O. Box 12487, Austin, TX 78711.

Did not receive a membership card when you renewed in 2003/2004 or became a new member in 2004/2005? Please contact the Membership Department of the State Bar of Texas at 1/800/204.2222 or email at jmartinez@texasbar.com

DELL COMPUTER DISCOUNT

The number assigned to the Legal Assistants Division by Dell Computer Corp is: SS2453215. This is the number you should use to receive the 10% discount for purchase of computers. However, they **do not** have the 10% discount special continuously. Dell sends a notice when the discount is offered to our members at which time it is forwarded to the LAD members via the LAD E-group. You may try to use this number anytime, but there are no guarantees that you may receive the discount at the time of access. Notices will continue to be forwarded to the LAD E-Group when the discount is offered by Dell Computer Corporation.

NEWSLETTER ON LAD.ORG

During the current LAD membership year (2004-2005), the Division will be posting a newsletter in the "Members Only" Section of the LAD website – www.lad.org. This statewide newsletter will ensure continuity of information being provided to our members after each Board of Directors Meeting. This newsletter posting will be on a "trial" basis for the specified year and will occur three times during the year: August 2004; October 2004; and March 2005. The newsletter posting replaces the mailing of a hard copy newsletter in each district or your receipt of an electronically transmitted newsletter by your District Director. To view the newsletter, a member must log into the "Members Only" area of the website.

EVENTS IN EACH DISTRICT

District events and occurrences will be posted by Directors on www.lad.org under each specific District.

MEMBER DIRECTORY ONLINE

A membership directory is set up on the LAD website under the Members Only area. This membership directory is self contained and self edited. If you want your information listed on the membership directory, please follow the directions provided on the website. If you need changes made to the membership directory, you need to make

these changes using your password to access this site. This is **NOT** the same membership roster maintained by the Membership Department of the State Bar of Texas. This is a voluntary membership directory for use by the Members of the Legal Assistants Division and is a member benefit.

MEMBERS ONLY AREA

The Members Only area of the LAD website is for members only. If you are a member of the Legal Assistants Division and cannot access this area, please send an email to lad@lad.org requesting access and sending your name, email address and membership number. Once you are confirmed as a current paid member of the Legal Assistants Division, an access User ID and password will be forwarded to you via email.

LAD E-GROUP

How do I sign up for the LAD E-Group?

Going to trial in a "foreign" jurisdiction and want some tips from those who have gone before? Need a form but do not know where to turn? Then you need to sign up for the LAD E-group! This is a members-only group and a benefit of being a member of the Legal Assistants Division (LAD). To sign up, go to www.lad.org, click on Members Only and choose LAD E-Group. There will be directions on how to sign up. Once you have signed up, you will begin receiving emails from the members of LAD. For those who prefer not to be interrupted with email notifications, select "digest" for the LAD email exchange. Emails are collected and distributed one time a day in one email.

How Do I change my LAD E-group email address?

Instructions:

The LAD E-Group created by the member is Password protected, only the member has access to change your LAD E-Group email. Go to www.lad.org, click on Members-Only, click on LAD E-Group, enter your password, unsubscribe the current email address, and create a new email address where you want to receive your LAD E-Group messages.

LAD ONLINE JOB BANK

Have a job posting? Need a new job? Please post any job vacancies you have knowledge of on the Job Bank under the Members Only area of the LAD website.

www.lad.org



In a world of e-mail and e-business, we're e-service.



Our on-line accessibility gives us yet another way to deliver that same professional and personal service that Capitol Services is known for. Our new technology has made us bigger, better and now, faster. But not at the expense of our remarkable service.

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