



***eDigest  
Mini***

**June 2022**

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**PRESIDENT'S MESSAGE...**

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The results of the Job Satisfaction & Salary Survey are in. It reflects that the future is bright for paralegals. Please click on the attachment to see the full results. [Annual Survey Results 2022.pdf](#)

Some of the highlights are:

- [Over 80% of respondents have Bachelor or Associate Degrees](#)
- [61% are making over \\$81,000](#)
- [66% have over 25 years of experience](#)
- [72% receive an annual bonus](#)
- [42% cited lack of appreciation as the least favorite thing about their job](#)
- [58% cited the work they do, as the thing they enjoy most about their job](#)

Thank you to everyone who participated in the survey. We also received very positive feedback from the Annual Conference survey. Based on your input, we will continue to have the Annual Conference at Events on Jackson (tentatively scheduled for Friday, April 28, 2023) and are already signing up more top notch speakers.

As I've mentioned before, we are gearing up for participating in the NALA conference from July 14-16, 2022. Our efforts until then will be focused on our presentation at the Affiliated Associations Annual Meeting and providing conference attendees with our very popular "Survive the Heat" swag bags. I hope you can attend the conference. You will be greatly enriched with the connections and knowledge you come away with.

Also a big **CONGRATULATIONS** to APA member Michele Pfeiffer, ACP, on submitting her candidacy for the NALA board Secretary position. [CLICK TO READ ABOUT MICHELE](#). Best of luck, Michele!

Karen Flaaen, CP

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*We would like to share this space and highlight you and your accomplishments. Please consider sending us original works on topics of interest to our membership. Just reply to this newsletter with content and/or questions.*

# Membership NEWS

## Welcome New Members

Karla Mostenbocker

If you have any questions, suggestions or comments, please feel free to contact us at [membership@azparalegal.org](mailto:membership@azparalegal.org).

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**NALA'S WEBSITE:** Visit [www.nala.org](http://www.nala.org) for information on all things NALA, including certification, advanced certification, and upcoming webinars. Be sure to check out NALA Commons, an area where paralegals can network, ask questions, get advice, and share valuable information with one another.

**NALA MEMBERSHIP:** NALA provides exceptional continuing education and professional development for Paralegals. Joining NALA gives you access to a number

of benefits that can help you advance your paralegal career. Check it out here!  
<https://www.nala.org/Membership>

**NALA MILESTONE ANNIVERSARY MEMBERS:** Are you celebrating a milestone anniversary with NALA? Each quarter, NALA honors and recognizes those individuals who have reached 5, 10 15, 20, and 25-year anniversaries with them. If you have reached one of these milestones, you are eligible to receive one of NALA's complimentary anniversary pins. Claiming yours is easy, just visit [www.nala.org/about-nala/milestone-members](http://www.nala.org/about-nala/milestone-members) to start the process. Congratulations on this achievement!

**NALA FACTS & FINDINGS AND WEBINARS:** NALA is always looking for individuals to write articles for their quarterly publication, Facts & Findings, and presenters of webinars. If you have a gift of writing or speaking, or simply want to try your hand at it, contact me at [cheryl.viscontii@gmail.com](mailto:cheryl.viscontii@gmail.com). This will afford you the opportunity to gain national exposure and teach to others at the same time. You do not have to be a member of NALA to do either of these.

**SAVE THE DATE:** 2022 NALA Conference is being held on July 14-16, 2022, at the JW Marriott Desert Ridge Resort & Spa in Phoenix, Arizona. Visit [NALA CONFERENCE](#) to learn more about it.



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Recent Legal News:

**Jurist:**

[France court upholds ex-PM's fraud conviction](#)

[US House committee seeks information from gunmakers in wake of Texas school shooting](#)

[US DOJ not charging two ex-FBI agents accused of mishandling Nassar sex abuse investigation](#)

[Judge 'clearly abused' discretion by refusing to transfer Apple patent suit, appeals court says](#)

**Notary Bulletin - National Notary Association:**

[Notary Basics: Determining A Signer's Willingness](#)

[Duping Notaries: The Tricks Fraudsters Use](#)

[3 Tips For Notarizing Travel Documents For Minors](#)

**Other Articles:**

**Mandatory eFile for Attorneys Initiating Family Court Documents - June 1st**

Effective **June 1, 2022**, in accordance with Arizona Supreme Court [Administrative Order 2021-183](#), eFiling of case initiating family court documents is mandatory for attorneys appearing before the Maricopa County Superior Court.

Family court documents subject to mandatory eFile that are filed in paper form by attorneys will be rejected by the Clerk's Office, and the attorney will have to re-submit rejected documents via eFile. **The filings will not receive a retroactive filing date.**

The Arizona Administrative Office of the Courts offers live, online eFileAZ training sessions for attorneys, law firm staff and self-represented litigants. The training provides attendees with an opportunity to learn how to create and manage an account in eFileAZ, as well as create submissions for family court cases, obtain confirmed copies and e-serve other parties. The training is free of charge. You can find training details by visiting the [eFileAZ Training webpage](#).

### **Webinar: Access to Justice Showcase**

The Clerk's Office would like to invite you to attend their next public webinar, which will showcase the innovative technology improvements they have made over the past two years.

On **June 15th at 2:00 p.m.** as they explore some of these new tools, like the Cleo Virtual Assistant, the online exhibit submissions portal, and the virtual marriage license and records request portals. Including where to find these new tools, discuss how to use them and share important tips you need to know to make the process seamless. This webinar is free to attend and open to anyone.

[Register online.](#)







# Recipes

Some fun recipes to try!

[Rigatoni With Summer Vegetables](#)

[Garden Pasta Salad](#)

[Key Lime Cakes In A Jar](#)

[Watermelon Sangria](#)



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## **A Little Inspiration for the Week**

**"I want to be like a sunflower so that even on on  
the darkest days I will stand tall and find the  
sunlight. "**

## Adding Value To The Firm - Are You In Or Out?

By: Nora Boghossian

May 18, 2022

**We often talk about how to get a job but why don't we talk enough about keeping a job?**

**“You are going to have to kick me out, because I'm not going anywhere.”** I remember saying that to my boss one day. They knew my loyalty to the firm. I showed it by keeping myself apprised of the latest news, my CLE up-to-date, attending annual conferences, and bringing back best practices to the firm.

**You may think, “What voice do I have? I'm not an attorney.”**

**Believe me, our voices matter.** When we are professionally capable, in-the-know, problem solve, and become the go-to person, we automatically increase our value. This creates an invaluable role in a host of multiple levels. You are considered a dynamic individual and definitely an asset to the firm.

**A great motto is – *My goal is to add value to the firm.*** When we add value to a service, product, organization, we in turn, become valuable. In the process, you are truly involved in the firm's forward progression. You are the individual that is part of the collective. What role are you playing that is bringing value to the collective?

**Approach management and let them know you would like to give mini-sessions to the firm's staff and/or attorneys with best practices.** Choose areas you have noticed that are pain points within the firm. This will require you to pay attention, observe, listen, and address the options. You will need to do some investigating. When you open yourself up, you'll be surprised that what you are searching for will be revealed to you.

**Remain open and aware. Look for ways to loosen up and create a flow within the structure of the firm.** Maybe there is no structure. That may be something you can resolve. If a firm has upward mobility, look for growth opportunity. Think – what is it that we need that we do not have? How can I fulfill that need? You can look for multiple ways to improve the process.

**Become a conduit of service to the firm and ultimately, to the client. In doing so, you become a better version of yourself, a better paralegal, legal assistant, or whatever the role you may hold.**

When it comes time for your review, guess what? You now have a solid list of accomplishments to present when management evaluates you. Not only will you have successfully accomplished your assignments but you will have gone above and beyond the call of duty. Make a list as each goal is accomplished so you don't leave anything



out. Include all your praises, positive feedback from any attorney or member of management. Remind them of all the ways you solved problems, successful work completed, what new and innovative best practices you introduced, and more.

**I love the saying – “*Success occurs when opportunity meets preparation.*” – Zig Ziglar**

**Join an association** such as LAPA, OCPA, NALA, ABA, etc. There are some fantastic networking groups online, LinkedIn is a great place to start. Our CEO Chere Estrin, a pioneer in advocating for educating and educating paralegals, has helped launch a few popular ones – they are a great place to start: [Paralegal Group](#); [Paralegal Managers](#); [Legal Vendors](#), [KNOW](#), and more.

**You can’t do much better for strong networking.** Attend association meetings, annual conferences and virtual meetings. Those remain some of the best networking opportunities you can find. You never know what you may learn or who you will meet.

**I made a huge impact on my firm from an idea learned at a Paralegal conference.** When I was a litigation paralegal, I attended one of the annual LAPA (Los Angeles Paralegal Association) October Conferences. It just so happened that year eDiscovery was ramping up. Forensic investigations were new and hot with respect to the litigation discovery process. During the conference, I took notes, collected material, gathered data and took it back to the office. I brought it to the Administrator and Managing Partner’s attention. Before you know it, new protocols and procedures were implemented because of the proactive steps I took. When you take steps that are imperative to the firm’s growth and keep up with innovations and advancements in the industry, they will acknowledge and reward and reward you again. What’s more, they will see you as fully committed, knowledgeable, reliable resource, loyal to the firm, and its’ progress. And it’s true, I was just that.

**You can make a big impact in your firm as well.**

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## **Can Prosecutors Be Trusted to Correct Wrongful Convictions?**

By: Elizabeth Webster

May 19, 2022

In the past 20 years, prosecutors in Conviction Integrity Units (CIUs) have increasingly taken on the responsibility of exonerating individuals who have been wrongfully convicted.

Many of them collaborate closely with defense attorneys on case reinvestigation and resolution, exonerating defendants who otherwise had few remaining options.

While the recent popularity of CIUs is an exciting development for the wrongfully convicted and their advocates, these newfound developments are not without risks.

Prosecutors still hold the decision-making power. They choose which cases to review, and when and how to grant relief.

And in cases where prosecutorial misconduct is a factor, those allegations are at risk of being ignored.

According to the National Registry of Exonerations, district attorneys' offices in nearly 100 different, mostly urban, jurisdictions have launched CIUs to formally review wrongful conviction claims. The recent popularity of the CIUs also suggests a cultural shift in the prosecutorial mindset—from tough on crime to smart on crime—that has likely influenced individual prosecutors in smaller jurisdictions as well.

I studied prosecutors' assistance with exoneration cases—both in the context of the Conviction Integrity Unit, and outside of it. My recent research relies on interviews with prosecutors and defense attorneys from 36 different jurisdictions.

Several of them explained that prosecutors may make their cooperation with an exoneration in certain cases contingent upon defense attorneys dropping allegations of prosecutorial misconduct. In other cases, the defense attorney may voluntarily drop such allegations to improve their client's chance of success.

Prosecutors have been found to be less likely to assist with an exoneration if there is an underlying misconduct claim.

There are notable exceptions. Some CIUs have launched reinvestigations into cases involving discredited police officers—such as in Cook County, Chicago, or Kings County, Brooklyn. Prosecutors have proactively exonerated individuals in such cases since the Los Angeles Rampart scandal of 1999 and 2000.

Cases involving the publicized misconduct of officers who were subject to a federal investigation have produced hundreds of exonerations. Prosecutors reliably respond to these types of claims.

Wrongful conviction claims at risk of being ignored—or sanitized of misconduct—generally involve allegations of prosecutorial misconduct. The National Registry of Exonerations estimates that 30 percent of exoneration cases feature prosecutorial misconduct.

### **Pursuing Brady Violations**

A Brady violation, after the U.S. Supreme Court case of *Brady v. Maryland*, is one of the more common post-conviction misconduct allegations. Prosecutors commit Brady violations when they intentionally or unintentionally withhold evidence that could prove favorable to the defense.

During reinvestigation, as files are re-opened and witnesses re-interviewed, this type of misconduct may come to light. Even well-intentioned prosecutors may have trouble recognizing it as a serious issue. A wealth of research into cognitive biases shows how conformity effects challenge a person's willingness to act against the group status quo.

For this very reason, some progressive prosecutors try to insulate their CIU from the rest of the office. They may hire a CIU chief from outside the office, (preferably a person with defense experience), or even an attorney from an innocence organization. They may also

ensure that the CIU chief reports directly to them, rather than to a deputy DA already embedded in the office.

So-called professional exonerators, who work through formal wrongful conviction review entities like a CIU or an innocence organization, can better establish ongoing rules of engagement.

A recent report from the Quattrone Center on the Fair Administration of Justice at the University of Pennsylvania Carey Law School provides comprehensive guidelines for “collaboration agreements” that outline how to handle discovery of misconduct and other delicate issues like media relationships and information sharing.

However, not all CIUs have embraced this model, and not all prosecutors assisting with exonerations work in a CIU. Smaller prosecutors’ offices will not have the staff or funding for a standing CIU. Prosecutors in smaller jurisdictions may have never worked with an innocence organization before, or reinvestigated a wrongful conviction case.

My recent research suggests that prosecutors and defense attorneys who are not professional exonerators are more likely to engage in post-conviction bargaining such as agreeing to forego litigation around negligence or misconduct.

### **Holding Bad Actors Accountable**

In the short term, overlooking the misconduct could result in a quicker exoneration. In the long term, it could complicate the exoneree’s chances in a lawsuit, foreclose the opportunity to investigate similar cases, and fail to hold the bad actor accountable.

Therefore, State Attorneys General or State Commissions should fill in the gaps.

The North Carolina Innocence Inquiry Commission, created after a high-profile case of prosecutorial misconduct in 2006, has since helped secure 15 exonerations.

Leaving this work to individual prosecutors in a patchwork of practices throughout the state may result in post-conviction agreements that harm the defendant’s chance of exoneration, or their success in a lawsuit.

At a minimum, those who advocate for the wrongfully convicted can continue to demand transparency by ensuring their local CIU has a collaboration agreement in place and by encouraging partners in smaller jurisdictions to adopt this practice as well.

Prosecutors are accepting greater responsibility to correct wrongful convictions, but it remains to be seen if they can also accept greater responsibility for the misconduct that contributes to them.

Exonerations represent an important opportunity to address failures in the criminal justice system.

Failure to confront misconduct allegations risks fostering a climate where misconduct will continue to be tolerated, leading to more wrongful convictions.



# Board Meeting

The next APA Board meeting will be held on **Tuesday, July 5, at 5:45 p.m.** via Zoom. Contact [board@azparalegal.org](mailto:board@azparalegal.org) for more information. All are welcome to attend.

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