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PRESIDENT'S *Message*

Edna W. Garza-Guerra, TBLS-BCP

Dear PD Members/
Friends,

To new
beginnings:
I am so

proud, honored and excited to be serving as your 2020-2021 President of the Paralegal Division – State Bar of Texas. When I became a Member of the PD in 2012, never did I imagine I would eventually be serving in this capacity. In 2015, while serving as a Director for District 15, I strongly encouraged and motivated District 15 Members to set new goals and accomplish them (i.e. seek Board Certification from the Texas Board of Legal Specialization). To show District 15 Members that I too “practiced what I preached,” I set a goal to become President of the PD someday. So, to now be serving as your President, is a realized dream! Oh, and District 15 now has a total of 9 board



certified Paralegals in Civil Trial law and Personal Injury law. In short, all of you have it in you to accomplish your goals and dreams (and no, it's not too late!). Remember, “If your dreams don't scare you, they aren't big enough,” so dare to set big goals this year and do your very best to accomplish them!

Past History: I had the pleasure and privilege to serve on the Board of Directors under the leaderships of: Erica Anderson, Megan Goor, Mona Tucker and Stephanie Sterling. Each of these incredibly talented and seasoned Paralegals caused great strides in the PD during their respective terms so I'd like to take this opportunity to thank each and every one of them. Erica, Megan, Mona and Stephanie, “Thank you,” for what you have done for the PD in the past and continue to do today while serving in other capacities. The PD would

not be this continued, successful professional organization if it weren't for great leaders like each of you. I realize that I have big shoes to fill!

2020-2021 Goals/Objectives: The premise during my presidency is, “Every voice matters.” We want to hear from YOU - the Members of the PD that also help make this professional organization a continued success. Sharing success stories/learning tips with other Paralegals across the state will be a norm during this upcoming year. Also, increasing PD memberships and membership benefits will be some of my primary goals this year.

Meanwhile, I remain a very proud Member of the PD and look forward to serving you all. Here's to 2020-2021, may we all seek and accomplish new goals and dreams. Stay safe everyone!

Send your success story, learning tips or suggestions to: president@txpd.org.

Respectfully,
Edna W. Garza-Guerra, TBLS-BCP
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Texas Paralegal Journal

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EDITOR'S *Note*

By Megan Goor, TBLS-BCP

We traditionally have the out-going President do the "President's Message" in the Summer Edition. Instead, the current President Edna Garza-Guerra, TBLS-BCP, is doing the message. Please be sure to read about this year's missions!

It has been such an incredible journey serving as the Paralegal Division President. We have now wrapped up another term, and, not only am I the Immediate Past President, TAPS 2020 Chair, and Ambassador, I am happy to continue to serve as the Editor of the *TPJ*!



In this Editor's Note, I am addressing the past term and what to look for in this Edition.

As Immediate Past President, I am pleased to report the Paralegal Division has had a number of missions this past year. However, the most notable is the "Keep Your CLE Certificates" campaign. Many thanks again to Veritext and tattoo artist, Jon Hill at Bonehead Tattoo for being such great supporters of this project. Another mission was focusing on reaching out to student paralegals. Student Liaisons, Amy Feser and Elaine Simons, served as Paralegal Division's Student Liaisons, making this project quite successful. They worked hard this past term to represent the Paralegal Division. Also, in this effort, Becky Lopez, Director 16, and Prof. Mike Soto, of Vista College, implemented video conference visits with the Paralegal Division (way before COVID-19) with their paralegal students. These "virtual visits" not only increasing awareness for the Paralegal Division but substantially increased our student membership in District 16!

As the out-going President, I am also the TAPS 2020 Chair. As many things were in progress in the early part of 2020, we were on track for an exciting in-person event in San Antonio this September. (I had my costume picked out and everything!) Then coronavirus. The committee stayed diligent in hopes that Texans would recover in time but recently decided that was not possible. Consequently, the committee transitioned TAPS into "E-TAPS 2020 CLE All Stars" that we currently have. We will also have the Annual Meeting on the following Friday by Zoom that will include Ellen Lockwood as the luncheon speaker along with the pronouncements of the Annual Meeting. I hope you will join us!

While we have (and still are) experiencing the effects of COVID-19, the Paralegal Division, through its members and volunteers, remains strong. We are always here to assist you.

Thank you for being a Paralegal Division Member! Please contact me at tpj@txpd.org.

—Megan Goor, TBLS-BCP

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The Role of the Paralegal in Document Preservation and Litigation Holds

Slater C. Elza, Jennie C. Knapp Underwood Law Firm, P.C.

Aside perhaps from perjury, no act serves to threaten the integrity of the judicial process more than the spoliation of evidence. Our adversarial process is designed to tolerate human failings – erring judges can be reversed, uncooperative counsel can be shepherded, and recalcitrant witnesses compelled to testify. But, when critical documents go missing, judges and litigants alike descend into a world of ad hocery and half measures – and our civil justice system suffers.¹

I. THE ROLE OF THE PARALEGAL

Paralegals are not simply collectors and distributors of documents. Instead, they are a vital part of the litigation team charged with efficiently identifying, securing, organizing and distributing the relevant documents. This process can involve anywhere from a handful of documents to millions, or even billions, of documents. A paralegal looking to enhance their value must be able to master the art of document control.

For a paralegal, their value can start on the first day a client suspects potential litigation. A paralegal, working with the supervising lawyers, can start by helping the client identify what categories of docu-

ments need to be identified and secured to assist with prosecuting or defending the claims. Next, a paralegal can begin identifying the location of those documents – the people that have them, the servers that store them, or the file cabinets and warehouses that might have the physical copies. Finally, a paralegal can assist with identifying what documents the other party or any third-party might have which could require the preparation of a preservation notice to protect the client. This article delves into the idea of litigation hold and preservation letters to help paralegals increase their value to their litigation teams.

II. THE DUTY TO PRESERVE

A. When does the duty arise?

Under Texas state law the duty to preserve evidence does not arise until a party knows or reasonably should know there is a substantial chance a claim will be filed, and such evidence is relevant and material.² Federal law is similar. A party has a duty to preserve evidence when (1) the party has noticed that the evidence is relevant to litigation or (2) when a party should have known that the evidence

may be relevant in future litigation. The oft-quoted *Zubulake* case described the duty as arising “[o]nce a party reasonably anticipates litigation it must suspend its routine document retention/destruction policy and put in place a ‘litigation hold’ to ensure the preservation of relevant documents.”³

While the standard may be generally repeated throughout the caselaw, the application is not always clear-cut. Whether the duty to preserve evidence exists is extremely fact-intensive and differs based on the facts, the jurisdiction, and the judge. Cases agree that a duty to preserve exists once a lawsuit has been filed. However, the analysis is much more difficult before litigation has been filed. The analysis can be so confusing that some courts have even determined that the question of when the duty to preserve has been triggered should not be decided by a non-lawyer.⁴ That being said, paralegals still play a vital role in the preservation of evidence by clients.

The duty to preserve can be understood in the analogous context of pre-litigation privileges. It follows that if a party has created documents in anticipation of litigation, it can certainly be argued that such

1. *United Med. Supply Co. v. United States*, 77 Fed. Cl. 257, 259 (Fed. Cl. 2007).

2. *Wal-Mart Stores, Inc. v. Johnson*, 106 S.W.3d 718, 722 (Tex. 2003).

3. *Zubulake v. UBS Warburg LLC*, 220 F.R.D. 212, 218 (S.D.N.Y. 2003).

4. See, e.g., *Clark Constr. Group, Inc. v. City of Memphis*, 229 F.R.D. 131, 136 (W.D. Ten. March 14, 2005) (holding that project manager should not have been permitted to determine whether documents were “relevant” before destruction).



documents (and other relevant documents) should be preserved. To determine whether a party creates documents “in anticipation of litigation,” two elements must be met: (1) a reasonable person would have concluded from the totality of the circumstances that there was a substantial chance that litigation would ensue, and (2) the party believed in good faith that there was a substantial chance that litigation would ensue.⁵ A “substantial chance of litigation” does not mean a statistically significant chance.⁶ Courts instead look to the severity of the damages and the totality of the circumstances to determine if a defendant anticipated litigation.

A formal or informal letter from an opposing attorney warning of potential future litigation is likely enough to trigger the duty to preserve, and the strategy in sending these letters is discussed below.⁷ Some courts have even held that a letter giving notice of an opportunity to cure a breach of contract may trigger a preservation of evidence duty.⁸ In some cases, courts have held that parties are on notice of the likelihood of litigation when an accident occurs that results in severe death or injuries.⁹ Other, even more extreme cases, have even held that an accident with minor injuries can put a defendant on notice of future litigation.¹⁰ Even an accident without any personal injury can put a party on notice of potential litigation depending on

the “sheer magnitude of the losses.”¹¹ This is especially true when a defendant has investigated and documented the incident thoroughly. In other words, prelitigation investigations conducted by a party may lead a court to find that there is a duty to preserve evidence. This is especially true when such investigations are outside the normal course of business.

B. What must be preserved?

Parties do not have to preserve “everything.” However, parties should take care, under both Texas and federal rules, that data relevant to the litigation (or potential litigation) be preserved. It is best practice to ensure that evidence that (1) is reasonably calculated to lead to the discovery of admissible evidence, (2) is reasonably likely to be requested during discovery, or (3) is the subject of a pending discovery motion should be preserved.

C. Who must preserve?

The “party” with possession, custody, or control of the evidence should ensure it is preserved. While this is often straightforward for smaller companies and individuals, there are some pitfalls that you should be aware of. Large corporations should particularly be careful that evidence is preserved in all departments, divisions, and related entities as well as with all potential custodians of record who may have the

evidence. And, as the duty to preserve is often described along the lines of what would need to be produced in discovery – whatever is in the party’s “possession, custody, or control.” This duty could extend to ensuring that third parties such as vendors, accountants, payroll providers, security companies, and the like preserve evidence.¹²

III. FAILURE TO PRESERVE

In both Texas and federal courts, the destruction of evidence can lead to sanctions ranging from monetary sanctions to an instruction to the jury that missing evidence was destroyed in bad faith because it would have reflected negatively on the spoliator. “Trial judges have broad discretion to take measures ranging from a jury instruction on the spoliation presumption to, in the most egregious case, death penalty sanctions.”¹³ The principle behind this is that if evidence is destroyed there can be a manifest unfairness and injustice because it increases the risk of an erroneous decision on the merits of the underlying cause of action.

Decisions on the failure to preserve evidence are within the discretion of the trial court and are extremely difficult to overturn on appeal.¹⁴ When considering the appropriate remedy for spoliation a trial court should consider whether there was a duty to preserve, whether the alleged

5. *Nat'l Tank Co. v. Brotherton*, 851 S.W.2d 193 (Tex. 1993).

6. *Id.* at 204; *see also id.* at 215 (J. Doggett, concurring and dissenting).

7. *See, e.g., Tex. Elec. Coop. v. Dillard*, 171 S.W.3d 201, 209 (Tex. App. – Tyler 2005, no pet.) (defendant was on notice of potential claim and the evidence’s potential relevance when it received a letter from the dead employee’s attorney and confirmed receipt of the letter).

8. *Renda Marin, Inc. v. United States*, 58 Fed. Cl. 57, 61-62 (Fed. Cl. 2003) (government was on reasonable notice of litigation when a contract dispute arose and the government’s officer sent a cure notice to plaintiff).

9. *See, e.g., Stevenson v. Union Pac. Ry. Co.*, 354 F.3d 739, 74748 (8th Cir. 2004); *Aggrey v. Stop & Shop Supermarket Co.*, No. 00 Vic. 7999(FM), 2002 WL 432388 at **1, 5 (S.D.N.Y. Mar. 19, 2002) (mem.).

10. *See, e.g., Houlihan v. Marriott Int'l, Inc.*, No. 00 Civ. 7439(RCC), 2003 WL 22271206, at *2 (S.D.N. Sept. 30, 2003) (holding in case where hotel guest was injured in a room and a hotel employee was sent out to do an investigation that “Because Defendant made attempts to prepare for litigation itself, the Court finds that it had a duty to preserve evidence in its possession for use by the opposing party.”); *but see Wal-Mart Stores*, 106 S.W.3d 718 (determining in case where plaintiff was hit in head by a falling decorative reindeer that the defendant was not on notice of a substantial chance of litigation because the plaintiff had reported he was not injured and did not threaten to sue or request that the defendant pay medical bills or other damages).

11. *See Indem. Ins. Co. of N. Am. v. Liebert Corp.*, No. 96 CIV.6675(CV), 1998 WL 363834, *4 n.3 (S.D.N. June 29, 1998).

12. *See Marshall v. DentFirst, P.C.*, 313 F.R.D. 691, 697 (N.D. Ga. 2016); WAGSTAFFE PRAC. GUIDE: FED. CIV. PROC. BEFORE TRIAL 6 33-IV[C][10]].

13. *Trevino v. Ortega*, 969 S.W.2d 950, 953 (Tex. 1998) (citing *Watson v. Brazos Elec. Power Coop., Inc.*, 918 S.W.2d 639, 643 (Tex. App. – Waco 1996, writ denied); *Ramirez v. Otis Elevator Co.*, 837 S.W.2d 405, 412 (Tex. App. – Dallas 1992, writ denied)).

14. *See id.*



spoliator negligently or intentionally spoliated the evidence, and whether the spoliation prejudiced the opposing party's ability to present their case.

While sanctions are intended to be remedial rather than punitive, the failure to preserve evidence can lead to harsh consequences at trial. The spoliation instruction to the jury is generally only available in bad faith cases. Typically a spoliation instruction is not allowed when documents were destroyed under routine policy, but such harsh penalties may be imposed if the party should have initiated (and followed) a litigation hold before the data's destruction. It is important to note that penalties can be levied even against attorneys because it is the lawyer's responsibility to ensure that their clients do in fact retain all available information.

IV. INSTITUTING INTERNAL LITIGATION HOLDS

"Litigation holds are the single most challenging, time consuming, and important aspect of document retention."¹⁵ The litigation hold should be thought out for each case as opposed to sending a "form" letter that is the same in each matter. Initiating a litigation hold is tied closely to the duty to preserve evidence, but the common-sense approach is to implement a litigation hold when it is "reasonable." You should note that every court's interpretation of when this point in time will be is different and work to protect your client (and yourself) by starting early and documenting the reasons for starting when you did.

A. What to save

The question of what to save is a more difficult one. The "save everything" approach is often unwieldy and very expensive. You will need to carefully tailor a document hold that captures the relevant data, but still allows irrelevant data to be

destroyed within the routine policies. You should save the data that is known to be relevant, reasonably should be known to be relevant, reasonably calculated to lead to the discovery of admissible evidence, reasonably expected to be requested, and subject to an existing request.

To institute a litigation hold, you must first investigate. You should determine who is potentially involved and interview them. They will help you answer the next sets of questions. Be sure that the persons you interview are aware they should not destroy data (including data on their home computers, external hard drives, and cell phones). You should also think about interviewing outside third parties such as IT companies, vendors, accountants, payroll companies, auditors, and the like.¹⁶

These people can help you determine what the relevant data is, what is available, and where and how it is saved. Think about what information the other side will want (and you will want), and make sure that it is saved. Err on the side of too much data rather than too little data. A lot of discovery disputes arise when, for example, backups of data are destroyed. Also don't forget drafts of documents, shadow files, and paper documents. Think through when the dispute arose and how far back you should go back to preserve data.

B. How to save it.

Send a litigation hold letter to the relevant records custodians. A good litigation hold letter should be very clear and straightforward as to what the dispute is about so that the custodians can determine what information is relevant and should be saved. Do not leave them to guess. It should also explain *how* the information should be saved – placed in a central repository, flagged in emails, or other methods. The letter should set out

reasons why the information is important and the potential consequences of failing to preserve it. Be specific in the types of data that should be saved and the types of automatic document destruction or data deletion policies that should be suspended. Invite recipients to ask questions about the hold or how to implement it.

Next you should actually collect the data, again erring on the side of too much rather than too little. Create repositories for paper and electronic copies of documents. Collect documents from the outside parties that you have identified such as the IT companies, vendors, accountants, payroll companies, auditors, and the like. Be sure that you and the IT people you are working with are communicating clearly what data needs to be saved, and what does not need to be saved. Run searches of key words and people through emails and other databases, and make sure that the documents are preserved.

As the case progresses, follow up on the litigation hold and the categories of documents that should be preserved. It might be possible that the developments of the matter or suit could affect the categories of documents that need to be saved.

C. Working with the other side

When litigation is filed, talk with the other side early if it looks like electronic discovery is going to be voluminous. Many federal courts require the parties to discuss, at the 26(f) conference, how electronic evidence will be stored, produced, and maintained, but it is a good rule of thumb for any case. It is a good idea to, when possible, reach an agreement with the opposing counsel regarding what will be preserved, how it will be preserved, the date range of preservation, and what search terms will be. If you do this, (1) you will allow your client to delete data outside of the scope that is agreed to, (2) you will force your

15. Kelsheimer and Rodriguez in "Document Retention: 800 Pound Gorilla."

16. Care should be exercised, as communications with these persons may not be privileged, and the sharing of a litigation hold letter with them may destroy the privilege, as discussed *infra*.



opposing party to be responsible for electronic documents that they have, and (3) it will provide certainty to your obligations.

V. PRESERVATION LETTERS

Think of a preservation letter as a litigation hold that is sent to the other side. While there are some similarities, there are some unique issues that arise with preservation letters. The goal of a preservation letter is to remind your (potential) opponent to preserve evidence, to make sure the evidence does not disappear, and to serve as a key piece of its own evidence if there is a subsequent claim of spoliation. While a preservation letter does not automatically create a duty to preserve evidence, it is good evidence to argue that the duty to preserve has arisen, and that subsequent document destruction was in bad faith. In other words, sending this letter before documents are destroyed gives you the “I told you so” argument.

A. Do you want to send one?

If considering sending a preservation letter, think very carefully about whether you want to do it. A preservation letter is not specifically sanctioned by the Rules of Civil Procedure, so it may not have the privileges that other discovery has. Using a preservation letter to put pressure upon, for example, lost customers or other third parties may set you and your client up for a counterclaim based on libel or tortious interference. It may also highlight to the recipient that they have potential claims that they might not have otherwise considered or felt compelled to move forward on or cause them to consider filing a declaratory judgment action, giving them a chance to choose venue. This is not to say not to send the letter, but you should be aware of potential negative consequences and help your client make an informed decision.

B. Scope

In writing a preservation letter, do not be overly cryptic in your description of what

kinds of documents and evidence you are looking for. All you are trying to do is keep the other side from destroying relative evidence. As with the litigation hold letter, the preservation letter should be “reasonable,” understandable, and well thought out.

Watch out for phrases like “any and all” with respect to electronic evidence in particular. It is impossible for a company to save any and all electronic evidence. For example, electronic communications would include phone calls. If what you are really looking for is emails, then say that. If you really want recorded phone calls, say that. Other types of evidence you might seek to preserve include text messages, temporary files, deleted files, and archival tapes. Be specific as to the types of files you are looking for, and also where such files may be located (such as desktop computers, mainframes, mobile phones, flash drives, etc.).

If you know which specific persons, divisions, or departments have relevant data, include their names specifically. Consider sending the letter to them as well as to the officers of the company, the head of the IT department, the registered agent, and the insurance adjuster. On top of that, you should include a request that the preservation letter be sent to all records custodians, including third party vendors who may be in possession of relevant data.

C. Educate your opponent

To be effective, you need to educate your opposing party on what the evidence is, how it might be deleted or overwritten if they don’t take steps to stop it, and who some of the identified key players are. A good preservation letter should halt routine business practices geared toward the destruction of potential evidence. Educate your opponent on stopping server backup tape rotation, electronic data shredding, scheduled destruction of backup media, re-imaging of drives, and the like.

If the letter is pre-suit, spell out the nature of the claim in detail so that your oppo-

nents know what the claim is about and can better identify what information might need to be retained. As much as possible, be fact specific. Name specific persons, dates, business units, office locations, events, etc. Do not forget to request that physical documents also be maintained. At the same time, you should not ask your opponent to keep more information than your client would reasonably keep. Your request might well be flipped back on you. It is also a good idea to include a paragraph that states if the recipient does not understand that letter to contact you. State your willingness to meet and confer with the recipient regarding your notice.

D. When to send (and when not to send)

A key point in a successful preservation letter is thinking about when you want to send it. Usually, you will want to send it as soon as you can identify who the potential defendants and what the possible claims are. You should keep in mind, however, that just sending a letter does not create any legal rights or obligations and does not change the rules of procedure. It is generally a good idea to send a preservation letter when there is evidence you think would be destroyed otherwise, whether maliciously or innocently. The letter will also put the putative defendant on notice that they are about to be embroiled in a lengthy, costly, and complicated discovery battle, and it can help support an argument later that the defendant was warned from the beginning to preserve evidence.

There are some occasions that you will want to delay sending a preservation letter. For example, if you think the defendant will not hesitate to destroy evidence, it might be more effective to seek a TRO, or include the preservation letter with your petition. If you want information to be destroyed in the normal course of business because it would be unfavorable to your position, it would not do much good to send a letter to the other side to preserve that evidence. Another time you might not want to send a preservation letter is if



it would cause the other side to hire a lawyer and explore their own claims. If you have not sent a preservation letter prior to filing the lawsuit, consider including a preservation section in your petition or complaint.

A. Don't forget third parties.

The preservation letter may also need to be sent to an accountant, banker, or another third party, if you believe that they have documents that are relevant to the dispute and not likely to be preserved. Alternatively, you could request in your preservation letter to the other party that they contact those third parties directly. This will depend on the dynamics of your specific situation.

VI. HOW TO RESPOND TO A PRESERVATION LETTER

When you receive a preservation letter, be sure that your client contacts their insurer. Review the preservation letter carefully to understand the scope of what it is requesting, the personnel involved, and the types of evidence that might be at issue. Do not assume that your client is automatically preserving the relevant evidence. Instead, interview relevant employees of your client, including IT personnel when available, so that you understand what data exists, where it is located, and how it can be preserved. Think about whether third parties have relevant information that should be gathered now. Give your client and its employees specific instruction in document preservation, and have them document the steps that have been taken to preserve the relevant evidence. If you believe the scope of the preservation letter is overly broad, write a letter back explaining why you think so, what the proper scope of the preservation should be, what steps your client is taking, and why these steps are reasonable. This will put the proverbial ball back in your opponent's court to explain why you are acting unreasonably. And, if your client violates the original preservation letter, but you

have informed your opponent of such concerns, it will look better in front of a judge.

VII. CONCLUSION

With the volume of data that is created every day, it is important that clients understand what data should be kept and what can be deleted. Carefully crafted document creation policies, document retention policies, and litigation holds will help your client be prepared for litigation and avoid costly discovery disputes. By the same token, understanding the issues of your case and where documents may be stored will help you craft reasonable preservation letters to ensure that your opponent has preserved relevant evidence, or set your client up for success if he has not.

Slater Elza is an attorney at the Underwood Law Firm, P.C. Slater Elza's practice focuses on representing businesses and governmental entities in litigation matters. As a litigator, Slater has tried over



125 matters through verdict in state courts, federal courts and arbitrations. Over the past few years he has handled

significant litigation in Texas, Louisiana, Oklahoma, New York, New Jersey, Florida, Indiana, Wisconsin, Virginia and Pennsylvania for clients. Slater's non-governmental clients include multiple health-care providers, an international producer and marketer of food, agricultural products and services, various nationally recognized insurance companies, and many other regional employers and businesses. Slater has handled multiple medical malpractice cases and administrative law matters for medical professionals, hospital districts and hospitals. Understanding his clients is very important to Slater as he considers himself more than legal counsel – he solves problems. Slater believes in a team approach

that places the best Underwood attorneys for any matter on the case. He serves as President-Elect for the Texas Association of Defense Counsel, a statewide organization of personal injury defense, civil trial and commercial litigation attorneys, and is a former treasurer and director for the Amarillo Area Bar Association. Elected in 2018, Slater also serves on the Litigation Council for the Litigation Section of the State Bar of Texas and is an elected board member for the Texas City Attorneys Association and former regional chairman for the Texas Supreme Court's Committee on the Unauthorized Practice of Law. Slater regularly speaks around the State on litigation and local government issues. Slater serves on Underwood's Board of Directors, as well as Chairman of the Litigation Practice Group for the Firm

Jennie Knapp is an attorney at the Underwood Law Firm, P.C. Jennie's clients are businesses and individuals who find themselves in a dispute or potential dispute,



whether it be with an employee, contractor, client, relative, or business partner. Jennie sees her role as assisting in solving

problems. Sometimes that means providing advice on avoiding an issue; other times it means hard-hitting litigation. In shaping legal arguments, she works to tell a client's story in a creative way to help a judge or jury best understand and present complicated "legalese" more simply. Whatever the situation, Jennie looks for the best resolution for the client so that they can focus on what matters to them – living good lives and keeping their businesses running and profitable. Jennie Knapp is a proud fourth generation Amarilloan, where she has learned the benefits of hard work, honesty, and loyalty, values that she extends to her practice. She and her husband, Nick, are proud to raise their son in the Texas Panhandle.



Make a Difference from your Home, Office, or Anywhere!

Texas Legal Services Center's LiveChat Volunteer Program

By: Elliott Fontenette

Every day, tens of thousands low-income Texans, through no fault of their own, find themselves navigating the legal system alone as pro-se litigants. There is not a separate set of rules for pro se litigants. The legal system does not “go easy” on them because they do not have a lawyer. In fact, a pro se litigant is held to the same standard as a lawyer and is required to follow the same rules. Due to a lack of knowledge of the applicable procedural and substantive law, pro-se litigants often find themselves at a substantial disadvantage in their cases. Accordingly, going through the legal system as a pro-se litigant can and does often lead to sub-optimal outcomes.

There are several reasons this can happen. Perhaps they applied for help from a legal aid organization but were turned down due to a lack of funding. Perhaps they tried to ask courthouse staff for guidance but didn't receive any because courthouse staff is not allowed to provide legal advice. Perhaps, even the idea of contacting a private attorney seems too expensive and insurmountable for them to consider. Regardless of the reason, thanks to Texas Legal Services Center's LiveChat Volunteer Program, you have the power to help them today.

Texas Legal Services Center (TLSC) is a statewide nonprofit organization whose mission is to provide high quality legal representation, advice, advocacy, and education at no cost to underserved people

across the state.

LiveChat is conducted on www.TexasLawHelp.org, a free resource managed by TLSC. Website visitors can connect with volunteer law students, attorneys, and paralegals to receive instructions and general information about their legal case. In 2019, volunteers handled more than 5,000 chats, with 2.7 million+ visitors to the site and 10 million+ page views.

Volunteers do not provide legal advice. Instead, they work hard to elicit the facts of a visitor's situation, spot and analyze the issue, and then point the visitor to the correct information and legal resources.

The LiveChat Volunteer Program started in 2014 thanks to an initial grant from the State Bar of Texas Corporate Counsel Section. With continued funding and support from the Texas Access to Justice Foundation, hundreds of volunteers have been able to help tens of thousands of Texans over six short years. The LiveChat Volunteer Program hosts volunteers from law schools across Texas, private law firms, and businesses such as ExxonMobil and CenterPoint Energy.

TLSC staff has worked hard to develop extensive materials to support volunteers' efforts. All training is done independently and remotely by watching a detailed video and undergoing an independent review process. Furthermore, a designated TLSC staff member is on hand to provide volunteer support during each and every chat.

In addition to being committed to sup-

porting volunteer efforts, TLSC staff is also committed to providing volunteer credit, including training time. Our LiveChat software is able to automatically track all volunteer hours. TLSC staff routinely harvest, organize, and provide this information to volunteers for their own purposes, such as applying to the Pro Bono College of the State Bar of Texas or getting credit with their academic institution. From time to time, the best volunteers are even nominated for awards. For example, Ms. Gwendolyn Dawson, an attorney for the Houston office of ExxonMobil, was nominated by TLSC staff and received the 2018 Access to Justice Corporate Counsel Pro Bono Award.

To provide a real world example of the type of help volunteers provide to low income Texans, consider the case of 'User A.' User A contacted LiveChat about issues concerning a court appointed attorney in a criminal case. Due to funding restrictions, the chat service can only provide limited help in these types of situations. Even with those restrictions in mind, the volunteer was able to help. The volunteer thoughtfully listened to what the user had to say, analyzed the situation, and quickly provided practical information the user could consider and the right place for the user to contact for more help. In fact, at the end of the chat, the user said of the volunteer, “You have been more helpful than anyone I've contacted!” The volunteer's thoughtful handling of the case put the user on the



right path and encouraged them as they went forward.

While getting credit for volunteer hours with an educational institution or another organization is certainly important, what volunteers often find the most rewarding is being able to help their fellow Texans. Volunteers light the way for pro se litigants who are often confused, frustrated, and apprehensive about their chances in the legal system. Volunteers often marvel that what seems simple to them has the capacity to truly change a website visitor's life.

If you would like to volunteer, please apply at: tlsc.org/livechat. Volunteers typically work a set shift of 2-3 hours in length one day per week and are required to have a reliable internet connection. Please consider volunteering today!

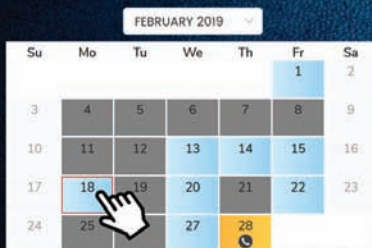


Fontenette was born in New Orleans and obtained a finance degree from Louisiana State University. Fontenette subsequently graduated from the University of Texas at Austin School of Law in 2009. He then secured an internship with the Texas Legal Services Center, a statewide nonprofit organization, and hired him as a staff attorney in 2010. He began working on the statewide legal aid website, TexasLawHelp.org, and served as the managing attorney of the Self-Represented Litigants Project which moderated the site from 2014-2017. TexasLawHelp.org provides free and reliable legal information, forms and guides to low-income Texans.



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The Paralegal Division of the State Bar of Texas

E-TAPS **2020** **CLE** **ALL ★ STARS** ★ HOME EDITION ★

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A Two Day Multi-Track CLE

September 16, 2020 – September 17, 2020

<https://txpd.org/TAPS/>

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(Registration is ONLY available online [HERE](#))

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- Track Two—Family Law - (Two Days—10 hours of CLE)
- Track Three—Criminal/Probate & Estate/Real Estate/Oil & Gas

Day One-Criminal Law and Probate & Estate Law (5 hours of CLE)

Day Two-Real Estate Law and Oil & Gas Law (5 hours of CLE)

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Tracks are a 5 hour block per day.

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E-TAPS Speakers



Jason Bernhardt
Winstead—Shareholder

Jason is a member of the firm's Business Litigation Practice Group. He has represented his clients as lead counsel in dozens of trials, arbitrations and appeals, in both state and federal court. Jason's background has exposed

him to a variety of contract and tort litigation matters but his current practice focuses on disputes involving real estate, financial services and insurance. He also has career-long experience representing clients in personal injury cases. In addition to his litigation practice, Jason is often called upon to provide his clients with advice regarding risk management, claims analysis and planning. Jason provides strong and aggressive representation to each of his clients always focusing on their unique, case-by-case goals.

www.txpd.org/taps



Larry L. Martin
Geary, Porter & Donovan, PC
Shareholder

Dallas family lawyer Larry L. Martin focuses his efforts and skills toward achieving the goals of his clients through negotiating agreements when possible, and litigating when

satisfactory agreements cannot be reached. Agreements and settlements preserve relationships, lower stress and lower costs. The know-how, experience and willingness to litigate actually facilitate reaching agreements.

Larry believes that one of his most important tasks is to advise and assist family law clients while they are experiencing some of the most difficult periods of their lives. He believes in being accessible when he is needed – day or night. He routinely provides his cellular telephone number to clients.

One of the first questions he will ask you is to let him know the goals that you seek. The next step is to analyze the facts and law to plan the best means to accomplish realistic goals. Larry considers one of his most important jobs to fully inform his client so that the client may make excellent decisions. He is candid, but understanding. He is a staunch advocate for achieving the goals of his clients, but realistic.

He has provided representation in a multitude of complex cases. He is one of the few Texas divorce and family law attorneys who can truly master all the moving parts of high-dollar, multiple-asset, document-intensive cases.

Because of his tenacity and attention to detail, Larry is often brought into complex cases. His knowledge, ability and approach have thrust him into the top ranks of Texas family lawyers. He is routinely asked to write and speak at continuing legal education seminars. Larry has been Board Certified in Family Law by the Texas Board of Legal Specialization since 1996. Larry has been selected to the list of Texas Super Lawyers published in Texas Monthly magazine every year since 2003 (Thomson Reuters) and is listed in The Best Lawyers in America (Woodward White, 2008-2017).

Larry is a past President of the Texas Academy of Family Law Specialists, an organization restricted to about 450 board certified Texas family law attorneys. He is one of only approximately 125 Texas lawyers admitted as a Fellow in the American Academy of Matrimonial Lawyers and is a past President of the Texas Chapter. He is a Master in the Annette Stewart American Inn of Court and served two terms on the Board of that organization.



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PD Member Registration Fee \$250

Non-PD Member Registration Fee \$350

One-Day Registration (Select This Option for Different Tracks * Different Days)

PD Member Registration Fee \$125

Non-PD Member Registration Fee \$175

www.txpd.org/taps

*Tracks are a 5 hour block per day.



SCHEDULE



SPONSORS

Wednesday, September 16

Opening Remarks 9:00 AM

Presentations 9:05 AM–3:00 PM

Thursday, September 17

Opening Remarks 9:00 AM

Presentations 9:05 AM–3:00 PM

Friday, September 18

Paralegal Division Annual Meeting with
Ethics Presentation (1 hour of Ethics)

(Separate Registration Required)

Opening Remarks 11:30 AM

Annual Meeting with 11:35 AM–1:30 PM

Ethics CLE

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Paralegal Division Annual Meeting

Free Hour of Ethics CLE



Ellen Lockwood, ACP, RP

Ellen received her Bachelor of Music degree from Southwestern University and her paralegal certificate from Southwestern Professional Institute in Houston.

She is a past president of the Paralegal Division of the State Bar of Texas. She previously served on the Board of Directors of the Paralegal Division from 1995 to 1997 and 2001 to 2006. She served as Treasurer of the Division from 1996 to 1997 and again from 2002 to 2004. She is also a past president of the Alamo Area Paralegal Association.

Ellen is Chair of the Professional Ethics Committee of the Division, a position she also held from 1997 to 2004, and from 2007 to present. She is the lead author of the *Paralegal Ethics Handbook* published by Thomson Reuters.

In 2008, Ellen was honored to receive the Paralegal Division's Award of Excellence and San Antonio Paralegal of the Year award.

Ellen has more than twenty years of paralegal experience in intellectual property and civil litigation. She is a frequent speaker and writer on paralegal ethics and is currently employed as a Trademark Paralegal for Schwegam Lundberg Woessner.

You may follow Ellen on Twitter @paralegaethics.

PARALEGAL DIVISION 2020 ANNUAL MEETING

Join the Paralegal Division for its 2020 Annual Meeting. The Paralegal Division will conduct its annual business meeting and introduction of the 2020-2021 Paralegal Division Board of Directors.

Following the meeting the Paralegal Division Professional Ethics Chair, Ellen Lockwood, ACP, RP, will present "The Future of Legal Ethics" This presentation will provide 1 hour of ethics credit.

SEPARATE REGISTRATION IS REQUIRED.

There is NO COST for registration to the 2020 Annual Meeting, and Ethics Presentation. Deadline for registration to the Annual Meeting is September 17, 2020 at 10:00 am.

Register: <https://txpd.org/rsvp.asp>

Annual Meeting is September 18, 2020
beginning at 11:30 am



State Bar of Texas
Paralegal Division

Eleven Ways to Help Yourself Stay Sane in a Crazy Market

By Craig Hackler

Keeping your cool can be hard to do when the market goes on one of its periodic roller-coaster rides. It's useful to have strategies in place that prepare you both financially and psychologically to handle market volatility. Here are 11 ways to help keep yourself from making hasty decisions that could have a long-term impact on your ability to achieve your financial goals.

1. Have a game plan

Having predetermined guidelines that recognize the potential for turbulent times can help prevent emotion from dictating your decisions. For example, you might take a core-and-satellite approach, combining the use of buy-and-hold principles for the bulk of your portfolio with tactical investing based on a shorter-term market outlook. You also can use diversification to try to offset the risks of certain holdings with those of others. Diversification may not ensure a profit or guarantee against a loss, but it can help you understand and balance your risk in advance. And if you're an active investor, a trading discipline can help you stick to a long-term strategy. For example, you might determine in advance that you will take profits when a security or index rises by a certain percentage, and buy when it has fallen by a set percentage.

2. Know what you own and why you own it

When the market goes off the tracks, knowing why you originally made a specific investment can help you evaluate whether your reasons still hold, regardless of what the overall market is doing. Understanding how a specific holding fits



in your portfolio also can help you consider whether a lower price might actually represent a buying opportunity. And if you don't understand why a security is in your portfolio, find out. That knowledge can be particularly important when the market goes south, especially if you're considering replacing your current holding with another investment

3. Remember that everything is relative

Most of the variance in the returns of different portfolios can generally be attributed to their asset allocations. If you've got a well-diversified portfolio that includes multiple asset classes, it could be useful to compare its overall performance to relevant benchmarks. If you find that your investments are performing in line with those benchmarks, that realization might help you feel better about your overall strategy. Even a diversified portfolio is no guarantee that you won't suffer losses, of course. But diversification means that just because the S&P 500 might have dropped 10% or 20% doesn't necessar-

ily mean your overall portfolio is down by the same amount.

4. Tell yourself that this too shall pass

The financial markets are historically cyclical. Even if you wish you had sold at what turned out to be a market peak, or regret having sat out a buying opportunity, you may well get another chance at some point. Even if you're considering changes, a volatile market can be an inopportune time to turn your portfolio inside out. A well-thought-out asset allocation is still the basis of good investment planning.

5. Be willing to learn from your mistakes

Anyone can look good during bull markets; smart investors are produced by the inevitable rough patches. Even the best investors aren't right all the time. If an earlier choice now seems rash, sometimes the best strategy is to take a tax loss, learn from the experience, and apply the lesson to future decisions. Expert help can prepare you and your portfolio to both weather and take advantage of the market's ups and downs. There is no assurance that working with a financial professional will improve investment results.

6. Consider playing defense

During volatile periods in the stock market, many investors reexamine their allocation to such defensive sectors as consumer staples or utilities (though like all stocks, those sectors involve their own risks, and are not necessarily immune from overall market movements). Dividends also can help cushion the impact of price swings.

7. Stay on course by continuing to save

Even if the value of your holdings fluctuates, regularly adding to an account designed for a long-term goal may cushion the emotional impact of

market swings. If losses are offset even in part by new savings, your bottom-line number might not be quite so discouraging. If you're using dollar-cost averaging - investing a specific amount regularly regardless of fluctuating price levels - you may be getting a bargain by buying when prices are down. However, dollar cost averaging can't guarantee a profit or protect against a loss. Also consider your ability to continue purchases through market slumps; systematic investing doesn't work if you stop when prices are down. Finally, remember that the return and principal value of your investments will fluctuate with changes in market conditions, and shares may be worth more or less than their original cost when you sell them.

8. Use cash to help manage your mindset

Cash can be the financial equivalent of taking deep breaths to relax. It can enhance your ability to make thoughtful decisions instead of impulsive ones. If you've established an appropriate asset allocation, you should have resources on hand to prevent having to sell stocks to meet ordinary expenses or, if you've used leverage, a margin call. Having a cash cushion coupled with a disciplined investing strategy can change your perspective on market volatility. Knowing that you're positioned to take advantage of a downturn by picking up bargains may increase your ability to be patient.

9. Remember your road map

Solid asset allocation is the basis of sound investing. One of the reasons a diversified portfolio is so important is that strong performance of some investments may help offset poor performance by others. Even with an appropriate asset allocation, some parts of a portfolio may struggle at any given time. Timing the market can be challenging under the best of circumstances; wildly volatile markets can magnify the impact

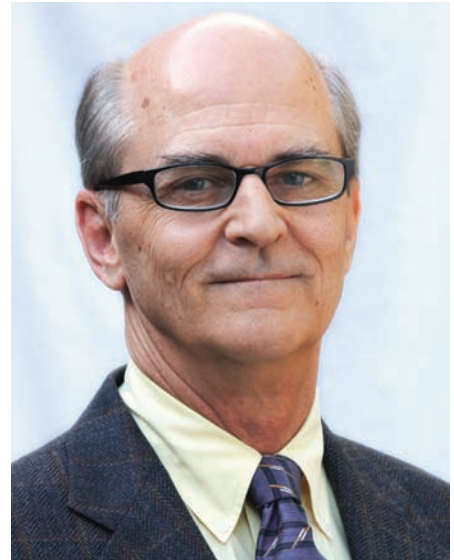
of making a wrong decision just as the market is about to move in an unexpected direction, either up or down. Make sure your asset allocation is appropriate before making drastic changes.

10. Look in the rear-view mirror

If you're investing long-term, sometimes it helps to take a look back and see how far you've come. If your portfolio is down this year, it can be easy to forget any progress you may already have made over the years. Though past performance is no guarantee of future returns, of course, the stock market's long-term direction has historically been up. With stocks, it's important to remember that having an investing strategy is only half the battle; the other half is being able to stick to it. Even if you're able to avoid losses by being out of the market, will you know when to get back in? If patience has helped you build a nest egg, it just might be useful now, too.

11. Take it easy

If you feel you need to make changes in your portfolio, there are ways to do so short of a total makeover. You could test the waters by redirecting a small percentage of one asset class to another. You could put any new money into investments you feel are well-positioned for the future, but leave the rest as is. You could set a stop-loss order to prevent an investment from falling below a certain level, or have an informal threshold below which you will not allow an investment to fall before selling. Even if you need or want to adjust your portfolio during a period of turmoil, those changes can - and probably should - happen in gradual steps. Taking gradual steps is one way to spread your risk over time, as well as over a variety of asset classes.



Craig Hackler, Financial Advisor, holds the Series 7 and Series 63 Securities Licenses, as well as the Group I license (life, health, annuities). Through Raymond James Financial Services, he offers complete financial planning and investment products tailored to the individual needs of his clients. He will gladly answer your questions. Call him 512.391.0919 or 800.650.9517 or e-mail Craig.Hackler@RaymondJames.com Raymond James Financial Services, Inc., 3345 Bee Caves Rd., Suite 208, Austin, TX 78746. This Information, developed by an Independent third party, Broadridge Investor Communications Solutions, Inc., has been obtained from sources considered to be reliable, but Raymond James Financial Services, Inc. does not guarantee that the foregoing material is accurate or complete. This information is not a complete summary or statement of all available data necessary for making an investment decision and does not constitute a recommendation. The material is general in nature. Past performance may not be indication of future results. Raymond James Financial Services Inc. does not provide advice on tax, legal or mortgage issues. These matters should be discussed with the appropriate professional. Securities offered through Raymond James Financial Services, Inc., member FINRA/SIPC, on Independent broker/dealer, and are not insured. Investment advisory services are offered through Raymond James Financial Services Advisors, Inc. Raymond James is not affiliated with Texas Paralegal Journal.

Striving for Excellence

By Rhonda J. Brashears, CP, TBLS-BCP, Paralegal Division Coordinator

I do not really know why these words came to me, but when I really started thinking about it, these last few months have been very difficult on everyone. Yet, when I really gave it some thought, I think it is because it has also been a time when I have seen the best in so many people. Many in the legal field worked from home for several weeks, some still are, and others continued to go to the office each day. Myself—I worked from home for about 9 weeks. During that time, I talked to many paralegals across the state. You know what they were all doing? They were all working even harder than they had before. Some were picking up workloads for others because their offices tried to limit the number of staff members; some were working from home; and many were handling not only their work duties, but additionally they were home schooling children. With all of this, it made me think—paralegals are just a breed of peo-

ple that no matter what is thrown at them, they always strive for excellence!

The Paralegal Division is trying to be right there with you and to continue to do our part to help you continue to achieve excellence. Many changes are taking place in our lives right now and we want you to know that many changes are also taking place here at the Paralegal Division. We recently made the decision, for the safety of our Board of Directors and their family and friends, we would hold the Outgoing and Incoming Board of Director Meetings in June via Zoom. It was challenging to have two full days of meetings in the virtual world, especially with the significant exchange of documents, but we made it through and were able to conduct the business of the Paralegal Division. While it was not the preferred way of meeting, we now know that if we have to do it again, we can.

We have also made the very difficult



decision to cancel the “in person” version of TAPS 2020 for the safety of everyone. However, we quickly started to work on an alternative to make sure that

our members who rely on TAPS can still get the CLE they need. We think you will find that *E-TAPS 2020 CLE All Stars* will provide you via live webcasts with some of the best speakers the State of Texas has to offer.

Other big changes coming up for the Paralegal Division is the implementation of a brand-new website. This site will roll out toward the end of this year.

So, as we persist and navigate these uncertain days, I want to encourage you to throw your shoulders back, put your chin up, look the future right in the eyes and continue to Strive for Excellence!

Rhonda J. Brashears, CP, TBLS-BCP
Paralegal Division Coordinator

Paralegal Division Student Liaisons

As a part of the mission of the 2019-2020 term, a request for volunteers to serve as its first Student Liaisons covering three regions of the State of Texas posted. Amy Feser and Elaine Simmons served as the Student Liaisons for Regions 2 and 3. Their stewardship in this regard was outstanding. Their constant communication and outreach to the student membership and paralegal schools are genuinely appreciated.

—Megan Goor, TBLS-BCP
President, 2019-2020

Student Liaison Region 2 – Amy Feser

Amy Feser is the 2019-2020 Student Liaison of Region 2 for the SBOT Paralegal Division, a student at Austin Community College in Paralegal studies, and a Paralegal at GoransonBain Ausley in Austin, Texas. She has been with GBA for two years and has enjoyed learning the many facets of Family Law and looks forward to many more years of discover-

ing and growing. Amy has two semesters left to complete her Associates of Applied Science degree. She is a single mom of two teenagers, a small group leader of teen girls, and has a passion for being an advocate in her community for suicide prevention.

Amy has enjoyed the opportunity of the 2019-2020 term as the liaison to Region 2 paralegal students. Presenting the



program to the students at Houston Community College was informative and fun. Developing relationships with Region 2 colleges has

been exciting in opening connections for current and future students. Amy's hope for paralegal students is to finish strong on their college path and has high hopes for a fulfilling and passionate career path for them.

It. Is. Time.
To speak up, to move on.
To try again.
To make a decision.
To let it go. To start over.

To stop shrinking back.
To be brave.
To follow your dreams.
To walk in your purpose.
by Sophia Nelson

Student Liaison Region 3 – Elaine Simons

After 24 years in the field of sales and marketing, I had the courage to try something different and accepted a job at a law firm as a receptionist. I did not have ANY law background, and I instantly fell in love with it! Soon after, I was promoted to Legal Assistant. It was about this time that I started to seriously think about getting my Paralegal Certificate. So, in January 2018 I started the paralegal program at UTSA. I would say that I did have an advantage, as I was working at a law firm, so I had experience in some of the areas of

study. But, there were many areas of the law that I was not familiar with. So, I was excited to learn these areas of the law. I have been with Tessmer Law Firm, since 2005, and I am now the Senior Paralegal.

I was the first student liaison for the San Antonio Paralegal Association. This past year I served as secretary on the board and looking forward to being president-elect for the upcoming board year. I have had the opportunity to speak to many students, and always I tell them my story and tell them that if I can do it...they absolutely can do it. I stress to them that the biggest obstacle they will have, is finding the right fit. Finding a place where you are able to succeed! I always stress if you are offered a job in the legal field, even if it is not a paralegal to start, take it! Law Firms like to promote from within. I learned so



much as the receptionist!
I tell them, "that there will be days that they will get discouraged and it seems like that everything that could go wrong,

does goes wrong. And trust me, I have been there....You will feel like you want to give up; but, don't! You have worked too hard for this. I have adopted the mind set of "tomorrow is another day."

Elaine Simons is a Senior Paralegal at Tessmer Law Firm, San Antonio

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.

The PEH 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

The Ethics of AI in the Legal Profession

Ellen Lockwood, ACP, RP

In August of 2019, the American Bar Association passed a resolution to encourage attorneys and the courts to tackle the ethical and legal issues regarding the use of artificial intelligence (AI) in the legal field. The resolution identified the following issues to be addressed:

- Bias
- Explainability (understanding methods and techniques used by AI technology)
- Transparency of AI decisions
- Ethical and beneficial usage of AI
- Controls and oversight of AI and AI vendors

It is no longer a question of if AI will be incorporated and used by the legal profession, but how it will be used. Online legal research already includes AI (e.g., natural language searching), and those involved in ediscovery are familiar with the use of predictive coding.

One danger with AI is bias. The operations of AI are based on identifying patterns in large amounts of data. If the data includes unfair biases, the results produced by the AI technology could be similarly biased. One example would be speech recognition software that is developed only using men in one part of the country. Such software might not work well for women, or people in a different part of the country.

It is the responsibility of paralegals and attorneys to ensure they understand how relevant technology works (explainability). Paralegals and attorneys should be able to explain, at least in general terms, what factors the AI technology considers

when arriving at a particular decision. For example, why was a specific case suggested by the online legal research software?

Understanding how the AI technology works also helps identify any biases that may exist. Knowledge of the data used by the AI technology, how it works, how it was tested, and the ability to explain all that information results in the transparency of the AI technology.

The legal profession has already seen the benefits of AI technology. Online legal searching with natural language is much easier, and usually gets more relevant results, than trying to set up search queries using only particular terms. And who wants to return to reviewing large volumes of documents for major litigation matters by handling paper, when using ediscovery software is faster and more accurate? These examples illustrate the obvious advantages of AI for the legal profession, as well as for clients.

Attorneys also have a duty of supervision. Simply handing over the assignment to staff or vendors is not enough. The attorney must be able to satisfy the requirements of explainability and transparency.

Client confidentiality and privilege are as important with AI technology as with all other areas of the legal field. If the AI technology is functioning entirely within the law firm, such as storing the software and files on the firm server, then the risk of breaching client confidentiality and privilege is reduced. If, however, the software and/or related files are stored outside

the firm, then it is the attorney's duty to confirm the client's information is protected. One example would be requiring two-factor authentication for users to log in. It is also wise to review the references of vendors and software providers.

Software and technology are making our lives easier and, in many ways, better. However, the ethical responsibilities for paralegals and attorneys remain. We are required to keep up with technological advances in the legal field, including AI, and educate ourselves regarding the associated ethical issues.



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. She may be contacted at ethics@txpd.org.



PARALEGAL DIVISION
STATE BAR OF TEXAS

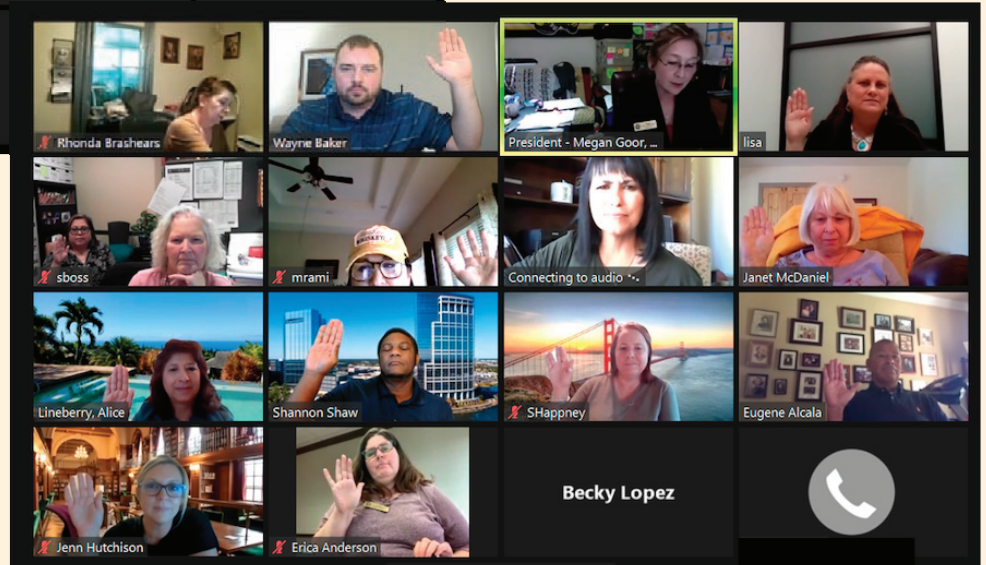
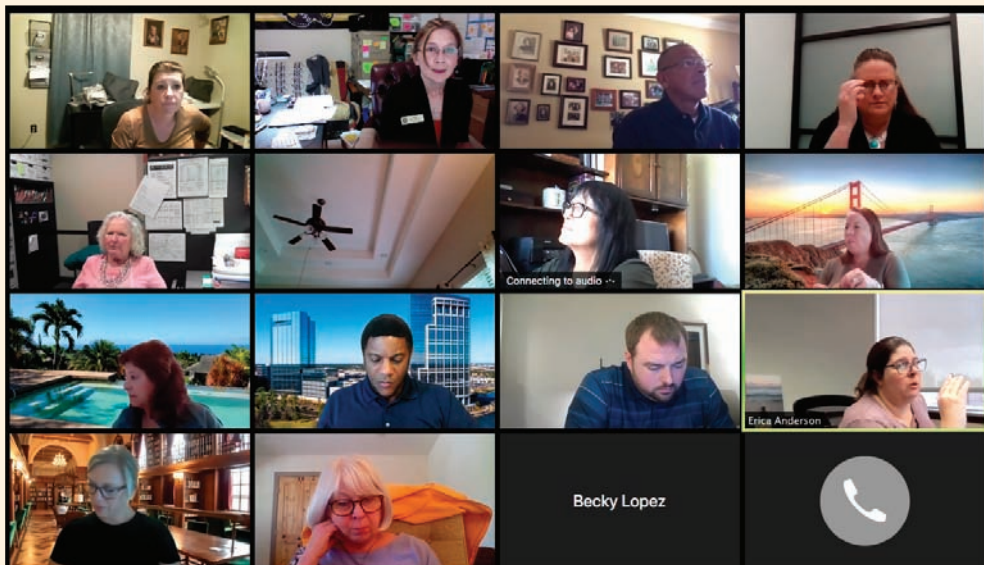


BOARD OF DIRECTORS QUARTERLY BOARD MEETING SUMMARY June 19, 2020

*Submitted by Immediate Past President, Megan Goor, TBLS-BCP
ipp@txpd.org*

The outgoing Board of Directors met on June 19, 2020 and although it was originally scheduled for Dallas, with the current pandemic risks, the Board voted that it be held via Zoom. It was

certainly very different, but the Board worked tirelessly to get through all of the term-end items. Performing the installation of the 2020-2021 Board also was a part of the day.





BOARD OF DIRECTORS QUARTERLY BOARD MEETING SUMMARY SUMMER 2020

Submitted by President-Elect, Susi Boss
President-elect@txpd.org

The Incoming Board of directors met via Zoom on Saturday, June 20, 2020. Something you have to experience but we faired through it with little glitches to laugh about down the line.

Meet your Board of Directos and PD Coordinator for 2020-2021

President – Edna W. Garza-Guerra, TBLS-BCP
President-Elect – Susi Boss
District 1 – Jennifer Hutchison, CP
District 2 and Treasurer – Eugene Alcalá
District 3 – Wayne Baker, Jr., RP
District 4 – Alice Lineberry, PLS, CP
District 5 – Pearl Garza
District 7 – Erica Anderson, ACP
District 10 and Parliamentarian – Shannon Shaw
District 11 – Janet McDaniel, CP
District 12 and Secretary – Lisa Pittman
District 14 – Shannon Happney, CP, TBLS
District 15 – Martha Ramirez, TBLS-BCP
Distict 16 – Vacant

Paralegal Division Coordinator
Rhonda Brashears, CP, TBLS-BCP

President Edna Garza-Guerra explained her plans and goals for 2020-2021 including completing the salary survey, increase in membeship benefits and leadership skills for the Directors. Edna's premise is: "Every Voice Matters," and strongly encourages feedback from PD Members. We want to hear from you!

The 2020-2021 Budget was reviewed and approved.

The Executive Committee and the Board of Directors are always

ready to answer questions and assist in any way we can. Please reach out to any of us. Contact information is on the website for the Executive Committee and the individual Directors as well.

Remember...if you are interested in learning about becoming more involved with the PD there is always room for one more on a committee, a District level sub-chair or as a volunteer.

40th ANNIVERSARY - The 40th Anniversary for PD is just around the corner and plans are already being made so look for more information in the coming months.

SALARY SURVEY - Have you taken the Salary Survey yet? The survey has been extend until August and we encourage everyone to help the PD by completing the survey. Information given is confidential and not shared.

IMPORTANT INFO FOR THE YEAR –

1. **Keep your CLE forms** – It is your responsibility to keep up with your CLE and **remember everyone is in on the drawing for a SPOT AUDIT!**
2. **ONLINE STORE** - Support the PD by shopping on the Online Store
3. **MEMBERSHIP** – Don't forget to renew and encourage your fellow paralegals (across the state) to join.
4. **SHARE** – Share experiences of dealing with our challenges and successes in dealing with COVID and meetings, CLE events, etc.
5. **READ** – Open and read the Paralegal Pulse and TPJ. Check out what's happening in your District and across the state each month. Great ideas.



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

2020–2021 PARALEGAL DIVISION PRESIDENT-ELECT SUSI BOSS, DISTRICT 5



On January 31, 2020, President Goor announced the Board of Directors' election of Susi Boss as the 2020-2021

President-Elect of the Paralegal Division.

I am so very humbled that the PD Board elected me to this position and am ready to move forward encouraging all paralegals to take pride in your careers and encourage those who will join us in this honorable career, to provide positive leadership, to encourage all of our Directors and members to broaden our horizons and encourage others to do the same.

I hope as President-Elect to President Edna Garza-Guerra to include

new visions to help to improve the Paralegal Division, to ensure that this professional organization remains one and grows as one of the most successful organizations in the State of Texas and in the U.S. and I know that the Paralegal Division of the State Bar of Texas is up to these challenges.

I have been in the legal field for 39 years working in areas of bankruptcy, personal injury and family law. I am a Senior Paralegal for the firm of Higdon, Hardy & Zuflacht and paralegal to Charles E. Hardy, partner. Higdon, Hardy & Zuflacht has 6 attorneys and the firm practices only family law.

I attended Texas A&I University and obtained my Associates Degree in Paralegal Studies in 2002 and as all of us, take advantage of CLE constantly.

I have been a member of the Paralegal Division of the State Bar of Texas since 2003, District 5 Director from 2017 to present and Parliamentarian for the 2019-2020 Executive Board term. I have been on various sub-chairs for PD and as a volunteer for TAPS and last year, TAPS Social Committee Co-Chair and for 2020 TAPS Co-Chair for the Speakers Committee.

A member of Alamo Area Paralegal Association from 2005 to 2016 and South Texas Organization of Paralegals from 2006 to 2016. The two organization were joined together to form San Antonio Paralegal Association in 2016 (to present) and I held positions from

Parliamentarian to President on all three Boards and was an integral part of the joining of the two organizations in 2016.

I am also a member of NALA, the State Bar of Texas Child Protection Law Section as a member and serve as the PD Sub-Committee Liaison, the San Antonio Bar Association, the San Antonio Family Law Section, the State Bar of Texas Family Law Section, The College of the State Bar of Texas Paralegal Division, The Pro Bono College of the State Bar of Texas, The Bexar County Women's Bar Association & Foundation, the Community Justice Program as a Volunteer, the Annual Paralegal Day Joint Committee of SAPA and PD for San Antonio and The Red Mass Committee for San Antonio.

Being a part of PD and SAPA I have experienced and learned so much from some very strong leadership mentors not only Presidents and Presidents-Elect but just the individual Directors, members of the local organizations throughout the State who have come and gone but brought to all of us on past and present Boards, encouragement, knowledge, growth and ideas that each of us is able to take back to our own Districts and use to make our own District(s) stronger.

Again, I look forward to the 2020-2021 year serving as your President-Elect and hope that we all will become a stronger organization for all paralegals.

Thank you, Susi Boss
2020-2021 President-Elect

MEET YOUR NEW 2020-2021 EXECUTIVE COMMITTEE!

President

Edna W. Garza-Guerra

TBLS-BCP, Texas Board of Legal Specialization, Board Certified - Civil Trial Law

Edna is the President for the 2020-2021 term. She has been a member of the Paralegal Division since 2011 and has served on the board as a Director for District 15; Parliamentarian and President-Elect. She continues to serve as District 15's Continuing Legal Education Committee Sub-Chair (2011 – present).

Edna W. Garza-Guerra has almost 30 years of experience as a Litigation



in Georgia and Tennessee. Later, Edna became a Part-time Paralegal Instructor at the same school (South Texas Vo-Tech) from 1994 - 1998. Edna obtained her board certification in Civil Trial Law by the Texas Board of Legal Specialization in December 2014. For most of her paralegal career, Edna has worked in litigation, specializing in personal injury/wrongful death cases, commercial/lender-liability, employment, collection work; receivership cases, arbitration proceedings and appellate work.

Paralegal. She obtained her Paralegal certificate from South Texas Vo-Tech in McAllen, Texas in

1991, and was as one of the first students to graduate from the eighteen month Paralegal Program developed by Mrs. Brenda Freeman, an attorney licensed

Edna completed her Associate of Arts Degree (Interdisciplinary Studies) in August 2019 and will be obtaining her

Bachelor of Applied Science Degree - Organizational Leadership (BAS - OL) in December 2020 from South Texas College in McAllen, Texas. Edna obtained her real estate license in May 2012 and is a part-time Realtor. Since her licensure, she has acquired experience in REO (bank-owned) properties and works with buyers and sellers in residential sales transactions. She also has experience working in property management and staging homes in order to sell them faster. She is a member in the Greater McAllen Association of Realtors; Texas Association of Realtors; and National Association of Realtors. Edna also serves in the Civil Trial Law Commission - Texas Board of Legal Specialization (2016 - present).

Professional Associations:

- Association of Trial Lawyers of America (paralegal affiliate) - Member (2004 - 2010)
- National Professional Women's Association - Member (2009 - 2010)
- Hidalgo County Women's Political Caucus - Member (2005 - 2006)
- National Association of Realtors /Texas Association of Realtors (May 2012 - present)
- Greater McAllen Association of Realtors - Realtor (May 2012 - present)

Paralegal Division:

- CLE *Sub-committee chair* (2011-present)
- District 15 *Director* (June 2015-2019)
- Parliamentarian (Executive Committee) (June 2017-2018)
- President-Elect (June 2019-2020)
- TBLS Helpful Hints Ad Hoc Committee - *Board Advisor* (2015-2016)
- Texas Young Lawyers Association (TYLA) - *Liaison* (2015-2016)
- Ad Hoc Ambassadors Program - *Board Advisor* (2016-2017)
- Ad Hoc Pro Bono Program - *Board Advisor* (2016-2017)
- Pro Bono Ad Hoc Committee - *Board Advisor* (2017-2018)
- Texas Board of Legal Specialization (TBLS) - *Liaison* (2017-2018)

Texas Board of Legal Specialization (TBLS):

- Texas Board of Legal Specialization -

Member (Feb. 2015 - present)

- Civil Trial Law Paralegal Commission (Review Panel) - *Member* (2016-present)

President-Elect Susi Boss



Susi Boss has been a paralegal for over 35 years with experience in bankruptcy, personal injury and family law and has been a Senior Paralegal at

Higdon, Hardy & Zuflacht, LLP for 15 years.

Susi has been a member of the Paralegal Division since 2003 and currently serving as District 5 Director as well as President of the San Antonio Paralegal Association. Susi has an Associate's Degree in Paralegal Studies from the Kaplan College of Paralegal Studies.

Susi has been married to her husband Russ for 45 years. They have a son and daughter and 5 grandchildren. In her spare time, she is involved in many aspects of her church and enjoys her dogs, cats and horse. She and Russ enjoy cruises.

Parliamentarian Shannon Shaw



Shannon Shaw is a trial paralegal with the law firm of Cotten Schmidt, L.L.P., located in The Woodlands, Texas and currently served as the Director

of District 10. Shannon has over 20 years experience in the legal field and practice in the areas of civil litigation, family law, bankruptcy, maritime law and personal injury. Shannon has worked with the same shareholder at Cotten Schmidt, L.L.P. for over 13 years.

After graduating high school, Shannon's first job was working in a law

office. In 1996, Shannon received an Associates Degree in Applied Sciences and Paralegal Studies from El Centro Community College in Dallas, Texas. In 1998, he received his certificate in Paralegal Studies from Texas Wesleyan University in Fort Worth, Texas as well as a Bachelor's degree in Legal Studies. He will graduate with a Masters Degree in Business Administration in December of 2018.

Shannon joined the Paralegal Division of the State Bar of Texas in 2013. That same year, he served as the Vendor Liaison Committee Co-Chair and District 10 CLE Sub-chair. He continued to serve the Paralegal Division in that capacity until 2016. From 2016-2017, Shannon served as the Online CLE Committee Chair. Shannon is also a current member of National Association of Legal Assistants (NALA).

Shannon volunteers with several different local organizations in the Greater Houston area and spend his spare time enjoying outdoor sports.

Treasurer Eugene Alcala



Eugene is currently employed as a Paralegal with Tenet Healthcare Corporation. In this position, his duties include

responding to subpoenas and working with in-house and co-counsel on various legal matters. He has worked in the legal profession for over 20 years. He attended El Centro's Paralegal Program and the Professional Development Institute of the University of North Texas.

Eugene's professional and volunteer associations include:

- Dallas Area Paralegal Association (DAPA)
 - President 2015
 - President-Elect 2014
 - Membership Vice President (2011 thru 2013 terms)
 - Member since 1993

- Past Chair of the Mentor Program
- Past Chair of the Alternate Dispute Resolution Section
- National Federation of Paralegal Associations (NFPA) - Region II Representative to the Nominations Committee (2014-15)
- Currently serving on the NFPA Ethics Board
- Member of the State Bar of Texas, Paralegal Division and Texas Bar College
- Paralegal Division – District 2 Director (2018-2020)
- Investigator on the Unauthorized Practice of Law (UPL) Committee - Dallas
- Volunteer with the Dallas Volunteer Attorney Program – Legal Aid of North West Texas

Secretary

Lisa Pittman



Lisa Pittman has been a paralegal with the law firm of Hayes, Berry, White, & Vanzant, LLP working with partner Richard Hayes for over eighteen years.

She has extensive experience in residential and commercial real estate, oil & gas,

transnational, eminent domain, and civil litigation.

Lisa served the State Bar Paralegal Division as chair of the Public Relations Committee and Mentor/Protégé Committee from 2009-2012; as subchair for the Public Relations Committee from 2007-2008; and as a TAPS on-site volunteer for eleven years. Lisa is a member of the Denton County Paralegal Association and has served DCPA as Secretary/Parliamentarian in 2006, 2007, 2008 & 2011; and as Treasurer from 2009 to the present. She served as Committee Chair for the Legal Directory Committee, Bylaws Ad Hoc Committee, and Newsletter Committee.

Lisa and husband, Todd, have two adult children, Shaun & Natasha, three beautiful granddaughters, Nevaeh, Savannah & Kelci, one rambunctious grandson, Kason. In her spare time, Lisa also enjoys spending time with her family, road trips with her husband on their Harley Davidson, reading, sewing, and crocheting. Lisa, her husband and daughter breed, raise and show their purebred Arabian horses.

Paralegal Division Coordinator

Rhonda J. Brashears, CP, TBLS-BCP

Rhonda Brashears is a paralegal with the firm of Underwood Law Firm, P.C., Amarillo, Texas, and has been in the legal profession for over 30 years. She specializes in personal injury and civil trial defense law. She received her B.G.S. from



West Texas A&M University in 1998, her Certified Paralegal designation from the National Association of Legal Assistants in 1996, and was

board certified by the Texas Board of Legal Specialization in Personal Injury Trial Law in 1998.

Rhonda has been a member of the Paralegal Division since 1990. She currently serves the Division as an Ambassador. In addition, she served as Director of District 7, 1996 until 2001, Secretary, 1999 to 2001, President Elect in 2001 and 2007, and President of the Division in 2002 and 2008. She has also previously served as Chair of the On-Line CLE Committee, the TAPS Planning Committee, the Publications Committee and as Editor of the *Texas Paralegal Journal*. Rhonda is a member of the Texas Panhandle Paralegal Association, where she has served as President, President-Elect, Treasurer and NALA Liaison.

“I serve as the Paralegal Division Coordinator. My role on the EC is one of mentor, to provide historical and procedural information about the Paralegal Division. I hope to continue to assist the EC with their goals to meet the needs of the Paralegal Division.”- Rhonda

2020-2021 BOARD OF DIRECTORS

The 2021-2021 Paralegal Board of Directors was installed after the outgoing Board of Directors meeting via Zoom, on Friday, June 19, 2020.

This year's board members are:

Edna Garza-Guerra, TBLS-BCP, President

Susi Boss, President-Elect

Jennifer Hutchison, CP, District 1 Director

Eugene Alcala, District 2 Director,

Treasurer

Wayne Baker, RP, District 3 Director

Alice Lineberry, PLS, CP, District 4

Director

Pearl Garza, District 5 Director

Erica Anderson, ACP, District 7 Director

Shannon Shaw, District 10 Director,

Parliamentarian

Janet McDaniel, CP, District 11 Director

Lisa Pittman, District 12 Director,

Secretary

Shannon Happney, CP, TBLS-BCP,

District 14 Director

Martha Ramirez, TBLS-BCP, District 15

Director

Ashley Kyzer, TBLS-BCP, District 16

Director

Rhonda Brashears, CP, TBLS-BCP, PD

Coordinator

Paralegal Division, State Bar of Texas

2020–2021 Paralegal Division Committee Chairs And State Bar Representatives

Immediate Past President/Historian

Megan Goor, TBLS-BCP

Annual Meeting Committee

Chair: Edna Garza-Guerra, TBLS-BCP

Continuing Education Committee

Chair District Cle: Mary Mendoza

Board Advisor: Wayne Baker, District 3

Elections Committee

Chair: Melanie Langford, ACP

Board Advisor: Pearl Garza, District 5

Membership Committee

Chair: Mona Tucker, ACP

Board Advisor: Shannon Shaw, District 10

Professional Development Committee

Chair: Andrew Liesman

Board Advisor: Martha Ramirez, TBLS-BCP, District 15

Professional Ethics Committee

Chair: Ellen Lockwood, ACP, RP®

Board Advisor: Shannon Shaw, District 10

Public Relations Committee

Chair: Erica Anderson, ACP

Board Advisor: Eugene Alcala, District 2

Publications Committee

Chair: Megan Goor, TBLS-BCP

Board Advisor: Janet Mcdaniel, CP, District 11

TPJ Editor

Megan Goor, TBLS-BCP

TPJ Advertising

Coordinator: Rhonda J. Brashears, CP, TBLS-BCP

Procedures Manual Committee

Chair: Susi Boss (President-Elect)

Ambassador Ad Hoc Committee

Chair: Joncilee M. Davis, ACP

Board Advisor: Lisa Pittman, District 12

Ambassador: Erica Anderson, ACP

Ambassador: Michele Boerder, CP

Ambassador: Rhonda J. Brashears, CP, TBLS-BCP

Ambassador: Clara Buckland, CP

Ambassador: Debra Crosby

Ambassador: Joncilee M. Davis, ACP

Ambassador: Patricia Giuliano

Ambassador: Megan Goor, TBLS-BCP

Ambassador: Javan Johnson, ACP, TBLS-BCP

Ambassador: Ellen Lockwood, ACP, RP®

Ambassador: Stephanie Sterling, TBLS-BCP

Ambassador: Mona Tucker, ACP

Ambassador: Susan Wilen, RN

E-Group Policy Ad Hoc Committee

Chair: Shanna Mello

Board Advisor: Shannon Happney, CP, TBLS-BCP, District 14

Ethics Handbook Ad Hoc Committee

Chair: Ellen Lockwood, ACP, RP®

Board Advisor: Jennifer Hutchison, CP, District 1

Long-Term Strategic Planning Ad-Hoc Committee

Chair: Michele Boerder, CP, TBLS-BCP

Board Advisor: Alice Linebery, PLS, CP, District 4

Member Renewal Spot Audit Committee

Chair: Patricia Giuliano

Board Advisor: Shannon Happney, CP, TBLS-BCP, District 14

Mentor Program Ad Hoc Committee

Chair: Heather Ulliman

Board Advisor: Eugene Alcala

Paralegal Pulse—E-Newsletter

Chair: Javan Johnson, ACP, TBLS-BCP

Board Advisor: Erica Anderson, ACP, District 7

Pro Bono Ad Hoc Committee

Chair: Rachael Watson

Board Advisor: Alice Lineberry, PLS, CP, District 4

Sustaining Member/Vendor Liaison

Chair: Vacant

Board Advisor: Vacant

TBLS Helpful Hints Ad Hoc Committee

Chair: Javan Johnson, ACP, TBLS-BCP

Board Advisor: Martha Ramirez, TBLS-BCP, District 15

Texas Advanced Paralegal Seminar (Taps) Planning Committee

Chair: Megan Goor, TBLS-BCP

Board Advisor: Edna Garza-Guerra, TBLS-BCP

Texas Bar College Application Review

Chair: Megan Goor, TBLS-BCP

Board Advisor: Lisa Pittman, District 12

Website Development Ad Hoc Committee

Chair: Megan Goor, TBLS-BCP

Board Advisor: Erica Anderson, ACP, District 7

40th Anniversary Ad Hoc Committee

Chair: Javan Johnson, ACP, TBLS-BCP

Board Advisor: Shannon Happney, CP, TBLS-BCP, District 14

State Bar of Texas Child Protection Section Representative: Susi Boss

State Bar of Texas Legal Services To The Poor In Civil Matters

Representative: Megan Goor, TBLS-BCP

State Bar of Texas Pro Bono Workgroup Representative: Stephanie Sterling, TBLS-BCP

State Bar of Texas Unauthorized Practice Of Law Committee—Northern Region District 6

Representative: Eugene Alcala

Texas Bar College Paralegal Division Representative

Representative: Megan Goor, TBLS-BCP

Texas Judicial Committee on Information Technology (JCIT)

Representative: Stephanie Sterling, TBLS-BCP

Thank You!

2019-2020

Paralegal Division President, Outgoing Director,
Committees, and Liaisons

A special “Thank You” to Immediate Past President Megan Goor-Peters, TBLS-BCP, Outgoing Director, Rebecca Lopez, District 16, and the following Committee Chairs for their tireless work in representing the Paralegal Division:

STANDING COMMITTEES

Committee & Chair

Annual Meeting Committee

Chair—Megan Goor, TBLS-BCP

Continuing Legal Education

District CLE Committee

Chair—Mary Mendoza

Online CLE Committee

Chair—Marge Putman

Elections Committee

Chair—Melanie Langford, ACP

Membership Committee

Chair—Mona Tucker, ACP

Professional Development Committee

Chair—Christine Cook, RP

Professional Ethics

Chair—Ellen Lockwood, ACP, RP

Public Relations

Chair—Erica Anderson, ACP

Publications

Chair—Megan Goor, TBLS-BCP

AD HOC COMMITTEES

Committee & Chair

40th Anniversary

Chair—Javan Johnson, ACP, TBLS-BCP

Ambassadors Program

Chair—Joncilee Miller, ACP

E-Group Policy

Chair—Shanna Mello

eNewsletter—Paralegal Pulse

Co-Chairs—Brenda Colvin, TBLS-BCP

Gabriela Warner

Ethics Handbook

Chair—Ellen Lockwood, ACP, RP

Long-Term Strategic Planning

Chair—Michele Boerder, CP, TBLS-BCP

Membership Renewals/Spot Audit

Chair—Deb Pointer

Mentor Program

Coordinator—Heather Ulliman

Pro Bono

Chair—Rachael Watson

Texas Bar College Membership

Application Review

Chair—Jena Parker, CP

TBLS Examination Helpful Hints

Chair—Javan Johnson, ACP, TBLS-BCP

Vendor Liaison

Chair—Susan Davis, TBLS-BCP

Website Development

Chair—Megan Goor, TBLS-BCP

Liaisons

Association & Liaison

American Alliance of Paralegals, Inc.
(AAPI) D12-Lisa Pittman

American Association for Paralegal
Education (AAfPE) D10-Shannon
Shaw

American Association of Legal Nurse
Consultants (AALNC) D1-Jennifer
Hutchison

American Bar Association/Paralegals
(ABA) D3-Wayne Baker, RP

National Association of Legal Assistants
(NALA) D7-Erica Anderson, ACP

National Federation of Paralegal
Associations, Inc. (NFPA)

D2-Eugene Alcala

Office of Court Administration (OCA)

D5-Susi Boss

Texas Alliance of Paralegal Associations
(TAPA) President-Megan Goor,

TBLS-BCP

Texas Association of Legal Professionals
(TALP/ NALS) D14 Shannon

Happney, ACP, TBLS-BCP

Texas Board of Legal Specialization
(TBLS) D15-Martha Ramirez,

TBLS-BCP

Texas Lawyers for Texas Veterans

(TLTV) D11-Jan McDaniel, CP

Texas Secretary of State—Notary

Division D4—Alice Lineberry, PLS

Texas Young Lawyers Association

(TYLA) D16-Rebecca Lopez

Child Protection Law Section

Subcommittee D5-Susi Boss

State Bar of Texas Unauthorized

Practice of Law Committee

—Northern Region District 6

D2-Eugene Alcala

Legal Services to the Poor in Civil

Matters President-Megan Goor,

TBLS-BCP



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.

TEXAS BAR COLLEGE

PROFESSIONALISM THROUGH EDUCATION

PARALEGAL DIVISION ONLINE STORE

The PD is offering PD products with the 2017 TAPS logo, as well as its traditional logo. There are 35th Anniversary logo products (in Black and White or Bronze) available for a limited time. 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!



<http://www.cafepress.com/paralegaldivision>

BECOME A MEMBER!



- ★ Access to a deep library of Continuing Legal Education of live and on-demand seminars with member pricing.
- ★ Support and resources to work toward paralegal certifications.
- ★ Receive discounts on educational programs through NFPA partners.
- ★ Participate with national pro bono opportunities.
- ★ Engage in national leadership roles.
- ★ Connect to other paralegals through regional and national meetings.
- ★ Add your voice to the national effort to advance the paralegal profession.
- ★ Read our quarterly magazine, *The National Paralegal Reporter*.

www.paralegals.org

Paralegal Division
Utilization and Compensation Survey

Salary Survey for Texas Paralegals

**Deadline to complete Salary Survey is
Monday, August 31, 2020 @ 5:00 pm CST**

Please share this email with all paralegal colleagues.



The Paralegal Division's Utilization and Compensation Survey of paralegals in Texas is now underway! Use the direct link below to complete the 2020 Paralegal Division of the State Bar of Texas Utilization and Compensation Survey. 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. 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. Each question can be answered by simply checking a response or filling in a blank. All responses will be kept anonymous.

Please complete this survey by August 31, 2020 at [Salary Survey](#).

Thank you for your participation. This information will provide summary demographic information about paralegal work, compensation, benefits, and job satisfaction in Texas.

Note: The survey findings will be summarized and published on our website. Findings should be available by October 1, 2020.

Take the Survey for a chance to win 1 of 5 \$100 Visa Gift Cards!

Sponsored by:

[Center for Advanced Legal Studies](#)



PARALEGALS GO TO Bratislava and Budapest

April 16 – April 24, 2021
(Eight Days and Seven Nights)

FRI, April 16, 2021 -- Depart from the USA to Vienna.

SAT, April 17, 2021 (Bratislava) – Arrive in Vienna, meet your expert Tour Manager and transfer to the historic and lovely Bratislava, the capital city of Slovakia, where you'll check-in to your hotel and start exploring. (D)

SUN, April 18, 2021 (Bratislava) – Enjoy a walking tour with your Tour Manager this morning exploring the pedestrian-friendly medieval and Gothic old town nestled along the river. You'll have the balance of the day to continue exploring on your own! (B)

MON, April 19, 2021 (Bratislava) – Today you'll enjoy an excursion to Eisenstadt, Austria, capital of Burgenland. Your guide will take you on a walking tour which includes entrance to the grand Esterhazy Palace where you'll discover its treasures and beautiful gardens. Lunch will be included today, and then you'll enjoy some free time before returning to Bratislava. (B,L)

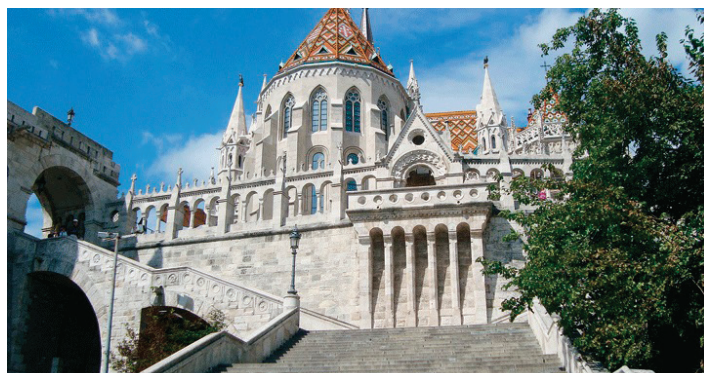
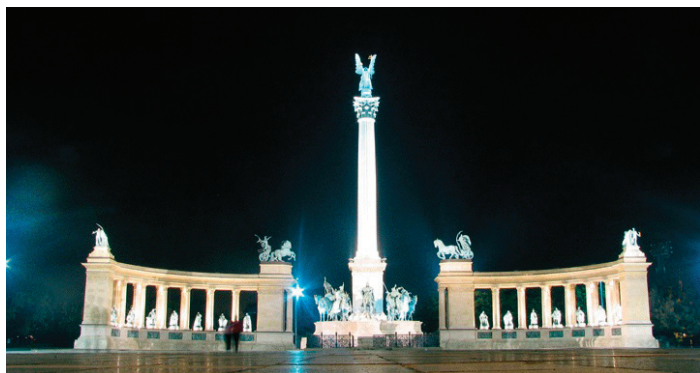
TUE, April 20, 2021 (Budapest) – Depart Slovakia this morning and continue your journey to Hungary. Today's destination is Budapest, also known as the Pearl of the Danube. This evening enjoy a cruise on the Danube. (B,D)

WED, April 21, 2021 (Budapest) – Meet your local guide for a sightseeing tour of Budapest where you'll learn about the amazing 1,000-year history of this city, split in half by the Danube River—the Buda district on one side and the Pest district on the other (hence the city's name!). See Heroes' Square, St. Stephen's Basilica, and the spectacular Hungarian Parliament building, then cross the famous Chain Bridge to take in wonderful views from the neo-Roman Fisherman's Bastion, and enjoy entrance to Matthias Church. The afternoon is free to perhaps visit the Great Market Hall or reflect on the atrocities of the fascist and communist regimes at the powerful House of Terror museum. (B)

THU, April 22, 2021 (Budapest) – This morning enjoy an excursion to Gödöllo Royal Palace, an imperial and royal palace completed in the 1760s and known for being a favorite of Queen Elisabeth of Hungary (or more commonly known as Sissi). Farewell dinner this evening. (B,D)

FRI, April 23, 2021 (Budapest) – Today you'll enjoy an excursion outside of the capital where you'll experience small-town Hungary with visits to a couple of picturesque towns that may include Eger, Esztergom, Szentendre, and/or Szeged. Be on the lookout for castles, basilicas and lovely Baroque buildings. (B)

SAT, April 24, 2021 - Depart for the USA. (B)



FEE WITH AIR INCLUDED: Fee is based on registration by December 1, 2020.

Fees: Departing DFW – \$4,829; Houston \$4,889; Austin/San Antonio - \$4,909; Amarillo/Midland - \$4,969 (includes program fee). **Note:** Registrations after August 1 may include additional fuel surcharges that are finalized 45 days prior to departure; an invoice will be sent at that time if there are any increases. ***Other departure cities available upon request. Fees based on 20 persons and includes airfare, hotel, transportation, tours, and meals as indicated above.***

Additional/Optional fees: Single room supplement: \$665; Ultimate Protection Plan: \$270; Comprehensive Protection Plan: \$225; If the Ultimate or Comprehensive Plan is purchased there is a surcharge for guests ages 66+: \$100

LAND ONLY FEE: (*if you wish to make your own air travel arrangements*): \$3,409

PAYMENT SCHEDULE: Deadline for registration is December 1, 2020; Initial non-refundable deposit is \$200; second payment of \$1,000 is due October 1, 2020; third payment of \$1,000 is due on November 1, 2020, with balance due on December 1, 2020. **Non-payment of required on-time monthly payments will result in trip cancellation.**

MAKE IT EASY ON YOURSELF! SIGN UP FOR AUTO PAYMENTS: Automatic Payments plan available. Automatic Payments makes planning your trip budget easy because your payments are spread out evenly, giving you more time to pay. You choose a payment frequency (every 2 weeks, every 4 weeks, monthly, or quarterly) and your payments are automatically deducted from your checking or savings account. **Travelers who use autopay will be given a \$50 discount.** Automatic Payments are available for all registered participants in "My Account:" at www.acis.com/accounts.

EXTENSION: To extend stay at the end of the trip, an Alternate Request Form must be completed (found at https://www.acis.com/cmsfiles/file/Alt_Return_Form.pdf) and returned to ACIS at least 90 days prior to your trip's departure. There will be an additional fee of \$175 for this extension, plus any additional airline ticket costs.

REGISTER at <http://www.acis.com/register> choose **Participant** from the drop-down menu and sign in using: **Group Leader ID: 46775- Group Leader's Last Name: Brashears** - Click on the appropriate circle for your departure city for the "**Bratislava/Budapest Trip**" trip and fill in your information.

