

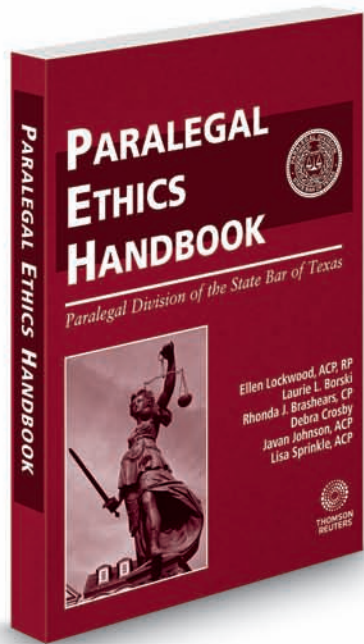
SPRING 2016 VOL. 21 NO.4

# TPJ

*Texas Paralegal Journal*



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# PARALEGAL ETHICS HANDBOOK



*Paralegal Division of the State Bar of Texas*

By: Ellen Lockwood, ACP, RP  
Laurie L. Borski  
Rhonda J. Brashears, CP  
Debra Crosby  
Javan Johnson, ACP  
Lisa Sprinkle, ACP

The Paralegal Ethics Handbook is a resource for all paralegals that addresses ethical considerations for 17 practice areas as well as considerations for in-house, corporate, freelance, administrative, governmental, and regulatory law paralegals.

This title:

- Examines such topics as defining ethics, ethical obligations, and remaining ethical
- Addresses ethical considerations for e-filing, e-discovery, and technology
- Provides resources for state information and paralegal association ethics cannons and related information
- Contains rules and regulations for all 50 states and Washington, D.C.
- Explains how to determine whether an action may be an ethical violation



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# PRESIDENT'S *Message*

Erica Anderson, ACP

**W**hat has become an annual tradition is the celebratory edition of the Texas Paralegal Journal. Dedicated to you, members of the Paralegal Division and your colleagues, these pages are a tiny sampling of the good works that occur daily, monthly, and yearly. All around the great State of Texas, members of the Paralegal Division stepped up and performed tasks worthy of praise. Just think, for every colleague in this issue, how many others not recognized performed beyond expectations for tasks asked of them?

The Paralegal Division has kept snippets throughout the year to bring those members a little limelight, and I know enough about most of my colleagues to come to the conclusion that they most certainly will not call attention to receiving an award or “toot their own horn.” This commemorative issue is geared towards recognizing those members, and I believe you will spot faces of your coworkers, teammates, friends, and associates. While some worked within their community, others volunteered virtually. Local associations recognized their members, and the Paralegal Division noticed.

Take a few minutes, find a familiar face, and reach out to personally congratulate



your colleague. Take another few minutes, and reach out to paralegals not listed in this edition and let them know that you appreciate their efforts and good works, as there will be some who greatly need to hear the encouragement.

Erica Anderson, ACP  
*NALA Advanced Certified Paralegal*



## **ANNUAL MEETING PARALEGAL DIVISION State Bar of Texas**

**SAVE THE DATE!!!  
Friday, June 17, 2016  
11:30 am – 1:30 pm  
Fort Worth, TX**

1 hour of CLE will be offered in conjunction with the PD Annual Meeting  
Details coming soon with online registration beginning May 1, 2016 by credit card, check, or money  
order at [www.txpd.org](http://www.txpd.org)



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Legal  
Care



# TPIJ

## Texas Paralegal Journal

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Brashears CP, TLBS-BCP

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# EDITOR'S *Note*

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

**T**his issue heralds a lot of changes for the PD, not just with the upcoming Director Elections (is *your* District involved?), and soon to be elected new Board of Directors, but also changes on an administrative level.

Long-time PD member Mona Tucker, ACP has been elected as President-Elect for the upcoming Board year, and this issue contains an introduction to Mona. Mona is one of the most hardworking and even-minded people I have ever met. And when the work is done, or a little levity is needed, Mona can have you rolling on the floor laughing at her stories. She has been the Board Advisor for the Publication Committee/TPJ and the ad hoc E-Group committees, and while I will miss working with her that directly, I know the entire PD will benefit from her service as President-Elect, and then President.

The PD's first and unparalleled coordinator, Norma Hackler, has retired. Norma has been the constant face and voice of the PD for a long time. I wish her all the best in the next chapter of her life. She has had her finger on the pulse of everything PD for so long, it seemed at times she was its heartbeat, too!

As we recall the many highlights of Norma's affiliation with the PD, we also introduce you to the new coordinator, Rhonda J. Brashears, CP, TBLS-BCP in this issue. I am fortunate to have also gotten to know Rhonda over the years; at one time our supervising attorneys were even involved in a case together—it was so fantastic to know the paralegal on the other side of Texas! Rhonda has influenced so many paralegals throughout her career, she is arguably a legend. Be assured, we are in good hands!

I have had the pleasure of meeting Mona, Rhonda and Norma over the years—primarily in my past role as a District Director. If what you read in this issue about them seems impressive, I can assure you that it barely scratches the surface. I encourage all of you, in your involvement with the PD, to get to know Mona and Rhonda. You will be greatly rewarded! They are tireless advocates of our profession and consummate professionals. There is no shortage of role models and mentors in the PD!

It's Spring time, so that means it is time for us to highlight some of the accomplishments of our members; you will read about them in this issue.



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## Publications

Kimberly McDonald and Heidi Beginski, TBLS-BCP, Co-Editors  
Erica Anderson, ACP, President  
Megan Goor, TBLS-BCP, President-Elect  
Rhonda J. Brashears, CP, TBLS-BCP, Coordinator  
Mona Hart Tucker, ACP, Board Advisor

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President-Elect Megan Goor, TBLS-BCP  
Parliamentarian Stephanie Sterling  
Treasurer Jay M. Williams, TBLS-BCP  
Secretary Michelle Beecher

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DEADLINE FOR SUMMER ISSUE IS MAY 2, 2016

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# Paralegal Division 2016–2017 President-Elect

Mona Tucker, ACP

On January 31, 2016, the Board of Directors elected Mona Tucker, ACP, as the 2016–2017 President-Elect of the Paralegal Division. Mona is a contract paralegal, working with attorneys in Texas, Arkansas, Oklahoma, and Pennsylvania, on civil litigation matters, including class actions and mass torts. She currently serves the Paralegal Division as Director of District 14 (northeast Texas area).

Right out of high school, Mona began working for an attorney, and, although she tried both accounting and sales, her heart was in legal work. Through the years, she has worked in real estate, oil & gas, estate-planning & probate, civil litigation, and just a bit in family law.

Going to college while working and raising a family, Mona finally graduated from East Texas Baptist University in Marshall in 1993. While at ETBU, she took advantage of its ABA-approved legal assistant courses. In 2001, she sat for NALA's certification exam, and earned the coveted CP credential. She now holds two advanced certifications, Civil Trial (2009) and Discovery (2012).

A member of the Paralegal Division



since 2001, Mona is now serving her fourth 2-year term as Director of District 14 (2004–2008 and 2012–present). During her tenure, she has served two years as Secretary to the Board and one year as Treasurer. She is currently the Board Liaison to Texas Lawyers for Texas Veterans (TLTV), and serves as Board Advisor to three committees.

Mona has been an associate member of the State Bar College since 2007. She has also been an active member of NALA since

2002, and was selected as a member of the inaugural LEAP (Leadership Enhancement and Preparation) class for 2007–2008. She served four terms as President of the Northeast Texas Association of Paralegals (NTAP), and in various other positions, including editing the *Key Note* newsletter for a number of years. She was elected as NTAP's Paralegal of the Year in 2005, 2007, and 2011.

Mona has been a contributor to several publications in addition to the *Key Note*, including the *Texas Paralegal Journal*, the State Bar College's *Bulletin*, NALA's *Facts and Findings*, HMPA's *Burden of Proof*, DAPA's *On the Record*, and Pacific Northwest Paralegal Association's *Hearsay*.

Passionate about helping veterans, Mona has organized and headed *pro bono* estate-planning clinics for military veterans and spouses in Longview, Gilmer, Daingerfield, and Nacogdoches. Another one is in the works for Lufkin. These "Wills for Heroes" clinics have been well-received by veterans and volunteers alike.

Mona and her husband Lonnie live in Daingerfield, where he is a member of the City Council.

## A Familiar Face is the New PD Coordinator

Rhonda J. Brashears, CP, TBLS-BCP

By Erica B. Anderson, ACP

As noted in this issue, Norma Hackler, the Coordinator of the Paralegal Division, retired January 31, 2016. After notice of Norma's retirement, an ad hoc committee took time to evaluate the Coordinator's position in conjunction with the mass set of volunteers and technology advancements since the Coordinator position first evolved. During the Fall meeting, the Board of Directors made a decision to split some of the responsibilities that had become teth-

ered to the Coordinator position to make it more manageable for one individual to handle and to utilize the great skills of volunteer paralegals. During the same meeting, Rhonda J. Brashears, TBLS-BCP, CP, was hired by the Board of Directors to begin the lengthy process of transitioning into the Coordinator role.

A resident of Amarillo since a young child, Rhonda is active in the local legal community, including assisting the local paralegal program at Amarillo College as

a former adjunct professor and Co-Chair to the Advisory Committee, as well as assisting with obtaining and maintaining its ABA-approved status. She additionally teaches Sunday school class and volunteers in several programs with her church. She has two children, Cody and Caitlyn. Cody is raising two young children with his wife in Amarillo, while Caitlyn will begin medical school in Missouri as a participant in the MD-PhD program. Rhonda and her children are very close and spend a good

deal of time together, and her pride shines through when she talks of her family.

Rhonda joined the Paralegal Division in 1990 and became Director of District 7 in 1996. She joined as soon as she was eligible for membership, and it was about the same time she joined her local association. She served the PD locally as a sub-chair for professional development committee and elections committee until she ran for director. Following the paths of several of her fellow Board Members, Rhonda ventured to the President position and rotated to the TAPS Planning Committee as Chair. Because once was not enough, she returned to serve a second Presidential term several years later, followed by one of the Chairs for the Vendor Committee for TAPS and continued to step up in whatever position as necessary, including Chair of the Online CLE Committee and serving as an Ambassador speaking in all corners of the state. And, somewhere along the line, she obtained her TBLS-BCP and CP certifications and co-authored the Paralegal Ethics Handbook. Her knowledge of the Division's historical background and service as a volunteer led her to meet many members and have a thorough understanding of the Division.

**A few words from Caitlyn Brashears, Rhonda's daughter:** My mom's determination inspires me. In the face of obstacles, she has not only met her obligations and goals, but has exceeded them through force of will, strength of heart, and an unshakeable perseverance. She is committed to success in every avenue of her life and makes a habit of excellence in all of her endeavors. I am incredibly proud to call her my mom and grateful for her example in my life.

**A few words from Jennifer Barnes, member of TAPS Planning Committee and District 10:** I have worked very closely with Rhonda for several years, on several different committees for TAPS. She is very organized, very thorough and follows through with everything very timely. Rhonda continues to exemplify what we should all aspire to be as a paralegal and therefore will carry this over in her role as coordinator.

**A few words from Past President,**



**Javan Johnson:** There are certain people that stand out in this Paralegal Division (PD) of ours. As a charter member, I have seen a lot of volunteers and members come and go in the now 35 years that this Division has been in existence. When the PD went about the task to find an individual that could replace our only Paralegal Division Coordinator, we knew it would be a huge task. Our own Rhonda Brashears threw her name into the proverbial hat. We interviewed numerous individuals for the position, but it became very apparent that for our PD to continue forward with new and fresh ideas, while maintaining the basic foundation and the ethical principles that we have stood upon for decades, Rhonda was the absolute answer for our organization to move forward. Rhonda is dedicated, forward thinking, and has a thorough understanding of every aspect of the PD. She is a colleague and friend that has tackled every single task the PD has thrown at her through numerous committees and two terms as President. Our PD will move forward in the most capable hands that we can have. Bravo to the PD for the future with Rhonda, and congratulations to Rhonda for her complete and undying service to the PD.

**In Rhonda's words:** The Paralegal Division of the State Bar of Texas is the legacy of the paralegal profession, and as a professional association has throughout

the years provided to me a guidepost for how to be a professional, ethical paralegal. My goals are to continue to provide excellent member services, with some thought towards our younger members and looking at ways to make the association more millennial-friendly. Once I have settled into the Coordinator position, I will focus on streamlining procedures and move towards more efficient technology for the Division's members and functions. As well, I perceive the Division as a platform for which paralegals can hold themselves to higher standards and a massive brain trust by the collective leadership and membership. In short, I want the Division to be the best and then be even better.

**A few words by President, Erica Anderson, ACP:** As President, I have the unique vantage of seeing the torch be passed from Norma, and from my daily interaction with Rhonda, I can see the impact Rhonda will have for the Division.

Many do not realize that I once sat in a classroom looking to the professor who was also a full time paralegal, and that Prof. Brashears encouraged critical and comprehensive thinking, often times adding elements and relevant facts during class discussions. After finishing the Paralegal Studies program, my contact with Rhonda was few and far between until I began volunteering with the Paralegal Division. Over time, I realized that in the midst of the busy hum of volunteers and events, Rhonda was in the trenches working to improve the Division and the profession. Rhonda approaches the Division with the same steadfastness and goal: to improve without faltering and never in defeat. I could never anticipate this opportunity to collaborate on "the greatest case" with Rhonda as we tackle Paralegal Division matters. In the same thread she envisioned for her students, Rhonda's vision for the Division to grow and successfully attain new heights is apparent for me to see.

My admiration of her character and determination continues to grow, and Rhonda is an inspiration to paralegals across the state and has the interests of the Division in focus as she embarks on this new journey. Please wish her well.



You may reach Rhonda at:  
Rhonda J. Brashears, CP,  
TBLS-BCP

Division Coordinator  
Paralegal Division of the State  
Bar of Texas

PO Box 19163; Amarillo,  
TX 79114; 806-803-3267  
pd@txpd.org

## Paralegal Division 2015–2016 Board of Directors

On behalf of the Paralegal Division, thank you to each Director who has served on the 2015-2016 Board of Directors. The Directors meet three times a year to perform business related duties for the Paralegal Division.

Erica Anderson, ACP, President (Amarillo)  
Megan Goor, TBLS-BCP, President Elect (Fort Worth)  
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Linda A. Carrette, TBLS-BCP, District 1,

Place 2 Director (Houston)  
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Georgia M. Seeley, ACP, District 6 Director (Lubbock)  
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Michelle Beecher, District 12 Director & Secretary (Denton)  
Mona Hart Tucker, ACP, District 14 Director (Daingerfield)  
Edna W. Garza, TBLS-BCP, District 15 Director (McAllen)  
Olga L. Burkett, District 16 Director (El Paso)

## Paralegal Division 2015–2016 Committee Chairpersons

The Paralegal Division is grateful to all of its Committee Chairs listed below who take time from their

busy schedules to lead a committee for this organization. Without the work of the Committee Chairs and their volunteer

members, the Paralegal Division would not be able to offer the many benefits to its members.

Thanks to all of you!

### STANDING COMMITTEES

#### 2015 Annual Meeting

Ellen Lockwood, ACP, RP®, Chair (San Antonio)

#### 2016 Annual Meeting

Katrina Lea, Chair (Fort Worth)

#### Continuing Education—District CLE

Pam Snaveley, ACP, Chair (Denton)

#### Online CLE/Webinars

Rhonda Brashears, CP, TBLS-BCP, Co-Chair (Amarillo)

Javan Johnson, ACP, TBLS-BCP, Co-Chair (Longview)

#### Elections

Shandi Howard, CP, Chair (Amarillo)

#### Membership

Pam Etie, ACP, Chair (Austin)

#### Professional Development

Deborah Andreacchi, TBLS-BCP, Chair (Dallas)

#### Professional Ethics

Ellen Lockwood, ACP, RP®, Chair (San Antonio)

#### Publications

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#### AD HOC COMMITTEES

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Patricia J. Giuliano, Chair (San Antonio)

##### E-Group Policy

Heidi Beginski, TBLS-BCP, Chair (El Paso)

##### e-Newsletter [Paralegal Pulse]

Sheila Posey, TBLS-BCP, Chair (Conroe)

**Ethics Handbook** Ellen Lockwood, ACP,

RP®, Chair (San Antonio)

##### Membership Renewals—Spot Audit

Lori Winter, CP, Chair (Dallas)

##### Pro Bono

Constance Nims, Chair (Dallas)

##### State Bar College Membership

##### Application Review

Michele Flowers Brooks, CP, Chair (Austin)

##### TAPS 2015 Planning Committee

Clara Buckland, C.P., Chair (El Paso)

##### TAPS 2016 Planning Committee

Erica Anderson, ACP, Chair (Amarillo)

##### Texas Board of Legal Specialization

(TBLS) Examination—Helpful Hints  
Javan Johnson, ACP, TBLS-BCP, Chair (Longview)

##### Vendor Liaison

Shannon Shaw, Co-Chair (The Woodlands)  
La'Shundra Tucker, Co-Chair (Arlington)

# Paralegal Division 2015–2016 Ambassadors

As a benefit to the paralegal profession, the Paralegal Division (PD) offers paralegal associations, bar associations and paralegal programs an experienced CLE speaker through its Ambassador Program. The Ambassador Program of the Paralegal Division is made up of past presidents of the Paralegal Division with over 20 years of paralegal experience. Ambassadors are prepared to speak on a variety of topics. They will

travel across Texas to present CLE to paralegals (both members and non-members) and distribute information on the Paralegal Division and its many member benefits. These Ambassadors spend many hours preparing, presenting and traveling for the Paralegal Division. The Board of Directors would like to extend its sincere gratitude to each person listed below who is a PD Ambassador. Not only are these Ambassadors past presidents of the

Paralegal Division, but they all continue today to lead its cause.

Ambassador presentations are requested through a website link on the Paralegal Division's website at [www.txpd.org](http://www.txpd.org) (PD Speakers/Request a Speaker). Please take a moment to get to know the PD Ambassadors by viewing their photos and bios under [txpd.org/PD Speakers/Ambassadors](http://txpd.org/PD_Speakers/Ambassadors).

*Thank You!*

Michele Boerder, CP, TBLS-BCP  
Dallas, TX  
Rhonda Brashears, CP, TBLS-BCP  
Amarillo, TX  
Clara Buckland, CP  
El Paso, TX  
Debra Crosby  
Austin, TX

Joncilee Davis, ACP  
Dallas, TX  
Misti Janes, TBLS-BCP  
Austin, TX  
Patricia Giuliano  
San Antonio, TX  
Javan Johnson, ACP, TBLS-BCP  
Longview, TX

Ellen Lockwood, ACP, RP®  
San Antonio, TX  
Debbie McBride  
Irving, TX  
Wendi Rogers, CP, TBLS-BCP  
Dallas, TX  
Susan Wilen, RN  
San Antonio, TX

## Paralegal Division Elections Notice—District Director

**Vote (Online) beginning March 25!**

The Paralegal Division's DIRECTOR ELECTION for District Directors in even-numbered districts (Districts 2, 4, 6, 8, 10, 12 and 16) will take place **March 25 through April 8, 2016**. There will be one Director elected from each District.

**Who Can Vote?** All Active members of the Paralegal Division in even-numbered districts in good standing as of March 25, 2016 are eligible to vote.

**To Vote:** login\* to the members-only area at [www.txpd.org](http://www.txpd.org) and cast your vote for your District Director. The process is fast, easy, anonymous, and secure.

- Between **March 25th and April 8, 2016**, go to [www.txpd.org](http://www.txpd.org)
- In the Members-Only section, click on "Vote"
- Follow the instructions to login and vote

**Voting must be completed on or before 11:59 p.m., April 8, 2016.**

*\*Login is USER ID (Membership Number)*

*and PASSWORD (first five letters of your last name all lower case).*

### Upcoming Events

- Annual Meeting of the Paralegal Division—June 17, 2016, Fort Worth, TX—Registration will begin in May 2016
- Board of Directors Meeting – June 16, 17, and 18, 2016—Fort Worth, TX
- Texas Advanced Paralegal Seminar (TAPS) 2016—September 28 thru September 30, 2016
- San Antonio, TX— Registration will begin in June 2016

### Announcements

**2016–2017 Membership Renewals** are mailed in April 2016. Current 2015-2016 members will receive a membership renewal form during the month of April or May. Checks and money orders are accepted forms of payment if accompanied with the printed renewal form.

Online renewals will begin on May 1, 2016 via the Paralegal Division website ([www.txpd.org](http://www.txpd.org)). *All current 2015–2016 Active and Associate Members of the Paralegal Division are required to obtain at least 6 hours of CLE (2 of those hours can be self-study) between June 1, 2015 and May 31, 2016 in order to renew membership for 2016–2017.*

**Online CLE:** Don't have time to leave your desk for a CLE event? If you are in need of CLE, please note the Paralegal Division offers **Online CLE**. The Online CLE catalog @ <http://txpd.inreachce.com/> is a combination of past on-site CLE as well as webinars that have been presented by the Paralegal Division. More CLE topics are added on a monthly basis. View the catalog to see what may interest you. If you are a certified paralegal, this may just be the "Go To" place to obtain the CLE. You may also download most of the CLE topics to a podcast so you can listen as you drive to work!

# Scruples

## Seven Virtues of Ethics and Professionalism

Ellen Lockwood, ACP, RP

**I**n counterpoint to the seven deadly sins, Christianity also has seven heavenly virtues: Humility, Kindness, Temperance, Lust, Chastity, Diligence, and Charity. These correspond to seven virtues of ethics and professionalism for paralegals.

### Humility

Humility, or humbleness, is also selflessness and the giving of respect. Paralegals demonstrate Humility when they give credit where credit is due, and unfairly glorify their own abilities and accomplishments.

Professional paralegals recognize and even applaud the contributions and achievements of others. This is not to say that paralegals should not be proud of their accomplishments, experience, and abilities, but that bragging and self-aggrandizing is not professional and usually has negative effects.

### Kindness

Kindness is compassion and sympathy, shown to others without bias. Kindness, by definition, is given for its own sake, thus the expression from Proverbs, "Kindness is its own reward." Professional paralegals are aware of numerous opportunities to show kindness to your coworkers, clients, and fellow paralegals. If you can do something kind for someone, no matter how small the act, it will make a difference. Even if the other person never notices what you have done, you will become a more compassionate person.



### Temperance

Temperance is self-restraint and patience. Anyone who works in the legal field, especially with particular attorneys, quickly learns how important these qualities are. Patience is also important when dealing with clients and court personnel. Professional paralegals are aware of the benefit of not taking things personally and not always saying what you are thinking. It is always wise to pause before sending an email or speaking, particularly when you or the other party may have strong feelings about the matter.

### Chastity

Chastity for paralegals means honor and integrity. Paralegals who conduct themselves with honor and integrity are viewed as professionals whom others will not hesitate to recommend. Ultimately, all we have are our reputations.

### Diligence

Diligence for paralegals not only means persevering to complete a task, it also

means performing work carefully. Diligence also requires budgeting your time and having a professional work ethic, both invaluable qualities for paralegals.

### Charity

Charity is not just generosity; it also includes nobility of thoughts and actions. Professional paralegals exhibit Charity by assisting coworkers, mentoring other paralegals (as well as new attorneys), and giving back to the profession and community. This may include volunteering with a paralegal organization, teaching in a paralegal program or giving presentations, and assisting with *pro bono* matters.



Ellen Lockwood, ACP, RP, is the Chair of the Professional Ethics Committee of the Paralegal Division and a past

president of the Division. She is a frequent speaker on paralegal ethics and intellectual property and the lead author of the Division's Paralegal Ethics Handbook published by Thomson Reuters. You may follow her at [www.twitter.com/paralegalethics](http://www.twitter.com/paralegalethics) and she may be contacted at [ethics@txpd.org](mailto:ethics@txpd.org).

# Paralegal Division Members Honored



Dallas Area Paralegal Association (DAPA) “Michele M. Boerder Lifetime Achievement Award”: Jay Williams, TBLS-BCP

On December 11, 2015, at DAPA’s annual Awards and Holiday Luncheon, Jay M. Williams received the “Michele M. Boerder Lifetime Achievement Award.”

DAPA established this award in 2006, to recognize continued, longstanding service to DAPA and contributions to the overall paralegal profession. The recipient of the Lifetime Achievement Award must have made a lasting legacy through his/her contributions to DAPA, the community and the paralegal profession.

Jay became a voting member of DAPA in 2004, and served as President-Elect, then President in 2008, in addition to Programs Vice President in 2005–06, 2010 and Professional Development Director 2004–2005.

Jay attained his TBLS double designation by becoming Board Certified in Civil Trial Law in 2013 and Board Certified in Personal Injury in 2015 and received his paralegal certificate from ESS College of Business in Dallas, TX in September 1990.

Jay currently serves as Treasurer of the Paralegal Division—State Bar of Texas, and District 2—Dallas Director. He is also past Vice-President and Director of Profession Development (2009) for the National Federation of Paralegal Associations.

Fort Worth Paralegal Association (FWPA) presented Debbie House, TBLS-BCP, the 2015 Paralegal of the Year Award

District 3 member, Debbie House, is this year’s Fort Worth Paralegal Association’s Paralegal of the Year 2015 Award recipient. She has been in the real estate business for over 30 years. She not only received her paralegal certificate from the University of Texas at Arlington in 1985, she then became certified by the National Association of Legal Assistants in 2000, and later became Board Certified by the Texas Board of Legal Specialization in Real Estate law in 2010. She is one of only 25 board certified real estate paralegals in the State of Texas.

Charles Newman said, “The nature of the real estate practice, especially that portion dealing with the residential sector, is extremely time sensitive and requires detailed accuracy without the luxury of ample time. She operates within this professional framework very efficiently...” “In my opinion, a person’s dedication to their job can be measured by their desire to be in the office early, to stay late and to always have a cheerful attitude. She is always at her desk before our office hours begin and will stay as late as necessary to finish time-sensitive work, and always with a smile on her face.”

Debbie first became a PD member in 1999 and has continued to be active in various roles since. She has served as Director of District 3. She has also served as President of the FWPA twice and has greatly motivated the paralegal community.

Fort Worth Paralegal Association (FWPA) presented Linda Webber the 2015 Volunteer of the Year Award

The Fort Worth Paralegal Association puts an emphasis on the betterment of their community. Each year, the FWPA selects one individual to receive the Volunteer of the Year Award in recognition of outstanding dedication to community service, volunteerism, and pro bono work. The 2015 recipient was Linda Webber. Linda is an active member of the FWPA and serves as the CLE Committee Sub-Chair for District 3.



## NFPA AWARDS PD MEMBERS

Division Member Elected Vice President and Director of Profession Development

The National Federation of Paralegal Associations, Inc. (NFPA) is pleased to announce that Allen Mihecoby, CLAS, RP®, of Dallas, TX has been elected to the position of Vice President and Director of Profession Development for the 2015–2017 term. He previously served NFPA as the Chair of the Region Directors and the Region II Director.

Allen is currently employed as a Senior Paralegal at Kimberly-Clark, a global enterprise which manufactures some of the best known brands in the consumer products industry. In this role, he is responsible for supporting the Company’s efforts in SEC Reporting, Corporate Governance,



Strategic Transactions and Compliance. He was previously employed in the position of Manager, Law Department, for the second largest railroad in the U.S. He has primarily worked with international firms and multinational corporations in various areas of law, including IP, corporate, securities, real estate and commercial litigation.

Allen is currently pursuing a Master of Jurisprudence with a concentration in Business Law from Loyola University, Chicago, School of Law. He received his BA in Political Science from the University of Texas–Arlington, *magna cum laude*, with a concentration in International Affairs and Pre-Law. In 1997 he graduated with an ABA-approved paralegal certificate from Southeastern Paralegal Institute in Dallas, Texas. He became a PACE Registered Paralegal in 2002; and earned the CLAS credential (Business & Corporate Law) in 2005.

Allen has served the paralegal profession on national, state, and local levels. He is a member of the Dallas Area Paralegal Association (DAPA), the Texas Center for Legal Ethics (TCLE), the Paralegal Division of the State Bar of Texas (PD), a charter member of the State Bar College (SBC), the American Association for Paralegal Education (AAfPE), and the American Bar Association. In several of these organizations, he has served in leadership positions, including: NFPA CLE Co-Coordinator and Assistant Pro Bono Coordinator; DAPA President, DAPA VP of Programs, DAPA Board Advisor and DAPA Ethics Chair; PD Executive Committee as Parliamentarian and PD District 3 Director; and MACP Co-Chair/Ethics/Professional Development.

In 2004, Legal Assistant Today named Allen as one of the runners-up in its Paralegal of the Year Contest. The same year, NFPA and Dyncorp awarded him the Outstanding Local Leader award. He was named 2009 Fort Worth Paralegal Association's Paralegal of the Year. ParalegalGateway.com named him as one of its 2011 Paralegal Superstars, DAPA awarded him the 2011 Pro Bono award and the Michele Boerder Lifetime Achievement award in 2013. The PD named him as the recipient of its 2015 Exceptional Pro Bono Service Award.



#### NFPA Announcement

The National Federation of Paralegal Associations, Inc. (NFPA) is pleased to announce that Lisa Lynch, CRP™, of Dallas, Texas has been elected to the position of Vice President and Director of Marketing for the 2015–2017 terms. She previously served NFPA as Membership Growth Coordinator and Technology Coordinator.

Lisa is currently employed as a Senior Litigation Paralegal in the Dallas City Attorney's Office, Dallas, Texas. In this role, she is responsible for supporting city lawyers in litigation tasks in cases involving environmental, constitutional, commercial, contract, real property, and regulatory law, among others. Lisa assists with legal holds, e-discovery issues, trial preparation, and other litigation matters and functions as a legal technology and litigation support specialist.

Lisa obtained her Paralegal Certificate from the Professional Development Institute at the University of North Texas in 1993. She was certified by NFPA as a Core Registered Paralegal in 2011, becoming one of the first 16 CRPs in the State of Texas and initial 148 paralegals in the nation who passed the pilot exam administered at 12 test sites across the country.

Lisa is involved with the paralegal profession on the national, state and local levels. She is a member of the Dallas Area Paralegal Association (DAPA) and the

Paralegal Division of the State Bar of Texas (PD). In DAPA, Lisa has served in leadership positions, including: DAPA President, President-Elect, Board Advisor, Vendor Advisor, NFPA Primary and Secondary and Public Relations Chairperson and mentor.

Lisa also participates in DAPA's mentor/protégé program and is a volunteer with the Dallas Volunteer Attorney Program and other community service programs benefiting such non-profits as the North Texas Food Bank, Juliette Fowler and The Stewpot.

In 2014, Lisa was presented with the DAPA Paralegal of the Year Award. In 2015, Lisa was presented with the DAPA President's Award.

#### NALA Honors PD Member Tove M. Sebring

Each year, NALA, The Paralegal Association, honors members of affiliated associations who have been recognized by their own affiliated associations as important contributors to the goals and success of the association and the paralegal profession. At the 2015 NALA Convention, Tove Sebring was the recipient of one of NALA's 2015 Affiliate Awards. The award recognizes the individual for outstanding contribution and dedication to the advancement of the paralegal profession through volunteer service to NALA affiliated associations. She was nominated for her contributions by the Capital Area Paralegal Association ("CAPA") in Austin.

Tove is a paralegal with over 20 years of litigation experience in both state and federal court. She has worked primarily in civil litigation, with cases involving personal injury, catastrophic personal injury, trucking, wrongful death, premises liability, and disability claims. Although her experience has primarily been on the Plaintiff's side, she now is on the defense side, and because of this experience, she brings a unique perspective to the cases she works on.

Tove graduated Cum Laude from Kaplan University in 2007 with an Associates of Applied Science in Paralegal Studies, where she made the Dean's List. Tove completed her Associates Degree while working a full time job as a paralegal,

and having a busy family.

In addition to her busy life, Tove is the current President of the Capital Area Paralegal Association, and is also a member of the Paralegal Division of the State Bar of Texas, and the NALA—The Paralegal Association. She is active in her church's worship team, children's ministry, and women's mentor ministry. Her hob-

bies include road trips, hiking with her husband and dogs, reading, and enjoying the Texas wine country. She loves spending time with her family and friends.

#### NTAP Honors PD Member Elisha Calhoun

Elisha Calhoun, with Northeast Texas Association of Paralegals (NTAP) in

Longview, was selected as NTAP's Paralegal of the Year in January. Elisha works at Spangler Law P.C. in Longview, where she operates as an Advanced Certified Paralegal—Trial Practice. She is currently the 2nd Vice President of NTAP. She was the President of NTAP for 2015, which is the year for the Paralegal of the Year Award.

## TBLS Recipients

Congratulations to the following PD members who have passed the TBLS Specialty exam:

#### Bankruptcy—

Lindsay Allmand—Southlake  
Jennifer Elaine Cruse—Addison

#### Civil—

Diana Acosta—Houston  
Kristi Edwards—Dallas  
Jennifer Evans—Houston  
Kimberly Goldberg—Houston

Angie Hill—Fort Worth  
Brandy Kempf—Addison  
April Matos—Waco  
Laura Morgan—San Antonio  
Stephanie Sterling—Austin

#### Criminal—

Donelle Jo Keen—Cameron

#### Family Law—

Nataliya Anderson—Austin  
Sherri Dawn Cardella—Southlake  
Angela Charbonneau—Southlake  
Amy Dougay—Austin

Rebecca McDonald—Austin  
Angela Prisock—Dallas  
Crystal Self—Conroe  
Janine Kathleen Smalley—Austin  
Donna Lynn Waldon—Southlake

#### Personal Injury—

Brandy Kempf—Addison  
Laura Morgan—San Antonio  
Jay Williams—Dallas

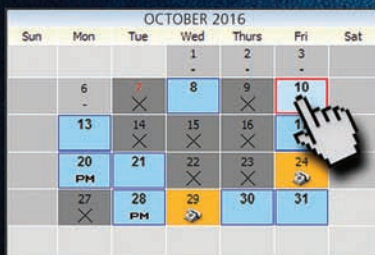
#### Real Estate—

Linda Grummet—San Antonio



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# Norma Hackler: Setting The Standard

*By: Deborah Andreacchi and Susan Wilen  
(Historical information provided by Erica Anderson)*

It is with sadness that we say good-bye to Norma Hackler as our Executive Director and PD Coordinator. She has worked so long with the PD that it is difficult to envision the organization, especially TAPS, without her presence. Her contributions to our organization are many. I cannot hope to enumerate all of them here, but some words of tribute are appropriate.

Norma Hackler was born Norma Moses in DeRidder, Louisiana. Growing up, she was always active in a variety of organizations, including acting as editor of her high school paper and performing as a drum majorette—all while maintaining honor student grades. After high school, Norma graduated from Northwestern State University and found her way to Washington, D.C. as a congressional staffer. She met her husband, Craig, during her time in Washington D.C. They did not remain in D.C., but chose Austin, Texas to raise their family, instead.

So, how exactly does an intelligent, outgoing girl from Louisiana become the Executive Director and Coordinator of the Paralegal Division of the State Bar of Texas? Well, by simply applying for the job found in a newspaper ad (and having awesome credentials). What started out in June of 1990 as a part-time position shortly became a full time job. Norma's duties have been varied and challenging. When she was hired 25 years ago, the Division was run by volunteers after the needs of their employers and families had been met. Norma was initially asked to maintain the by-laws and standing rules of the Division, coordinate the production of the Division's publications, and manage membership renewal. These tasks were quickly increased to include acting as accountant and financial manager, coordinating the TAPS seminars (even before they were known as TAPS), as well as guiding the Board of Directors through the massive



task of growing and supervising a statewide organization while following the State Bar guidelines. Norma did not flinch from the prospect of these overwhelming duties, but instead took up the challenge and, as a result, helped to change the face of our organization.

Coordinating the TAPS events was something Norma found she enjoyed so much that she studied, took the meeting planner's test and, in 1999, became



a Certified Meeting Professional. This was not something the Division asked of Norma, but she did it anyway—not just for her own advancement, but as a means of more fully assisting the Division with its needs. As the Meeting Planner for TAPS, Norma arranged everything. Despite a planning committee that divides up most of the informational and social aspects of TAPS, Norma was the one who pulled it all together into a cohesive whole and made all the seminars so successful. Not many people realize just what planning TAPS requires, so here is a brief list of the most major responsibilities involved in producing the yearly event: locating and reserving the event venue, booking “break out” rooms for the actual class sessions, coordinating which sessions are appropriate to each room, arranging venues for social events and activities, reserving blocks of rooms for overnight attendees, coordinating speakers and production of their papers, overseeing online activities and announcements for the event, organizing lunches for all attendees, managing registration before and during the event, recruiting volunteers to work during the event, acting as liaison with the hotel staff to ensure all rooms and events are set up according to plan, and negotiating contracts, to name just a few. But, as we all know very well, TAPS is a huge success every year and, in my humble opinion, largely because of the work Norma has done. She has shared her leadership skills with others who volunteer to work on TAPS and, hopefully, we will all be able to live up to Norma's high standards in the years to come.

Norma was diligent in her assistance of the Division's presidents and board members, sharing her experience and guiding newly appointed board members through the myriad duties and responsibilities associated with running a statewide organization. She was a mentor and a valued



friend to those who served during her years with the Division. She addressed all her various duties as Coordinator with an air of calm, quiet competence. She never seemed to

become agitated or stressed. If you didn't know how to execute your new duties as president or director, Norma was there to help. If you had a question, Norma was there with the answer. If you needed assistance with something—anything, Norma was there. If you chaired a committee and no one came forward to help, Norma was there. If you decided to become more involved in the Division but didn't know how to begin, Norma was there to help guide you to a volunteer position you would enjoy. No matter what problem or question



you

brought to the table, Norma was always there to assist.

Of all the many exemplary qualities that Norma has exhibited over the years, the one that stands out most is that she always wanted what was in the best interest of the Division. That is the filter through which she has served so capably through the years; she only wanted the Division to be the best it could be. She never wavered in her conviction that the Paralegal Division played a valuable role in the success of paralegals throughout Texas.

Not all of us were privileged to work with Norma for very long, but even knowing her for a short while was a wonderful experience. She shared not just her enthusiasm, but also her talent, knowledge, and expertise and demonstrated to all who knew or worked with her how to build a successful organization. In short, Norma has been the lifeblood of this organization for many years and she will be missed more than mere words can express.

Saying thank you is truly insufficient for all she has done and given to all of us. However, we do say "Thank You, Norma." and we all wish you the best in your new life endeavors.

**A celebration** reception honoring Norma Hackler's retirement of 25 years as Paralegal Division Coordinator was held on February 26, 2016 at Maggiano's Italian Restaurant, The Domain in Austin. Numerous friends, family and colleagues gathered to honor Norma for her service for so many years. A champagne toast was made courtesy of Jim Hollerbach, one of the Division's most loyal supporters and sponsors. There were many acknowledgements and remembrances exchanged by all that attended. Norma was presented with several gifts from the Paralegal Division and President Erica Anderson, former Presidents of the Paralegal Division, and many others. It was an unforgettable evening and a complete honor to Norma for her many years of service and loyalty as our first Paralegal Coordinator. She will be missed, but we wish her well in her retirement. So many thanks, Norma, for everything you have done to grow our Paralegal Division.





# Texas Paralegal Standards

In 2005, the State Bar of Texas Board of Directors, and the Paralegal Division of the State Bar of Texas, adopted a new definition for “Paralegal.”

*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 a person, an attorney would be required to perform the task.*

On April 21, 2006, the State Bar of Texas Board of Directors approved amending this definition by including the following “STANDARDS,” which are intended to assist the public in obtaining quality legal services, assist attorneys in their utilization of paralegals, and assist judges in determining whether paralegal work is a reimbursable cost when granting attorney fees:

## A. Support for Education, Training, and Work Experience:

1. Attorneys are encouraged to promote:
  - a. paralegal attendance at continuing legal education programs;
  - b. paralegal board certification through the Texas Board of Legal Specialization (TBLS);
  - c. certification through a national paralegal organization such as the National Association of Legal Assistants (NALA) or the National Federation of Paralegal Associations (NFPA); and
  - d. membership in the Paralegal Division of the State Bar and/or local paralegal organizations.
2. In hiring paralegals and determining whether they possess the requisite education, attorneys are encouraged to consider the following:
  - a. A specialty certification conferred by TBLS; or
  - b. A CLA/CP certification conferred by NALA.; or
  - c. A PACE certification conferred by NFPA; or
  - d. A bachelor's or higher degree in any field together with a minimum of one (1) year of employment experience performing substantive legal work under the direct supervision of a duly licensed attorney AND completion of 15 hours of Continuing Legal Education within that year; or
  - e. A certificate of completion from an ABA-approved program of education and training for paralegals; or
  - f. A certificate of completion from a paralegal program administered by any college or university accredited or approved by the Texas Higher Education Coordinating Board or its equivalent in another state.
3. Although it is desirable that an employer hire a paralegal who has received legal instruction from a formal education program, the State Bar recognizes that some paralegals are nevertheless qualified if they received their training through previous work experience. In the event an applicant does not meet the educational criteria, it is suggested that only those applicants who have obtained a minimum of four (4) years previous work experience in performing substantive legal work, as that term is defined below, be considered a paralegal.

## B. Delegation of Substantive Legal Work:

“Substantive legal work” includes, but is not limited to, the following: conducting client interviews and maintaining general contact with the client; locating and interviewing witnesses; conducting investigations and statistical and documentary research; drafting documents, correspondence, and pleadings; summarizing depositions, interrogatories, and testimony; and attending executions of wills, real estate closings, depositions, court or administrative hearings, and trials with an attorney.

“Substantive legal work” does not include clerical or administrative work. Accordingly, a court may refuse to provide recovery of paralegal time for such non-substantive work. *Gill Sav. Ass'n v. Int'l Supply Co., Inc.*, 759 S.W.2d 697, 705 (Tex. App. Dallas 1988, writ denied).

## C. Consideration of Ethical Obligations (See Note\* below):

1. Attorney. The employing attorney has the responsibility for ensuring that the conduct of the paralegal performing the services is compatible with the professional obligations of the attorney. It also remains the obligation of the employing or supervising attorney to fully inform a client as to whether a paralegal will work on the legal matter, what the paralegal's fee will be, and whether the client will be billed for any non-substantive work performed by the paralegal.
2. Paralegal. A paralegal is prohibited from engaging in the practice of law, providing legal advice, signing pleadings, negotiating settlement agreements, soliciting legal business on behalf of an attorney, setting a legal fee, accepting a case, or advertising or contracting with members of the general public for the performance of legal functions.

\*\*\*\*\*

\*Note: a more expansive list is included in the “General Guidelines for the Utilization of the Services of Legal Assistants by Attorneys”



# Standing Committees of the PD

**Annual Meeting Committee**—responsible for planning the Annual Meeting of the general membership of the Paralegal Division.

**Continuing Education Committee**—responsible for planning and presenting at least three hours of continuing legal education in each district per year and/or soliciting substantive legal topic speakers for webinars offered by the Paralegal Division. This committee shall also implement and manage an online continuing legal education program. The committee shall implement and monitor compliance with the six-hour mandatory continuing legal education requirement for membership in the Paralegal Division.

**Elections Committee**—responsible for enforcing election guidelines.

**Membership Committee**—responsible for determining criteria and qualification for membership and promoting growth within the Division.

**Professional Development Committee**—responsible for enhancing the professional development of paralegals, for monitoring articles, state and national legislation and court cases affecting the paralegal profession and for disseminating to the general membership of the Division any national articles, legislative action or court cases which it deems appropriate.

**Professional Ethics Committee**—responsible for interpreting the Division's Code of Ethics and Professional Responsibility, serving as a Grievance Committee, making recommendations to the Board of Directors with respect to disciplinary procedures, and disseminating to the general membership of the Division articles on ethics issues of paralegals.

**Public Relations Committee**—responsible for studying and developing various means to better inform the legal profession and the general public about the paralegal profession and the Paralegal Division, and for nurturing positive relationships with local and national associations of paralegals and other associations throughout the country.

**Publications Committee**—responsible for publishing the Texas Paralegal Journal, the Division's official publication, reviewing and submitting various articles for publication in the Texas Bar Journal, and recommending to the Board any other publications which will be beneficial to members of the Division.

Which one interests YOU? Join today!

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