



KALA Reports

Volume MMXX • Issue 4

September 2020

Upcoming Events:

- **October 6, 2020—**
Monthly Meeting,
Location: Zoom Meeting
Speaker: Clayton Kaiser
Topic: "United States Air
Force Judge Advocate General's
Corps (JAG)"
- **November 3, 2020—**
Monthly Meeting,
Location: Zoom Meeting
Speaker: Kristi Barton
Edwards
Topic: "The Legal Landscape
of Law Enforcement in 2020."
- **December 1, 2020—**
Monthly Meeting,
Location: Zoom Meeting
Speaker: TBA
Topic: TBA

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A letter from the President



Hello everyone,
I hope this finds you and your family safe and healthy.

It is hard to believe that we are in September now and in our sixth month of this pandemic, which has changed all of our lives. I hate the fact that we had to cancel our annual seminar this year, but we have already rescheduled several of the speakers for our 2021 annual seminar. From day one, we as paralegals have learned to adapt to changes. This year has been full of learning how to adapt to our new "normal" and KALA's goal is to continue to offer interesting CLE on a monthly basis. We plan to offer 9 monthly CLE meetings during the 2020/2021 year. Until we are able to meet again safely in person, our monthly meetings will be held through Zoom. By utilizing Zoom, we can conduct KALA business as well as have our education meetings. Even though we can't meet together in person, I

look forward to seeing all your smiling faces on Zoom. Even if you do not have a webcam, you can still join in online or your phone and obtain your CLE credit.

The website for Zoom is Zoom.us. For those that RSVP for the meeting, I will send you through email a link and password. The link will take you directly to the meeting location and you can enter the password. The website will walk you through to entering into the meeting. If you have any questions or need any help logging into Zoom, please email or call me and I will help walk you through the log in process.

We are always looking for speakers for our monthly meetings. If you know of anyone that would be willing to speak to us on a legal topic, please let Rebecca Haase or myself know and we will reach out to him or her. With Zoom, we have the opportunity to receive CLE from speakers all over, not just the Wichita area.

I want to congratulate Angela Oberle on her election as NALA's Area 2 Director. She was installed on to the NALA Board during the 2020 NALA Conference @Home convention. Angela will also continue as one of our KALA Directors.

It was amazing how quickly NALA stepped up and changed it from an in person convention in Atlantic City, New Jersey to online. Even though there were a few hiccups during the convention, NALA was on it getting them fixed. The speakers prerecorded their presentation, but was available for questions and answers at the end. Hopefully, NALA will be able to have the 2021 convention in person in Louisville, Kentucky, but if not, they will be ready and able to have it remotely again.

I want to thank Susan Baughn for her wonderful work as our KALA secretary during the 2019/2020 year. All of your hard work was greatly appreciated. I continue to look forward to seeing you in the future. We have a new KALA board member for 2020/2021. I would like to welcome Kristi Lopez as our new secretary.

Last issue of the KALA Reports, I referred to the "Glad Game" from the movie Pollyana. I hope that each and every one of you have had the opportunity to find the positives in our new "normal".

I continue to wish everyone the best and if you ever need anything, please feel free to reach out to me. ■

Annette Meece, CLA
KALA President

Demystifying Paralegal Credentials for Lawyers and Paralegals

FEATURED POSTS, PARALEGAL DIVISION

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By Alicia Mitchell-Mercer

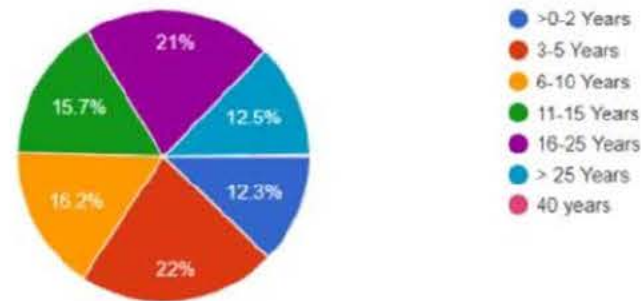
Recently, I overheard a discussion regarding whether attorneys understand the content of paralegal programs and the meaning of the post-nominal certification credentials you increasingly see behind paralegals' names. One person responded that many fledgling paralegals don't understand the difference between being certified and having a certificate, so how can attorneys be expected to understand these distinctions. While these issues may not seem pressing, they are important.

Perhaps data tells a more accurate story than personal narrative. I surveyed 400 paralegals through social media groups with varying years of experience and asked them how informed they believe their attorneys are regarding paralegal education and certification credentials. I could have surveyed attorneys, but experience indicates that busy attorneys rarely respond to survey questions about their staff. Nonetheless, I believe we can glean valuable information from the paralegal responses.

The pie charts (below) reflect that 27.5% of paralegals believe their attorneys are uninformed regarding what they learned in their paralegal programs; 43.5% of paralegals believe that their attorneys are uninformed regarding paralegal certification programs, and thus attorneys do not understand the meaning (or purpose) of the accomplishment; and 34.3% report that their firms do not encourage paralegal certification or continued education.

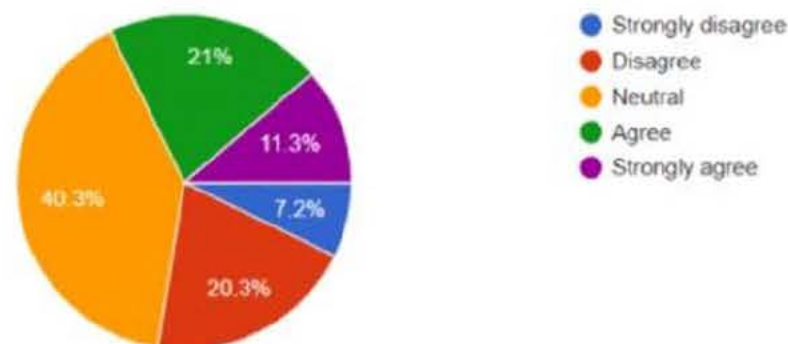
How long have you been a paralegal?

400 responses



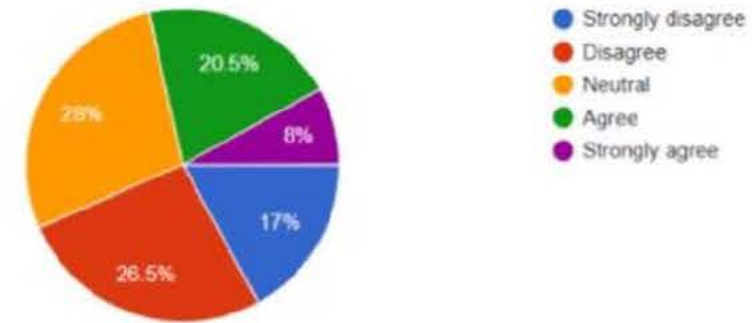
My supervising attorney understands the program objectives and learning outcomes of the paralegal program I completed.

400 responses



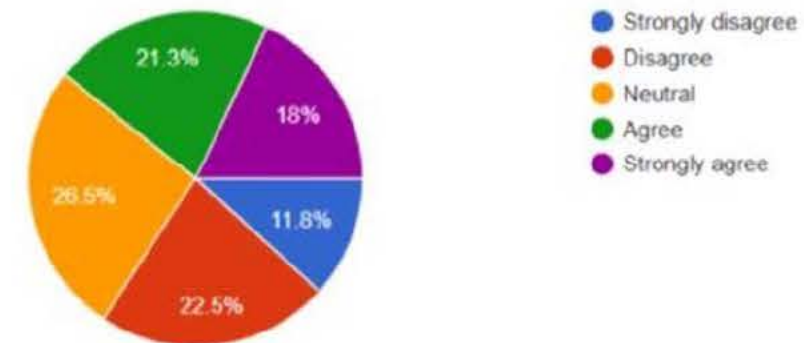
My supervising attorney is knowledgeable regarding paralegal certification and understands what the certification process entails.

400 responses



My supervising attorney encourages (or has encouraged) me to pursue higher education and/or paralegal certification.

400 responses



Why Attorneys Should Care

Attorneys who operate businesses typically wear many different hats, but they also must know when and how to seek help from others. If you will be hiring paralegals in the future, you ought to know what their credentials mean so you can make an informed decision during the hiring process. This is especially true if you are hiring a paralegal with little or no experience and relying almost entirely on a paralegal certificate, degree, or other credential to separate the wheat from the chaff during the interview process.

The purpose of paralegal education and certification programs is to facilitate paralegal competency and ultimately enhance the quality of legal services to the public. The more a paralegal knows, the better the outcome of tasks delegated to them. If there is a commitment to ongoing education within the firm – recall the old master-apprentice model – paralegals will be able to excel at increasingly higher-level tasks.

Additionally, a conflict exists between using seasoned attorneys who have more experience and higher rates, and using paralegals who are less experienced but also less costly to the client. It is not uncommon for clients to push back against law firms who use attorneys to complete tasks that could have been completed by less expensive paralegals. While this may be a profitability enhancer when using the billable hour, this is not the most efficient or ethical way to staff legal matters and can lead to dissatisfied clients and poor client retention. ▶

Why Paralegals Should Care

If you are a new paralegal, learning about the various education and certification programs can help you along your career path, support your firm's goal in providing legal services with a spirit of excellence, and increase the baseline of knowledge in the paralegal profession as a whole. It is also important that you understand paralegal credentials so you can speak with some degree of intelligence during the interview process. In error, I've seen paralegal resumes list that they are ABA-certified. Go to LinkedIn and type "ABA Certified Paralegal" in the search bar and then click on "People." We discuss this more later.

What They Didn't Teach You About Your Paralegals In Law School

The paralegal profession has evolved significantly over the last 40 years. The paralegal role was created in the 1970s from the legal secretary position when attorneys realized secretaries could perform higher level tasks and bill for their time. Legal organizations including the ABA and the National Association of Legal Assistants (NALA) blazed a new trail with the concept of trained paraprofessionals performing all kinds of legal work in a wide variety of legal settings.

The first instance in which the US Supreme Court addressed the recoverability of paralegal fees was under section 1988 of the Civil Rights Attorney's Fee Awards Act of 1976. In *Missouri v. Jenkins*, 491 U.S. 274 (1989), the petitioner was seeking the award of attorney and paralegal fees after a lengthy litigation. The Court was asked whether the work of paralegals, law clerks, and recent law graduates could be reimbursed at market rates, rather than their cost to attorneys (wages).

The Court recognized that everyone – attorneys, paralegal employees, and clients – benefits from the proper utilization of paralegals. In its opinion, the Court stated:

By encouraging the use of lower cost paralegals rather than attorneys wherever possible, permitting market-rate billing of paralegal hours "encourages cost-effective delivery of legal services and, by reducing the spiraling cost of civil rights litigation, furthers the policies underlying civil rights statutes."

The question before the US Supreme Court in *Richlin Security Service Co. v. Chertoff*, 553 U.S. 571 (2008) was very similar to that in *Missouri v. Jenkins*. However, instead of considering the award of paralegal fees under the Civil Rights Act, the court was asked to review if paralegal fees could be reimbursed at market rates under the Equal Access to Justice Act. Citing the Court's decision in *Missouri v. Jenkins* the court again stated paralegal fees may be awarded at market rates.

Today paralegals can provide many of the services attorneys provide (under the supervision of a licensed attorney, of course) without going to law school. However, as the profession continues to grow, formal paralegal education and paralegal certification are becoming the standard.

Certificate, Certificated, Certified, and Certification - What's the Difference?

Surprisingly, despite the proliferation of education and certification programs, many lawyers and paralegals are still confused when it comes to understanding paralegal credentials. Following is an overview of everything you need to know about the difference between certificate, certificated, certified, and certification in the paralegal field.

Paralegal Certificate ≠ Paralegal Certification

A paralegal certificate signifies successful completion of a paralegal education program. Paralegal programs are usually offered at universities and local community colleges. Upon successful completion of the institution's educational requirements, the student is issued a certificate of completion. The student is then considered to be certificated in paralegal studies – not certified. Additionally, there are a number of colleges that offer undergraduate degrees in paralegal studies, paralegal technology, or other titles. Those students typically graduate with an associate's degree or bachelor's degree.

Remember that paralegal education programs may have different requirements and likely have different curriculum, contact hour requirements, and levels of quality. Therefore, if you are considering hiring a newly-graduated paralegal with no legal experience, it can be helpful to ask them for copies of transcripts so you can ascertain what courses they have completed in the certificate or degree program. This can give you an idea of the length and quality of the program as well as the knowledge areas covered. ▶

ABA-Accredited Law Schools vs. ABA-Approved Paralegal Programs

Hiring managers love to throw around the term "ABA-approved" paralegal program. It is used as a buzzword, but many attorneys have no idea what the ABA approval process involves for paralegal programs. Understandably, they like the sound of ABA approval because they are generally familiar with the ABA accreditation standards of law schools.

The ABA approves paralegal programs with a minimum of 60 semester-hours. You can determine if a paralegal program is ABA approved by visiting here. However, know that not all paralegal programs, which meet ABA requirements, have applied for ABA approval. Some universities with ABA-compliant programs do not apply for approval due to costly fees, which you can see here if you are curious. The paralegal program of Duke University is a good example.

Duke's position on ABA-approval is as follows and many other perfectly respectable colleges and universities take a similar position:

"The Duke Paralegal Certificate Program has chosen not to pursue ABA approval, as is the case with the majority of paralegal programs. Of the approximately 1,000 paralegal programs nationwide, 267 are ABA approved (The Directory of ABA Approved Paralegal Programs, June 2014). The ABA does not formally "accredit" any paralegal program, but for a fee, the organization will approve programs that meet certain standards. Duke University is ranked in the top ten in the nation, and students can be assured that when attending the Paralegal Program at Duke, they will be receiving an education that meets Duke's high academic standards."

If the paralegal's school is not listed with the ABA, you can also check the AAFPE (American Association for Paralegal Education) website here. Institutional Members of AAFPE are either ABA-approved or "in substantial compliance with ABA guidelines and accredited by a nationally recognized accrediting agency." Again, not all programs that meet these requirements are members of AAFPE. To verify that institutions offering paralegal education programs are accredited by a nationally recognized accrediting agency, visit the US Dept. of Education website here.

Paralegal Certification

A certified paralegal is one that has met certain prerequisites of a governing state authority or an independent organization or association. Qualifying for certification usually includes meeting educational requirements, prior work experience or internship as a paralegal, and passing an examination. After the paralegal has met these criteria, they may use a special designation or credential and call themselves a certified paralegal in accordance with the certifying body's instructions.

IMPORTANT NOTE: The American Bar Association does not certify paralegals. Paralegals may not represent themselves as "ABA-certified paralegals," because the ABA's approval applies to the paralegal education program rather than to the individual paralegal. See the ABA's position on this issue here:

Sources of Certification

Certification has been a subject of considerable interest and debate for many years among paralegal associations, bar associations and some legislatures. Certification is a process by which a non-governmental agency or association grants recognition to an individual who has met certain predetermined qualifications specified by that agency or association. It usually involves passing an examination drawn up by the sponsoring organization and meeting specified educational and/or experiential requirements. The American Bar Association does not certify Paralegals. Paralegals may not represent themselves as "ABA-certified paralegals," because the ABA's approval applies to the paralegal education program rather than to the individual paralegal. ▶

National Paralegal Certification Programs

Currently, all certification programs in the United States are voluntary. Of the certification programs currently available, the most widely known national certifications are those of NALA | The Paralegal Association (formerly the National Association of Legal Assistants); the National Federation of Paralegal Associations (NFPA), and NALS – The Association of Legal Professionals (formerly the National Association of Legal Secretaries). The ABA recognizes the voluntary national certifications of NALA, NFPA, and NALS.

NALA | The Paralegal Association

The NALA certification exam was established in 1976 to offer a nationwide credential for all paralegals. This is the nation's oldest paralegal certification program. The current 2018 exam format is 5 hours including an essay (judgment and analytical ability) section. Exams formats prior to 2018 were 7.5 or more hours to complete. The last time I checked with NALA, the first-time pass rate for this exam was 55%. You can find the current exam requirements here. The original designation earned by passing the exam was the "CLA" or the Certified Legal Assistant designation. Currently, NALA uses the "CP" or Certified Paralegal designation as the term "paralegal" becomes more popular than "legal assistant." NALA also offers advanced paralegal certifications in various specialty areas of law and successful completion of an advanced paralegal certification course allows you to use the advanced certified paralegal or "ACP" credential.

To learn more about NALA certification, visit www.nala.org.

NFPA | The National Federation of Paralegal Associations

The NFPA Paralegal Advanced Competency Exam (PACE) exam was established in 1996 to test the competency level of experienced paralegals. The current exam format is 4 hours to answer 200 multiple choice questions. Upon successful completion of the exam, one earns the PACE Registered Paralegal (RP) credential. Additionally, The Paralegal Core Competency Exam (PCCE) was established by NFPA in 2011 for entry-level paralegals. The current exam format is 2.5 hours to answer 125 multiple choice questions. Upon successful completion one earns the CORE Registered Paralegal (CRP) designation.

To learn more about NFPA certification, visit www.paralegals.org.

NALS | The Association of Legal Professionals

NALS offers a Professional Paralegal (PP) exam and Specialty Certificate Program. The PP was established in 2004 and is a two-day exam. To learn more about NALS certification, visit <https://www.nals.org>.

State Paralegal Certification Programs

As you likely know, The North Carolina State Bar Certified Paralegal Program offers an entry-level paralegal certification exam. After successful completion of a NCSB-approved education program and exam (no in-office experience required), a paralegal can use the credentials:

- North Carolina Certified Paralegal
- North Carolina State Bar Certified Paralegal
- Paralegal Certified by the North Carolina State Bar Board of Paralegal Certification
- NCCP ▶

To learn more about paralegal certification through the North Carolina State Bar, visit www.nccertifiedparalegal.gov.

In addition to the North Carolina State Bar, the ABA recognizes the following state specific certifications of the:

- Florida Bar
- Ohio State Bar Association
- South Carolina Bar
- Texas Board of Legal Specialization

Although California does not certify paralegals in general, California legislation (AB 1761) makes it unlawful for persons to identify themselves as paralegals unless they meet certain requirements. Paralegals must also complete continuing legal education every two years in order to lawfully perform services or identify as a paralegal.

Is Certification Right For You Or Your Firm?

The scope, duration and requirements for certification credentials vary with each organization. Be sure to check with the organization offering the credential to determine the requirements. Some credentials are more widely recognized in certain geographical regions than others, so you'll also want to be sure that you are obtaining a certification that will benefit your career or firm in your particular marketplace.

Further, if your paralegal obtains certification after they have already been employed with your firm, acknowledge it. This celebration can be simple – words of affirmation, a new title on business cards, acknowledgement on the firm website, etc. I've seen some firms preclude their paralegals from using post-nominal certifications after their names. While that is entirely up to the firm, this decision may reflect a lack of understanding regarding the value of paralegal certification. A tangible benefit may be the firm's ability to justify an increase in a paralegal's hourly rate. Additionally, some corporations require that a law firm use "certified paralegals" in order to be considered during their call for proposals.

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KALA's own Angela Oberle, ACP has been elected as NALA's newest Area 2 Director



CONGRATULATIONS Angela!!
Way to Represent KALA!!

Member Spotlight: Jami Buck



How long have you been in KALA?
Since 1987.

KALA Membership Classification:
Emeritus

Certification: CP

What all positions have you held?
Treasurer, Director, NALA Liaison, Seminar Committee Chair, Programs Committee Chair, Name Change Committee Chair, KALA Directory Committee Chair and KALA Reports Editor

Place of birth: Hutchinson, Kansas



Children: 2 daughters and 2 sons-in-law

Grandchildren: Not yet

What is the most unusual or interesting job you've ever had? Most unusual would be building pallets and most interesting is being a paralegal.

What is your biggest achievement? Being married to my husband David for 35 years and raising 2 successful daughters.

What is your favorite food/meal? BBQ

What words do you live by? The Golden Rule: Do unto others as you would have them do unto you

Best show/event you've ever seen? Wicked

Best vacation you have been on? Holy Land Pilgrimage

What is on your bucket list? Visit the places my ancestors lived in Scotland and Wales.

What is your favorite thing to do in the wonderful city of Wichita? Right now, my favorite thing to do is play tennis at Riverside Tennis Center. I am looking forward to watching some baseball games at the new stadium, though!

You're happiest when? My family is all together.

People would be surprised to know that I....David and I renewed our wedding vows at the wedding church in Cana, Israel. ■



New Member Spotlight: Deanna Riebel



Why did you join KALA? I thought it would be a great networking tool.

KALA Membership Classification: Voting member

Place of birth: Wichita, KS

Children: One fur baby, Hank (mini dachshund). Also, I have 2 nephews and 3 nieces (two of my nieces are twins)

Grandchildren: None

What is the most unusual or interesting job you've ever had? I was a cashier at a fireworks stand for a few summers when I was in high school. Working at Hinkle Law Firm was technically my first "big kid" job that I just worked my way up. I started as a part-time scanning clerk

while I was in college, then became a legal secretary and now a paralegal.

What is your biggest achievement? Becoming a paralegal

What is your favorite food/meal? Chinese or my mom's lasagna

What words do you live by? I try to live by "Let go and let God" but sometimes my mind gets the better of me and goes a million mph.

Best show/event you've ever seen? Blue Man Group (twice)

Best vacation you have been on? ? Italy and Greece with my Art Club when I was in high school. Or to St. Louis with my husband when he took me to my first St. Louis Cardinals baseball game (lifelong fan and just attended my first game last year).

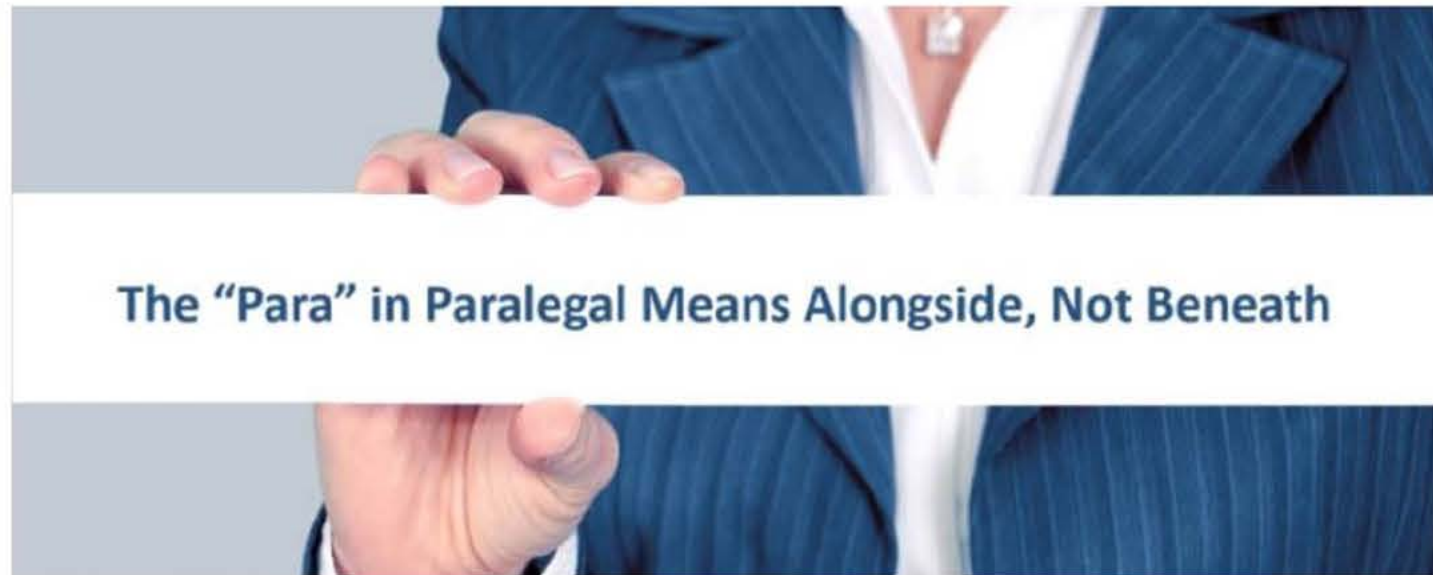
What is on your bucket list? Take my mom to Italy and Greece (recreating the trip so she can experience everything that I did), see the Northern Lights, be a baby cuddler at a hospital.

What is your favorite thing to do in the wonderful city of Wichita? Go to all of the different local breweries and restaurants

You're happiest when? I'm happiest when I'm hanging out with family and friends, especially if I'm holding a baby ☺

People would be surprised to know that I.... Played trumpet from 5th grade all the way through college. I received a scholarship to play in the band at Newman. I'm also a big tom boy. Growing up with two brothers in the country makes this girl love to fish and shoot guns. I outshoot both of my brothers, though they'll never admit to losing to their little sister ☺ ■





The "Para" in Paralegal Means Alongside, Not Beneath

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(NC Bar, SC Bar, NALA, NFPA)

23 articles

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Meme retrieved from https://www.facebook.com/AttorneyProblems/?tn-str=k*F ▶

I saw this meme posted on the "Attorney Problems" page on Facebook - one of those pages that churns out memes for laughs. Some of the memes are truly funny. I have a sense of humor and I know the cartoon is tongue-in-cheek (hopefully). But, I wanted to discuss this meme because it symbolizes what many paralegals struggle with on a daily basis - a lack of respect from colleagues and/or management in the workplace.

This meme - and the line of thinking it represents - implies that those of us who purposefully chose a career as a paralegal did so only because we lack the intelligence or tenacity required to complete law school and pass the bar.

It's true that there is no set path to become a paralegal. Some paralegals are hired with no experience by attorneys who are willing to train them. These paralegals learn how to navigate and excel in the legal environment through the master-apprentice model. Some paralegals have attended college to earn a degree in legal studies or paralegal studies. Other paralegals have transitioned from another career field and obtained a paralegal certificate to round out the skills they have already acquired. Many paralegals further their education by pursuing a master's degree or other higher level degree. We now have a plethora of paralegal certification programs - administered by state bars and paralegal associations - all with the unspoken goal of trying to bolster respect for the profession. While there are many roads to becoming a paralegal and obtaining knowledge regarding the law, too many paralegals share and lament the same spirit-crushing experience when it comes to working in the law office.

The Whole is Greater Than Any of Its Parts

In Geometry, there's a general axiom which states that, "The whole is greater than any of its parts." The legal profession frequently refers to the group responsible for seeing a case (or transaction) through from start to finish as the "legal team." However, some paralegals don't feel like they are an important part of a whole - a part of a team. Their contributions are overlooked and underappreciated. Occasionally, the situation is worse - some paralegals experience abuse, mistreatment, belittling, and yelling on a daily basis. ▶

Most of us have had a friend or loved one who has endured an abusive relationship. Any decent human beings would advise the abused person to exit that relationship as quickly as possible. But, workplace abuse is often overlooked even though it is four times more prevalent than illegal harassment and an alarming number of people have experienced abuse at some point in their careers. It's also not necessarily an easier relationship to leave because many paralegals are dependent upon that income to provide for themselves and their families. Although this article focuses on paralegals, apparently even attorneys are not immune to becoming victims according to this ABA article titled **Bullying and sexual harassment 'are rife in the legal profession,' global survey finds**, so you can imagine what recourse support staff has.

Managers Can Change the Conversation

Nothing kills the spirit, stalls productivity, and compromises office morale faster than making a member of your legal team feel inferior or like an idiot. No matter how a paralegal landed in this field, the best thing employers can do to increase productivity and improve work product is to require that they be shown the respect they deserve.

First, acknowledge that workplace abuse exists. Then learn how to stop the overt behaviors such as slamming doors, verbal abuse (shouting or swearing), and general eruptions into angry tirades. However, don't overlook the passive aggressive behaviors such as inflicting subtle humiliation or sabotage. Abusers frequently single out an individual and attempt to alienate them from coworkers by instigating gossip and rumors. Sometimes the passive aggressiveness can take the form of unrealistic deadlines; shunning; giving unwarranted, invalid, or public criticism; blaming without any factual justification; as well as excessive monitoring or micromanagement.

Emotional intelligence should be a requirement in the workplace. We can change our work environments by enforcing certain expectations and showing appreciation for support staff. When employees feel valued, they are much more likely to take ownership of their work. That means they are also more likely to work with a spirit of excellence rather than a spirit of defeat. And, that is what attorneys should want - paralegals that treat the business they are working for as if it were their own. ►

It is human nature to respond more thoughtfully and with more care in situations where you feel valued. Give paralegal employees a reason to feel driven and motivated. This will cause them to take more initiative and seek innovative and creative ways to improve and develop what the legal team is doing. When employees don't feel valued, they tend to go through the motions and do the minimum - not out of laziness - but out of situational depression.

Colleagues Should Hold Each Other Accountable

The most effective way to increase employee productivity is to change the way you communicate. Attorneys ought to call out boorish behavior where it exists and encourage a work culture that is supportive and inspiring. There should be no looking the other way when you see support staff being abused. A legal organization that commits to creating an environment where paralegals (and everyone else) feel appreciated and valued will inevitably witness a shift in culture. It will empower employees to do their best work.

A Word to Paralegals (and Other Support Staff)

The best thing a paralegal can do is to know their self-worth even when organizational culture may not support that vision. Paralegals, if you are in an abusive work environment where you are belittled and criticized everyday, make an escape plan. I promise there are. And, for the record, I do not support an overreaction to constructive criticism. I'm aware that emotionally unstable people exist in every type of work environment and some of them may read this article. You obviously cannot wear your emotions on your sleeve or break down in tears when another member of your legal team is trying to make you a better team member. However, there is a big difference between receiving wise counsel from...well...wise counsel and being tied to a whipping post. I've spoken with many paralegals that believe they cannot find a better employment situation because their present employer has convinced them that they are inadequate. As a result, many paralegals adopt a the-devil-you-know-is-better-than-the-devil-you-don't-mentality and they continue to stay in unsupportive (or abusive) work environments to the literal detriment of their own physical and mental health. ►

The "Para" in Paralegal Means Alongside, Not Beneath

Remember that being a paralegal (or other support staff) is its own career and not a "plan B" if things don't work out with law school. We signed up to be a wingman, not a stepping stool. I will be eternally grateful for the knowledge I have gleaned from watching some of the best litigators and transactional attorneys in the US over the years. However, as a paralegal and legal project manager, I know I have worked tirelessly over my 15+ years to help attorneys achieve the success they are enjoying - sometimes with nary a nod in my direction and other times with great appreciation. As someone who believes that the best leaders serve others, I take great pride in this.

Paralegals who do their jobs well are a kubernesis. In the Greek, a kubernesis is a steersman for a ship. The kubernesis has the responsibility of bringing a ship safely into the harbor—through the turbulent waters, rocks and shoals under all types of pressures. Leading, serving, organizing, governing, and administering are words that describe what we do. We should never let anyone diminish our role in the legal field. Paralegals are experts at navigating storms when everyone is in a panic and we are adept at problem solving so that attorneys can be the most effective version of themselves in their roles as advocates. ■

Alicia Mitchell-Mercer is a litigation paralegal and legal project manager with Brown & Associates, PLLC. She is also a legal business consultant with Lex Project Management Consulting Group. She is the creative mind behind Lex's Freelance Paralegal Directory, which offers attorneys a free resource for locating paralegals who are interested in remote, onsite, contract-to-contract, or contract-to-perm work. Attorneys can also post job openings for free on Lex's Forum.

Need CLE??

- 1.) KALA Monthly Meetings
- 2.) Reading the Facts & Findings and answering a few questions. You can get up to 2 hours of CLE in a calendar year. You have to be a member of NALA but you would go to your account and enter the one hour of CLE for reading the Facts and Findings articles, just like you do for the other CLEs you enter. This is based on the honor system and there are no longer any questions to answer.
- 3.) Listening to the Paralegal Voice Podcast – Legal Talk Network. You can find it online at www.legaltalknetwork.com. You can listen to as many of these as you want for NALA CLE credit. They must be at least 50 minutes in length to receive your hour credit. Once completed, you will record the request for credit the same as always.
- 4.) NALA. They have several webinars scheduled in the near future and several on-demand webinars. They offer these either for free or at a low cost.



Cell Phone Extraction for the Small Firm

Written by Lauren Doucette, ACP

In our digital age, almost all practice areas have seen a significant shift in the type of evidence provided by clients during the initial client meeting. Family law, employment, business disputes, and personal injury now rely heavily on communications among the parties and witnesses via text message. For years, our clients have emailed screenshots of their iPhone's litigation-relevant text messages to our firm. Recently, I've discovered an alternative to collecting text messages: an incredibly helpful ESI (electronically stored information) tool called Tansee iPhone® Transfer SMS. I briefly introduced this tool at the San Diego Paralegal Association's CLE on eDiscovery Ethics for the Paralegal this past May, and the attendees had the same first reaction that I did—utter amazement!

In an ideal situation, the client authorizes the cost of hiring a forensic expert to perform the ESI collection, but many smaller business clients cannot afford this "best practice." Tansee iPhone Transfer SMS produces legible text message collection without burdening the smaller client with vendor expenses they cannot afford.

This inexpensive tool (less than \$30 for the full version) allows litigators to seamlessly transfer litigation-relevant ESI to their discovery platform in a way that preserves the responsive information, captures some metadata, and allows for a smooth and efficient production. Our firm uses this tool during the client's initial or subsequent meeting, when the client indicates he or she has relevant text messages. Without causing the client excessive delay, a litigation paralegal is able to plug the client's phone directly into the firm's desktop computer, start the Tansee software, select the relevant threads, and download the conversation into the firm's discovery database.

The greatest advantage of this software is the ability to produce conversation threads in a single, organized printout, complete with information regarding:

- Sender's name and phone number
- Receiver's name and phone number
- Date message was sent
- Time message was sent
- All attachments sent via text message, such as photos, videos, screenshots, etc.

The clean printout rendered by the program allows for a seamless production. The litigation paralegal has the ability to Bates-stamp each PDF page and produce the thread in one comprehensive file, rather than in disjointed screenshot images pieced together in an unorganized manner. Use of this software allows for a more efficient in-house review process, as well as a more transparent production set to opposing counsel.

A disadvantage of this software is that it does not retain the actual native file, merely an organized photocopy with some of the relevant metadata attached to each message, and that it requires the client to come to the firm's office for the exchange.

For more ESI collection tools for smaller cases, visit my eDiscovery blog at www.ediscoveryblog.tech.



Lauren Doucette is a litigation paralegal at Ferris & Britton, APC, specializing in e-discovery and legal technology. She provides clients with cutting edge technology through each step of their litigation matter, using tools such as TrialDirector, Timeline 3D, iJuror, Adobe Creative Suite, Adobe Acrobat, PowerPoint, WestLaw, WordDoc, Tabs3, and various ESI databases. Throughout the litigation process, she works with the client to collect the necessary documents held on all potential devices, assisting them in-person, if needed, with the collection of native files. She assisted attorneys in the review, processing, and production of e-discovery in native format as well as tracking native file ESI as produced in various sets from opposing counsel by custodians.

Reprinted with permission of Lauren Doucette, ACP and the National Association of Legal Assistants, Inc. This article originally appeared in the November/December 2016 issue of FACTS & FINDINGS, the quarterly journal of NALA. Inquiries should be directed to NALA, 7666 E. 61st, Suite 315, Tulsa, OK 74133, or by e-mail to nalanel@nala.org.

NALA Corner:



WHAT ARE DIGITAL BADGES?

Digital badges are a new and exciting way to proudly display and share your NALA achievements online. In a mostly virtual world, it is important that your achievements carry the same recognition online as well as in person. NALA is excited to partner with Credly's Acclaim Platform, a leader in digital badging, to bring this innovative new platform to our association. You can collect, showcase, and share your accomplishments using digital badges on Credly's Acclaim Platform at no additional cost.

Because digital badges allow employers to easily see the full picture of your accomplishments, including verifiable skills and achievements, they're becoming the new standard in training, certification, and the future of e-learning. With NALA's new digital badges, you can now easily share your earned achievements with your peers, potential employers, educational institutions, and more!



HOW DO I CLAIM MY BADGE?

Once you qualify for any of the NALA badges that are offered, you will receive an email notification from the Acclaim Platform.

Please note that if you are receiving multiple badges, you will receive a separate email from Acclaim for each individual badge. For example: ACPs will also receive a CP badge, each in a separate email from Acclaim.



What happens next?

1. You'll receive an email from admin@youracclaim.com
2. Click the button in the email to accept your badge
3. Create and confirm your Acclaim account
4. Accept your badge
5. Display this digital badge in your email signature and on social media sites like LinkedIn, Facebook, and Twitter

Find a step-by-step tutorial video at this [link](#). You can easily configure your privacy settings in the Acclaim Platform. You're in complete control of the information about yourself that is made public.

If you did not receive your invitation or need another invitation sent, please contact our office at 918-587-6828.

SHARING YOUR BADGE

Your NALA badge(s) can be used to highlight your achievements directly from Credly's Acclaim Platform to LinkedIn, Twitter, and Facebook; over email; and they can be embedded in a website or in your email signature. Sharing your earned badge(s) is a great way to develop your professional resume. You can begin sharing from the Credly's Acclaim Platform once your badge is accepted and your account created.



AVAILABLE NALA BADGES



NALA Member



NALA Honorary Member



NALA Certified Paralegal



NALA Advanced Certified Paralegal



2020 NALA Conference Attendee

KALA Gives Back:



We are collecting school supplies for the following school:

2020-2021 School Supply Drive for Kindergarten classes at Bostic Magnet, Wichita

Requested supplies for 35 students:

- Boxes of Crayola Crayons
- Elmer's glue bottles
- Ticonderoga pencils...these are sold in 12 or 24 packs. They have to be sanitized so we don't need a pack for every child. Maybe a total of 10 packages.
- Expo dry erase markers (preferably black or blue).
- Rolls of paper towels (they don't have to be expensive).
- Spiral Notebooks - one for each student. (Standard with 70 pages).
- White copy paper...we have enough to get through first semester.
- Clorox or Lysol disinfecting wipes
- Lysol disinfecting spray



** If you happen to find Clorox or Lysol disinfecting wipes, the teachers will use them to sanitize and clean tables and surfaces every hour. They do not need any hand sanitizer gel as that is provided by the school.



New Affiliated Association Member Discount

NALA announced that starting July 15, 2020, all our association members will be eligible to receive 25% off a NALA active membership fee. A NALA active membership normally costs \$154 per year. As a member of an affiliated association, you will now receive a NALA active membership for only \$115.50. This includes access to all member benefits listed below, including the \$80 membership gift certificate! If you currently are not a member of NALA, this would be a great time to join. If you have any NALA related questions, please contact Shelly Bird at sbird@foulson.com

MEMBERSHIP BENEFITS

<p>FACTS & FINDINGS Members receive a subscription to the association's journal featuring educational and informative articles for paralegals. \$35 VALUE</p>	<p>NALA CAREER CENTER The online career center is the perfect place for NALA members to search for new job opportunities and career tips.</p>	<p>SIMPLELAW* An online platform where NALA members can grow their contract income opportunities for no additional charge.</p>
<p>NALA COMMONS Our private member-only collaboration site developed to help paralegals learn and engage from around the globe.</p>	<p>UTILIZATION AND COMPENSATION REPORT A valuable tool for successfully negotiating compensation and benefits. \$79 VALUE</p>	<p>DISCOUNTED RATES Members can save money on NALA continuing education programs and select products.</p>
<p>AFFINITY DISCOUNTS Receive special local and national discounts on affinity products and services such as office supplies, car rentals, and identity theft protection.</p>	<p>*SELECT COMPLEMENTARY MEMBER EDUCATION Members receive access to complimentary education courses and programs. \$350 VALUE</p>	<p>*80 GIFT CERTIFICATE This gift certificate can be used towards NALA continuing education programs and courses.</p>

Members on the Move:

Job Registry Openings:

- **Young Bogle McCausland Wells & Blanchard**, is looking for a Legal Assistant/Legal Secretary. If interested you can find more information at youngbogle.com/
- **Brad Pistotnik Law, P.A.**, is looking for a Legal Secretary/Legal Assistant. If interest you can find more information at www.bradpistotniklaw.com/
- **Fleeson, Gooing, Coulson & Kitch, LLC** is looking for a Paralegal/Legal Assistant. If interested you can find more information at www.fleeson.com/
- **Foulston Siefkin LLP**, is looking for a Transactional Paralegal. interested you can find more information at www.foulston.com/
- **Stange Law Firm, PC**, is looking for a part time Paralegal/Legal Assistant. interested you can find more information at www.stangelawfirm.com/

KALA Message Board

The KALA Board for 2020/2021 is as follows:

President	Annette Meece	ameece@klendalaw.com
1 st Vice President	Tammy Greiving	tgreivin@dcl8.org
2 nd Vice President	Rebekah Haase	rhaase@foulston.com
NALA Liaison	Shelly Bird	sbird@foulston.com
Treasurer	Courtney Webb	cwebb@foulston.com
Secretary	Kristi Lopez	klopez@morrising.com
Directors	Mary Calisti	mary@cml-law.com
	Stephanie Hess	stephanie.hess@stinson.com
	Angela Oberle	aoberle@wcrf.com

Please feel free to contact any of us with questions, suggestions, or concerns.

Dear KALA members:
 Thank you so much for the beautiful flowers in memory of my mother and her death. The sentiment was special from this group as I have been a member of for so many years.
 Thank you!
 Cheryl Clark

When the quarantine ends and you have to put on your work clothes
 😞😞😞😞

Thank you so much for the gift card for my retirement. It was a wonderful surprise. I will enjoy shopping! (at home, of course!)
 Betty Schnabeler

MY BODY HAS ABSORBED SO MUCH SOAP AND DISINFECTANT LATELY, THAT WHEN I PEE IT CLEANS THE TOILET.

KALA Calendar

SEPTEMBER 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

OCTOBER 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

NOVEMBER 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

DECEMBER 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

■ **September 1st—**
 Monthly Meeting
 Via Zoom Video Conference
 Speaker: Ann Jenrette-Thomas
 Topic: "Understanding and Eliminating Racial Bias in the Legal Profession"

■ **October 6th—**
 Monthly Meeting
 Via Zoom Video Conference
 Speaker: Clayton Kaiser
 Topic: "United States Air Force Judge Advocate General's Corps (JAG) "

■ **November 3rd—**
 Monthly Meeting
 Via Zoom Video Conference
 Speaker: Kristi Barton Edwards
 Topic: "The Legal Landscape of Law Enforcement in 2020."

■ **December 1st—**
 Monthly Meeting
 Via Zoom Video Conference
 Speaker: TBA
 Topic: TBA