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PRESIDENT'S MESSAGE by Nancy Piechota, Pa. C.P.

PARALEGALS AND ETHICS

As paralegals, we all know too well that we shouldn't do certain things that would be considered the unauthorized practice of law ("UPL") or unethical in any way. We have been taught "How to Avoid Violating Paralegal Ethics and UPL":

DO NOT OFFER LEGAL ADVICE. While you are speaking with a client during a meeting or on a telephone call, and they ask you a question and you commence to answer but you mistakenly cross over the line of UPL, this violates ethics rules. Sometimes you may feel when responding that you have not crossed over the "ethical" line, but you may realize that you have upon later thought and consideration. One must be extremely careful about what one says or answers questions from clients and try to anticipate questions you might be asked and whether it is something you can answer or if you should refer to your attorney. During these times we need to take a deep breath and consider the "ethical line".

REPRESENTING A CLIENT. Some states allow paralegals to do certain things without attorney supervision. Pennsylvania is not one of them. You can't sign pleadings, you can't represent a client in court or at any other kind of hearing, and you can't provide legal advice to anyone.

And remember, even if you go to a traffic court with a friend to try and help them, it may be construed as offering legal advice to your “friend/client” or that you are representing them.

NEGOTIATING CLIENT FEES: The negotiated fee between a client and attorney is one that establishes the framework of the attorney-client relationship. The client makes a “contract” to pay for legal services. A paralegal should never discuss a fee with a client. The attorney and the client will determine what will be paid. This may be difficult because clients will often want to discuss their bills and fees for services with anyone who will listen. However, our job as paralegals is to refer the client to the attorney.

IF REPRESENTED, DO NOT CONTACT. If a party is represented by an attorney and you know it, you should only make contact with an opposing party through their attorney. There should be no direct contact with an opposing party. This is unethical and could cause your attorney (and you!) problems down the road.

Paralegals should always disclose their position and that they are not an attorney to all clients. This should be done at the first meeting or first contact with the client. One effective way of establishing your title through e-mails is with your signature which should include your title as a paralegal. Same with any letter you are sending under your signature. Always include your title as a paralegal in the signature. I.E. Jane Smith, Paralegal.

AVOID GIVING LEGAL ADVICE TO ANYONE. This is a good practice for a paralegal. No advice should be given to anyone including friends, co-workers, and family members. If it becomes necessary for you to relay information to a client, always indicate that this information is from the attorney and not from you. Most clients will appreciate knowing it is coming from the attorney.

It is easy for clients to mistake a paralegal for an attorney since we work directly with the attorney and handle things that require legal expertise. Even the most experienced paralegals are supervised by an attorney.

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thank you

CONFLICTS OF INTEREST. If you move from one law firm to another, you will first want to make sure that you review their client list for any conflicts. Make sure that you disclose any potential conflicts with the new firm/attorney. If you do not say anything about a conflict and it becomes a problem during a case/trial, this would be considered an unethical lack of disclosing important information and may cause damage to the case/trial and to your employment with the firm/attorney.

CONFIDENTIALITY. The area of confidentiality can get a little shaky at times. Attorney-client privilege is so important in the legal field. Remember, however, it is not just between the attorney and the client but also between the paralegal and client. We all know that we have some interesting cases and when we get home or in a social settings we may want to discuss them, but this is NOT advisable. You don't know if you tell someone about a case whether they will tell someone else who may know some of the parties and tells them. If you don't want to worry, keep your client's business a secret.

FEELING PRESSURED TO DO SOMETHING UNETHICAL OR ILLEGAL. You may encounter lawyers, paralegals or maybe even a client that will ask you to do something unethical – “just this once” to help them out. NEVER A GOOD IDEA. If this is happening at your firm, see the managing partner or the officer manager. Or if it continues to happen after you have brought it to the managing partner or office manager's attention, it may be a situation where you may need to contact your state bar association.

As Paralegals, we must maintain a high level of personal and professional integrity – **ALWAYS!**

The National Federation of Paralegal Associations, Inc. has a Model Code of Ethics and Professional Responsibility and Guidelines for Enforcement. Everyone should read this to clarify your Code of Ethics as paralegals. This can be found on their website.

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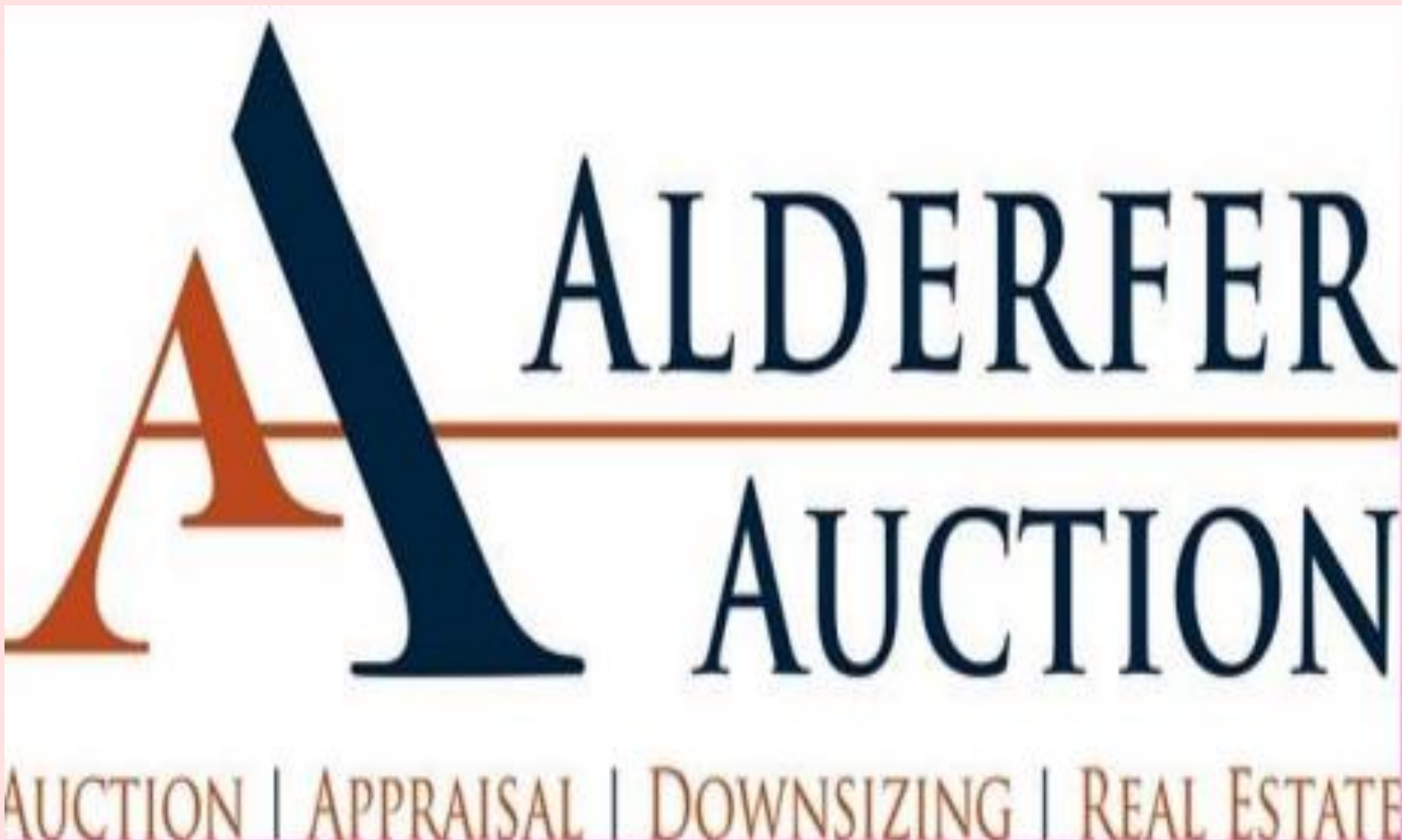
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40 Tips for New Paralegals

By Ann Pearson May 10, 2021
paralegal-bootcamp.com

We asked paralegals across the country “What one tip would you give to a new paralegal that you wished someone told you early in your paralegal career?” Here are their answers that we want to share with new paralegals. Note: We only added names if the person specifically checked the box “ok to share your name with the tip.”

These tips are not listed in any particular order. Thank you to all of the paralegals who submitted their tips! As one of the paralegals said: Share the knowledge! Well said. All paralegals benefit from sharing knowledge with others to make the profession better as a whole.

1. Don't give up on being a paralegal!

If you don't like your first job as a paralegal, don't give up! It might just be that the practice area is not the best one for you...or it might be the people you work with. If you find yourself not happy, ask if maybe there's another area you want to work in. For example, I started out in real estate and I hated it. I almost quit my paralegal job. Then there was an opening in the litigation department. I'm so happy I did it! I've enjoyed being a litigation paralegal now for almost 20 years.

2. Stay Focused! It will get easier as you go along, don't let one bad day ruin your experience.

3. Never EVER give an Attorney an original copy of anything!

4. Always have a steno pad/notepad with you when you walk into your attorney's office. Always keep a to-do-list with follow-ups either electronically or on paper.

5. Microsoft Excel is your friend! If you don't know it already, learn how to use it. If you're already familiar with it, become an expert. From tracking time and expenses on a client matter to tracking pleadings, discovery, and deadlines – it will help you stay organized and present your data in an efficient way.~ Victoria Ellsworth

6. There are no stupid questions. If you don't know or are not sure, ask.

7. Billable hours are a lot more important than you think they are. If you work in a defense firm, do what you can to meet or exceed those hours. When times get slow, many firms use those billable hour numbers to determine who stays and who goes.

8. The grass isn't always greener on the other side.

You're usually just trading one set of problems for another.

9. Double and triple-check your work. Small mistakes will start to erode the attorneys' confidence in your work. (Watch our video blog on this topic!)

10. Most attorneys are procrastinators and their procrastination will lead to you working long weekends.

11. Don't be “that paralegal” who has to do CYA emails for everything. When mistakes happen, a good team pulls together and fixes it. A bad team points fingers and blames others, but attorneys just don't care. They just want it fixed and not to happen again.

12. Be prepared to work long hours.

Especially if you're in a busy litigation firm, but really this can apply to any practice area.

You really cannot have the 9-5 mindset as a new paralegal. Be known as the person who is willing to do what it takes to get the job done.

13. If you don't know the answer to something, say so. Don't guess.

14. Dress professionally.

15. Schedule time every day to respond to non-urgent email messages. If you stop what you are doing to reply to each non-urgent email as it comes in, you will never have time to complete any other task that you are working on.

16. When under pressure, maintain your cool. A stressed attorney does not need a stressed Paralegal – keeping your cool will assure your attorney that you can handle whatever task they are throwing your way, it may even help them become calmer in the situation and in future hot issues they encounter.

17. Communicate, communicate, communicate – with the client, boss, and other staff members – constantly.

18. Don't ever go for more than 6 months without taking some kind of continuing education. Even if it's only a 1-2 hour course or something. Otherwise, you will fall behind where you should be in your career.

19. Tip for new paralegals – The money will come. Be patient and stay happy.

If you work with a group of people who you truly enjoy working with...that's worth more than the \$3,000 raise you could get if you left.

20. Develop a solid rapport with your attorneys as well as getting to know their working styles. Each attorney will have a different personality, communication style, and preference in the final work product. It is so important for new paralegals to understand this and understand they will need to adapt to each of the individual

styles for the attorneys they will support.

21. Use technology to your full advantage. If you are in litigation, know Lexis Nexis and Westlaw like the back of your hand. Whatever technology is applicable to your practice area, know it better than anyone else on your team.

22. Update your resume every single year, even if you're happily employed. That way you can add skills that you might forget about if you were to wait 5 years and try to remember all the great accomplishments you had a few years ago.

23. Don't get involved in the gossip group.

Attorneys pay more attention to that kind of stuff than you think they do. You don't want them to associate you with that group of people at the office.

24. Take every opportunity to learn as much as you can. Listen and take notes. I cannot emphasize that too much.

25. Don't burn the candles at both ends. You need sleep, food, and water to survive. Without those things, you're more likely to make mistakes.

26. No two attorneys are the same. Get to know the pet peeves of each one.

27. It is critical to stay up-to-date on court document filing requirements because they change the formats often.

28. Always begin with the END result in mind, taking time to weigh out the best and most effic

efficient way to accomplish something the attorney is asking for oftentimes yields a healthy discussion and possibly even changes what the attorney thought he/she wanted. This also helps boost confidence in your skillset and shows an Attorney you are invested in a good work product which ultimately makes them look good.

29. Tip for new paralegals in litigation: start putting together your trial notebook as soon as the complaint comes in. You can add to it throughout the discovery phase and use it throughout the life of the case, even if the case doesn't end up going to trial.

You can fast-track your career with our 3-Step Roadmap to Manage Cases Like a Rockstar Paralegal! If you are new (or fairly new) to litigation, this free guide will help you get a handle on your cases and be able to anticipate what the attorney needs before they ask for it.

30. For the sake of the team and/or the case, and no matter who asks, don't take your position so seriously that you are unwilling to give assistance when it's asked of you.

31. Start applying for jobs sooner!

32. Never assume anything!

Be willing to take a couple of minutes to pick up the telephone, call and verify! Especially if you're getting information off the internet because this simple tip will save you a ton of time, unnecessary work, and frustration down the road. Contrary to what some people think, the internet is not the Bible.

33. Technology should be your friend. If it's not, you're not going to go as far as you could with your career.

34. Be able to read and interpret The Rules — Federal, State, Local, Administrative — where to go and how to find what you need to know.

35. You have to be flexible as a paralegal. Your "to-do" list will be constantly changing. When you walk in tomorrow morning, it's going to be a different fire that has to be put out.

36. Wait for your time to shine.

Don't be in a rush to volunteer yourself for work you're not as knowledgeable as you think you are. You don't want to leave this impression with the attorney in charge. You may not believe it, but we're learning constantly just being in the legal environment. Just be patient. The time will come and you'll be able to jump in and show them just how much you're capable of. That is your time to shine.

37. Whatever area of the law you choose, read the applicable statutes, laws, and regulations. Don't rely on summaries (though several are quite valuable). Read first for understanding, and one more time for comprehension. I work in Securities and have read the 1933 and 1934 Act at least four times.

38. Interview more. Practice makes perfect.

39. Learn as much as you can about e-discovery if you plan to go into litigation. It's going to be nearly impossible to get a job as a litigation paralegal without at least a basic knowledge of e-discovery.

40. Don't waste your money on a Master's Degree! No one is going to pay you any more money or give you a better "title" than a paralegal. All you need is an undergraduate degree and a paralegal certificate — unless you just have a personal goal of getting that graduate degree and being in debt for many years.

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Nancy is a Certified Paralegal at the law firm of Mannion Prior, LLP in King of Prussia. Nancy sits on the Board of Directors and also serves as Chair of the Marketing Committee. She was the past Vice President of Keystone Alliance and is the Primary Delegate to the Keystone Alliance for Montgomery County Paralegal Association. Nancy also served as the past President of the MCPA.

**Tracey Barnes, Pa.C.P.—Vice President**

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Tracey is a Paralegal at the law firm of Dischell Bartle & Dooley P.C. in its Lansdale office. She has been an active member since the organizations inception in 1999 and has been a Board Member, Secretary, Treasurer, and President. She is currently the Keystone Alliance of Paralegal Associations Credentialing Chair. In 2017, she was appointed as the CLE-Associations Co-Coordinator for the National Federation of Paralegal Associations (NFPA).

**Trista Davis—Treasurer**

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Trista is an Trust and Estate Paralegal at Stradley Ronon Stevens & Young, LLP in its Malvern office. She attended Central Pennsylvania College completing the Paralegal Program and graduated in 2009. In 2014, she received her Pa.C.P. certification through the Keystone Alliance of Paralegal Association. Trista lives in Douglassville with her husband and son.

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Jenn is a Family Law Paralegal at the law firm of Dischell Bartle & Dooley P.C. in its Lansdale office. She graduated from Peirce College in 2009 with a Bachelor of Science in Paralegal Studies. She became a certified paralegal through the Keystone Alliance of Paralegal Association in 2015. Jenn is on the planning and outreach committees for the MCPA and is also membership chair of the Family Law Paralegals of Pennsylvania.

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Noreen is a Paralegal with the law firm of Ford & Buckman, P.C. in Blue Bell and has worked with Sarah Ford, Esquire for over 40 years. She has been a Board member since 2010 and also serves on the Hospitality/Planning Committee. Noreen lives in Blue Bell and is the mother of three and Nana to three granddaughters.

Lisa Lagreca, Pa.C.P.

Lisa is a Paralegal at the law firm of Dischell Bartle & Dooley P.C. in its Lansdale office. She recently graduated Summa Cum Laude from BCCC Paralegal Program and currently attends Pierce College. Lisa is a mother of four and grandmother of three. She has been a member of the MCPA since 2018 and is its newsletter editor.

Jennifer Kozlowski

Jennifer is a Paralegal at the law firm of Dischell Bartle & Dooley. Jen Kozlowski earned her Associates Degree in 2011 from LCCC's Paralegal Studies Program. She has worked for Children and Youth and worked for a solo attorney specializing in zoning, real estate, estate planning and estate administration. Jen is also the mother of 2 boys as well as newly married to her best friend Andy and dog-mom to Ruby.

Dana Jorna, Pa.C.P.—President

Dana is a Paralegal at the law firm Kane Pugh Knoell Troy & Kramer, LLP. She has been a member of the Montgomery County Paralegal Association since 2013, and a board member since 2018. More recently, she has become the MCPA's Job Bank Coordinator, and co-chair of the Community Outreach & Pro Bono committee. Former President 2020-2022

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