

SPRING 2011 VOL. 16 NO. 4

# TPJ

*Texas Paralegal Journal*



TEXAS ADVANCED PARALEGAL SEMINAR  
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# PRESIDENT'S *Message*

by Debbie Oaks Guerra, President, Paralegal Division

"What are you waiting for? Wear the pearls!" For me, this is a message of living in the moment. Why do we feel as if we must save our lovely, expensive pearls just for special occasions, keeping their beauty trapped in a box and hidden from the world? What a shame.

Honestly, I'm certain we could all apply this same thinking to other aspects in our lives. Do you want to take a certification exam? Do you wish you had more time to volunteer? Do you regret not doing more to help those in need in your community? Whatever the case may be, the message is clear. Don't wait until it's too late. Live for today, do not live in regret.

So what now? I say we start a revolution! A revolution not to put anything on hold for the *right time*, for there is



no greater time than right now to use the pearls of wisdom to apply to all the facets in our lives.

This year, the Paralegal Division will celebrate its 30<sup>th</sup> anniversary. If you haven't already guessed, the 30<sup>th</sup> is the "Pearl" anniversary. At the State Bar Annual Meeting in San Antonio this June, the theme of our meeting and luncheon will be "*Celebrating 30 Years of Excellence*".

**TAPS 2011 – Pearls of Wisdom** is scheduled for October 5-7, 2011 in Fort Worth. In this issue of the *Texas Paralegal Journal* we recognize those Paralegal Division volunteers who have gone above and beyond to do extraordinary things. The Paralegal Division *pearls*, if you will. We also highlight many of the community service projects the District Directors organized and hosted throughout the

year. Through these projects, PD members have touched the lives of many. Join me as we embark on this great milestone and celebrate the "pearls" we have become. From humble beginnings as a grain of sand, the pearl slowly grows into an object symbolic of honesty, integrity, prosperity and wisdom – pearls represent the best within each of us. We have evolved into something beautiful, but our work has just begun. Don't trap yourself in a box hidden from the world. Are you tired of being an oyster? Then decide to try life as a pearl for awhile.

Debbie Oaks Guerra  
2010–2011 President

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# TPIJ

## *Texas Paralegal Journal*

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# EDITOR'S *Note*

By Heidi Beginski, Board Certified Paralegal, Personal Injury Trial Law, Texas Board of Legal Specialization

**P**earls are among the world's oldest gems, and from the time they were first discovered, they have remained some of the world's most sought-after and revered gems.

There was such competition for pearls in Rome that laws were made that only the elite could wear them. Statues of the goddesses - especially Venus - wore only the very best, largest, and most perfectly matched pearl earrings, in their marble pierced ears. Mortals got to fight over the rest.

Throughout time, there have been a few pearls discovered that stand out among even these rare gems.

The Abernathy Pearl, a 44-grain, natural freshwater pearl, is the most perfect pearl ever found in the rivers of Scotland. A 44-grain natural pearl is a rare find, and even rarer still is to find a pearl of such outstanding quality as the Abernathy. The Abernathy pearl was discovered in the River Tay in 1967 by a professional pearl diver by the name of Bill Abernathy. The Abernathy was displayed for nearly 30 years in a jewelry store in the city of Cairncross until it was sold for an undisclosed sum in 1992.

The Gogibus Pearl is a pear-shaped pearl and was the largest known pearl discovered during the early 17th Century off the coast of the West Indies. The gem weighs a hefty 126 carats. It is said that King Philip IV purchased this pearl from a merchant named Gogibus who wore the pearl as a button in his cap in 1620.

The Hope Pearl, most likely the largest and most famous natural saltwater pearl ever discovered, is an astonishing gem. The pearl weighs 1,800 grains (450 carats), or approximately 4 ounces! The Hope is a white, drop-shaped blister pearl, measuring approximately 2 x 4 inches, and ranging in color from greenish-gold on one end to white on the other. Currently residing in the British Museum of Natural History, the Hope Pearl was once owned by Henry Philip Hope, the one-time owner of the Hope Diamond.

The Huerfana ("The Orphan") was one of the most splendid gems of the Spanish Crown Jewels. Remarkably, it has been reported that this large pearl was not discovered within an oyster, but found in a shell bed in the Gulf of Panama. The Huerfana was a remarkable pearl because of its perfect shape, large size, and brilliant luster, and was once owned by Doña Isabel de Bobadilla, the first female governor of Cuba. The Huerfana was reported to have been destroyed, when the Spanish palace burned in the 18th century.

This issue is a reminder of the rich history of the Division and its members—standouts even among the rarest of gems—who continue to make it ever more valuable.

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# Paralegal Division

## Celebrating 30 Years of Excellence

By: Michele Boerder, Paralegal

The Paralegal Division (Division) of the State Bar of Texas was the FIRST such Division of any state bar association in the United States. The idea for its creation is credited to attorneys Tom Hanna (Executive Director of the State Bar of Texas from 1978–1981), and Bob Towery, who was then Director of Institutes for the State Bar of Texas, and member of the then-called “Legal Assistant Committee” of the State Bar. Messrs. Hanna and Towery worked with the Legal Assistants Committee to develop a presentation to the State Bar Board of Directors and State Bar President Wayne Fisher. The Division (at that time titled the “Legal Assistant Division of the State Bar of Texas”) was created by the State Bar Board of Directors on October 23, 1981.

The stated purpose of the Division is:

To enhance paralegal participation in the administration of justice, professional responsibility and public service in cooperation with the State Bar.

An additional reason for forming the Division was to provide a state-wide organization for paralegals within the State Bar. The initial Division board was appointed by the State Bar of Texas, from geographic regions or “districts,” with Kathryn King Richards as the initial Chair of the Board. (Later, the Division adopted a structure of designating its leadership position as “President.”) By-Laws and a Code of Ethics were adopted by the appointed Division Board of Directors. Elections were held in the Districts for representatives to serve on the board. By June 29, 1982, there were 1,013 charter members of the Division.

The first year after the Division was created, a joint meeting between the Paralegal Division Board of Directors and the State Bar Paralegal Committee titled “Texas Forum” was held, bringing together attorneys, paralegals and paralegal educators to discuss the development of the profession and educational programs for paralegals. This “Forum” has continued over 25 years.

In 1986, the ABA’s definition for “legal assistant” was adopted in Texas. The first version of the *Attorney’s Guide to Practicing with Legal Assistants*, prepared jointly by the Committee and the Division, was then published by the State Bar, which quoted the adopted definition (this text is no longer published). General Guidelines for the Utilization of the Services of Legal Assistants by Attorneys were developed, revised in 1993, and approved by the State Bar Board of Directors.

By 1990–1991, the Division had grown to over 2,000 members. Due to this growth and management needs, Norma Hackler was selected to be the Division’s coordinator in June 1990.

In 1991, after eight years of studying the facets of paralegal certification, the Division Board, along with the State Bar Board of Directors and, then, President Bob Dunn, supported a specialty certification examination process modeled after the Texas Board of Legal Specialization exams for attorneys. The concept was developed over several years by a joint Task Force chaired by Chief Justice Linda Thomas (Fifth District Court of

Appeals - Dallas), and on April 5, 1993, The Supreme Court of Texas approved specialty certifications for paralegals under the Texas Board of Legal Specialization. The first exams were given in March, 1994 to 157 individuals. In 1993, Senate Concurrent Resolution No. 69 proclaimed October 23 of every year to be Texas Legal Assistants Day.

Because of the name change to that of Paralegal, the Senate of the State of Texas adopted Proclamation No. 1144 recognizing October 23rd as Texas Paralegal Day.

By 1995, the Division was publishing the *Texas Paralegal Journal* magazine, similar to the *Texas Bar Journal*. (In March, 2000, the *Texas Bar Journal* was dedicated to Texas Legal Assistants.) In 1999, the Division began its “super-CLE” events now known as the Texas Advanced Paralegal Seminar (TAPS), held in the fall in alternating cities across Texas.

During the fiscal year 1996–1997, the Paralegal Division created an award for pro bono service. This award was titled Exceptional Pro Bono Award and was presented at the 1997 Annual Meeting. Its purpose is to promote the awareness of pro bono activities and to encourage Division members to volunteer their time and specialty skills to pro bono projects within their community by recognizing a PD member who demonstrates exceptional dedication to pro bono service. The first recipient of this special award was Patricia Hammer, CP, of Fort Worth, TX. Ms. Hammer is also a Board Certified Paralegal



in Family Law by the Texas Board of Legal Specialization.

During 1998, the Division began a review of criteria for entering and working in the paralegal profession, and further defining the profession. In December, 2000, the Division and the State Bar Paralegal Committee began a Joint Task Force, to study these issues in depth, gathering information and input from paralegals, attorneys and judges from across the state.

In 2003, the Division passed a Resolution designating "Paralegal" as the preferred terminology for the profession, and in 2005, the Division's name was formally changed to the "Paralegal Division of the State Bar of Texas" approved by the State Bar of Texas Board of Directors and approved a vote on an amendment to the By-laws of the Paralegal Division by its Active members. Additionally, the definition was also amended by the State Bar Board of Directors to read as follows:

A paralegal is a person, qualified through various combinations of education, training or work experience, who is employed or engaged by a lawyer, law office, governmental agency, or other entity in a capacity or function which involves the performance, under the ultimate direction and supervision of a licensed attorney, of specifically delegated substantive legal work, which work, for the most part, requires a sufficient knowledge of legal principles and procedures that, absent such person, at attorney would be required to perform the task.

In 2005, Kim Cantu, then President of the Paralegal Division, created the first European trip to London, hosted by the Paralegal Division. Trips to Europe have been continued with 30–40 persons participating on an annual basis including Paris, France, Italy, Ireland, and Germany among featured destinations. In 2005, the Paralegal Division began offering CLE online through Legal Span. Beginning in 2008, Manexa (formerly known as Legal Span) began working with the Paralegal Division to offer webinars and podcasts to the legal community. In

2010, the Paralegal Division offered its first live webcasts at the TAPS 2010 event.

In 2005, a position on the State Bar College Board of Directors was created for a Paralegal Division Representative. The representative would serve three year terms and be appointed by the PD Board of Directors. Guidelines for appointment to this position were developed and approved by the Board of Directors.

Also in 2005, a representative of the Paralegal Division was added to the Texas Access to Justice Commission. The position was created by the Texas Supreme Court. The Commission "develops, coordinates and implements policy initiatives to expand access to and enhance the quality of justice in civil legal matters for persons who encounter barriers in gaining access to the civil justice system in Texas." Ellen Lockwood served as first PD representative followed by Patti Giuliano, Stephanie Hawkes, and currently Susan Wilen.

On April 21, 2006, the State Bar of Texas Board of Directors approved amending the definition of a paralegal to include education, training and work experience standards and examples of criteria to meet such standards.

(See [http://txpd.org/page.asp?p=Paralegal Definition and Standards](http://txpd.org/page.asp?p=Paralegal+Definition+and+Standards)).

In 2006, the Division celebrated its 25th Anniversary as a Division of the State Bar of Texas. Former Division Presidents and State Bar Paralegal Committee members (including Tom Hanna and Bob Towery) were invited to the Division's Annual Meeting held in June in Austin. A special 25th anniversary celebration was also held during the Texas Advanced Paralegal Seminar in September, 2006.

Also in 2006, the PD created the "Ambassador Program." This program involves past presidents of the Paralegal Division traveling across the state making presentations about the Division, and giving CLE programs as well as to educate the legal community on the Paralegal Division and its member benefits. Division Ambassadors have given presentations to local paralegal associations, law firms, and State Bar sponsored seminars for attorneys.

In 2007, the first edition of the Paralegal Ethics Handbook was published. The

Handbook is authored by PD members Ellen Lockwood, ACP, RP (editor), Lori Borski, Rhonda Brashears, CP, Debra Crosby, Javan Johnson, ACP, and Lisa Sprinkle, ACP; revisions to the Handbook are submitted to the publisher, Thompson West, on an annual basis.

Also in 2007, the PD began a Mentor Program. This program's purpose is to create a liaison between a senior paralegal and a paralegal with less than two years working experience. The premise is to assist new paralegals with how to perform their jobs more efficiently, how to find a job in the legal community, consult on expected performance on the job, and answer questions the protégé may have in the specialty field in which they work. Today, the mentor program is helping many paralegals across the State.

In 2008, the Paralegal Division introduced a video titled *Profiling the Paralegal Profession*. This video was approved by the MCLE Department of the State Bar of Texas is used to educate both attorneys and paralegals regarding the paralegal profession. It is currently housed as a free video on the PD's Online CLE.

In 2009, the Paralegal Division contracted with Rachel Mahler, to begin work to increase membership in the Paralegal Division. Ms. Mahler's title is Member Services Coordinator and works directly with the PD members in enhancing the many benefits offered to PD members.

In 2010, the Paralegal Division introduced Social Networking Sites on its website. Today, PD members can join LinkedIn®, Facebook®, Twitter®, and follow the organization through its Blog.

The Paralegal Division will be celebrating its 30th Anniversary in 2011. The Annual Meeting in San Antonio on June 24, 2011 will host a luncheon "*Celebrating 30 Years of Excellence*" featuring a keynote speaker on *Practicing Accessible Justice*. During the October 2011 TAPS CLE Seminar, the Paralegal Division will celebrate the 30th Year Anniversary throughout the event titled *Pearls of Wisdom—Celebrating 30 Years of Excellence*!

*Michele M. Boerder, Board Certified Paralegal—Civil Trial, Texas Board of Legal Specialization, works for K&L Gates in Dallas.*

# Social Networking

By Rachel Strong Mahler, Membership Services Coordinator

## What is social networking?

**S**ocial networking. It's a term we've all heard – there was even a movie released in 2010 called 'The Social Network'. While teens and college students popularized many of the current forms of social networking, in recent years there has been a surge of older professionals participating on various social networking sites. People of all ages are finding these sites to be useful tools for business, professional development, and facilitating their search for employment, while also helping them connect with friends and family.

What is social networking? According to Wikipedia.org, 'a social network[ing] service is an online service, platform, or site that focuses on building . . . social networks or social relations among people, e.g., [those] who share interests and/or activities.' Basically, social networks are an online extension of the groups and communities you are already a part of in your day-to-day life. In addition to staying in touch with friends, family, and co-workers, you can often find a group or network for your alumni association, church, hobby or personal interests, fan club, professional organizations, and favorite businesses.

As we advance into a digital age that is full of 24/7 communication and information, it is important to remain knowledgeable about the technology and tools that are available to us. As we observed with the cell phone, there was a massive shift in the way we handle our connectivity and expectations for business now that most people can be reached at any moment. The smart phone took this a step further, allowing us to access our e-mail and search the Internet on the go. Many employers utilize these tools at work and expect their employees to maintain a base level understanding of these resources and their application. Businesses are already starting



to make use of social networking tools internally and for marketing and outreach purposes with their clients or prospective markets. It is reasonable to assume that as our technology advances, so will our cultural expectation and use of social networking. Be prepared for the future and start utilizing these sites now, if you have not already.

There are a wide variety of sites that fall under the umbrella of social networking, so many that we can't possibly discuss them all in this article. Each site focuses on a different audience or aspect of social networking and each has its merits. For the purpose of this article, I will focus on three of the most prominent networks in use in America today: Facebook®, LinkedIn®, and Twitter®.

## What does this do for your career?

Social networking sites have a number of applications in the office. Many businesses are already using social networking platforms internally to promote communication and project collaboration between their employees. LinkedIn® can be used to search for professionals and experts in various fields to solicit work on a project, provide a service, or be an expert witness for a case. These sites are also a good place to find resources, request information from professionals in the legal community, and share and research reviews of vendor services.

You may also find that you can further

your career while utilizing social networking tools. By networking with legal professionals from around the world you have the chance to stay up to the minute on evolving policies and news, broaden your knowledge base, and expand your pool of contacts. In today's world it is helpful to have a personal contact when applying for a new job, and online networking gives you a vast source of potential contacts and resources. Contract paralegals may find sites like LinkedIn® a particularly valuable resource when attempting to find and secure new contract positions. Use LinkedIn® to market yourself; your career or body of work is a product and your name is a brand. By increasing your online presence you are extending your professional brand and potential name recognition.

## Finding Balance Online

It's just as important to find a balance between your personal and professional life online as it is in every day life. How do you present yourself? Do you behave in the same way with your boss and co-workers as you do with your friends and family? If so, you may not find it necessary to separate your personal and professional presence online, but many people find it helpful to segregate their acquaintances online to help protect their privacy as well as their jobs and future employment opportunities. One option for managing this work-friend quandary is to use a professionally oriented network such as LinkedIn® for your colleagues and business contacts and a more casual network like Facebook® with your personal contacts.

LinkedIn® was created for business and professional networking and currently reports more than 90 million registered users. Users are able to provide their work and educational history and build a network of 'Connections' or people that



they have interacted with in their professional life that they know and trust. Users are able to request 'Recommendations' from their contacts, which present another perspective on the user's work ethic and resourcefulness and advocate on behalf of the user. Both the information provided by the users and their recommendations can be searched by employers and headhunters who are using LinkedIn® to search for potential candidates.

Connections can be utilized by a user to request career advice, get tips on a project, and referrals for services and vendors. In addition to networking with immediate Connections, LinkedIn® allows you to contact second and third degree Connections; these are the contacts your first degree Connections have made. This opens many avenues of communication and opportunities to make introductions and expand your network, potentially giving you access to hiring managers and influential community members. Networking within these channels can produce useful business contacts as well as new career opportunities.

LinkedIn® is a fantastic avenue for self-promotion and you can utilize your online professional profile while networking in person. Many people include the web address to their LinkedIn® page on their resume, business cards, and e-mail footer. This allows new contacts to research you and helps to expand your network and future opportunities. If you have a completed profile that includes positive Recommendations and shows active participation in the LinkedIn® groups, it can help you to stand out within your profession. By sharing your knowledge with other users, you are also extending your name recognition while increasing your online presence. This can be useful, as many employers do Internet research on potential employees.

Facebook® is oriented more towards personal connections, both with current acquaintances as well as with long-lost friends and classmates. Facebook® currently hosts more than 600 million active users. Users create a personal profile, indicate their interests and activities, then add other users as friends, often referred to as 'friending'. Friends can be located by name, the network they associate with

based on their education and employment history, and by allowing Facebook® to import your contacts from your e-mail address book.

Facebook® users can share posts, links, photos, and videos on their personal page, which will then be displayed on the News feed of their friends. Facebook® provides tools to send private messages, live chat, upload photos and video, and join common interest groups. Users may also subscribe or 'Like' fan pages of artists, social causes, businesses, including the content from these fan pages in their News feed.

Twitter® is a real time microblogging service with approximately 190 million users who generate 65 million Tweets per day. Posts, or 'Tweets', are limited to 140 characters at a time, which users can submit updates via the Twitter®.com website, external software, smart phone applications, and by text message. The use of hashtags (words or phrases with the prefix #) can be used to group similar Tweets together, eg: *#ParalegalDivision*. Twitter® sorts Tweets by hashtags to see which topics are trending and pushes hot topics to the top of their front page. Hashtags can also be used to search for Tweets by a particular topic. A Tweet can target another user by including *@username* in the Tweet and users are able to re-Tweet a message, which then reposts the original Tweet to their personal feed with the notation *RT* in the message.

People with Twitter® accounts can subscribe to a Twitter® feed; this is called 'following', and they are 'followers' of that particular feed. Twitter® messages are public, so you can view and subscribe (via RSS feed) to a Twitter® feed without having a Twitter® account, with one small exception. Some Tweets are restricted to a poster's followers so if you do not have an account and are not following a feed that uses this option, you will not see all of the Tweets from the poster. Users also have the option to follow all posts that have been assigned a particular topic or hashtag.

### Getting Started

Each networking site will request different information from you but getting started is always easy. I have outlined the initial steps for joining LinkedIn®, Facebook®, and Twitter® for you below.

### Joining LinkedIn®

1. Go to [www.Linkedin.com](http://www.Linkedin.com) and provide your name and e-mail address. Click 'Join Now'.
2. You will be given the option to find contacts from your e-mail address book / contact list. You can skip this step if you prefer.
3. Verify the new account by clicking the link sent by LinkedIn® to your e-mail address. This step will take you back to the LinkedIn® account set up.
4. Add your professional achievements and background.
5. Decide if you want a Basic or Premium account. Most regular users will have a Basic account
6. Edit your profile and upload a picture. LinkedIn® will give you suggestions on how to fill out a complete profile to maximize your membership on the site. You have the option of uploading your resume to help fill in your profile quickly.

### Joining Facebook®

1. Visit [www.Facebook.com](http://www.Facebook.com) and start by providing your name, e-mail address, and birth date.
2. Search for friends, indicate your networks (schools and employers), and add a profile picture.
3. Once you have completed these steps you will need to check your e-mail and verify the new account with Facebook®.
4. After you've completed the initial set up, you will have the option to begin filling out your profile, add a mobile phone to your account for mobile access and posting, find people you know, and adjust your privacy settings.

I strongly recommend that you review and customize Facebook®'s privacy settings to your personal needs. The privacy settings can be found by clicking 'Account' at the top right corner of any Facebook® page, then selecting 'Privacy Settings'. From here you can customize how people are able to locate your profile, what you share with different groups, and how much of your information applications are able to access.

While some users leave their privacy settings completely open, this allows anyone to view and access their personal in-

formation, photos, and posts. Many users find this to be undesirable and choose to modify the settings to meet their personal preferences. These privacy settings are a helpful tool when you are maintaining the boundaries between your personal and professional lives on the Internet.

#### Joining Twitter®

1. Go to [www.Twitter.com](http://www.Twitter.com) and click 'Sign Up'.
2. Supply your name, user name, e-mail address, and password.
3. Verify your account by clicking the link sent to your e-mail by Twitter®.
4. Twitter® will then help you find feeds to subscribe to based on your personal interests.
5. Find friends and begin following their feeds.

Once you have created your profile(s), you will want to begin looking for your friends and contacts. You can begin by searching by individual names, by having the sites index your address book, or by searching for people based on their networks and affiliations. Facebook® and LinkedIn® will also suggest people you may know based on who is already in your network.

You will also begin receiving requests to connect with other users. In order to support the division of your personal and professional lives, it is important to have a consistent and clear policy about who you will add on the various sites that you use. You are not obligated to reply 'yes' to every request to be friends or contacts. If you don't know the person attempting to add you, you can leave it as a pending request or decline them. If you do know them but only professionally, it is acceptable to let them know that you are happy to connect with them on a site like LinkedIn® but that you prefer to keep your other accounts for personal use.

Now that you've made your account(s), take some time to look around. It's helpful to learn about a site and its culture before you begin to participate. How are the seasoned users interacting? If you need guidance in using a networking site and its features you can access their FAQ or Help section for additional guidance.

The first page you see when you log into

most social networking sites is your News Feed. This will show updates and information from your contacts and any other pages you have subscribed to. The News Feeds are typically updated in real time going in reverse chronological order with the most recent posts displayed at the top of the page. You can interact with other users by commenting on their posts or sharing your own updates.

#### Etiquette

Etiquette is equally important online as it is in person. Unfortunately, a standardized, comprehensive guide to etiquette on the Internet does not exist and many social networking sites and forums have their own guidelines for appropriate behavior. I have outlined some key points that apply to all of the sites we have discussed, as well as a few key issues that are particular to Facebook® and LinkedIn®.

It is critical that you be honest about who you are. Unlike many websites where using a handle or nickname is appropriate, LinkedIn® and Facebook® are based on the premise that people are using their real identities. Represent yourself as an individual and use your real name; don't list yourself as a business. If you do own a business, create a separate account and online presence for that enterprise and use the two accounts accordingly. Remember that your profile is a digital representation of your identity; you wouldn't introduce yourself as 'A+ Paralegal Services' when meeting someone or when you sign an e-mail to a family member. Use your real name and profile for individual purposes and identify the appropriate times to post and comment using your business profile.

Create and maintain a real profile, filling out the biography section and provide a picture of yourself. By doing so other users are able to identify you and will be more trusting of the content you share. This is particularly important on LinkedIn® where your activities are closely tied to your career. Incorrect or deceptive information may not seem like a significant concern, but if you present yourself in a misleading way and other users discover an inaccuracy this could damage your cred-

ibility and possibly your career. Providing accurate information also helps build your network of connections as it makes it easier for other users to locate you.

You should consider all activities on social networking sites, and the Internet in general, to be public or semi-public. Even if you change your mind about something you've posted and decide to delete it, it's very likely that someone has already read it, that it has been digitally archived, or been shared with people outside of your intended audience. It is prudent to be thoughtful about what you post and where, and think about the possible ramifications of your material before you hit the submit button.

Don't use a public forum to air grievances, either professional or personal. You cannot take back these comments once they are posted and this is a very unprofessional way to address a concern. Always remember that you're dealing with other people, who have emotions and personal needs. Just because you're looking at a computer screen does not mean that tact and politeness do not apply. Would you consider saying something to someone's face? If not, it's probably not something to type and share online either.

Think about the consequences of your engagement on any social site. Racial slurs, criticisms without warrant, and blatant abuse don't work in real life, and they really have no place in the social media channels simply because you are far more anonymous on these sites.

*The Ultimate Social  
Media Etiquette Handbook*  
by Tamar Weinberg

Most users won't appreciate you adding or friending them if you don't already know them or without introducing yourself first. It can be helpful to include a reminder when adding someone you are acquainted with but who may not immediately remember you. If you are adding a stranger but feel that you could be useful contacts to each other, incorporate a comment letting them know why you would like to connect with them. A simple note to let someone know how you're connected can

make a difference in being added back or being rejected, and may also impact how quickly they respond to your request. *'Hello Sarah, we met at TAPS 2010 in the vendor hall and had a great time at the evening social. I would like to stay in touch with you in the future. –Rachel'*

As I mentioned above, many sites have their own etiquette guidelines that may not apply in other circumstances. On LinkedIn®, it is not appropriate to ask for endorsements or recommendations from someone you don't know or haven't worked with. Facebook® has created an environment where it's easy to share information and images of other people quickly. It may be tempting to post pictures from the last happy hour you attended and tag your co-workers, but they may not appreciate you putting a picture of them holding a margarita at the top of their own News feed. Feel free to post pictures that are not compromising, but leave it up to your friends and co-workers to tag themselves unless you have their permission first.

Your writing style and presentation is equally important when writing online because you are represented entirely by your words, with no clarification by body language or voice tone. Your audience is basing their entire perception of you on the content of your posts. Make an effort to use correct spelling, grammar, and punctuation. Occasional mistakes are reasonable, but you should give as much consideration to the quality of your words as you would when writing a business letter. You should also limit the use of exclamation points, acronyms, net-speak, and emoticons when

participating in a professional or business related forum. Do not type in all caps; this is the equivalent of yelling at the reader and is considered very rude.

Don't copy someone else's content and claim it as your own. If you find something interesting or useful online, share it and give credit to the original source. This can be as simple as posting a link to an article or other website with a note about your personal opinion of the linked material.

Stay on topic and keep your posts relevant to the site or forum you are participating in. For example, when you are interacting on a group page or message board it is not appropriate to post pictures of your new dog unless the group topic is pets, dogs, or something similar. Off topic posts, sometimes abbreviated as 'OT', may be appropriate on informal sites or lists; this will depend on the network's culture and what the forum administrator has set as a guideline. Many forums or groups will have a written policy about what is appropriate and what is considered 'off topic'. If you aren't sure something would be well received you can contact the group administrator directly to find out before you share the post with the group.

#### **Adding the Paralegal Division**

Once you have set up your online profile(s) you can find organizations like the Paralegal Division (PD) and begin connecting with other paralegals and the PD. The following instructions assume that you have created an account on the site and are currently logged in. Once you have added the PD to your LinkedIn®, Facebook®,

or Twitter® account you will see updates from the PD in your News Feed and have the option to interact with the Division and other users that have subscribed to our pages.

On LinkedIn®.com, click the 'Groups' button in your top menu bar. Search for 'Paralegal Division of the State Bar of Texas'. You will need to submit a request to join this group; once you have been approved, you will receive an e-mail notifying you that you have access to the group. We have also created additional subgroups for each membership level. If you would like to join the appropriate subgroup, go to the main group page, hover your mouse over the 'More' option in the top menu bar, then click 'Subgroups'. You will be shown a list of the subgroups; select the option that matches your PD membership level and then click the 'Join' button.

On Facebook®.com, type 'Paralegal Division of the State Bar of Texas' into the search box at the top of the Facebook® screen. Once you have located the PD's page, click the 'Like' button and you will be subscribed to the PD fan page.

To view the PD's Twitter® feed, visit Twitter®.com/txpd. You have the option to start following the feed if you have an account, or you may choose to subscribe via RSS feed. The RSS feed button is found at the bottom of the right hand navigation column.

*Rachel Mahler has served as the Paralegal Division's Membership Services Coordinator since December 2009.*

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## **PD Members That Passed 2010 TBLS Exam**

Congratulations to the following members of the Paralegal Division who successfully completed the 2010 Texas Board of Legal Specialization Examinations.

#### **Civil Trial Law**

Corbin, Kelly King  
Vrba, Catherine J.  
Ross, Marianne

#### **Estate Planning And Probate Law**

Potts, Teresa Jane

#### **Family Law**

Turner, Natalie  
Wiggins, Britany L.  
Dixon, Ryan  
Ramirez, Martha

#### **Real Estate Law**

House, Debbie  
Glenn, Elle

# Paralegal Division Committees

**E**ach year the Paralegal Division Board of Directors appoints members to serve on the various committees of the Paralegal Division. The Paralegal Division sends a call to each member of the PD and ask for their assistance in serving this great organization. The list below details each Standing Committee of the Paralegal Division; if you are interested in serving on a committee, please contact your District Director (see email addresses on page 8 of this publication).

1. **Annual Meeting.** This committee shall plan the Annual Meeting of the general membership of the Division. The Chair and Board Advisor of this committee each year shall be from the District in which the Annual Meeting will be held the following year. (**San Antonio is the location for 2011.**)
2. **Continuing Education.** This committee shall be composed of at least one eligible member from each District who shall chair a subcommittee of three to five eligible members of the Division in the respective District. This committee shall be responsible for planning and presenting at least three hours of continuing legal education in each district per year. The committee shall also implement and manage an online continuing legal education program. The Continuing Education Committee shall also implement and monitor compliance with the six-hour mandatory continuing legal education requirement in conjunction with the Membership Committee.
3. **Elections.** This committee shall be composed of at least one active member from each District who shall chair a subcommittee of three or five active members of the Division in the respective District and shall fulfill the responsibilities set forth in these Standing Rules and the Bylaws. This committee will be concerned with the process of elections for Directors and with the process of balloting on proposed amendments to the Bylaws and shall assure compliance with the guidelines for each such process.
4. **Membership.** This committee shall be composed of at least one active member from each District who shall chair a subcommittee of three or five Division members in the respective District, and shall fulfill the responsibilities set forth in Section II of the Standing Rules. This committee will be concerned with qualifications for membership and the criteria to be used in determining eligibility, and shall promote membership and growth within the Division.
5. **Professional Development.** This committee will assist in various projects for enhancing the professional development of Paralegals. This committee shall also monitor any bills introduced in the Texas legislature which would affect the paralegal profession and members of the Division, and shall be prepared to inform the general membership of the pros and cons of any such bills. This committee shall also monitor nationally the following: (a) articles published regarding the activities and profession of Paralegals; (b) legislative action regarding the activities and profession of Paralegals; and (c) court cases relative to the ethical considerations in the use of Paralegals and any other relevant information regarding the activities and profession of Paralegals. This committee shall recommend to the Board any legislation which it deems to be in the best interest of the general membership of the Division; and it shall recommend to the Board the dissemination to the general membership of the Division of any national articles, legislative action or court cases which it deems appropriate.
6. **Professional Ethics.** Upon receipt of a complaint, the Professional Ethics Chair shall request the Board to appoint a Committee to be composed of at least one active member from each district and a Subcommittee which shall fulfill the respective responsibilities set forth in Section III of these Standing Rules. The Professional Ethics Chair shall also interpret and recommend amendments to the Code of Ethics and Professional Responsibility, and make recommendations to the Board with respect to disciplinary procedures.
7. **Public Relations.** This committee shall be composed of at least one eligible member from each District who shall chair a subcommittee of three to five eligible members of the Division in the respective District. This committee shall study and develop various means to better inform the legal profession and the general public about the Paralegals profession, and shall nurture positive relationships with local and national associations of paralegals and other associations throughout the country.
8. **Publications.** This committee shall be responsible for reviewing and submitting various articles for publication in the *Texas Paralegal Journal*. This committee shall also be responsible for publishing the Division's official publications. It shall also study and recommend to the Board any other publications which will be beneficial to members of the Division and shall also be responsible for *soliciting articles from as many members as possible*.

# District Volunteers

## Carolyn Anders District 1



Carolyn Anders is currently serving as the Membership Sub-Chair for District 1 and has served on this committee since 1998. She works

closely with the directors and officers of the Paralegal Division (PD) to keep our profession growing. Carolyn has been a member of the PD over 20 years. She loves the networking provided by the PD. She thinks the Texas Advanced Paralegal Seminar (TAPS) is, without a question, the best seminar provided to paralegals in the State of Texas, speaking both educationally and socially. She truly appreciates the opportunities the PD makes available to its members, and has been happy to assist its membership to grow. Carolyn feels that giving back to the paralegal community is a way to make a difference and she takes pleasure in knowing that, in her own small way she is helping our profession to grow on all levels. Carolyn is the volunteer every Director prays for, and I am so fortunate to have had her on my team.

Carolyn works for the Law Office of Sam M. (Trey) Yates, III, P.C., a family law attorney in Houston, Texas. She has been a paralegal for over 20 years with a background in family and civil litigation.

Carolyn has been married for 43 years, the mother of two children, and the proud grandmother of two grandchildren who are keeping her young at heart. She is a Christmas fanatic who turns her house into a Christmas wonderland every season. She also enjoys decorating for Halloween. She is also an American Red Cross instruc-

tor. Her hobbies are fishing, reading, and gardening. Because she is an animal lover, has a collection of tigers and wolves. If she could be any animal she would be a giraffe that has the elegance of style and speed and can see things in the distance and prepare her for what's ahead.

## Penny Grawunder District 2



Board Certified Paralegal – Civil Trial Law Texas Board of Legal Specialization

Penny Grawunder

is currently the Public Relations Subchair for District Two. She joined the Paralegal Division in 1999, which is the same year she became certified by the Texas Board of Legal Specialization in Civil Trial Law.

Penny obtained her paralegal certificate from the SMU Legal Assistant Program in 1987. She has been a paralegal for 24 years. Penny currently works for Settle Pou in their Commercial Litigation Department.

Also having served in the TAPS planning committee, Penny has enjoyed the work she performs for the Paralegal Division. She feels the greatest benefits are networking and a sense of being part of the event, such as TAPS.

She is a true asset to the Division, always bringing new ideas to the table and a fresh perspective. Thank you, Penny for all the time you have volunteered for the Paralegal Division.

## Ronda S. Haynes, CP District 3



Ronda has served as the Co-CLE Sub Co-chair for District 3 for 2010–2011 year. She joined the Paralegal Division of

the State Bar of Texas in 2009. In addition to serving on the PD's District CLE Committee, Ronda is also a mentor through the Division's Mentor Program. Being a member of the PD and volunteering as a co-chair has allowed Ronda the ability to stand out in the community and within her own firm. She has "jumped in with both feet," even in unfamiliar territory, and is always willing to assist no matter what the task; she truly enjoys helping others and being a part of the Division.

Ronda is also a member of the Tarrant County Probate Bar Association (2010); the Fort Worth Paralegal Association (2010); a NALA Certified Paralegal (2006) and a graduate from Tarrant County College with a bachelor's degree in Business/E-Business (2004) and is a member of Phi Theta Kappa. Ronda will be attending law school at Texas Wesleyan Law School in the Fall 2011. Ms. Haynes also volunteers and plans CLE events in conjunction with Legal Aid of Northwest Texas and as a notary for the Presbyterian Night Shelter in Fort Worth.

Ronda began her career as an intern for The Murphree Law Firm in Azle, Texas, where she found her niche in estate planning and probate law. From 1995 until 2005, she worked for various firms specializing in estate planning and probate, gaining valuable experience. In March 2005,



she was hired by Gordon & Sykes, LLP, as a paralegal. Ronda currently lives in Cleburne, Texas, and is married to Robert Haynes. She has two children, T.J. Haynes and Taylor Haynes.

## Kristina Kennedy District 4



Kristina "Kris" Kennedy is volunteering on the Paralegal Division's Professional Development Committee this year. She began her career

as a paralegal in 1994 and joined the Paralegal Division, then known as the Legal Assistant Division, the following year. Kris enjoys volunteering for the PD because she is hands-on and likes to be involved in her profession as much as possible. She enjoys meeting paralegals who are just starting out and offers them assistance in the field like her mentors who did the same for her when she was a new paralegal.

Kris is board certified in family law and civil trial law by the Texas Board of Legal Specialization. She works for Robert "Bob" E. Raesz, Jr. She is married and has a 13-year-old daughter and 5-year-old son. In her "free" time, she is a writer, photographer, and a CASA (court-appointed special advocate) volunteer.

## Gabriela Garza District 5



Gabriela Garza is a litigation paralegal at the San Antonio office of Langley & Banack. She has been a member of the Paralegal Division since

2008, and currently serves as the District 5

Public Relations sub-chair. She volunteers at the Community Justice Program in San Antonio and Bexar County, and values Pro Bono service as a way to give back to the community. Gabriela is a single mother who worked full-time while finishing her undergraduate degree at Schreiner University in Kerrville. She is an excellent role model for her son and an inspiration to those around her. She embodies the core belief that hard work and perseverance are the keys to success and achieving one's dreams. Family and community are the bedrock of her success, and she gives generously of her time and skill to help and train others; she and her son work happily together on projects that support Habitat for Humanity. Gabriela is always one of the first to step up and volunteer for events supported by the Division. District 5 is proud and thankful to have her on board.

## Candace Norrod, CP District 6



Candace is currently volunteering on the Public Relations Committee of the Paralegal Division. Candace enjoys working

on the committee because *"I enjoy the leadership opportunities and the opportunity to meet new people."* Candace is a paralegal for Jody Jenkins of McCleskey, Harriger, Brazill & Graf, L.L.P. in Lubbock, TX and performs paralegal duties in civil litigation and collections.

Ms. Norrod has been a member of the Paralegal Division since 2010. She became NALA certified in January 2010.

## Shandi Howard, CP District 7

Shandi is the Election subchair for District 7 of the Paralegal Division. She has been a member of the Paralegal Division since



2010. Shandi graduated with a degree in paralegal studies from Amarillo College in 2008. She is a paralegal at the Underwood Law Firm

working mainly in transactional law, but in litigation as well. She has worked at the firm since 2005 in different roles ranging from carrier to paralegal clerk to an "official" paralegal upon graduating from Amarillo College. This is Shandi's first volunteer position with the Division. Shandi said that she enjoys working with such a great community of legal professionals and her greatest benefit is networking with other paralegals. Shandi hopes to do more in the future with the Paralegal Division.

## Laura Rogers District 8



Laura Rogers is officially on the Public Relations Sub-Chair Committee for District 8 in Corpus Christi, Texas but serves as a leader in many posi-

tions for the District. Laura, a paralegal for 10 years, joined the Paralegal Division in January of 2010.

She currently works in the Labor and Employment Law department of Wood, Boykin & Wolter, P.C., in Corpus Christi, Texas. Laura's supervising attorney, Fred McCutcheon, currently has 16 cases in litigation (not including employer clients) with 7 trials set before the year ends.

Laura joined the Division because of the great CLE opportunities it offers. She says she enjoys volunteering on the committee because it allows her to network and offers her leadership opportunities.

Laura's enthusiasm has been addictive for our District and has served in increasing membership and introducing the Paralegal Division to the legal community here

in Corpus Christi and surrounding areas.

She is quickly becoming famous for the social events she has orchestrated for District 8, most recently a rocking Spring Break Social, which had a wonderful turnout of members in our legal community. Our District has immensely benefited from her membership and we look forward to her leadership in the future.

## Audrey Moore District 10



Audrey has been the Membership Sub-Chair of District 10 since 2007. She has been a PD member for at least 10 years. She attended South-

western Paralegal Institute, graduating in 1988. She has also attended the University of Houston. She is employed by Orgain Bell & Tucker, LLP in its office in The Woodlands, Texas and has worked there with Attorney Kelly Donaldson for five years.

Audrey says that membership in the Paralegal Division is great for networking, CLE, making friends and meeting great paralegals, and the PD e-Group is one of the best perks of membership – you can join the PD e-Group and get help with questions or dilemmas on just about any topic imaginable. Being a member of the PD opens up many opportunities for both

the experienced paralegal and those new to this field.

She enjoys being a sub-chair because it makes her feel like she is contributing something to both the Paralegal Division and other paralegals. “I am extremely proud to be a paralegal, and being both a member of the Paralegal Division and a sub-chair has allowed me to meet many other paralegals who equally love this profession and take pride in their careers.”

## Pamela Snavelly, CP District 12



Pamela currently serves as the 2010-2011 District 12 Membership Chair and previously served the District as the 2009-2010 Professional Development

Chair. Pamela has been a member of the Paralegal Division of the State Bar of Texas since 2008. Pamela is also an active member of the Denton County Paralegal Association where she served as Co-Chair of the Social Committee from 2008 – 2010 and is currently a committee member. She enjoys volunteering for the Paralegal Division to promote positive working relationships among dedicated professionals, and to contribute to the growth and development of the paralegal profession.

Pamela has more than twenty years of experience in the legal field. She spent seven years at a private Dallas law firm supporting attorneys in real estate, commercial, corporate and insurance regulatory transactions. Pamela's subsequent experience includes contracts, business entity formation, and bankruptcy, as well as probate administration and guardianship. She acquired extensive legal knowledge in her eight year tenure with a Denton County law firm that handles litigation, construction law, real estate, consumer representation and family law. Her specialty as a courtroom trial paralegal in business and commercial litigation provided invaluable experience in various district courts in the north Texas area. In March, 2010, Pamela joined the Office of General Counsel of the University of North Texas System, where the attorneys address a wide range of matters including litigation management, real estate transactions, construction contracts, purchasing and sales of goods and services, intellectual property, public governance, employment and equal opportunity. She serves as the Public Information Coordinator for the System in conjunction with her paralegal responsibilities.

Pamela obtained her paralegal certificate from Texas Woman's University in 2006 and earned the Certified Paralegal designation through the National Association of Legal Assistants in 2009. She completed her Bachelor of Science Degree Magna Cum Laude from TWU in 2010, with a major in Government, legal studies emphasis, and a minor in English. Pamela is a member of the national political honor society Pi Sigma Alpha.

## Community Service

District 16 held a pizza party for the Reynolds House located in El Paso, Texas. The Reynolds House is a family-owned home that houses abused and homeless women and children. District 16 members donated their time, old clothing, food, beverages, and goodie bags for the children. They were very appreciative and enjoyed themselves



*District 16 Community Service Volunteers*

tremendously. It was a rewarding experience for all members of District 16.

A Valentines Day Dinner was provided

to the residents of the Lewis Street Ronald McDonald House in San Antonio by several members of District 5. The residents were treated to salad, pasta bake, meatballs, bread and homemade sugar cookies. The Ronald McDonald house serves children and their families by providing lodging while in San Antonio for medical purposes. The District 5 members were given a tour of the facilities including the gardens donated by San Antonio families and guest rooms decorated with various themes appealing to the children.



State Bar of Texas  
**Paralegal Division**  
[www.txpd.org](http://www.txpd.org)

We Provide...  
leadership  
professionalism  
public service



*As a PD member, you receive many benefits and opportunities, including...*

- **E-Group Forum** – join the members-only forum with hot topics, forms, ethics, and general questions posted and answered by paralegals.
- **Job Bank** – be the first to get the dish on hot jobs!
- **Participation in State Bar activities and benefits** – health, life, vision, and dental insurance programs, and credit unions.
- **Free Legal Research** through the State Bar's MyBarPage. Access the Texas Library, federal law, 5th Circuit Cases, and law libraries in all 50 states!
- **www.MyTexasBar.com** – provides legislature tracking, form access, and notification of TexasBarCLE events.
- **Mentor / Protege Program** - available to students and new paralegals, paralegals that have recently move to Texas, or paralegals changing the area of law they practice in. Free of charge for eligible members.
- **Subscriptions to the Texas Paralegal Journal and Texas Bar Journal** – keep up to date with current event issues, tips and tricks as technology evolves, and what others are doing in similar situations.
- **CLE Discounts** - receive discounts on all CLE sponsored by the PD and the State Bar.
- **Texas Advanced Paralegal Seminar** – An annual conference hosted by the PD. Three days of CLE Hours for one great low price!
- **Statewide CLE Depository** – event notices of upcoming CLE and related events hosted by the PD and the State Bar of Texas.
- **Discounts** – available from National Car Rental, DELL, GEICO Insurance, and much more!
- **Track your MCLE Credits Online** – log in and view SBOT MCLE-attended CLE and submit other CLE attendance before you forget.
- **Membership Directory and Listing in Texas Legal Directory (Blue Book)** – find the members in your district, reconnect with previous colleagues, or meet new friends.
- **Pro Bono Events** – receive notification and access the statewide listing. Track your hours too!
- **PD Travels to European Destinations** – take a trip of a lifetime with colleagues. Recent expeditions include Germany, Spain, Greece, and Ireland.
- **Networking** – communication and promotion of professional conduct and responsibility. Start networking through involvement with statewide committees. Be proactive in the promotion and direction of the paralegal profession!
- **Professional Recognition and Growth** – hold yourself to a higher standard with the communication and promotion of professional conduct and responsibility. Your attorneys *will* notice the change.
- **[www.txpd.org](http://www.txpd.org)** – the one-stop shop for your needs. Find all of this information, plus so much more, including helpful tips and links to vendors, blogs, and other sources of information.

*Your PD Members hard at work for you...*

- ✓ View the Paralegal Standards and Definition on the PD website at [www.txpd.org](http://www.txpd.org) under **About PD**. The Definition of a Paralegal was approved by the State Bar of Texas in 2005 and the Texas Paralegal Standards were unanimously approved by the State Bar of Texas Board of Directors on April 21, 2006.
- ✓ Visit the PD Blog with information on upcoming and recent events and see comments of members and non-members!
- ✓ Examine a collection of ethics articles, questions and answers, and with the option to purchase the *Paralegal Ethics Handbook*, authored by PD members.
- ✓ Watch the free “Profiling the Paralegal Profession” video on the PD Online CLE, available for MCLE accreditation in the area of Law Office Administration.
- ✓ See member Nan Gibson in the Ten-Minute Mentor on the “Effective Use of a Paralegal in a Family Law Case” at [www.tenminutementor.com](http://www.tenminutementor.com).
- ✓ Meet the Board of Directors by visiting their bios and photos on the website.
- ✓ Save the Date for TAPS 2011 - in Fort Worth from October 5-7, 2011!

*... Take Advantage Now!*

*A Division with Vision... Empowering Paralegals!*



# Paralegals of the Year

## Professional Development News

Perhaps one of the most prestigious recognitions that a paralegal may receive is the Paralegal of the Year Award from a local association. In light of these professional achievements, the Professional Development Committee wanted to spotlight paralegals who have won these awards. If your local association sponsors a Paralegal of the Year Award, please let the Professional Development committee know (pdc@txpd.org).

## DAPA Names Mariela Cawthon, CP, TBLS, Paralegal of the Year



*Mariela Evora receiving the Dallas Area Paralegal Association's Paralegal of the Year*

The 2010 recipient of the Dallas Area Paralegal Association's Paralegal of the Year is Mariela Cawthon. Mariela has over 15 years of paralegal experience and is currently employed by Lynn, Tillotson, Pinker & Cox, LLP. She earned her bachelors degree from Baylor and holds both her Certified Paralegal certification from NALA and specialty certification in Civil Trial Law from the Texas Board of Legal Specialization.

Mariela's service to DAPA includes Membership Vice President and chairing several committees including the Mentor/Protégé, Pro Bono Committee/Community Service, and CLE Audit Committees. Additionally, she has been an active member of the Paralegal Day, Holiday Luncheon, and Career Day committees. She currently holds the position of Executive Director.

Her volunteer service has earned her several recognitions, including the DAPA Pro Bono Award in 2005, followed by the President's award in 2006.

## Sheila Veach, West Texas Paralegal Association's Paralegal of the Year



Sheila Veach is this year's recipient of the West Texas Paralegal Association's Paralegal of the Year Award. Sheila has been a member of West Texas Paralegal Association (formerly West Texas Association of Legal Assistants) since 2001. She served WTPA in several different roles, including 2nd Vice President (Membership) from 2003 – 2005, NALA Liaison from 2005 – 2007, Paralegal Division Liaison from 2007

through present, Parliamentarian from 2008 – 2009, and as both Treasurer and Parliamentarian from 2009 through present. She has also served as the Paralegal Division's District 6 Director from 2007 through present.

Sheila obtained her Certified Legal Assistant credential in 2002 and has worked with Fernando M. Bustos for over ten years. In a complex case she was involved with last year, she worked regularly with forensic accountants and appraisers to insure that hundreds of investor-victims received their restitution. When she's not working, she enjoys reading, photography, scrapbooking, traveling, and spending time with her grandchildren.

"Sheila enjoys working with the other paralegals in Lubbock, is always eager to help others who need assistance and training, and for years has done a great job training law clerks, other young paralegals, and more than one young lawyer as they have grown in the legal profession," writes Mr. Bustos.

"I enjoy my job and never thought about receiving an award for what I do for a living," Sheila says. "My advice to other paralegals is to be a member of every legal organization you can (whether local, state, or national), and take advantage of every CLE offered – whether live or online. Don't be afraid to ask questions and learn as much as you can from more experienced paralegals."

## Southeast Texas Association of Paralegals Names Cheryl Bryan Paralegal of the Year

The Southeast Texas Association of Legal Assistants, later renamed Southeast Texas Association of Paralegals, was created in September 1980 by four local



paralegals, two of whom were Certified Legal Assistants. SETAP awards one of its members with the Paralegal of the Year Award every year during its Paralegal Day Luncheon.

This year's recipient of SETAP's Paralegal of the Year Award is Cheryl Bryan. Cheryl has been employed by Orgain Belle & Tucker, L.L.P. since June 1982. She obtained her Certified Legal Assistant credential in 1992, became a member of the Paralegal Division in 1993, obtained her board certification from the Texas Board of Legal Specialization in Personal Injury Trial Law in 1997, and has been a member of SETALA/SETAP from 1991 to 1998 and from 2005 to the present. She has been the Director of District 10 of the Paralegal Division since being appointed to fulfill an unexpired term in the spring of 2007. She has since been elected to two terms as District 10 Director and is now serving in her second and final term as Director, as well as her third term as Paralegal Division Treasurer. She has also served two terms as NALA Liaison/PD Liaison for SETAP, and she is in her first term as SETAP Treasurer.

Cheryl says, "It is a great honor to have received this prestigious award."

## CAPA Recognizes Dedicated Leader, Ro Buchanan, as Paralegal of the Year



The Capital Area Paralegal Association recognized the dedication and years of service exhibited by Ro Buchanan and

selected her as its 2010 Paralegal of the Year. The Award was presented at CAPA's annual Paralegal Day Celebration in October..

The majority of Ro's paralegal career has included service to the paralegal profession. In her nomination, Ro was recognized for "being an asset to any organization." She has shared her skills and talents with several paralegal organizations in Texas. In addition to serving CAPA in the leadership roles of: Membership Chair, Secretary, President-Elect, and NALA Liaison—and its 2010-2011 President—she also has served other organizations including the Dallas Area Paralegal Association and the Metroplex Association of Corporate Paralegals. Ro is also a member of NALA, NFPA, and the Paralegal Division.

In recognition for her many contributions, Ro has been awarded many accolades and awards. For her pro bono efforts, she received the DAPA 2004 Pro Bono Award and the NFPA 2004 Pro Bono Achievement Award. At NALA's 2010, annual convention Ro received a NALA Affiliates Award for outstanding dedication and contribution to the advancement of legal assistants.

### Paralegal Division (PD) Announces 2012 Trip Travel with PD to Italy on April 21–28, 2012



PD will depart US for an overnight flight to Rome. Upon arrival, you will transfer to the town of Sorrento, Italy for a few days. The tour will begin with a tour of Sorrento and surrounding areas as Pompeii/Mount Vesuvius and Capri. The fourth day, travel back to Rome for a two day stay. Travelers will

be treated to a tour of Rome and will visit the Vatican Museum, Sistine Chapel, St. Peter's Basilica, and the Colosseum.

To sign up and view details please go to <http://www.travelandcompany.com/register/>, selecting the REGISTER tab above the logo on the top left on the home page, choose participants, and sign in using: Group Leader ID: 91260 Group Leader Last Name: Hackler

Then click on the appropriate circle for your departure city for the "At Home in Campania" trip and fill in your information.

Receive a \$100 discount; register by June 30, 2011.



# Comparison of 2005 and 2010 Paralegal Division Compensation Surveys

By Heidi Beginski, Board Certified Paralegal, Personal Injury Trial Law, Texas Board of Legal Specialization

In 2005 and 2010, the Division conducted compensation surveys of paralegals in Texas. Both surveys were conducted online through the Division's website. The 2005 survey drew 782 respondents, of which 519 were Division members. The 2010 survey drew 1425 responses, an increase of more than 82 percent.

## WORK ENVIRONMENT

The vast majority of respondents still work in law firms, but the numbers are down from 79 percent to 71.5 percent when comparing 2005 to 2010. The corporation/legal department category saw an increase in 2010 over 2005, up from 13.8 percent to 19.2 percent. Other categories of employment remained essentially the same for the same period.

Areas of law saw the following changes from 2005 to 2010:

Top 5	2005	2010	Net Change
Litigation	46.4%	42.6%	- 3.8%
Personal Injury	19.9%	19.9%	no change
Corporate Law	15.3%	17.8%	+ 2.5%
Family Law	15.1%	21.3%	+ 6.1%
Commercial/Contract	12.0%	16.0%	+ 4.0%

Family law showed the largest growth over 2005 of all categories available for selection.

The number of paralegals in a given organization did not change much from 2005 to 2010, with only slight gains in the categories of 1, 2 to 5, and 6 to 10. There were slight decreases in the categories of 11 to 24 and 25 or more.

Similarly, the number of attorneys in a given organization in the 2 to 5 category remained the largest category, with slight gains in the categories of 1 and 6 to 10. All other categories (11 to 24, 25 to 40, 41 to 60, 61 to 100, 101 to 200, and more than 200) saw decreases over 2005.

## SALARY

In 2005, the median gross annual base salary for paralegals in the corporate/legal department area of law was \$55,278, a figure which rose to \$66,852 in 2010, for more than a 20 percent increase. Paralegals in law firms only saw their median gross annual salary increase from \$45,695 to \$48,641, for an increase of only 6.4 percent. Government entity-employed paralegals' median gross annual salary rose from \$37,334 in 2005 to \$45,751 in 2010, for an increase of 22.5 percent.

Approaching the gross annual base salary by employment status, full time employees saw their median gross base salary increase from \$46,645 in 2005 to \$51,571 in 2010, an increase of 10.6 percent. For part-time employees, their median gross annual base salary increased from \$28,751 in 2005 to \$31,251 in 2010, an increase of 8.7 percent. The median gross annual salary for contract/free-

lance paralegals remained essentially unchanged between 2005 and 2010, at \$45,000.

For those who began working in the past year with no prior legal experience, their median starting annual salary was essentially unchanged from \$27,929 in 2005 to \$27,301 in 2010.

Similarly, there was very little change in the frequency of salary reviews as reported in 2005 (68.2 percent) compared to 2010 (61.3 percent), with the majority reporting an annual salary review.

Likewise, there was very little change in whether employers compensate for overtime in 2005 compared to 2010, with the majority reporting that they are compensated for overtime (62.8 percent versus 63.8 percent).

The number of paralegals who reported being paid overtime at a straight salary rate in 2005 (9.9 percent) remained essentially unchanged in 2010 (9.0 percent). Similarly, the number that reported being paid overtime at a higher rate in 2005 (75.1 percent) remained essentially unchanged in 2010 (71.6 percent). Choice of pay or time off dropped from 9.9 percent in 2005 to 5.3 percent in 2010.

In both 2005 and 2010, the vast majority of paralegals reported no possibility of promotion within their firm/organization, coming in at 74.4 percent in 2005 and 75.5 percent in 2010.

Still, the majority of respondents did not know in 2010, as they did not know in 2005, whether there was a maximum salary for their position (55.6 percent in 2005, and 56.3 percent in 2010).

In 2005, the largest percentage of respondents indicated that their percentage amount of salary increase in 2006 over what they had earned in 2005 was 2 to 4 percent, with "not applicable" ranking second at 17.5 percent and zero to 1 percent ranking third at 17.3 percent. In 2010, the zero to one percent and 2 to 4 percent groups were almost even, at 35.2 percent and 36.4 percent, respectively. The "not applicable" group in 2010 shrank to 14.7 percent.

## BONUSES

In 2005, 82.1 percent responded they had received a bonus. In 2010, 71.1 percent respondents indicated they had received a bonus in 2009. For the majority, the "top dollar amount" of bonus in 2005 fell in the \$1001 to \$2500 group, at 29.9 percent, which remained essentially unchanged with 28.9 percent having received a bonus in 2009 in that same range. The median bonus in 2005 was \$2,319, while in 2009 it was reported as \$2,148.

In both 2005 and 2010, the majority of respondents indicated their bonuses were determined based on performance/merit (40.6 percent in 2005, and 44.1 percent in 2010) and length of time with employer (22.9 percent in 2005, and 34.4 percent in 2010).

## BILLING

In 2005, 53.2 percent of respondents indicated they were not re-

quired to bill a minimum number of hours, a trend that appears to continue with 62.0 percent reporting no minimum billing requirement in 2010.

Of those that did report a minimum billing requirement, in both 2005 and 2010, the majority indicated a requirement of 31 to 40 hours per week (71.8 percent in 2005, 59.8 percent in 2010).

The percentage of those respondents who indicated whether they were required to account for administrative hours remained essentially unchanged from 2005 to 2010, with 67.5 percent in 2005 saying they did, compared to 66.4 percent in 2010, and 30 percent in 2005 saying they did not, compared to 31.4 percent in 2010.

Among those paralegal respondents whose time is billed at an hourly rate, the majority of respondents in 2005 were billed at \$81 to \$91 (23.7 percent), with \$66 to \$80 a close second (23.7 percent). In 2010, however, the majority of respondents whose time was billed at an hourly rate reported being billed at more than \$125 (27 percent). The median hourly rate in 2005 was \$90; in 2010 it was \$107.

In organizations that bill paralegals at different rates, in 2005 the basis was almost equally split between the paralegal's experience (64.2 percent) and the type of case (51.2 percent). In 2010, those that billed based on the paralegal's experience dropped to 48.7 percent and those that billed based on the type of case dropped to 32.6 percent, amounting to decreases of 15.5 and 18.6 percent, respectively, compared to 2005.

#### EDUCATION / EXPERIENCE / PROFESSIONALISM

It is probably no surprise that the largest group of respondents in both 2005 and 2010 were employed full time (94.6 percent in 2005, 94.8 percent in 2010). Part time paralegals remained essentially unchanged between the two surveys, coming in at 2.4 percent in 2005, and 2.9 percent in 2010. Contract/Freelance paralegals also remained almost level between the two surveys, coming in at 2.7 percent in 2005 and 2.3 percent in 2010.

In 2005, 21.5 percent of respondents had an associate's degree on paralegal studies, which rose to 25.1 percent in 2010. Those with bachelor's degrees remained unchanged, at 5.6 percent in both surveys. Those with on-the-job training dropped from 62.4 percent in 2005 to 54.9 percent in 2010. Those that completed a paralegal certificate program also dropped between the two surveys, from 48.1 in 2005 to 44.4 in 2010. Respondents with master's degrees remained essentially unchanged, at 1.5 percent in 2005 and 1.2 percent in 2010.

The majority of respondents in both 2005 and 2010 had a bachelor's degree (40.8 percent in 2005, and 38.3 percent in 2010). Those with doctorate degrees dropped from 0.6 percent in 2005 to 0.2 percent in 2010.

In both 2005 and 2010, the majority of respondents had more

than 20 years of experience as paralegals (26.0 percent and 32.0 percent, respectively). The next group were those with 16 to 20 years of experience, at 18.9 percent in 2005, which dropped to 18.0 percent in 2010. The median years of paralegal experience at the time of the 2005 survey was 14.2; in 2010 it was 15.

In terms of longevity, the largest group of respondents had been with their current employer 2 to 5 years in both 2005 (at 34.1 percent) and 2010 (at 36.2 percent). The median years with their current employer among respondents in 2005 was 4.6 years; in 2010 it was 5 years.

In 2005, 57.9 percent of respondents had not taken the TBLS, NALA or NFPA certification exam. In 2010, that number rose to 63.5 percent. The breakdown by test taken by respondents at each survey year is as follows:

	2005	2010	Percent Change
TBLS	14.7	12.6	- 2.1
NALA	33.9	25.5	- 8.4
NFPA	1.3	1.1	- 0.2

#### BENEFITS PACKAGE

Respondents in 2005 indicated 7.7 median number of sick days/personal days per year, which was reported at 7.0 in 2010. Similarly, in 2005 respondents indicated 12.3 median number of vacation days per year, which was reported at 12 for 2010. In 2005 respondents indicated they had 7.8 median number of paid holidays per year, which came in at 8 in 2010.

In 2005, the number of respondents who had medical insurance provided by their employer for themselves was 80.9 percent, which fell to 76.9 percent in 2010.

The largest group of respondents to both surveys indicated their employer provided a 401(K) plan, coming in at 68.5 percent in 2005, and at 66.2 percent in 2010. Profit sharing plans fell from 22.3 percent in 2005 to 14.7 percent in 2010.

In 2005, 78 percent of respondents indicated their employer provided paid CLE; that number dropped to 71.4 percent in 2010. Of those who received paid CLE, in 2005 those that also received paid associated travel expenses totaled 63.1 percent, which was reported at 60.3 percent in 2010.

In 2005, 57.9 percent of respondents' employers paid for professional dues in a local paralegal association, and 62.8 percent paid for dues in the Division. In 2010, those who receive paid local paralegal association dues fell to 48.6 percent, and those who received paid Division dues fell to 46.5 percent.

*Heidi Beginski, Board Certified Paralegal—Personal Injury Trial Law, Texas Board of Legal Specialization works for Lovett Law Firm in El Paso.*

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## 2011–2012 Membership Renewals

Membership Renewals are being mailed in April to each current member whose membership expires on May 31, 2011. Please note all renewing Active and Associate members must obtain at least 6 hours (2 hours can be self-study) of CLE between June 1, 2010 and May 31, 2011 in order to renew their membership for 2011–2012.

# Membership Criteria for the Paralegal Division, State Bar of Texas

## Active Membership Criteria

You should apply for Active Membership if you are currently employed as a paralegal and are performing substantive legal work 80% of the time and meet at least one of the following criteria:

1. You are a Board Certified Paralegal through the Texas Board of Legal Specialization and have been employed as a paralegal for at least one year.
2. You are a Certified Legal Assistant or Certified Paralegal through the National Association of Legal Assistants and have been employed as a paralegal for at least one year.
3. You are a Registered Paralegal through National Federation of Paralegal Associations and have been employed as a paralegal for at least one year.
4. You have received a bachelor's or higher degree in a field other than legal studies plus 10 hours of substantive continuing legal education within the past 12 months, of which up to three (3) hours may be self-study. The remaining CLE must be from on-site attendance, video, internet, CD ROM or a PD approved paralegal program course and have been employed as a paralegal for at least one year.
5. You have completed an ABA approved paralegal program/college and have been employed as a paralegal for at least one year.
6. You have completed a paralegal program/college that consists of a minimum of sixty (60) semester hours (or equivalent quarter hours) of which fifteen (15) are substantive legal courses and have been employed as a paralegal for at least one year.
7. You have completed a paralegal program/college that consists of fifteen (15) semester hours of substantive legal courses and have been employed as a paralegal for at least two years.
8. You have been employed as a paralegal for at least four consecutive years and you have obtained ten (10) hours of substantive continuing legal education within the past 12 months, of which up to three (3) hours may be self-study. The remaining CLE must be from on-site attendance, video, internet, CD ROM or a PD approved paralegal program course.

## Associate Membership Criteria

You should apply for Associate Membership if you are currently employed as a paralegal with less than one year of experience, a paralegal performing substantive legal work 50% of the time, or a coordinator/supervisor of a paralegal program within a law firm, corporation, or agency and meet at least one of the following criteria:

1. You are a Texas Board of Legal Specialization (TBLS) Board Certified Paralegal, a National Association of Legal Assistants (NALA) Certified Paralegal, or a Registered Paralegal by the National Federation of Paralegal Association (NFPA).
2. You have received a bachelor's or higher degree in a field other than legal studies plus 10 hours of substantive continuing legal education within the past 12 months, of which up to three (3) hours may be self-study. The remaining CLE must be from on-site attendance, video, internet, CD ROM or a PD approved paralegal program course.
3. You have completed an ABA approved program/college of education and training for paralegals.
4. You have completed a paralegal program/college that consists of a minimum of sixty (60) semester hours (or equivalent quarter hours) of which fifteen (15) are substantive legal courses.
5. You have completed a paralegal program/college that consists of fifteen (15) semester hours of substantive legal courses.

## Student Membership Criteria

A person is eligible for Student Membership if enrolled in a paralegal program that:

- a. Is an ABA approved program of education and training for paralegals;
- b. Consists of a minimum of sixty (60) semester hours (or equivalent quarter hours) of which fifteen (15) are substantive legal courses; or
- c. Consists of fifteen (15) semester hours of substantive legal courses.

More information can be found at [www.txpd.org](http://www.txpd.org).

## Emeritus Membership Criteria

An Emeritus Member is an individual who, at one time, was an ACTIVE member of the Paralegal Division but is no longer working as a paralegal. Emeritus status is only

available to a current Active member of the Paralegal Division.

1. As a current Active member of the Paralegal Division, you may be eligible for the Emeritus membership status if you are no longer working as a paralegal.
2. Upon expiration of the membership year, a current Active member of the Division who is no longer employed as a paralegal and who has retired from the profession, moved out of state, taken a leave of absence, or changed careers may renew as an Emeritus member thereafter. Mandatory CLE is not required.
3. An Emeritus member shall have all of the privileges and prerogatives of an Active member, except that an Emeritus member may not vote, hold office, or serve as the chair on any committee.
4. An Emeritus member may re-apply for Active membership (if he/she returns to the paralegal profession) at such time that he/she satisfies the criteria for Active membership by completing and submitting the current Active membership application.

## Sustaining Membership Criteria

Any law firm, corporation, agency, paralegal training program, institution, or entity interested in supporting the purposes and goals of the Paralegal Division of the State Bar of Texas (the "Division") shall be eligible for sustaining membership.

Subscribing Membership Criteria An individual who is interested in supporting the purposes and goals of the Division may be eligible for subscribing membership if: 1. Individual is NOT currently employed as a paralegal, but has completed a paralegal training program; 2. Individual is not currently employed as a paralegal, but has successfully become a Board Certified Paralegal through the Texas Board of Legal Specialization; a CLA/CP/ACP through the National Association of Legal Assistants, or a RP through the National Federation of Paralegal Associations; 3. Individual is currently employed as a paralegal in another state other than Texas, and is working under the direct supervision of an attorney; 4. Individual has previously been employed as a paralegal, but is not employed at the time of application; or 5. Individual is an instructor in a paralegal program.

More information can be found at [www.txpd.org](http://www.txpd.org).

# PARALEGAL DIVISION

## ANNOUNCES

### TAPS 2011 SCHOLARSHIP

### PD MEMBERS

For the upcoming 2011 TAPS seminar (Texas Advanced Paralegal Seminar, a three-day CLE seminar), the Paralegal Division of the State Bar of Texas will award up to two (2) scholarships for the three day registration to attend the TAPS 2011 seminar. Below please find the guidelines and application for applying for this scholarship.

1. The Recipient must apply for or be a member of the Paralegal Division of the State Bar of Texas.
2. To apply for a TAPS scholarship, the applicant is required to give a written essay regarding the importance of continuing legal education in the paralegal profession. The essay should be two (2) pages and double-spaced.
3. To apply for a TAPS scholarship, the applicant is required to provide two (2) personal references, which describe the applicant's involvement in the paralegal profession.
4. Financial need shall be a contributing factor, but not a requirement. However, if two or more applicants are tied in meeting the criteria for the scholarship, financial need shall be the determining factor.
5. Recipient(s) required to volunteer a minimum of three hours during the event.

#### Other

1. No money will be sent directly to the recipient.
2. The scholarship for TAPS shall cover the cost of the three-day registration.
3. The scholarship selection committee for reviewing scholarship applications for TAPS shall be composed of the Chair of the TAPS Planning Committee, one Planning Committee Sub-Committee Chair, and the Board Advisor to the TAPS Planning Committee.

The Paralegal Division of the State Bar of Texas will award scholarships for TAPS 2011 which will cover the cost of registration in accordance with the TAPS scholarship guidelines.

#### TAPS 2011 SCHOLARSHIP APPLICATION

**IMPORTANT: ALL APPLICATIONS FOR A SCHOLARSHIP FOR TAPS 2011 MUST BE RECEIVED BY FRIDAY, JULY 29, 2011. DATE OF TAPS 2011: October 5 - 7, 2011, Fort Worth, TX**

Name \_\_\_\_\_ PD Membership No. \_\_\_\_\_  
Home Address \_\_\_\_\_  
Home Telephone \_\_\_\_\_ E-mail Address \_\_\_\_\_  
Work Address \_\_\_\_\_  
Work Telephone \_\_\_\_\_ Fax Number \_\_\_\_\_  
Employer \_\_\_\_\_

Are you a member of a local paralegal organization that offers a scholarship award? \_\_\_\_\_

Give a detailed description of your reason for seeking a scholarship to TAPS 2011: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Give a detailed description, if any, for your reasons for financial need: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attach two (2) personal references and your written essay to this application. Applications should be mailed to: Debbie Oaks, Chair of the TAPS Planning Committee, NGP Energy Capital Management, LLC, 125 E. John Carpenter Freeway, Suite 600 Irving, Texas 75062 or email to: [taps@txpd.org](mailto:taps@txpd.org) Scholarship recipients will be notified by letter or email by August 5, 2011.

\_\_\_\_\_  
Applicant's Signature

**Attach any additional explanations**



## **PARALEGAL DIVISION STATE BAR OF TEXAS 2011 ANNUAL MEETING**

***Celebrating 30 Years of Excellence!***

### **Keynote Speaker - Paralegal Division Annual Meeting Luncheon**

**Friday, June 24 - 11:30 am - 1:30 pm**

*Practicing Accessible Justice* - Jeanne C. "Cezy" Collins, Attorney, Kemp Smith, El Paso and Member of the Access to Justice Commission

### **Continuing Legal Education**

**Friday, June 24, 2011**

- |                     |   |
|---------------------|---|
| 9:00 am - 10:00 am  | <i>Taking Your Brand Beyond US Borders</i><br>Pamela B. Huff, Attorney, Cox Smith Matthews Incorporated, San Antonio  |
| 10:15 am - 11:15 am | <i>The Real Skinny on Grand Juries and Ham Sandwiches</i><br>The Honorable Ron Rangel, Justice of the 379th District Court in Bexar County, San Antonio                                 |
| 1:30 pm - 2:30 pm   | <i>Handling the Patchwork of Privacy &amp; Data Security Laws - a Practitioner's Perspective</i><br>Meagan M. Gillette, Attorney, Cox Smith Matthews Incorporated, San Antonio          |
| 2:45 pm - 3:45 pm   | <i>Paralegal Ethics for Attorneys</i><br>Ellen Lockwood, RP, ACP, Paralegal, Clear Channel Communications, Inc., San Antonio<br>Professional Ethics Committee Chair, Paralegal Division |

### **REGISTRATION FEES (early registration fees before May 23, 2011)**

Two Day Registration \$245 (\$295 after May 23)

One Day Registration \$150 (\$200 after May 23)

(Registration Fee includes entry to the exhibit hall, CLE offered by the sections and divisions of the State Bar, breakfast(s), general session luncheon(s) with featured speakers sponsored by the State Bar, and a personal flash drive containing all the CLE materials.) **Note: Paralegal Division Annual Meeting Luncheon at additional fee of \$25.00.**

**Online Registration** at [www.texasbar.com/annualmeeting](http://www.texasbar.com/annualmeeting). For hotel and other information, please visit the Texas Bar Website. **For more details, please go to [www.txpd.org](http://www.txpd.org) under *NEWS* on home page.**



# PARALEGAL ETHICS HANDBOOK

This handbook is an essential resource for experienced paralegals, those new to the profession, and attorneys working with them.

The product focuses on providing paralegals with the information, guidelines and tools necessary to assure they are always performing in an ethical manner. Paralegals must always take care to be sure they are not crossing any ethical lines. Ethical guidelines for paralegals and attorneys, vary from state to state, however, the professional paralegal needs to be familiar with them.

## TOPICS INCLUDE

- Defining ethics and ethical obligations
- Remaining ethical considerations for a variety of functional areas including corporations, freelance, and as administrative, governmental, regulatory law paralegals, and alternative dispute resolution
- State Information

## HIGHLIGHTS

- Contains rules and regulations for all 50 states and Washington, D.C.
- Addresses ethical considerations in 17 practice areas
- Explains how to determine whether an action may be an ethical violation
- Provides guidelines for defining ethics and ethical obligations
- Includes paralegal association ethics canons and related information

## ABOUT THE AUTHORS

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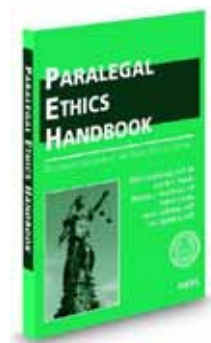
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\$61

*Softbound volume, current as of August 2010 with annual updates*

## TARGET AUDIENCE

- Paralegals of all levels of experience
- Paralegal managers
- Paralegal instructors
- Attorneys
- Paralegal students



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