

# MCPA TODAY

The official Publication of the Montgomery County Paralegal Association

February 2009

[www.montcoparalegals.org](http://www.montcoparalegals.org)

Editor: Tracey L. Barnes, RP

## Message from the President

Ask not what your association can do for you but what you can do for your association.

OK, you got me. I can't really take credit for that one. But the concept is a good one and well worth borrowing.

In the past election year, we were privileged to witness history in the making. This became possible because one bold individual reminded us that we live in a democracy, that the actions or inactions of each and every individual have a value and/or consequence, and that change is effected when citizens recognize and assume the responsibility for this privilege.

On October 22, 1999, a group of forward thinking paralegals formed a professional organization called the Montgomery County Paralegal Association. The Association has remained strong and continues to grow and evolve. The MCPA will celebrate its tenth anniversary on October 22, 2009.

In April 2008, the Keystone Alliance ratified a voluntary credentialing program for Pennsylvania paralegals, and the program was in place by year's end. This was a bold step forward toward the regulation of paralegals in our state. Only four other states have some form of regulation in place.

2009 promises to be a year of change, progress, and accomplishment. The groundwork has already been laid. Now it's time for you to get involved. Whether you are new to the association or a long-standing member, I urge each and every member to assume the privileges of belonging to a professional association. Make an effort to attend more meetings, participate in at least one Community Outreach event, and do just one extra "thing" to put your mark on the MCPA in 2009. Contact any board member or committee chair to ask what you can do to help. Complete information is available in this issue as well as on the website.

And don't forget to mark your calendar for Thursday, October 22, 2009 when we celebrate 10 years of progress for the MCPA. See you at the party!

*Deborah A. Long*  
President

## Board of Directors

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**Linda Gunning**

**Christine Horace**

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## SAVE THE DATE!!

March 19, 2009 Family Law  
Organization Seminar (CLE)

April 25, 2009 Annual Breakfast Meeting

## Welcome New Members

Kathryn Cindric

Kathleen Croll

Cindy Eisenhauer

Jennifer Galliano

Judy Gima

Yi Jing Groeber

Teresa Hall

Teresa Juliani

Lisa King

Laura O'Halloran

Allison Price

Annette Rolon

Stephanie King

Shari Weber

Donna Zonetti





## **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](mailto:linda_gunning@merck.com),  
You can also contact me in the evenings at 215-453-0241.

## MCPA Induction Meeting

by Tracey L. Barnes, RP

On a cold January 15, 2009, night, an exciting event happened. The 2009 Montgomery County Paralegal Association inducted its 2009-2010 Board of Directors!



After the members enjoyed a delicious buffet dinner, the Honorable Francis J. Lawrence, Jr. did the honors of administering the Oaths to the 2009-2010 Board of Directors.

Following the induction, it was time to say a sad farewell to two outstanding individuals who have served the MCPA Board of Directors for many years. Debbie Long, the 2009 MCPA President gave a thoughtful and appreciative overview of the many wonderful attributes and contributions of outgoing

Board Member and President Beth A. Breckenridge. Harry Reichner, followed with an insightful, and sometimes humorous, overview of outgoing Board Member and Vice President Lisa LaPenna. Both women have been instrumental to the Board of Directors and the Montgomery County Paralegal Association's continued success. Beth has offered her assistance and guidance to the new 2009 Board and Lisa LaPenna will be continuing her work with the MCPA through the Student Mentoring Program.



Outgoing President Beth Breckenridge and Incoming President Deborah Long (*left*) and outgoing Vice President Lisa LaPenna and Incoming Vice President Harry Reichner (*right*)

During the evening, Bell Court Reporting, a 2009 MCPA Sponsor, offered a door prize to one lucky attendee. Linda Gunning was the lucky winning member.

Feel free to contact any of the 2009-2010 Board Members with comments and/or concerns you have regarding the MCPA or the paralegal profession in general. Contact information is located at the end of this newsletter.

# Medical Records Stacking up on you? We Can Help.



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## ***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](http://www.keystoneparalegals.org) for forms and additional information**

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## Tips for Trimming Deposition Costs

*Re-Printed with permission of Bell Court Reporting*

Every profession and every industry is feeling the impact of the volatile stock market and the weakening dollar. You can look like a hero to your clients by implementing some of these cost savings measures to trim deposition costs.

First, limit the "bells and whistles" of your next deposition. Does your client really need a video deposition? Is that expedited transcript essential? These types of services add up. Consider whether they will impact your ability to zealously represent your clients' interests or if perhaps you can do without them.

Second, compare pricing. While peace of mind in knowing that your transcript is accurate is the most important criteria in choosing a court reporting company, pricing should still be a concern; and it does vary from company to company. Ask the company you are considering using for a market analysis so that you can ensure you are getting a fair price. You don't want "cheap" but you do want to make sure what you're paying is reasonable.

Third, confirm that your court reporting company has the ability to provide you with a client-only website. This will minimize scheduling errors. I'm sure you know how frustrating it is to prepare and appear at a deposition, only to realize that a reporter was either never scheduled, or had the incorrect date or location. If you can access your schedule online through a client-only website, you'll have the confidence in knowing that your reporter will be where you need him or her when you need him or her.

Last, act timely. If at the conclusion of a deposition you think you will likely need a copy of it, order it then. This way you will avoid having to pay for a quicker turn around time at a later point. We get many frantic calls from lawyers who wait until the last minute to order their copy. The reality is the production of expedited transcripts can cost three to four times more than standard turn around of a transcript.

So, consider some, or all of what we've suggested. Certainly, your clients will welcome any opportunity you find for them to save on litigation costs.



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\*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 receiving 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

2009 Events will be announced shortly.

# 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](mailto: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](mailto:Traceyb@dbyd.com)

## **Job Bank**

Solicit, accumulate, and distribute current job postings to the general membership - Stephanie Dise  
[sad@elliottgreenleaf.com](mailto:sad@elliottgreenleaf.com)

## **Marketing**

Solicit sponsors and advertisers for MCPA - Deborah A. Long, [debbiel@dbyd.com](mailto:debbiel@dbyd.com)  
Deborah A. Arbuckle,  
[darbuckle@kaplaw.com](mailto:darbuckle@kaplaw.com)

## **Public Relations**

Promote the MCPA in the legal and general Community - Linda Gunning  
[Linda\\_gunning@Merck.com](mailto:Linda_gunning@Merck.com)

## **Planning**

Plan and schedule upcoming MCPA presentations, meetings and social events - Roberta Fedorka  
[rfedorka@obrlaw.com](mailto:rfedorka@obrlaw.com)

## **Community Outreach**

Plan and schedule MCPA charitable and community events - Deborah Arbuckle  
[darbuckle@kaplaw.com](mailto:darbuckle@kaplaw.com)

## **Fundraising**

Organize and hold fundraisers for the Association and/or charitable organizations - Christine Horace  
[chorace@good-lawyer.com](mailto:chorace@good-lawyer.com)

## **Mentoring**

Provide a range of services and support to students interested in a paralegal career - Lisa LaPenna  
[lpenna@kaplaw.com](mailto:lpenna@kaplaw.com)

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

*Theodore Roosevelt*



**Regulation of Paralegals Within the Legal Community**  
**Contributed by [Edwina Bernita Robinson](#)**  
*Re-printed with the permission of [www.paralegalgateway.com](http://www.paralegalgateway.com)*

Regulation of the Paralegal industry continues to be a hot topic and one of much debate in the legal community, even amongst Paralegals. What would regulation really mean to the Paralegal industry? Well, as discussed at the Regulation Conference in Indianapolis, Indiana, hosted by the Indiana Paralegal Association (IPA) in April, it could possibly mean anything we want. Whether you are a fan of regulation or not, it is definitely something that must be discussed, if we are to take ourselves seriously in this career, and especially if we expect others to take seriously. Think of any job or career that you expect a person considered to be a “professional” to have. Nurses, CPA’s, Licensed Contractors, and even Court Reporters all have something Paralegals do not...regulation. These “professionals” have a means by which to prove they are qualified to do the job they are hired to do and are deserving of the title they use.

In the legal industry, this type of consideration is not given to Paralegals. So much so, that it is inappropriate to capitalize the “p” in Paralegals because it is not a proper noun. Paralegals, legal assistants, legal secretaries and the like are often grouped together. Some firms have Paralegals while other firms have legal assistants. Some firms place their own criteria on who they will hire to serve in a Paralegal position, some firms apply the title liberally as they see fit. Is this a fair method by which to base your career and also your life? Should a Paralegal with 10 years of experience be placed in the same category as a secretary? Whether they should or not, they often are. Because the state of Georgia (my home state) does not place any guidelines or regulation on who can use the title, firms and companies of all sizes can determine for themselves, who gets to be a Paralegal.

While there are voluntary certification exams Paralegals can take to bring distinction to their position and afford them a title that is not bestowed on everyone, these exams are not recognized by the state of Georgia, nor many Georgia employers, as a significant process in recognizing the professionalism of a Paralegal. For far too long, Paralegals have been seen as those that cannot go to law school, or those waiting to go to law school. While this could very well be the case for some who choose to work as a Paralegal, the greater percentage of Paralegals, enter into a career field that they choose to continue, as would an attorney or a doctor.

Regardless of your personal feelings about regulation, it is necessary to understand your own value. Your education, your experience and your professionalism are things that are not shared by every person who calls themselves a Paralegal. Isn't that worth something to you? This doesn't mean that the state needs to set guidelines for the specific type of work Paralegals are allowed to do or delineate duties amongst Paralegals or Attorneys, but the state and Paralegals themselves must start some where. Something as simple as deciding who can use the title, "Paralegal," or if that is even the preferred title at all will take Paralegals a long way. The first step is to unify the industry. If all Paralegals in the state of Georgia are united under one title, recognized by the state, we can then begin to make the more important decisions. Applying a professional title to our trade, will give us more respect and recognition in our workplace, but we have to start somewhere.

If you are interested in learning more about regulation within our field please contact either myself at [GAP\\_CLE@live.com](mailto:GAP_CLE@live.com) or Tenitra Adams at [Tenitra.Adams@ogletreedeakins.com](mailto:Tenitra.Adams@ogletreedeakins.com).

*Edwina Bernita Robinson is a corporate paralegal at Sutherland, Asbill & Brennan in Atlanta, Georgia and serves on the Board of the Georgia Association of Paralegals as well as the Gate City Bar Association, Paralegal Section.*

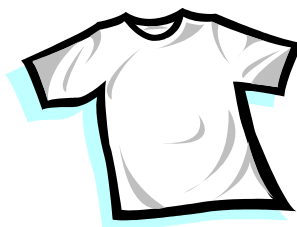


## ***WAWA COUPONS and MCPA APPAREL***

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](mailto: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](mailto:darbuckle@kaplaw.com) if you are interested.





## **The PACE™ Standards Committee has approved a one-time amnesty period**

Effective immediately through the end of April, 2009 any former RP® who has not timely renewed can submit a renewal application without having to petition the PACE™ Standards Committee for a waiver.

Expired RP®'s who wish to take advantage of the amnesty period must meet the following criteria:

**1. Renewal Form & Fees:** Submit a renewal form to NFPA® Headquarters and pay the required renewal fee of \$25. The former RP® will also be responsible for payment of the late fee penalty of \$25 and the renewal fee(s) for any renewal periods during which they should have, but did not renew. The renewal form can be downloaded from the NFPA website at [http://www.paralegals.org/associations/2270/files/PACE\\_Affidavit\\_of\\_Continuing\\_Education.pdf](http://www.paralegals.org/associations/2270/files/PACE_Affidavit_of_Continuing_Education.pdf). See example below for fee calculation.

**2. Continuing Legal Education Requirements:** Any expired RP® wishing to take advantage of this opportunity must also include Continuing Legal Education (CLE) credits for all missing renewals along with the renewal application. The amount of CLEs required to renew within this amnesty period will be dependent on how many renewal periods the expired RP missed. See example below for calculation of CLE hours requirement.

NFPA® approved CLEs will be accepted provided they were taken any time between the time of the last renewal and April 30, 2009.

Please note that all CLEs submitted must have been provided by an NFPA® approved provider or that approval has been obtained from the CLE Coordinator. ***The NFPA® PACE Coordinator-Renewals cannot approve your CLE requests!***

**3. Expiration Date:** The renewal period will extend for two years from the date of the last scheduled (but missed) renewal. The amnesty will put the RP® back on the original renewal schedule with the renewal. See example below.

4. All requests for RP® reinstatement under this Amnesty Period must be postmarked on or before **April 30, 2009**.

Any former RP® who has not timely renewed after this period will have to provide a compelling reason why he/she failed to timely renew.

**Example:** Assume that you are an RP® who last renewed in 2004 but did not renew in 2006 or 2008 - your credential is now expired and you may not use the RP® or PACE Registered Paralegal® title. To become current, all you need to do during this amnesty period is pay \$75 (\$25 for the late fee, and \$25 for each renewal missed - 2006 and 2008) and provide evidence of 24 hours of CLE (with 2 hours of that in Ethics) (12 hours each two year period with at least one hour in Ethics each renewal period) and complete a renewal application. Your renewal would bring your registration current with an expiration date of your PACE™ Anniversary date in 2010.

If you are not sure of your RP® status, please contact NFPA® Headquarters to find out your current status and the number of missed renewals. You can also check your wallet-sized RP® card to determine the date of your next renewal. If you have specific questions about the amnesty, or how many CLEs and the fee that you will owe to come current, please contact Ann Price, RP® at [vpdp@paralegals.org](mailto:vpdp@paralegals.org).

Please note that this is a rare opportunity for recalcitrant RP®'s. This also has implications for those who are no longer practicing paralegals who might have let their credential lapse. These people might otherwise be eligible for RP® Emeritus status but in order to become an RP® Emeritus a paralegal must be an RP® in good standing at the time the request is made.

## **Exam Changes**

The new PACE™ exam will go live on **MAY 12, 2008**. If you want to take the current PACE™ exam, you must do so **before April 16, 2008**. Tests will not be scheduled during the period 4/16/08 - 5/12/08 to allow the vendor to upload and beta test the new exam.

## **Manual Changes**

The new and improved PACE™ Study Manual (5th ed.) will be available for purchase starting **MARCH 1, 2008**. The new study manual includes many new mini-chapters including bankruptcy, corporate law, intellectual property, family law, and other areas tested in the new exam. We have also updated the existing chapters, and completely re-written the technology chapter. There are new study questions as well.

You can order the new Study Manual directly from the publisher, [Prentice Hall](http://www.prenticehall.com). The cost is \$75 plus shipping and handling, which will vary depending on where you live and the method of shipping you choose.

If you purchased the 4th edition Study Manual, be assured that it will still assist you in preparing for the new exam. It is not as comprehensive as the 5th edition, and the major difference is the

re-written technology section and the addition of the mini-chapters. As always, we encourage PACE™ Candidates to consult other source materials as well as the Study Manual in preparing for the exam, regardless of which edition of the Study Manual they use.

There will NOT be an update available to make the 4th edition of the Study Manual coincide with the 5th edition.

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## **Key Points of PACE™**

The Paralegal Advanced Competency Exam (PACE™) is offered by the National Federation of Paralegal Associations, Inc.® (NFPA) to test the competency level of experienced paralegals.

## **Exam for Experienced Paralegals**

PACE™ is offered to paralegals who have a minimum of two years' experience and meet specific educational requirements. PACE™ is designed for professional paralegals who want to pioneer the expansion of paralegal roles for the future of the profession, not to restrict entry into the profession.

## **Two-tier Exam**

Each tier addresses different areas. Tier I addresses general legal issues and ethics. As the need arises, a section for state-specific laws may also be developed. Tier II addresses specialty sections.

## **Fair and Independent**

PACE™ has been developed by a professional testing firm, assisted by an independent task force including paralegals, lawyers, paralegal educators and content specialists from the general public who are legal advocates. Ongoing administration will be handled by PES.

## **Voluntary**

Paralegals will have the option to sit for the exam at more than 200 Sylvan Technology Centers. As activities and proposals for regulation of the profession increase, all paralegals will be encouraged to take the exam.

## **Credential Maintenance**

To maintain the PACE™ RP® credential, paralegals are required to obtain 12 hours of continuing legal education, including at least one hour in ethics, every two years.

## *History of PACE™*

A grass-roots organization, NFPA® is directed by its membership; each member association has one vote in the future of the national organization and the profession. During NFPA's 1994 Mid-Year Meeting, the membership voted overwhelmingly to develop an exam to test the competency level of experienced paralegals.

**PACE™ = Paralegal Advanced Competency Exam**

## **Offering experienced paralegals an option to:**

- validate your experience and job skills;
- establish credentials; and
- increase your value to your organization and clients.

## **The only exam of its kind, PACE™**

- developed by a professional testing firm;
- administered by an independent test administration company;
- tests concepts across practice areas;
- offers the profession a national standard of evaluation; and
- offered at multiple locations on numerous dates and at various times.

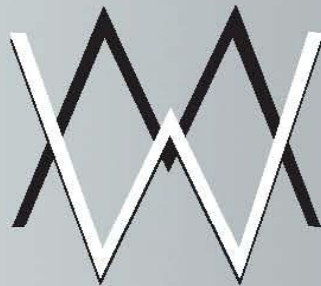
**PACE™ = Personal Advancement for the Experienced Paralegal**

The overwhelmingly positive vote to develop this exam is a conscientious effort by these paralegals to direct the future of the paralegal profession and acknowledges the vital role of paralegals within the legal service industry. It is also a direct response to states that are considering regulation of the paralegal profession and are seeking a method to measure job competency. While NFPA® believes in the criteria the members established to take this exam, it recognizes any state may adopt the exam and modify the criteria.

Questions about PACE™? [PACEAdministrator@paralegals.org](mailto:PACEAdministrator@paralegals.org)



# LEGAL Matchmakers



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## CYBER HELP

Have a website that is helpful? Let the MCPA membership know about it. Contact [traceyb@dbyd.com](mailto:traceyb@dbyd.com)



## How to Contact Us



Deborah Long, President  
[debbiel@dbyd.com](mailto:debbiel@dbyd.com) (215) 362-2474

Deborah Arbuckle, Vice President  
[darbuckle@kaplan.com](mailto:darbuckle@kaplan.com) (610) 941-2523

Harry Reichner, Vice President  
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Nancy Aiken, Secretary  
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Linda Gunning  
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