

MCPA TODAY

NEWSLETTER

The Official Publication of the
Montgomery County Paralegal
Association

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PRESIDENT'S MESSAGE

BY JENNIFER ECHIKSON

In the early morning hours of June 28, 1969, police officers raided the Stonewall Inn, a gay bar in the Greenwich Village neighborhood of Manhattan in NYC. Patrons of the Stonewall, as well as patrons of other lesbian and gay bars in the area fought back when police became violent. The Stonewall uprising is considered to be the defining moment that began the gay/LGBT rights movement in the United States. The first gay pride marches took place in June 1970, to mark the first anniversary of the riots. In June of 1999 President Bill Clinton declared the anniversary of the riots every June in the United States as Gay and Lesbian Pride Month and in 2011, President Barack Obama expanded the officially recognized Pride Month to include the whole LGBT community. In October 2022, I attended a CLE at the NFPA Annual Convention called "Representing LGBTQ+ Clients with Cultural Humility". It was presented by Kate Mozynski, Esquire (they/she) of the Equality Ohio Legal Clinic. In honor of Pride Month, I wanted to share some of the important things I learned from that seminar.

- **Understanding "SOGIE" (Sexual Orientation, Gender Identity and Expression).** First and foremost, it's essential to understand the differences between sexual orientation, gender identity, and gender expression. Sexual orientation is who you are attracted to. It's not a choice a person makes, and

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it is independent of gender identity or expression. Gender identity is who you are – cisgender (someone whose gender identity conforms with the gender they were assigned at birth), transgender (someone whose gender identity differs from the gender they were assigned at birth), or intersex (someone who was born with a variation in sex characteristics and who cannot be distinctly assigned as male or female) - and gender expression is how you express or present yourself. It's important to remember that gender expression does not tell you a person's gender identity or sexual orientation.

- **The Four Rs.** When meeting with an LGBTQ+ client, a lawyer or paralegal should be aware of trauma-informed representation and the “Four Rs”: **realize** the widespread impact of trauma, **recognize** the signs and symptoms of trauma, **respond** by fully integrating knowledge of trauma into how we handle cases, and **resist** re-traumatization.
- **Create an Inclusive Legal Practice.** When meeting with an LGBTQ+ client, it is important for a lawyer or paralegal to use affirming language. Be sure to ask what a client's pronouns are (and offer yours). Never assume a client's pronouns based on their gender identity or expression. Remember that visibility matters! Audit your firm's website language and marketing materials to reflect your firm's inclusivity and be aware of where you are marketing and how you are making marketing decisions.

Review your firm's client intake form and make sure to have a place for your client's legal name, preferred name, and pronouns, and confirm if you can leave detailed messages on voicemails or in emails. Most importantly, make sure that all of your firm's staff has this information.

Establish gender-neutral bathrooms. Add items to your common spaces that signal to clients in the LGBTQ+ community that your office is a welcoming and safe space, such as LGBTQ+ magazines, ally “safe space” stickers, or even rainbows!

For more information, please see the below articles from the American Bar Association:

- [An Ally's Guide to Terminology](#)
- [How to be an Ally Program Toolkit](#)
- [SOGI Best Practices for Promoting LGBT Diversity](#)

Now go out there and celebrate love! Happy Pride!

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Gwendolyn Beasley

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UPCOMING CLE

The Value of Using a Forensic Weather Expert

Presented by:

James V. Bria III, a Senior Forensic Meteorologist



Applying for approval of CLE 1.0 (S) by NFPA and Keystone Alliance

June 21, 2023, 12-1 p.m. Via Zoom

TO REGISTER: <https://us02web.zoom.us/join/9101562060>

**Cost: FREE for MCPA Members,
\$10.00 for Keystone Alliance Members, and NFPA Affiliated Members and
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DID YOU MISS...

BY KELLY BRESADOLA

On Wednesday, April 19, 2023, MCPA hosted a **CLE on Cannabis Legislation**. Our presenter was William Roark, Esquire, a managing partner at Hamburg, Rubin, Mullin, Maxwell and Lupin, PC. He is a graduate of Villanova Law and his background is in Environmental Law. He is also an adjunct professor at Villanova.

Attorney Roark began his presentation with a map of the United States. The states were color-coded into three categories; 1-cannabis is recreationally legal for adults; 2-cannabis is medically legal; and 3-cannabis is illegal. The states where cannabis is legal, either medically or recreationally, far outnumbered the states where it is still illegal.

Some interesting facts, more than 52% of adult Americans have tried cannabis. In 2022, the United States cannabis supply was 48.8 million pounds. Annual sales are projected to top 100 billion dollars by the end of the decade.

Pennsylvania was the 24th state to legalize medical marijuana. In order to obtain a medical marijuana card in Pennsylvania, one must have a qualifying condition. If an individual has a qualifying condition, they can apply to obtain a card and need to be seen by a certified physician. The card lasts for one year.

PA Act 16 The Pennsylvania Medical Marijuana Act was passed with bipartisan support. The Department of Health is the Regulatory Authority and is responsible for implementing the program, including developing rules, and processing applications. Pennsylvania is divided into 6 different regions and there are three separate programs: the commercial program, clinical registrant/ACRC, and the research program. How the industry operates: Permits are issued. One permit is issued for growing and processing, growers and processors cannot share a space with a dispensary. One permit is issued for supplying. A dispensary cannot be within 1000 feet of a school or daycare and must have a physician or pharmacist either in person or available via Zoom. There were a limited number of permits issued and they are not transferrable.

Attorney Roark touched on various other topics relating to medical marijuana in Pennsylvania, such as the 2021 Amendments, cannabis impact on other areas of the law, state regulatory issues, representations and warranties, banking and tax considerations, and marijuana and employment law.

The MCPA would like to thank Attorney Roark for his presentation, which was full of interesting facts surrounding medical marijuana legislation in Pennsylvania.

On Thursday, May 11, 2023, The Montgomery County Paralegal Association hosted a **CLE on Litigation Tips and Tactics**. It was presented by George E. Saba Jr., Esq. of Dischell Bartle & Dooley. He has been a trial lawyer for 39 years focusing mostly on litigation and about 10 percent of his time on commercial transactions. He has been involved in over 100 jury trials. He's practiced throughout the state, in Federal Court and other states.

Attorney Saba gives the definition of the term paralegal as per the ABA Model guidelines for the utilization of paralegal services. There are 2 professional organizations for paralegals: 1) National Association of Legal Assistants (NALA) and 2) National Federation of Paralegal Association (NFPA).

He then touches on lawyer and litigation paralegal responsibilities. Lawyers are ultimately responsible for all the professional actions of a paralegal performing services at the lawyer's direction. Litigation paralegals have 3 primary areas of case management: drafting pleadings, preparing for depositions, mediations, and arbitrations, and assisting at trial. Attorney Saba broke down each of these areas provided tips for research.

The next topic was venue, venue changes and improper venue. He then discussed the Complaint, serving the Writ or Complaint and answering the Complaint. After providing information on complaints, he transitioned into discussing discovery. Form v specific written discovery, discovery responses and E-discovery, depositions, deposition preparation, witness preparation and the importance of Zoom etiquette. Followed by expert witnesses, trials, and hearings. He introduced preparing a trial notebook and its benefits and what the role of a paralegal is at trial.

Lastly, he spoke about the work-life balance, stress in the workplace and tips on how to deal with stress. He ended the presentation with a wonderful quote by Anthony Bourdain.

The MCPA would like to thank Attorney Saba for his presentation and for providing helpful tips for paralegals.

BEFORE YOU HIT SEND

BY VICTORIA MOLLOY, Pa.C.P.

If you play trivia or have an affinity for obscure facts, the first network email sent said, “something like QWERTYUIOP” and was written by Ray Tomlinson in 1971 to himself. At that moment, I am sure Tomlinson quickly keyed the message in excitement and anticipation of introducing a new means of communication to the world. He likely did not have a second thought about its recipient, contents, punctuation, or grammar. The following fifty-plus years have witnessed its evolution; however, email was mostly only available to government and academics until 1988, when Microsoft introduced MSMail as the first commercial product. Currently, successor programs like Exchange and Outlook are what most of us use.

We can all agree that email was one of the most valuable tools in the traditional office workforce during the COVID-19 pandemic. With the mass shift to remote work, it stepped in for more traditional “mail” methods like via the post office, faxing, etc. As email has now become widely accepted for most business communications, using it professionally should be of utmost importance. Here are a few things to consider:

- ☒ If you are sending information that contains confidential information, email should not be used unless it is encrypted with a layered security feature.
- ☒ If it is a message sent to multiple recipients, consider whether your response REALLY needs to be a ‘reply all.’
- ☒ If you have used the autofill for a contact, double-check that the recipient is truly who you intend to receive the message.
- ☒ If your intention is to send a message with attachments, ensure that they are attached or that the links work.
- ☒ If you are sending to multiple recipients, think of someone responding ‘reply all.’ The best practice may be to forward an email to the recipient to avoid disclosure of their response should they ‘reply all.’
- ☒ If you are sending in the course of work, proofread, proofread and proofread again, emails should be treated as a formal correspondence and the titles of subject lines are important.

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Do you have an idea or article that could be used or published in an upcoming newsletter? Please get in touch with me at vmolloy@eastburngray.com

WHO WE ARE

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Jenn is a Family Law Paralegal at Materese Family Law, P.C. She graduated from Peirce College in 2009 with a Bachelor of Science in Paralegal Studies and became a certified paralegal through the Keystone Alliance of Paralegal Association in 2015. Jenn is co-chair of the MCPA Planning Committee, is MCPA's secondary delegate to the National Federation of Paralegal Association, and serves as Vice President and membership chair of the Family Law Paralegals of Pennsylvania.



Dana Jorna, Pa.C.P. — Vice President

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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 National Federation of Paralegal Association secondary delegate, and chair of the Community Outreach & Pro Bono committee. Former President 2020-2021.



Trista Davis — Treasurer

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Trista is an Trust and Estate Paralegal at the law firm of Grim, Biehn & Thatcher, P.C. 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 two children.



Jennifer Kozlowski — Secretary

MCPAsteno@gmail.com

Jen earned her Associates Degree in 2011 from LCCC's Paralegal Studies Program. She has experience with estates and real estate law and also previously worked in litigation, municipal law, and juvenile dependency. Jen joined the MCPA in 2020 and has been on the Board since 2022. She has recently taken over the roll of Co-chair of the Planning Committee. Outside of work Jen is the mother of 2 boys, wife and best friend to Andy, and dog-mom to Ruby.

DIRECTORS



Tracey Barnes, Pa.C.P.

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, President and Vice 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).



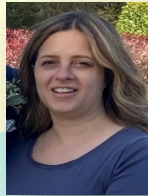
Kharissa L. Donahue

Kharissa is a Litigation Paralegal at the law firm Kane Pugh Knoell Troy & Kramer, LLP. She recently graduated from Bryan University with a degree in Paralegal Studies in 2021. Kharissa's experience is in motor vehicle accidents and personal injury law. She lives in Pottstown, with her two cats where she mainly reads and gardens.



Kelly A. Bresadola

Kelly is a paralegal at Liberty Mutual Insurance Company. She does insurance defense work. Kelly has been a member of the Montgomery County Paralegal Assoc. for 4 years and part of the planning committee for the last 3 years. She lives in Montgomeryville with her husband and 2 of her 3 children.



Victoria Molloy, Pa.C.P.

Vic is a paralegal at Eastburn & Gray, PC, in Doylestown, PA. She graduated from Manor College and has spent the last two decades primarily working in Bucks County; however, she has also supported attorneys overseas while living on a military base. Vic's experience has a broad range and is not limited to having supported attorneys who litigate and practice estate planning, employment discrimination, municipal, school, and special education law. She lives in Montgomeryville, with her husband, two sons, and sweet, bowtie-wearing dogs.

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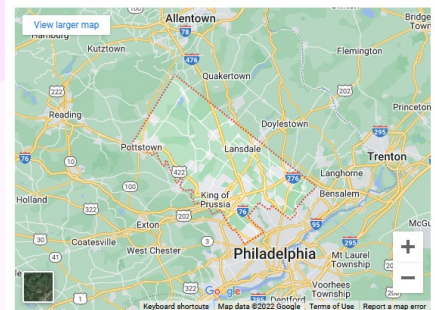
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