

FALL 2020 VOL. 26 NO.2

TPIJ

Texas Paralegal Journal



The Virtual Paralegal



CAPITOL SERVICES

"Everyone that I have worked with during all of this craziness has been wonderful and has been sure to explain all of the new quirks and timing changes that have come about as a result of COVID, etc. This has all helped me to look really on the ball to both my partners and my clients."

- Kelly W. — Dallas, TX

OUR PROMISE

WE WORK WITH YOU IN MIND.

While 2020 may be throwing us all curveballs, your service company should not. We strive for transparency and integrity so that you're able to stay in the know and in good graces.

We remain passionate about our service and are committed to delivering personalized attention to every client, every day. So tell us, how can we help you?

LIEN SERVICES

- Lien searches and filings
- Real estate filings
- UCC Filing Manager

CORPORATE SERVICES

- Document filing
- Retrieval and good standings
- Apostille and legalization

REGISTERED AGENT

- Nationwide representation
- Annual Report Management Service
- Corporate Entity Manager

CAPITOLSERVICES.COM

PRESIDENT'S *Message*

Edna W. Garza-Guerra, TBLS-BCP

Dear PD Members/Friends,

We have officially started the holiday season but unlike past years, we move forward with great caution so as not to risk our health and safety in the upcoming winter months. We have all learned to adapt to this “new” world by social distancing, wearing a mask wherever we go and constantly wiping our hands with hand sanitizers. Using Lysol and Clorox wipes have also become the norm more than ever before in our households and offices. Having to wait in line to enter a local H.E.B. months ago was unbeliev-



able but we learned to wait in line patiently and for long periods of time in order to put food on our tables. Stock piling toilet paper and paper towels were also unbelievable events and items we took for granted

in our old world. Not being able to go to our favorite restaurants caused many of us to stay home and cook or go through fast-food drive-thru restaurants or restaurants that offered curb service. Many of us had to work from home when the “stay at home/shelter-in-place” orders were mandated by counties across the State of Texas. Some of you are still working from home! Many of your movie-goers had to learn to stream live movies at home which

also became a new norm but no doubt, caused family unity. Furthermore, in not being able to go out to lunch or dinner daily during the months of isolation, many of us were able to save money, pay off our credit card balances, do home remodels and improvements or other things that we might not necessarily have had the time or resources to do pre-pandemic. Facetiming with family and friends helped us keep in touch during our isolation.

In June, I was sworn in as the 2020–2021 President via Zoom and hosted my first board meeting via Zoom. The Board and I quickly learned that anything that could go wrong, went wrong in that Zoom meeting but we also learned to be patient when dealing with technical difficulties, another new norm where board meetings are concerned. In addition, some of us attended our first E-TAPS seminar and Annual Meeting via Zoom. Zoom hearings and meetings have become the norm in the legal community and I suspect will continue to be the new norm for courts proceedings, depositions and mediations.

Despite what is happening in our
(continued on page 3)



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

PD provides many benefits for career growth:

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

THINK ABOUT IT.....

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

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

TPIJ

Texas Paralegal Journal

Focus on...

Virtual Performance for Lawyers and
Other Legal Professionals

5

The Power of a Positive NO

10



Hot Cites

Trust Basics

16

Legislative Update and Other Resources

18

Introducing the New TXPD.org

19

Columns

President's Message

1

Editor's Note

3

Scruples: Legal Ethics in the Time of
COVID-19

13

Quarterly Board Meeting Summary—
September 18-19, 2020

14

Quarterly Board Meeting Summary –
June 20, 2020

23

Et AL.

Exceptional Pro Bono
Service Award

21

E-TAPS 2020 All-Stars and
Annual Meeting

22

E-TAPS Sponsors

33

EDITOR'S *Note*

First and foremost—Who enjoyed E-TAPS 2020 this year?! As the outgoing President, one of the duties is to Chair the TAPS event for the following fall. While the TAPS Planning Committee and I were unaware of the “coronavirus” during the early planning stages in January, the Planning Committee was steadfast in their efforts of putting forth the Paralegal Division’s annual CLE event in its virtual format. Special, special thanks to the Speaker Committee for their diligent efforts to switch gears and busily obtain speakers from across the State when TAPS became E-TAPS!

See some of the comments and recap in this edition. Visit the TAPS Facebook page, too, and add your comments and be on the lookout for development for next year’s event.

This year’s Annual Meeting was virtual as well and included 1 hour of ethics! Professional Ethics Chair and Guru, Ellen Lockwood, ACP, RP, was the keynote speaker and, of course, brought to light the cutting edge topic of ethics and AI.

Have you seen the Paralegal Division’s new website? See the article “Introducing the New TXPD.org” for the latest interactive features. Tip #1—“Member Log On” is under the Paralegal Division star at the top left of the page. Log on there, and all of your member benefits are easily accessible on this page.

Stay safe, and I hope you have a wonderful holiday season!

—Megan Goor-Peters, TBLS-BCP, Editor



(continued from page 1)

country and around the world as a result of this global pandemic, we must still stop and give thanks. If you were able to get up and go to work today, then you are one of the very fortunate individuals in this nation that still has a steady paycheck and can adequately provide for yourself and your loved ones. We don’t know what the future brings in the upcoming months as we enter the winter season but we live in the greatest country in the world that will take care of us. Sure, we are experiencing unusual hardships but we will bounce back stronger than ever and we will not take minuscule things (i.e. going grocery shopping and having ample toilet paper at home) for granted in the future.

Please take time right now to give thanks for all your blessings. Stay safe and most importantly, have a “Happy Thanksgiving!!!!

Edna W. Garza-Guerra, TBLS-BCP
President

Texas Paralegal Journal (ISSN# 1 089-1633) is published four times a year in Summer, Fall, Winter, and Spring for \$15 set aside from membership dues for a 1-year subscription by the Paralegal Division of the State Bar of Texas, P.O. Box 19163, Amarillo, TX 79114.

Publications

Megan Goor, TBLS-BCP, Co-Editor
Rhonda J. Brashears, CP, TBLS-BCP, Coordinator
Janet McDaniel, CP, Board Advisor

Art Direction

David Timmons Design.
4703 Placid Place, Austin,
Texas 78731. Phone 512-451-4845.
E-mail: dtimmonso@gmail.com

The *Texas Paralegal Journal* is electronically published four times a year as a service to the paralegal profession. An electronic copy of each issue is furnished to the members of the Paralegal Division as part of their dues.

Paralegal Division

President, Edna Garza-Guerra, TBLS-BCP
President-Elect, Susi Boss
Treasurer, Eugene Alcala
Secretary, Lisa Pittman
Parliamentarian, Shannon Shaw
Coordinator, Rhonda J. Brashears, CP, TBLS-BCP

BOARD OF DIRECTORS

President- Edna W. Garza-Guerra, TBLS-BCP, *McAllen*
President-Elect, Susi Boss, *San Antonio*
District 1 Director- Kim Goldberg, CP, *The Woodlands*, District 2 Director- Eugene Alcala, *Dallas*, District 3 Director- Wayne Baker, RP, *Granbury*, District 4 Director- Alice Lineberry, *Austin*, District 5 Director, Pearl Garza, *San Antonio*, District 7 Director- Erica Anderson, ACP, *Amarillo*, District 10 Director and Parliamentarian—Shannon Shaw, *Bellaire*, District 11 Director- Janet McDaniel, CP, *Midland*, District 12 Director and Secretary- Lisa Pittman, *Denton*, District 14 Director- Shannon Happney, CP, TBLS-BCP, *Longview*, District 15 Director- Martha Ramirez, CP, *Edinburg*, District 16 Director – Ashley Kyzer, TBLS-BCP, *Alpine*

PUBLICATIONS COMMITTEE MEMBERS

Publications Chair: Megan Goor, TBLS-BCP
Board Advisor: Janet McDaniel, CP

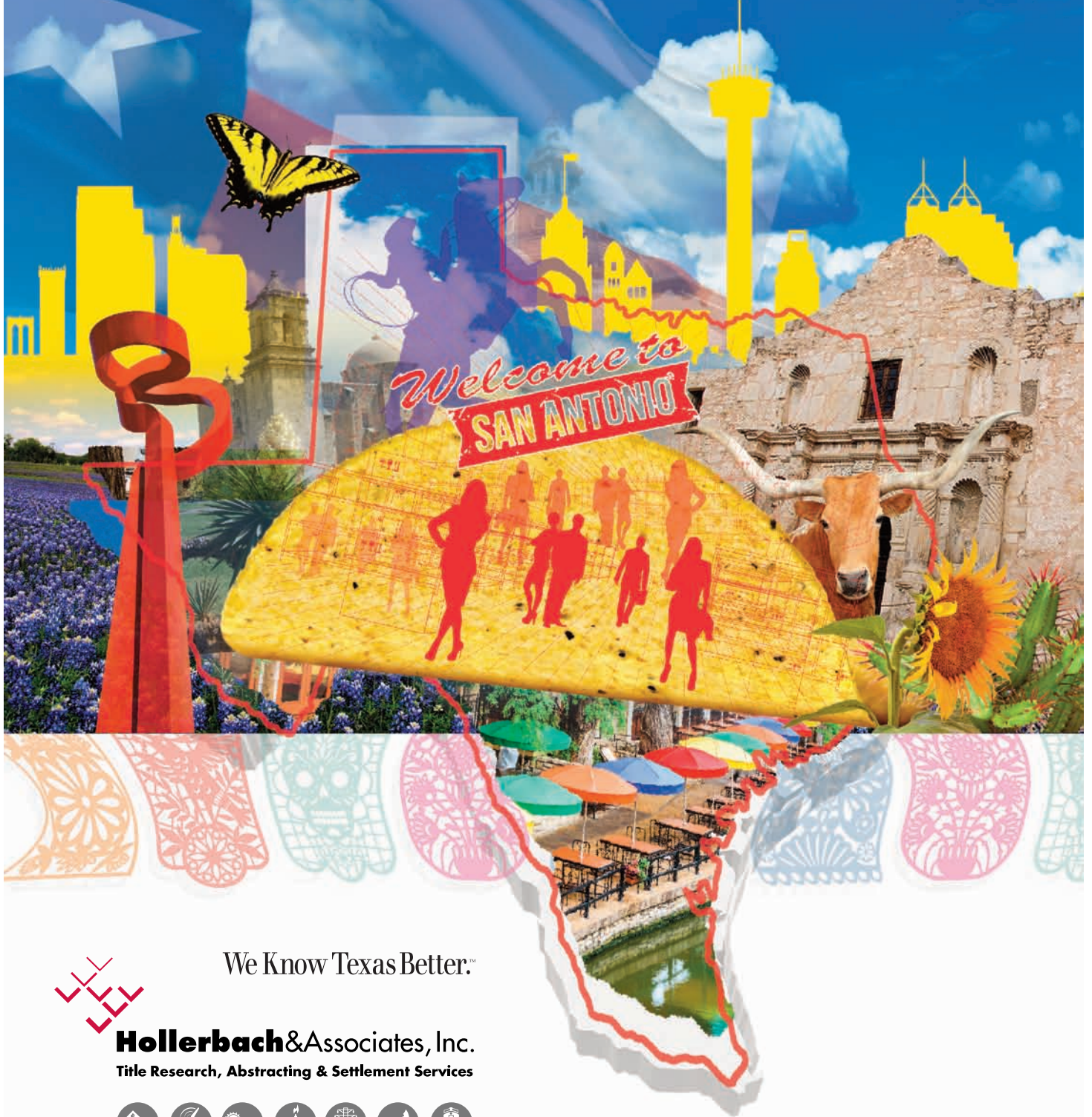
DEADLINE FOR WINTER ISSUE IS DECEMBER 5, 2020. E-mail tji@txpd.org.

Texas Paralegal Journal © 2006 by the Paralegal Division, State Bar of Texas. Published quarterly in Texas by the Publications Committee of the Paralegal Division, P.O. Box 19163, Amarillo, Texas 79114. The *Texas Paralegal Journal* is a magazine published to provide information specifically for the members of the Paralegal Division of the State Bar of Texas, as well as for members of the paralegal community in general, both in Texas and nationwide. Opinions expressed herein are solely those of the writer and not the Board of Directors or of the Division. Publication of any advertisement herein does not imply endorsement in any manner. None of the information contained herein is intended nor should it be construed as legal advice. Inclusion and editing of material submitted is at the discretion of the editor and the editorial subcommittee.



Searching Texas And Beyond

Solid. Accurate. On Time. Secure.



We Know Texas Better.™

Hollerbach&Associates, Inc.

Title Research, Abstracting & Settlement Services

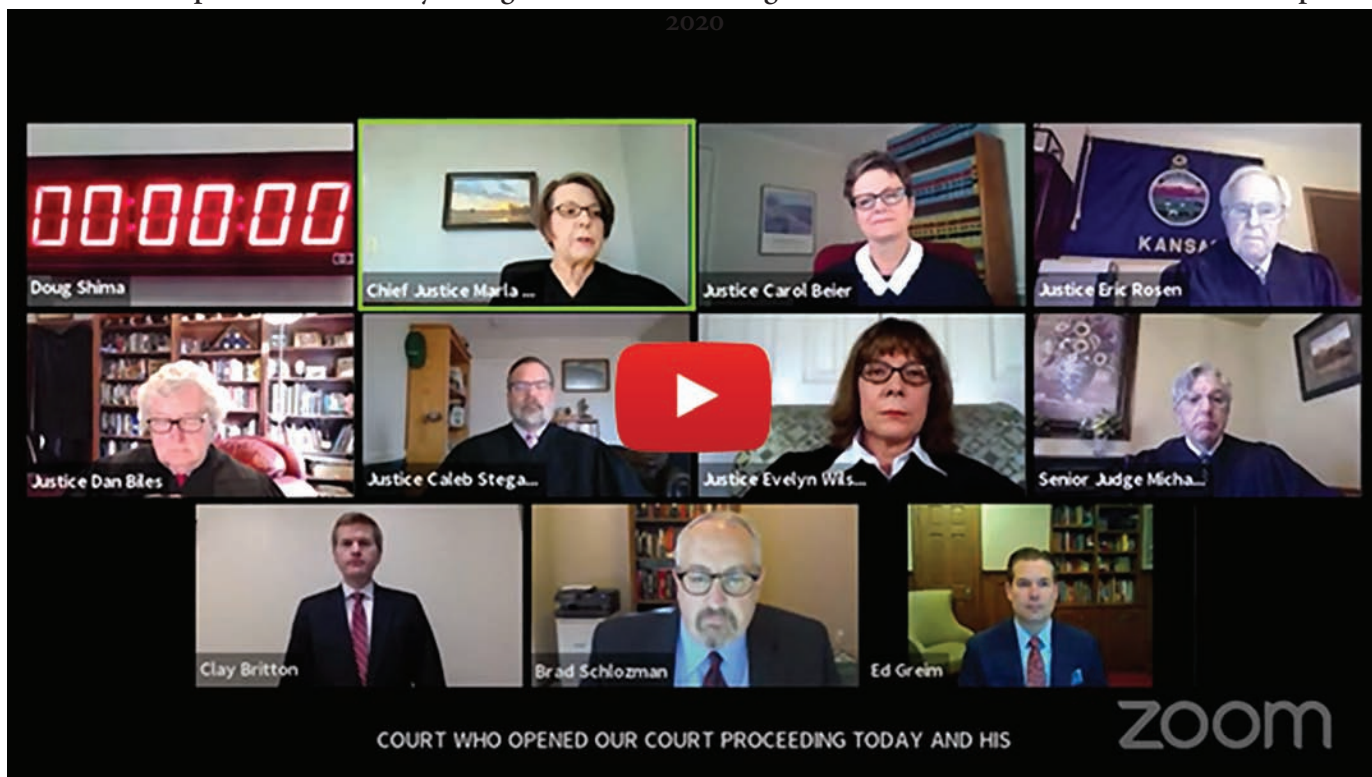


210-226-2556

www.hollerbach.com



The Kansas Supreme Court: Kelly v. Legislative Coordinating Council et al.: Live Streamed via Zoom April 11, 2020



Top Row Left To Right: Chief Justice Maria Luckert, Justice Carol Beier, Justice Eric Rosen
 Middle Row Left To Right: Justice Dan Biles, Justice Caleb Stegall, Justice Evelyn Wilson, Senior Judge Michael E. Ward (filling in seat vacated by retired justice)
 Bottom Row Left To Right: Clay Britton (Governor Laura Kelly), Brad Schlozman, Edward Greim (LCC)

Virtual Performance Lessons For Lawyers and Other Legal Professionals

From The Kansas Supreme Court ZOOM of April 11, 2020

By Katherine James, Founder, ACT of Communication2

This article, which was originally published on <http://actofcommunication.com>, has been edited and reprinted with permission.

There are many lessons to be learned by all lawyers from the Kansas Supreme Court Hearing of April 11, 2020. I want to share with you the insights that I gleaned regarding some basic performance lessons for lawyers who try cases in this brave new world of virtual appearances.

First, I want to say that every single person in this Zoom Hearing did their personal best to make sure that justice was happening that day in Kansas. And for that, every one of them deserves nothing but thanks and praise.

Second, this “brave new world” of virtual court appearances, depositions, hearings and even trials is already here. I believe it is here to stay. Even in the legal world of post-



Covid 19 the ease, efficiency and economy of “virtual justice” will have forged a place that is here to stay. That being said, lawyers are well advised to learn how to be their best “virtual” selves for the present and for the future. Bearing this in mind, I am going to “deconstruct” some of the basic elements of virtual performance that I observed working for and against the earnest and well-intentioned justices and lawyers in this setting.

My knowledge comes from over sixty years of experience acting, writing and directing in the theatre, almost fifty acting in film and television and over forty teaching the skills gleaned from that “other” world to the law. You will notice that I do combine the lessons from both worlds in this commentary.

Here’s how I suggest you maximize your learning from this article.

1. Read the article through once, making note of where the justices and lawyers are placed. The top of this article shows you where their screens are placed on the monitor.
2. Please watch the You Tube Video of the proceeding I have referenced at the top of this article keeping the ideas in the article in mind.
3. Re-read the article and see if the lessons in it are more firmly anchored for you now that you’ve seen the You Tube Video.
4. Write me with questions, comments and other insights you have found from your watching the video that you think I have missed: katherine@actofcommunication.com. I’ll be happy to respond.

Know Where Your Camera Is, Face It, and Find Your Eyeline

Hands down, Justice Caleb Stegall knew exactly where he should be sitting. Square on to the camera. In the dead center of the screen. He was looking straight into the camera. This is what actor’s call “Finding Your Eyeline”. We look into the camera and we pretend there is someone there we

are talking to if we are in a movie or TV show and we are in “close up”. This is not easy to do in ZOOM when you are talking to several other screens as Justice Caleb Stegall was that day. But he resisted the temptation to talk to the screen of the lawyers he was addressing as much as possible and spoke straight into the camera.

In ZOOM and other platforms virtual play readings are happening all over the world now since no one is going to the theatre in person—actors and audience alike. Like an actor in a ZOOM play reading, Justice Caleb Stegall was able to have the image of the lawyers he was addressing in his head as he looked at them by addressing them in the camera. Not an easy task, but it can be mastered with practice.

What Is Behind You?

You are setting the stage for how you want to be viewed in a virtual setting. You want whoever is looking at you to let what is behind you “fall away” from their attention and just look at you. You would think that a blank wall would be best, wouldn’t you? Yet when you look at Lawyer Clay Britton’s plain wall it feels cold, sterile, and is a bit jarring. Several of the screen backgrounds inadvertently call attention to themselves either because of what is in the background or because of where the camera is placed or both.

I think that the most successful setting is that of Lawyer Edward Greim. We are in his office, the image behind him seems balanced and full—the chair on one side balances the books on the other side.

The second most successful setting is that of Justice Dan Biles. The almost total background of books again is very balanced and we are much more taken with him than what is behind him.

Do you see how Justice Carol Beire’s corner is unbalanced and off putting? Just slightly. There is something unbalanced about the background and the fact that her camera is off to the side that makes me slightly uncomfortable. When she moves

forward to address the lawyers her “set up” makes her move diagonally which is not her intention. I am sure she thinks she is presenting exactly the same way that Justice Caleb Stegall is presenting.

Justice Evelyn Wilson has a fairly successful background with the texture of the chair and she fills the screen very well so we tend to disregard what is behind her, which is the idea. Right?

The slight lack of balance of the background of Chief Justice Maria Luckert is interesting. If she were squarer to the camera with the painting behind her it might work. Clearly, I’m preferring balance and books and would love to see her without that odd corner in the background.

For extreme out-of-balance backgrounds and camera settings spend a bit of time looking at the screens of Justice Eric Rosen and Senior Judge Michael E. Ward. Do you feel uneasy as you look at them? Without knowing why? This is why. Camera and background. For small background distractions, look at the screens of Justice Caleb Stegall and Lawyer Brad Scholzman. By having unbalanced backgrounds, they draw the eye and cause the mind to wander. What IS it with that baseball cap in Justice Stegall’s background? And is that a copier...or a shredder...or what is in Lawyer Scholzman’s shot? And why am I looking at that instead of listening to what they are saying. Or what someone else is saying who has “The Focus” of ZOOM at any given point in the proceedings? In the theatre, we are always aware, or always TRY to be aware of what our “set” looks like. Even in these times of ZOOM play readings where every actor is in a separate space, we, too, are learning that what is behind us makes a difference to the audience every bit as much as it does when we are playing in front of an award winning set.

Some lawyers are already creating “virtual” backgrounds for themselves which they simply “put” behind them on screen. Their conference rooms, libraries, whatever they feel is appropriate. They prefer a



really wonderful professionally taken shot they may already have of their conference room to their home office which may very well double as a guest room for their in-laws.

What Are You Wearing?

It is wonderful to be able to give every single person in this proceeding an “A” for costuming. The Justices all showed up in their robes as opposed to golf attire. The lawyers all looked as though they, too, were wearing court attire. My own personal favorite attorney outfit belongs to Lawyer Edward Greim. He gets an “A+” from me because it appears as though he planned that his outfit was courtroom attire and coordinated to fit in perfectly with his background. This may sound ridiculous to some lawyers. However, in a well designed piece of theatre, film or television show you may not (often ideally) be aware of the effect that the scene designer and costume designer are having on your ability to simply focus in on the “show” itself. Which in this setting is always going to be the lawyer’s face. Everything else should simply “fall away” and our focus should always go to the face. Right now there are people who are making appearance without, literally, wearing pants. There was recently a complaint by a judge that lawyers are making virtual courtroom appearances not wearing shirts. Not even getting out of bed, but appearing with the covers pulled up to their chins. As an actor, I can tell you that whether the camera sees you are wearing pants or not is not as important as the fact that you know whether you are wearing pants or not. Psychologically, unless you are “dressed for an appearance”, chances are more likely than not that you won’t give your best performance. Many actors will tell you that they don’t completely realize the character that they are playing until they put on the costume. You think it is a burden to put on your pants, socks and a pair of shoes? Imagine putting on a corset and high-topped button boots. But

without the corset and boots how on earth would I begin to play Dolly Levi in *The Matchmaker*? You are playing the best lawyer in *The United States* today. Please dress that way. Your client deserves it.

Lighting

Just as in any kind of production that involves a camera, the main source of light has to come in front of the person on the screen. In fact, diminishing or eliminating “back light” is vital. Look at the lighting in Justice Dan Biles’ screen. Notice how your eye gets disturbed by the floor lamp in the back of the room. That is “back lighting”. Also, you need a separate source of light in front of your computer screen. Otherwise you are basking in a very eerie computer blue light. Justice Eric Rosen has light bouncing off his screen that is blue and behind him that is blue on the second screen. Makes total sense that he wanted to have the logo of The State of Kansas behind him. However, between the odd angle and the bouncing of blue light on his face he needed to make a different choice or add more light in front of the screen in front of him.

Justice Eric Rosen’s slight lighting error is committed far more egregiously every day right now in this brave new virtual world. I see lawyers in offices that have absolutely no light at all except for the eerie blue light of their computer screens. They look like they are in very odd *Zombie* movies being shot in caves.

What kind of a message does that give the eye of the beholder about them and their argument? I know this is subliminal. I’m not suggesting that bad lighting turns a great argument into a bad argument.

But wouldn’t you rather make it “easier” to listen without giving the mixed message to a judge in a hearing that you have just risen from the dead and removed the stake from your heart in order to make this motion?

Light directly over your head or under your face can also be problematic. If you want to see the difference between light

directly over you and light in front of you, look at the screen of Lawyer Brad Schlozman. See how the light above him literally bounces off his forehead? He has such a wonderfully expressive face when he makes his arguments. I hate to see this “lighting from above” distract us from his sincere and authentic “performance”. I am pretty sure that lighting from above is fluorescent lighting—always harsh and tough in real life, let alone as a light source for the screen. He also has an issue with his glasses. It is an investment to get “non-reflective” lenses. However, those reflections which now distract our eye from his wonderfully expressive eyes will be minimal. Also, once everyone is back in “real” courtrooms once more, nonreflective lenses in glasses pay off many times in the harsh fluorescent light of many of the courthouses lawyers practice in across the country.

The lighting to emulate belongs to Justice Caleb Stegall, who appears to be aware of the need to have light in front and Lawyer Edward Greim who also appears to have either accidentally or purposefully taken advantage of a light source in front of him. Even though their settings are completely different do you see how their faces are the most important thing in their screens? How you are naturally drawn to their faces and expressions without anything getting “in your way”? In Hollywood, lighting designers who can “light” actors’ faces masterfully are revered for a very good reason. Now you have an understanding as to why that is so.

Being Heard Is Still The Most Important Part Of Any Proceeding

The challenge of being heard and understood in the virtual world is a new and difficult challenge that lawyers are facing. Lawyer Edward Greim spends most of the proceeding simply looking great. But then...it comes time to speak.

Is it that he has a bad microphone in his computer and he is using his computer microphone for the proceeding? Is it that



his microphone is unidirectional (can't pick up any sound unless it is spoken into directly) instead of omnidirectional (picks up sound from every direction)? Notice that when he turns his head that you can't hear or understand what he says. Is it that he is too far from the source of his wi-fi connection? So he doesn't have "the bandwidth" for clear sound? My experience tells me that if that were the case that his picture would also be "unfocused" and go in and out. He would have a lot of lag time and freeze and start if this were the case.

There is a moment early on where the tried and true courtroom admonition "just speak up, please" works. That is with Attorney Clay Britton in his first argument when he is clearly standing far away from his microphone (which I am pretty sure is in his computer). He puts more volume in his voice and then we can hear and understand him.

But that tried and true instruction from a number of the Justices to Lawyer Edward Greim doesn't have the same result because it can't. It isn't about his voice—it is about his mike.

You do not ever want anyone to have to make an effort to hear you. The effort to hear you takes away from their ability to listen to what you are saying. And listening to what you are saying and understanding your argument is, and always will be, the most important part of the law as far as I can tell for the rest of time.

Cutting Off One Another's Speeches

This is one of the most difficult parts of this brave new world. You know how court reporters bemoan the fact that they can't take down testimony when two people are speaking at the same time? Well, virtual platforms like ZOOM cut people off who are in midsentence and then have lag time before the person who cut them off can be "heard". This again, leads to having an interruption starting in midsentence. You will see this again and again in this proceeding. But the nature of speaking in a proceeding with a judge—especially a

supreme court argument—is a give and take of interruption, question, and explanation.

It is the very heart of how these proceedings "traditionally" go. In a courtroom, a lawyer will quickly stop talking and tune in immediately to the question that a justice or a judge is asking. In these settings, lawyers have to be willing to stop for a moment and say, "Your honor, I want to make sure I heard the first part of what you just said" and repeat back what the lawyer believes the justice or judge asked. Resist the temptation to answer your own question. Wait for the judge or justice to clarify what the first part of the "cut-off" question or response was. Yes, this will take time. It may even take out the wonderful adrenaline rush that both lawyers and judges get from the fast back and forth banter of fine minds working through fascinating and important legal issues.

But again, this is always going to be about the record: what is said, what is heard, what is taken down. And virtual platforms are just not yet sophisticated enough to allow for natural overlapping, verbal "exchange" that we are used to.

Have A Plan For Screen Movement

Justice Caleb Stegall has a clear plan. When he is "not speaking" he moves his chair slightly back so that we see him not in close up, but in a slightly distant shot. When he speaks, he moves forward, filling the screen with a close up. Our eyes go to him immediately when he moves. The ZOOM system focuses on him—you can tell by the green rim around his screen. He then and only then speaks loudly and clearly into his microphone. He might not do this "perfectly" every time, but this is clearly his intention and as far as I am concerned he is the most adept person in the whole proceeding at using ZOOM. Making Justice Caleb Stegall the person from whom you can learn the most about how to do things "right" in my opinion.

Sitting Is Better Than Standing

Lawyer Clay Britton chooses to stand at the beginning of the session. By the end of the session in his rebuttal argument, he is sitting. Watch how much more effective he is when he is sitting than when he is standing.

It is anti-intuitive for most lawyers to sit in front of the court. I completely understood that Clay Britton was trying to show deference to the court and make it seem as though it was "business as usual". It is preferable to sit and be "the same size" as your opponents and whoever is trying the case. Do you see how Mr. Britton actually looks smaller than everyone else because we are looking at most of his body from what we would call a "long shot" in the movie business? And how much more effective he is in "close up"?

In his rebuttal argument, in fact, he wins "most improved player" for me. Compare and contrast his performance from the beginning of the proceeding to the end and see if you don't agree with me.

Little Movements vs Big Movements

Making notes is a "small" movement. Again, Attorney Edward Greim at first has his notebook off to the side and has to take his eyes off the camera to make his notes and looks like he doesn't want to be seen. You are "on" at all times, just as you are in the theatre. Or in court. Everyone can see you. It is ok. It is a small movement and doesn't interrupt the flow of the proceeding.

Attorney Clay Britton, on the other hand, has to "walk" from his standing position to his chair. He takes his laptop with him. These "Big Movements" are distracting for a few reasons. First, because it takes the focus of everyone in the whole proceeding. Many virtual platforms are set up to have the screen "take focus" and become the predominant screen when there is a big movement in that screen or the person in that screen talks. Attorney Clay Britton did not intend to suddenly take focus at that moment (you can see that the program is trying to give him



focus because his screen is highlighted with a green rim). He was just trying to quietly move and let another lawyer be in the spotlight. I was in a ZOOM reading of one of the plays I have authored the other night and one of the actors finished with a scene they were in and got up and walked out of the room for a moment—totally taking focus away from the next scene that was starting.

If Attorney Clay Britton had already been “in place” then he could have saved the distraction. Just as my actor could have saved the first part of the scene they were not in.

Double Check Your Screen Name

Lawyer Edward Greim has “Ed Greim” as his screen name. Probably because that is what his ZOOM account says. If I don’t change my name I appear as “ACT of Communication”. The problem for Edward Greim was when he had to state his name for the record, he had a hiccup in the proceedings where he had to say, “Ed Greim”.

Theatre actors are learning that they can change their screen names to the names of the characters they are playing which makes for a better identification and performance enjoyment for their virtual audiences. Take a lesson from an actor who is supposed to be playing Mary Todd

Lincoln tomorrow night who would rather the audience see her character name than “ACT of Communication”.

In Conclusion

Was the Kansas Supreme Court ZOOM of April 11, 2020 problematic? Absolutely not. Could it have been “better”—that is easier to see, understand and follow for everyone involved? Absolutely.

The tools, techniques and skills that I have pointed out in this article can be mastered. It takes effort and a willingness to be “the best lawyer you can be” in this brave new virtual world.

The time to start learning is now. Your clients deserve it.

Katherine James, MFA, Founder, Act of Communication. A trial consultant who specializes in live communication skills based in the discipline of theatre, Katherine James has been working to make attorneys and witnesses better courtroom communicators since 1977. Over 40,000 attorneys have taken ACT of Communication2 workshops that she developed with co-founder Alan Blumenfeld. She has helped take over 1,500 cases to trial and helped prepare literally thousands of witnesses, including experts of every stripe. She coaches witnesses and their lawyers to reach, persuade and activate jurors. She has taught for AAJ (formerly



ATLA) ABTL, ABA, NITA, DRI, CICA as well as many private law firms and bar associations. Let everyone know about our youtube channel videos on being better on ZOOM.

They are free of charge:

[https://www.youtube.](https://www.youtube.com/watch?v=poJxZ)

[com/watch?v=poJxZRCZdE&list=PLgvTB-K92_koUh5kcs-](https://www.youtube.com/watch?v=poJxZRCZdE&list=PLgvTB-K92_koUh5kcs-Bu7hNWdlbq3QKAP)

[Bu7hNWdlbq3QKAP](https://www.youtube.com/watch?v=poJxZRCZdE&list=PLgvTB-K92_koUh5kcs-Bu7hNWdlbq3QKAP)

<http://www.harvestingwitnessesstories.com/>



The Power of a Positive No

3 Strategies To Stay Focused And Accomplish What Really Matters

by josephreed@drjosephreed.com

This article, which was originally published on www.drjosephreed.com, has been edited and reprinted with permission.

Steve Jobs once said, “People think focus means saying yes to the thing you’ve got to focus on. But that’s not what it means at all. It means saying no to the hundred other good ideas that there are. You have to pick carefully.” Like him or not, the man knew where his priorities were and was able to devote his energy and attention into making his aspirations a reality. Isn’t that 80% of the battle? Knowing what’s important to you, personally, and then focusing your effort there and not being diverted.

I’ve been spending a bit of my time the last few years helping people to identify who they aspire to be in their lives, so that they can focus their energy and effort on the things that really matter to them. The process usually involves helping them to identify their key stakeholders and to operationalize exactly what it is they want their lives to be—how they aspire to live out their hopes and dreams and values.

A common issue I’ve heard from many of the people I’ve worked with is just how challenging it can be to stay focused when other people—colleagues, friends, family—attempt to involve you in their issues.

You know exactly what I’m talking about don’t you? I call it *fighting other people’s fires*. They have an issue, an idea, a problem, a question; they have something they need—or think they need—from you. There’s nothing wrong with their intentions. I’m sure that the issue matters to them at that moment. However,

you have your own goals and priorities, don’t you? But they ask for your help and like a good co-worker or friend or whatever, you put aside what it is that you are working on and try to be responsive to their needs. That’s fine—once in a while. But for the people I work with, it’s a constant source of interruption throughout the day. Every time you are interrupted, not only do you lose the time it takes to provide the answer or the assistance, but you also lose the flow and focus for the goal or project you were working on. By the time you reestablish that flow and focus, it seems as if someone else needs something from.

The Cost Of Not Saying No

The process loss involved in stopping work on one thing and beginning work on a different issue (someone else’s fire) is called the switching cost. There is a mental process that we go through. We have to:

- 1) Mentally shift our goal focus—“I’m not going to do this anymore, now I’m going to do that”
- 2) Mentally change our paradigm and cognitive rules—I’m turning off the rules and mental maps that pertain to what I was working on, and I’m booting up new rules and mental maps for what you are asking me to do.

Those cognitive switching costs are like interest compounding on a credit card balance. If you use the card sparingly, no problem, you can handle the interest. But if you are using that credit card day in and day out, the interest will add up quickly. If you are getting interrupted from your

work on tasks that are important to you, to fight other people’s fires on a regular basis, those switching costs will eat you alive. You won’t accomplish the things that matter most to you. Or you’ll find yourself up at 2 am trying to work on something that really matters, after a hard day of solving other people’s problems. Unfortunately, you are unlikely to have the physical or mental energy that you need to do it successfully. According to the American Psychological Association, repeated switching costs can tally up to 40% of an individual’s productive time. Again, that’s not even counting the time that you aren’t working on your own goal. Who can afford that? We simply can’t say yes to everyone.

Disclaimer: Relationships are an important part of life—personally as well as professionally. Building and maintaining them should be a priority. It’s when we fight other people’s fires—mindlessly, or because we are afraid to say no—that it can become dysfunctional and a hindrance to our effectiveness.

We need to be able to use a positive No to maintain our focus and accomplish the things that matter most to us. My clients tell me that it’s hard for them to use that No. They feel uncomfortable with it. They wish they could do it better.

I want to offer some ideas.

Why we have difficulty saying no

Our discomfort with the word No is emotional. If we didn’t experience emotions and empathy, it would probably be pretty easy to say no, wouldn’t it? There are dif-



ferent flavors to how our emotions may affect us.

You may:

1. Have the need to please
2. Equate saying no to being rude
3. Be uncomfortable with conflict
4. Believe that saying no will damage the relationship
5. Not want to disappoint the other person
6. Believe that it's your responsibility to say yes

I'm tempted to go into a long-winded analysis of each of the possible reasons, but instead let me just cut to the chase. GET OVER IT! Whichever of those reasons resonates with you, let it go! Saying no doesn't automatically create conflict, disappoint or damage the relationship. It doesn't have to be rude, and having the need to please can end up being highly dysfunctional if you take it too far. Recognize what's preventing you from saying No and make a conscience choice to put it aside. You can actually control your emotional state. Shift yourself to a set of internal emotions where you feel more comfortable setting boundaries and staying focused.

Once you've decided to start using No more regularly, there are some strategies to do it more effectively.

1) Say No Without Ever Having To Say No

Sun Tzu wrote in the Art of War "*The supreme art of war is to subdue the enemy without fighting.*" You are facing a war for your time and energy. Wouldn't it be great to win that conflict without having to say no or turn someone away?

1. **Set Boundaries**—Establish a time when you will be available each day to deal with questions and requests. I'll call that time your Office Hours. You can call it whatever you like. Let your network know. Encourage them to wait

until that time each day—if they can.

If you are really in demand consider briefer Office Hours in both the morning and the afternoon.

2. **Turn Off Email notifications**—Email is a fantastic tool for communicating. Use it, don't let it use you. Set a few times each day to check and respond to email. Turn off your notifications. Turn them off on your desktop as well as on your mobile device. Choose when you will do email, don't let the tail wag the dog. According to a variety of studies, many of us have formed an unhealthy habit of checking our email too frequently—around 200 times a day. What are the switching costs of that?
3. **Batch Phone Calls**—Much like with email, the phone can be a source of unpredictable, intermittent interruptions. Or you can use it. Let your phone go to voicemail and set a time on your calendar during the day to return those calls. Don't use the phone as an excuse to break your flow. The exception to this rule is, of course, if your job is to answer the phone and provide service to clients and stakeholders. Other than that, let it go to voicemail.
4. **Schedule One On One Meetings**—If you manage others you need to be there for them. But that doesn't mean that they should have 24/7 unfettered access to you and your energy for every trivial thing under the sun. Set up a regular meeting time—once a week—to discuss whatever *they* want. *It's their meeting.* They get to set the agenda. Explain to them that you'd like them to save any issues that can wait, for that meeting or for whatever hours you set for daily Office Hours. Also explain what types of issues will require immediate communication.

2) Use A More Positive Approach: Yes—No—Yes

Even with well-defined boundaries, there will always be unexpected interruptions. The way we say No will have an impact

on how it is received. William Ury, in his book *The Power of A Positive No*, points out that our focus when we start our response matters. All too often we start from the perspective of being against the other person's perspective or request. That type of reactive response can create animosity and negative feelings. He recommends a more proactive response based on what we are *for* rather than what we are *against*.

Consider using a three-part process:

1. Begin by saying Yes to yourself and safeguarding what matters to you—in this case your time and energy. Be clear in your own mind about your priorities—what are the key roles and goals in your life? If you are legitimately spending time working on one of those key roles or goals (Which you should be!) then it will be easy to say Yes to yourself and to shift to an emotional state more conducive to saying No to the other person's fire. Then say Yes by telling the other person about your current priority.
2. Then offer a straightforward, matter of fact No. Tone of voice matters. Be assertive, not aggressive or dismissive.
3. Finally, close the loop by following with another Yes. Say Yes to the relationship and—hopefully—provide an alternative solution. In many cases you are not saying "Never", you're saying "Not Now". So, if not now, when? If the answer really is Never (The issue clearly is their fire and you want nothing to do with it) try to point them in a direction that you believe will be helpful. Affirm the value that you place on the relationship.

It sounds more difficult than it is. It's actually a pretty straightforward process.

Request: "Joe, do you have a few minutes to talk about the project?"

Yes (to yourself) I'm currently working on writing a new Post for my Web Site. It's important to me and I don't want to lose my flow.

Focus on...

Response: *"Hi Susan. Unfortunately, I am right in the middle of something important right now. So I'm going to have to say No at this moment. But I do want to talk with you about the project. Are you available at 2?"*

Not every interruption or request will be as obvious and straightforward. More often, you will have to ask a few clarifying questions to really understand that the person isn't asking about a fire burning uncontrollably, in your own back yard.

Saying No can be a withdrawal from what Stephen Covey called the Emotional Bank Account. When you do say No, look for opportunities to begin to replenish that relationship bank account as soon as possible. Ask yourself, what would be a deposit for that person? As soon as possible after the No, follow through and make that deposit to help affirm the relationship.

3) Say NO to Yourself

I've been focusing on saying no to others, but there is another part to the process. You have to be able to say No to yourself as well. Every time you move from one task to another you incur those switching costs. Even when you move on your own initiative. If you work for ten minutes on

a key goal and then pick up the phone because you remember you need to call a colleague—or you check your email,—or you surf the web or you do whatever—you're losing productivity. How often does that happen for you?

Saying No to yourself is also about saying Yes, isn't it? It's about knowing what is most important to you—your key Roles and Goals and Stakeholders. It's about ensuring that you spend most of your time and energy focusing on those key parts of your life instead of responding to other people's fires or letting yourself become distracted. Those self-initiated distractions may be an even larger hindrance to your personal effectiveness than requests and interruptions from others.

According to Gloria Mark, Professor in the Department of Informatics at the University of California, the subjects she studied switched tasks—on their own—on average, every 3 minutes and 5 seconds. In the hour and a half that I've been writing this Post, I've gotten up for a snack, answered the phone, watched 4 innings of the Phillies game (they're losing) and gone to the bathroom (twice) Maybe it's time to start saying No to myself.



Dr. Joseph Reed is a Doctor of Organizational Psychology, a Master Trainer, an MBTI® Master Practitioner as well as a former Marine Corps Officer and University Faculty Member. Dr. Reed is the CEO of J.R.Training—A Learning and Development Company. I've spent over twenty years working with both leaders and individual contributors to help them improve their abilities to get the right things done, enhance their working relationships, and perform up to their potential.

PD Online Store has E-TAPS merchandise!



TAPS 2020 Mugs



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

Scruples

Legal Ethics in the Time of COVID-19 and Similar Situations

Ellen Lockwood, ACP, RP

The last few months have been a challenge for everyone, personally and professionally. Below are the major areas of ethical considerations during pandemics and similar situations.

Competence

In addition to the usual areas of competence, firms must have a plan to keep up with changes and extensions of deadlines, courthouse closures, rescheduling of hearings, and related issues. The duty of competence also extends to technology that has become so necessary now, including video conferences and remote notarization.

Paralegals and attorneys should also keep up with executive orders and other temporary changes in the law and procedures that may affect clients. Now would be a good time to join the relevant section of the State Bar or a similar organization to receive updates on these matters.

Communication

As always, it is important to keep clients reasonably informed. Many firms use their websites and social media to update clients regarding office hours, attorney and staff availability, and how best to reach attorneys and staff, such as email or calls to the office numbers that are forwarded to the responsible person. For some firms, there will be information that applies to many clients such as courthouse closures, extensions of deadlines, and information on hearings being held via video conference.

For small and solo firms, it is wise to have an arrangement for other attorneys to assist and a comprehensive succession plan in the event the attorney cannot continue representing clients, whether temporarily or permanently. Plans should include instructions on quickly notifying clients and opposing counsel of the situation.

Confidentiality

Many of us are working from our homes. Unfortunately, that also means it can be more difficult to keep conversations private and to protect confidential hard copies and electronic information. Everyone should try to find a private, quiet place in your home to work and have confidential conversations. And while you may think that it is not important if your spouse, roommate, or teenager has access to your information (hard copy and electronic), it is critical. **The ethical standard is not whether the person who may access the information is going to pass along that information to someone else, it is that no unauthorized person should have access to confidential and privileged information.** As a further precaution, all smart speakers such as Alexa and Google Assistant should be unplugged or moved into a room far away from your workspace. Smart speakers are always listening and even turning them off is not sufficient.

Supervision

Attorneys must still supervise their staff. Often paralegals must take responsibility

for confirming attorneys are reviewing and supervising their work. If everyone in your office is working remotely and the previous procedures involved circulating hard copies of documents, new procedures must be developed.

Although many of us are enjoying working from home (and dressing much more casually), we must maintain our commitment to ethical practices, adjusting processes and procedures as necessary. We should also consider this situation an opportunity to learn new technology, embrace new methods of communication, and help our firms become better prepared for unexpected interruptions to the ways we usually offer legal services.



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.



BOARD OF DIRECTORS QUARTERLY BOARD MEETING SUMMARY FALL 2020

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

The Incoming Board of directors met via Zoom on Friday, September 18, 2020 and Saturday, September 19, 2020 by Zoom. Zoom has become our friend of late but we all hope to be in person sooner rather than later..

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

President—Edna W. Garza-Guerra, TBLS-BCP
President-Elect—Susi Boss
District 1—Vacant
District 2 and Treasurer—Eugene Alcala
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
District 16—Ashley Kyzer

Paralegal Division Coordinator
Rhonda Brashears, CP, TBLS-BCP

At the Fall Board Meeting reports were made not only from the Districts of PD but regarding goals and plans and ideas on keeping everyone involved with the COVID keeping us distancing.

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.

The Board was busy giving reports, discussing ideas for events for our Districts and scheduling upcoming meetings.

The President-Elect Nomination will be announced in the Winter TPJ. Candidates eligible will be able to view the President-Elect guidelines and same will be on the PD website. Election of the President-Elect will be held in January 2021. Chair will be

Shannon Happney, CP, TBLS, District 14

Even-Numbered Director Elections are also just around the corner (March 2021). Chair will be Erica Anderson, ACP, District 7.

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—It is so VERY IMPORTANT that we have everyone complete the Salary Survey. The survey has been extended and we encourage everyone to help the PD by completing the survey. PLEASE, PLEASE, PLEASE take a few minutes and help us complete this important informational task. Remember this information benefits all the Division. **Information given is confidential and not shared.**

KEEP YOUR CLE FORMS—We can't remind our members enough to KEEP YOUR CLE up to date.

ONLINE STORE—Support the PD by shopping on the Online Store—there are great finds and the E-TAPS logo merchandise is ready for you to order.

PARALEGAL PULSE AND TPJ—Do you remember the ad on t.v. before black Friday when all the people are standing in front of the windows saying “open, open, open”. Well don't forget to OPEN, OPEN, OPEN your Paralegal Pulse and TPJ when they pop up in your emails. Who knows who you may see or read about or learn from.



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

BECOME A MEMBER!



NFPA-The Leader of the Paralegal Profession™

- ★ 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.
- ★ Discounts on educational programs through NFPA partners.
- ★ Connections with national pro bono opportunities.
- ★ TM Engagement in national leadership roles.
- ★ Connection to other paralegals through regional and national meetings.
- ★ Add your voice to the national effort to advance the paralegal profession.
- ★ A subscription to our quarterly magazine, *The National Paralegal Reporter*.

www.paralegals.org

Trust Basics

By Craig Hackler



Whether you're seeking to manage your own assets, control how your assets are distributed after your death, or plan for incapacity, trusts can help you accomplish your estate planning goals. Their power is in their versatility—many types of trusts exist, each designed for a specific purpose. Although trust law is complex and establishing a trust requires the services of an experienced attorney, mastering the basics isn't hard.

What is a trust?

A trust is a legal entity that holds assets for the benefit of another. Basically, it's like a container that holds money or property for somebody else. You can put practically any kind of asset into a trust, including cash, stocks, bonds, insurance policies, real estate, and artwork. The assets you choose to put in a trust depend largely on your goals. For example, if you want the trust to generate income, you may want to put income-producing securities, such as bonds, in your trust. Or, if you want your trust to create a pool of cash that may be accessible to pay any estate taxes due at your death or to provide for your family, you

might want to fund your trust with a life insurance policy.

When you create and fund a trust, you are known as the grantor (or sometimes, the settler or trustor).

The grantor names people, known as beneficiaries, who will benefit from the trust. Beneficiaries are usually your family and loved ones but can be anyone, even a charity. Beneficiaries may receive income from the trust or may have access to the principal of the trust either during your lifetime or after you die. The trustee is responsible for administering the trust, managing the assets, and distributing income and/or principal according to the terms of the trust. Depending on the purpose of the trust, you can name yourself, another person, or an institution, such as a bank, to be the trustee. You can even name more than one trustee if you like.

Why create a trust?

Since trusts can be used for many purposes, they are popular estate planning tools. Trusts are often used to:

- Minimize estate taxes
- Shield assets from potential creditors
- Avoid the expense and delay of probating your will
- Preserve assets for your children until they are grown (in case you should die while they are still minors)

- Create a pool of investments that can be managed by professional money managers
- Set up a fund for your own support in the event of incapacity
- Shift part of your income tax burden to beneficiaries in lower tax brackets
- Provide benefits for charity

The type of trust used, and the mechanics of its creation, will differ depending on what you are trying to accomplish. In fact, you may need more than one type of trust to accomplish all of your goals. And since some of the following disadvantages may affect you, discuss the pros and cons of setting up any trust with your attorney and financial professional before you proceed:

- A trust can be expensive to set up and maintain—trustee fees, professional fees, and filing fees must be paid
- Depending on the type of trust you choose, you may give up some control over the assets in the trust
- Maintaining the trust and complying with recording and notice requirements can take up considerable time
- Income generated by trust assets and not distributed to trust beneficiaries may be taxed at a higher income tax rate than your individual rate

The duties of the trustee

The trustee of the trust is a fiduciary, someone who owes a special duty of loyalty to the beneficiaries. The trustee must act in the best interests of the beneficiaries at all times. For example, the trustee must preserve, protect, and invest the trust assets for the benefit of the beneficiaries. The trustee must also keep complete and accurate records, exercise reasonable care and skill when managing the trust, prudently invest the trust assets, and avoid mixing trust assets with any other assets, especially his or her own. A trustee lacking specialized knowledge can hire professionals such as attorneys, accountants, brokers, and bankers if it is wise to do so.

However, the trustee can't merely delegate responsibilities to someone else.

Although many of the trustee's duties are established by state law, others are defined by the trust document. If you are the trust grantor, you can help determine some of these duties when you set up the trust.

Living (revocable) trust

A living trust is a special type of trust. It's a legal entity that you create while you're alive to own property such as your house, a boat, or investments. Property that passes through a living trust is not subject to probate—it doesn't get treated like the property in your will. This means that the transfer of property through a living trust is not held up while the probate process is pending (sometimes up to two years or more). Instead, the trustee will transfer the assets to the beneficiaries according to your instructions. The transfer can be immediate, or if you want to delay the transfer, you can direct that the trustee hold the assets until some specific time, such as the marriage of the beneficiary or the attainment of a certain age.

Living trusts are attractive because they are revocable. You maintain control—you can change the trust or even dissolve it for as long as you live. Living trusts are also private. Unlike a will, a living trust is not part of the public record. No one can review details of the trust documents unless you allow it.

Living trusts can also be used to help you protect and manage your assets if you become incapacitated. If you can no longer handle your own affairs, your trustee (or a successor trustee) steps in and manages your property. Your trustee has a duty to administer the trust according to its terms, and must always act with your best interests in mind. In the absence of a trust, a court could appoint a guardian to manage your property.

Despite these benefits, living trusts have some drawbacks. Assets in a living trust are not protected from creditors, and you are subject to income taxes on income earned by the trust. In addition,

you cannot avoid estate taxes using a living trust.

Irrevocable trusts

Unlike a living trust, an irrevocable trust can't be changed or dissolved once it has been created. You generally can't remove assets, change beneficiaries, or rewrite any of the terms of the trust. Still, an irrevocable trust is a valuable estate planning tool. First, you transfer assets into the trust—assets you don't mind losing control over. You may have to pay gift taxes on the value of the property transferred at the time of transfer.

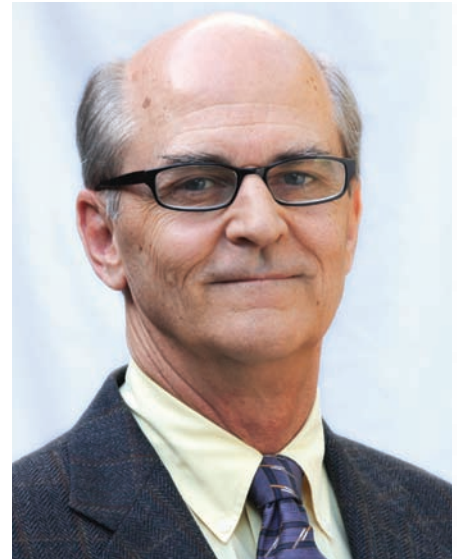
Provided that you have given up control of the property, all of the property in the trust, plus all future appreciation on the property, is out of your taxable estate. That means your ultimate estate tax liability may be less, resulting in more passing to your beneficiaries. Property transferred to your beneficiaries through an irrevocable trust will also avoid probate. As a bonus, property in an irrevocable trust may be protected from your creditors.

There are many different kinds of irrevocable trusts. Many have special provisions and are used for special purposes. Some irrevocable trusts hold life insurance policies or personal residences. You can even set up an irrevocable trust to generate income for you.

Testamentary trusts

Trusts can also be established by your will. These trusts don't come into existence until your will is probated. At that point, selected assets passing through your will can "pour over" into the trust. From that point on, these trusts work very much like other trusts. The terms of the trust document control how the assets within the trust are managed and distributed to your heirs. Since you have a say in how the trust terms are written, these types of trusts give you a certain amount of control over how the assets are used, even after your death.

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.

Legislative Update and Other Resources

January 1, 2021 Amendments

Amendments to the Texas Rules of Civil Procedure go into effect on January 1, 2021. Note that the Request for Disclosure becomes "Initial Disclosures" and must be responded to by all parties within thirty (30) days after the first answer in the case. Other discovery is prohibited until after the Initial Disclosures are due. Read the entire Order Amending Rules of Civil Procedure 47, 169, 190, 192, 193, 194, and 195 here: <https://www.txcourts.gov/media/1449614/209101.pdf>

Recent amendment—September 1, 2020

[SB 2342](#) will become effective on September 1, 2020. This bill increases the expedited action threshold to \$250,000 for cases filed in county courts at law and, for county court at law cases over \$250,000; the jury is increased from 6 to 12 members unless all of the parties agree to a jury composed of a lesser number of jurors.

Emergency Orders Issued

State of Texas Judicial Branch

[Emergency Order 26—Issued 09/18/2020 \(effective on 10/1\)](#)

Replaces Emergency Order 22 on 10/1 and permits courts to modify or suspend deadlines and procedures through 12/1; requires courts to continue to use all reasonable efforts to hold proceedings remotely and to follow OCA's Guidance for All Court Proceedings; prohibits Justice and Municipal Courts from holding an in-person jury proceeding prior to 12/1; permits district, county, and probate courts to hold in-person jury trials after certain actions; permits courts to hold virtual jury proceedings in certain cases with certain technology provided to prospective jurors; extends the possession and access to a child provisions from previous orders; extends the ability for an attorney profes-

sional disciplinary or disability proceeding to conduct proceedings remotely.

[Emergency Order 27—Issued 09/25/2020](#)

Establishes eviction procedures ([Texas Eviction Diversion Program](#)) for tenants and landlords under a statewide housing-assistance program intended to avoid evictions for tenants behind on rent. The order allows an eviction proceeding to be abated by agreement for 60 days, requires courts to provide tenants with information about the program, and makes court records for participants confidential while eviction cases are delayed. The order also outlines procedure for reinstating evictions. Without such reinstatement, eviction cases will be subject to dismissal. The order, expires December 18, and is effective October 12 for "pilot" counties established by the Office of Court Administration and November 9 for all other Texas counties.

The [Texas Eviction Diversion Program](#) is supported by Gov. Greg Abbott's commitment of \$171 million in federal money for landlords to provide an eviction alternative. Eligibility for rental assistance under the program will be administered by the [Texas Department of Housing and Community Affairs](#).

Current emergency orders related to COVID-19 visit the Texas Judicial Branch website: <https://www.txcourts.gov/court-coronavirus-information/emergency-orders/>

United States District Courts—Texas Districts

Current emergency orders related to COVID-19, in the U.S. District Courts in Texas:

United States District Court for the Northern District of Texas—<http://www.txnd.uscourts.gov/special-order-13-court-orders-and-updates-during-covid-19-pandemic>

United States District Court for the Eastern District of Texas—<http://www.txed.uscourts.gov/?q=covid19-general-orders>

United States District Court for the Southern District of Texas—<https://www.txs.uscourts.gov/page/covid-19-general-and-special-orders>

United States District Court for the Western District of Texas—<https://www.txwd.uscourts.gov/coronavirus-covid-19-guidance/>

State Bar Resources

The State Bar has a portion of its website dedicated to various resources and updates: https://www.texasbar.com/Content/NavigationMenu/Coronavirus_COVID_19/default.htm

The State Bar of Texas provides free CLE on the TexasBarCLE website. As a Paralegal Division member, you also enjoy this benefit:

The State Bar is currently offering 6.5 hours of free CLE on the [TexasBarCLE website](#), including recent webcasts related to the coronavirus:

- *10 Tips for Lawyer Well-Being During COVID-19* — MCLE Credit: .5 hours. Accreditation for this course expires on May 31, 2021. You must complete the course and report your MCLE hours prior to this date to receive credit. [Register here to watch the course for free.](#)
- *Practicing Law in the Shadow of COVID-19* — MCLE Credit: 1 hour. Accreditation for this course expires on February, 28, 2021. You must complete the course and report your hours prior to this date to receive credit. Go [here](#) to watch the course.
- *Benefits and Challenges of Invoking Force Majeure Clauses in the Age of the Coronavirus* — MCLE Credit: 1 hour. Accreditation for this course expires on February, 28, 2021. You must complete the course and report your hours prior to this date to receive credit. Go [here](#) to watch the course.

Introducing the New TXPD.org

Learn important tips about the changes to our website!

Aside from the cosmetic differences, our new website has several operational differences and some great new features. It's important for you to note these changes.

Logon Process

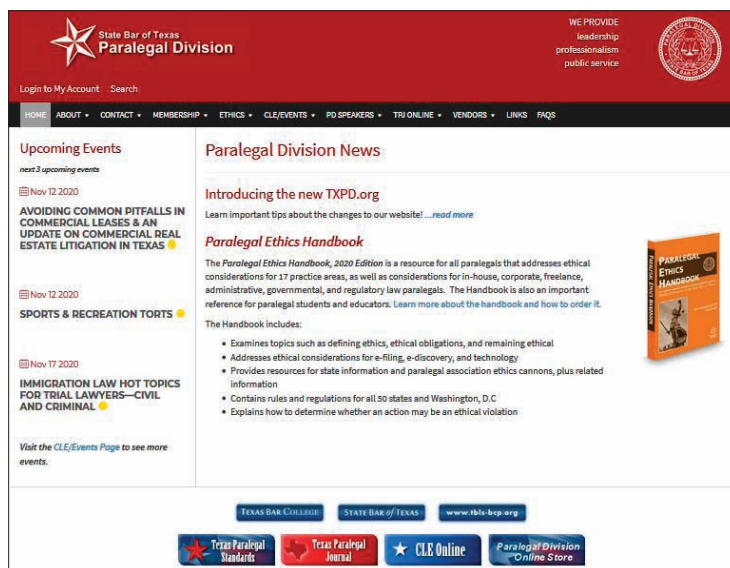
The My Account page replaces the MEMBERS ONLY menu. You now log in by clicking the Login to My Account link near the top left of any page. Each time you log in you will be directed to the My Account page. It has links to all private member functions available for your membership profile.

Members, including former members, can log on two ways. You can use the same User ID credentials used on the old site (your bar number) or you can use the email address associated with your preferred address (work/home) as reflected in your profile with the State Bar of Texas. Initially, your password for both methods is the same as the old site—the lower case version of the first 5 characters of your last name, padded with zeros if less than 5 characters. The new system allows you to change your password to a more private value.

Guests can log in using the same email address and password used on the old site.

Account Email Address

The new site now uses your account email address as the primary means of contact. You can update it as desired. Guest members use this address as your log-on user name. For members and former members, this address can be used in lieu of your bar number as your log-on user name. It is also used when we send you transaction confirmations and eBlast messages, and is the only address that can be used for member subscriptions



to the eGroup. Changing your account email does not affect your work/home email addresses in your profile on our site or with the State Bar of Texas. During conversion to this site, the account email address for members, including former members, was established using the work/home email associated with the preferred address in your profile with the State Bar of Texas. The account email address for guest members is the same as on the current system.

Event Registrations

We are happy to announce that you will be able to register for certain types of events advertised in our Calendar. If the event is sponsored by the Paralegal Division and requires a registration, you will have the ability to register online. If there is a cost associated with the event, you'll be able to pay when you register.

Online Sales for TPJ Ad Space and Local Sponsorships

You can now use our online sales process to purchase ad space in the Texas Paralegal Journal. We will also begin online sales of opportunities to sponsor local events. Because of COVID concerns, it may be a while before we have any available sponsorships.

Sustaining Member Ads

Sustaining members are automatically eligible for a free listing on the [Vendor](#) page. Sustaining members now have direct access via the My Account page to create and manage their free listing.

eBlast

As mentioned above, you can only receive eBlast emails via your account email address. Edit your My Account profile to opt in/out of eBlast participation.

eGroup

Like eBlast, you can only participate in the new eGroup using your account email address. *Any traffic sent to the eGroup must originate from this email*

address. All traffic sent from any other address is automatically rejected without moderation.

Unlike the old system, it's very simple to subscribe to the new eGroup. Edit your My Account profile, scroll to the eGroup section, and click subscribe/unsubscribe as needed. That's it, you're done! If you routinely use out-of-office messages, we encourage you to unsubscribe when you're going to be away.

No Shopping Cart

The old system used a "shopping cart" to support placing orders. There was a cart icon link at the top of every page. The new site uses an entirely different method for collecting payment information so no cart icon is present. Be sure you complete the payment step before exiting a "shopping" page else your transaction will be lost. You can't use the browser's back button to return to previous pages in a multistep order process. Be sure you use the Previous and Next buttons to move from page to page.

myApp Retired

The txpd.org/myApp sub-site has been retired. The new site is entirely mobile friendly, making the myApp obsolete.

Hot "Sites"



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

EXCEPTIONAL PRO BONO SERVICE AWARD

This year's nominee is a board-certified paralegal with a solo attorney in the field of employment discrimination, personal injury and appellate law. She has been a paralegal for more than 27 years and has worked with attorney, Jason Smith for the last 20 of them.

Susan Davis received her Bachelor of Arts degree in 1993 from Stephen F. Austin with a double major in Political Science (Pre-Law) and Criminal Justice (Paralegal Program). She is board certified in Civil Trial Law by the Texas Board of Legal Specialization.

In addition to her paralegal position, Ms. Davis is also the 2020 President Elect of the Fort Worth Paralegal Association, as well as the PD Elections Sub-Chair. Ms. Davis has held numerous board positions and chair positions for both the Paralegal Division and the Fort Worth Paralegal Association. Ms. Davis served as the PD Vendor Liaison from 2016-2020. Most importantly, she has



Susan Davis, TBLS-BCP, Fort Worth, 2019–2020 Exceptional Pro Bono Service Award Recipient



been a long time Pro Bono volunteer with Fort Worth Paralegal Association and Tarrant Volunteer Attorney Services (TVAS).

As a humble servant to her field, she has worked on numerous Pro Bono projects, including TVAS client intake, document preparation and paralegal support for the TVAS general advice clinics, TVAS/LANWT Family Law and Estate Planning Clinics.

Ms. Davis uses her legal skills, knowledge, education and experience to help provide pro bono services to her community. She is a wonderful volunteer and has worked numerous Pro Bono Clinics and is always willing to help when needed.

For her substantial contributions to her community, Ms. Davis was awarded the Tarrant County Bar Foundation TVAS Pro Bono Volunteer Paralegal of the Year in 2019, as well as the Paralegal Divisions Outstanding Committee Chair in 2017. She was also nominated for FWPA's 2019 Paralegal of the Year.

Congratulations are in order to Susan Davis, 2019-2020 Paralegal Division of the State Bar of Texas Exceptional Pro Bono Service Award Recipient.

E-TAPS 2020 CLE ALL-STARS AND ANNUAL MEETING

by Megan Goor, TBLS-BCP, 2020 TAPS Chair

The Texas Advanced Paralegal Seminar ("TAPS") is the Paralegal Division's annual CLE event held in different major cities across the State. This three-day event offers up to 14 hours of CLE in various areas of law. The outgoing President of the Division chairs TAPS and the Planning Committee meets in January before the fall event to begin work on themes, coordinating speakers, contacting exhibitors, and on the best practices to put in place this conference for paralegals. This year's conference was planned to take place in historic San Antonio at the Wyndham Riverwalk from September 16- 18, 2020. The Planning Committee was in full swing preparing for the two and one-half days of CLE, socials on two evenings, and the keynote/Annual

Meeting luncheon when the United States was being affected by the virus, COVID-19. There were many unknowns and, consequently, many discussions about moving forward with this event that so many paralegals plan to attend every year.

The Planning Committee decided to present TAPS in a two-day virtual format with Annual Meeting on Friday by separate registration.

TAPS included three tracks that covered five hours each of the two days:

Track One-Civil Trial Litigation and Personal Injury Trial Law; Track Two-Family Law; and Track Three-Criminal/Probate & Estate/Real Estate/Oil & Gas. Classes were held from 9:00 a.m. to 3:00 p.m. with a short break for lunch.

There were welcoming videos from the TAPS Chair, Paralegal Division President, President-Elect, and sponsors. E-TAPS 2020



was indeed an All-Star event with speakers and judges from across the State! In addition, the Division was able to reach those members who have not previously attended TAPS.



Welcome video—Captain Jack Megan



Welcome video— Frank Hinnant —Innovative Legal Solutions

After the event became virtual, the focus was on the Speaker Committee to acquire speakers from across the State. A big round of applause to the Speaker Committee: Susi Boss, Kerri Alexander-Overfelt, Alice Lineberry, Erica Anderson, Javan Johnson and Shannon Happney for carrying this event to the finish line!

Thank you to this year's wonderful sponsors!

TITLE SPONSOR

[Innovative Legal Solutions](#)

PLATINUM SPONSORS

[File & ServeXpress, LLC](#)

[Hollerbach & Associates, Inc.](#)

[Tyler Technologies](#)

GOLD SPONSOR

[Kim Tindall & Associates, LLC](#)

SILVER SPONSOR

[Legal Bevy](#)



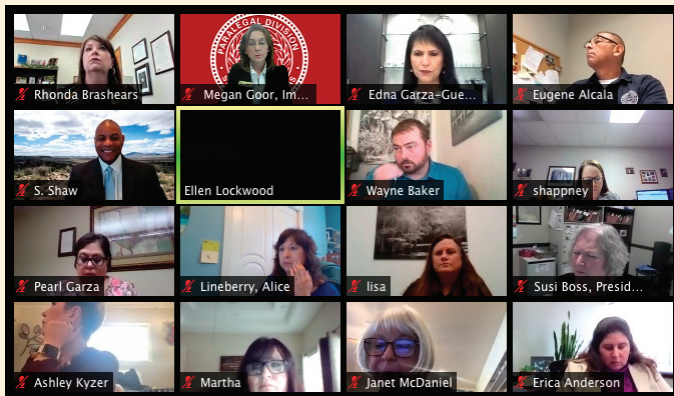
Director Eugene Alcala, Dallas



Director Wayne Baker, Granbury



Director Erica Anderson, Lubbock



Paralegal Division 2020 Annual Meeting

The Paralegal Division also held its 2020 Annual Meeting virtually this year. This is the second year for the Division to hold its Annual Meeting in conjunction with TAPS. There was no cost to attend the meeting, and it included the presentation, “The Future of Legal Ethics,” by speaker Paralegal Division Professional Ethics Chair, Ellen Lockwood, ACP, RP, for 1 hour of ethics credit. The Paralegal Division conducted its annual meeting business, including its awards and introduction of the 2020-2021 Paralegal Division Board of Directors.

This year is a year in which so many things are unpredictable and uncertain. Thank you to the TAPS Planning Committee, E-TAPS Speaker Committee, Sponsors, the Board of Directors of the Paralegal Division, Immediate Past President Megan Goor-Peters, President Edna Garza-Guerra, and Paralegal Division Coordinator Rhonda Brashears. This year’s conference and annual meeting were a great stride in displaying a Paralegal’s knack for finding a solution under extreme stress, with very little wiggle room for error. Thank you all for attending the conference and the Annual Meeting

Calendar September 15-17, 2021, to attend TAPS and we look forward to seeing everyone in person in San Antonio.

TAPS’ Kudos!

Another excellent conference!! Many thanks to all for the hard work to make this happen during COVID! Loved it. I especially like doing the webinar and having the sessions back to back. Great job!
—Debbie Griffith

I am sure there was a lot of work involved in making the TAPS 2020 change to the Seminar. Very much appreciate TAPS members making it easy for all of us. Thank you for all your hard work! Do not know if I would be able to get used to this method of CLE updates because missing all the nice ladies and smiling faces was difficult this year. In any event, another job well done! — Mei Ling Jew, Houston

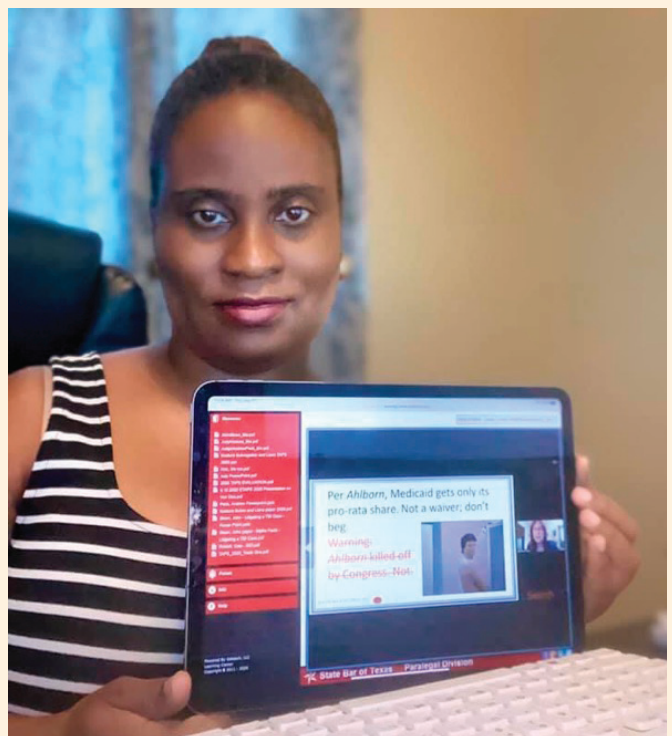
Thank you all for the hard work. Excellent presentation this year.
— Luisa Ulluela, Dallas

Thank you for making TAPS available to us virtually this year. I really missed seeing everyone, but at least we were able to get our CLE!

— Kerri Power, CP



Director Jan McDaniel, Midland



Member Andrea Clark, Dallas



Member Georgina Guzman, Alamo

I want to commend you and the TAPS Planning Committee for pulling this event off in such a dramatically different format in such a short amount of time. Technical glitches aside, this has to have been one of

the best TAPS events I've attended. I know I am not alone in this thought process. Please pass along my congratulations to the entire Committee, and to Rhonda as well.

—Jay Williams, Dallas

TAPS was great thank you for all you all do.

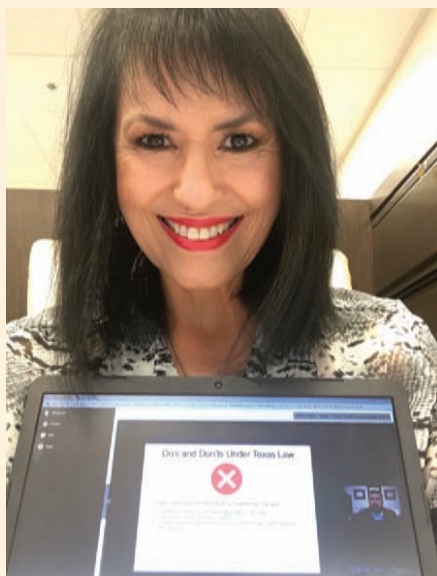
—Joan Parma, Irving



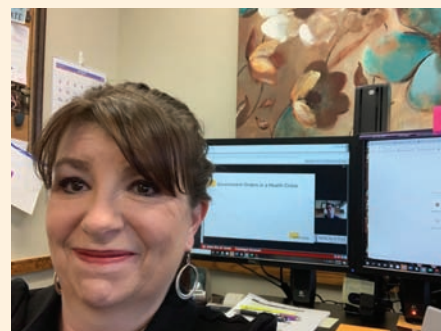
Members, San Antonio



Screen Shot, Brian Wice



President Edna Garza-Guerra, McAllen



PD Coord. Rhonda Brashears, Lubbock

Thank You to the Spectacular TAPS Speakers!

Track 1: Civil Trial/Personal Injury*

Jason Bernhardt, "Force Majeure Clauses During COVID"
 Tim Williams, "Social Media in Trial"
 Slater Elza, "Identifying Criminal Issues in Civil Litigation"
 Brandy Voss, "Proving and Challenging Medical Expenses"
 Dr. Bill Chriss, "Insurance Update, Including *Stowers* and Hurricane Claims"
 Cole Riddell, "VoiR Dire Do's and Don'ts Under Texas and Federal Law"
 John Sloan, "Litigating a Traumatic Brain Injury Case"
 Judy Kostura, "Liens and Subrogation in Personal Injury Cases"
 Hon. Andrew Peck, "A Judge's Tips on Being an E-Discovery Rock Star"
 Muhammad "Mo" Aziz, "Recognizing Product Liability Issues in Motor Vehicle Accidents"

Track 2: Family Law*

Chris K. Wrampelmeier, "Securing Property at Point Blank"
 Stephen Naylor, "It's Not Over Until the Paperwork is Done: Closing the File"
 Larry Martin, "OMG I Did Not Know That! The Sequel"
 Carolyn Starr, "Planning for Incapacity"
 Roxie Cluck, "Enforcement Actions in Family Law"
 Bruce D. Bain, "Hot Topics/New Decisions"
 Tammy Moon, "How to Deal with Difficult Clients"
 Rick Robertson and Sally Pretorius, "Zoom Hearing and Mediations"
 Kevin Segler, "Technology: Useful Tools and Infringements on Privacy"
 Douglas K. Fejer, "Forensic Accounting/Do's and Don't"

Track 3: Criminal/Estate Planning & Probate/Real Estate/Oil & Gas*

Alyssa McCreight, "Preparing Beneficiaries for Their Inheritance"
 Professor Gerry Beyer, "Case Law Update"
 Brian Wice, "Preservation of Error"
 Jeremy Rosenthal, "Criminal Law 2020—What's Hot and What's Not"
 Craig Adams, "Granny Had a Gun—Firearms in Estate Administration"
 Hon. Ken Wise, "Boxing, Borders, Beer, and Murder"
 Jeff McCarn and John Byrom, "Primer on Texas Oil and Gas Law: Leasing"
 Jessica Newill and Aaron Saxon, "Death and Dirt Collide: Drafting to Avoid Litigation at the Intersection of Real Estate and Probate"
 Michelle Putnam, "Human Trafficking"
 Kevin Tipton, "12 Things Any Notary Should Know—Perspectives from the Secretary of State"

**These CLEs can be found in the Paralegal Division online library at <https://txpd.inreachce.com/>*



37th Texas Forum for Paralegals and Attorneys: Strengthening the Attorney-Client Relationship

Watch from your computer or mobile device!

LIVE WEBCAST

March 25, 2021

8:55 a.m. – 3:45 p.m.

► [REGISTER](#) for the live webcast!

WEBCAST REPLAY

April 21, 2021

8:55 a.m. – 3:45 p.m.

► [REGISTER](#) for the webcast replay!

Ways to Save on This Course!

Special Discounts for Paralegals and Paralegal Students!

Course Amenities

- Interact with participating speakers and fellow registrants using the Live Chat feature during the webcast!
- Access and download the articles and PowerPoint presentations directly from the webcast!

Tentative Topics

- Dos and Don'ts: Dilemmas for Paralegals and Lawyers
- *Bellamy v. Wal-Mart*: Lessons to Be Learned When eDiscovery Goes Badly
- Who Do You Turn To with an Ethical Dilemma?
- The User Experience in Client Relationships
- Grading Legal and Paralegal Education
- Serving All Clients
- Bias-Reducing & Diversity Promoting Decisionmaking for Legal Professionals
- Turning D&I Talk Into Action

MCLE CREDIT

Approximately 6 Hours (2.5 Ethics) Expected



Tentative Program

Hours and topics are subject to change.

Check back in December for more complete information.

Thank You to the Spectacular TAPS Planning Committee!



TAPS 2020 Planning Committee:

Immediate Past President-Megan
Goor- Peters, TBLS-BCP
President-Edna Garza-Guerra, TBLS-
BCP
Shanna Mello
Susan Davis, TBLS-BCP
Frank Hinnant of Innovative Legal
Solutions
Jennifer Chambless of Kim Tindall &
Associates
Kelsey Clark of File & Serve Xpress

*Hats off to the Speaker Chair and sub-
chairs for their diligent and tireless
efforts to obtain our All-Star CLE
speakers:*

Chair – President-Elect Susi Boss
Alice Lineberry, PLS, CP
Kerri Alexander-Overfelt
Erica Anderson, ACP
Javan Johnson, ACP, TBLS-BCP
Shannon Happney, CP, TBLS-BCP

**SPECIAL THANKS TO RHONDA BRASHEARS, CP, TBLS-BCP
– PD COORDINATOR AND TAPS MEETING PLANNER**



THE NATIONAL ACADEMY OF DISTINGUISHED NEUTRALS

ATTENTION LITIGATION STAFF



OVER 60 OF TEXAS' PREMIER CIVIL-TRIAL
MEDIATORS & ARBITRATORS NOW
PUBLISH THEIR AVAILABLE DATES ONLINE

Save HOURS of scheduling time directly at

www.TexasNeutrals.org

*This online calendaring service is entirely free, funded by the members of our Texas Chapter of the Academy.
To view the National Academy's free database of over 1000 top-rated mediators & arbitrators, simply visit www.NADN.org/directory*



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)

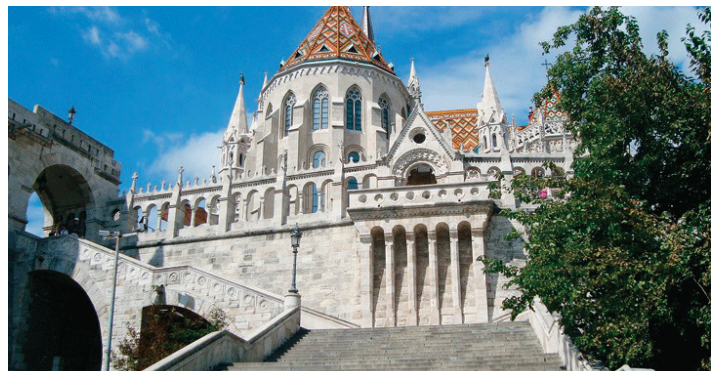
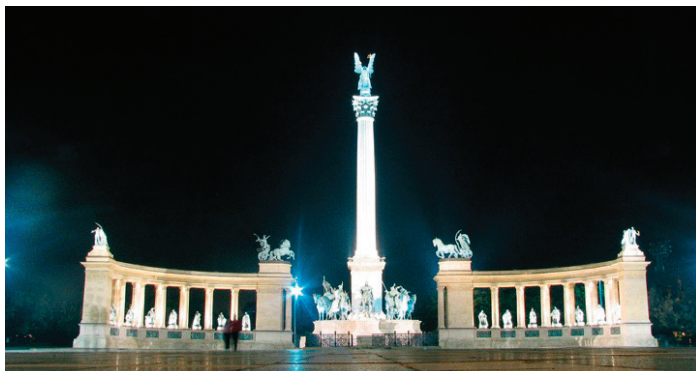
TUE, April 20, 2021 (Budapest) – Depart Slovakia this morning and continue your journey to Hungary. Today's destination is Budapest, also known as the Pearl of the Danube. This evening enjoy a cruise on the Danube. (B,D)

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.



EXCEPTIONAL PRO BONO SERVICE AWARD

The Paralegal Division (PD) of the State Bar of Texas is proud to sponsor an Exceptional Pro Bono Service Award. Its purpose is to promote the awareness of pro bono activities such as those defined by the State Bar of Texas, and to encourage PD members to volunteer their time and specialty skills to pro bono projects within their community by recognizing a PD member who demonstrates exceptional dedication to pro bono service. Paralegals are invited to foster the development of pro bono projects, to provide assistance to established pro bono programs, and work closely with attorneys to provide unmet legal services to people with low incomes. This annual award will go to an individual PD member, who performed the pro bono service(s) in the State of Texas, and has volunteered his or her time and special skills in providing uncompensated services in pro bono assistance to their community. The recipient of the award will be announced at the Paralegal Division Annual Meeting Luncheon, his/her expenses to attend the Annual Meeting Luncheon will be incurred by the Division, and a profile of the individual will be published in the Fall issue of the *Texas Paralegal Journal*.

Definition of Paralegal Pro Bono Service (Adopted June 2013)

Providing legal assistance, without remuneration or compensation to the paralegal, that requires specific legal skills, knowledge or training, under the supervision of a licensed attorney or qualified organizations, whether individually, or through non-profit charitable, religious, civic, community, or governmental organizations, and serving as an advocate for those with limited means or that are unable to speak for themselves.

1. Providing legal support services for persons of limited means, either through qualified legal services/legal aid programs.
2. Providing legal support services at community legal clinics; and
3. Providing assistance for, working directly with attorneys on cases, or providing direct client advocacy, under legal services/advocacy programs that are sponsored by a bar association, court, governmental agency or non-profit agency.

Please complete the attached nomination form, and return it **NO LATER THAN APRIL 30, 2021** to the following:

Rachael Watson
Paralegal Services of North Texas, LLC
2035 Johnson Bend Rd
Weatherford, Texas 76088
P: (817) 371-9762 | F: (817) 381-7109
ProBonoChair@txpd.org



**EXCEPTIONAL PRO BONO SERVICE AWARD
NOMINATION FORM**

Individual's Name: _____
PD Member Number: _____
Firm: _____ Job Title: _____
Address: _____
Phone: _____ Fax: _____ Yrs. in Practice: _____
Work Experience: _____

Give a statement (on a separate sheet using "Nominee" rather than the individual's name) using the above definition and following guidelines as to how the above-named individual qualifies as rendering Exceptional Pro Bono Service by a Paralegal Division Member:

1. Renders service without expectation of compensation.
2. Renders service that simplifies the legal process for (or increases the availability) and quality of legal services to those in need of such services but who are without the means to afford such service.
3. Renders to charitable or public interest organizations with respect to matters or projects designed predominantly to address the needs of poor or elderly person(s).
4. Renders legislative, administrative, political or systems advocacy services on behalf of those in need of such services but who do not have the means to afford such service.
5. Assist an attorney in his/her representation of indigents in criminal and civil matters.

Return (no later than April 30, 2021) to:

Rachael Watson

LEGAL DIRECTORIES PUBLISHING CO., INC.

Publishing Directories Since 1935

www.LegalDirectories.com

Proudly serving Texas!



Texas Legal Directory, the Official Directory of the State Bar of Texas
"The Blue Book of Attorneys"

Austin Bar Association Membership Directory

Dallas Bar Association Membership Directory

Houston Bar Association Membership Directory

Jefferson County Bar Association Membership Directory

PRINT | DIGITAL | ONLINE

Legal Directories Publishing Co., Inc.



1313 Oates Drive
Mesquite, TX 75150
(800) 447-5375

Thank You to the E-TAPS 2020 CLE All Stars Sponsors!



TITLE SPONSOR	Innovative Legal Solutions
PLATINUM SPONSORS	File & ServeXpress, LLC Hollerbach & Associates reSearchTX
GOLD SPONSOR	Kim Tindall & Associates, Inc.
SILVER SPONSOR	LegalBevy

*Our sponsors are always there to support us.
Please support them when you have a need.*