

# PARALEGAL DIVISION STATE BAR OF TEXAS



# PROCEDURES MANUAL

Updated June 2020

# PARALEGAL DIVISION OF THE STATE BAR OF TEXAS

## PROCEDURES MANUAL

*(Revised June 2020)*

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## **DEFINITIONS**

The following are acronyms and terms frequently used throughout the Procedures Manual of the Paralegal Division, State Bar of Texas (hereinafter commonly referred to as “PD” or “the Division”):

### **AAfPE**

“AAfPE” is an acronym representing the term “American Association for Paralegal Education”; a national organization of paralegal educators.

### **AAPI**

“AAPI” is an acronym representing the term “American Alliance of Paralegals, Inc.” AAPI is a national paralegal association, formed in 2002.

### **ABA**

“ABA” is an acronym representing the term “American Bar Association.”

### **Active Member**

An “Active Member” is any resident of the State of Texas, while not admitted to the practice of law in Texas, who has, through education, training, or experience, demonstrated knowledge of the legal system, legal principles and procedures, and who has satisfied at least one (1) of the criteria for membership established by the PD Board of Directors as set forth in the PD Standing Rules, and is eligible to become an Active Member of the Division.

### **Ad Hoc Committee**

An “Ad Hoc Committee” is a temporary committee, appointed by the PD President, to perform research or specified tasks on a designated subject. An Ad Hoc Committee automatically terminates at the end of the term of the appointing PD President.

### **Alliance**

See Texas Alliance of Paralegal Associations, “TAPA.”

### **Annual Meeting**

The “Annual Meeting” is a meeting of the general membership of the Division held once per fiscal year, Immediately following the Texas Advanced Paralegal Seminar (“TAPS”) and may be conducted at various locations throughout the State of Texas.

### **Annual Reports**

“Annual Reports” refers to a summary report of the events for the term and to be prepared for the PD’s Outgoing Board Meeting.

### **Ambassadors**

“Ambassadors” refers to past PD Presidents who participate in a program for purposes of continuing Division involvement, sharing their commitment to the Division after serving as President by making presentations to local paralegal associations, educational paralegal programs and community service presentations upon request.

### **Associate Member**

An “Associate Member” is defined as a paralegal who has not yet satisfied the employment experience or education requirement criteria for active membership status, but who otherwise satisfies the criteria for Active membership, and is eligible and may apply for Associate Member status in the Division. Additionally, an Associate Member may be anyone who is a coordinator or supervisor of a paralegal program within a firm, corporation, or agency; however, an Associate Member shall not be entitled to vote or hold office, or serve in a voting capacity on a committee of the Division. However, an Associate Member may serve as district sub-chair of any standing committee.

### **Award of Excellence**

An “Award of Excellence” is an award conferred by the PD Board of Directors, to recognize an individual who has made a substantial contribution to the paralegal profession. The award is given for outstanding merit and shall not be required to be conferred annually.

### **Board**

“Board” is an abbreviated term for Board of Directors, Paralegal Division, State Bar of Texas.

### **Board Advisor**

A “Board Advisor” is a PD Board member assigned to a Division Committee to act as advisor and conduit of information between the PD Committee and the PD Board of Directors.

### **Board Certified Paralegal (BCP)**

“Board Certified Paralegal” is a certification issued to a paralegal who has successfully completed the voluntary specialty certification examination administered by the Texas Board of Legal Specialization (“TBLS”).

### **Board Meetings**

PD Board Meetings are held three times per year at locations selected by the agreement of the PD Board. The meetings are usually held in Summer, Fall and late Winter/Spring.

### **Brochure**

The PD produces informative electric/digital publications describing the history, purpose, and categories of membership, and matters relating to Ethics, etc.

### **Budget**

The “Budget” is a financial forecast prepared by the PD Treasurer and submitted to the PD Board of Directors for revision and approval each year.

### **Bylaws**

The “Bylaws” of the Division are the governing rules of the organization. Such rules are revised from time to time by a vote of the general membership and approval of the State Bar of Texas.

### **Certificate of Appreciation**

A “Certificate of Appreciation” is awarded to Committee members who have earned recognition by their participation and contribution to the Division and the paralegal profession. Recipients are recommended by the Committee Chairs and awarded such Certificate within thirty (30) days after the PD’s Outgoing Board Meeting.

### **Certified Legal Assistant (“CLA”) and/or Certified Paralegal (“CP”)**

“CLA” and “CP” are registered service mark names appropriate for usage by an individual who has successfully completed the two (2) day examination administered by the National Association of Legal Assistants, Inc. (“NALA,” hereinafter defined as a commonly used term.)

**Certificated**

“Certificated” is a term applied to those persons completing a formal paralegal program and receiving a certificate of completion.

**CEC**

“CEC” is an acronym for the term “Continuing Education Committee.”

**CLE**

“CLE” is an acronym for the term “Continuing Legal Education.”

**Code**

“Code” is the abbreviated term for the Division’s Code of Ethics and Professional Responsibility.

**College**

The “College” refers to The Texas Bar College, f/k/a The College of the State Bar of Texas.

**Committee**

A “Committee” is a group of members who are given specific assignments/projects to be accomplished on behalf of the Division. A Committee’s composition shall be recommended by the PDDirectors.

**Committee Chair**

A “Committee Chair” is an appointed leader of a specified committee. Committee Chairs are recommended by Directors and appointed by the PD President for a term of one (1) year, beginning immediately after the adjournment of PD’s Outgoing Board Meeting, and shall expire at the close of the PD’s Outgoing Board Meeting the following year.

**Correspondence**

The term correspondence used in the Procedures Manual can refer to letters via U.S. Postal Service, communication via email, compact discs.

**Director or District Director**

A “Director” is an elected representative from a District of the Division on the Board of Directors. The Division is comprised of twelve (12) Districts in the State of Texas.

**District**

A geographic area of the state, divided by counties, for purposes of representation by an elected District Director.

**Division**

“Division” is an abbreviated term referring to the Paralegal Division, State Bar of Texas.

**Division Attorney**

Legal counsel retained by the Division Board to represent the Division and render advice and legal opinions.

### **Draft Minutes**

“Draft Minutes” are the initial minutes prepared and distributed by the PD Secretary within thirty (30) business days following the PD Board Meeting for review and comment by PD Board members.

### **E-Group**

E-group is a term which may refer to the Division’s list serve, available to Division members through the Division’s website.

### **Emeritus Member**

A PD membership category identified as “Emeritus,” and described as an Active PD member who has retired from the paralegal profession and desires to continue receiving information on the Division’s activities and its publications. This category shall be for renewal purposes only, meaning that a retired paralegal will be unable to apply for “Emeritus” membership on an initial PD Membership Application. This category of membership will be non-voting.

### **Executive Committee or “EC”**

The “Executive Committee” or “EC” of the Division’s Board is comprised of Board Officers, i.e., President, President-Elect, Secretary, Treasurer and Parliamentarian.

### **Executive Session**

An "Executive Session" may be called by the PD President during any PD Board Meeting or General Meeting. Such call for "Executive Session" shall mean that the recording of Minutes cease, and the President, President-Elect, Secretary, Treasurer and Parliamentarian shall convene into a closed session for the discussion and/or action on a specified topic.

### **Expense Reimbursement Form**

The Expense Reimbursement Form which is approved by the Board of Directors and attached to the Procedures Manual as Appendix F.

### **Finalized Minutes**

“Finalized Minutes” are an edited version of the minutes submitted to the PD Board for approval. Corrections to the Finalized Minutes shall be effective only upon Board action.

### **Gender**

The use of masculine, feminine, or neuter gender shall be interpreted to reference the other genders.

### **Historian**

The “Historian” is the Immediate Past President or a person appointed by the PD President, who shall maintain a complete, permanent historical record of the Division’s activities for the preceding year (the term the Immediate Past President was the Presiding President). The duties of the Historian are more specifically listed in this Procedures Manual under “Historian.”

### **Incoming Board Meeting**

The first meeting of each fiscal year of the Paralegal Division.

### **Liaisons**

“Liaisons” are PD Board members appointed to interface with other legal-related organizations, i.e., American Bar Association (“ABA”), National Association of Legal Assistants, Inc. (“NALA”), National Federation of Paralegal Associations (“NFPA”), National Association Legal Secretaries (“NALS... the association for legal professionals”), Texas Board of Legal Specialization (“TBLS”); and Texas Young Lawyers Association (“TYLA”), and other organizations.

### **Mail**

The term “Mail” shall be defined as transmittal by way of distributing either electronically, i.e., email or facsimile, or via the United States Postal Service.

### **Membership**

“Membership” shall refer to the general Membership of the Division. *See* "Active Member", "Associate Member", “Emeritus Member”, "Subscribing Member", “Student Member”, and “Sustaining Member”.

### **Minutes**

*See* "Draft Minutes," "Finalized Minutes," or "Official Minutes."

### **NALA**

“NALA” is an acronym for the “National Association of Legal Assistants, Inc.” NALA is a national paralegal association headquartered in Tulsa, Oklahoma.

### **NALS**

“NALS” is an acronym for “National Association of Legal Secretaries,” and now the association for legal professionals. NALS is a national association dedicated to enhancing the competencies and contributions of members in the legal services profession, and is headquartered in Tulsa, Oklahoma.

### **NFPA**

“NFPA” is an acronym for the “National Federation of Paralegal Associations, Inc.” NFPA is a national paralegal association headquartered in Kansas City, Missouri.

### **Number**

The use of either the singular or plural number shall be interpreted to include the other number unless such an interpretation or particular sense is inconsistent with the general tenor of this document.

### **Officers**

PD Board Members elected as officers by majority vote of the PD Board of Directors. The PD President and President-Elect are non-voting Board members, except for purpose of breaking a tie vote, and in that event, the President shall cast the determining vote.

### **Open Meetings**

All meetings of the PD Board shall be open to PD members and to visitors (except at those times when Executive Session may be held for matters of a confidential nature) provided that only the elected PD Board members shall be entitled to vote.

### **Official Minutes**

Recordation of meetings as taken by the PD Secretary or person appointed to perform the Secretary's duty, and adopted by the PD Board.

### **Outgoing Board Meeting**

The final Board Meeting of the Division which is held closest to the end of the fiscal year.

### **PD**

“PD” is an acronym meaning the “Paralegal Division, State Bar of Texas.”

### **Paralegal**

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

required to perform the task.

**Paralegal Division Bookkeeper**

The “Paralegal Division Bookkeeper” is an independent contractor representing the Division, whose duties include attending to the day-to-day financial business and operations of the Division. The duties of the Bookkeeper are more specifically listed in this Procedures Manual under “Paralegal Division Bookkeeper.”

**Paralegal Division Coordinator**

The “Paralegal Division Coordinator” or “Division Coordinator” is an independent contractor representing the Division, whose duties include attending to the day-to-day business affairs and operations of the Division. The duties of the Coordinator are more specifically listed in this Procedures Manual under “Paralegal Division Coordinator.”

**Paralegal Standards or The Standards**

The Standards to the definition of “Paralegal” which were adopted by the State Bar of Texas Board of Directors on April 21, 2006, to further define “Paralegal.”

**President**

The PD President is elected by the PD Board of Directors and serves for a term of one (1) year, beginning at the incoming Board Meeting and ending on the succeeding outgoing Board Meeting. The duties of the President are more specifically listed in this Procedures Manual under “President.”

**President-Elect**

The President-Elect is elected to fill the office of PD President immediately following the adjournment of the outgoing Board Meeting or the resignation or removal of a currently serving PD President. The duties of the President-Elect are more specifically listed in this Procedures Manual under “President-Elect.”

**Procedures Manual**

“Procedures Manual” is a manual adopted by the Board containing procedural information regarding operation of the Division, and to be interpreted in conjunction with the PD Bylaws and Standing Rules.

**Purpose**

The “Purpose” of the Division shall be to enhance a paralegal’s participation in the administration of justice, professional responsibility and public service in cooperation with the State Bar of Texas.

**Quickbooks**

Quickbooks is the official bookkeeping and accounting software utilized for financial and bookkeeping records of the Division by the PD Coordinator, PD Bookkeeper, Treasurer, and Auditors.

**Quorum - Board**

A “Board Quorum” shall be a simple majority of PD Directors attending any PD Board Meeting, unless otherwise provided in the Bylaws.

**Quorum - Membership**

A “Membership Quorum” shall be a simple majority of “Active Members” in attendance at any PD Meeting.

**Robert’s Rules of Order, Newly Revised**

Generally accepted Parliamentary Procedure Rules, which have been adopted by the Division.

**Special Award**

A “Special Award” is an award given to a PD member for outstanding service to the Division.

### **Standing Committee**

Standing Committee refers to any standing committee of the Division as set forth by its Bylaws, or any Standing Committee of the State Bar of Texas.

### **Standing Rules**

The adopted Standing Rules of the Division, as amended from time to time. The Standing Rules shall govern the operation of the Division, consistent with the Bylaws, and may be suspended, amended, rescinded, or expanded from time to time by a majority vote of PD Board Members, present and voting, at a duly noticed meeting.

### **State Bar**

“State Bar” shall be defined as the State Bar of Texas.

### **State Bar MCLE**

The term which stands for the State Bar of Texas Mandatory Continuing Legal Education, which is for attorney compliance only, and is not applicable to the Division.

### **Student Member**

A “Student Member” shall be a PD membership category for students enrolled in a paralegal educational program. The educational programs meeting the criteria for membership in the Division shall be more strictly defined through the PD Bylaws and reflected on the PD Membership Application.

Additionally, a Student Member may renew his or her Student Membership so long as he or she remains a student in a paralegal educational program. Once the student has completed the course of study the student will have to renew his or her membership as an Active or Associate member.

### **Subscribing Member**

A “Subscribing Member” shall be a PD membership category structured for individuals who do not otherwise qualify for membership in PD, but who subscribe to the goals and mission of the Division. This category will be non-voting.

### **TALP**

“TALP” is an acronym for the “Texas Association of Legal Professionals.” TALP is a Texas state association for paralegals, legal secretaries, and other legal professionals.

### **TAPA**

“TAPA” is an acronym representing the term “Texas Alliance of Paralegal Associations (a/k/a ‘Alliance’)”. TAPA is an informal alliance among Texas paralegal associations; representatives from local associations meet annually at a designated location throughout the State of Texas to discuss various issues occurring at the local level of paralegal organizations.

### **TAPS**

An acronym meaning “Texas Advanced Paralegal Seminar.” TAPS is a seminar conducted by the Division on an annual basis, thereby providing its members with a variety of substantive legal topics with which to receive CLE credit as part of the requirement for Division membership.

### **TBLS**

“TBLS” is an acronym representing the term “Texas Board of Legal Specialization.” See “Board Certified Paralegal.”

### **Texas Bar Journal**

The “Texas Bar Journal” is the official monthly publication of the State Bar of Texas.

**Texas Forum**

The Texas Forum is an annual meeting of the Division Board, members, and Texas paralegal educators.

**Texas Paralegal Journal**

The *Texas Paralegal Journal* is the official electronic/digital publication of the Division and is published four times a year. The acronym for the publication is “TPJ.”

**TYLA**

“TYLA” is an acronym for the “Texas Young Lawyer's Association.”

## **I. POLICIES, RULES AND REVISIONS**

- A. General**
- B. Representation of the Division**
- C. Meetings**
- D. Membership**
- E. Financial**
- F. Awards of Excellence and Certificates of Appreciation**
- G.**

### **Records Retention Policy**

#### **A. General.**

The PD President shall report to the Board all communications concerning the Division, including meetings attended and telephone contacts.

#### **B. Representation of the Division.**

No one other than the PD President or his designee shall be the official spokesperson for the Division.

All correspondence relating to Division business shall be on PD stationery.

The Board may retain its own independent legal counsel as deemed necessary and appropriate as communicated through the President.

No PD Committee Chair or Director is authorized to contract on behalf of or set up a line of credit in the name of the Division without the direct prior approval of the PD President and Treasurer. A PD Committee Chair or Director may charge expenses, i.e., copy charges, and receive reimbursement, if the expenses meet the Division's Expense Reimbursement Policy.

As the President or his designee is the official spokesperson for the Division, all public relations announcements or press releases concerning the activities of the Division must have final approval by the PD President prior to release and/or publication.

The following procedures shall apply to all situations in which PD wishes to initiate communication with the Executive Committee of the State Bar, or any Standing Committee of the State Bar:

Once the Division Board has decided to investigate or pursue an issue, the PD President shall have the discretion to determine (i) the need to communicate, (ii) the proper time to communicate, and (iii) the necessary member of the Bar's Executive Committee, a Chair, or a member of the Bar's Standing Committee with whom to communicate on said issue relating to the Division. The PD President shall seek Board approval before instigating communications with the State Bar only when the issue being addressed has not previously been approved by the Division Board as an issue to be explored.

#### **1. By a Member**

##### **Paralegal Division Approved Banner**

The use of the Paralegal Division banner set out below is limited to the Officers, Board of Directors, Committee Chairs, and/or Division Coordinator when communicating in an official capacity with members.

Further, if possible, and with the express approval of their employers, Officers, Directors, Committee Chairs, etc., are urged to create a separate e-signature block for all PD business emails that includes the PD banner (below) and the title of the PD position held by them.

If the above is not a viable option, then all Directors and Officers, including the President, President-Elect, Secretary, Treasurer, Parliamentarian, Paralegal Division Coordinator, Board Advisors, Liaisons, Committee Chairs, and Sub-Chairs are **strongly** encouraged to include their Paralegal Division title after their name in the email signature block when conducting business in that capacity for the Paralegal Division.

Any Division member not serving on the Board of Directors or as a Committee Chair may use the logo only with express prior approval of the President and President-Elect.



Paralegal Division approved graphic in email signature blocks

The Paralegal Division encourages the use of the PD graphic set out below in its members' email signature block. However, if a member wishes to add the PD graphic to his/her work email signature block, the Division strongly recommends that members do so only after express permission to do so by their employers.



Guidelines to keep in mind when including the PD graphic in your email signature block

The Division is mindful that everyone receives all types of emails in addition to business related emails, however, please be mindful when sharing or responding to emails that contain improper or risky material. Remember that when you include the PD graphic in your emails you are effectively representing the Paralegal Division. Accordingly, the PD asks that its members be mindful of this and that they remove the graphic before sending any emails which contain improper or risky material. The PD asks that its members always represent themselves as Paralegal Division members in the best light.

Unauthorized Use of the PD Banner and/or graphic

If the Paralegal Division is informed that the banner and/or graphic are being used by an authorized party or a non-member of the Paralegal Division, the PD President will contact the individual in writing to inform the individual that the use of the banner and/or graphic are for the exclusive use of Paralegal Division members, and will ask the individual to immediately refrain from using the banner or graphic. If the person refuses to comply with the PD President's request, after the expiration of 30 days, the PD President will report that person to the chair of the Professional Ethics Committee, and the violating individual's employer for assistance.

C. **Meetings.**

Any motions or amendments shall be presented to the Secretary in writing before action is taken.

At the first Board Meeting of each fiscal year, the Board shall set goals for the fiscal year as well as any long term goals, as its strategic planning for the growth and development of the Division.

All meetings of the Division or any of its Committees shall be open meetings. Board Meetings shall be noticed to the entire membership. EC meetings shall be noticed to the Board. Executive sessions of anybody to the Division may be held to cover discussion/action on personnel matters. The EC may go into Executive Session to discuss disciplinary matters relating to a Director.

The Board has the discretion to decide which Committee Chairs to invite to regular Board Meetings as communicated through the President.

The possession of concealable weapons at any meeting of the Board of Directors is strictly prohibited. Any person attending the meeting who possesses a concealable weapon shall leave such weapon outside the meeting room prior to that person's entering the meeting room. If a Director, Officer or Chairperson is found to be in possession of a concealable weapon in violation of this policy, that person shall be immediately expelled from office.

D. **Membership.**

A member's official address shall be the name and address of his place of employment, the location of which shall determine the District in which such member shall be listed.

It is a Division member's responsibility to notify the Membership Department of the State Bar of Texas of any change of his employment address.

E. **Financial.**

All requests for reimbursement of expenses related to the previous year must be made no later than one (1) month after the PD's Outgoing Board Meeting or no reimbursement will be made.

A comparable fee to that charged by the bank shall be charged for all checks written to the Division that are returned by the bank for insufficient funds or on closed accounts.

F. **Awards of Excellence and Certificates of Appreciation.**

Nominees for "Awards of Excellence" may be made by a Director to the President either orally or in writing, prior to the Winter/Spring Board Meeting. Directors shall nominate persons who have made a major contribution to the Division and/or the paralegal profession. Upon review of the nominations, Directors shall vote for recipients of the Awards of Excellence at the Board's Winter/Spring meeting. It is not mandatory that Awards of Excellence be presented each year. Awards of Excellence, if any, shall be presented by the President at the Annual Meeting coinciding with TAPS.

Committee Chairs shall submit names for Certificates of Appreciation in writing to the President no later than 45 days prior to the Division's Outgoing Board Meeting. Certificates of Appreciation shall be presented to those Committee members who have fulfilled their duties on their respective Committees. Certificates of Appreciation shall be mailed to all recipients within 30 days after the Outgoing Board Meeting each year.

**G. Records Retention Policy.**

The following documents and records related to Division business shall be retained by Directors, Committee Chairs and Officers in an orderly manner for a period of two (2) years. When the file is turned over to a successor, only the last year's materials and other pertinent documents should be passed on. Exceptions to this policy are that the legal opinion file be kept by the President-Elect; scanned final approved Minutes, with all attachments, to be kept by the Secretary, and financial records up to 10 years to be kept by the Treasurer.

**1. DIRECTORS**

- a. Incoming and outgoing correspondence as Director, including District letters, and status reports to President.
- b. Budget information
- c. Contents of Directors notebook for one (1) year, to include two (2) Outgoing Board Meetings.

**2. OFFICERS**

**a. President**

- i. Incoming and outgoing correspondence as President, including status reports as President.
- ii. Budget information
- iii. Resource material
- iv. Contracts -- current and past

**b. President-Elect**

- i. Incoming and outgoing correspondence as President-Elect
- ii. Budget information
- iii. List and file of Division Attorney opinions
- iv. The Master Procedures Manual
- v. Incoming and outgoing correspondence as Chair of Procedures Manual Committee
- vi. Budget information for Procedures Manual Committee
- vii. Orientation information
- viii. Documents relating to oversight duties of District Sub-Chair positions, if District Director position is vacant

**c. Secretary**

- i. Incoming and outgoing correspondence as Secretary
- ii. Budget information
- iii. Audio tapes of Board Meetings until final version is approved
- iv. Final versions of Minutes of Board Meetings, with supporting attachments, and Executive Committee Meetings.
- v. Highlights of Meetings

**d. Treasurer**

- i. Incoming and outgoing correspondence as Treasurer
- ii. Budget information
- iii. Division Budget Reports – maintained by PD Coordinator
- iv. Bank statements and checks – maintained by PD Coordinator

- e. **Parliamentarian**
  - i. Incoming and outgoing correspondence as Parliamentarian
  - ii. Budget information
  - iii. *Robert's Rules of Order, Newly Revised* and other parliamentary material

### 3. **PD COORDINATOR**

- a. Incoming and outgoing correspondence as PD Coordinator
- b. Board reports - two (2) years, thereafter destroy
- c. Expense reports - one (1) year
- d. Brochures for the Division
- e. Bylaws and Standing Rules - retain duplicate disk for backup
- f. Rosters
- g. Videos/Books of the Division
- h. Sealed Ethics inquiries or complaints
- i. Maintain PD budget reports for five (5) years for paper copies, ten (10) years for electronic copies; thereafter destroy
- j. Maintain bank statements and checks for five (5) years for paper copies, ten (10) years for electronic copies; thereafter destroy.

### 4. **PD BOOKKEEPER**

- a. Maintain PD budget reports for five (5) years for paper copies, ten (10) years for electronic copies; thereafter destroy.
- b. Maintain bank statements and checks for five (5) years for paper copies, ten (10) years for electronic copies; thereafter destroy.

### 5. **ADVISORS, LIAISONS, CHAIRS AND OTHER SPECIAL APPOINTMENTS**

- a. **Board Advisors**
  - i. Incoming and outgoing correspondence as Board Advisor
  - ii. Board reports
  - iii. Miscellaneous information or resource material
- b. **Liaisons**
  - i. Incoming and outgoing correspondence as Liaison
  - ii. Board reports
  - iii. Current Bylaws and Standing Rules of organization, calendar of events, list of officers and directors, if provided, and newsletters or other publications from the organization
- c. **Committee Chairs**
  - i. Incoming and outgoing correspondence as Committee Chair
  - ii. Board reports
  - iii. Budget information
  - iv. Minutes of committee meetings
  - v. Resource material
  - vi. Articles submitted to *Texas Paralegal Journal*

**d. Sub-Chairs**

- i. Incoming and outgoing correspondence as Sub-Chair
- ii. Committee Chair reports
- iii. Resource material relevant to committee projects
- iv. Financial information related to committee work

**ALL FILES SHALL BE FORWARDED TO THE NEWLY ELECTED OR APPOINTED PERSON NOT LATER THAN TEN (10) BUSINESS DAYS AFTER THE BEGINNING OF THE FISCAL YEAR OR WITHIN TEN (10) BUSINESS DAYS OF RESIGNATION, IF UNABLE TO COMPLETE THE TERM AS ELECTED OR APPOINTED.**

**II. OFFICERS**

The Board of Directors must ratify all actions taken by the Division. The power of the Division is instilled in its Directors. The PD President is chosen for his leadership skills, among other attributes. It is the President's duty to provide leadership to the Board, the Executive Committee (EC), the Directors, and the membership.

The EC is comprised of the elected officers of the Board or as authorized by the Bylaws and Standing Rules. The PD President has exclusive authority to place matters on the agenda for discussion in an EC Meeting. If two (2) or more EC members request an item to be discussed in an EC Meeting, the President is obligated to call for an EC Meeting or place the item on the agenda for discussion during the next scheduled EC Meeting. There must be four (4) members of the EC present to conduct business at an EC Meeting. Business to be conducted may include matters of a pressing, complex, or confidential nature that require study and recommendation for action(s) to be reviewed by the Board. The President will report to the Board matters discussed during an EC Meeting as soon as practicable.

Board members are prohibited from discussing any actions or recommendations that are a result of EC Meetings unless said actions or recommendations are acted upon by the Board and entered into the Minutes of the Division.

If a situation should arise and business cannot be delayed until the next regularly scheduled Board Meeting, the President or a majority of the officers (as per Standing Rules, Art. XI, A.6) may call for an emergency EC Meeting. Any EC Meeting beyond a regularly scheduled and announced EC Meeting is classified as an emergency EC Meeting.

**III. PRESIDENT**

- A. Budget
- B. Meetings
- C. Communications
- D. Paralegal Division Coordinator Contract
- E. Nominations and Appointments
- F. Legal Affairs
- G. President's File

The Office of the President is a non-voting office. The President shall preside over all Board Meetings, shall be the chief executive officer, and shall be the liaison to the Board of Directors of the State Bar of Texas.

The primary duty of the President is to provide leadership among the members in accordance with the Division's purpose.

- A. **Budget**  
Review Division budget for ensuing fiscal year.
- B. **Meetings**
1. Annual Meetings.
    - a. Conduct meetings in accordance with the Bylaws, Standing Rules, Procedures and the most recent edition of *Robert's Rules of Orders, Newly Revised*.
    - b. Invite State Bar Board Advisors and other appropriate persons to attend Division functions at the Annual Meeting.
    - c. Prepare agendas.
    - d. Present President's Report.
    - e. Present Awards of Excellence and other awards, if any, at the luncheon of the Annual Meeting.
    - f. Present plaques to outgoing Directors at the Annual Meeting Luncheon.
  2. Board Meetings.
    - a. Conduct meetings in accordance with the Bylaws, Standing Rules, Procedures and the most recent edition of *Robert's Rules of Order, Newly Revised*.
    - b. Evaluate progress towards stated objectives periodically and report to the Board at each regularly scheduled Board Meeting.
    - c. Prepare agenda and President's Report prior to each Board Meeting.
    - d. Invite *Ex-officio* members of the Board, State Bar Board Advisors and Committee Chairs as appropriate to attend Board Meetings and furnish them with information regarding meeting location and accommodations, an agenda and relevant documents.
    - e. Mail Certificates of Appreciation, if any, within 30 days after the Outgoing Board Meeting.
  3. Executive Committee Meetings.
    - a. Conduct meetings in accordance with the Bylaws, Standing Rules, Procedures and the most recent edition of *Robert's Rules of Order Newly Revised*.
    - b. Convene as needed pursuant to Bylaws and Standing Rules.
  4. Board Liaison.  
Attend TAPA meetings as Board Liaison.
- C. **Communications**
1. General
    - a. Forward copies of correspondence initiated by President to President-Elect and PD Coordinator.
    - b. Notify candidates and Board members of election results upon notification of same from the PD Coordinator.
    - c. Send appointment letters to all new appointees and forward a list of appointees to the Board.
    - d. Send notices of upcoming Division Board Meetings and Meeting Agenda to the PD Coordinator.
    - e. Prepare the Annual Division Report of activities for submission to the State Bar President.

- f. Represent the Division as official spokesperson. The President may designate another person to speak for the Division, as desired or necessary.
  - g. Request recommendations from Committee Chairs for Certificates of Appreciation.
  - h. Notify recipients of Award of Excellence and other awards and invite to Annual Meeting Luncheon.
  - i. Mail Certificates of Appreciation to recipients, if any, within 30 days after the Outgoing Board Meeting.
- 2. Publications.
    - a. Prepare and submit President's Column to Publications Committee Chair for publication in each *Texas Paralegal Journal*.
    - b. Submit Annual Division Report for publication in the *Texas Bar Journal*.

**D. Contract(s)**

Due to confidentiality, proposed contract(s) will be distributed to the Directors during the Outgoing Board Meeting.

**E. Nomination and Appointments (Subject to advice and consent of the Board.)**

- 1. Appoint Nominating Committee in accordance with the Standing Rules.
- 2. Work with President-Elect in appointing Committee Chairs and Committee members in accordance with the Bylaws, Standing Rules, and in consultation with the Board and Board Advisors and notify all appointees.
- 3. Write letters thanking all members who volunteered for Committee appointments, but who were not appointed. Maintain a list of such non- appointed volunteers as an appointee replacement list.
- 4. Appoint Board Advisors, Historian, Liaisons, and Standing Committee Chairs and notify appointees.
- 5. Fill vacancies in any Board office by appointment.
- 6. Appoint such additional liaisons, special committees, etc. as necessary.
- 7. For Director Vacancies and in accordance with Bylaws Article III. Section 9.c., the President shall notify the active members of the district in which there is a Director vacancy to solicit interest for a replacement Director. The President shall establish a deadline for interested members to submit a Letter of Intent and Resume to the President. The President will accept the submission and confirm eligibility for those interested in filling the Director vacancy. The President will then present all submitted letters and resumes to the Board of Directors for consideration and voting either at a quarterly board meeting or at a special meeting/e-meeting upon the discretion of the President. If the President determines that a special meeting/e-meeting is needed, those procedures will be carried out in accordance with Standing Rules IX.B. and X.B.

**F. Legal Affairs**

The President shall have exclusive authority to refer matters to the Division Attorney as directed by the Board and shall keep the Board apprised of same. The President shall maintain communication with the Division Attorney regarding on-going legal matters.

**G. President's File**

- 1. Maintain permanent file for the office of President that includes a brief description of activities, budget, expenses and other fiscal matters, form letters, correspondence and other items necessary to the efficient operation of this office. This file shall serve as the historical record of the President's tenure and shall

contain suggestions and recommendations for improving the effectiveness of this office.

2. Forward all files to successor prior to or at the outgoing Board Meeting. Failure to do so shall result in the withholding of any expense reimbursement due the President.

#### IV. **PRESIDENT-ELECT**

- A. **President-Elect's File**
- B. **Procedures Manual**
- C. **Orientation for New Board Members**
- D. **Director Vacancy**
- E. **Newsletter and PD Bulletin**

The office of President-Elect is a non-voting office. The President-Elect shall serve as President upon the absence or removal of the President.

##### A. **President-Elect's File**

1. Maintain permanent file for the Office of the President-Elect that shall include a brief description of activities, budget, expenses and other fiscal matters, form letters, correspondence and other items necessary to the efficient operation of this office. This file shall serve as the historical record of the President-Elect's tenure and shall contain suggestions and recommendations for improving the effectiveness of this office.
2. Maintain a list and file of all Division attorney opinions.
3. Forward all files and notebooks to the newly-elected President-Elect prior to or at the Outgoing Board Meeting. Failure to do so shall result in the withholding of any expense reimbursement due the President-Elect.

##### B. **PD Procedures Manual**

The President-Elect shall be responsible for the "PD Procedures Manual Committee," which is a Special Advisory Committee, appointed by the PD President. Such Committee addresses all issues and necessary revisions to the PD Procedures Manual. *See* duties of this Committee more specifically listed under Special Advisory Committees.

##### C. **Orientation for New Board Members**

Organize, prepare agenda, and officiate at Orientation for new Directors and Committee Chairs to be held annually.

##### D. **Director Vacancy**

In the event of a Director vacancy, the President-Elect will be responsible for filling any vacant sub-chair position; confirming that sub-chairs are fulfilling their duties; and fulfilling the Director's duties during the vacancy. The President-Elect shall include any Notice of Vacancy upon the President's opening the time period for obtaining submissions to fill any District Director vacancy.

##### E. **Newsletter and PD Bulletin**

1. Prepare a Newsletter (Quarterly Board Meeting Summary) within ten (10) business days of the receipt of the Minutes from the Secretary or within thirty (30) days (whichever is the earliest date), following each Board Meeting. The Newsletter should be forwarded to the President and Coordinator for review, and then for posting to the PD website. It should also be forwarded to the District

- Directors for sharing with the membership, the Publications Chair for publication in the *TPJ* and the e-Newsletter Chair for publication in the *Paralegal Pulse*.
2. Update yearly and keep current the PD Bulletin (PDQ) for posting to the website, and distribution to the Board, Ambassadors and PD members and non-members.

V. **SECRETARY**

- A. **Meetings**  
B. **Communications**  
C. **Secretary's File**

The Secretary shall record the Minutes of the Executive Committee and Board Meetings and, upon review and approval of the President, shall promptly distribute same to the Directors.

A. **Meetings**

Be responsible for the safekeeping of all permanent Minutes and recording of Official Minutes of all meetings therein. Minutes shall contain those items outlined in the most recent edition of *Robert's Rules of Order*.

B. **Communications**

1. Furnish Draft Minutes, designated as such, to Board members within thirty (30) business days following any meeting with request that the Secretary be advised of any suggested or required corrections by a date certain (prior to next Board Meeting).
2. Prepare Finalized Minutes that have been edited by the Board and present for approval at Board Meeting. Tapes of the meetings may be erased or reused after the Minutes are finalized and adopted by the Board. Any substantive corrections to the Minutes shall be effective only upon motion by the Board.
3. Furnish copies of the Official Minutes (excluding reports and motions) to all *Ex-Officio* Board members, Board members, Committee Chairs, and Historian.
4. Furnish the PD Coordinator with the signed Official Minutes, with attachments, via mail or hand-delivered within thirty (30) days of the Board of Directors Meeting for purpose of scanning.
5. Notify all members of the Board of Directors of any EC Meeting no later than twenty-four (24) hours prior to any such meeting.

C. **Secretary's File**

1. Maintain permanent file for the Office of the Secretary that shall include a brief description of activities, budget, expenses and other fiscal matters, form letters, correspondence and other items necessary to the efficient operation of this office. This file shall serve as the historical record of the Secretary's tenure and shall contain suggestions and recommendations for improving the effectiveness of this office.
2. Forward all files and notebooks to the Paralegal Division Coordinator with a copy to the newly-elected Secretary within ten (10) business days following the Outgoing Board Meeting. Failure to do so shall result in the withholding of any expense reimbursement due the Secretary.

## VI. **TREASURER**

- A. **Bookkeeping Functions**
- B. **Request for Expense Reimbursement**
- C. **Expenses Allocated to the "Paralegal Division Special Projects Fund"**
- D. **Required Filings and Permits**
- E. **Treasurer's File**
- F. **Reports**

The Treasurer shall maintain accurate accounting records of Division funds, including, but not limited to, ledgers, journals, and other related files to reflect the income and expenses of the Division.

### A. **Bookkeeping Functions**

#### 1. **Accounts**

Maintain separate accounts for:

- a. Operating Funds
- b. Investment Accounts; and
- c. Paralegal Division Special Projects Fund.

PD officers and PD Coordinator shall have signature authority on the accounts of the Division. All disbursements in excess of \$500 require two (2) signatures, with the exception of the payroll transaction for the PD Coordinator which will only require the approval of the Treasurer, upon receipt of the monthly invoices.

PD Bookkeeper is responsible for reconciling monthly bank statements for each account within seven (7) days from receipt of bank statement using Quickbooks software. PD Coordinator and Treasurer have access to the Quickbooks software, as needed to check reconciliation of statements.

All bank statements and checks should be retained as reflected in I.G.2.d.iv.of this manual.

#### 2. **Billing and Collections**

If collection efforts are unsuccessful for thirty (30) days, and the check is non-dues related, research whether the check may be turned over to the appropriate county district attorney and take steps to submit it.

If collection efforts are unsuccessful for thirty (30) days, and the check is dues related, draft a letter to the SBOT Membership Department for the President's signature requesting member be removed from the membership rolls and write member explaining that dues amount, plus the returned check charge comparable to the fee charged by the bank, must be sent to Treasurer in order to reinstate membership.

#### 3. **Audit**

In conjunction with PD Coordinator, compile documentation for audit, including, but not limited to:

- a. Monthly bank statements with canceled checks for all financial accounts;
- b. List of outstanding accounts receivables and accounts payable at end of fiscal year;
- c. Year-end Financial Statements;

- d. Membership list;
- e. Minutes of Board of Directors Meetings; and
- f. Copies of all Division contracts.

4. History of Budget Expenditures

The Treasurer, together with the PD Coordinator and PD Bookkeeper shall ,maintain a five (5) year breakdown of expenditures in Quickbooks that should include, but not be limited to categories of expenses for Committees, i.e., standing, special and executive, administration, board, publications, professional services, and for each District.

**B. Request for Expense Reimbursement**

The guidelines for submission and payment of Request for Expense Reimbursement (“RERs”) shall be established by the Board. The Treasurer and PD Coordinator shall have RER forms available on the Directors Only portion of the PD website.

Upon receipt and proper approval of a RER, Treasurer shall add details from RER to the check chart, which is forwarded to the PD Coordinator for review, and upon approval sent to the PD Bookkeeper for processing and payment. PD Bookkeeper prepares reimbursement checks to Directors and appropriate Committee Chairs for expenses related to attendance at Board Meetings or for other budgeted expenditures twice monthly, i.e., 1st of the month and 15<sup>th</sup>. Directors and Committee Chairs shall submit RERs with original receipts to the Treasurer within ninety (90) days of the date the expense occurred.

No reimbursement of check will be submitted to any Officer, Director, Committee Chair, Liaison or the Historian for any expenses incurred for the preceding past fiscal year prior to the PD’s Outgoing Board Meeting or any subsequent meetings if he has not forwarded all notebooks and files (both paper and electronic) as indicated in this Procedures Manual.

The Treasurer will annually monitor the mileage reimbursement policies of the Internal Revenue Service and the State Bar of Texas to adjust the mileage reimbursement policies of the Paralegal Division. Any changes to the mileage policy as approved by the Board of Directors, will be changed on the master Expense Reimbursement Forms by the PD Coordinator.

The Expense Reimbursement Form, with Instructions, is attached to this Procedures Manual as Appendix F.

**C. Expenses Allocated to the “Paralegal Division Special Projects Fund”**

This fund is to be used for expenses directly related to special projects as designated by the Board of Directors. Said funds are to be deposited and/or invested as recommended by the President and Treasurer with the approval of the Board of Directors. Any interest earned on said funds shall be reinvested and added to the Special Projects Fund balance. The withdrawal of any of the funds shall require approval by the Board of Directors.

**D. Required Filings and Permits**

- 1. Texas Sales and Use Tax Return. Prepare Division's Texas Sales and Use Tax Return and submit to the State Bar of Texas Financial Department during months that sales tax is collected (no later than the 10th of each month).
- 2. Ensure renewal of Employee Crime Policy annually. .

**E. Treasurer's File**

1. Maintain permanent file for the Office of the Treasurer that shall include a brief description of activities, budget, expenses and other fiscal matters, form letters, correspondence, Board reports, and other items necessary to the efficient operation of this office. This file shall serve as the historical record of the Treasurer's tenure and shall contain suggestions and recommendations for improving the effectiveness of this office.
2. Forward all files and notebooks to the Paralegal Division Coordinator with a copy to the newly-elected Treasurer within ten (10) business days following the outgoing Board Meeting or the final Board meeting of the Treasurer. Failure to do so shall result in the withholding of any expense reimbursement due the Treasurer.

**F. Reports**

1. Report to the Board of Directors at each Board Meeting on the financial state of the Division.
2. Submit a copy of PD's audited Financial Statement to the membership for publication in the *Texas Paralegal Journal*.

**VII. PARLIAMENTARIAN**

**A. General Duties**

**B. Meetings**

**C. Parliamentarian's File**

**D. Bylaws and Standing Rules**

The Parliamentarian shall advise the President and the Directors, when called upon, regarding conduct of Division business.

Except as provided in the Bylaws and Standing Rules, all Meetings and all procedures of any Meeting, shall be conducted in accordance with *Robert's Rules of Order, Newly Revised*.

In addition, the Division is **not** subject to the Texas Open Meetings Act (Art.6252-17, V.A.T.S) because the Paralegal Division of the State Bar of Texas is not a governmental body. This opinion was rendered in 1995.

**A. General Duties**

1. Have working knowledge of the most recent edition of *Robert's Rules of Order*.
2. Have working knowledge of the Bylaws and Standing Rules, and review for any necessary changes.
3. Review the Parliamentary Procedure Primer and provide necessary revisions to the President-Elect prior to the PD's Outgoing Board Meeting.
4. Serve on the Procedures Manual Committee (*See Procedures Manual Committee section in this Manual*).
5. Inform all members of the State Bar Board of approval of adopted amendments to the Bylaws and submit the text of the revisions to the Publications Committee Chair for inclusion in the next *Texas Paralegal Journal*.
6. Provide means for obtaining copies of the Bylaws and Standing Rules for distribution to the membership.
7. Accept and notify Board of any approved petitions for amendments to the Bylaws and prepare Notice and Ballots for voting by general membership on proposed Bylaws Amendments.

8. In the event a Bylaws amendment is adopted, the Parliamentarian shall notify the Division membership by providing the results of the amendment to the Publications Committee Chair for inclusion in the next *Texas Paralegal Journal*.

**B. Meetings**

1. Bring the most recent edition of *Robert's Rules of Order* to each regular or special meeting of the Board, Executive Committee or the general membership.
2. Bring a current copy of the Bylaws and Standing Rules of the Division to each meeting of the Board, Executive Committee or general membership.
3. Be responsible for retaining the services of a Registered Professional Parliamentarian to preside at any meeting where one is requested by the President.

**C. Parliamentarian's File**

1. Maintain permanent file for the office of the Parliamentarian that shall include a brief description of activities, budget, expenses and other fiscal matters, form letters, correspondence and other items necessary to the efficient operation of this office. This file shall serve as the historical record of the Parliamentarian's tenure and shall contain suggestions and recommendations for improving the effectiveness of this office.
2. Forward all files and notebooks to the newly-elected Parliamentarian within ten (10) business days following the outgoing Board Meeting. Failure to do so shall result in the withholding of any expense reimbursement due the Parliamentarian.

**D. Bylaws and Standing Rules**

The Parliamentarian shall receive all written suggested amendments to the Bylaws and/or the Standing Rules and shall study suggested amendments and make recommendations to the Board with respect to amendments to be proposed and submitted to the general membership for vote. When called upon, the Parliamentarian shall make recommendations to the Board concerning the Standing Rules and Rules of Order for the Conduct of the Annual Meeting, and shall participate in the process of ballots for proposed amendments to the Bylaws.

**VIII. PARALEGAL DIVISION COORDINATOR**

- A. General Duties
- B. E-Newsletter
- C. E-Blasts
- D. Annual Meeting
- E. Board Meetings
- F. Publications
- G. Online CLE
- H. President/President-Elect
- I. Website
- J. Special/Advisory Committees
- K. Membership
- L. Financials
- M. Contract
- N. Expenses
- O. Communications
- P. Notification of Committee Chairs
- Q. State Bar of Texas Relations
- R. Paralegal Division Coordinator File
- S. Procedure for Review and Hiring of the PD Coordinator Position

**T. Procedures for Conducting the PD Coordinator Annual Review**

**A. General Duties**

1. Implement policies of the Board of Directors.
2. Plan, organize, direct and coordinate programs and activities of the Division to assure objectives are attained and member needs are met.
3. Attend all meetings of the Division Board and EC.
4. Oversee the printing, mailing, and posting of Bylaws, Director Election, and referendum ballots on website.
5. Following any election, download a PDF file of all election results and forward to Elections Committee Chair.
6. Coordinate transition of files and materials to new Directors and Committee Chairpersons.
7. Coordinate membership renewal process with the State Bar Membership Department.
8. Assist Division President with projects as directed.
9. Plan, select facility, negotiate facility contract, and provide guest room list to hotel, and coordinate Board of Director Meetings.
10. Set timeline to receive Director, Liaison, and Committee Board reports and upload all reports and other materials to Directors for Board Meetings at least 7 days prior to meeting.
11. Maintain a current directory of Officers, Directors, Committee Chairs, and Board Advisors, Board Liaisons, Historian, Attorney, if applicable, and State Bar Board Advisors.
12. Serve as a policy and information resource to Committee Chairs and members.
13. Maintain effective relationship with the public and other private organizations in the legal community.
14. Coordinate cost estimates and printing of ~~renewal forms~~, envelopes, membership cards, and other Division materials.
15. Serve as a Keeper of Records in the Disciplinary Process pursuant to the Standing Rules.
16. Prepare, update, and distribute Director and/or Committee roster as needed.
17. Transfer current Paralegal Division membership from the State Bar of Texas website to the Paralegal Division website. Create an Excel list of current PD members, and post on the Directors-Only page of the PD website.
18. Maintain and provide storage of Division files until time of destruction under PD Procedures.
19. Administer and maintain online storage of Division files until time of destruction under PD Procedures.
20. Create and maintain PD Coordinator Procedures Manual.
21. Work with PD webmaster to keep website current and develop forms, as needed.
22. Update website via SMS (backdoor) on an as-needed basis.
23. Coordinate the approval of all PD Contracts with the State Bar of Texas.
24. Forward all Division files, notebooks, and materials to the President on the effective date of termination of the PD Coordinator contract with the Division.

**B. E-Newsletter**

1. Submit specific information with direct website links to the e-Newsletter Committee Chair(s) no later than the 15<sup>th</sup> of each month.
2. Review e-Newsletter prior to distribution.
3. Assist e-Newsletter Committee Chair(s), as needed.
- 4.

- C. E-Blasts**
1. Prepare any necessary e-blasts to be sent to members announcing PD events, CLE events, membership information, and other information as requested.
- D. Annual Meeting** – Coordinate with the President, who will be presiding at the time of TAPS, as needed to provide meeting planning assistance and materials as requested for the Annual Meeting.
1. Assist with budget.
  2. Order Annual Meeting awards.
  3. Assist presiding President at the time of TAPS with registration flyer.
  4. Assist with marketing Annual Meeting.
  5. Assist presiding President at the time of TAPS with creating *TPJ* ads and any other Paralegal Division distribution.
  6. Work with webmaster to set up online registration
  7. Accept registrations (via online).
  8. Assist on-site with registrations.
  9. Prepare photography schedule and distribute to President and President-Elect.
  10. Negotiate facility agreement with hotel or event venue, which will be held in conjunction with TAPS.
  11. Distribute Certificate of Attendance to Annual Meeting attendees.
  12. Coordinate uploading of all Annual Meeting reports to the PD website for access by the members.
  13. Assist with marketing of event on the PD Blog and PD Newsletter.
- E. Board Meetings**
1. Search for facility to hold meetings.
  2. Negotiate facility contract.
  3. Work with President and President-Elect on meeting tasks.
  4. Notify all Directors and Committee Chairs regarding report due dates.
  5. Follow up with Directors and Committee Chairs, as necessary.
  6. Email Board of Directors regarding locations and times.
  7. Email Board of Directors regarding meeting specifications and any travel arrangements from airport, if necessary.
  8. Collect all reports and distribute to Directors.
  9. Work with facility regarding meals and refreshments.
  10. Complete Banquet Event Order (BEOs) for meetings.
  11. Prepare meeting room with equipment needed (*i.e.*, AV and electrical cords for computers).
  12. Attend meetings.
  13. Prepare and mail Certificates of Appreciation for distribution to PD volunteers at and within thirty (30) days following PD Outgoing Board Meeting.
- F. Publications**
1. Work with Publications Committee Chair (*TPJ* advertisement solicitation, tracking, and billing).
  2. Assist with layout of *TPJ*.
  3. Assist with filler and PD ads for *TPJ*.
  4. Assist with the notification of the availability of the digital magazine to the
  5. Assist Publications Committee Chair when they are in trial or otherwise unable to prepare and finalize *TPJ*.
  6. Coordinate the e-blast to PD members notifying of each new edition of the *TPJ* being available online.
  7. Work with Chair and PD webmaster to keep website updated.

8. Collect ad rate forms, forward ads to magazine designer, and invoice companies for ads placed in the official publication of the PD.
9. Notify advertisers of the availability of the digital magazine.

**G. Online CLE**

1. Work with Online CLE Chair (per procedures set up).
2. Assist with completion of course forms for webinars and recorded CLE.
3. Coordinate with InReach (online CLE company).
4. Create and sent e-blasts to market webinars and online CLE.
5. Receive checks and expense forms from InReach.
6. Distribute detailed income and expense form to Online CLE Chair upon receipt.

**H. President/President-Elect**

1. Participate in weekly conference call.
2. Be available as needed for projects (these vary from month to month).
3. Projects depend on time of year, President's goals, items of immediate attention, etc.

**I. Website**

1. Work with PD webmaster.
2. Update and revise website as needed through SMS (backdoor).
3. Each month varies – more work during the months of June and July (during Board transitions).
4. Annual Meeting – Work with webmaster to develop and revise for Annual Meeting attendee registrations.
5. TAPS – Work with webmaster to create online registrations and revise language and event specifics, as needed.
6. TAPS – Work with webmaster to create sponsor online registrations.

**J. Special/Advisory Committee**

PD Procedures Manual Committee

1. Serve as an *ex officio* member of the committee.
2. Maintain the Master Procedure Manual
3. Assist the Chair in issuing a Procedures Manual to each Director, Committee Chair, and the Historian.
4. Issue or assist the Chair in issuing to each holder of the Procedures Manual any updates made through each fiscal year.
5. Assist the Chair in comparing the Procedures Manual to the Master Manual, update, assign, and reissue the manual to all persons.
6. Assist the incoming President-Elect in organizing orientation for Directors and Committee Chairs at PD's Incoming Board Meeting.
7. Review any documents prepared and submitted by Chair and make any revisions.

Nominating Committee for President-Elect and Officers

1. Assist the Chair for each election with ballots and nomination forms.
2. Review any documents prepared and submitted by Chair and make any revisions.
3. Assist the Chair with notifications of President-Elect election for distribution in the *Texas Paralegal Journal*.
4. Prepare notification of President-Elect election for the PD website and any other necessary distribution.

#### PD Ambassadors

1. Assist the Chair with requests for PD Ambassador presentations which may be received by the Coordinator.
2. Assist the Chair in determining waivers for membership fees for Ambassadors who have presented during the fiscal year, and make arrangements for the Ambassadors to renew their membership according to the waivers, if any.
3. Assist the Chair in maintaining master vendor database and Vendor Information Packet materials.
4. Review any documents prepared and submitted by Chair and make any revisions.
5. Contact PD Ambassador Chair in early May, reminding of deadline for membership renewals and waivers (May 31) of PD Ambassadors. Upon receipt of waivers, email PD Ambassadors who receive waivers requesting completed renewal forms by first week of June.

#### Vendor Liaison

1. Maintain a master list of vendors/sustaining members.
2. Maintain Vendor Information Packet as submitted by Vendor Liaison Ad Hoc Committee.
3. Notify Vendor Liaison Chair of all new sustaining members.
4. Add new sustaining members to database of vendors and notify Chair to send welcome email packet to new members.
5. Review any documents prepared and submitted by Chair and make any revisions.

#### E-Group Ad Hoc Committee

1. Forward formal complaints made to Chair if received by Coordinator.
2. Review any documents prepared and submitted by Chair and make any revisions.
3. Receive, approve, and/or deny e-group posting(s) not sent from subscribed PD e-Group email addresses.

#### Pro Bono Ad Hoc Committee

1. Prepare and distribute e-blast regarding pro bono opportunities and membership to State Bar of Texas Pro Bono College.
2. Assist Chair in maintaining a list of pro bono opportunities and add to PD website.
3. Review any documents prepared and submitted by Chair, and make any revisions.

#### Membership Renewal Spot Audit Committee

1. Print CLE Audit Report from the SMS and send to the Chair for use in performing the CLE audit.
2. Send envelopes for use by the Chair in order for the committee to begin random selection.
3. Receive audit results and report from Chair for official record.

#### Historian

After the history is approved by the Board, the PD Coordinator shall make that year's history available on the PD website.

### **K. Membership**

1. Serve as the primary responder to telephone and email inquiries and provide direct member support and customer service.
2. Correspond with current PD members and non-members when questions are sent to the Paralegal Division in regard to membership criteria, benefits and requirements.

3. Provide support for the Division's membership database by overseeing the processing of membership lists and record with the State Bar Membership Department.
4. Process online membership applications.
5. On a weekly basis, download the current PD membership roster and MCLE data from the State Bar of Texas website/ftp site and upload to the PD website. Create an Excel spreadsheet with current PD members and post to the "Directors Only" portion of the PD website.
6. On a monthly basis (first of the month), provide the Directors, Membership Chair, and Vendor Liaison with a list of new members for the prior month.
7. Assist the PD Vendor Liaison in developing and maintaining working relationships between PD and vendors statewide.
8. Assist as necessary with preparation and notification of membership renewal/CLE reporting time period.
9. Work with the PD webmaster to prepare PD website for the membership renewal time period to go live on May 1 of each year.
10. Process membership renewals during membership renewal time period.
11. Coordinate the membership renewal process with the State Bar Membership Department.
12. Work with the State Bar Membership Department and the PD webmaster to coordinate the annual non-renewing member purge from the PD membership roster and website.

Daily:

1. Answer any and all questions pertaining to membership in the PD and answer any and all questions pertaining to CLE for membership in the PD.
2. Send updates, as needed, to the State Bar of Texas Membership Department per requests by members, directors, and committee chairs/members.

Weekly:

1. Receive new member online applications; process by credit card and forward reports to State Bar of Texas Membership Department; process via check/money orders and forward reports to State Bar of Texas Membership Department.
2. Upload all new PD members and all current PD member revisions to PD website directly from the State Bar of Texas through a download from a FTP site.
3. Create list of current members in Excel format; upload to the Directors Only page for access by District Directors and Committee Chairs.

Monthly (first of each month):

Send a list in Excel file of all new members (from previous month) to each Director for distribution of welcome letters via email by each District (Director of Member Sub-Chair).

Annually:

In December send list of Active and Associate members to Texas Legal Directory for publication.

**L. Financials**

1. Work with the Treasurer and PD Bookkeeper to prepare proposed PD budget.
2. Confer with President, President-Elect, and Treasurer (incoming and outgoing) regarding proposed budget.
3. Coordinate with PD Bookkeeper for all bookkeeping using QuickBooks Pro.

4. Assist Treasurer and PD Bookkeeper with processing checks twice monthly (1<sup>st</sup> and 15<sup>th</sup>).
5. Work with Division Treasurer, PD Bookkeeper, and CPA during annual financial audit.
6. Communicate as necessary with PD Bookkeeper about adjustments as needed (*i.e.*, interest on CDs, interest on money market account).
7. Consultant to Treasurer regarding CD investments.
8. Consultant to Board of Directors regarding expenditures.
9. Prepare TAPS budget – annually.
10. Receive checks and expense forms from InReach for Online CLE.
11. Receive funds collected from District CLE.
12. Maintain PD check deposit register to be sent to the PD Bookkeeper on a monthly basis for use in reconciling bank account.
13. Monthly (first of month) download statements and reports and upload into Treasurer/PD Bookkeeper online storage for use by PD Bookkeeper in reconciling accounts, including:
  - a. Bank statement
  - b. Merchant services statements (credit card payments)
  - c. Raymond James statement
  - d. PD Website Revenue Audit Report
  - e. The PD Coordinator shall retain all financial records for five years for paper copies and ten years for electronic copies, and thereafter destroyed the records.

**M. Contract**

Provide services to the Division as outlined in current contract, all in consultation with the PD President, PD President-Elect, and Board of Directors. The Coordinator’s contract shall be in effect each year beginning July 1 through June 30.

**N. Expenses**

Expenses reimbursed as outlined in contract on an as-needed basis with charges allocated to Budget items as appropriate.

**O. Communications**

1. General
  - a. Copy all communication to President and President-Elect.
  - b. Provide copy of updated roster of Directors to Historian as revised.
  - c. Furnish copies of amended bylaws, financial reports and pertinent information to the following:
    - i. State Bar of Texas staff liaison
    - ii. Division CPA
    - iii. State Bar of Texas Board Advisors to the Division
  - d. Immediately forward a copy of any Bylaw amendments upon receipt from the Parliamentarian, which were adopted by the membership to the State Bar of Texas Staff and request they be placed on the agenda of the next scheduled meeting of the State Bar of Texas Board of Directors for approval.

**P. Notification of Committee Chairs**

1. Send a letter to all Committee Chairs explaining budget procedures within ten (10) business days after notification by the President. This letter shall include:
  - a. Committee budget as approved by the PD Board
  - b. Procedures for requesting budget amendments;

- c. Request for Expense Reimbursement (“RER”) forms; and
2. Send subsequent letter following any amendment to the budget.

**Q. State Bar of Texas Relations**

Coordinate membership renewal process with the State Bar Membership Department.

**R. Paralegal Division Coordinator File**

1. Maintain permanent file for PD Coordinator that shall include a brief description of activities, budget, expenses and other fiscal matters, form letters, correspondence and other items necessary to the efficient operation of this position. This file shall serve as the historical record and shall contain suggestions and recommendations for improving the effectiveness of this position.
2. Forward all Division files, notebooks and materials to the President on the effective date of termination, if/when contract is terminated.

**S. Procedure for Review and Hiring of the PD Coordinator Position**

1. The Procedures Manual sets forth the duties of the PD Coordinator. The job requires organizational skills, communication skills, accounting experience, meeting planning experience, and public relations skills.
2. The Board is not required to post an opening for the position of PD Coordinator. The contract of the PD Coordinator runs from July 1 through June 30.
3. The PD Coordinator, contracted by the Division at that time, shall notify the President no later than February 1 of his/her intentions to renew his/her contract. If the PD Coordinator is unwilling to state his/her intentions of renewal to the President by February 1, the Board may assume that the position will be vacated by that PD Coordinator on July 1 and act accordingly.
4. At the Winter/Spring Meeting of the Board of Directors, a motion should be made regarding whether the Division will seek applications for the position of PD Coordinator.
5. The President shall send out an e-mail alert along with an evaluation form to the Executive Committee no later than April 15th on the PD Coordinator’s performance over the past year. The Executive Committee shall seek input from all Directors and all Standing Committee Chairs. The Executive Committee shall return completed evaluation forms by mail to the President no later than April 25<sup>th</sup>. The President will compile the results and forward the completed evaluation forms to the Board two weeks prior to the Outgoing Board Meeting. These evaluations will assist the Board in renewing the Coordinator’s contract and determining appropriate compensation. The Board shall vote on renewal and/or revision of that contract at the outgoing Board Meeting.
6. If a motion is made to accept applications and resumes for the contract position of PD Coordinator, the current PD Coordinator contracted at that time, shall be notified immediately of the Board’s decision. A committee shall be established by the President to announce the position opening, accept applications, review same, and make recommendations to the Board. Interviews shall be conducted by the President and the committee. Recommendations should be made to the Board by mail at least two weeks prior to the final Board Meeting prior to the outgoing Board Meeting. The final recommendation of the President and the committee shall be brought to the full Board for a vote at the year-end Board Meeting. The new PD Coordinator shall assume the position on July 1.

**T. Procedures for Conducting the PD Coordinator Annual Review**

1. The President shall begin conducting the PD Coordinator Annual Review on or before April 15 by sending the Paralegal Division Coordinator's Performance Evaluation form (Attached hereto as Appendix B) to all PD Board Members, all Committee Chairs, and the PD Coordinator.
2. The President shall instruct the PD Board Members and Committee Chairs to fill out the appropriate portions of the evaluation form and return to the President on or before April 25.
3. The President will compile/summarize the information contained in the evaluation forms into a report to be presented to the PD Coordinator. That report should be summarized similar to the following:

- I. SBOT LIAISON
  - 11 - Excellent
  - 5 - Above Expectation
  - 2 - Meets Expectation
  - 2 - Below Expectation
  - 1 - Unsatisfactory

Remarks (Example):

PD Coordinator exhibits exceptional skill in this area and is able to deal effectively with the SBOT contacts.

PD Coordinator works well with the SBOT staff.

4. The PD Coordinator shall be provided with a copy of the compilation/summary on or before May 25.
5. The President shall arrange a telephone conference between the President, President-Elect and the PD Coordinator to be held no later than two weeks prior to the final Outgoing Board Meeting.
6. During the telephone conference, the PD Coordinator shall be given the opportunity to comment on the evaluation that has been presented to the PD Coordinator.
7. The President shall prepare a report to the Board of Directors for the final Outgoing Board Meeting summarizing the evaluation discussion held between the President, President-Elect and PD Coordinator and also include a copy of the compilation/summary that was provided to the PD Coordinator,
8. The PD Coordinator Performance Evaluation forms and the President's summary shall be maintained with the President's files for a minimum of five (5) years.

**IX. PARALEGAL DIVISION BOOKKEEPER**

- A. Assist in Preparing Proposed Annual Budget
- B. Monthly Duties
- C. Quarterly Duties (as requested)
- D. Yearly Duties

**A. Assist in Preparing Proposed Annual Budget**

1. Confer with President, President-Elect, and Treasurer (incoming and outgoing) regarding proposed budget.
2. Coordinate with PD Coordinator for all bookkeeping using QuickBooks Pro.
3. Process checks twice monthly (1<sup>st</sup> and 15<sup>th</sup>).
4. Work with Division Treasurer, PD Coordinator, and CPA during annual financial audit.
5. Maintain Division financial records on Division accounting computer software.
6. Reconcile credit card payments on a monthly basis.
7. Reconcile bank statement on a monthly basis.
8. Adjustments as needed (*i.e.*, interest on CDs, interest on money market account).

**B. Monthly Duties**

1. Processes checks on the check chart twice a month. This includes cutting the checks and electronically allocating the money to the various budgeted line items.
2. Reconciling PD bank statement (which includes identifying errors and specific sources of income). The income comes from multiple sources, including:
  - a. Payment through the PD website by credit card (report from the website).
  - b. Manual deposits that are tracked by the PD Coordinator and provided in an Excel spreadsheet.
  - c. Credit card reports (MasterCard/Visa and American Express).
  - d. Raymond James investments.
3. Recording all income, expenses, and deposits to the journal and adjusting the journal as needed.

**C. Quarterly (as requested)**

Running Profit and Loss Reports and other reports as requested in preparation for Board meetings, TAPS Planning and Annual Meeting meetings.

**D. Yearly**

Preparation for and participation in PD annual audit.

**X. DIRECTORS**

**A. General Duties**

**B. Director's File**

**C. Procedures Manual**

**D. Director's Notebook**

**E. Board Meetings**

**F. Standards of Conduct**

**G. Expenses**

**H. Sanctions**

**I. Guidelines for Holding District Funds (Non-CLE) Events**

**J. Director Vacancy**

**K. Guidelines for District Social Media**

It is the duty of a Director to supply leadership to the Division; to represent his District at all regular Board Meetings; to attend all Board Meetings; to attend the mandatory Annual Meeting that is held in conjunction with TAPs; to be an active representative of the Division within his District; to advise the Board of local needs and programs being conducted within his District; to carry out assigned committee responsibilities and to promote Division programs within his District; to support and report the actions of each Board Meeting to members of his District; to be available at all times to further the objectives and meet the responsibilities of the Division; and to perform such duties as the President or Board may from time to time direct. The duty of care sometimes requires reasonable and responsible inquiry. Where a problem exists, or a report on its face does

not make sense, a Director has a duty to inquire into the surrounding facts and circumstances. The duty of care includes monitoring responsibilities that have been delegated by the Board to various committees and subcommittees. When the Board has voted on an issue, it is the Director's duty of loyalty to support that Board decision. Discussion on the matter was held prior to the vote. The Board has acted and it is the Director's job to see that the Board's decision is carried out.

**A. General Duties**

1. Be familiar with the Bylaws, Standing Rules and Procedures Manual and upon request provide members with a copy of Bylaws and Standing Rules.
2. Serve as a representative of the designated District by being a contact for members to email, telephone, or mail questions pertaining to the Division or District in which he/she is a member. In the event the Director is unable to answer questions, always forward such question to the Division's Coordinator, with a copy being sent to the President and President-Elect.
3. Provide orientation to successor Director.
4. Report to the President, in writing, at a time and manner set by the President before each Board Meeting, of the Director's activities for that period within his District.
5. Submit a list of sub-chair appointments annually to the President, upon request and before the Summer board meeting. Directors are responsible for appointing all sub-chairs for their District. In the event a sub-chair becomes vacant, it will be the Director's responsibility to carry out the duties and responsibilities of that sub-chair until a new sub-chair is appointed by the District Director.
6. Coordinate transition of files to new District committee volunteers within ten (10) days following the outgoing Board Meeting.
7. There may be times when the need arises for the Board of Directors to vote on various items of business between formally scheduled Board Meetings. Voting by mail, telephone, facsimile or electronic mail should be limited to items of business involving emergency or necessity. Items of necessity may involve such issues as Director vacancies, etc. and may be further defined as any item or issue for which the window of opportunity to make a decision on such issue will close before the next regularly scheduled Board Meeting. Directors are encouraged to contact the President regarding any items of business that may require a vote prior to the next regularly scheduled Board Meeting. In any event, Directors should adhere to the procedures more fully set forth in Article III, Section 8.d. of the Bylaws and Section X of the Standing Rules. You should be prepared to respond promptly to the President only and within the requested time period.
8. Provide a minimum of three (3) hours of CLE per fiscal year, and deliver any revenues collected from CLE events to the Division's Coordinator.
9. Create a proposed calendar of district events, including quarterly district sub-chair meetings to submit to the President upon request and before the Summer board meeting.
10. Advise members of the posting of the quarterly board meeting summary circulated by the President-Elect throughout the year. Circulate the PD Bulletin (PDQ) and any relevant promotional flyers with non-members.
11. Meet with district sub-chairs quarterly to discuss district events and goals as well as planning events. Delegate specific tasks to your district sub-chairs to help you accomplish your district goals.
12. Foster new leaders in your district. This is important for the future of the Paralegal Division vision and for continued advancement of the profession.
13. Prepare a monthly district newsletter, including all relevant local CLE and events and circulate to your district members by the 5<sup>th</sup> of each month. Be sure to put all district member email addresses in the bcc line of the email.
14. Act as liaison with all local paralegal associations as well as other local legal associations in your district (such as local bar association, local legal professional

associations and/or legal administrators association, and local young lawyers association).

15. Act as a liaison with local paralegal schools (including visiting classrooms to promote the PD. Attend local high school and college career fests and forums when possible.
16. Monitor district member accomplishments, such as certifications, awards, college graduations, etc.
17. Review the new member list circulated by the PD Coordinator on a monthly basis and send welcome emails to each new member.
18. Be active on your district Facebook page. See Guidelines for District Social Media below (Procedures Manual X. K.).

**B. Director's File**

1. Maintain a permanent file that shall include a brief description of activities, budget expenses and other fiscal matters, form letters, correspondence and other items necessary to the efficient operation of this office. This file shall serve as the historical record of the Director's tenure and contain suggestions and recommendations for improving the effectiveness of this office. This file may be in paper format or electronic format.
2. Follow the Retention Policy in collecting and retaining information received as Director or generated as Director.
3. Forward all files and notebooks to the newly-elected Director of his/her District prior to or at the outgoing Board Meeting. Failure to do so shall result in the withholding of any expense reimbursement due the Director.

**C. Procedures Manual**

Return the Procedures Manual assigned to the Director to the President-Elect when requested. Failure to do so shall result in the withholding of any expense reimbursement due the Director.

**D. Director's Notebook**

1. Bring updated Director's Notebook (either printed or electronic) to each Board Meeting. Retain contents as necessary to comply with the retention policy.
2. Pass on Director's Notebook to newly elected Director prior to or at the Annual Meeting. Failure to do so shall result in the withholding of any expense reimbursement due the Director.

**E. Board Meetings**

1. Provide reasonable notice to the President of any anticipated absence from a Board Meeting.
2. Absence from a meeting may result in invocation of Article IV of the Bylaws and/or Article VIII of the Standing Rules.
3. Recommend recipients for Award of Excellence, Outstanding Committee Chair, and any other awards upon request of the President.
4. Elect Board officers.
5. Vote on Pro Bono Award Recipient upon request of the President.

**F. Standards of Conduct**

Maintain the highest standards of ethics, integrity and self-discipline. Misconduct and/or neglect of duty in office are serious offenses.

**G. Expenses**

Directors are entitled to reimbursement for reasonable expenses incurred for travel, including hotel costs to be refunded up to **\$125.00 per night** for attending the mandatory

Annual Meeting that is held in conjunction with TAPS, photocopying, telephone, and postage in accordance with the expense reimbursement criteria.

**H. Sanctions**

Any Director who fails, without good cause, to comply with the Director's Duties section of the Procedures Manual will face the following sanctions: (1) First offense-private reprimand before the EC immediately preceding the next regularly scheduled Board Meeting; and (2) Second offense-removal from the Board of Directors.

The determination as to whether good cause exists will be made by the EC.

**I. District Funds - Guidelines for Holding Non-CLE Events**

1. The intent of the funds is for those events that promote networking of members of the Paralegal Division within a district including holiday events, events that promote the purposes of the Division, membership drives excluding "joint membership drives" and pro-bono events are under the definition of "Non-CLE Events."

a. A director who wishes to use his/her district funds must make the request to the President and Treasurer no later than 30 days for non-vendor support/50 days for vendor support prior to the scheduled event. However, no requests for district funds will be accepted for consideration during the transition of boards, specifically, between May 1 and the date of the Annual Meeting, but not before the Treasurer has declared each District's funds as set out at Number Two, below.

b. The request by a director for use of his/her district's entire allocated district funds for one event must be approved by the President and Treasurer.

2. The Non-CLE Event should always at least break even. It is recommended that funding for the Non-CLE Event come from vendor support, admission fees and/or prepaid meal cost, and budget amounts\* per district allocated as follows:

- Districts with 50 members or less as of September 1, shall be budgeted \$250.00;
- Districts with 51 to 100 members as of September 1, shall be budgeted \$350.00;
- Districts with 101 to 200 members as of September 1, shall be budgeted \$450.00; and
- Districts with 201 or more members as of September 1 shall be budgeted \$550.00.

\*These funds may also be used for **essential items** for a CLE that cannot be covered otherwise.

3. Handling of Funds:

a. Submit the following items 30 days for non-vendor support/50 days for vendor support prior to the Event according to the procedures as set out in 1.a. above to the President, Division Coordinator and Treasurer:

- i. Copy of invitation, flyer or brochure announcing the Non-CLE Event**
- ii. Proposed Budget of Income/Expense**

b. Submit the following items within 3 business days following the Event to the President, Division Coordinator and Treasurer:

- i. Registration List
- ii. Final Income/Expense Report

Any funds collected must be **payable to the Paralegal Division** and must be delivered to the Division Coordinator within 3 business days after the Non-CLE Event. No funds shall be deposited into or comingled with personal, firm, vendor, or sponsored funds. If a vendor has agreed to sponsor an event, but is unavailable to submit payment directly to the merchant/provider of services, the vendor shall make any payment payable to the Paralegal Division, and the party paying for the services shall submit an expense reimbursement form to the President, Treasurer, and PD Coordinator.

- a. If comingling of funds occurs, these steps shall be followed:
  - i. A letter with supporting documents with details of the circumstance shall be forwarded to the Executive Committee of the Paralegal Division.
  - ii. The Executive Committee will meet to discuss this situation and whether the action by the volunteer placed the Paralegal Division at risk of financial fraud.
  - iii. If it is determined that the volunteer has placed the Paralegal Division at risk of financial fraud, the President will be instructed to file an Ethical Grievance against the volunteer member of the Paralegal Division.
  - iv. If there is no finding of placing the Paralegal Division at risk of financial fraud, the Executive Committee will notify both the volunteer and the Board of Directors in writing.
- 4. Using allocated funds for CLE. With approval from the President, President-elect, Division Coordinator, and Treasurer, funds may also be used for necessary, essential items for a CLE that cannot otherwise be covered via the CLE budget. These funds can only be used to subsidize the CLE event.

**J. Director Vacancy**

In the event of a Director vacancy, the President-Elect will be responsible for filling any vacant sub-chair position; confirming that sub-chairs are fulfilling their duties; and fulfilling the Director's duties during the vacancy.

**K. Guidelines for District Social Media**

- 1. Each district is required to have at least a District Facebook page. Other social media formats are also acceptable as long as the Paralegal Division has a master account.
- 2. District social media pages or accounts will be standardized and controlled by the PD Coordinator. Should a District have an existing district social media page, the url should be provided to the PD Coordinator and the PD Coordinator should be added as an admin to the district page.
- 3. The PD Coordinator will keep a Master List of all district social media pages and accounts and will grant admin rights to each Director (and if requested, your district Public Relations sub-chair.
- 4. The Directors should share and post all local events and happenings as well as any statewide PD announcements, flyers and events. It is important that it stay updated as there will be a link to each district's Facebook page on the website. Please note that the Public Relations Chair will periodically monitor the district pages to confirm postings and announcements represent the Paralegal Division. Should there be no recent activity on your district page for approximately 2 weeks, the Public Relations Chair will notify the PD Coordinator.

**XI. BOARD ADVISORS**

- A. General Duties**
- B. Responsibilities**

**A. General Duties**

1. Act as liaison between the Board and Committee Chair in an advisory capacity.
2. Communicate relevant Board activity in writing to the Committee Chair within ten (10) business days following any meeting of the Board.
3. Present the Committee Report in the absence of the Committee Chair at all Board meetings.

**B. Responsibilities**

1. Attend all meetings of the Committee as deemed appropriate.
2. In the absence or removal of the Committee Chair, assume the duties as Chair of the Committee, but in a non-voting capacity, until a successor is appointed.
3. Review the Committee reports and any proposed action or recommendation prior to distribution to the Board.
4. Prepare motions for Board approval that stem from any proposed action or recommendations laid out in Committee report.
5. Contact Committee Chair prior to each Board Meeting and at other necessary times to verify projects, determine status and answer questions.
6. Provide copies of all correspondence regarding the Committee to the President, President-Elect, and Paralegal Division Coordinator.

**LIAISONS**

**C. General Duties**

**D. Liaison's File**

Board Liaisons shall promote the paralegal profession and the Division with other law related organizations.

**A. General Duties**

1. Facilitate communication between the Division and the organization to which they are assigned.
2. Submit written report to the Board of any matters of interest to the Division.
3. Encourage joint projects of mutual benefit.
4. Request from organization a list of Officers and Directors, a copy of the Bylaws and Standing Rules (if applicable), a newsletter and calendar of events.

**B. Liaison's File**

1. Maintain a permanent file that shall include a brief description of activities, budget, expenses and other fiscal matters, form letters, correspondence and other items necessary to the efficient operation of this office. This file shall serve as the historical record of the Liaison's tenure and shall contain suggestions and recommendations for improving the effectiveness of this office.
2. Forward all files and notebooks to the newly-appointed Liaison prior to or at the PD's Incoming Board Meeting. Failure to do so shall result in the withholding of any expense reimbursement to the Liaison.

**XII. HISTORIAN**

**A. General Duties**

**B. Historian's File**

**C. Procedures Manual**

The Historian shall have access to a complete permanent historical record of Division activities. The PD Coordinator will maintain a complete permanent historical record of Division activities. In an effort to maintain continuity, the immediate past President of the Division shall be appointed by the President to serve as Historian or by another appointment by the President.

**A. General Duties**

1. Gather Minutes of Board Meetings, Annual Meetings and Executive Committee Meetings; Annual Report of the President; Newsletters; Texas Forum agenda (if applicable); and other published articles and/or materials regarding the Division and its activities for use in updating the History.
2. Provide to the President an updated history report for approval of the Board at the Winter/Spring Board Meeting that should include information obtained through and including the immediate past fiscal year.
3. Upon request of the President, attend and present the updated history to the Board at the Winter/Spring Board Meeting.
4. Forward all files and notebooks to the PD Coordinator within ten (10) business days following the outgoing Winter/Spring Board Meeting. Failure to do so shall result in the withholding of any expense reimbursement due the Historian.

**B. Historian's File**

1. Maintain a permanent file for the office of Historian for that term that shall include a brief description of activities, budget, expenses and other fiscal matters, form letters, correspondence and other items necessary to the efficient operation of this office. This file shall serve as the historical record of the Historian's tenure and shall contain suggestions and recommendations for improving the effectiveness of this office.
2. Maintain a permanent file of historical information for that term that shall include Minutes of Board Meetings, Annual Meetings and Executive Committee Meetings; Annual Report of the President; Newsletters; Texas Forum agenda; and other published articles and/or materials regarding the Division and its activities.
3. Maintain a list of Board Meetings that includes the type of meeting, dates and location.

**XIII. STANDING COMMITTEES**

- A. Budget**
- B. Reports**
- C. Meetings**
- D. Recommendations**
- E. Committee File**
- F. Procedures Manual**

The PD can function more effectively with active participation by its members serving on committees. Listed below are guidelines that the Board of Directors believes will be helpful to the Committee Chairs.

The Board of Directors appoints an advisor for each Committee to serve as a liaison between the Committee and the Board. The Board Advisor shall notify each Committee Chair of any Board action that affects the Committee and be a representative of the Committee at Board Meetings. The Advisor should, when fiscally possible, attend all Committee Meetings and receive copies of all Committee's correspondence, agenda and minutes.

All Committees shall maintain a notebook detailing that Committee's projects and activities that shall serve as an historical record for future Committees.

**A. Budget**

1. Review the preliminary budget approved by the Board and submit anticipated amendments to the Treasurer pursuant to the Treasurer's request.
2. Submit expenses to the Treasurer for reimbursement, in accordance with the

Expense Reimbursement Guidelines.

3. Review and act upon reimbursement requests from Committee members within five (5) business days after receipt and, if approved, forward to the Treasurer for processing.

**B. Reports**

1. Prepare Board reports and forward to the President, President-Elect, and PD Coordinator with a copy to the Board Advisor and each Committee member. Board Reports should include:
  - a. Confirmation of Committee members' addresses and willingness to serve (first report only);
  - b. Explanation and status of on-going projects;
  - c. Statement of objectives;
  - d. Budget requests; and
  - e. Recommendations.
2. Annual Reports should include:
  - a. Overview of completed projects;
  - b. Status of on-going projects;
  - c. Financial Report (including budget, income and expenses, status of account); and
  - d. Suggestions/recommendations for new Committees members.
  - e. Annual Reports are prepared for the PD's Outgoing Board Meeting.

**C. Meetings**

1. Due to the geographical size and membership distribution of most of the Committees, full Committee Meetings should be avoided or kept to a minimum. Correspondence, e-mail or teleconferencing will often serve the same purpose with less expense. However, the full Committee can meet if necessary.
2. Prepare an agenda for every meeting of the Committee or Subcommittee. A copy of the agenda and minutes shall be maintained in the Committee file.
3. Appoint officers of the Committee as necessary, including a Committee Secretary to take minutes of all meetings.
4. Actions should be by a consensus of a majority of the Committee. The quorum for a Committee or Subcommittee is the number of members who are present and voting or who vote by mail, e-mail or telephone.

**D. Recommendations**

1. Submit any recommended changes to the Bylaws and Standing Rules to the Parliamentarian.
2. Submit any recommended changes to the Procedures Manual to the President-Elect.
3. Submit any recommended projects to the Board through the reports described above.

**E. Committee File**

1. Maintain a permanent file for the Committee which shall include a brief description of activities, budget, expenses and other fiscal matters, form letters, correspondence and other items necessary to the efficient operation of the Committee. This file shall serve as the historical record of the Committee's tenure and shall contain copies of all agendas, minutes, suggestions and recommendations for improving the effectiveness of the Committee.
2. Forward all Committee files and notebooks to the newly-appointed Chair within ten (10) business days following the year-end meeting. Failure to do so shall result in the withholding of any expense reimbursement due the Committee Chair.

**F. Procedures Manual**

1. Return the Procedures Manual assigned to the Committee to the President-Elect when requested. Failure to do so shall result in the withholding of any expense reimbursement due the Committee Chair and any Committee member.
2. Refer to the appropriate Committee's section in the Procedures Manual for specific duties.

**XIV. STANDING COMMITTEE: ANNUAL MEETING**

**A. Getting Started**

1. The Annual Meeting of the general membership of the Division shall be held in conjunction with Friday Keynote luncheon at TAPS Annual Meeting. The Chair will default to the President presiding at the time of TAPS and Board Advisor of this Committee each year shall be from the District in which upcoming TAPS and Annual Meeting will be held.
2. Propose an Annual Meeting Agenda.

**XV. STANDING COMMITTEE: CONTINUING EDUCATION COMMITTEE**

**A. Composition of Committee for District and Online CLE**

**B. Duties and Responsibilities**

**C. Procedures for Carrying Out Duties and Responsibilities**

**A. Composition of Committee**

The Continuing Education Committee (CEC) is comprised of the District CLE Chair, the Online CLE Chair, one member from each District to serve as a District CLE Sub-chair, and other Division Members as may be appointed by the President to serve at-large on the Committee. The purpose of the CEC is to plan and present seminars within each district, implement and monitor mandatory continuing education requirements, and produce, and administer online continuing legal education.

**B. Duties and Responsibilities**

The CEC has the following duties and responsibilities:

1. Presenting at least three (3) hours of substantive continuing legal education in each District, working with the District Directors.
2. Implementing and monitoring the mandatory annual requirement of six (6) hours of continuing legal education for active and associate members renewing their membership.
3. Implementing and administering continuing legal education through an online program.
4. Provide reports to the Chairs for compilation and presentation at each Board Meeting regarding CLE events which have been held in each District, and an update of postings to the online program.

**C. Procedures for Carrying Out Duties and Responsibilities**

1. District Continuing Legal Education
  - a. Procedures for District CLE Seminars.
  - b. Contact the District CLE Chair for information.
  - c. Prepare the appropriate budget (income-producing or brown bag) - complete all applicable sections of the budget form, make sure to include all expenses, registration income, and vendor donations. The seminar must project minimum break even event with minimum PD members' registration fees set at a break even amount; minimum non-PD member

- fees must be an additional 25%; minimum late registration fees must be an additional 25% of the respective fees.
- d. Submit the budget to the District CLE Chair for review and approval.
  - e. Contact PD Coordinator regarding meeting facility credit application, if needed. If a contract is needed with the meeting facility, submit it to the PD Coordinator for execution by the Coordinator, President, and/or SBOT General Counsel. (The contract should be negotiated on behalf of the PD by a person familiar with facility contracts.)
  - f. All requests for advance payments must be sent to the Treasurer as invoices attached to the PD expense reimbursement forms and a copy must be provided to the District CLE Chairperson.
  - g. Upon budget approval, CEC may publish the seminar information on the PD Website, notify the members by e-mail, and advertise in any local paralegal association newsletters and local bar association newsletters.
  - h. It is recommended that income producing seminars are scheduled at least three weeks prior to or after TAPS to avoid potential conflicts for members, speakers, and vendors.
  - i. Please use the PD Sales Tax Exempt Form when items for a seminar must be purchased.
  - j. If funding is passing through the PD, keep a registration database (hand generated or computer) with the name and address of registrants, the amount of money received, the date of check with check number and identity of account holder, along with any reimbursement for canceling registrants. Late registrants must be added to this list at the door and the course Director must sign and date the registration list at the seminar. The list must be forwarded to the PD Coordinator after the seminar. Use this list to check attendance at the door.
  - k. Prepare and provide a Certificate of Attendance form to seminar attendees.
  - l. All registration fees and vendor donations must be payable to the Paralegal Division by check or money order - NO CASH. A copy must be submitted to the District CLE Chair. This must be done within three (3) days from the date of the seminar
  - m. Send course materials to any pre-paid registrant that did not attend the seminar or receive a reimbursement.
2. Current budget form for PD/District CLE Seminars available at [www.txpd.org](http://www.txpd.org).
  3. Online CLE implementation and administration
    - a. The CEC shall develop online CLE programs to be offered as a benefit to PD members and to the public.
    - b. The CEC is responsible for identifying seminars to be placed online, and for obtaining requisite permission, clearing copyright concerns, and obtaining the course materials (whether written, audio, video, computer files, or otherwise) and for coordinating placement of the seminars in an online format with the Online CLE Chair.
    - c. The CEC is encouraged to develop online presentations of courses offered at TAPS, as well as PD District CLE live seminars.

## **XVI. STANDING COMMITTEE: ELECTIONS**

- A. **General Duties**
- B. **Election Procedures**
- C. **Balloting Procedure for Bylaws Amendments By Mail**

This Committee shall be composed of at least one (1) Active Member from each District of the Division in the respective District and shall fulfill the responsibilities set forth in the Standing Rules and the Bylaws. This Committee will be concerned with the process of elections for Directors and

with the process of balloting on proposed amendments to the Bylaws and shall assure compliance with the guidelines for each such process.

In addition to the general duties outlined in this Section, this Committee has the following duties:

**A. General Duties**

Conduct the elections and balloting as set forth in the Standing Rules and as detailed below.

**B. Election Procedures**

1. Prepare article on election procedure for publication in the Winter/Spring issue of the TPJ.
2. Provide the necessary information to subcommittee chairs notifying them of specific duties.
3. Request membership from the PD Coordinator of Active Members as of February 1 and provide copies of the respective membership lists to the Subcommittee Chair in each District holding elections.

**C. Balloting Procedure for Bylaws Amendments by Mail/Posting**

Confirm that the ballot on Bylaws amendments has been delivered to the PD Coordinator by the Parliamentarian for mailing/posting for the election.

**XVII. STANDING COMMITTEE: MEMBERSHIP**

This Committee shall be composed of at least one (1) Active Member from each District who shall chair the Subcommittee for his/her District, and who may, in his/her discretion, or upon suggestion of the Membership Chair, appoint other Division members to serve as subcommittee members, and shall fulfill the responsibilities set forth in the Standing Rules. This Committee shall promote membership and growth within the Division, review paralegal or educational programs for conformity with requirements of continuing legal education courses when needed, welcome new members by the form specified by the Membership Chair, and review applications as needed on a case-by-case basis.

In addition to the general duties outlined in this Section, this Committee has the following duties:

- A. Encourage District Subcommittee Chairs to appoint local members to perform tasks to fulfill Committee responsibilities, as directed by the Committee Chair pursuant to Board of Director charge.
- B. When necessary, process membership applications in accordance with the Standing Rules.

The membership application is located on the Paralegal Division's website. In the event a membership application requires review by the Membership Committee, the following steps should be taken:

**C. The following guidelines should be followed when reviewing applications:**

1. Request the online application directly from the PD Coordinator. Upon receipt of the requested application from the PD Coordinator, check to make sure the name, address, email address, and telephone number are available and accurate.
2. Check to make sure the applicant has checked the felony offense category. (If answered "yes", the Paralegal Division Coordinator shall forward a copy of the application to the President and provide a copy to the director for that member's district and the President-Elect. The President shall then contact the member by letter giving an explanation of the individual's ineligibility to membership in the Paralegal Division pursuant to Standing Rules I.B.6, I.C.5, I.D.4, I.E.4, I.F.4 and I.G.4).
3. Check to make sure the application (if required) contains the supervising attorney's bar number as proof that the attorney is aware of the function of a paralegal.

4. Review the job functions for purposes of determining eligibility for membership as far as making sure the work is considered to be substantive legal work, according to the *Definition of a Paralegal*, which can only be done in direct assistance to an attorney, distinguishing it from other types of work which can be performed directly for members of the general public and not purely secretarial (Do not be afraid to call if necessary for clarification.)
5. Make sure the applicant meets the criteria for which he or she is applying and has supporting documentation, if necessary.
6. Once the membership application has been approved or denied, email the PD Coordinator with the appropriate information within 14 days of receipt of application copying the Membership Committee Chair, Membership Committee Board Advisor, Paralegal Division President, Paralegal Division President Elect, and the District Director. The District Director should receive a copy of the application that has been approved or denied via Fax or PDF format. All applications must be kept by the sub-chair for two years.
7. If an application is denied, please inform the PD Coordinator, Membership Committee Chair, Membership Committee Board Advisor, Paralegal Division President, Paralegal Division President Elect, and the District Director. The PD Coordinator will prepare a letter notifying the applicant of same.
8. If there are any questions, contact the Membership Chair for guidance, after first gathering all the information together which is in question in order that you may give the Membership Chair sufficient information to begin researching the applicant.

**NOTE:** If a Membership Sub-Chair feels that the applicant meets a different category of membership, the Membership Sub-Chair should contact the Membership Committee Chair, who shall request the Board of Directors to review and request a change of category.

To search a NALA certified paralegal: Search link:

[http://www.nala.org/CertSearch/CertSearch1.h](http://www.nala.org/CertSearch/CertSearch1.htm)

[tm](#) To search a TBLS certified paralegal:

Search link:

<http://www.tbbs-bcp.org/Directory>

To search a NFPA registered paralegal (not CORE certified): Search link:

<http://www.paralegals.org/default.asp?page=credentialed>

Applications and questions regarding felonies shall be forwarded to the Membership Chair for review, who will forward the Criminal Information Form (See Appendix D) as needed and inform the applicant of the procedure when the completed Criminal Information Form is received. If the information from the form falls within membership criteria, the Membership Chair shall redact personally identifying information and forward to the President. If the President agrees that the applicant should be considered for membership, the President shall submit the redacted application to the Board for a vote. The President shall notify the applicant of any decision.

## **XVIII. STANDING COMMITTEE: PROFESSIONAL DEVELOPMENT**

This Committee shall be composed of a Committee Chair and a select number of individuals selected by the Committee Chair. The purpose of this Committee will be to assist in various projects for enhancing the professional development of paralegals.

In addition to the general duties outlined in this Section, this Committee has the following duties:

- A. Research and develop programs to be presented under Division sponsorship or in

conjunction with other appropriate entities which promote the increased utilization and enhances public awareness of the paralegal as an integral part of the legal services team.

- B. Monitor any bills introduced in the Texas legislature that would affect the paralegal professional and members of the Division.
- C. Keep the general membership informed of the pros and cons of any such bills.
- D. Monitor nationally the following:
  - 1. Articles published regarding the activities and paralegal profession;
  - 2. Legislative action regarding the activities and paralegal profession;
  - 3. Court cases relative to the ethical considerations in the use of paralegals;
  - 4. Report to the Board of Directors any legislation that it deems to be in the interest of the general membership of the Division; and
  - 5. Disseminate to the general membership of the Division, through the publication of articles, any national articles, legislative action or court cases which it deems appropriate.

**XIX. STANDING COMMITTEE: PROFESSIONAL ETHICS**

This Committee shall be composed of the Chair. This Committee shall interpret and recommend amendments to the Code of Ethics and Professional Responsibility, and make recommendations to the Board with respect to disciplinary procedures.

In addition to the general duties outlined in this Section, this Committee Chair has the duty to conduct Disciplinary Procedures in accordance with the Standing Rules. If necessary, the Chair shall request the Board to appoint a Committee for the purpose of processing any grievance filed against a Division member.

**XX. STANDING COMMITTEE: PUBLIC RELATIONS**

This Committee shall be composed of at least one (1) active member from each District. The Committee shall study and develop various means to better inform the legal profession and the general public about the paralegal profession, PD, and shall nurture positive relations with local and national associations of paralegals and other associations throughout the country.

In addition to the general duties outlined in this section, this Committee has the following duties:

- A. Update and maintain the Division brochure.
- B. Explore all possible avenues for fostering awareness of the profession and the Division among the public and the legal community.
- C. Promote any CLE seminars and/or events sponsored by the Division.
- D. Maintain a current database of national and state contact information for use by the Committee Chair in disseminating information about the Division and its activities to the public and legal communities.
- E. Maintain a current timeline of publication deadlines for the purposes of promoting Division events.

**XXI. STANDING COMMITTEE: PUBLICATIONS**

- A. Overview/Purpose
- B. Committee Composition
- C. General Duties

**A. Overview / Purpose**

This Committee shall be responsible for publishing the Division's official publications. This Committee shall also be responsible for reviewing and submitting various items for publication in non-Division periodicals. A disclaimer must be added to any publication of the Division, whether print or electronic, which includes advertising. The disclaimer will read as follows: **"The publication of any advertisement herein does not imply**

endorsement in any manner.”

**B. Committee Composition**

The Committee shall consist of the Committee Chair and PD members appointed by the PD President.

**C. General Duties**

1. Responsibilities of this Committee shall be specifically itemized in the PD Standing Rules and any additional responsibilities, as charged by the PD Board.
2. Responsible for publishing the Division’s official publications.
3. Responsible for establishing production and publication deadlines for each issue of the Division’s official publications.
4. Responsible for selling advertising for the Division’s official publications.
5. The Chairperson of the Publication Committee shall be responsible for (i) keeping a running total of advertising income, as well as publication expenses, for each fiscal year; and (ii) making budget recommendations to the PD Board.
6. The Editorial Subcommittee shall be responsible for editing the contents of the Division’s official publications.
7. The Editorial Subcommittee shall be responsible for editing items to be submitted (on behalf of PD) for publication in non-Division periodicals.

**XXII. SPECIAL / ADVISORY COMMITTEES:**

- A. **PD Procedures Manual Committee**
- B. **TAPS Planning Committee**
- C. **Nominating Committee**
- D. **PD Ambassadors**
- E. **Vendor Liaison**
- F. **E-Group Ad Hoc Committee**
- G. **Pro Bono Ad Hoc Committee**
- H. **State Bar College Membership Application Review Ad Hoc Committee**
- I. **Membership Renewal Spot Audit Ad Hoc Committee**
- J. **Ethics Handbook Ad Hoc Committee**
- K. **TBLS Helpful Hints Guide Committee**

**A. PD Procedures Manual Committee**

The Procedures Manual Committee shall be effective when the PD Procedures Manual is in need of updating. The Committee is chaired by the President-Elect of the Board of Directors and shall consist of the President, the Parliamentarian, the PD Coordinator, *ex-officio*, and any additional Directors at the discretion of the President-Elect.

In addition to the general duties outlined in this Section, this Committee has the following duties:

1. **Master Procedures Manual.**
  - a. Review all Board actions and amend the Master Manual as necessary. “Amendments” shall be defined as those additions, changes and/or deletions deemed necessary or desirable to promote the efficiency of the Procedures Manual. Proposed amendments, when necessary, shall be provided to the Board prior to a Winter/Spring Board Meeting, and such Amendments shall be discussed and voted on at the Winter/Spring Board Meeting.
  - b. Keep a historical record of all revisions to the Manual.
  - c. Assure that all revisions to the Procedures Manual are properly dated and inserted in the Master Procedures Manual.

2. Issuance of Procedures Manuals
  - a. Issue a Procedures Manual to each Director, Committee Chair and the Historian.
  - b. Issue to each holder of the Procedures Manual any updates that become necessary during the fiscal year.
  - c. Compare each Procedures Manual with the Master Manual, update, assign and reissue the Manual to the Directors, Committee Chairs and Historian as required.
3. Orientation
  - a. Committee Chair is responsible for organizing orientation to be held at PD Incoming Board Meeting for Directors and Committee Chairs.
  - b. Committee Chair to contact officers to solicit input for Orientation Agenda. Committee Chair shall prepare a draft agenda to be submitted for review by committee members.

**B. TAPS Planning Committee**

The TAPS Planning Committee is a Special Committee and is appointed by the President. The Committee Chair will be the current year's PD President and the PD President-Elect shall also serve on the TAPS Planning Committee for purposes of continuity. The purpose of this Committee will be to prepare for the upcoming year's TAPS Annual Seminar. Procedures for this Committee have been developed by prior TAPS Planning Committees and a separate *TAPS Planning Committee Procedures Manual* is maintained by the PD Coordinator. Also included in the *TAPS Planning Committee Procedures Manual* are guidelines for the TAPS Scholarship Award.

**C. Nominating Committees for President-Elect and Officers**

1. These Special Committees will be appointed by the President and their purpose will be to accept nominations of all eligible members as possible candidates for Board offices (*See Standing Rules, Art. XIV.A.*).
2. A President-Elect shall be elected in January by the current Board of Directors. (*Standing Rules, Art. XIV.A.2*) All ballots for President-Elect shall be e-mailed by the Chair of the Nominating Committee for President-Elect to members of the Board for their vote by January 20. Included in this e-mail shall be a President-Elect Ballot Director Cover Sheet, a ballot, the nomination form for each candidate, a resume from each candidate, and, if the candidate so chooses, a statement not to exceed 250 words on why the individual feels he is a good candidate for the position of President-Elect, what projects he would like to see PD undertake, and/or the direction he believes PD should take in the future. The Chair must confirm that each Director has received his/her ballot timely. All ballots should be returned to the Chair of the Nominating Committee for President-Elect by e-mail, mail or fax no later than January 31. The Chair must confirm that each Director's returned ballot has been received. It shall be the Chair's responsibility to open the ballots, tally the votes and report the results of said election to the President. The President shall advise the nominees of the election results prior to notifying the Board. The results of the election shall be reported to all members of the Board either by mail, fax, or e-mail by the President within 3-5 days of being advised of the results of the election by the Chair of the Nominating Committee for President-Elect. The Chair of the Nominating Committee for President-Elect shall be a Board member who has expressed a desire not to serve as President-Elect for the ensuing year. The Chair of the Nominating Committee for President-Elect is automatically discharged upon notification of the election results to the President.
3. At the Winter/Spring Board Meeting, the Chair of the Nominating Committee for

Officers shall present the nominees for the offices of Treasurer, Secretary, and Parliamentarian. The Chair of the Nominating Committee for Officers shall be a Board member who either is not eligible for election as an officer for the ensuing year or has expressed a desire not to serve as an officer for the ensuing year.

In addition to the general duties outlined in this Section, this Committee has the following duties:

- a. Accept nominations for Board officers.
- b. Verify acceptance of the nomination prior to presenting the list of nominees.
- c. Prepare a list of nominees for officer positions.
- d. Present a list of nominees for the offices of Treasurer, Secretary, and Parliamentarian to the Board at the Winter/Spring Meeting.
- e. Upon presentation to the Board, the Chair of the Nominating Committee for Officers is automatically discharged, unless a nominee withdraws prior to the election. In that event, the Committee is revived and must immediately seek another nominee.

**D. PD Ambassadors**

The PD President shall appoint a Paralegal Division member to serve as PD Ambassador Chair to coordinate and manage the activities of PD Ambassadors. PD Ambassadors are past Presidents of the Division who are encouraged to make appearances and presentations on behalf of the Division for educational purposes to further the profession.

1. There are three types of Ambassador presentations: (a) informational presentations on the Division which include discussions on membership qualifications, current activities, benefits, etc.; (b) CLE presentations; and (c) presentations relating to regulation and/or certification of paralegals.
2. The Division reserves the right to deny a request if it is determined that the goals of the Division would not be served by the presentation.
3. Requests for a presentation by an Ambassador should be sent to the PD Ambassador Chair at least 40 days prior to the scheduled event. However, if a request comes in after such deadline, and fulfilling the request would further the purposes of the Paralegal Division, the PD Ambassador Chair working with the PD President may exercise judgment on a case-by-case basis. In such event, the PD Ambassador Chair should attempt to place a local Ambassador whenever possible. If a local Ambassador is not available, a non-local Ambassador can be assigned but only if there is time remaining to arrange travel within the PD reimbursement policy.
4. The PD Ambassador Chair will confirm the Ambassador or advise if one will not be available for the event.
5. If a presentation is cancelled, notice should be sent to the PD Ambassador Chair and the assigned Ambassador at least 14 days before the event. If expenses are incurred in preparation for a presentation and the organization then cancels the appearance, said organization will be responsible for reimbursing the Division.
6. Ambassadors are encouraged to contact local organizations and schools to arrange presentations on behalf of the Ambassador Program. In this instance, the Ambassador is responsible for advising the PD Ambassador Chair of the event details, including the date, time, and the group to whom the presentation is being made.
7. Ambassador presentations shall be limited to attendance by no more than one Ambassador.
8. In the event that an organization makes more than one request during a fiscal year, all expenses incurred by the Ambassador for the subsequent event will be paid by the requesting organization.
9. All presentations should be scheduled for a minimum of 50 minutes, and should allow the Ambassador a minimum of 10-15 minutes for discussion of the

- Paralegal Division and to distribute Division material.
10. The PD Ambassador Chair shall have the authority to issue a waiver for the membership renewal fee for those Ambassadors who complete two presentations during the fiscal year or one-half of the membership renewal fee for those Ambassadors who complete one presentation during the fiscal year without seeking Board approval.
  11. No requests for Ambassadors will be accepted for a different term or for consideration during the transition of Boards, specifically, between May 1 and the date of the PD's Outgoing Board Meeting.

**E. Vendor Liaison**

The PD President shall appoint a Paralegal Division member to serve as Vendor Liaison to create and maintain a vendor database and develop and maintain business relationships with vendors supporting the Division. In addition to general duties as may be directed by the PD President, this Committee has the following duties:

1. District Directors and/or the CEC Committee Chair shall contact Vendor Liaison, giving for CLE events, sixty (60)/for District Funds events, fifty (50) days advance notice, when seeking vendor support for an upcoming event. In addition, they must complete the "District Submission Form for Vendor Support" provided by the Vendor Liaison with as much information as is available at that time. Once contacted by the Vendor Liaison the current Division Sustaining Members have ten (10) days in which to commit to sponsorship. If after ten (10) days, Vendor Liaison is unable to secure adequate sponsorship for an event, the District Director(s) and/or CEC Committee Chair will be allowed to contact vendor firms which are not current Division members in order to secure sponsorship.
2. In order to maintain a database of all vendor sponsors, within thirty (30) days after any PD sponsored event, District Directors and/or CEC Committee Chair shall provide Vendor Liaison with completed "District Submission Form for Vendor Support" (regardless of whether or not a PD Sustaining Member or non-member sponsored). Vendor Liaison will be responsible for creating an Excel database with the information provided by Directors and/or CEC Committee Chair on the District Submission Form for Vendor Support.
3. Vendor Liaison will be responsible for making initial and follow up vendor contact with non-member vendors (written correspondence) and providing vendor with Vendor Information Packet encouraging them to join the Division. Copies of such correspondence shall be provided to the PD President, President-Elect, Board Advisor, and Coordinator. The Vendor Information Packet shall contain the following materials:
  - Sustaining Membership Application;
  - Recent issue of *Texas Paralegal Journal*;
  - Advertisement Rate Sheet for *Texas Paralegal Journal*;
  - Media Kit for *Texas Paralegal Journal*;
  - List of Sustaining Member benefits, as follows:
    - Free website advertisement through a direct link from [www.txpd.org](http://www.txpd.org) website;
    - List of current Division members (name, address, work and fax numbers), provided twice a year, in Excel format, once every six months on February 1<sup>st</sup> and August 1<sup>st</sup>
    - Access to PD E-Group (vendor may not advertise; but may answer questions)
    - Receipt of the *Texas Paralegal Journal*

- Receipt of *Texas Bar Journal*
  - Vendor listing in the *Texas Paralegal Journal*
  - 10% discount on printed ad in the *Texas Paralegal Journal*
  - Receive 10% discount on Exhibitor Booth at annual Texas Advanced Paralegal Seminar (“TAPS”)
  - First Priority contact by District Directors to present qualified CLE (presentation must be pre-approved) and/or sponsor CLE and/or social events statewide
4. PD Coordinator will notify Vendor Liaison of all new Sustaining Members.
  5. New sustaining members shall be added to database listing of vendors. Vendor Liaison shall send welcome email to new sustaining member(s).
  6. Vendor Liaison shall submit a list of Sustaining Members (company name and website addresses) to the Publications Committee Chair on a quarterly basis to be published in each issue of the *TPJ*.
  7. Vendor Liaison will also provide database vendor listing to both PD Coordinator and CEC Committee Chairpersons on a monthly basis. Such information may be obtained by a Director at any time upon request.
  8. In order to encourage District Directors to assist with the recruitment of new Sustaining Members, each Director will be provided with a supply of Vendor Information Packets at each Board Meeting. Additional packets may be obtained simply by making such request of Vendor Liaison.

**F. E-Group Ad Hoc Committee**

Specific Procedures for Receipt of and Response to E-group Complaints

1. Conduct all communications of committee with complainant and author of subject Email(s) via certified U.S. mail, not via telephone or Email.
2. Upon receipt of formal complaint, draft letters to complainant and author of subject Email(s). Remove identity of complainant from information forwarded to author of subject Email(s), (See Appendix E, Exhibit “A” and “B”. Submit drafts to President, President-Elect, Board Advisor and Coordinator for review, comment and revision. Once approved by President, send approved version of letters to complainant and author of subject Email(s) via certified mail. These letters should clearly identify a primary contact for the specific formal complaint made the basis of the complaint.
3. Allow sufficient time (20 days from date of original letter, unless an extension is agreed to by Committee contact) for complainant and author of subject Email(s) to provide additional information, if desired.
4. Analyze information provided by all parties for compliance with current E- Group, E-Group Overview, NetEtiquette, and Acceptable Use Policy.
5. Draft letter of Committee’s findings regarding formal compliance and compliance/non-compliance with current E-Group, E-Group Overview, NetEtiquette, and Acceptable Use Policy. Submit draft of findings letter to President, President-Elect, Board Advisor and Coordinator for review, comment and revision. Once approved by President, send approved version of findings letter to author of subject Email(s) via certified mail. (See Appendix E, Exhibit “C”.

**G. Pro Bono Ad Hoc Committee**

1. Develop and implement a marketing plan for pro bono opportunities to paralegals around the state.
2. Create any new listing of pro bono opportunities contact information to be added to the Paralegal Division website.

3. Maintain the list of pro bono opportunities contact information on the Paralegal Division website.
4. Work with the State Bar of Texas Pro Bono College Staff Liaison to promote Pro Bono College Associate membership to Paralegal Division members around the State.
5. Prepare and submit committee reports to the Board of Directors at the Fall, Winter/Spring and Outgoing June Board Meetings.
6. Submit a copy of the committee report to the Paralegal Division's President, President-Elect, Board Advisor and PD Coordinator.

**H. Texas Bar College Membership Application Review Ad Hoc Committee**

1. Contact the Texas Bar College staff liaison to develop and maintain relationship.
2. Establish guidelines in conjunction with the Texas Bar College Staff Liaison to receive Associate membership applications for purposes of review and approval.
3. Prepare and submit committee reports to Board of Directors at the Fall, Winter/Spring and Outgoing June Board Meetings.
4. Submit a copy of the committee report to the Paralegal Division's President, President-Elect, Board Advisor, Paralegal Division's Texas Bar College Representative and the PD Coordinator.

**I. Membership Renewal Spot Audit Ad Hoc Committee**

The Membership Renewal – Spot Audit Ad Hoc Committee is a Special Committee appointed by the PD President for the purpose of auditing a sample of the PD membership renewal forms between August 10 and September 10 of each fiscal year, during the PD membership renewal period to insure compliance with the PD membership CLE requirements.

1. The Committee shall submit to the PD President, for advance approval, a draft letter to be sent to a random sampling of the PD Active and Associate members.
2. Upon approval of the letter, the Committee shall determine the random number to use in selecting the members to receive the letter (e.g. every ninth or every 18<sup>th</sup> member is audited) until 10% of the membership is audited.
3. The PD Coordinator will send the CLE Audit Report from the SMS and envelopes to the Committee in order for the Committee to begin random selection. The provided envelopes shall include the following language in bold and underline: ***Paralegal Division/State Bar of Texas – CLE Compliance Audit Enclosed.***
4. The Committee shall then send the approved letter in the envelope provided by the PD Coordinator to the randomly-selected members, requesting they send verification of the CLE submitted for renewal requirements. The letter will also include an enclosure from the President, which confirms the requirements of the audit (See Appendix F for sample form letter).
5. When members submit their CLE verifications for review, the Committee shall review to determine if CLE requirements have been met.
6. Within the week following the deadline for members to submit their CLE verifications, send a reminder email to those members who did not submit their verifications. Give another deadline to be complied with.
7. After all CLE verifications have been turned in and reviewed, the Committee shall write a report to the PD Board of Directors setting out the Committee's findings.

8. After the audit has been conducted and finalized, and the report has been given to the Board, package all information and send to the PD Coordinator for the official record. The PD Board of Directors will decide when the information can be shredded.

The names of individuals who are non-compliant with their CLE requirements or non-responsive to the Spot-Audit will be referred to the Board of Directors for further action, which may result in revocation of membership. After review by the Board of Directors and if the membership is revoked, the President shall forward a letter by certified mail to the individual notifying them of their immediate removal from the organization.

**J. ETHICS HANDBOOK AD HOC COMMITTEE**

This Committee shall develop revisions and updates for the handbook of ethical guidelines, examples, and references for use by paralegals and attorneys as a resource for paralegal ethics.

1. Continue to coordinate writing, editing, and publication efforts relating to any revisions to the *Paralegal Ethics Handbook* published by Thomson Reuters/Legal Solutions.
2. Report to the Board on the progress and development of any revisions to the *Paralegal Ethics Handbook*, as well as the status of the royalties collected, at its meetings scheduled for the Fall, Winter/Spring, and then a final report for the PD's Outgoing Board Meeting.
3. Contact publisher for marketing flyers and materials (including discount codes), or draft marketing material, and forward to Public Relations Chair for promotion.

**K. TBLS Helpful Hints Guide Ad Hoc Committee**

This Committee was formed to write a TBLS Helpful Hints Guide to be available to Paralegal Division members who intended to sit for a TBLS specialty exam. The Committee is charged with updating the TBLS Helpful Hints Guide as needed, to comply with Texas Board of Legal Specialization procedures and examinations.

1. Continue to market the TBLS Helpful Hints Guide to paralegals who intend to sit for a TBLS certification examination, including quarterly announcements to PD E-Group and Public Relations Committee for publishing on blog and social media.
2. Make periodic contact with TBLS regarding any changes that may need to be made to the TBLS Helpful Hints Guide.
3. Prepare any updates for the TBLS Helpful Hints Guide and the Job Descriptions as needed and submit to the PD Coordinator to post to the PD website.

**L. Mentor Program Ad Hoc Committee**

The PD President shall appoint a Paralegal Division member to serve as chair for the Mentor Program to provide a portal for submission of applicants to participate in the Mentor Program, as well as to providing on-going report as to the participation in the program. The Mentor Program will also provide periodic review of the guidelines and publication relating to the Mentor Program. In addition to general duties as may be directed by the PD President, this Committee has the following duties:

1. The Mentor Program Chair will prepare and submit quarterly reports to the Board Advisor and Board of Directors detailing the participants and any feedback on their participation in the program.
2. The Chair should request that participants provide semi-annual reports to the Chair, outlining the direction, guidance and support provided or received by their participation in the Mentor Program.
3. Mentor Program Chair will provide an annual review and revise, as needed or requested, the requirements for participation as a Mentor or Protégé in the Mentor Program, including review of the *Mentor Program Guidelines for Mentors and Protégés*. The Chair will provide such recommendations to the Board Advisor and Board of Directors.
4. The *Mentor Program Guidelines for Mentors and Protégés* will be maintained on the PD website. A flyer will also be made available by fall for distribution to members and potential members. In addition to providing an outline of the Mentor Program, each publication will provide the location of the application forms and instructions for the submission process. The flyer will also be given to the Board of Directors and Committee Chairs for distribution.
5. On a quarterly basis, the Chair will communicate with the Public Relations Committee Chair for distribution of the Mentor Program flyer or other publications regarding the Mentor Program, including submission in the *Texas Paralegal Journal*, as well as e-blasts or posts on the PD blog.
6. The Chair will maintain a system of tracking Mentor and Protégé teams. The Chair will receive requests for participation in the Mentor Program by electronic and postal options. The Chair will reply to each applicant and copy the Board Advisor with such communications.
7. At the end of the participation period for each Mentor or Protégé, the Chair will send a communication to the participant in appreciation of their support of the Program.

**XXIII.** The Chair will act, as needed, as a liaison between a Mentor and Protégé to promote a successful involvement in the Program.

**XXIV. PD REPRESENTATIVES.**

Texas Bar College (formerly known as **the College of the State Bar of Texas**)

The PD President shall appoint a PD Liaison to the Texas Bar College to serve a three-year term on the Board of Directors of the College, to serve as a voice for Division members to the College, relative to (a) paralegal CLE needs; (b) paralegal participation in the College; (c) raising the bar in awareness, gratification, and self-fulfillment of an individual's CLE attendance.

The PD Liaison shall serve as a conduit between the College and Texas paralegals in promoting awareness of Associate membership in the College.

The PD Liaison shall work with College Active members to promote awareness of the PD to his/her firm/office paralegals.

The PD Liaison shall agree to perform the aforementioned tasks and prepare written reports to the PD for each Division Board meeting.

The Appointee to serve as the PD Liaison to the College shall have the following qualifications:

1. Appointee shall be an active member in good standing of the PD, State Bar of Texas.
2. Appointee shall be a member in good standing of the College.

Appointee, upon appointment by the PD President, shall be committed to fulfill the three (3) year term on the Board of Directors of the College, except under special circumstances (i.e. medical conditions, workload, relocation out of state, etc.) brought before the Board of Directors of the College and the PD. The PD Liaison shall also maintain membership in good standing in both the PD and the College during his or her term.

The PD Liaison shall be appointed by the current PD President. The current PD Liaison may be re-appointed for one consecutive three (3) term following the initial term.

The PD Liaison will provide a written report at each PD Board Meeting and upon request shall attend the outgoing Board meeting for the current year.

The PD President will provide written notification to the President of the Texas Bar College on the appointment of the newly appointed PD Liaison.

The current PD Liaison will forward all documents to the newly appointed PD Liaison within ten (10) business days of the appointment.

**CODE OF ETHICS AND PROFESSIONAL RESPONSIBILITY OF THE  
PARALEGAL DIVISION OF THE STATE BAR OF TEXAS**

Preamble

Fundamental to the success of any professional organization are the integrity of its members and a high standard of conduct. This Code of Ethics and Professional Responsibility is promulgated by the Paralegal Division of the State Bar of Texas and accepted by its members to accomplish these ends.

The paralegal profession is by nature closely related to the legal profession. Although the Code of Professional Responsibility of the State Bar of Texas does not directly govern paralegals except through a supervising attorney, it is incumbent upon the members of the Paralegal Division to know the provisions of the attorneys' code and avoid any action which might involve an attorney in a violation of that code or even the appearance of professional impropriety.

The canons set forth hereafter are intended as a general guide, and the enumeration of these canons does not exclude others of equal importance although not specifically mentioned.

**Canon 1.** A paralegal shall not engage in the practice of law as defined by statutes or court decisions, including but not limited to accepting cases or clients, setting fees, giving legal advice or appearing in a representative capacity in court or before an administrative or regulatory agency (unless otherwise authorized by statute, court or agency rules); the paralegal shall assist in preventing the unauthorized practice of law.

**Canon 2.** A paralegal shall not perform any of the duties that attorneys only may perform or do things which attorneys themselves may not do.

**Canon 3.** A paralegal shall exercise care in using independent professional judgment and in determining the extent to which a client may be assisted without the presence of any attorney, and shall not act in matters involving professional legal judgment.

**Canon 4.** A paralegal shall preserve and protect the confidences and secrets of a client.

**Canon 5.** A paralegal shall not solicit legal business on behalf of an attorney.

**Canon 6.** A paralegal shall not engage in performing paralegal functions other than under the direct supervision of an attorney, and shall not advertise or contract with members of the general public for the performance of paralegal functions.

**Canon 7.** A paralegal shall avoid, if at all possible, any interest or association which constitutes a conflict of interest pertaining to a client matter and shall inform the supervising attorney of the existence of any possible conflict.

**Canon 8.** A paralegal shall maintain a high standard of ethical conduct and shall contribute to the integrity of the paralegal profession.

**Canon 9.** A paralegal shall maintain a high degree of competency to better assist the legal profession in fulfilling its duty to provide quality legal services to the public.

**Canon 10.** A paralegal shall do all other things incidental, necessary or expedient to enhance professional responsibility and the participation of paralegals in the administration of justice and public service in cooperation with the legal profession.

Paralegal Division/State Bar of Texas  
Adopted March 27, 1982

**APPENDIX A**

**PARALEGAL DEFINITION AND STANDARDS ADOPTED BY  
THE STATE BAR OF TEXAS**



# PARALEGAL DIVISION

## STATE BAR OF TEXAS



### **Paralegal Definition and Standards Adopted by the State Bar of Texas**

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

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

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

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

1. Attorneys are encouraged to promote:

- a. paralegal attendance at continuing legal education programs;
- b. paralegal board certification through the Texas Board of Legal Specialization (TBLS);
- c. certification through a national paralegal organization such as the National Association of Legal Assistants (NALA) or the National Federation of Paralegal Associations (NFPA); and
- d. membership in the Paralegal Division of the State Bar and/or local paralegal organizations.

2. In hiring paralegals and determining whether they possess the requisite education, attorneys are encouraged to consider the following:

- a. A specialty certification conferred by TBLS; or
- b. A CLA/CP certification conferred by NALA; or
- c. A PACE certification conferred by NFPA; or

- d. A bachelor's or higher degree in any field together with a minimum of one (1) year of employment experience performing substantive legal work under the direct supervision of a duly licensed attorney AND completion of 15 hours of Continuing Legal Education within that year; or
- e. A certificate of completion from an ABA-approved program of education and training for paralegals; or
- f. A certificate of completion from a paralegal program administered by any college or university accredited or approved by the Texas Higher Education Coordinating Board or its equivalent in another state.

3. Although it is desirable that an employer hire a paralegal who has received legal instruction from a formal education program, the State Bar recognizes that some paralegals are nevertheless qualified if they received their training through previous work experience. In the event an applicant does not meet the educational criteria, it is suggested that only those applicants who have obtained a minimum of four (4) years previous work experience in performing substantive legal work, as that term is defined below, be considered a paralegal.

**B. Delegation of Substantive Legal Work:**

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

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

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

1. Attorney. The employing attorney has the responsibility for ensuring that the conduct of the paralegal performing the services is compatible with the professional obligations of the attorney. It also remains the obligation of the employing or supervising attorney to fully inform a client as to whether a paralegal will work on the legal matter, what the paralegal's fee will be, and whether the client will be billed for any non-substantive work performed by the paralegal.

2. Paralegal. A paralegal is prohibited from engaging in the practice of law, providing legal advice, signing pleadings, negotiating settlement agreements, soliciting legal business on behalf of an attorney, setting a legal fee, accepting a case, or advertising or contracting with members of the general public for the performance of legal functions.

\*\*\*\*\*

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

**APPENDIX B**

**PARALEGAL DIVISION COORDINATOR'S PERFORMANCE  
EVALUATION FORM**

## **PARALEGAL DIVISION COORDINATOR'S PERFORMANCE EVALUATION**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Position with Division: Executive Committee/Board of Directors/Committee Chair

### **Definition of measurements:**

**Excellent** – Beyond expectation. The grade should be reserved for an exceptional performance.

**Above Expectations** – Consistently performs above level expected.

**Meets Expectations** – Solid and competent performance and meets expectations as set forth by the Paralegal Division.

**Below Expectations** – Inconsistent work product or performance. Not consistently producing work at the Paralegal Division's standards and needs Improvement.

**Unsatisfactory** – Fails to meet minimum standards and expectations of the Paralegal Division.

### **I. SBOT LIAISON (to be answered by the Executive Committee)**

1. Coordination and follow up of renewal process with State Bar
  - Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory
  
2. Coordinate with the State Bar General Counsel's office regarding third party contracts
  - Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory
  
3. Coordination with other SBOT departments
  - Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory
  
4. Coordination and follow up of renewal process with State Bar
  - Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory

Comments: \_\_\_\_\_

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**II. BOARD OF DIRECTORS AND COMMITTEES (to be answered by Executive Committee, Board of Directors and Committee Chairs, or as indicated)**

5. Providing of files and materials to new Directors and Committee Chairpersons
- Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory
6. Working with President as Requested/Needed
- Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory
7. Working with Executive Committee as Requested/Needed
- Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory
8. Working with the Directors as Requested/Needed
- Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory
9. Working with the Committee Chairs as Requested/Needed
- Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory
10. Assist with information and historical advice regarding special or additional committee projects, if any, upon request.
- Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory

Comments: \_\_\_\_\_

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**III. PLAN AND ORGANIZE MEETINGS AND EVENTS (to be answered by the Executive Committee, Board of Directors, presiding President Over Annual Meeting, and Chair of TAPS)**

11. Planning and organizing Board meetings
- Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory
12. Coordination of Annual Meeting with TAPS.
- Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory
13. Planning and organization of Texas Advanced Paralegal Seminar (TAPS) event
- Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory

Comments: \_\_\_\_\_

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**IV. FIDUCIARY RESPONSIBILITIES (to be answered by the Executive Committee)**

14. Coordination of costs associated and managing the printing of brochures, renewal forms, membership cards, stationary, and other Paralegal Division materials
- Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory
  - Not Applicable
15. Maintenance of Paralegal Division financial records
- Excellent
  - Above Expectation

- Meets Expectation
  - Below Expectation
  - Unsatisfactory
  - Not Applicable
16. Management of Paralegal Division expenses in coordination with Paralegal Division Treasurer
- Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory
  - Not Applicable
17. Coordinate with PD Bookkeeper for all financial matters involving the Paralegal Division on a bi-monthly, monthly, quarterly and annual basis.
- Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory
  - Not Applicable
18. Coordinate Annual Audit of Paralegal Division
- Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory
  - Not Applicable

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**V. WEBSITE (to be answered by the Executive Committee)**

19. Management of Paralegal Division website in coordination with webmaster
- Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory
20. Management of online elections and voting
- Excellent
  - Above Expectation

- Meets Expectation
- Below Expectation
- Unsatisfactory

Comments: \_\_\_\_\_

**VI. MANAGEMENT OF THE *TPJ* (to be answered by the EC and the Publications Chair)**

21. Assistance with administration of the *Texas Paralegal Journal*
- Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory
22. Management of the electronic distribution of the *Texas Paralegal Journal* to the Paralegal Division members
- Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory

Comments: \_\_\_\_\_

**VII. MISCELLANEOUS (to be answered by the Executive Committee and Board of Directors)**

23. Assist Paralegal Division on special projects as directed
- Excellent
  - Above Expectation
  - Meets Expectation
  - Below Expectation
  - Unsatisfactory
24. Provide timely and appropriate management of general inquiries from members, vendors and other.
- Excellent
  - Above Expectation
  - Meets Expectation

- Below Expectation
- Unsatisfactory

25. Performance of overall duties of the Paralegal Division Coordinator.

- Excellent
- Above Expectation
- Meets Expectation
- Below Expectation
- Unsatisfactory

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**VIII. SUMMARY (to be utilized by President and President-Elect during evaluation meeting with PD Coordinator)**

Additional Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PD Coordinator Comments** (Coordinator should use this section to discuss any special projects, accomplishments, goals, concerns and/or requests): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone Review Completed on: \_\_\_\_\_

Signature of PD Coordinator: \_\_\_\_\_

Signature of President: \_\_\_\_\_

Signature of President-Elect: \_\_\_\_\_

**APPENDIX C**

**DEFINITION OF MORAL  
TURPITUDE**

# PARALEGAL DIVISION

## STATE BAR OF TEXAS



Thank you for contacting the Paralegal Division about membership.

### **Definition of Moral Turpitude:**

Moral turpitude is a legal concept in the United States that refers to “conduct that is considered contrary to community standards of justice, honesty or good morals.” The concept of moral turpitude escapes precise definition but has been described as an "act of baseness, vileness or depravity in the private and social duties which a man owes to his fellowmen, or to society in general, contrary to the accepted and customary rule of right and duty between man and man." The specific acts that such a concept includes inevitably change over time, as general public acceptance or abhorrence of issues alters.

The following crimes constitute moral turpitude, but are not inclusive of all crimes involving moral turpitude:

Abandonment of a minor child	Harboring a fugitive from justice (with guilty knowledge)
Arson	Incest
Assault with intent to kill, commit rape, commit robbery or commit serious bodily harm	Kidnapping
Assault with a dangerous or deadly weapon	Larceny (grand or petty)
Assault, Aggravated	Lewdness
Bigamy	Mail fraud
Blackmail	Malicious destruction of property Manslaughter (voluntary and involuntary) Mayhem
Bribery	Murder
Burglary	Pandering
Contributing to the delinquency of a minor	Paternity fraud
Counterfeiting	Perjury
Embezzlement	Prostitution
Extortion	Rape (including "Statutory rape")
False pretenses	Receiving stolen goods
Forgery	Robbery
Fraud	Tax evasion
Fraud against revenue or other government functions	Theft (when it involves the intention of permanent taking)
Gross indecency	Transporting stolen property

## **APPENDIX D**

### **E-GROUP AD HOC COMMITTEE FORM LETTERS (Contains Sample Letters Exhibit A, B and C)**

**EXHIBIT “A”**

VIA CERTIFIED MAIL .RETURN RECEIPT REQUESTED

DATE

NAME

ADDRESS

RE: E-Group Complaint

Dear \_\_\_\_\_

The purpose of this letter is to confirm receipt of your formal complaint(s) regarding postings to the PD E-Group as attached.

While the role of the E-Group Committee is not to act as watchdog, the Committee takes its role seriously in reviewing formal complaints when received, along with any additional information the parties involved wish to submit to the Committee in connection with any formal complaint. To this end, I invite you to submit any additional information you wish the Committee to consider in relation to your complaint(s) to the Committee within 20 days of the date of this letter. However, given our understanding of the nature of our profession, if additional time is necessary, I ask that you contact the Committee within that 20-day period to request an extension and reach an agreement with the Committee regarding the extended time frame.

All communications on behalf of the Committee will be sent in writing, not electronic mail, and I will be serving as the point of contact for the Committee in regard to your formal complaint(s) indicated in this letter. I request that any additional communications you submit, if you choose to do so, be directed to me in writing at the address indicated below (not via electronic mail).

The Committee is very serious about preserving the integrity of the benefits of membership to all members, such as the intended purpose of the E-Group as a forum for exchange of useful ideas and information among members who choose to participate. The Committee will review all information submitted by the parties to your formal complaint(s), but all communications by the Committee will be strictly confidential between the respective parties, including the determination of the Committee on the issue of whether the posting(s) made the basis of the complaint(s) complied with the guidelines.

Thank you for your participation and interest in preserving the integrity of, the member benefit of the E-Group for all those who choose to participate.

On behalf of the E-Group Committee,

NAME

ADDRESS OF COMMITTEE CONTACT

Enclosure -copy of formal complaint(s)

**EXHIBIT “B”**

CERTIFIED MAIL .RETURN RECEIPT REQUESTED

DATE

NAME

ADDRESS

RE: E-Group Complaint Dear

On behalf of the E-Group Committee, I am writing to apprise you that a formal complaint has been received regarding the attached postings to the Paralegal Division E-Group.

Although the role of the E-Group Committee is not to act as a watchdog, the Committee takes its role seriously in reviewing formal complaints when received, along with any additional information the parties involved wish to submit to the Committee in connection with any formal complaint. To this end, I invite you to submit any additional information you wish the Committee to consider in relation to this complaint to the Committee within 20 days of the date of this letter, However, given our understanding of the nature of our profession, if additional time is necessary, I ask that you contact the Committee within that 20-day period to request an extension and reach an agreement with the Committee regarding the extended time frame.

All communications on behalf of the Committee will be sent in writing, not electronic mail, and I will be serving as the point of contact for the Committee in regard to the formal complaint indicated in this letter. I request that any additional communications you submit, if you choose to do so, be directed to me in writing at the address indicated below (not via electronic mail).

The Committee is very serious about preserving the integrity of the benefits of membership to all members, such as the intended purpose of the E-Group as a forum for exchange of useful ideas and information among members who choose to participate The Committee will review all information submitted by the parties to this formal complaint, but all communications by the Committee will be strictly confidential between the respective parties, including the determination of the Committee on the issue of whether the posting(s) made the basis of the complaint(s) complied with the guidelines.

Thank you for your participation in, and interest in preserving the integrity of, the member benefit of the E-Group for all those who choose to participate.

On behalf of the E-Group Committee,

NAME

ADDRESS OF COMMITTEE CONTACT

Enclosure - copy of formal complaint(s) .BE SURE TO REMOVE COMPLAINANT'S ID

**EXHIBIT “C”**

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED

DATE

NAME

ADDRESS

RE: E-Group Complaint

Dear NAME:

On behalf of the E-Group Committee, I am writing to apprise you of the findings of the E-Group Committee as a result of a formal complaint having been received regarding postings to the Paralegal Division E-Group (copies of which were previously provided to you via letter dated \_\_\_\_\_.)

The Committee is very serious about preserving the integrity of the benefits of membership to all members, such as the intended purpose of the E-Group as a forum for exchange of useful ideas and information among members who choose to participate. The Committee has reviewed all information submitted by the parties to this formal complaint.

The Committee has found that the subject postings were/were not in violation of the E-Group policies regarding \_\_\_\_\_ (specify - e.g., improper use of the "Reply to All" function, being off-topic, flaming, etc. as applicable).

All communications by the Committee will be strictly confidential between the respective parties, including the determination of the Committee on the issue of whether the postings made the basis of the complaint complied with the guidelines.

Thank you for your participation in, and interest in preserving the integrity of, the member benefit of the E-Group for all those who choose to participate.

On behalf of the E-Group Committee,

NAME

ADDRESS

OF DESIGNATED CONTACT FOR  
COMMITTEE FOR THIS COMPLAINT

## **APPENDIX E**

### **MEMBERSHIP RENEWAL SPOT AUDIT AD HOC COMMITTEE FORM LETTERS**

**PARALEGAL DIVISION**  
STATE BAR OF TEXAS



October \_\_, 2011

[ ADDRESS ]

Dear \_\_\_\_\_,

**STATE BAR OF TEXAS – PARALEGAL DIVISION**  
**CLE COMPLIANCE AUDIT**

Each year, the Paralegal Division performs a random audit to check to be sure the Active and Associate members have met the mandatory six (6) hours of CLE for membership renewal in the Paralegal Division of the State Bar of Texas. This year, the membership list was sorted by member zip code, and beginning with the 23rd person on the list, every 16th members' name was selected for purpose of the mandatory CLE audit. The audit period is June 1, 2010 through May 31, 2011.

As an Active or Associate Member whose name has been pulled for audit, you are required to send your Proof of Attendance Certificates as verification of your attendance at the CLE you listed on your membership renewal. Please see attached procedures for locating your CLE records if you do not have access to that proof in your personal files. The names of individuals who are non-compliant with their CLE requirements or non-responsive to the Spot- Audit will be referred to the Board of Directors for further action, which may result in revocation of membership.

Please send copies of your Proof of Attendance Certificates no later than November 30, 2011 to the following mailing or email address:

Lori Winter, CP  
Oxy Inc.  
5005 Lyndon B. Johnson Freeway  
Dallas, Texas 75244  
MRC@txpd.org

Thank you very much for your assistance with this audit.

# ***PARALEGAL DIVISION***

STATE BAR OF TEXAS



## **HOW TO LOCATE CLE ATTENDANCE RECORDS**

### **State Bar of Texas MCLE-Approved CLE Programs Attendance:**

Go to [www.txpd.org](http://www.txpd.org); click the Members-Only menu item on the right-hand side. Log on using your member number and the first five digits of your last name (all lower-case letters). Once you are logged into the Members-Only area, choose “**Directory**” and then choose “**View My CLE Records**” from the fly-out menu. You can print the list of MCLE-approved CLE attendance directly from this area of the PD website.

**Note:** You may use this area on the PD Members-Only area to enter in non-State Bar of Texas MCLE approved CLE attendance for tracking purposes only.

### **Texas Advanced Paralegal Seminar (TAPS) Attendance:**

If you have attended a TAPS seminar, just open the Speaker Material CD (or flash drive) that is provided to each registered TAPS attendee. The Certificate of Attendance is located on the Speaker Materials CD (or flash drive).

### **Paralegal Division District Sponsored and Local Paralegal Association Sponsored CLE Attendance:**

If you have attended a PD District or local paralegal association CLE, please contact the PD District or local association to obtain a certificate of attendance form if one was not distributed at the CLE event.

### **National Association Sponsored CLE Attendance:**

If you have attended a national association CLE, please contact the national association to obtain a certificate of attendance form if one was not distributed at the CLE event.

**APPENDIX F**  
**EXPENSE REIMBURSEMENT FORM**

