



# PARA-PHRASES



Volume 4– Fall Issue

September 2017

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## Message From The President

It's Fall ya'll and that means its mum season!

Our board at large chairpersons have collected the orders for the GLPA fall fundraiser. We have 106 mums to be picked up next week! This is a big money maker for our association to help manage our budget.

I encourage everyone that is on Facebook to 'like' our page (<https://www.facebook.com/LexingtonPaaralegals>). Brian Devinney does a wonderful job with daily postings. It is also a good way to keep up with our current events and see photographs of meetings and luncheons. Speaking of luncheons, the July anniversary luncheon was delicious and educational. Who knew making bourbon was so involved?

It is getting close to Board nomination time. Please consider taking an active role in the GLPA and put your name in the hat for a Board position. Our goal is to increase our membership so that all paralegals in our community learn at our monthly CLEs and advance themselves with the networking opportunities the GLPA provides. Our student relations chair organized a panel to speak at EKU in June that was very well received.

Be sure to check out the GLPA website, [www.lexingtonparalegals.com](http://www.lexingtonparalegals.com) for more information about the PACE exam, CLE speaker schedule, job openings, philanthropy projects, and much more. Please note that you may contact the GLPA membership at [glpalistserv@googlegroups.com](mailto:glpalistserv@googlegroups.com) if you have work-related questions. If you have any questions or concerns, you can always contact me at [rwalton@sturgillturner.com](mailto:rwalton@sturgillturner.com) or 859-255-8581.



Rebekah Walton, 2017 GLPA President



## 2017 NFPA Annual Conference

By Tammy Smith and Terri L. Marksburt

The NFPA Annual Convention & Policy Meeting is coming up quickly, and will be held October 12-15-2017 in New Orleans, LA. Registration begins at 7:30 a.m. on Thursday, October 12, when the Exhibit Hall is open and Education Seminars run throughout the day along with Student and NFPA Workshops and ending with Board of Directors Meeting at 7:00 p.m. Friday, October 13, is filled with NFPA Region Meetings beginning at 8:30 a.m., a Keynote Luncheon where we will be honored to have the Governor of Louisiana, Gov John Bel Edwards, followed by a Candidate Panel, Treasurer's Meeting and additional Region Meetings. Friday will conclude with a social event at the hotel for networking opportunities scheduled from 7:00 -11:00 pm and to show us a taste of the New Orleans experience. Saturday begins the Policy Meeting at 9:00 a.m. and also includes the Awards Luncheon and time for Caucus Meeting(s) if necessary from 8:00 p.m. – 12:00 am. The Policy Meeting begins again on Sunday, October 15, at 9:00 am and concludes at 3:00 pm followed by Board of Directors Meeting.



There are five (5) Agenda Topics that have been presented by local associations this year for discussion on the delegate floor of the Policy Meeting on Saturday/Sunday. There are Discussion Boards established on the NFPA website for discussion on each. Each of the topics proposed will have discussion and debate before vote is taken from the Associations in attendance. Please review the topics and let the Board know if you have comments or concerns about any of the Agenda Topics.

Also, please take time to check out the NFPA Website and utilize the tools that are available and free to you!

### AGENDA ITEMS

**Agenda Topic #1** – Discussion Topic – Updated Position Statement for the Paralegal Profession – Non-lawyer practice is experiencing a time of growth with the advent of the Limited License Legal Technician (“LLLT”) in Washington State and the interest other states have shown in the LLLT program and document preparers in California. The current position statement on Non-Lawyer practice does not include current developments and resolutions recently adopted by the ABA, and it does not reflect the position approved by NFPA delegates that NFPA views these positions as an extension of the paralegal profession.

Supported by the following NFPA Associations: Capital District Paralegal Association, Central Connecticut Paralegal Association, Inc., Central Massachusetts Paralegal Association, Massachusetts Paralegal Association, New Haven County Association of Paralegals, Inc., New York City Paralegal Association, Paralegal Association of New Hampshire Paralegal Association of Rochester, Inc., Rhode Island Paralegal Association, Vermont Paralegal Organization, Western Massachusetts Paralegal Association, Inc., and Western New York Paralegal Association.

**PROS:** As the leader of the paralegal profession, NFPA should have a public position on this subject, and it should be revised periodically to keep up with current developments in the provision of legal services by non-lawyers.

**CONS:** None known.

**Administrative Topic #2** – Campaigning - Submitted by Philadelphia Association of Paralegals and South Jersey Paralegal Association. Currently candidates for office are prohibited from campaigning, including email solicitations themselves or by others on their behalf prior to or during the nomination and election process. The purpose of this Administrative Topic is to update and clarify the NFPA Procedures Manual. This Topic proposes the following language be added:

It shall not be considered campaigning for NFPA Board Members, Coordinators, Committee Members or other elected/appointed liaisons of NFPA to answer any questions relating to the performance of any candidate currently holding a NFPA Board, Coordinator, Committee or other elected/appointed position within NFPA who is seeking election to the NFPA Board, reelection for their current Board position or election to another Board or elected position provided they have first-hand knowledge of the performance of such candidate in their prior position.

**PROS:** Will allow NFPA delegates to make an informed decision on elections. **CONS:** Casual comments within.

**Agenda Topic #3 -Support for Limited License Legal Technicians - Resolution Correction** - NFPA developed and issued a position statement that supports the concepts of LLLT as an expansion of the paralegal profession. This Resolution corrects the NFPA Policy Manual which currently contains an incorrect resolution. Submitted by Philadelphia Association of Paralegals and South Jersey Paralegal Association.

**PROS:** Corrects NFPA Policy Manual which contains an incorrect resolution. **CONS:** None



*Continued on Page 5*

## PACE Certification Fall Update — By Heather Purnell, RP

The PACE scholarship was given out at our July anniversary luncheon. Congratulations to our winner Cristiane McGuire. When she is ready to start studying for the exam, she will receive a study guide to help her. The scholarship will also pay for the exam/application fees.

There are a few members who are studying to take the PACE exam right now. If you are interested in studying for the exam, let me know and I can put you in touch with them.

Earlier this year we had two study sessions to help prepare

for the exam, as well as one session where we took a practice exam. We will do that again in 2018.

If you have questions or comments, please let me know. You can email me at [heather@iplaw1.net](mailto:heather@iplaw1.net)



## Philanthropy: We Can Make a Difference By MacKinnon Andrews

Mark your calendars to three great upcoming events where you can help make a difference.

First, the Pro Se Divorce Clinic will be holding its next session on Friday, October 5, 2017, at the Fayette Circuit Courthouse. For those who have not participated in prior pro se clinics, there will be an orientation held from 9:00 a.m. - 9:30 a.m. The clinic itself will run from 10:00 a.m. - 2:00 p.m. If anyone is interested, please send an email to me at [mackinnonandrews@gmail.com](mailto:mackinnonandrews@gmail.com) by Monday, October 2, 2017. This is a great opportunity to offer our paralegal knowledge and skills to those in need!

Second, due to the great response to last year's Christmas gift drive with The Homestead, we are looking to repeat it again this year. The reaction from the residents was so amazing, their appreciation and their gratitude overwhelming. Stay tuned for my announcement once arrangements have been made and the resident's requests received.

Finally, our second blood drive of the year in conjunction with the Fayette County Bar Association will be held on December 8, 2017, at the Fayette Circuit Courthouse. After the devastating effects of Hurricanes Harvey and Irma, blood supplies across the region will be tapped and in critical need during the holiday season. Your donation really can help save a life! More details will come as we approach the date.



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"Sustained. Prosecution will refrain from going 'dun dun dunnnnnn...' during the witness' testimony."

## Tips on Summarizing a Medical Record

by Stephanie Dewhurst Webb

If you've ever worked for an attorney that practices in insurance defense, I'm sure you're familiar with summarizing medical records. Some call them the bane of their existence, and it's true that indexing records can be very tedious and frustrating (especially if they're ophthalmology or chiropractic records). Here are five little tips and tricks that I've found make summarizing medical records easier.

1. The first thing I do when I get a set of medical records is place them in chronological order. Whether this means organizing them from oldest to newest or vice versa, this allows your summary to flow easier as you go along, and it's easier to see the person's medical history unfold.



2. Adobe is your friend! I've found, especially when your records are voluminous, that

scanning them in as a PDF is extremely helpful. You can use the text recognition feature to find key words or phrases that pertain to particular injuries you're looking for. This cuts down on the time spent flipping through hundreds of pages of repetitive hospital flow sheets.

3. Handwritten records are tough. I am pretty sure in order to be a doctor you have to have handwriting that is as illegible as possible. This is when having a chart of common medical symbols or phrases comes in handy. It will take you longer to discern these records regardless, but having cheat sheets to refer to definitely helps.

4. Google is also your friend. If your computer has a split screen monitor, it's really nice to be able to have your index on one side and Google open on the other. That way you can search phrases or terminology you're unfamiliar with, with ease.

5. Pharmacy records are the jackpot of medical records. These records typically have not only medications provided to a patient, but lists the name of the doctor who prescribed them. This is a great way to find providers you haven't requested records from yet, and an even better way to get records prior to the accident or incident date, to flesh out past medical history and further evaluate the case.

Of course, as with anything, the best way to learn how to efficiently summarize medical records is by practice. But hopefully these suggestions make the process easier, and maybe even fun!

## 2017 NFPA Annual Conference

By Tammy Smith and Terri Marksbury

(Continued from Page 2)

**Agenda Topic #4 - Creation of Ad Hoc Committee on Rogue Paralegals -** NFPA has a definitive interest in maintaining the highest standards of conduct for paralegals and the paralegal profession. This Topic defines Rogue Paralegals as non-attorneys that provide services directly to the public in violation of state unauthorized practice of law (“UPL”) regulations. These individuals are harmful to both the public and career paralegals who follow the restrictions placed by UPL. In many jurisdictions, regulating authorities are not enforcing current criminal and civil sanctions unless a client of one of these rogue paralegals makes a report. Paralegals appearing to engage in UPL and/or operating in a rogue capacity have been observed on social media forums and elsewhere online in Alabama, Florida, Indiana, Minnesota, New York, Oregon, Pennsylvania, and Vermont. This Topic also desires to appoint an ad hoc committee to identify and evaluate ways the NFPA can proactively address “rogue paralegals” for presentation to the delegates at the 2018 NFPA Convention.

Supported by the following NFPA Associations: Minnesota Paralegal Association, Indiana Paralegal Association, Inc., New York City Paralegal Association, Kansas Paralegal Association, Paralegal Association of Central Ohio, Georgia Association of Paralegals, Inc., Philadelphia Association of Paralegals, Paralegal Association of Wisconsin, Michiana Paralegal Association, Tampa Bay Paralegal Association, Oregon Paralegal Association, and Western New York Paralegal Association.

**\*\*\*IPA NOTE:** As an agency of the Indiana Supreme Court, the Disciplinary Commission is responsible for investigating and prosecuting claims of misconduct against lawyers licensed to practice law in Indiana, Indiana paralegals are not overseen by this agency. IN Sup. Ct. Judiciary Discipline

The only recourse for IPA paralegal discipline can be found in IPA’s Code of By-Laws, Section 3.07, Involuntary Termination or Rejection of Membership, which states in part:

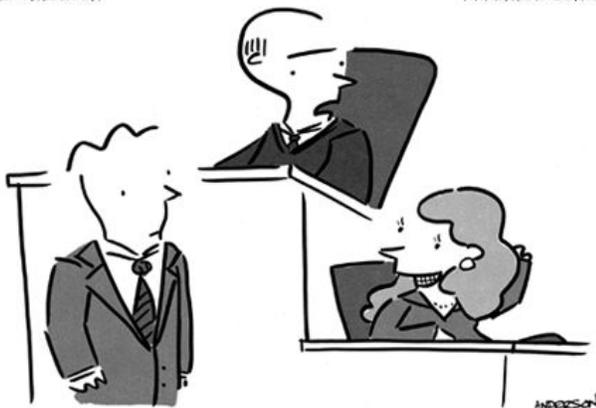
A member or prospective member shall be expelled and membership thereby terminated or rejected for (a) nonpayment of dues or other assessments, (b) conviction of a felony, (c) being guilty of conduct actually found to injure the good name of the Association, or (d) failing to maintain a high standard of professional ethics. IPA Bylaws

**PROS:** As the leader of the paralegal profession, NFPA should support members and member associations trying to combat the rogue paralegal issue.

**CONS:** Because NFPA is not a regulating authority, there will be limitations on what the organization can do to combat the issue.

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“Sustained. The witness will refrain from posing for the courtroom artist.”

**Agenda Topic #5 - Position Statement on Rogue Paralegals -** To appoint an ad hoc committee to develop a position statement regarding:

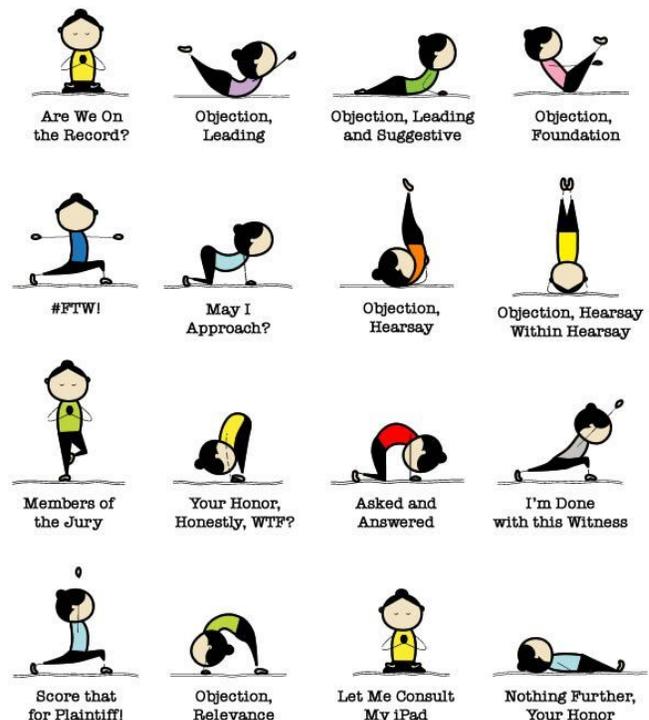
- (1) non-attorneys practicing law outside the scope of states’ laws and regulations;
- (2) guidance for paralegal educators on UPL;
- (3) guidance and education for paralegals performing UPL; and
- (4) guidance for local associations wanting to address paralegal UPL for adoption by the delegates at the 2018 NFPA Convention.

As more states study ways to license and/or regulate paralegals, document preparers, and other non-attorney legal service providers, the issue is magnified by the bodies studying and reporting on possible ways to expand the scope of a paralegal’s duties and/or creating a LLLT-type program. This position statement would clarify and allow for guidance on UPL and non-lawyer responsibilities.

Supported by the following NFPA Associations: Minnesota Paralegal Association, Indiana Paralegal Association, Inc., New York City Paralegal Association, Kansas Paralegal Association, Paralegal Association of Central Ohio, Georgia Association of Paralegals, Inc., Paralegal Association of Wisconsin, Michiana Paralegal Association, Tampa Bay Paralegal Association, Oregon Paralegal Association, and Western New York Paralegal Association.

**PROS:** As the leader of the paralegal profession, NFPA should have a public position on this subject, and should give guidance and support to members trying to combat the issue.

### Courtroom Yoga Moves, Illustrated



## How My Friend Collette McLafferty Took Her Lemons and is Making Lemonade

By C. Brian Devinney

Many of us have heard anecdotal stories about people being sued for outrageous amounts of money over something small, insignificant, and, in some occasions, completely stupid.

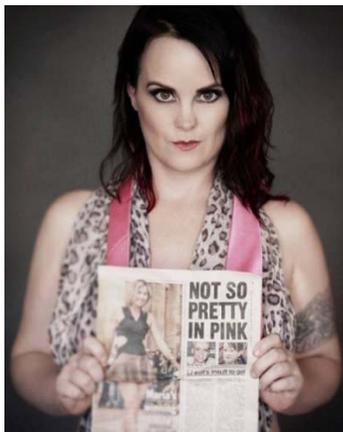
I want to introduce you to my wonderful friend Collette McLafferty. As you can assume from the picture, Collette is a singer and musician. Let me correct that, Collette is an AMAZING singer and musician. Our paths crossed a little over 10 years ago back in my event planner days. She and her band, edibleRed, played at the opening night party of an international rugby tournament I produced in New York City. Out of this encounter, a wonderful friendship was born.

Fast forward to 2014.

Collette was still rocking it out and performing shows all over the Tri-State area, helping produce music videos, and working on her own musical aspirations. With over 1,000 shows under her belt, Collette was a known commodity who could adapt to any musical style offered, a solid performer with stage presence for days. That year she accepted an offer to front a P!NK tribute band for one performance. She would take home \$75 for a few hours work. That was the beginning of a journey that is still continuing.

She never expected that one performance would cause so many headaches.

She never expected that one performance would ignite the activist inside her.



“SINGER SUED FOR BEING TOO OLD AND UGLY FOR A P!NK COVER BAND!”

“NOT SO PRETTY IN P!NK!”

“SINGER OF P!NK COVER BAND SUED FOR LACK OF SEX APPEAL”

Yes, those are actual headlines that were used to describe the lawsuit filed against Collette in major New York papers. Not long after the performance, Collette received a 112 page complaint consisting of 37 causes of action. The complaint covered not just her looks and talent, but also included things such as deceptive trade practices. The plaintiff, Charles Bonfante, was suing her for \$10,000,000 for ruining his plans to start Long Island’s first P!NK tribute band.

The entire complaint was nothing more than a series of digs at Collette’s looks, age, and talent. I read the complaint she forwarded to me and I could not find a serious actionable offense that would merit such a lawsuit. Then Collette told me the biggest twist of the case... she had never met Charles Bonfante. Ever. Bonfante was the business partner of Rick Nevone who had hired her for the performance. She would later learn that she found herself in Bonfante’s crosshairs due to Nevone’s actions. Collette was merely collateral damage.

After a period of denial, anger, depression, and bargaining, Collette refused to accept the situation and began to fight back. Tapping into P!NK’s girl power vibe, Collette hired an attorney and filed her answer and counterclaim in Suffolk County Court followed by her own claim of intentional infliction of emotional distress citing his causes of action as “beyond all bounds of decency” and “utterly intolerable in a civilized society.”

Over the next two years, Collette wound her way through the legal system. Eventually Bonfante’s case was dismissed and Collette was left with \$13,000 in fees. The journey opened her eyes to the legal system, gave her a better impression of lawyers, and exposed how the judicial system can be abused. With her eyes now wide open, Collette decided to take a stand—not just for herself, but for others who may find themselves in a similar situation.

Collette teamed up with Scott Hobson at the Law Reform Alliance of New York and crafted the Law Abuse Reduction Act, dubbed “Collette’s Law. The bill would increase sanctions against those who file abusive lawsuits and requires

them to pay the other party's legal costs. In November 2014, it was first introduced to the New York legislature but failed to gather any sponsors. Undeterred, she reintroduced the bill in the 2015 legislative session. Again, it failed to attract any sponsors.

Things changed last year. The media attention that followed this case for two years caught the eye of Assemblywoman Maritza Davila who signed on as the first sponsor of Collette's Law.

"Collette's story really resonated with me, a hardworking talented woman was stopped on her path of success by a deceitful and selfish act of abuse. We need to prevent others from using our legal system as a weapon and instill regulations that bring actions against those who try," stated Assemblywoman Davila.



"Collette's Law" will be reintroduced at the upcoming New York legislative session by Assemblyman Luis Sepulveda and Assemblywoman Davila. They plan to reintroduce the bill each session until it becomes law.

Three years have passed since I read Collette's Facebook post the night she received the complaint. Her fear was palpable. When you receive a complaint filed by someone you never met suing you for \$10,000,000, your mind goes haywire. Who is this person? Why are they suing me? Can they really do this? Where am I going to get the money? I helped point her in the right direction as much as possible, empathize with her plight, support her through each new setback, and said more than a few prayers.

Today, I see Collette differently. She's not just an amazing artist. She's not just an amazing friend. She's now someone that I hold in the highest of highest esteem. She did not allow this to defeat her. Ultimately her case was dismissed, but she now knows that there are so many people not only in New York but across the country who are victims of the same abuse of process. Those people should not endure massive legal bills to defend themselves in an action that has little or no merit.

Collette is still performing and wowing audiences across New York and the Tri-State area. Today, she is using her strength and fortitude to help so many others in the same predicament no matter how long it takes. Having seen her in action, I can assure you that one day "Collette's Law" will be signed into law by the Governor of New York.

On that day, I will salute her... with a large glass of "P!NK" lemonade.



"No way she could have spilled hot coffee on her lap! Each cup clearly states 'Warning: Hot Coffee!' on the bottom!"

Professional  
Articulate  
Reliable  
Adaptable  
Loyal  
Ethical  
Goal-oriented  
Assertive  
Learned

### 5 Questions for.... Rebekah Walton

1) Why are there so many songs about rainbows and what is on the other side?

Rainbows are a promise of good things to come. I'm still in awe of seeing a rainbow, especially a double. I envision lots of white fluffy clouds with sprinkles on the other side.

2) If you are in a bad mood, do you prefer to be left alone or have someone cheer you up?

If I'm in a bad mood I prefer to be cheered up. My youngest daughter Elisabeth is the best at cheering me up.

3) Do you ever feel like a plastic bag, lifting through the wind, wanting to start again?

A floating plastic bag sounds more carefree than me. I sometimes feel like I'm pulling myself uphill with people piling on – bosses, kids, and husband!

4) What is the craziest thing you have ever done and would you do it again?

This isn't crazy, but it's one of the most adventurous things I've done and I would love to do it again. My husband and I went on a catamaran trip in the Virgin Islands. We did two dives a day. We dove a shipwreck at 90 feet and caverns more than 100 feet deep. It was exhilarating! My ears didn't hold up well. At the time, I was working for Frank Jenkins at Landrum & Shouse. His Dad was an ENT and he got me in immediately to fix my ears. Next time I'll take preventive ear drops.

5) Is this the real life? Is it just fantasy?

This is real life! You cannot make this stuff up!



*Rebekah is a 1993 EKU graduate with a paralegal science degree (back in the Wimberly/Tackett days). She gained an enormous amount of trial experience (over 20 trials) while at Landrum & Shouse for nearly 9 years. After getting married and having a baby, the thought of no billable hours at a plaintiff's firm was intriguing. Rebekah joined Gary C. Johnson law offices as a case manager for 3 years before meeting current boss, Donald "Pat" Moloney during a very contested nursing home case. She has worked as a medical malpractice defense paralegal at Sturgill Turner Barker & Moloney for the last 12 years.*

*In her spare time, Rebekah enjoys planning adventures with her husband of 21 years David and daughters Ashleigh & Elisabeth.*



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## EKU's Paralegal Internship – Lynette Noblitt

The Eastern Kentucky University Paralegal Program, which is approved by the American Bar Association, requires students to intern in a law office or closely related setting for a minimum of 280 hours near the end of their degree or certificate program.

The internship program has been an outstanding success for employer and student alike. Nearly every internship has proven to be productive and profitable. Our students have received extensive classroom instruction in legal concepts and numerous paralegal skills in addition to a broad general education. After a brief orientation period; the intern should be able to work with increasing independence and at higher levels of responsibility.

The intern should be prepared to perform a variety of legal tasks helpful to law firms and other legal settings. The student can be expected to do a majority of the following: perform analytical legal research, draft pleadings and numerous other legal documents, draft memoranda of law, interview witnesses and clients, assist with discovery, disclosure and trial preparation, provide support services to an attorney in court, search titles and prepare for real estate closings, keep clients up to date on progress of case, and perform tasks related to a variety of fields, including probate, incorporation, administrative procedures, subrogation files, collections, bankruptcy, organize case files and develop practice systems (i.e., system of forms, documents, procedures, statutory deadlines for a real estate closing, or incorporations). They can also draft correspondence and other professional-level tasks, as well as work comfortably with common law office technology.



The student receives four semester hours of academic credit for successful completion of the internship. To receive academic credit, the student must demonstrate that he/she has learned and/or practiced paralegal-level skills. In addition to performing tasks for the legal office, an intern is required to keep a daily journal and submit bi-weekly reports on concepts and skills he/she has encountered. Although not required for academic credit, the employer generally pays an intern a fair wage for his/her work.

The EKU Paralegal Program encourages local law firms and other legal office settings to consider participating in the paralegal internship program. Not only will it help a student make the significant transition from academia to the legal profession, but it will also help ease the workload for attorneys and paralegals while providing additional insights into a more efficient delivery of legal services.

All internship sites must be approved by the Director of the Paralegal Programs. If interested in having an EKU student as an intern, you may contact the paralegal programs office by phone 859-622-5931 or by email [lynette.noblitt@eku.edu](mailto:lynette.noblitt@eku.edu).

*Lynette Noblitt is the Chair of the Department of Government & Economics at EKU and has been the Director of the EKU Paralegal Program for twelve years. Before that she was an Associate at Ropes & Gray in New York, NY.*

## 5 Ways to Be a Happier Paralegal—MyParalegalPlace.com

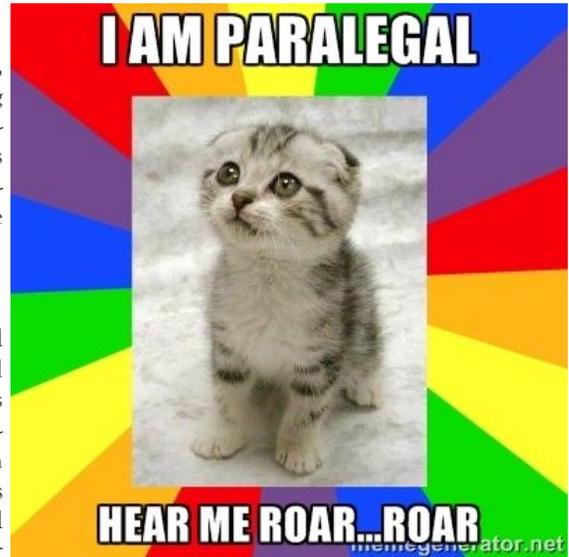
Maybe lately you have been second guessing your choice to be a paralegal. Perhaps you have felt like just walking away from your career. Or, maybe it's not all that bad, but there are few things you wish you could change. Demanding attorneys, endless work hours, the constant pressure of deadlines and the expectation of constant perfection can really put a dent in how happy and satisfied you are in your paralegal career. Paralegal career satisfaction may seem like a fantasy to some of us, but there are a few things you can start doing now that can improve your outlook and keep a smile on your face.

### Avoid Office Politics

It's hard to not get snared in the office politics net. Engaging in office gossip, playing favorites, undermining other employees to gain favor, and spreading rumors are all a part of office politics. It's best to avoid it altogether if possible. Every office will have their cliques and those "in the know" who always seem to get that promotion or praise. But playing into the competition concept can strain relationships and you may end up burning more than one bridge in your paralegal career.

### Don't Let Jealousy Sabotage Your Work

It can be difficult when jealousy rears its ugly head. So your fellow paralegal missed a deadline, you covered for her, and in the end she got the praise and handed a juicy project with the top attorney and you got, well, nothing. It's easy to be jealous of that co-worker, but in the end what will it get you? Distraction from your work? Feelings of anger and resentment? These things can ruin your typically stellar work product. It may be difficult, but instead, focus on your best qualities and skills and continue to do top notch work. You will be proud of your work, you will be happier, and the attorneys will notice your consistent and well done work product.



### Be Honest About the Work Load You Can Handle

Taking on more work than you can handle is a way to ensure disaster. Your work product will suffer, and most of all, you will suffer. If too many assignments are being sent your way and your finding yourself toiling into the evening to barely keep up, or your work is full of errors because you have to race through the assignment, then it's time to speak up. I realize that in reality it may be impossible to reject work, yet it's still important to let someone know just how much work you are doing and the time you need to do it all. Don't whine or complain when doing so, discuss it with your attorney or human resources contact reasonably. Have a few suggestions up your sleeve regarding better ways to handle assignments and deadlines, letting them know your goal is to consistently provide them accurate and timely work.

### Stay Organized for Easy Efficiency

I'm one of those clean freaks who cannot think straight when there is clutter in my work space. Although sometimes it's impossible to keep my desktop clear and organized, like when prepping for trial, I try my best. When files or documents are at your fingertips and easily found, it makes the work so much easier. It also allows you to complete assignments quicker. It also protects you from misplacing documents and memos. Staying organized reduces the stress of having to locate items quickly when your attorney needs them.

### Stay Up To Date With Technology

Taking the time to properly learn the use of your law firms' docketing system, document management system and e-filing procedures will save you an enormous amount of stress in the long run. There is nothing worse than having to file something last minute for a deadline only to have a problem arise that you don't know how to fix. It's also stressful to code something incorrectly in document management only to have it end up lost in the system forever. It's also important to stay abreast of the latest changes in e-discovery and other legal technologies. Personally, since I am in litigation, I have taken a few e-discovery courses to make sure I'm prepared when discovery takes place.

*MyParalegalPlace.com is the one of the internet's top sites for paralegal career and education tips, eDiscovery tips and tutorials, and with legal apps, research and legal tech resources.*

**GLPA TREASURER REPORT**

September 8, 2017

**CENTRAL BANK ACCOUNT**

Account Balance as of July 27, 2017 \$ 17,362.32

**DEPOSITS**

8/17/2017 Anniversary Luncheon Attendance 25.00

**TOTAL DEPOSITS +\$ 25.00**

**DISBURSEMENTS**

7/25/2017 Check #937 to Hensley/Elam for annual webhosting \$ 264.00

7/27/2017 Check #938 to Charity Foster-reimb. For door prizes Annual Luncheon \$ 240.00

8/17/2017 POS transaction to Chick-fil-a for August CLE \$ 228.83

9/06/2017 Paid GLPA Credit Card for August statement  
(charge was on report for August meeting-entire amount for  
Anniversary luncheon) \$ 1754.72

**TOTAL DISBURSEMENTS (AS OF 9/8 2017) -\$ 2,487.55**

**GRAND TOTAL (AS OF 9/8 2017) \$ 14,899.77**

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## 2017—Looking Back and Looking Ahead= By Debbie Gibby

August – The Title IX Litigation Wave by Jim Newberry, Jr.



Jim Newberry is a member of Steptoe & Johnson PLLC where he chairs the firm's Higher Education Team. He formerly served as Mayor of Lexington and as Vice President & General Counsel at Georgetown College. At Georgetown, Jim served on the Executive Cabinet, and he was responsible for the development office functions, including alumni affairs, and for the legal affairs of the college. He has also served as a member of the University of Kentucky Board of Trustees.

He currently represents a number of independent colleges in a variety of matters with a particular emphasis on Title IX compliance. Jim currently serves as a member of both the Legal Services Review Panel at the National Association of Independent Colleges and Universities and the Employment, Education, and Training Committee of the United States Chamber of Commerce. He frequently speaks at national and regional higher education events on legal issues in higher education.

Jim is frequently quoted on legal topics in *Inside Higher Education* and *The Chronicle of Higher Education*. Jim is a Phi Beta Kappa graduate of the University of Kentucky's College of Arts & Sciences. He received his law degree from the University of Kentucky's College of Law.

September – Trademark Selection, Registration, and Maintenance by Andrew D. Dorisio

Andrew D. Dorisio was born in Wheeling, West Virginia; He is a member of King & Schickli, PLLC, where he has practiced intellectual property law for 20 years. Mr. Dorisio graduated from West Virginia University (B.S. Mechanical Engineering, 1993); He received his law degree from the University of Kentucky (J.D. 1996). He is admitted to the bar in Kentucky and West Virginia; He is admitted in the U. S. District Court for the Southern District of West Virginia, Eastern District of Kentucky, U.S. Court of Appeals for the Federal Circuit, Western District of Kentucky, U.S. Court of Appeals for the Sixth Circuit and the U.S. Supreme Court; He is also registered to practice before the U.S. Patent and Trademark Office. At the University of Kentucky College of Law, he was an Adjunct Professor for Patent and Trademark Law. His memberships include the Kentucky Bar Association, West Virginia Bar Association and the American Intellectual Property Law Association. Mr. Dorisio's areas of expertise include life sciences, medical sciences, environmental control apparatuses and systems, product handling and domestic and international patent and trademark filings and oppositions.



October – The Art of Voir Dire by Escum L. Moore, III



Escum L. "Trey" Moore with the firm of Moore & Moore, PLLC, in Lexington, Kentucky where he concentrates his plaintiff's practice in medical negligence, personal injury, and products liability law. He received his BA from Centre College in 1999 and his JD from the University of Kentucky, College of Law in 2002. Mr. Moore is a member of the Fayette County, Kentucky, American and Federal Bar Associations, Kentucky Justice Association, and the Association of Trial Lawyers of America. Mr. Moore serves on the executive committee and Board of Directors for Lawyers Mutual Insurance Company of Kentucky (LMICK).

### November–Criminal Law by Aaron Ann Cole



Aaron Ann Cole was born and raised in Lexington. She graduated from the University of Michigan with a Bachelor of Arts degree in Psychology and then moved to Chicago. There, she obtained her law degree, along with a certificate in Trial Advocacy, from Loyola University Chicago School of Law. Following law school, she served as a prosecutor in the Cook County State’s Attorney’s Office. After moving home to Kentucky, Aaron Ann practiced administrative and civil law before joining the Office of the Attorney General’s Special Prosecutions Unit. She joined the Fayette County Commonwealth’s Attorney’s Office in 2016.



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**The GLPA in 2018—How You Can Get Involved**  
by Glenna Fugazzi

Yes, we are well over the halfway point for 2017! For those with school-aged children, school has started and the hectic life has once again knocked on your door. We now experience more traffic coming to and from work, and more traffic and additional traffic .... Yes, the traffic is bad. So ....

What does this mean for the GLPA?

With a deep breath and a clear mind, let's begin the thought process of how you can get involved with your professional association. What are your strengths? Do you have good ideas for CLE speakers? Do you have that knack for approaching businesses for a donated or reduced -cost lunch for our group? Do you have that personality to approach groups for door prizes or donations? Maybe you are more comfortable sitting back and working behind the scenes. Do you have good ideas that would help students get more involved? Some of us are more philanthropic – those perfect organizations that NEED community involvement to survive.

If these ideas have perked an interest or made you read on, we need you for 2018. My position on the Board this year, in addition to attending board meetings and “advising,” is to chair the elections process which will take place very soon. This task is out of my comfort zone as I am not one to approach and ask you to volunteer your time ... for a year! Or more!! But let me say this ..... it will be the BEST year of your life!! Or more ..... Through the years, my involvement on this Board has created the best friendships that will continue to last for my lifetime! The contacts with educators, law firms, the corporate folks, vendors, and on and on, have been absolutely incredible! You have always heard the phrase “It’s who you know ...”. My friends, it IS who you know, and how can you get to know “those” people from behind your desk?? Grab your co-worker and take the journey on the GLPA Board together!

SO ..... as you breathe in that fine Kentucky post-summer breeze (not ready to say *Fall* just yet), throughout the next several weeks, please be thinking of how you can spend several hours each month boosting and contributing to this association. You will not be sorry!

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## Attention Job Seekers by Jan Chapman

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## 5 Questions for... Wayla Brumbaugh-Todd

1) What fictional place would you most want to visit??

This is a tough one. I am not sure if it is completely fictional or not. I would like to visit Caldwell from the Black Dagger Brotherhood books. To see the rough and tumble nightlife of the Brotherhood and chase the bad guys from the city.



2) What would be your first question after waking up from being cryogenically frozen for 100 years?

Probably, "What year is it?" Unless it was not my choice to be frozen. Then I would want to know what the hell was going on.

3) What is your guilty pleasure movie that you have to watch whenever you see it on TV?

Ah, The Sound of Music. It is my favorite movie from childhood. I wanted so bad to be a von Trapp child... or at least be able to sing like them.

4) What is something that a ton of people is obsessed with but you just don't get the point of?

Fidget spinners, for sure. I understand their purpose, but I cannot understand the big hype over them. I know many adults that keep them at their desk and fidget with them while talking on the phone.

5) In 1985, Aretha Franklin asked the question "'Who's zoomin' who?'" So tell me...who is zoomin' who?

I am not sure how to answer this one. In the song, the lady is the one that is playing the game better and she is checking the guy out. As for a current event that would apply, I would say politicians who zoom up their base and fail to do what they say they do. When election time comes, they scramble to accomplish anything to make them look good. I think we as voters are being zoomed!

Wayla Brumbaugh-Todd has been a paralegal since 2000. She obtained an Associate's degree in Paralegal Studies from Sullivan University, a BA in Paralegal Studies from Eastern Kentucky University, RP certification, and most recently her Master's in Paralegal Studies from George Washington University graduating Summa Cum Laude. She currently work in Danville, KY for the Mark L. Morgan Law Group.

## Mums for Mum by Lynn Whitson/Mary Reinhardt

The Board at Large has seen success in the 2017 GLPA mum fundraiser sale. To date, we have taken 106 orders for mum planters of all colors and sizes. The GLPA should rake in a healthy profit when all is said and done. Daynabrook Garden Center delivered the mums at noon on Thursday, September 14, in the Central Bank parking garage, downtown Lexington. We want to take a moment to thank everyone who sold and/or bought this year.

As a reminder, we have our branded metal tumblers and other GLPA merchandise. Send us an email and we can make arrangements to bring you your items.



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The Lexington Paralegal Association was established in 1980 to promote the paralegal profession in Lexington and surrounding communities. In 1994 its membership voted to change the Association's name to Greater Lexington Paralegal Association. The GLPA serves as a forum for paralegals to exchange ideas, opinions and concerns. Through the Association, we hope to increase the awareness of the public, judiciary and legal communities of the scope of paralegal responsibilities.

Membership is comprised of practicing paralegals and students enrolled in paralegal programs and paralegals not currently employed as paralegals. Sustaining membership includes law firms, colleges, universities, local business and individuals.



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Promote and support professional standards.

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