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

Welcome Back! I hope everyone has enjoyed a pleasant and relaxing Summer so far.

As Summer is winding down, thoughts of Fall activities begin to form. School begins, leaves start changing, and apple festivals add a pop of color to the landscape. After a quiet summer, MCPA also starts popping again. The first half of 2014 was quite a busy one for MCPA and the second half promises to be just as busy.

Before I get into the rest of the year I would like to first highlight a Board action that took place in June. I am excited to announce that MCPA has taken a considerable step to becoming more active in the legal community. In June, after several Board meetings and discussions, the Board approved a donation of \$1,000 to the Montgomery Bar Foundation ("MBF"). For those of you unfamiliar with the MBF, this organization is the charitable arm of the Montgomery Bar Association. Through pledges such as this the MBF is able to provide grants to local organizations that provide legal access to justice to individuals. Examples of organizations that have benefited from the MBF's assistance are Montgomery County Child Advocacy Program, Women's Center of Montgomery County, Big Brothers Big Sisters of Montgomery County, Victim Services Center, and Habitat for Humanity of Montgomery County. Without the MBF contribution, organizations such as these would be hard-pressed to provide the much needed services to the community. Check out the re-print the Montgomery County Bar Association's Sidebar article acknowledging our contribution in this issue of MCPA Today.

Contributions to MBF are not just limited to companies and organizations. Individuals may also contribute or even join the MBF Fellows Program which offers many benefits to its members. Participation in the Bar Foundation Fellows program requires a minimum annual contribution of \$100 (the average of a paralegal billable rate); if your hourly rate is higher, you may wish to increase the amount of your contribution by pledging the equivalent. Consider giving back to the Montgomery County legal community and donating to the MBF--and don't forget to mention that you are a MCPA member. If you have any questions regarding the MBF or its philosophy, please contact Annette Long, CRP, Pa.C.P. (Email amlong83@gmail.com) or Heather Bendit, Esquire (Email hbendit@montgomerybarfoundation.org). You can also check out MBF's website -- www.montgomerybarfoundation.org.

Now to new business. Next year the Board of Directors will have two vacant seats. Ever wonder what it takes to run the MCPA? Are you interested in doing more for our professional organization that does so much for paralegals like yourself? Maybe it's time for you to take a leadership role? Consider running for the MCPA Board so that you may take an active part in the continued progress of our Association and the paralegal profession. The Board meets once per month excluding the summer months. Serving on the Board is voluntary but has benefits that are far more rewarding than monetary compensation. Interested? Please contact Suzanne Sarver (email SSarver@cubessmart.com) or myself (tbarnes@dischellbartle.com) with any questions or your nomination. Submissions for the Board must be received by September 30th.

Finally, mark your calendars!! This year marks the 15th anniversary of the MCPA and we are celebrating! On January 15, 2015, the MCPA will hold its 15th Crystal Gala at the William Penn Inn. Details to follow but make sure you do not miss out on this milestone event.

I look forward to seeing everyone in September!



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January 15, 2015 at 6:00pm



Montgomery County Paralegal Association

15th Anniversary

Crystal Gala Celebration

William Penn Inn

Gwynedd, Pa

Formal Invitation to Follow

READ ALL ABOUT IT!

LATEST MCPA CONTRIBUTIONS AND ANNOUNCEMENTS

As you read in the President's message, the MCPA made a donation to the Montgomery Bar Foundation. The Bar foundation proudly announced MCPA's donation in the Montgomery Bar Association/Montgomery County, PA Sidebar Magazine as well as the Montgomery County Bar Association website.

The MCPA is proud of our donation that will go to support the Foundation's Grants Programs which can reach many organizations that provide free legal services to those in need.

Please read the following articles describing the Montgomery County Bar Foundation and how MCPA's past president, Annette Long, Pa. CRP, has helped facilitate this new relationship.

MBF ANNOUNCES \$1,000 DONATION BY MONTGOMERY COUNTY PARALEGALS ASSOCIATION

The Montgomery Bar Foundation has announced today that it has received a \$1,000 contribution from the Montgomery County Paralegals Association ("MCPA").

The contribution will be used to support the Bar Foundation's annual grants program. Grants are awarded to organizations that provide free legal assistance and to Montgomery County residents including children, families, seniors and other individuals struggling with poverty, abuse and discrimination.

"We deeply appreciate this generous contribution from the Montgomery County Paralegal Association. Paralegal professionals are integral to the practice of law and to this legal community, and we are proud to have their support. We commend the MCPA for taking leadership in demonstrating the importance of broad-based support for the Bar Foundation's efforts to foster equal access to justice", stated Montgomery Bar Foundation President Steven H. Lupin, Esq. of Hamburg, Hamburg, Rubin, Mullin, Maxwell & Lupin, PC. "

The members of the Montgomery County Paralegal Association are deeply committed to giving back to the community. We share this core value with the Montgomery Bar Foundation, which we are proud to have supported over the years. This gift reflects the MCPA's members' desire to make a deeper investment in the Bar Foundation's efforts to foster equal access to justice," stated Tracey Barnes, RP, Pa.C.P., President of the Montgomery County Paralegals Association.

MONTGOMERY BAR FOUNDATION FELLOWS RECEPTION

Contributed by
Annette Long, CRP, Pa.C.P


On July 9, 2014, the Montgomery Bar Foundation (MBF) hosted a reception at the Elmwood Park Zoo. The reception, which doubled in attendance from last year, celebrated the MBF's Fellows Program. As the charitable arm of the Montgomery Bar Association, the Bar Foundation is dedicated to fostering access to justice for disadvantaged individuals struggling with crime, poverty, abuse and discrimination. The Bar Foundation provides financial support, through a grants program, to organizations that offer legal assistance and representation to the most vulnerable members of our community.




Pictured From Left to Right: Ro Fedorka, Annette Long, Steve Lupin, Chris Gregg, Kelly Smith, Suzanne Sarver

At the reception, representatives from the Women's Center of Montgomery County, Laurel House, Mission Kids and Legal Aid of Southeastern Pennsylvania had an opportunity to share their mission and how the funds received from MBF are utilized. These organizations provide domestic violence support services, an elder abuse hotline, intervention and investigation for victims of child abuse and providing quality legal representation to low-income individuals. The MBF is one of the few sources of financial support for organizations providing free civil legal assistance. As public funding continues to dwindle for these services, the Bar Foundation seeks to serve as a reliable source of support, so that these organizations can continue to serve the community. Contributions received from Bar Foundation Fellows are essential to making this possible.

As announced by Foundation President, Steven H. Lupin, Esquire at the Zoo reception, the Fellows Program has been expanded to include special opportunities for young lawyers and paralegals to participate. ***All we ask is that you contribute the value of one billable hour per year as billed by your firm or a minimum contribution of \$100.00.*** Not only will you be helping to advance the cause of justice, you will be joining leading members of Montgomery County's legal community who share this core value.



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CONTINUED ON NEXT PAGE

MONTGOMERY BAR FOUNDATION FELLOW RECEPTION CONTINUED



MONTGOMERY BAR
FOUNDATION

Your support will be recognized in a number of ways:

- ◆ Your name will be included in the list of program participants on the Montgomery Bar Foundation's website
- ◆ You will be included in the list of new members appearing in the Montgomery Bar Association's *SIDEBAR* magazine, and a press release will be sent to community, business and other legal publications.
- ◆ You will receive a certificate acknowledging your participation to display in your office.
- ◆ A ribbon designating you as a Bar Foundation Fellow will be affixed to your name tag at MCPA and Bar Association functions which we may attend.
- ◆ As a Fellow, you will also be invited to attend exclusive MBF Fellow events.

MBF Fellows Reception



From left, Honorable Kelly C. Wall,
James Lynch, Esquire & Keith B. McLennan, Esquire

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MCPA ANNUAL PARALEGAL WEEK

BY SUZANNE SARVER, RP

RECAP

On Friday, July 25th, paralegals celebrated at Steppy's Bar in East Norriton for the MCPA Annual Paralegal Week Celebration sponsored by the Montgomery Bar Association. This event was also an opportunity for the MCPA to help SuperKIDS of Montgomery County, a United Way organization. Gary Wolfe, Chairman of the Board of SuperKIDS attended our event and accepted MCPA's donation of \$500.00 on SuperKIDS behalf.

Raffle tickets were given out to all attendees and prizes were awarded. A Maggiano's gift card went to Iryna Yursha of High Swartz, LLP, a Popcorn/AMC prize bucket went to our MCPA Board Member, Noreen Messmer, and one of MCPA sponsors, Victoria Stavish of Love Court Reporting, won a wine basket from a local winery in Pennsylvania.

Steppy's provided a great private room on an enclosed patio which was perfect for a summer night. Steppy's had wings, pizza, drinks, and other appetizers for us to snack on



while we were there. It was a great time and a great reward for us paralegals to get together, have fun, mingle, and celebrate all that we do. Paralegals need to recognize each other for our efforts and accomplishments and what a great place to gather and catch up.

Look forward to next year when we will have another paralegal event so please come out and join us. Get to know your fellow members and introduce yourself.

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Paralegals: Regulation vs. Certification

By Annette M. Long, CRP, Pa.CP.
Excerpt from the MBNA SideBar Magazine

The American Bar Association endorsed the use of paralegals in 1967 and adopted the Model Guidelines for the Utilization of Legal Assistant Services in 1991.

Paralegals are generally trained in all aspects of the law, but may very quickly adapt and become specialists in just one field. While the use of paralegals is seen throughout all areas of practice, duties delegated vary greatly from firm to firm. Paralegals perform legal work that would otherwise be completed by attorneys. As viewed in the ABA definition of a paralegal, the work performed should be substantive in nature. While the terms "paralegal" and "legal assistant" are generally accepted as synonymous titles, they are not the equivalent of a "secretary" as clerical work is not substantive legal work.

"A legal assistant or paralegal is a person, qualified by education, training, or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency or other entity and who performs specifically delegated substantive legal work for which a lawyer is responsible."

(ABA House of Delegates, 1997)

Responsibilities most often assigned to paralegals include:

- *Maintain Client Files*
- *Perform factual research*
- *Draft correspondence, pleadings, discovery requests and responses*
- *Perform factual, legal research, both conventional and computer aided Research public records*
- *Investigation and analysis of documents and records*
- *Summarize depositions and other discovery responses*
- *Coordinate and manage document production*
- *Client and witness interviews*
- *Attendance at court proceedings and depositions with attorneys*
- *Organize pleadings, trial exhibits and other documents*
- *Prepare witness and exhibit lists*
- *Prepare trial notebooks*
- *Prepare for the attendance of witnesses at trial*
- *Assist attorneys at trials*

A **regulation** is an authoritative rule dealing with details or procedure, issued by an executive authority or regulatory agency of a government and having the force of law. To date, California is the only state that directly regulates paralegals. In 2000, California adopted a regulation that requires persons using the title of paralegal to meet educational requirements and continuing education requirements. For details, see the law at California Business and Professions Code, Sections 6450 through 6456.

A new class of legal professionals may now be on the horizon. Legislation in 2012 in the State of Washington provides for Limited License Legal Technicians (see APR 28 Washington). Having determined that the legal needs of the general public are not being met, the purpose of the new rule is to authorize certain persons to render limited legal assistance or advice in approved practice areas. The Washington rule seeks to provide limitations for services. With carefully regulated circumstances, ensuring that only qualified practitioners provide the assistance, while also expanding the affordability of quality legal assistance and protecting the public. Although Family Law is the first area of limited practice, it is anticipated

Paralegals: Regulation vs. Certification

CONTINUED

that the Washington Supreme Court will be adding additional practice areas in the near future. Similar regulations are pending in Alaska, Georgia, New York, Oregon, South Carolina and Wisconsin. paralegal to meet educational requirements and continuing education requirements. For details, see the law at California Business and Professions Code, Sections 6450 through 6456.

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Certification is a process by which a non-governmental agency grants recognition to an individual. The individual must meet pre-determined qualifications and typically involves passing an examination, meeting specified educational requirements and continuing education requirements. In 2008, the Pennsylvania agency, Keystone Alliance of Paralegal Associations began to offer a voluntary certification program.

Individuals who choose to become a Pennsylvania Certified Paralegal (Pa.C.P.) provide a benchmark of qualified paralegals, competent to provide legal services under the supervision of an attorney.

The American Bar Association does not certify Paralegals. Presently, there is no mandatory certification examination in the United States. However, several national organizations offer certification exams for paralegals.

- *The National Association of Legal Assistants, Inc. (NALA)*
- *The National Federation of Paralegal Associations, Inc. (NFPA)*
- *NALS. . . the Association for Legal Professionals*
- *The American Alliance of Paralegals, Inc.*

The certification issue has been a subject of considerable interest and debate for the past several years among paralegal associations, bar associations and legislatures. States which currently have a voluntary certification program through Bar Associations or Paralegal Associations include: Arizona, Delaware, Florida, Illinois, Indiana, Iowa, Kentucky, Louisiana, New Jersey, North Carolina, Ohio, Minnesota, Pennsylvania and Texas.

As attorneys continue to tackle the challenges faced by daily practice, attorneys can be assured that the certified paralegals they employ are better equipped to assist and provide legal services.

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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! The Fundraising and Public Relations Committees are newly formed and are actively seeking new committee members.

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Coordinate membership drives and membership matters

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

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

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

JOB BANK

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

Kelly Smith
ksmith@kanepugh.com

MARKETING

Solicits sponsors and advertisers for MCPA

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

PUBLIC RELATIONS

Promote the MCPA in the legal and general Community

Annette M. Long, CRP
amlong83@gmail.com

HOSPITALITY & EVENTS PLANNING

Plan and schedule upcoming MCPA presentations, meetings and social events

Kathleen M. Zamorski, Pa. C.P.
kathy.zamorski@gmail.com

COMMUNITY OUTREACH & PRO BONO

Plan and schedule MCPA charitable and community events

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rfedorka@obrlaw.com

FUNDRAISING

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nmessmer@fordbuckman.com
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sbarag@foxrothschild.com

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