

MCPA TODAY

The official Publication of the Montgomery County Paralegal Association

August 2009

www.montcoparalegals.org

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

Message from the President

Hey kids – I hope you are enjoying your Summer! Please note that classes will resume on September 16, 2009 when Eric C. Frey, Esquire enlightens us on the topic of title insurance. Then on October 22, 2009, we will hold our annual election meeting *and* celebrate our 10th Anniversary at the Best Western in Kulpsville! In November, it's back to class with Pam Tobin, Esquire who will instruct us on the topic of e-discovery; and on December 3rd, we will hold our Holiday Social at Chap's Tavern in Jeffersonville. So that's two classes, two parties – not much to complain about for the Fall Semester!

I am also pleased to announce that we now have MCPA coffee mugs and tote bags for sale at a cost of \$5.00 each! Please remember that proceeds from all MCPA merchandise sales benefit the MCPA Student Scholarship Fund. And don't forget that you can also support your Association by purchasing gift cards from Simplified Scrip through the link on MCPA's website. These are the same gift cards you would normally buy at the store, and when you conveniently purchase them online through Simplified Scrip, a donation is made to MCPA. Don't forget to allow ten days for processing and mailing.

Finally, have you done your one extra "thing" yet for MCPA in 2009? There's still time! Join a committee, volunteer to help out at the 10th Anniversary Dinner, assist with merchandise sales, or help to place MCPA ads in legal publications and local newspapers. It's not hard, and the time you put in can be as little or as much as you are able to commit. Please visit the MCPA website at www.montcoparalegals.org for a list of committees and contact information. If you visit the website and you're still not sure, just send me an e-mail at deblong420@gmail.com, and I'll be happy to schedule a time when we can chat about what MCPA means to you.

Enjoy the rest of your summer!

Deborah A. Long, Pa. C.P.
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SAVE THE DATE!!

September 16, 2009—CLE on Title
Insurance with Eric C. Frey,
Esquire

October 22, 2009—10th Anniversary
Gala and Election Meeting

November 17, 2009 – E-Discovery
Seminar with Pam Tobin,
Esquire

Welcome New Members

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THE MONTGOMERY COUNTY PARALEGAL ASSOCIATION
GENERAL MEMBERSHIP MEETING AND CLE SEMINAR

When:	September 16, 2009 6:00 p.m.
Where:	Dischell, Bartle, Yanoff & Dooley 1800 Pennbrook Parkway, Suite 200 Lansdale, PA 19446 (215-362-2474)
Topic:	<i>Title Insurance-Real Estate and Beyond</i> presented by Eric C. Frey, Esquire Liberty Bell Abstract, LLC <i>1.5 CLE</i>
Cost:	<u>Free</u> for members \$10.00 for non-members
Menu:	Light food and refreshments will be offered courtesy of Dischell, Bartle, Yanoff & Dooley
RSVP:	By Friday, September 11, 2009 To Tracey L. Barnes, RP, Pa. C.P. at Traceyb@dbyd.com



The Mentoring Committee is Growing!

By: Lisa M. LaPenna, Pa. C.P.

The Mentoring Committee has been moving in many directions - not only mentoring students who request guidance, but also trying to promote awareness in the community of our legal association.

If you would like to be mentored, are interested in learning more about the Mentoring Committee, or would like to speak to students at local colleges, please call me at (610) 941-2523 or e-mail to llapenna@kaplaw.com.



WAWA COUPONS and MCPA APPAREL, MUGS and TOTES

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).

NEW FOR 2009 – Now available for purchase are MCPA coffee (or tea, or hot chocolate) mugs and re-usable MCPA Totes! Each at a low cost of \$5. Show off your MCPA spirit in the office with a new mug and in the community with a tote bag or two.

All MCPA spirit items will be available at the general membership meetings or you may contact Christine Horace at chorace@good-lawyer.com.



How Does Paralegal Regulation Affect You? by [Shirley Caroline Bryant, PLS](#)

The following article is reprinted here by permission via NALS (www.nals.org) and Paralegal Gateway, www.paralegalgateway.com

Paralegal regulation is increasingly affecting legal professionals in the 21st century and creates unique challenges wherever it is implemented. Although only a handful of states have followed through on regulating the paralegal profession, there are several other states that are striving for regulation. There is a good chance that in the future, the states that failed to regulate paralegals on the first attempt will try again to do so. Many believe that regulation is one of the most vital issues affecting paralegals in the future.

However, this does not mean that paralegal regulation will affect everyone in the same way. Regulation takes many forms, including mandatory or voluntary certification, mandatory or voluntary registration, and licensure. Additionally, some states have adopted well-defined standards for paralegals that have some bearing on how paralegals are expected to do their jobs. Currently, Texas, Florida, North Carolina, and Ohio have voluntary certification or registration programs through state bar associations.¹ Four other states, specifically Delaware, Iowa, Louisiana, and Pennsylvania, offer voluntary certification through various paralegal associations.² Several other states have attempted to regulate paralegals, mostly through licensure, the establishment of standards for paralegals, paralegal registration, and mandatory paralegal certification.³

Most paralegals working in states that have adopted paralegal regulation are held to a higher standard through voluntary certification. Regulation affects their professional lives because they are now expected to maintain certain qualifications in order to stay certified. Staying up-to-date with the latest regulatory issues is important to their careers. Certified paralegals are well-versed regarding the requirements needed to comply with voluntary certification. Some paralegals work in states that are considering regulation and, as a result, need to be watchful of any developments that affect their careers. Still others are employed in states that have not yet established any type of regulation. What will happen if and when their states decide to adopt paralegal regulation? What should you do if this happens to you?

The first thing you should do is stay informed regarding the presence of regulation in your state. You should arm yourself with all the knowledge you can find about this issue. One way of achieving this is by being involved in a legal support professional association, which monitors current paralegal issues such as regulation. NALS is an

excellent resource for up-to-date information on regulatory activity in the United States and Canada. The Regulation/Certification Committee continually monitors regulation in all 50 states and Canada so that NALS' knowledge remains current. Additionally, members of NALS have access to publications that report on changes in the legal support services profession as well as current news affecting all legal support professionals. Local and state bar associations will typically have information concerning regulation issues in your state. Some bar associations also have paralegal sections, which are knowledgeable on the subject of paralegal issues. You could also monitor state legislation for paralegal regulation issues. Some state legislative websites allow users to sign up for updates on current proposed legislation. As a last resort, you could also check with the American Bar Association website, which provides information on regulatory activity in all 50 states. To access the ABA's map, please follow this link: <https://www.abanet.org/legalservices/paralegals/pararegdir/home.cfm> (4)

The second thing you can do is be aware of the different types of regulation that exist in your state. Find out what the regulations say and what you need to do to stay employable. For example, if the regulation is in the form of voluntary certification, then you are not required to certify. However, given the economic downturn and the possibility of your job being in jeopardy in the future, you may decide to certify in order to remain competitive in the field. If the certification is mandatory, then there may be no choice but to certify with the appropriate organization. The worst thing you can do is ignore the issue, which could eventually cost you your job. Licensure is much more restrictive than certification and will affect your ability to work in your field if you do not comply with the rules outlined therein. Registration, whether voluntary or mandatory, promotes professional recognition for the paralegals who choose to apply, offers the paralegal certain privileges, and grants paralegals permission to perform certain tasks that unregistered paralegals cannot execute.⁵ How you cope with registration could be similar to your approach to certification.

The third thing you should do is become aware of the specific regulation requirements that exist in your state. In some states, current paralegals are grandfathered in and are given extra time to meet the new regulatory requirements. This policy exists with the North Carolina Bar Association, which has a two-year-long grandfather clause that gives paralegals credit for the on-the-job training they have received.⁶ If the regulation requirements involve obtaining further education, then you should take a course or earn a degree. If your time is too restricted to attend school during the day or evening, or if you cannot find the appropriate courses, then maybe online courses are the answer. Online courses are much more prevalent now than in the past and their flexibility makes them compatible with a busy professional's schedule. NALS regularly offers free CLE throughout the year.

Regulation, if not already present, is well on its way. All individuals must educate themselves to minimize the potential negative impact on their careers and to survive the changes that regulation will bring. What a paralegal is willing to do depends on his/her ability and/or willingness to meet certain requirements. For some individuals, it may not be worth the effort or expense to do this. Unfortunately, others may not have a choice..

If you have any information regarding regulatory activity in your state, please contact Antoinette B. Van Schaick, PP, PLS (ambvpls@yahoo.com), Chair of the NALS Regulation/Certification Committee.

References

¹American Bar Association, Directory of Paralegal State Activity, 11 February 2008, prepared by the Standing Committee on Paralegals, American Bar Association, [database online], available from <https://www.abanet.org/legalservices/paralegals/pararegdir/home.cfm>, Internet, accessed 14 May 2009.

²National Federation of Paralegal Associations, Paralegal Regulation by State, February 2009, [database online], available from http://www.paralegals.org/associations/2270/files/REGULATION_CHART_02_09.pdf, Internet, accessed 16 May 2009.

³Ibid, National Federation of Paralegal Associations.

⁴Ibid, American Bar Association.

⁵Spokane County Bar Association, Paralegal Registration Procedure, 12 December 2007, [application online], available from http://www.spokanebar.org/paralegal_registration/letter.html, Internet, accessed 16 May 2009.

⁶“Alliance for Paralegal Professional Standards, Frequently Asked Questions, 2002, [information online], available from http://www.apps-nc.org/faq.html#_What_if_I, Internet, accessed 14 May 2009.

About the Author:

Shirley Caroline Bryant, PLS is a member of NALS' 2009-2010 Regulation/Certification Committee.



Attention Student Members

The MCPA Board of Directors is pleased to announce the formation of the **MCPA Student Scholarship Program**. Applications will be available by mid-September for three \$250 scholarships to be awarded to one MCPA student member at each of the following schools: Manor College, Peirce College, and Lansdale School of Business. An e-mail announcement with complete details will be sent out as soon as the application becomes available.

Many thanks to Beth Breckenridge and Kathy Zamorski for agreeing to oversee this program. Beth served as MCPA President from 2006 through 2008, and Kathy served as Vice President. Both served on the MCPA Board of Directors for many years and continue to show their dedication to the MCPA and the paralegal profession.





The Public Relations Committee needs your help!

Here is your opportunity to help your Association grow.

The 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.

You can help support the
MONTGOMERY COUNTY PARALEGAL ASSOCIATION
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**Order gift cards for WalMart, Target, Shopko and others from Simplified Scrip.
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Three ways to order:

1. **Order Online** – Log onto www.simplifiedscrip.com and place your order. Your total will be deducted directly from your checking account with each order; OR
2. **Call in orders** – You can call in your order at 1-800-514-1891. Have your checking account information ready when you call; OR
3. **Auto-Order** – Fill out a subscription agreement at www.simplifiedscrip.com or call 1-800-514-1891, and you can have an automatic recurring order arrive at your house each month on the date you choose!

You can directly support the MCPA with your everyday
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Consider making an auto-order for all your gas and grocery
needs!

Friends, family, co-workers and neighbors can order without phone solicitations or deliveries!
Just pass along the phone number and the website information.

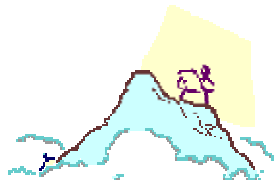
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**Every purchase you make earns money for you and our
Association!**

Questions?

Contact Christinehorace@hotmail.com



The Keystone Alliance of Paralegal Associations will be holding the 2009 Pennsylvania Summit on the Paralegal Profession on Saturday, October 17th, 2009 at the Pennsylvania College of Technology (PCT) in Williamsport, PA. This year's moderator is Professor Walter Landon, who is a faculty member of PCT's paralegal program. For the first time, we will also be offering CLE seminars a part of the summit, in order to support paralegals and students who are interested in the Pennsylvania Certified Paralegal Program.

Rebecca J. Buttorff, RP, Pa.C.P.

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COMMUNITY OUTREACH

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!



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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 for forms and additional information



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
lpenna@kaplaw.com

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Theodore Roosevelt

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- 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*

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Submitted by *Charlene M. Healy, RP*

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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 CLE's, 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



NFPA News of Note

*Submitted by Deborah Arbuckle
MCPA Primary Delegate to NFPA*

PACE Registered Paralegal is now a registered trademark. According to Maggie Haase, IP Coordinator, she utilizes this newest trademark as follows:

On firm letterhead, her name appears at the top followed by “PACE Registered Paralegal®”. In the signature block, she utilizes RP® after her name. Maggie suggests that both are not used together – this could lead to the assumption they are two separate certifications.

Keystone Alliance of Paralegal Associations (KAPA) News of Note

Submitted by Harry Reichner

The MCPA is a member of Keystone Alliance of Paralegal Associations ("KAPA"), a professional organization comprised of paralegal organizations located throughout Pennsylvania. KAPA's purpose is to (i) provide a statewide voice for paralegals in Pennsylvania, (ii) maintain a statewide communications network among paralegal associations and other members of the legal community, (iii) To advance, foster and promote the paralegal profession in Pennsylvania and (iv) monitor developments in the paralegal profession. On April 12, 2008, the Keystone Alliance ratified a groundbreaking voluntary credentialing program for Pennsylvania's paralegals. The program challenges paralegals to meet a minimum level of qualifications; choosing to become certified would demonstrate a commitment to the paralegal profession and provide recognition that the professional standards have been met. Certified paralegals use the designation of Pa.C.P. to provide paralegal employees and employers a benchmark of qualified individuals that are competent to provide legal services under the supervision of an attorney. Certified paralegals are required to take continuing legal education courses in order to assist in keeping current in the legal field. When choosing employment, the hiring process becomes easier as credentials are already verified through the program. More information is available on KAPA's website http://keystoneparalegals.org/cert_FAQ.html. Recently, KAPA was instrumental in Governor Rendell's proclamation of Paralegal Week (July 20-24, 2009). Upcoming events include a Summit on the Paralegal Profession hosted by the Keystone Alliance at Pennsylvania College of Technology on October 17, 2009 in Williamsport, PA and Fall Keystone Alliance meeting of Primary and Secondary Representatives to be hosted by the Lycoming County Paralegal Association on October 24, 2009 in Lycoming County, PA. For further information on KAPA, contact Harry Reichner at hreichner@mmclaw.com.



MARK YOUR CALENDAR FOR OCTOBER 22, 2009, AS THE MONTGOMERY COUNTY PARALEGAL ASSOCIATION WILL CELEBRATE ITS 10TH ANNIVERSARY! THE MCPA HAS COME A LONG WAY SINCE THE CELEBRATION OF ITS 5TH ANNIVERSARY SO COME OUT TO MARK THIS MOMENTOUS OCCASION. THE EVENT WILL BE HELD IN CONJUNCTION WITH THE ELECTION MEETING AT THE BEST WESTERN, KULPSVILLE WITH APPETIZERS BEGINNING AT 6:00 P.M. AND DINNER AT 7:00 P.M. REPRESENTATIVE CATHERINE "KATE" HARPER WILL BE IN ATTENDANCE.

COME JOIN THE FUN AS WE CELEBRATE 10 INCREDIBLE YEARS!



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

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