



The Official Publication of the
Montgomery County Paralegal Association

May 2015

Inside this issue:

PRESIDENT'S MESSAGE	1
CLE EVENT	1
BOARD MEMBERS	2
NEW MEMBERS	3
PUBLIC ANNOUNCEMENT	3
APRIL'S CLE RECAP	4-6
ATTENTION MEMBERS	9
NOTABLE WEBSITES	10
MCPA VOLUNTEER OPPORTUNITIES	11
OFFICERS, BOARD MEMBERS & COMMITTEE CHAIRS CONTACT INFORMATION	12

Visit us at:

www.montcoparalegals.org



MCPA Editing Team:

Newsletter Committee Chair:

Rachel Fineberg
Rfineberg@goldblumhess.com

Contributing Editor:

Suzanne Sarver, RP
SSarver@cubsmart.com

Layout Editor:

Michelle Calkins, PA. C.P.
Mcalkins@millerturetsky.com

PRESIDENT'S MESSAGE by Tracey L. Barnes, RP, Pa. C.P.

Can you believe we are already 5 months into 2015? The time seems to fly by quicker the older I get. Wasn't it just yesterday I had my winter parka on and now shorts, t-shirts, and pollen are abundant.

As time does fly by so fast, did you miss your opportunity to become more involved with MCPA in 2014? Don't let 2015 pass you by. Make the change and volunteer to make a difference with MCPA. Join a committee. Participate in an event. Attend a seminar. Offer ideas to the MCPA for upcoming activities. All of these are great ways to become involved with MCPA. No amount of involvement is too small (or too large).

Another way to become involved is through the Montgomery Bar Foundation's Fellows Program. The Montgomery Bar Foundation, established in 1987, is the charitable arm of the Montgomery Bar Association. The Bar Foundation awards grants (after careful review) to Montgomery County organizations that offer free, civil legal assistance to some of the most vulnerable members of the community, for example the elderly and children. Some of the organizations that the Montgomery Bar Foundation supported in 2013 were Mission Kids, Child Advocacy Project, and Laurel House. Check out the Montgomery Bar Foundation at www.montgomerybarfoundation.org and make the choice to help those in the community who do not have the means to help themselves.

I look forward to seeing many of you at upcoming MCPA events. We have an exciting and interesting CLE seminar coming up in June. MCPA's annual Lunch and Learn will be held on June 23, 2015, at Fox & Rothschild, LLP. The presenter will be speaking regarding Copyright Law as it relates to the music industry.

NEXT CLE EVENT / LUNCH & LEARN:

JUNE 23, 2015

12:00 pm — 1:00 pm

**ENTERTAINMENT LAW
PRESENTED BY
LORI LANDEW, ESQUIRE**

Fox Rothschild, LLP
10 Sentry Parkway, Suite 200
Blue Bell, PA 19422
(610) 397-4431

Lunch provided by Fox Rothschild, LLP

Free to members

\$10 non members belonging to an NFPA Assoc.
\$20 for non-members

Please send checks payable to MCPA:

P.O. Box 1765
Blue Bell, PA 19422

****Approved for 1.0 CLE (S) by NFPA and Keystone Alliance****

OFFICERS

TRACEY L. BARNES, RP, PA. C.P.	PRESIDENT
SHERRY BARAG, CRP, PA.C.P.	VICE PRESIDENT
KELLY SMITH	TREASURER
ROBERTA FEDORKA, PA. C.P.	SECRETARY

BOARD OF DIRECTORS

TRACEY L. BARNES, RP, PA. C.P.
SHERRY BARAG, CRP, PA.C.P.
KELLY SMITH
ROBERTA FEDORKA, PA. C.P.
CHRISTOPHER GREGG
NOREEN MESSMER, PA.C.P.
SUZANNE SARVER, RP
MICHELLE CALKINS, PA.C.P.
JENNIFER KUEMMERLE, PA.C.P.

STUDENT LIAISONS

LANSDALE SCHOOL OF BUSINESS:	MAGGIE PUGH STACEY LAULETTA
MANOR COLLEGE:	NACOLE SHAW CLEOPATRA JOE RAMONA PONCE
PEIRCE COLLEGE:	DARREN MERRITT

WELCOME NEW MEMBERS!

Kimberly Joniec , Student at Lansdale School of Business

Shekesha Robinson, CERTA Language Solutions

Hannah M. Shepherd, Student at Villanova University

Jennifer McElroy, Student at Lansdale School of Business

Karan Abdalla-Oliver, KJA Services, LLC

PUBLIC SERVICE ANNOUNCEMENT for notary reappointments or those wishing to become new notaries:

Act 119 of 2014 removed the requirement for endorsement from the Notary Public Law. Act 119 was signed into law on July 9, 2014 and will become effective on January 5, 2015. Applications for appointment as a notary public submitted to the Department of State on or after January 5, 2015, will not be required to bear the endorsement of a state Senator.

We're pleased to announce the Department of State's new Online Notary Public Application System. This new tool will allow Pennsylvania notaries public and prospective notaries public to apply for and renew their notary commissions in an efficient paperless process. This new approach will simplify handling, thereby reducing the expenditure of tax dollars, eliminate paperwork, simplify the payment procedures and enable better customer service to notaries. The Online Notary Public Application System will require the same information currently required as part of the paper application. You may also complete your Reappointment or New Notary Application online:

<http://www.dos.pa.gov/OtherServices/Notaries/NotaryServices/Pages/default.aspx#.VVnvMkZBk4f>

REMEMBER TO SUPPORT THOSE WHO SUPPORT MCPA!

All of the sponsors appearing in the MCPA Today provide financial support to keep MCPA programs affordable to its members.

REMEMBER OUR SPONSORS THE NEXT TIME YOU NEED A SERVICE!



Records and Reporting

Providing Quality Support
Services to the Legal
Community for Over 30 Years.

Records Retrieval

- Authorization Requests
- Subpoena Requests
- Process Service
- Online Repository
- On-Site Copying

Court Reporting

- Realtime Reporting
- Video Depositions
- Video Conferencing
- Video Text Synchronization
- Trial Presentation & Playback

www.theMCSgroup.com

Philadelphia, New York, Chicago, Los Angeles, Baltimore, Miami, Wilmington

Tel 877.246.3665 ext. 8143 E-Mail Kevin.Melfi@theMCSgroup.com

APRIL'S CLE RECAP

Personal Injury Law, Criminal Law, Litigation Procedural Issues and Ethics

By Iryna Yursha, PaCP

Thursday, April 30, 2015, the Montgomery County Paralegal Association held a monthly CLE on the topic of "Personal Injury Law, Criminal Law, Litigation Procedural Issues and Ethics", presented by Carol J. Sherman, Esquire. The CLE was graciously sponsored and hosted by Mannion Prior, LLP located in King of Prussia, PA.

Carol Sherman is a Professor of Legal Studies at Peirce College where she is also the faculty advisor for the College's Legal Studies Student Association. Ms. Sherman started her legal career as an associate attorney at an insurance defense firm and later at a personal injury firm in Philadelphia. Prior to joining Peirce College, Ms. Sherman was the Deputy Managing Attorney and Pro Bono Director at Legal Aid of Southeastern Pennsylvania where she managed the Elder Law Unit. Ms. Sherman is a frequent presenter at the MCPA. Her way of delivering the material is down to earth, practical and always with a sense of humor splashed in.

At the CLE, Ms. Sherman provided an overview of some of the most significant Supreme Court cases in 2015. The discussion was very engaging and fun.

Supreme Courts cases discussed:

Walker v. Texas Division, Sons of Confederate Veterans (TSCV)

A case which poses the question whether Texas violated the First Amendment when it denied TSCV's application for a state-issued license plate with a Confederate battle flag logo, which the U.S. Court of Appeals for the Fifth Circuit found discriminatory "against TSCV's view that the Confederate Flag is a symbol of sacrifice, independence, and Southern heritage."

Obergefell v. Hodges

On April 28, 2015, the U.S. Supreme Court heard the 6th Circuit Court of Appeals' ruling upholding discriminatory bans on marriage rights for same-sex couples in Ohio and three other states. A ruling is expected by June 2015, which could bring the freedom to marry nationwide.

CONTINUED ON NEXT PAGE

ABELSON

**Results Driven...
Talent Acquisition Specialists**

We have worked closely with law firms and companies of all sizes since our founding in 1990; providing paralegal talent to clients throughout the Philadelphia region. We can meet your hiring needs on a permanent or contract basis in every legal specialty.

Whether you are a job seeker or employer, using our team will get you the results you need. Call us today.

BEST 2012 **BEST 2013**

Cathy Abelson Joyce Feinstein

(215) 561-3010 • www.AbelsonLegalSearch.com

APRIL'S CLE RECAP

Personal Injury Law, Criminal Law, Litigation Procedural Issues and Ethics CONTINUED

Glossip v. Gross

A case which challenges the use of the anti-anxiety drug to carry out executions of inmates by lethal injection, which does not comport with the Eighth Amendment's prohibition on cruel and unusual suffering.

Rodriguez v. United States Horne v. Department of Agriculture

A case challenging the Department of Agriculture's requirement that California raisin farmers turn over a portion of their crop to the government, every year, as a prerequisite to selling the rest of their crop. The Ninth Circuit held there was nothing wrong with this scheme—which one year required farmers to give up 48% of their crop—because it was a mere “use restriction” on the sale of raisins, and therefore, not an unconstitutional taking of private property.

Another topic discussed was ethics. Ms. Sherman addressed the legal ethics issues, which arise from attorneys' and judges' use of social networking sites and the role of social media evidence in discovery and litigation.

Social media cases discussed:

***Thompson v. Autoliv ASP, Inc., 2:09-CV-01375-PMP,
2012 WL 2342928 (D. Nev. June 20, 2012)***



A Nevada case, where plaintiff had alleged personal injury resulting from a car accident. Defendant obtained wall messages and pictures from Plaintiff's Facebook account to refute Plaintiff's claim of decreased quality of life after the accident. After the Plaintiff changed her account settings to make her profile private and therefore inaccessible to Defendant, Defendant filed a formal request for information. A

Nevada court granted Defendant's motion to compel the production of the contents of Plaintiff's Facebook and MySpace accounts for last 5 years for review and identification of “discoverable” materials by opposing counsel.

***Mailhoit v. Home Depot U.S.A., Inc.,
285 F.R.D. 566 (C.D. Cal. 2012)***

A California employment discrimination case alleging emotional distress. Defendant, Home Depot, filed a motion to compel Plaintiff, Mailhoit, to produce the content of Plaintiff's social



USA-Serve SM "Expediting The Process of Service" **888-778-8721**

- Serve Process To Any Address In The U.S.A.
- Easily Request & Track Service Online 24/7
- Automated Email Service Status Updates
- Electronic Copies of Signed Affidavits Online
- Online Skip Trace Reports

Click **HERE** To Register **FREE** Online Today!



Local (Up To 250 Miles) - \$55
Remaining Continental USA - \$70



APRIL'S CLE RECAP

Personal Injury Law, Criminal Law, Litigation Procedural Issues and Ethics CONTINUED

because, “in this day and age, many communications between friends and/or about an individual’s emotional state are communicated via social media.” The California Court noted that content posted to social networking sites is not privileged or protected, and requests for such information therefore need only be reasonably calculated to lead to admissible evidence. The court denied the defendant’s motion to compel broadly-drafted discovery requests aimed at status updates, messages and pictures on Facebook. The only request, which the court approved, concerned the production of all social networking sites communications between Plaintiff and any current or former Home Depot employees, or which in any way refer to her employment at Home Depot or this lawsuit.

Other ethical issues Ms. Sherman addressed were cybersecurity, email security, and attorneys’ duty to protect client information. Threats to client data are inevitable. They range from misaddressed emails to lost or stolen laptops or mobile devices, to sophisticated hacking attacks. Ethics rules require lawyers to take proactive steps to protect client information from inadvertent disclosure or unauthorized use. Consider for a moment accidentally sending a confidential email to an unintended recipient. How do you deal with this? Paralegals immediately should notify a supervising attorney under such circumstances. On the other hand, rules of professional conduct require the recipient lawyer to promptly notify the sender of the receipt of the privileged or otherwise confidential materials in order to give the sender the opportunity to take steps to protect the confidentiality of the information after its transmission.

Other Pa. Rules of Professional Conduct addressed:

- ⇒ Rule 4.1 Truthfulness in Statements to Others*
- ⇒ Rule 1.1 Competence*
- ⇒ Rule 4.4 Respect for Rights of Third Persons*
- ⇒ Rule 3.4 Fairness to Opposing Party and Counsel*
- ⇒ Rule 3.3 Candor Toward the Tribunal*

The MCPA is very thankful to Carol for coming out and speaking with us. Thank you Carol for this valuable and very informative CLE.

Morgan Wentworth, LLC

THE PHILADELPHIA AREA'S PREMIER PROFESSIONAL LEGAL RECRUITING GROUP

Looking to Fill a Position?

OR

Looking For a Position?

Check with us first!

The principals at Morgan Wentworth, LLC spent their careers in the legal community and have developed an extensive knowledge and deep understanding of the field as well as numerous contacts.

This background has given them a winning track record for placements. So don't waste time and money – contact Patricia or Karen today!

They'll put you on the winning track.



Patricia Mosesso – President
Partner and Associate Attorney Placements
Firm Mergers
patmosesso@morganwentworthllc.com
610-783-0900 X22



Karen Ash – Recruitment Director
Paralegals, Assistants,
Specialty Staff Placements
KarenAsh@morganwentworthllc.com
610-783-0900 X23



800 Penllyn Pike
Blue Bell, PA 19422
Tel: 610-783-0900
Fax: 610-783-7940
www.MorganWentworthLLC.com

We Didn't Invent The Business We Just Developed A Better Way To Get Things Done



Realtime Streaming

WWW.KLWREPORTERS.COM
877-KLW-DEPO

KLW Kaplan Leaman & Wolfe
COURT REPORTING & LITIGATION SUPPORT

NOTABLE WEBSITES:

American Bar Association:

www.americanbar.org/groups/paralegals

The Bar Association is a great resource for paralegals for understanding the ABA's continuing mission in supporting the standards of education for paralegals and by promoting attorneys' professional, effective and ethical utilization of paralegals.

Montgomery Bar Association:

www.montgomerybar.org

The Montgomery Bar Association is a resource for Montgomery County Paralegals that are registered with the site and are also an MCPA member. The website has an entire marketplace for CLE classes, seminars, publications and opinions that affect our state and county. The website is a great resource for job searching as well in the Montgomery County area.

Montgomery Paralegal Association:

www.montcoparalegals.org

The Montgomery County Paralegal Association has a website that can give you the latest details on events and happenings with Montgomery County Paralegals. It is a site to connect to other paralegals and get involved in committees or other volunteer events.

National Federation Paralegal Association:

www.paralegals.org

The NFPA website is an invaluable resource for all paralegals. The NFPA is devoted to establishing standards for all paralegals and providing resources for paralegals to continue and enhance their skills in the field. The site has CLE information, a job bank, professional development as well as exam information to become a certified or registered paralegal.

VALUABLE LEGAL RESEARCH SITES:

Supreme Court of the United States:

www.supremecourt.gov

The official page of the United States Supreme Court featuring court opinions, orders, calendars, schedules, rules, news releases and general information. A great resource concerning issues affecting our constitution.

US Government Printing Office:

www.gpo.gov

The US government printing office provides free public access to full-text federal documents, such as the Code of Federal Regulations, the US Code, and Congressional Reports. This site has the latest information with news, legislation as well as the history of our great nation.

MCPA VOLUNTEER OPPORTUNITIES

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!

M E M B E R S H I P

Coordinates membership drives and membership matters

Tracey L. Barnes, RP, Pa. C.P.
TBarnes@dischellbartle.com

N E W S L E T T E R

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

Rachel Fineberg, Pa. C.P.
rfineberg@goldblumhess.com

J O B B A N K

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

Kelly Smith
ksmith@kanepugh.com

M A R K E T I N G

Solicits sponsors and advertisers for MCPA

Deborah A. Long, Pa. C.P.
deblong420@gmail.com

Deborah A. Arbuckle, Pa. C.P.
darbuckle@kaplaw.com

P U B L I C R E L A T I O N S

Promote the MCPA in the legal and general Community

Annette M. Long-Tulio, CRP, Pa.C.P.
amlong83@gmail.com

H O S P I T A L I T Y & E V E N T S P L A N N I N G

Plan and schedule upcoming MCPA presentations, meetings and social events

Annette M. Long-Tulio, CRP, Pa.C.P.
amlong83@gmail.com

C O M M U N I T Y O U T R E A C H & P R O B O N O

Plan and schedule MCPA charitable and community events

Roberta Fedorka, Pa. C.P.
rfedorka@obrlaw.com

S T U D E N T A F F A I R S & M E N T O R I N G

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

Lisa LaPenna, Pa. C.P.
llapenna@kaplaw.com

CONTACT INFORMATION

OFFICERS		BOARD MEMBERS	
PRESIDENT: TRACEY L. BARNES, RP, PA. C.P. TBARNES@DISCHELLBARTLE.COM 215-362-2474 X 208		MICHELLE CALKINS, PA. C.P. MCALKINS@MILLERTURETSKY.COM	
VICE PRESIDENT: SHERRY BARAG, CRP, PA. C.P. SBARAG@FOXROTHSCHILD.COM 610-397-4431		CHRISTOPHER GREGG CGREGG@KANEPUGH.COM	
TREASURER: KELLY SMITH KSMITH@KANEPUGH.COM 484-824-5668		JENNIFER KUEMMERLE, PA. C.P. JKUEMMERLE@LUTHERWOODS.ORG	
SECRETARY: ROBERTA FEDORKA, PA. C.P. RFEDORKA@OBRILAW.COM 610-834-6213		NOREEN MESSMER, PA. C.P. NMESSMER@FORDBUCKMAN.COM	
		SUZANNE HOFFMAN SARVER, RP SSARVER@CUBESMART.COM	
STUDENT LIAISONS			
LANSDALE SCHOOL OF BUSINESS:	MAGGIE PUGH STACEY LAULETTA HOPE LATTANZE	MANOR COLLEGE:	NACOLE SHAW CLEOPATRA JOE RAMONA PONCE
		PEIRCE COLLEGE:	WESLEY GARVIN
COMMITTEE CHAIRS			
MARKETING: DEBBIE LONG, PA. C.P. DEBLONG420@GMAIL.COM		NEWSLETTER: RACHEL FINEBERG RFINEBERG@GOLDBLUMHESS.COM <i>CONTRIBUTING EDITOR:</i> SUZANNE SARVER, RP SSARVER@CUBESMART.COM <i>LAYOUT EDITOR:</i> MICHELLE CALKINS, PA. C.P. MCALKINS@MILLERTURETSKY.COM	
STUDENT AFFAIRS & MENTORING: LISA LAPENNA, PA. C.P. LLAPENNA@KAPLAW.COM		COMMUNITY OUTREACH & PRO BONO: RO FEDORKA, PA. C.P. RFEDORKA@OBRILAW.COM	
HOSPITALITY & EVENTS PLANNING: ANNETTE M. LONG-TRULIO, CRP, Pa.C.P. AMLONG83@GMAIL.COM		PUBLIC RELATIONS: ANNETTE M. LONG-TRULIO, CRP, Pa.C.P. AMLONG83@GMAIL.COM	
SOCIAL MEDIA: CHRISTOPHER GREGG CGREGG@KANEPUGH.COM		MEMBERSHIP: TRACEY BARNES, RP, PA. C.P. TBARNES@DISCHELLBARTLE.COM	
2015 REPRESENTATIVES AND COORDINATORS			
NFPA PRIMARY DELEGATE: DEBBIE ARBUCKLE, PA. C.P. DARBUCKLE@KAPLAW.COM NFPA SECONDARY DELEGATE: SHERRY BARAG, CRP, PA. C.P. SBARAG@FOXROTHSCHILD.COM		KEYSTONE ALLIANCE PRIMARY DELEGATE: SUZANNE H. SARVER, RP SSARVER@CUBESMART.COM KEYSTONE ALLIANCE SECONDARY DELEGATE: ANNETTE M. LONG-TRULIO, CRP, Pa.C.P. AMLONG83@GMAIL.COM	
CERTIFICATION AMBASSADOR (PACE & PCC): SHERRY BARAG, CRP, PA. C.P. SBARAG@FOXROTHSCHILD.COM		BAR LIAISON: ANNETTE M. LONG-TRULIO, CRP, Pa.C.P. AMLONG83@GMAIL.COM	
JOB BANK COORDINATOR: KELLY SMITH KSMITH@KANEPUGH.COM		CLE COORDINATOR: TRACEY BARNES, RP, PA. C.P. TBARNES@DISCHELLBARTLE.COM	
WEBMASTER: HARRY A. REICHNER		HREICHNER@COZEN.COM	