

MCPA TODAY

The official Publication of the Montgomery County Paralegal Association

April 2009

www.montcoparalegals.org

Editor: Tracey L. Barnes, RP, Pa. C.P.

Message from the President

May I make a suggestion? Or perhaps you should! The MCPA Suggestion Box is always available on our website. If you have an idea or would like to share your comments or observations, please take the time to share your thoughts. You can use the Suggestion Box or e-mail any Board Member or Committee Chair directly. We are always happy to have direct input from members so that we know exactly what it is you seek from your Association.

Here are a few examples of what your suggestions can do:

(1) A new member attending her first General Membership Meeting in March commented that she probably knew some of the other attendees due to on-the-job telephone contact, but had never personally met them and did not know what they looked like. She suggested that we begin future meetings with introductions: each member simply state their name and place of employment – a simple suggestion which may greatly accelerate the networking opportunities these meetings are meant to provide. You can expect this suggestion to be implemented at our Annual Breakfast Meeting later this month.

(2) A long-time member who attended our February seminar, Ellen Freedman's *Honing Your Internet Skills*, wrote to say how much she enjoyed the seminar and made a suggestion for taking the Internet topic in another direction. Thanks to that suggestion, the Planning Committee is looking into scheduling a seminar on the issue of websites such as My Space and Facebook and their use in litigation. We hope to offer that seminar in early 2010. (Kudos to the Planning Committee – all seminars for 2009 have been booked!)

Whether you are a new member or have been around for a long time, your input is invaluable. We listen, and we put your ideas to work. Keep the suggestions coming!

Deborah A. Long
President

Board of Directors

Officers

Deborah Long

President

Deborah Arbuckle

1st Vice President

Harry Reichner

2nd Vice

President

Ro Fedorka

Treasurer

Nancy Aiken

Treasurer

Board Members

Linda Gunning

Christine Horace

SAVE THE DATE!!

May 19, 2009 Medical Malpractice CLE

June 16, 2009 Summer Social

Welcome New Members

Lisa Aleman

Delia Emery

Jillian Geld

Jill Katz

Lindsay Tait

Charleen Neff

Nancy Santiago

Heidi Reiss-Tait



Have you ever traveled into the *DEEP WEB*?

By Linda Gunning



Prior to February 17, 2009, I had never even heard of the Deep Web. Thanks to Ellen Freedman, Law Practice Management Coordinator, and Pennsylvania Bar Association Member, those who attended the MCPA General meeting now know where to find it, and how to search it.

Everyone is probably familiar with the search sites "*google*" and "*yahoo*" but Ellen explained to the group of 30 plus attendees that the Deep Web is **500 times larger** than the surface web, **returns 10% more documents** than the surface web that **are 3 times higher in quality** than a surface web search! Not only is the coverage area very broad, but it is growing faster than the surface web. With names like *FastBoot*, *Profusion*, *BrightPlanet* and *Turbo 10*, you can only imagine what you can find when using these search engines.

Ellen explained that there are Search engines and Meta-Search engines. A Meta-Search engine is software which is used on a web site to search other web search sites. It translates the syntax for each search engine's unique requirements saving time and costs.

Example: www.dogpile.com is one of the very first meta-search engines. It *translates* and submits a search to 25 other search engines. Some Meta-Search engines are free but others require a fee for membership.

So now you are asking



What is the Deep Web? How can I find the Deep Web? What makes the Deep Web search engines and Deep Web databases so special? To find out the answers to these questions and learn more about the Deep Web go to:

http://websearch.about.com/od/searchingtheweb/u/web_search_basics_path.htm#s7

LEGAL Recruiters



organ
entworth, LLC
When the best is worth it

**1000 Valley Forge Circle, Suite 102B
King of Prussia, PA 19406
Phone (610) 783.0900
Fax (610) 783.7940**

patmosesso@morganwentworth.com

www.morganwentworth.com

If you are seeking a new position or if you are seeking the right candidate. We work hard to facilitate the perfect match

LEGAL CAREER ALIGNMENT AND PLACEMENT SERVICE

WE SERVE

- *Firms seeking attorneys and other legal staffing*
- *Attorneys and other legal professionals seeking a career change*
- *More than 75 years of combined experience in the legal arena*
- *A track record of assisting with hard to find jobs and hard to find candidates*
- *We work with practice groups and individual partners.*
- *We facilitate mergers*



The Public Relations Committee needs your help!

Here is your opportunity to help your Association grow.

The newly formed Public Relations Committee is looking for volunteers to help promote the MCPA in the legal and general communities. This will involve such tasks as distributing brochures, generating press releases relative to upcoming events, and posting flyers at local coffee shops, etc.

You can spend as much or as little time as you have available in supporting this committee. Even a commitment of one hour each month can make a difference!

Some of the specific areas where help is needed are as follows:

- Ideas, ideas, ideas
- Deliver flyers of upcoming events to colleges and libraries
- Drop off MCPA brochures to attorney offices, libraries, courthouse
- Reach out to Paralegals that you know or come in contact with in your job
- Write a letter to the editor of a local newspaper
- Draft a press release to a newspaper or radio station
- Ask if flyers can be hung up in Starbucks or
- Did I mention...ideas?

As you can see, there are lots of “little ways” that you can help. It doesn’t have to cost you a lot of time, and you have the satisfaction of knowing that you have done your part to promote your Association.

By increasing our membership, we are able to share more knowledge, expertise and networking opportunities so that we can grow in our profession.

If you are interested in helping, please email me linda_gunning@merck.com. You can also contact me in the evenings at 215-453-0241.



And now a word from our sponsors...

Actually, a word *about* our sponsors. The relationship between the MCPA and its sponsors offers mutual benefits.

Benefits to the MCPA

The support we receive from our sponsors allows us to carry out Association functions, offer free CLEs, and participate in the development of the paralegal profession not only locally, but also at the statewide and national levels. Additionally, we have a pool of expert resources readily available if, for instance, we need to obtain a Certificate of Merit, develop a Life Care Plan, schedule a deposition, or suggest a resource for assistance with legal staffing.

Benefits to Our Sponsors

Sponsors of the MCPA have a direct link to the legal community. Information distributed at our general membership meetings can be shared with attorneys, office managers, and coworkers who may have a need for the specific services offered. Direct advertising is available through *MCPA Today*, and sponsor and vendor links are readily accessible through our website.

What Can You Do?

Check the MCPA website on a regular basis so that you know who our sponsors are. Then, share this information – as well as information you receive at our general membership meetings – with those in your office who have a need for these services. Be sure to have them mention the MCPA when they call so that the provider knows the work came through us and will be likely to renew their sponsorship next year.

Don't see one of your office's service providers on our website? Could this service provider benefit from a relationship with the MCPA? Let us know! Send an e-mail to Debbie Long at debbiel@dbyd.com or Debbie Arbuckle at darbuckle@kaplaw.com. If the service provider becomes a sponsor of the MCPA, you will receive a \$25 debit card!

“This is your organization. The more involved you are, the more you will benefit from your membership.” Sharon Jones, first President of MCPA, 1999

Medical Records Stacking up on you? We Can Help.



Alliance Medical Legal Consulting

"Working together for your Success"

- Certified Nurse Life Care Planners
- Legal Nurse Consultants
- Medicare Set-Aside Consultants

Plaintiff ~ or ~ Defense

- Develop or critique life care plans.
- Medical cost projections.
- Review and analyze medical records.
- Identify standard of care deviations.
- Develop narrative reports and chronologies to highlight significant medical events.
- Locate expert witnesses.
- Develop demonstrative evidence exhibits.
- Assist with discovery and trial preparation.
- Attend and report on independent medical exams (IME).
- Develop MSA reports for workers' compensation cases.
- Any case with medical related issues.

- *Personal Injury* • *Nursing Home* • *Auto* • *Criminal*
- *Medical Malpractice* • *Nursing Malpractice* • *Elder Law*
- *Wrongful Death* • *Product Liability* • *Workers' Comp*

Alliance Medical Legal Consulting

Blue Bell, PA

Ph: 267-446-3997 Fax: 267-657-1311

info@alliancemedicallegal.com

www.alliancemedicallegal.com

Your legal expertise and our knowledge of healthcare combine for your success



BECOMING A PENNSYLVANIA CERTIFIED PARALEGAL (Pa.C.P.)

QUALIFICATIONS:

To become a Pennsylvania Certified Paralegal you must fulfill the following qualifications and grandfathering or the educational requirements set forth below:

1. Applicant must be a member in good standing of a Keystone Alliance of Paralegal Associations member association;
2. Applicant must be a legal resident of the United States of America;
3. Applicant must satisfy Education/Experience or Grandfathering requirements;
4. Applicant must submit declarations from one (1) attorney in good standing with the Supreme Court of Pennsylvania who will attest to his/her direct knowledge of the Applicant's skill level and his/her work as a Paralegal;
5. A Paralegal making application under work experience only must submit declarations from two (2) attorneys; and
6. Certified copy of Applicant's official transcript(s) from the educational institution(s) attended OR a letter from the education institution(s) attended indicating the dates of the Applicant's attendance and the date(s) of the Applicant's graduation OR a copy of the Diploma/Certificate received by the Applicant from the education's institution(s) attended. Certified Legal Assistants ("CLA"), Certified Paralegals ("CP"), Registered Paralegals ("RP"), or Paralegals holding another Paralegal credential approved and recognized by the Keystone Alliance of Paralegal Associations need only submit a copy of their original credential certification and their current letter of good standing. Applicants who are making application for certification under work experience only, do not need to submit transcripts or Diplomas/Certificates.

GRANDFATHERING PROVISION:

Prior to June 30, 2012, Applicant must meet one (1) of the following criteria:

1. Bachelor's Degree in Paralegal Studies from an ABA-approved Paralegal Program AND one (1) year of substantive Paralegal experience; OR

2. Bachelor's Degree in any discipline from an accredited institution AND a Certificate/Associate's Degree from an ABA-approved Paralegal Program AND one (1) year of substantive Paralegal experience; OR
3. Bachelor's Degree in any discipline from an accredited institution AND three (3) years of substantive Paralegal experience; OR
4. Associate's Degree in Paralegal Studies AND three (3) years of substantive Paralegal experience; OR
5. Certificate from an ABA-approved Paralegal Program AND three (3) years of substantive Paralegal experience; OR
6. Associate's Degree in any discipline from an accredited institution AND five (5) years of substantive Paralegal experience; OR
7. Certificate from a non-ABA-approved Paralegal Program AND five (5) years of substantive Paralegal experience; OR
8. Seven (7) years of substantive Paralegal experience; OR
9. Designation of CLA, CP or RP or other Paralegal credential approved and recognized by the Keystone Alliance of Paralegal Associations AND two (2) years of substantive Paralegal experience.

EDUCATIONAL REQUIREMENTS:

After July 1, 2012, Applicant must meet one (1) of the following criteria:

1. Bachelor's Degree in Paralegal Studies from an ABA-approved Paralegal Program AND one (1) year of substantive Paralegal experience; OR
2. Bachelor's Degree in any discipline from an accredited institution AND a Certificate/Associate's Degree from an ABA-approved Paralegal Program AND one (1) year of substantive Paralegal experience; OR
3. Bachelor's Degree in any discipline from an accredited institution AND three (3) years of substantive Paralegal experience; OR
4. Associate's Degree in Paralegal Studies from a Paralegal Program AND five (5) years of substantive Paralegal experience; OR
5. Certificate from a Paralegal Program AND five (5) years of substantive Paralegal experience; OR
6. Designation of CLA, CP or RP or other Paralegal credential approved and recognized by the Keystone Alliance of Paralegal Associations AND two (2) years of substantive Paralegal experience.


OTHER IMPORTANT INFORMATION:

- Continuing Legal Education (CLE) Requirements – Twelve (12) hours with two (2) hours being in ethics for every two (2) years' renewal.
- Examination – No exam at this time.
- Fees – Fifty (\$50.00) Dollars non-refundable Processing Fee for initial two (2) year period. Twenty-Five (\$25.00) Dollars non-refundable Processing Fee for each renewal period of two (2) years. Fees subject to change.

Visit www.keystoneparalegals.org for forms and additional information

1st DEPO = 1 MONTBLANC PEN*

**You Book
The Depo,
We'll Bring
The Sword**



...well, not exactly, but the pen is mightier than the sword, especially when it comes to litigation! Take your first deposition with Bell Reporting and we'll hand deliver a Montblanc pen to your firm.

(215) 236 - DEPO



Philadelphia, PA ▪ New York, NY

Baltimore, MD ▪ Washington, DC

www.BellReporting.com

We Never Take Your Business For Granted!

*Deposition must be booked 7 business days in advance, at least 3 hours long, and booked before 6/1/09; attorney must be available to personally receive the pen on behalf of the firm; transcript charge must be paid in full. Limit one pen per client. This promotion is an ethical "giveaway" as Bell's rates are "reasonable" and in fact are among the lowest in the Philadelphia area. We simply choose to return profits back to our clients (see Rules 1.5 and 1.7 of Pennsylvania's Rules of Professional Conduct). Instead of resending the pen, Bell will gladly make a monetary donation to a cause of your choice in your firm's name or credit your invoice for the pen's value.



UPCOMING EVENTS FOR COMMUNITY OUTREACH

The Community Outreach Committee has a meeting planned at the offices of Kaplin Stewart on Wednesday, April 29, 2009 at 6:00 p.m. The Committee will be working on establishing projects for the remainder of 2009. Committee Members are encouraged to bring their fresh ideas to the meeting. We will again be collecting eyeglasses and old cell phones. They can be given to any COC member at any meeting. Remember, anyone can participate in any of the activities COC organizes, not just committee members!

VOLUNTEERING OPPORTUNITIES IN THE MCPA

Below are the names and contact information for the Chairpersons of the various MCPA committees. If you have an idea or would like to volunteer, please contact a Chairperson! The Fundraising and Public Relations Committees are newly formed and are actively seeking new committee members.

Membership

Coordinate membership drives and membership matters

-

Tracey L. Barnes, RP
Traceyb@dbyd.com

Newsletter

Solicit and write articles; layout and editing for the bi-monthly newsletter, MCPA Today

-

Tracey L. Barnes, RP, Editor
Traceyb@dbyd.com

Job Bank

Solicit, accumulate, and distribute current job postings to the general membership

-

Stephanie Dise
sad@elliottgreenleaf.com

Marketing

Solicit sponsors and advertisers for MCPA

-

Deborah A. Long, debbiel@dbyd.com
Deborah A. Arbuckle,
darbuckle@kaplaw.com

Public Relations

Promote the MCPA in the legal and general Community

-

Linda Gunning
Linda_gunning@Merck.com

Planning

Plan and schedule upcoming MCPA presentations, meetings and social events

-

Roberta Fedorka
rfedorka@obrlaw.com

Community Outreach

Plan and schedule MCPA charitable and community events

-

Deborah Arbuckle
darbuckle@kaplaw.com

Fundraising

Organize and hold fundraisers for the Association and/or charitable organizations

-

Christine Horace
chorace@good-lawyer.com

Mentoring

Provide a range of services and support to students interested in a paralegal career

-

Lisa LaPenna
llapenna@kaplaw.com

Do what you can, with what you have, where you are.

Theodore Roosevelt

The Family Law File

By Tracey L. Barnes, RP, Pa. C.P.

On March 19, 2009, Debbie Long, President of the MCPA, gave a presentation regarding organizational tips for the family law paralegal. Debbie decided to do this presentation so she could relay tips and tactics that she has learned over her years of experience in family law that may help the beginner and practicing paralegal alike.

Debbie began at the beginning of the case file: the initial consultation. She recommended keeping “cheat sheets” handy for obtaining preliminary information when a potential client calls to schedule the consultation. She also emphasized the importance of having a policy for retention of consult files, i.e., keep all consultation notes for 5 years.

Once the client is retained, Debbie indicated that it is very helpful to get all vital information early and place it in a “handy” area where it can be retrieved easily. The file is not always the easiest place to obtain information as it may be in a closed office or with the attorney at court. One suggestion was the use of Outlook Notes.

Another tip that has helped Debbie over the years is color coding. Color coding subfiles, for instance, helps the attorney and the paralegal when looking through large files. Suggestions of color coding were red for support, yellow for custody, etc. Color coding Outlook appointments can also be helpful.

A great resource for family law paralegals is the *Family Law Advocate*. Debbie circulated the Winter issue which was dedicated to form letters. The *Family Law Advocate* is published by the ABA.

Debbie also suggested creating and maintaining databases for certain types of contacts, such as expert witnesses or corporate contacts and procedures for service of subpoenas. However, always confirm the information is up to date before, for example, forwarding a subpoena to an entity that you have not recently been in contact with.

The better your files and procedures are organized, the better the paralegal/attorney team will be able to work efficiently and successfully.



Paralegals - Do They Have a Code of Ethics?

Contributed by [Laura McDonald](#)

Reprinted with the permission of Paralegal Gateway ([www. Paralegalgateway.com](http://www.Paralegalgateway.com))

In a business sense, ethics are a system of moral principles or rules of conduct. Attorneys, paralegals, and legal assistants or secretaries have codes of ethics within the legal field. A paralegal should maintain a high degree of professionalism while performing her work. That high degree of professionalism is ensured when she manages her work duties while following a particular code of ethics.

Which ethics affect a paralegal career is best explained by reviewing the Model Code of Ethics and Professional Responsibility and Guidelines for Enforcement, which was adopted in May 1993 by the National Federal of Paralegal Associations, Inc.

Section 1 of the Model Code sets forth disciplinary rules and ethical considerations for paralegals.

Section 1.1 A Paralegal Shall Achieve and Maintain a High Level of Competence.

A paralegal's competence continues to grow by education, training and on-the-job experience. The Model Code states that a paralegal should participate in a minimum of twelve hours of CLE (continuing legal education) every two years. This is an excellent way for legal assistants to stay updated on changes to laws. Her continued training should include at least one hour of ethics education. A paralegal should remain current on changes so she can help clients to the best of her ability.

Section 1.2 A Paralegal Shall Maintain a High Level of Personal and Professional Integrity.

This section deals with a paralegal's conduct regarding work matters. Paralegals should not discuss cases with court personnel in an attempt to exert influence over a ruling. They may not talk about cases to people who are represented by an attorney without that attorney's consent.

This section also deals with a paralegal's billing practices. It says basically that a legal assistant will be honest and accurate in time and expense reporting. By the way, not only is fraudulent billing unethical, it's a crime. Some of these points are no-brainers but need to be set out nonetheless.

Any cash or money accounts handled by a paralegal through his work should be reported honestly.

Section 1.3 A Paralegal Shall Maintain a High Standard of Professional Conduct.

A paralegal's conduct will be appropriate, as if he is in front of a court. He shall not engage in violence or be dishonest. He will not interfere in the administration of justice. A legal assistant won't abuse the powers of a professional position or public office.

Section 1.4 A Paralegal Shall Serve the Public Interest by Contributing to the Improvement of the Legal System and Delivery of Quality Legal Services, including Pro Bono Public Services.

One way a paralegal can help his community is by volunteering to serve on committees which improve local legal services.

Section 1.5 A Paralegal Shall Preserve All Confidential Information Provided by the Client or Acquired From Other Sources Before, During and After the Course of the Professional Relationship.

I believe this section is the most important one for a paralegal to understand and heed. A paralegal must not discuss any confidential information about a client or case with anyone other than her boss or the client himself. What is confidential information? Why bother trying to dissect it, just don't talk about it.

It is a paralegal's responsibility to tell her boss anything she has learned about the case to assist in his representation.

Note that this section specifically states "before, during, and after the course of the professional relationship." A paralegal should not discuss a case with others even when it is concluded.

Section 1.6 A Paralegal shall Avoid Conflicts of Interest and Shall Disclose any Possible Conflict to the Employer or Client, as Well as to the Prospective Employers or Clients.

If a paralegal may have a conflict of interest in working on a case, she should inform her boss. An example of a possible conflict of interest is if the paralegal was previously employed by a law firm representing an opposing party in the same case. It is probably best that she not work on that case for her current employer at all. When it has been established that a conflict of interest is present, everyone needs to be aware of the situation and cooperate in adequately protecting the client's interests as well as the paralegal herself by not discussing the case around her and routing paperwork well away from her.

Section 1.7 A Paralegal's Title Shall Be Fully Disclosed.

A paralegal should include her title on all correspondence, business cards, formal letterhead, pamphlets or any other form of written communication. For example, her signature would read:

Sincerely,

Laura McDonald
Paralegal

This eliminates any possible confusion over what her position is. Some people may assume she is an attorney, and expect or demand more from her than her position allows. This could create major problems, and brings us to our next ethical issue.

Section 1.8 A Paralegal Shall Not Engage in the Unauthorized Practice of Law.

The best rule of thumb to follow is: paralegals may not give legal advice. Check with your local jurisdiction on any possible variances, but basically it means leaving the legal advice giving to the attorneys.

Are you fascinated by trials? Do you like helping people? A career as a Paralegal is challenging, rewarding, and NEVER boring. Sign up for free newsletters that show you how to step into this exciting career. Adventures await you....

Laura McDonald is a paralegal. She is a member of NFPA (National Federation of Paralegal Associations) and maintains a web site entitled [ParalegalSecretary](#). Laura is experienced in the areas of personal injury, civil litigation, family, environmental and corporate law, estate planning and bankruptcy. She works for Michael L. Hawkins & Associates, P.L.L.C., located in Frankfort, Kentucky. The firm's website is <http://www.mlhlawky.com>



CYBER HELP

The Social Security Administration is online! Social Security is making a big push to notify the public that a lot of their services are available online. They would like to diminish foot traffic in the field offices, plus it would also cut back on wait time for the public. Their website is www.ssa.gov and it's extremely user friendly. *Submitted by Lisa LaPenna*

Have a website that is helpful? Let the MCPA membership know about it. Contact traceyb@dbyd.com



WAWA COUPONS and MCPA APPAREL



Wawa Coupons are still available for purchase. One size fits all and are easy to slip into a card, gift, stocking, etc. They are good at all Wawa Convenience Stores and never expire! Please contact Christine Horace at chorace@good-lawyer.com or any board member at a membership meeting if you have any questions or would like to purchase coupons.

Also available are MCPA long-sleeved t-shirts and short-sleeved polo shirts. The long-sleeve shirts are \$10 and the short-sleeve shirts are \$20. Show your MCPA spirit by purchasing a shirt (or two). Contact Debbie Arbuckle at darbuckle@kaplaw.com if you are interested.



How to Contact Us



Deborah A. Long, Pa.C.P., President (215) 362-2474
debbiel@dbyd.com

Deborah Arbuckle, Vice President (610) 941-2523
darbuckle@kaplaw.com

Harry Reichner, Vice President (610) 205-1560
hreichner@mmclaw.com

Ro Fedorka, Treasurer (610) 834-8800
rfedorka@obrlaw.com

Nancy Aiken, Secretary (610) 834-8800
naiken@obrlaw.com

Linda Gunning (267)-305-6123
Linda_gunning@merck.com

Christine Horace (215) 362-2478
chorace@good-lawyer.com

www.montcoparalegals.org

