

SPRING 2020 VOL. 25 NO.4

TPIJ

Texas Paralegal Journal



Empowerment through Action



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PRESIDENT'S *Message*

Division with a Vision...Empowering Paralegals

Megan Goor, TBLS-BCP

Community.

A four-syllable word with so much weight. Since mid-March, COVID-19 affects our State. An unprecedented order, [Misc. Docket No. 20-9042, by the Texas Supreme Court, and Misc. Docket No. 20-007, by the Court of Criminal Appeals in Texas](#), issued on March 13th, provided guidance to the courts during the disaster declaration, including that courts may toll the statute of limitations in civil cases. There have been six additional emergency orders issued as of March 24th. Please see all orders and other resources on the State Bar's Response to Coronavirus Pandemic [webpage](#).

These trying times brought about



travel banning, panic-buying, cancellation of major sports, schools, graduations, social events, the closing of dining-in, and more. Neighbors, co-workers, local businesses, governmental organizations (local to state-wide) heeded these warnings and reached out to the needs of others, and helped unite us by creating elderly shopping hours, curbside service/deliveries, adhering to social distancing, virtual meetings (even "virtual happy hours") and transitioning to working remotely from home.

The Paralegal Division followed the State Bar's guidelines from the onset in March, including refraining from in-person committee meetings and CLE presentations. The Paralegal Division's outgoing and incoming Board of Directors meet-

ings will be by video conference in June, which is another unprecedented event.

During this pre-membership renewal time, the Paralegal Division offers webinars at a discounted price. The State Bar's online library has free materials for self-study and offers free CLEs. These materials and CLEs are also available to our members as it is one of the benefits provided to Paralegal Division members.

Hope. By the time this message is published, COVID-19 is hopefully in its decline, and some sense of normalcy is just around the corner. During these challenging times, there has been such bonding and showing of compassion among our colleagues, as evident on the Paralegal Division's social media and e-group. Legal communities, although uprooted, worked together to conduct business and tirelessly plow forward so the justice system continuously serves.

We are thankful for first responders, those in health, freight transit, grocers and food industries, and the many others who continue to daily serve the community with high hopes and resilience.

We hope you and your family are safe, in comfort, and healthy.

IMPORTANT NOTICE

TIME TO RENEW YOUR PARALEGAL DIVISION MEMBERSHIP
MAY 1, 2020 – JULY 31, 2020

THIS IS THE ONLY MAILED NOTICE YOU WILL RECEIVE

The Paralegal Division membership renewal process will be entirely online. Beginning on May 1, 2020, online renewals will be available. Visit www.txpd.org under the "Members Only" tab to complete your renewal. A late fee of \$25.00 will apply to renewals submitted after July 1, 2020.

Renewing Active and Associate members are required to complete six (6) hours of substantive CLE, **at least one (1) hour of which must be legal ethics**, prior to May 31 to renew membership. Active and Associate renewal applicants must document required CLE **PRIOR TO** completing the membership renewal application on the website. You may enter your CLE by accessing the page found on the PD website at www.txpd.org (Go to **Members Only**>**Directory**>**View My CLE Records** and log in). Go online and enter your CLE today! **KEEP COPIES OF YOUR CLE CERTIFICATES FOR 2 YEARS IN THE EVENT OF A CLE AUDIT.**

Please renew online beginning May 1, 2020.

Thank you!
Paralegal Division

www.txpd.org

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Texas Paralegal Journal

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EDITOR'S *Note*

By Megan Goor, TBLS-BCP

This issue focuses on professional development and highlights some of the paralegal awards and accomplishments of our membership, including the Texas Paralegal Day celebrations across the State.

MEMBERSHIP RENEWALS – CLEs. The Paralegal Division membership renewals begin this month! Have you already earned your 6 hours of CLE (including 1 hr. of Ethics)? If not, the Paralegal Division is looking into ways to help you obtain them: 1) Paralegal Division webinars will be reduced to \$15.00 for members; and 2) As a Paralegal Division member, you are eligible to register for the State Bar's free webinars. Here is the direct link to the Texas Bar's free webinars: <http://www.texasbarcle.com/cle/OCFree.asp>. Texas Bar CLE is also a great resource of free self-study materials.

KEEP YOUR CLE CERTIFICATES. The "Keep Your CLE Certificates" campaign has been an important message this term. When you renew, please remember to sign and keep your CLE certificates (especially those you are claiming for your CLE hours to renew) in the event of a CLE spot audit.

NEXT ISSUE. Spotlight on incoming President-Elect Susi Boss and appreciation message to the 2019-2020 Board of Directors and Committee Chairs. Also, the "100 PD Club" and "Memorials" sections will be included in the next edition. If you have a submission, please email tpj@txpd.org for more details. The deadline for submissions is **May 15, 2020**.

Our thoughts and prayers go out to families and friends affected by COVID-19.



SAVE THE DATE!!!!

TAPS 2020 will be held on **September 18-20, 2020**, at Wyndham Riverwalk Hotel, San Antonio, Texas. Additional photographs from TAPS 2019 and any updates about TAPS 2020 can be found on the PD's Facebook page at <https://www.facebook.com/TAPS2014/>



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DEADLINE FOR SUMMER ISSUE IS MAY 2, 2020. E-mail tpj@txpd.org.

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You are Working From Home—Now What?

By Mary T. Mendoza, CLE Committee Chair

At the beginning of 2020, I felt a calling to move closer to my daughters. As one can imagine, all sorts of ideas went through my mind; however, one of my greatest concerns was finding a new position with another law firm. As soon as I was sure that a move was in my future, I sat down to discuss the issue with the partners of my firm.

To my surprise, the partners were not only supportive of my move, but the move got their wheels turning. The firm began considering ways I could remain a part of the team. Although the prospect of my becoming a remote worker has always been something I dreamed of, now my firm was trying to determine if doing so could become a reality.

Our firm invests in advanced technology and our workspaces have been cloud-based since the beginning. That made it easier for the firm to transition a paralegal from a downtown office to a permanently remote location.

I was fortunate to make my move in February, so I could work out the bugs before the Coronavirus pandemic struck the United States. When the pandemic struck with full force and more employees began working from home, I could anticipate some of the challenges they might face.

So, what have I learned as I continue this remote paralegal journey?

Prepare yourself. I was fortunate to have some time to consider what pitfalls I might face once I went remote. Before talking with the partners, I thought about the details and created a document that outlined items the firm would have to

consider. The issues ranged from technology, to communication, and even tax considerations. By considering what issues might come up, it allowed us to begin to put a plan in place.

Determine what equipment is necessary. Being cloud-based was the easy part. But we also had to determine if I needed to bring a firm computer or monitors? How would my calls be routed? How could I perform printing, notarizing, and mailing functions? It turned out that a couple of Amazon deliveries made hooking up my monitors and office phone a snap. Now, when attorneys or clients need to reach me, they just call my phone just as they did before. No interruptions, no transferring to my cell phone. We also solved the other issues—I can print remotely or locally, and we found several remote-working applications that support remote notary and mail operations.

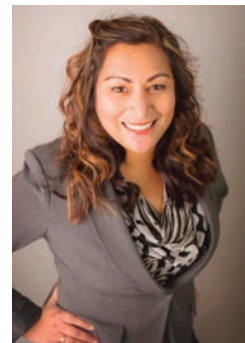
Keep set office hours: Knowing that I am “clocked in” from 8:00–4:30 p.m. means that when I am at work—I am at work. That does not mean I might not have to work late, because of a late-night filing deadline or other client emergency. But it does mean that even when I work late, I close the door to my office and can be done for the day without the long late-night commute.

Minimize Distractions: It is easy to want to do laundry, watch a little TV, or want to chat with friends. I save laundry and TV for before and after working hours. I have learned that by minimizing distractions I am more productive than I was when working in my firm office. I am not tempted to stop and chat with col-

leagues in the breakroom or as we walk down the hall. No one stops in to chat as an excuse to grab gummy bears from my shelf. If we have work to discuss, our conversations are more succinct.

Keep in Contact. Prior to my move, we decided that I would have check-in points to keep in constant contact with the firm and co-workers. We were using Zoom before it was cool! Once a week I would get Zoomed in to our weekly litigation team meeting. While everyone else enjoyed their lunch, I brought in a hot cup of tea. And, because I was already sitting in front of my computer, I had access to information that I would not have had sitting in a conference room. We also set a standing Zoom conference with one of the partners, every week. The set meetings provide some structure to my week and they give me and the firm space to discuss client issues, specific successes and challenges, and what’s working and what’s not working.

I am sure that once this pandemic has allowed us to resume “normal” lives, most paralegals will return to the law firm office. But just maybe more law firms will consider the possibility of more paralegals working remotely.



Mary T.
Mendoza,
Paralegal,
Johnston Clem
Gifford, PLLC



Secondary Traumatic Stress

Diane St. Yves

Sylvia K.¹ was tall, beautiful, always impeccably dressed, 72 years old and going through an unwanted divorce. She did not particularly like the man she had been married to, but he was a necessity. Having never worked and not having any training or specific education, she was always taken care of by a husband. Immediately after her first divorce, she walked into this marriage to Troy. Troy earned a good living and provided well. Sylvia followed him as he was transferred by his employer from one location to another. She never really wanted to be in Houston, but it was necessary. Despite Troy's income, the parties did not have a large estate. After the discovery process was completed, the case was mediated with a mediator who showed little to no compassion for Sylvia's situation. His singular goal was to "settle the case." Sylvia asked that the mediator request an additional \$15,000 in cash and the mediator responded with, "you are going to blow this whole thing up." He walked out of the room and came back about fifteen seconds later telling Sylvia "they said no." After calling her support system and receiving assurance she would have sufficient financial resources for a comfortable life, the mediated settlement agreement was signed. Before we could prove up and finalize the case, Sylvia violently took her own life. She told her family that she would not have the lifestyle that she was accustomed to and could not imagine being alone. It has been over two and a half years, and her death haunts me still.

Each day, regardless of the field of practice, an attorney hears real-life sto-

ries of death, tragedy, destruction of relationships, hatred, conflict and turmoil. There are only a few areas of law where this would not be a legitimate part of the everyday working life of an attorney.

Trying to determine if PTSD with respect to attorneys and their staff was a concern, questions and inquiries were met with skepticism, chuckles and eye-rolling. Thinking of Sylvia and the other two female clients who took their own lives in the ensuing year after Sylvia's death, it became a stark reality that some sort of stress disorder is a real issue. Instead of scoffing at the idea, it is apparent that *attorneys and their staff* need to be prepared to recognize, treat and develop a prevention plan for what is called "Secondary Traumatic Stress" disorder – the conventional term for the such circumstances. To ignore the direct emotional and mental effects that the trauma of our clients' stories, the underlying facts of a case, what is learned during the course of litigation and witnessing firsthand the trauma that our clients endure, will likely result in an increase in alcohol and drug abuse and addiction, mental illness such as depression and anxiety and possibly suicide within the legal profession.

WHAT IS SECONDARY TRAUMATIC STRESS?

Secondary Traumatic Stress ("STS") is also known as vicarious trauma, secondary stress disorder, or insidious trauma. STS "occurs when an individual who was not an immediate witness to the trauma absorbs and integrates disturb-

ing aspects of the traumatic experience into his or her own functioning."² In the available research on STS, there is no mention of attorneys on the list of individuals vulnerable to STS. Whether as a family lawyer who fights for a client and children who have suffered physical, sexual and mental abuse, bullying, gaslighting and other forms of abuse, a personal injury lawyer who reconstructs a tragedy such as an explosion, wrongful death, traumatic injury, a probate attorney who works with a grieving family after the unexpected death of a loved one or a criminal defense attorney who investigates and defends an accused in a tragic crime, attorneys and their staff experience the tragedies vicariously. Out of necessity, they become engrossed in the facts, the stories, the circumstances and each incident that led up to the tragic incident giving rise to litigation. The answer as to why attorneys are not included in the list of professions susceptible to such trauma may lie in the manner in which attorneys are held within communities. Attorneys are ambulance chasers, money grabbers, scam artists, liars and the list could go on. To increase the awareness within our own profession and to help ourselves, the following will provide information to help to identify STS within ourselves and those around us, develop means to prevent STS within our legal community and the treatment of STS once it appears.

IDENTIFICATION OF STS

Dr. Ellen Teng, Assistant Professor, Post-Traumatic Stress Disorder Clinic at the

Focus on...

Michael Debakey Veterans Affairs Medical Center in Houston³, provides the following non-inclusive list of indicators that one may be suffering from STS:

- Change in personality
- Feeling helpless and powerless
- Sleeplessness
- Fear, anxiety, and emotional unpredictability
- Less communicative, irritable and intolerant
- Appears cynical in all aspects of his/her life
- Indifferent to events, people and things that previously brought joy or happiness
- Marked increase in sarcastic mood
- Interference with interactions with family, ability to work effectively and loss of enjoyment of life events

According to Dr. Teng, this process will present itself gradually so that it may not be identifiable in its initial stages. If an individual is continuously exposed to traumatic events, situations and circumstances, the changes will become more apparent.

A person affected by STS may suffer intrusions into their day-to-day routine including flashbacks, avoidance of situations that bring on the intrusions and hyperarousal including hypervigilance, sleeplessness and increased startle response.⁴

Left untreated, additional symptoms may appear including negative coping such as abuse of drugs and alcohol, self-harm behaviors, panic symptoms (sweating, rapid heartbeat, difficulty breathing, dizziness) and weakened immune system. This goes beyond “burnout”.⁵ STS is preventable and treatable; however, if not addressed, the symptoms can result in problems with mental and physical health, strained personal relationships, and poor work performance.⁶ While some individuals are adaptive, others are not. From a supervisory or employers’ vantage point, key indicators that a

staff may be suffering some level of STS include increased absenteeism, impaired judgment, low productivity, poorer quality of work, increased staff turnover, and increased staff friction.⁷

A 2016 study conducted by the American Bar Association and which is supported in various other studies, concluded that attorneys “experience problematic drinking that is hazardous, harmful, or otherwise consistent with alcohol use disorders at a higher rate than other professional populations.”⁸ Abuse of alcohol or other substances may also be an indicator that a colleague is experiencing STS.

Identifying STS in ourselves, while important, is only in addition to identifying it in our staff, friends and colleagues within the legal profession. Continually reaching out to our colleagues will make it more likely that our colleagues will feel safe to share their struggles, the trauma and how the trauma has changed their lives. The legal profession has a vested interest in keeping their colleagues healthy, both physically and mentally. Noticing a change in behavior, isolation of an otherwise congenial and personable individual should give rise to concern. An increase or decrease in an individual’s weight, their general affect and their ability to converse with others as they may have previously done should be addressed. As a profession, we should continue to be aware of the issues that we each deal with and reach out if there is any cause for concern as to a colleague’s physical or mental health.

TREATMENT OF STS

Once STS is identified whether in a colleague or staff member, it is imperative that treatment be undertaken as quickly as possible. Treatment methods for STS can vary from a change in routine to include self-care such as a healthy diet, exercise, and regular sleep priorities. Including yoga, meditation and journal-

ing of feelings and how STS is manifesting itself within the individual are also helpful.⁹

Advanced cases of STS require more intense and focused treatment including trauma therapy, trauma support groups, and developing stronger connections within the workplace to share the load of the more traumatic and tragic portions so that it is not concentrated into one or two individuals.

Restructure of the workplace to create an environment for those who may be affected by STS to feel comfortable to share their concerns, anxiety and emotions surrounding any particular situation will help each person to understand they are not alone in their angst and confusion and that their emotions are validated. Once this atmosphere is encouraged and supported, the stigma is removed, and it is more likely that someone will seek the necessary professional help.

Additional recommendations for the treatment of STS include recognizing success and creating meaning by identifying aspects of the individual work product in the office environment that have been positive and important to others and make time to undertake ‘feel-good’ activities.¹⁰

Research has shown that lawyers are three to six times more likely to suffer from depression.¹¹ The research points to three main reasons why attorneys have a difficult time finding happiness:

- Prudence is one of the main qualifications for lawyers, which can often translate to skepticism or pessimism.
- The high pressure put on and low influence given to young associates are the sort of work conditions that result in low morale in workplaces.
- The work – at least in the US – is often a zero-sum game where your win is someone else’s loss, creating a hyper-competitiveness that also drains one’s sense of workplace satisfaction.¹²



Most likely, if an individual has been identified as suffering from STS, immediate treatment should include therapy, whether individual or group, reorganization of the office environment to share the load of the incidents giving rise to STS and its symptoms, allowing mental health time to individuals (whether through paid time off or utilization).

If you are the managing attorney, a solo practitioner or do not have anyone within your office in which to share these issues, it is imperative to seek outside help through psychotherapy, peer mentoring groups, friends or colleagues you trust or other appropriate means to address treatment.

PREVENTION OF STS

Now that the legal profession is aware and accepting that individuals within the profession are susceptible to or suffer from Secondary Traumatic Stress, it is important to address ways it can be prevented. From creating a work environment more conducive to sharing emotions, feelings and receiving respect for doing so will help not just the attorneys but the paralegals and support staff who are continually exposed to the trauma. Creating this environment will stretch beyond the trauma which is individual is exposed to in the workplace but will also allow attorneys and their staff to maneuver through other issues in their life to which we may not be privy. This will help to increase job satisfaction and improve the workplace environment and create better relationships among the staff and with the clients.

There are multiple avenues to creating the safe place. Having only one person available to listen and provide feedback defeats the purpose of the safe working environment. One person cannot absorb all of the individual's issues and address them adequately without falling prey to STS themselves. Providing mental health time, paid time off for counseling and adequate health insurance or a health savings accounts will support the workplace by

allowing others to seek outside treatment.

Provide opportunities for each member of the office to learn about each other by providing in-office lunches, occasional breaks from the day-to-day activities such as taking in an afternoon baseball game or other event, provide rotating time off for the employees and the attorneys.

Dr. Teng suggests that, when the firm is handling a case that involves traumatic facts and issues, holding periodic staff meetings to discuss the feelings surrounding the case and be aware of how it is affecting each individual is essential. Some events may trigger an attorney or staff member so that it is more impactful on them while the person officing next door is completely unaffected. During the meetings, allow venting and processing by validating the feelings and not discounting an individual's reaction to a situation simply because it does not mirror your own.

Ongoing monitoring of each individual's reaction to certain facts and situations is helpful to identify early signs of STS and being able to undertake action to prevent acceleration of STS. This would include assigning the case to another individual in the firm or limiting the individual's exposure to the information.¹³

Separation, limiting exposure, being honest with oneself, empowering oneself, helping oneself and seeking opportunities for renewal should be given high priority within the workplace.

CONCLUSIONS

For most attorneys, choosing our cases is impossible. Attorneys are assigned cases from managing attorneys, partners or office administrators. Solo practitioners are loathed to turn down a case because of the potential loss of income to the firm and the need to "keep the lights on." As such, attorneys and their staff are frequently and unwillingly exposed to trauma at the many levels set forth in this article.

Being aware that Secondary Traumatic Stress exists is the first step in the prevention and treatment of Secondary Traumatic Stress. Recognizing it in our colleagues and staff will help to address issues early to avoid acceleration and potentially irreversible damage. Obtaining treatment in the early stages is critical. Creating a caring and positive work environment will allow attorneys and staff to be open about how they are feeling and/or coping with the work and how it is affecting them. In conclusion, the profession as a whole has a responsibility to each other to watch for signs of STS, burnout or drug or alcohol abuse. owns the Law Office of Diane St. Yves in Houston, Texas. This article is also scheduled for publication in the Houston Lawyer. diane@styveslaw.com Hockler, *Financial Advisor Holds the Series 7 and Series 63 Securities Licenses, as well as the Group License (life, health, annuities).*

¹ The names of the parties are changed to protect the family; however, the story itself is real.

² Wendt Center for Loss and Healing, <https://www.wendtcenter.org/resources/for-professionals/> (2017)

³ <https://www.bcm.edu/people/view/ellen-teng-ph-d/b1793d1a-ffed-11e2-be68-080027880ca6>

⁴ Wendt Center for Loss and Healing, <https://www.wendtcenter.org/resources/for-professionals/> (2017)

⁵ Figley, C. (1995) *Compassion fatigue, Coping with secondary traumatic stress disorder in those who treat the traumatic*. New York, NY: Brunner-Routledge; and Figley, C. (2002), *Compassion fatigue: Psychotherapists' chronic lack of self-care. Psychotherapy in Practice*, 58(11), 1433-1441

⁶ Pryce, J. Shackleford K. & Pryce, D., (2007), *Secondary traumatic stress and the child welfare professional*. Chicago, IL: Lyceum Books, Inc.

⁷ Id.

⁸ https://journals.lww.com/journaladdictionmedicine/Fulltext/2016/02000/The_Prevalence_of_Substance_Use_and_Other_Mental_Health_Problems_in_American_Adults.aspx

⁹ <https://www.acf.hhs.gov/trauma-toolkit/secondary-traumatic-stress>

¹⁰ <https://www.acf.hhs.gov/trauma-toolkit/secondary-traumatic-stress>

¹¹ <https://www.cnbc.com/2019/08/16/dont-retire-early-buy-a-home-or-be-a-lawyer-if-you-want-to-be-happy-says-happiness-expert.html>

¹² Id. of compensatory time off), providing a positive work environment where each individual can "vent" or share their experiences. If alcohol and drugs use or abuse is prevalent, appropriate treatment should be sought whether through inpatient rehabilitation, intensive outpatient treatment, Alcoholics Anonymous meetings or some other form of treatment.

¹³ <https://www.acf.hhs.gov/trauma-toolkit/secondary-traumatic-stress>



A Pro Bono Partnership Made in Heaven,

Or in This Case, Tarrant County

By Julie Sherman, TVAS Co-Chair

For decades, paralegals have been supporting lawyers in both the law firm and corporate settings. Lawyers and paralegals alike have volunteered their time all different types of pro bono projects.

In 2012 the Tarrant County Bar Foundation started the Tarrant Volunteer Attorney Services (TVAS) Pro Bono Committee. TVAS is a community service committee whose objectives are to serve the Tarrant County community by connecting Tarrant County attorneys with those who could not otherwise afford representation; to encourage participation from our legal community in pro bono legal services; and to create a program that recognizes individual attorneys, law firms, organizations and corporations in Tarrant County for their commitment to pro bono legal representation.

At the time of TVAS' inception, Fort Worth Paralegal Association President, Star Moore, was asked to serve on the TVAS committee. Because of that innovative lead by the Tarrant County Bar Foundation and the TVAS founding Committee, a partnership was formed.

From that day forward, the Fort Worth Paralegal Association has held a seat on the TVAS Committee. FWPA began staffing all TVAS Pro Bono clinics with the paralegal support to allow local attorneys to take more cases and help more citizens who otherwise would not have access. Since that time, FWPA has not only provided volunteers for all clinics, they have assisted with the preparation of documents in advance of clinics, witnessed, notarized and edited documents during clinics and assisted attorneys following clinics.

Today, the TVAS committee is co-chaired by Joshua Ross, a local Attorney and Julie Sherman, a local Paralegal. TVAS is the first TCBA committee to be co-chaired by a paralegal. Julie has been on the TVAS committee since 2013.

The TVAS committee has grown from its original four pro bono clinics a year to thirteen clinics scheduled in 2020. In addition to the thirteen clinics, TVAS will begin staffing a legal resource center at True Worth Day Shelter in April. Lawyers, paralegals and law students will work together to do intake and provide legal resource information for those who visit

the center.

Pro Bono work is a great way for Paralegals to contribute to their community, by using their unique education, experience and skills to help others. The FWPA paralegals have not only served the community by helping provide access to justice, they have also helped form a level of comradery and respect within the legal community. Because of the partnership between these two organizations, numerous citizens of Tarrant County have been granted access to justice. These two groups have paved the way for other association, both lawyer and paralegal, to see what can be accomplished when we all worked together. Special thanks to the Tarrant County Bar Foundation, the Tarrant County Bar Association and their entire staff for all of their support and recognition of the paralegal contribution and involvement.

Paralegals can play an integral part in providing justice for all. Get involved in your local pro bono or legal aid organization. Go volunteer. You can make a difference.

TPJ Summer Edition Sections

Just a reminder that the *TPJ* has two sections exclusively for the *TPJ* Summer editions.

- The “100 PD” Club - if your firm has 100% Paralegal Division membership, your firm can be listed as being a part of the “100 PD” Club!
- Memorials Section - Contributions can be made in remembrance of our PD members.

To make a submission for either section, please e-mail tpj@txpd.org for a form.

Submissions must be made by May 15th.

Thank you for being a PD member!

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PARALEGAL DAY EVENTS

District 2 Paralegal Day Event

District 2 celebrated Texas Paralegal Day by holding a Joint Luncheon at the Belo Mansion in Dallas.

District 2, Dallas Area Paralegal Association, North Texas Paralegal Association and JL Turner Legal Association-Paralegal Section hosted the event.

The guest speaker was Laura Geisler, President of the Dallas Bar Association.



District 3 Paralegal Day Event

District 3 held its Paralegal Day Celebration on October 30th at Pappadeaux's. Luncheon presentation, "Becoming (and Helping Lawyers Become) Better and More Persuasive Writers," by Justice Elizabeth Kerr was enlightening and entertaining. Former Chief Justice/Tarrant County Bar President John Cayce read the Paralegal Day Proclamation.





District 4 Paralegal Day Event

Paralegal Day

On October 23, 2019, the Capital Area Paralegal Association and the Williamson County Paralegal Division held a joint Paralegal Day celebration at Dogwood-Rock Rose in The Domain in Austin. It was well attended with the majority of the attendees enjoying the fall air on the patio while watching the Yankees and Astros on the big screen. Door prizes were awarded thanks to the generous sponsors.



Paula Spears



Velva, Amber, Jennifer

District 5 Paralegal Day Event

The 16th Annual San Antonio Paralegal Day Celebration was held on October 24, 2019 and hosted by District 5 Paralegal Division, State Bar of Texas and the San Antonio Paralegal Association (SAPA). The annual event was held at the Norris Center with approximately 225 paralegals, attorneys and judges attending.

There were 12 sustaining members in attendance and as Gold, Silver and Bronze sponsors with three \$500.00 grand prizes from Preferred Counsel, Hollerbach Title Group and L.O.R.R.



The 2019 Paralegal of the year was Stacy M. Foushee of Langley and Banack.



“Homeland Security Investigations’ Counter Human Trafficking Strategy: Prevention, Protection, Prosecution and Partnership” CLE was presented by:

KEYNOTE SPEAKER: *Timothy J. Tubbs*
U.S. Immigration and Customs Enforcement
Homeland Security Investigations
Deputy Special Agent in Charge

With the a panel of specialists:
Hsi Group Supervisor – David Kaleikini
Victim Assistance Specialist – Dr. Helen Mireles
Community Relations Officer – Norma Estimbo Lacy
Assistant Chief Counsel – Warren Kaufman



District 10 Paralegal Day Event

Nancy Fairfield, Senior Assistant General Counsel in The Woodlands, hosted a Lunch and Learn on behalf of the Howard Hughes Corporation.

The topic was “The Woodlands Real Estate 101” for a 1 hour Continuing Legal Education (CLE) credit. Nancy also educated the attending paralegals on the history of The Woodlands, highlighting legendary founder George Mitchell and his concept of a “true hometown.”





District 11 Paralegal Day Event

District 11 had a very successful Court Observance Day/Paralegal Day Celebration on October 10th at the Midland Country Club. Keynote speaker was Justice Keith Stretcher, 11th Court of Appeals. Every year the 11th Court of Appeals schedules oral arguments in Midland on the day of this luncheon so they can all attend the event. Chief Justice John Bailey introduced Justice Stretcher. We had over 150 attendees, including USDC Courts, State Courts, District Attorneys, County Attorneys, attorneys and support staff from Midland and Odessa.



L-R: Jan McDaniel, D11 Director; Justice Keith Stretcher, 11th COA; Chief Justice John Bailey, 11th COA; Emily Statton-Smith, President, MCBA; Mark H. Dettman, Chaplain, MCSO, MPD, MFD



Midland High School AFJROTC Honor Guard



L-R: Judge David Counts, USDC, WD/TX; Judge Elizabeth Leonard, 238th JDC; Judge David Lindemood, 318th JDC



Justice Keith Stretcher





District 12 Paralegal Day Event

On October 23, 2019 a Paralegal Day and Pro Bono Event – “Dinner & A Movie” was jointly hosted by District 12 and the Denton County Paralegal Association (DCPA). A fun time was had by all. There were raffles, a great dinner along with the Addams Family movie. Paralegal Division President Megan Goor introduced herself to DCPA and discussed the exciting things happening in District 12. Members were encouraged to bring a “canned food item” which was greatly successful. We would like to thank our PD Vendor Sponsors: Heath Hamlett with The Legal Connection, Inc. and Doug Patterson with Patterson & Patterson Investigations.





PRO BONO EVENTS REVISITED

District 5 Pro Bono Event

On October 22, 2019 District 5 paralegals attended and assisted as notaries and witnesses at the St. Mary's Law School Wills Clinic.



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Teach Your Children Well: Basic Financial Education

By Craig Hackler

As soon as your children begin to handle money, start teaching them how to handle it wisely.

Even before your children can count, they already know something about money: it's what you have to give the ice cream man to get a cone, or put in the slot to ride the rocket ship at the grocery store. So, as soon as your children begin to handle money, start teaching them how to handle it wisely.

MAKING ALLOWANCES

Giving children allowances is a good way to begin teaching them how to save money and budget for the things they want. How much you give them depends in part on what you expect them to buy with it and how much you want them to save.

Some parents expect children to earn their allowance by doing household chores, while others attach no strings to the purse and expect children to pitch in simply because they live in the household. A compromise might be to give children small allowances coupled with opportunities to earn extra money by doing chores that fall outside their normal household responsibilities.

When it comes to giving children allowances:

- Set parameters. Discuss with your children what they may use the money for and how much should be saved.
- Make allowance day a routine, like payday. Give the same amount on the same day each week.
- Consider "raises" for children who manage money well.



TAKE IT TO THE BANK

Piggy banks are a great way to start teaching children to save money, but opening a savings account in a "real" bank introduces them to the concepts of earning interest and the power of compounding.

While children might want to spend all their allowance now, encourage them (especially older children) to divide it up, allowing them to spend some immediately, while insisting they save some toward things they really want but can't afford right away.

Writing down each goal and the amount that must be saved each week toward it will help children learn the difference between short-term and long-term goals. As an incentive, you might want to offer to match whatever children save toward their long-term goals.

SHOPPING SENSE

Television commercials and peer pressure constantly tempt children to spend money. But children need guidance when it comes to making good buying decisions. Teach children how to compare items by price and quality. When you're at the grocery

store, for example, explain why you might buy a generic cereal instead of a name brand.

By explaining that you won't buy them something every time you go to a store, you can lead children into thinking carefully about the purchases they do want to make. Then, consider setting aside one day a month when you will take children shopping for themselves. This encourages them to save for something they really want rather than buying on impulse. For "big-ticket" items, suggest that they might put the items on a birthday or holiday list.

Don't be afraid to let children make mistakes. If a toy breaks soon after it's purchased, or doesn't turn out to be as much fun as seen on TV, eventually children will learn to make good choices even when you're not there to give them advice.

EARNING AND HANDLING INCOME

Older children (especially teenagers) may earn income from part-time jobs after school or on weekends. Particularly if this money supplements any allowance you give them, wages enable children to get a greater taste of financial independence.

Earned income from part-time jobs might be subject to withholdings for FICA and federal and/or state income taxes. Show your children how this takes a bite out their paychecks and reduces the amount they have left over for their own use.

CREATING A BALANCED BUDGET

With greater financial independence should come greater fiscal responsibility. Older children may have more expenses, and their extra income can be used to cover at least some of those expenses. To ensure that they'll have enough to make ends meet, help them prepare a budget.

To develop a balanced budget, children should first list all their income. Next, they should list routine expenses, such as pizza with friends, money for movies, and (for older children) gas for the car. (Don't include things you will pay for.) Finally, subtract the expenses from the income. If

they'll be in the black, you can encourage further saving or contributions to their favorite charity. If the results show that your children will be in the red, however, you'll need to come up with a plan to address the shortfall.

To help children learn about budgeting:

- Devise a system for keeping track of what's spent
- Categorize expenses as needs (unavoidable) and wants (can be cut)
- Suggest ways to increase income and/or reduce expenses

THE FUTURE IS NOW

Teenagers should be ready to focus on saving for larger goals (e.g., a new computer or a car) and longer-term goals (e.g., college, an apartment). And while bank accounts may still be the primary savings vehicles for them, you might also want to consider introducing your teenagers to the principles of investing.

To do this, open investment accounts for them. (If they're minors, these must be custodial accounts.) Look for accounts that can be opened with low initial contributions at institutions that supply educational materials about basic investment terms and concepts.

Helping older children learn about topics such as risk tolerance, time horizons, market volatility, and asset diversification may predispose them to take charge of their financial future.

SHOULD YOU GIVE YOUR CHILD CREDIT?

If older children (especially those about to go off to college) are responsible, you may be thinking about getting them a credit card. However, credit card companies cannot issue cards to anyone under 21 unless they can show proof they can repay the debt themselves, or unless an adult cosigns the credit card agreement. If you decide to cosign, keep in mind that you're taking on legal liability for the debt, and the debt will appear on your credit report.

Also:

- Set limits on the card's use
- Ask the credit card company for a low credit limit (e.g., \$300) or a secured card to help children learn to manage

credit without getting into serious debt

- Make sure children understand the grace period, fee structure, and how interest accrues on the unpaid balance
- Agree on how the bill will be paid, and what will happen if the bill goes unpaid
- Make sure children understand how long it takes to pay off a credit card balance if they only make minimum payments

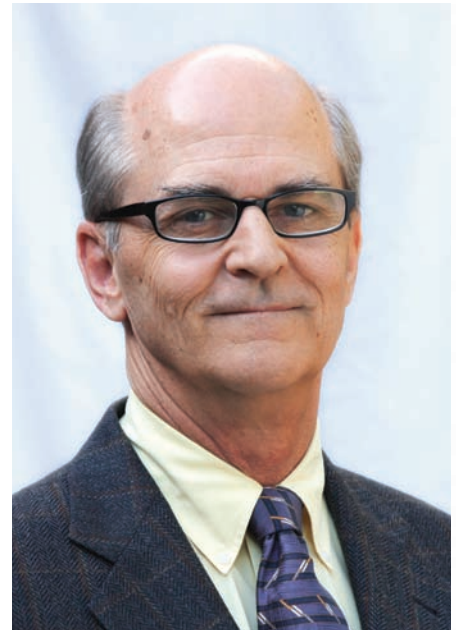
If putting a credit card in your child's hands is a scary thought, you may want to start off with a prepaid spending card. A prepaid spending card looks like a credit card, but functions more like a prepaid phone card. The card can be loaded with a predetermined amount that you specify, and generally may be used anywhere credit cards are accepted. Purchases are deducted from the card's balance, and you can transfer more money to the card's balance whenever necessary. Although there may be some fees associated with the card, no debt or interest charges accrue; children can only spend what's loaded onto the card.

One thing you might especially like about prepaid spending cards is that they allow children to gradually get the hang of using credit responsibly. Because you can access the account information online or over the phone, you can monitor the spending habits of your children. If need be, you can then sit down with them and discuss their spending behavior and money management skills.

Please contact Branch Ads Supervision to obtain the appropriate Raymond James disclosure.

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Empowered by Zoom

By Megan Goor-Peters, TBLS-BCP

COVID-19 emergency orders issued in mid-March by the Texas Supreme Court and Texas Court of Criminal Appeals required the legal community to conduct business by video-conferencing. From that, various courts ordered that hearings would not be held in person and would be conducted via Zoom. Although at first, there had been some scrutiny with Zoom, the unexpected surge of growth of clients and users' lack of knowledge were attributable. Zoom immediately implemented passwords on all meetings, whereas it was only optional (unknown to many) and continues to work on improving the program. Many legal-related activities using Zoom followed suit, including depositions, mediations, meetings with clients, and staff meetings.

Using Zoom has helped us cross-over and use it for our personal life. As we maintain social distancing, we have learned to have virtual happy hours, birthday parties, and other virtual gatherings.

Since this would appear to be a necessity now for my knowledge in my professional life, I decided to test the waters using the free version at home to host a meeting. I had previously experienced Zoom meetings but was only an invitee. My son's eighteenth birthday was the target. I apologize, Zach, in advance for embarrassing you. We invited family and friends and had a small cake delivered to each of them in their different states. I had a rehearsal with the grandparents to make they could be tech-savvy for the actual "party." We learned that some phones and computers do not have sound or audio. I learned that my older laptop was not ideal for audio. Since the grandparents were more acclimated using their cell phones, they ended up using their smartphones from their end.

All-in-all, it was a celebration we were able to share and eat cake together.

Here are ten tips for using Zoom to schedule a meeting.

PREPARING FOR YOUR ZOOM MEETING:

1) **Appearance.**

Attire. Avoid bright white and dark black as it will make you appear to be more a mass without definition; stay away from busy plaid or patterned outfits.

Lighting. Have a window face you (and not behind you) to help with lighting or have a lamp by your face for steady lighting to avoid shadows or silhouettes.

Step back. Make sure (particularly on cell phones) that you are not too close, and you will appear distorted.

Eye-level. Avoid having the camera looking up or down at you. These are not flattering views. Have it straight ahead, and be sure to look at it when talking.

There is a "touch up my appearance" feature under videos that you can try out as well.

2) **Test.** Plan to test out both audio and video capabilities on your device. When invited, Zoom has a test capability for your sound and your video capabilities. If you are doing more and more of these, you may want to invest in an accessory microphone for improved audio. Just remember to mute yourself when you are not talking to avoid any background noise or unintended noises and distractions.

3) **Background.** Make sure you are aware of what is in your background. Remember, this is a conference, and you are supposed to be engaging as if in person. **Avoid having a lot of busy distractions** in the background and make sure the focus is on you. (Note Zoom's Virtual Background option. Zoom offers a few to choose from, or you can upload your own – even videos. You may want to have company branding in the background. If you do, you may need a green screen behind you so that the resolution is optimum. Otherwise,

there is some trouble syncing with the actual background with the virtual one you are using, and your image will be a little blended and not as sharp and distinct from the background.)

4) **Settings.**

Set both your audio and video off for you and, if you are a host, you can set this for your guests.

5) **Chats.** The host can control if there are chats between participants or not. Be aware there is a private chat feature.

6) **Join early.** You can allow invitees to join the meeting early.

7) **Waiting room.** Turn on the waiting room feature and have a confirmation screen that will show the meeting date and time to reassure the invitees are at the correct meeting.

8) **Breakout rooms.** Hosts can create breakout rooms, and participants assigned to different ones.

This feature is ideal for mediations. Here is the link: https://support.zoom.us/hc/en-us/articles/206476093-Enabling-breakout-rooms?mobile_site=true

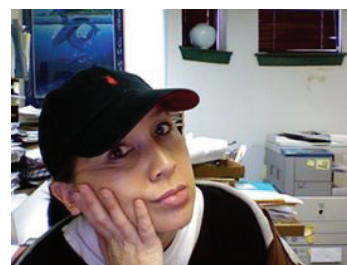
9) **LOCK your meeting.** As a host, you have the ability to lock down your session once it has started to keep others from joining.

10) **Overall the best tip! Use your space bar.** Mute yourself for your meetings. Then use the space bar to speak and release it to be muted again!

Also, the Office of Court Administrations has a full page dedicated to the Zoom process, including "Getting Started with Zoom" and "Tips for Successful Hearings."

<https://www.txcourts.gov/programs-services/electronic-hearings-with-zoom/>

Video-conferencing may increasingly become more of the "norm" for a lot of us. These are observations to help you so you can focus on being engaged and having a presence during your meetings.



PARALEGAL DIVISION ANNOUNCES

TAPS 2020 SCHOLARSHIP

For the upcoming 2020 Texas Advanced Paralegal Seminar (TAPS), a three-day CLE seminar, the PARALEGAL DIVISION of the State Bar of Texas will award up to two (2) educational scholarships for the three-day registration to attend the TAPS 2020 seminar, “*With the Roll of the Dice and CLE Plenty, TAPS is Roaring into 2020.*” Below please find the guidelines and application for applying for this scholarship.

1. The Recipient must be a member (or apply for membership) 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 on the following:
The Roaring 1920’s was a period of prohibition that prevented the manufacture, sales, and transportation of alcoholic beverages in the U.S. COVID-19 brought about its own type of prohibition, including Public gatherings being banned and mandated stay-at-home orders. However, law firms were deemed “essential” businesses. Talk about how this applies to paralegals and how they are essential to one’s legal practice. The essay must be two (2) pages in length and double-spaced.
3. To apply for a TAPS scholarship, the applicant is required to provide two (2) letters of 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. Applicants are not eligible if applicant has received the TAPS Scholarship during the previous three (3) years.
6. Recipient(s) are required to volunteer a minimum of three hours on-site 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, but does not include socials, travel, or hotel expenses.
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 2020 which will cover the cost of registration in accordance with the TAPS scholarship guidelines.

TAPS 2020 SCHOLARSHIP APPLICATION

IMPORTANT: ALL APPLICATIONS FOR A SCHOLARSHIP FOR TAPS 2016 MUST BE RECEIVED BY **TUESDAY, JULY 13, 2020.**
DATE OF TAPS 2020: September 16-18, 2020, San Antonio, 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 2019: _____

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: Edna W. Garza-Guerra, Scholarship Chair of the TAPS Planning Committee, Walsh McGurk Cordova Nixon, PLLC, 956-632-5018, egarza@wmcnlaw.com or email to: taps@txpd.org. Scholarship recipients will be notified by letter or email by July 27, 2020 and must accept and be registered for TAPS by August 5, 2020.

Date

Applicant’s Signature

Attach any additional explanations.



MENTOR PROGRAM

BE A MENTOR | HAVE A MENTOR

Protégés:

- Receive guidance/direction/support on topics such as ethics, career advancement, & professionalism.
- Access to valuable networking opportunities with other paralegals and the legal community through your mentors and others at state-wide and district PD events.
- Opportunities to learn more about the PD and PD activities & opportunities to get more involved.

Mentors:

- Opportunity to share your guidance/direction/support on topics such as ethics, career advancement, & professionalism.
- Encourage and promote the Division, and opportunities to participate in the Division.
- Invite Protégés to attend Division functions, and introduce Protégés to Division leadership, as well as some of the members.

*Voting, active members in good standing, with at least seven (7) years of experience as a paralegal, are qualified to serve as Mentors. Mentors must complete the requisite application acknowledging Mentor has read and agrees to follow the Mentor Program Guidelines.

SIGN UP TODAY

For more information contact:
mentorprogram@txpd.org



Paralegal Division Members Honored

Congratulations to District 2 member *Laura Kehoe*, who was selected as Executive Director for the Dallas Area Paralegal Association.

Laura A. Kehoe, CRP 2, the paralegal profession is a second career. After almost twenty years in restaurant operations, she transitioned into the legal field. Laura earned her bachelor's degree from the University of Houston. Laura later received her paralegal certificate from Southern Methodist University in 2012 and earned her Core Registered paralegal credential from the National Federation of Paralegal Associations in 2013.

Laura currently works as a litigation paralegal at the Law Offices of William W. Kruger, III, in Richardson, Texas. The firm's focus is primarily municipal defense. Several of the firm's cases have made local and national news.



Texas Paralegal Elected Region Director for the National Federation of Paralegal Associations

Indianapolis, IN, October 2019 - The National Federation of Paralegal Associations, Inc. (NFPA®) is pleased to announce that Lisa Lynch, CRP®, CEDS, has been elected to the position of Director, Region II for the 2019-2020 term. The elections were held at NFPA's Annual Convention in Rochester, New York on October 12, 2019.

Lisa is an in-house litigation paralegal employed by Pinnacle in Dallas, Texas. Over the years, she has worked in areas such as litigation, labor and employment, medical malpractice defense and intellectual property.

Lisa previously served on the NFPA Board of Directors as the Vice President and Director of Marketing (2015-2019). Lisa has also served NFPA in various coordinator roles. Lisa has been involved with the Dallas Area Paralegal Association (DAPA) since 2004, serving as the DAPA President in 2014, President-Elect in 2013. Additionally, Lisa served as DAPA's NFPA Primary or Secondary Representative and Vendor Advisor for several years, as well as serving on many special committees. She has also been a CLE speaker at many



DAPA and student events and webinars. In 2014, Lisa was presented with the DAPA Paralegal of the Year Award. She is also a member of Paralegal Division of the State Bar of Texas.

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 non-profits such as the North Texas Food Bank, Juliette Fowler, Hope Supply Co. and The Stewpot.

Lisa obtained her Paralegal Certificate from the Professional Development Institute at the University of North Texas. In 2011, Lisa was certified by NFPA as a Core Registered Paralegal, 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.

Most recently, Lisa became CEDS certified through ACEDS (Association of Certified eDiscovery Specialists).

The Region II Director is responsible for helping local associations in Arkansas, Colorado, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah Wisconsin and Wyoming. Region Directors are the main liaison between members associations and other members of the Board.

NFPA is a non-profit professional organization representing more than 8,000 paralegals and is headquartered in Indianapolis, Indiana. NFPA's core purpose is the advancement of the paralegal profession. NFPA promotes a global presence for the paralegal profession and leadership in the legal community.

NFPA – The Leader of the Paralegal Profession®

www.paralegals.org

CONTACT

Amanda S. Bureau, CAE, CVA
NFPA Executive Director

amanda@paralegals.org

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Fort Worth Paralegal Association Receives Back to Back TVAS Pro Bono Community Partner Awards

By Julie Sherman, TVAS Co-Chair

At the Tarrant County Bar Foundation's Annual Pro Bono Awards Luncheon, The Fort Worth Paralegal Association was presented with the TVAS Pro Bono Community Partner of the Year Award. FWPA was presented this award for the second year in a row.

This award is given to a community organization that impacts the TVAS program with their services and generosity.

FWPA not only provides paralegal volunteers for all 2019 TVAS Pro Bono Clinics, it also provides volunteers to assist in the preparation of documents, as well as notarization, witnessing and execution of those documents. Trisha Klement, FWPA President and TVAS volunteer, accepted the award of FWPA's behalf. Congratulations FWPA!!



Pictured Susan Davis, TVAS Paralegal Volunteer of the year, Julie Sherman TVAS Co-Chair and Trisha Klement, FWPA President.

This award would not be possible without the hard work and dedication of the following FWPA volunteers:

Jessica Amyett	Monty Mayes
Ninfa Cruz	Kathryn Moore
Susan Davis	Starlene Moore
Megan Goor	Donna Patterson
Lisa Grimaldi	Janice Piggott
Nancy Honeycutt	Michele Rayburn
Doris Jackson	Stephanie Reid
Lydia Johnson	Julie Sherman
Susy Johnson	Trisha West
Trisha Klement	



Monty Mayes Awarded FWPA Pro Bono Volunteer of the Year

By Julie Sherman, TVAS Co-Chair

At the 2019 FWPA Holiday Luncheon, TVAS Pro Bono Chairs, Susan Davis and Julie Sherman, awarded the 2019 FWPA Pro Bono Volunteer of the year award to Monty Mayes.

Monty is a Cum Laude graduate from the Professional Development Institute of The University of North Texas. Monty has been a family law paralegal for the last 25 years. He has worked for numerous family law firms, including freelance with MMPS Associates. Monty has held numerous board & chair positions with both the Fort Worth Paralegal Association and the Paralegal Division of the State Bar of Texas.

Monty is a frequent Tarrant Volunteer Attorney Services



(TVAS) Pro Bono volunteer. Monty has not only provided paralegal assistance to attorneys during the TVAS and Legal Aid of NorthWest Texas (LANWT) clinics, he has also assisted with document preparation, document witnessing and execution.

Denton County Paralegal Association Paralegal of the Year



DCPA would like to recognize Lisa Pittman in District 12 for her outstanding work not just with SBOTPD but with DCPA and her continued efforts over the years to help both organizations grow and learn as well as her dedication to the improvement of District 12 is just a true vision of what a Paralegal and member of SBOT Paralegal Division should be. Lisa has an amazing

Monty has helped numerous members of the Tarrant County Community find access to justice.

Please help me congratulate Monty on his Pro Bono service and this well-deserved award.

heart not just for her clients and people she works with but her fellow paralegals and without knowing it, mentors so many. You can always depend on Lisa to lend a helping hand day or night. She is experienced and never minds sharing her experience with her fellow paralegals. She has been a committed member of or held positions with State Bar of Texas Paralegal Division. Lisa is always full of great ideas on how to make things better and never minds getting her hands dirty to reach goals that are set. She works with other members to help them not only grow in their position but she is always eager to hear others ideas and put them into action. Her commitment to all that she does is just an inspiration to all those who work with her and those who are new to the paralegal division.

Fort Worth Paralegal Award

By Hollie McDuffie

The Fort Worth Paralegal Association has awarded a Paralegal of the Year distinction for the past 20 years. Members of the FWPA are nominated each year for this prestigious award. The criteria consists of the following: the Paralegal must be a voting FWPA member in good standing, have a minimum of five years' experience as a paralegal, and must have served at least one year on FWPA's board. Each FWPA member nominated for the award this year is deserving of equal recognition and demonstrates the highest standards of work ethic, professionalism and excellence in the paralegal field.

This years nominees are Trisha Klement, Ninfa Cruz, Susan Davis, Jessica Amyett and Joy Trammell.

This year's winner is Trisha Klement. Trisha is described by her peers as industrious and prioritizes her projects and time proficiently. She maintains professionalism at all times and contributes to the legal community and other volunteer associations while keeping up with her heavy workload. Trisha promotes professional development within her firm and facilitates learning opportunities for other legal assistants on best practices for vari-



ous legal needs. Trisha recently joined a firm replacing a paralegal of more than 20 years; this could be daunting, but she worked diligently to learn the preferences of attorneys and staff and made the transition a smooth one.

Congratulations Trisha!

Congratulations to District 2 Member, Rodney Bernal!

Rodney Bernal passed the TBLS Examination in Family Law. Rodney is from Ennis and graduated from UNT in 2010. He currently works for Law Office of David S. Bouschor, II P.C. Rodney has been a paralegal for 10 years and started at CokerLegal in Denton, Texas. "I grew up in foster care, so I saw firsthand the effects the mechanisms of family law could have on a family and its individual members. I enjoy being able to make sense of what



is usually a confusing and frustrating process so that the clients are more at ease and can focus on their family and not the intricacies of a legal matter. When I'm not working, I'm either running, baking, or out and about with my nieces and nephews."

Northeast Texas Association Paralegals—Paralegal of the Year

Northeast Texas Association of Paralegals (NTAP) was started in 1988 and is primarily in East Texas with members from Longview, Marshall, Henderson, Gilmer and the surrounding areas. NTAP has awarded a Paralegal of the Year for the last 30+ years. The recipient for 2019 was Shannon Happney, TBLS-BCP, of Longview. Shannon has worked for the law office of R. L. Whitehead, Jr., P.C. for

29 years, been a member of the Paralegal Division since 1997 and a member of NTAP for the last 15+ years. Over the years, she has repeatedly served as NTAP secretary and this past year she pulled double duty and served as both Treasurer and Secretary for NTAP. She was instrumental in helping our organization host the 2019 TAPA convention as well as assist in coordinating the CLE event that coincides with TAPA. She is a dedicated member of the State Bar of Texas Paralegal Division and is currently serving her second term as the District 14 Director.



District 16

District 16 (El Paso) teamed up with El Paso Association of Legal Professionals to have a “Spring Legal Bootcamp” on February 29th on the Valle Verde Campus. Speakers included Alejandro Acosta, III, Diana Valdez, Marisa Ybarra, and Judge Salas-Mendoza. The event offered 4 hours of CLE and entry fees were donated to Law N’ Paws dog food donation group.





*Be a step above the rest –
Join the Paralegal Division
of the State Bar of Texas*

PD provides many benefits for career growth:

- Networking with paralegals across the state
- Powerful CLE opportunities such as Texas Advanced Paralegal Seminar (TAPS)
- Professional Development
- Professional magazine with substantive articles and updates from across the nation

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an organization designed just for YOU! ENHANCE YOUR CAREER by becoming a part of PD today.

Go to www.txpd.org and see for yourself or contact the PD Coordinator via email at pd@txpd.org or call (806) 443-2209

PARALEGAL ETHICS HANDBOOK

The *Paralegal Ethics Handbook* is a resource for all paralegals, attorneys, and members of the legal community that addresses ethical considerations for 17 practice areas, as well as considerations for in-house, corporate, freelance, administrative, governmental, and regulatory law paralegals. The PEH:

- ♦ Examines topics such 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, plus related information; and
- ♦ Contains rules and regulations for all 50 states and Washington, D.C.
- ♦ Explains how to determine whether an action may be an ethical violation.

Authored by Paralegal Division members, with input from the legal community. Published by Thomson Reuters.



<https://tinyurl.com/txpdPEH>



www.txpd.org

Paralegal is the Word

In 2018, the National Federation of Paralegal Associations (NFPA) asked the ABA to look at the definition of legal assistant and paralegal. Geographically, the terms were interchangeable, whereas, in reality, a paralegal performed substantive legal work and legal assistants performed more in a legal secretary role. NFPA asked that the ABA recognize them as two separate roles. The ABA's Resolution was recommended by its Standing Committee on Paralegals and adopted by the House of Delegates on February 17, 2020. The term "paralegal" is no longer interchangeable with the term "legal assistant," according to the

American Bar Association.

The proposal states:

REVISED DEFINITION OF PARALEGAL IN THE GUIDELINES FOR THE APPROVAL OF PARALEGAL PROGRAMS

G-103

As Used In The Guidelines:

- (a) "Program" means the entity or unit within the institution that provides the paralegal education;
- (b) "Committee" means the American Bar Association Standing Committee on

Paralegals;

- (c) "Approval Commission" means the Approval Commission of the Standing Committee on Paralegals;
- (d) A paralegal is a person, qualified by education, training, or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency or other entity and who performs specifically delegated substantive legal work for which a lawyer is responsible.

This resolution is an excellent remark for paralegals and will assist in defining their roles in the legal profession.

For the full resolution and report, go to: https://www.americanbar.org/news/reporter_resources/midyear-meeting-2020/house-of-delegates-resolutions/102b/



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PARALEGAL DIVISION ONLINE STORE

The Paralegal Division of the State Bar of Texas offers members merchandise to promote the paralegal profession and their membership of the Paralegal Division.

Go to the PD online store today!



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.

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*Note: a more expansive list is included in the “General Guidelines for the Utilization of the Services of Legal Assistants by Attorneys” approved by the Board of Directors of the State Bar of Texas, May, 1993.



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**Paralegal Division
Utilization and Compensation Survey**

**Salary Survey for Texas Paralegals
The Salary Survey is EXTENDED 5:00 pm CST
June 30, 2020.**

**Please share this email with all paralegal
colleagues.**

**Take the Survey for a Chance to Win 1 of 5 \$100 Visa Gift Cards!
Sponsored by The Center for Advanced Legal Studies**

The Paralegal Division's Utilization and Compensation Survey of paralegals in Texas is coming soon! The information from this survey will be used to generate reports that will allow paralegals in Texas to see how their compensation packages compare to others in their geographic region.

Questions cover educational backgrounds, work environments, duties and responsibilities, billing and salary levels, and regional demographics affecting paralegal utilization and compensation. Participation in the convenient "scroll-and-click" survey is totally anonymous. Each question can be answered by simply checking a response or filling in a blank. The survey is open to all paralegals – not just members of the State Bar of Texas Paralegal Division. Please participate and tell others of this opportunity. By completing the survey you are helping the Paralegal Division to provide the most accurate and up-to-date information.

Please complete this survey by **June 30, 2020.**

Thank you for your participation. This information will provide summary demographic information about paralegal work, compensation, benefits, and job satisfaction in Texas. The survey findings will be summarized and published on our website after completion.

Go to www.txpd.org and click on Paralegal Division Salary Survey link.

Sponsored by the Center for Advanced Legal Studies
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QUARTERLY BOARD SUMMARY REPORT



by Edna W. Garza-Guerra, TBLS – BCP, President-Elect

The Winter Board Meeting was held on February 21–22, 2020, in Dallas, Texas. This two-day winter meeting had a filled agenda with much business to be conducted. On Friday afternoon, President, Megan Goor announced to the Board of Directors that District 5's Director, Susi Boss, was elected as the 2020–2021 President-Elect. The September 19–20, 2019 and board Meeting Minutes were approved



by the board. The Directors presented their District Reports, followed by the Ad Hoc and Standing Committee Reports which were presented by the Board Advisors. The Board of Directors enjoyed an evening filled with very good Mexican food and plenty of fun and comradery. On Saturday, February 22, 2020, the Report of Nominations for 2020–2021 was presented by Rebecca Lopez (District 16). Elections for the Executive Committee Officers were conducted: *Secretary*: Lisa Pittman (District 12); *Treasurer*: Eugene Alcada (District 2) and *Parliamentarian*: Shannon Shaw (District 14). The next board meetings will be the outgoing board meeting, installation of officers, and in-coming board meeting in Dallas, on June 19 and 20.

PD MEMBERS WHO PASSED THE 2019 TEXAS BOARD OF LEGAL SPECIALIZATION EXAMINATION

Congratulations to the following members of the Paralegal Division who successfully completed the 2019 Texas Board of Legal Specialization Examinations.

Criminal

Nicole Cloutier (D4)

Civil Trial

Andrea Clark (D2)

Family

Jolie Starrett (D12)
Natalie Roberts (D1)
April Castro Cruz (D5)
Angelica Bourne (D4)
Susan Smith (D1)

Emily Andrews (D4)

Rodney Bernal (D2)

Cathy Frasier (D3)

Kathy Melendez (D1)

Gabriela Warner (D3)

Cynthia Wren (D3)

Tina Pena (D5)

Melissa Skillern (D1)

Katherine Hinojosa (D1)

Jordan Thomas (D4)

Ashley Ryann Tighe (D1)

Andrea Burger (D2)

Personal Injury Trial

Jessica Foss (D2)

Morgan Newman (D10)

Gina Landingham (D3)


Amanda Lequerique (D4)

Elizabeth Quattrucci (D1)

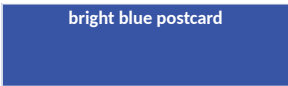
Tove Sebring (D4)



THE PD APP NEEDS YOUR CLE!*

Having membership renewals completely online will mean that you will need to input your CLE online too. Utilizing the Paralegal Division CLE portal is more important than ever! To update your CLE, go to www.txpd.org ->Directory->View My CLE Records->Log On to enter your CLE or use the Paralegal Division App! 

bright blue postcard

There will be a  coming your way in the mail in April to notify you to renew your membership only AND **THIS BRIGHT BLUE POSTCARD WILL BE YOUR ONLY REMINDER TO RENEW** your membership **starting May 1st**. Tack it to your fridge, put it with your bills and/or snap a photo and add it to your smart phone notes or calendar!

(The Paralegal Division App is a web-based app that allows PD members to add the app icon to their homepage on their handheld devices. Once members log on, they will be able to manage their CLE hours on the go, and call up the *Texas Paralegal Journal* (TPJ) on their handheld devices! To download the app, please click or go to <http://txpd.org/myapp>)

* Upon renewal, all active and associate members should remember when obtaining your six (6) CLE hours that one (1) of those hours will need to be an Ethics CLE obtained by May 31, 2020.

BECOME A MEMBER!



NFPA-The Leader of the Paralegal Profession™

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- ★ Engage in national leadership roles.
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- ★ Add your voice to the national effort to advance the paralegal profession.
- ★ Read our quarterly magazine, *The National Paralegal Reporter*.

www.paralegals.org



ASSOCIATE MEMBERSHIP



Join forces with an elite group of lawyers and paralegals who lead our profession.

Through associate member status, the College honors paralegals that make a commitment to maintain and enhance their professional skills through attending an extraordinary amount of continuing legal education hours.

REQUIREMENTS

A paralegal may become, or may maintain his or her status as an associate member of the College by

- (1) completing twelve hours of accredited CLE in the previous OR current calendar year which must include two hours of ethics,
- (2) paying the required fee,
- (3) submitting an application form on which a licensed Texas attorney verifies the applicant's good character and qualifications as a paralegal, and
- (4) submitting a report identifying the sponsor of the CLE programs attended, the specific topics included, the names and firms of speakers on the programs.

Two of the twelve hours including one hour of ethics may be earned through self-study.

BENEFITS

- A certificate of membership suitable for framing and a leather portfolio with the College logo
- The distinction of attaining a higher level of professional membership
- Unlimited access to TexasBarCLE's Online Library, a searchable database of over 27,000 CLE articles, forms, and case law updates
- Discounts for many live and video replay courses through TexasBarCLE, the State Bar's award-winning CLE department
- Use of the College logo on business cards, websites, letterhead, email signatures, etc.

To join, visit texasbarcollege.com.

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