

Paralegal Focus

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Paralegal Focus is the quarterly newsletter of the Vermont Paralegal Organization.

Vermont Paralegal Organization is a Member of the National Federation of Paralegal Associations (NFPA).

Vermont Paralegal Organization
P.O. Box 5755
Burlington, VT 05402-5755
vermont@paralegals.org
www.vtparalegal.org

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President's Message

By Kristin Provost, RP®

It is a great honor and privilege for me to have been elected by the membership to serve as the Vermont Paralegal Organization's President for the two-year term 2015-2017. Before introducing myself, I would like to start by acknowledging the work and achievements of our former president, Carie Tarte, RP®. These achievements include uniting paralegals across the organization, forming deep, strong partnerships with the Vermont Bar Association (VBA), navigating complex policy and regulatory issues surrounding limited licensure of paralegals, inspiring the VPO to dream big by securing the bid to host the 2016 Annual Convention, and of course, making us all laugh, even at three-hour board meetings. Carie has truly been an amazing president and an inspiration to the VPO and the legal community. I can only hope during my term to continue to build on her achievements and make those around me smile and laugh as she has done for four magnificent years.



With that said, I would now like to introduce myself to those of you who don't know me. My name is Kristin Provost (formerly Mattes), RP®. I am a paralegal at Vermont Energy Investment Corporation ("VEIC") and specialize in the areas of contract and corporate law. I also serve as the confidential information management system coordinator for VEIC's offices in Vermont, New Jersey, Washington, DC and Ohio, and as Paralegal Section Chair for the Vermont Bar Association. Prior to joining VEIC, I worked as a regulatory, litigation, and probate paralegal for Sheehy Furlong & Behm from 2008-2013. I had also worked as a paralegal for the Law Office of Todd D. Schlossberg and Jarvis & Kaplan in the areas of personal injury and criminal law, respectively. In 2013, I became the ninth paralegal in the state to receive the esteemed "Registered Paralegal" designation by passing the Paralegal Advance Competency Examination offered by the National Federation of Paralegal Associations ("NFPA"). In 2012, I also received a national award from NFPA for my dedication to pro bono services including my work with victims of domestic violence. My educational experience includes a Paralegal Certificate from Champlain College in 2005 and a B.S. in Paralegal Studies from Champlain College in 2007.

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In the next President Message, I will provide you with a list of goals for my presidency and an update on the organization. If you have any ideas or concerns that you would like to share, I would love to hear from you. I can be reached by email at kmattes@veic.org (note: my email address will change to kprovost@veic.org soon but I will notify everyone when this officially happens) or 802-540-7920.

Editor's Message

By Louise Reese

I have been the VPO Editor for several years, and this may be one of my favorite issues. This issue is not only full of valuable information, but much of that information was provided by several of our members who have not submitted before. I must admit that I had to postpone some articles because I wanted to make sure the next issue was also full of valuable information. I cannot thank everyone enough for supporting *Paralegal Focus* and keeping it a valuable tool for sharing knowledge and insight throughout the state.

We have a new board! Kristin Provost has been elected as our president for the next two years, and Linda Beal will be her VP. Kristin has provided an introduction in her President's Message and you will find an introduction to Linda in the Member Spotlight. See the updated Board and Committee page at the end of this issue for the names of our other elected leaders, and you will learn more about them in future *Paralegal Focus* issues.

You can count on valuable articles in this issue from Corinne Deering, RP[®] now our NFPA Primary Representative, and an article by Ashley LaRose, RP[®] with simple answers to the question "Why take PACE?"

Various attendees of our annual meeting have submitted responses to the question "What did you learn," and Lynn Wdowiak, RP[®] has provided us with some reminders about e-filing in Rutland and Windsor state courts.

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I would like to thank and congratulate VPO members Brandon Shields and Robyn Sweet for participating in the buddy program this year. Both Brandon and Robyn invited non-members to attend the annual meeting, and Robyn's buddy, Sabrina Urich, also became a member. Robyn won a Dakin Farms gift basket and Brandon won \$50 in gas cards. The law firm of Dinse, Knapp & McAndrew, P.C. in Burlington donated the funds to purchase these prizes.

Thank you Brandon and Robyn for going the extra mile!



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Members on the Move

Former VPO President and current 2016 Convention Co-Chair, Carie Tarte, RP,[®] has moved to the law firm of Maley & Maley in Burlington.

Recently elected NFPA Secondary Representative, Ashley LaRose, RP,[®] has moved to the law firm of Primmer & Piper in Montpelier.

Membership News

As of mid-June, the VPO has 59 voting, 10 associate, and one student member. Since the last newsletter, we have welcomed four new members.



Q&A

Linda Beal

Member Spotlight

How old are you?	64.
Describe your family?	Extended. My wife and I have been together for 26 years. We have our son and daughter and their spouses and four grandkids - 16, 12 and 7 year old girls and a 4 year old boy. We get to have the two youngest for an overnight every weekend, and are the go-to for sick kids who can't go to school.
Town in which you live?	Burlington's New North End.
What is your favorite food?	Anything Mexican or Ethiopian.
Do have any pets? If so, what are they, and what are their names?	Our Husky, Lily, is about six years old. She is the most recent in a long line of rescues, and doubles as the coyote/wolf for our 4 1/2 year old grandson.
What kind of hobbies do you have?	Canoeing, camping, hiking, birding, electronics, robotics, and tinkering.
How do you unwind at the end of a long work week?	Usually my grandkids do a good job of winding me up! After they go home, I read or catch up on episodes of "The Good Wife" and "Nurse Jackie."
What is your educational background?	BA from University of Kentucky (I love my NCAA Basketball). MA from UVM and a Paralegal Certificate from Edmunds Community College in Seattle.
Where do you work?	Murphy Sullivan Kronk in Burlington.
When did you first become a paralegal?	2004.
What area of law do you work in?	Wireless telecommunications permitting before the Public Service Board.
What do you enjoy about working in that area of law?	I work with a great team of engineers, leasing consultants, and attorneys. We all work together to improve wireless communication in Vermont, while respecting this wonderful environment in which we live.

<i>If you could work in any other area of law, what would it be?</i>	I love civil litigation and would like to learn more about IP law.
<i>What is the one thing about being a paralegal you would change if you could?</i>	That some employers do not view paralegals as trained professionals to be listened to and respected for their skills and experience. Miracles in the work place should not be expected, and solid hard work should always be appreciated.
<i>How or why did you first enter the paralegal field?</i>	While hovering on the edge of burnout while working for the State of Washington, I audited a legal research class and loved it!
<i>Did you hold other positions, or have a different career, prior to becoming a paralegal, and if so, what was it?</i>	I worked for the Vermont Dept of Corrections as a guard, caseworker and parole officer. I worked for the Washington State DOC with incarcerated felony sexual offenders. I supervised parole officers for juvenile parolees in a five county area of northwest Washington State. I spent a career trying to save the world. One day I finally woke up and declared the world saved and went to paralegal school!
<i>What do you love about the paralegal profession?</i>	I learn something new every day. I could move across the country and get a decent paying job. I get to work with prima donnas - really smart, interesting people!
<i>What things about the profession do you dislike?</i>	Nothing really. I have the best job I've had in my entire life, except for when I worked for a florist, delivering flowers.
<i>How long have you been a member of the VPO?</i>	2007.
<i>Tell me about the skills or traits you possess that you find most useful in your position?</i>	I love legal research, especially researching and working with expert witnesses. Patience, flexibility, and an ability to appreciate each person I work with as a package deal.
<i>What character oddities or personality traits do you find at odds with your career?</i>	My love of the Big Lebowski and my tendency to swear.
<i>What brief advice or friendly tip would you offer to someone just entering the paralegal field?</i>	Do your research. If you've identified a firm for which you would like to work, be prepared to take a job doing anything just to get a foot in the door. Then learn as much as you can about as many areas of the law as possible. Once you've been in the business a few years and have experience and a reputation you will be able to go anywhere you want! Be open to unexpected opportunities.

The Evolution of a Convention Logo

By Corinne Deering, RP®

When the VPO Board began this project, we started with a contest for members and non-members in the hopes we would find a talented graphic designer to assist us with creating a logo design to represent Vermont hosting the 2016 National Federation of Paralegal Association's convention. We made attempts to tap into the talent at local colleges, but we were unsuccessful.

Who knew that we had some design talent within our own ranks in Kristin Mattes, RP? Kristin submitted a great preliminary sketch idea to the VPO Board and it became our desired theme for the logo.

Another board member at the time, Jodi

Bachand, found a graphic design student at Mt. Abraham Union High School to assist us in developing the sketch into a logo. Kaylee Mumford, a senior at the time, made our logo her independent study project. With Kaylee's help, and with the support of her graphic design teacher, Bruce Babbitt, we had a logo that was coming to life.

Due to technical difficulties with file formats and the need to resize the logo for various media options, we had to seek additional assistance with finalizing the logo. We needed it in a format that could be used for convention signage, brochures, convention bags, websites and other formats. Christopher Broe, a former co-worker of mine, is a very talented professional photographer, graphic designer, and all around electronic fix-it guy. Chris received his degree in computer hardware from Champlain College but has always had a passion for just about anything in the electronic world. Currently, he is working full time as an information systems technician at Tetra Tech ARD and freelancing as a photographer/graphic designer. Chris was born and raised in Vermont, and has lived in Burlington for the past 15 years. Chris took on the final stages of our logo development, and brought it to final realization.

With some additional tweaking requested by the NFPA Board, Chris helped us get our logo to the point of approval by the NFPA Board. We are happy with our logo and we hope you like it, too.

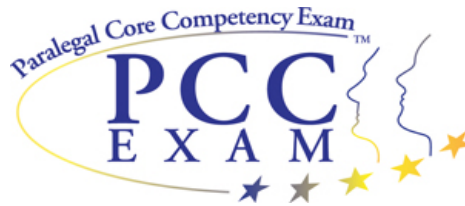
There were a lot of hands and talents involved in the making of our 2016 NFPA Convention logo, and we would like to thank every one of those talented people involved in the making of this logo. A special thanks to Chris Broe (www.broephoto.com) for getting us to a completed logo!



The PCCE™ / PACE® Posting

By Ashley LaRose, RP®

Paralegal Certification Ambassador



Being licensed or certified is not a requirement to work as paralegal. So why take the Paralegal Core Competency Exam (PCCE™) or the Paralegal Advanced Competency Exam (PACE®)? Direct from several of the paralegals that are currently PACE® Registered Paralegals in Vermont, here are reasons they each took on this challenge. If you have had any of these thoughts, maybe it is time for you sit for PACE® or PCCE™.

Corinne M. Deering, RP® - Received RP designation May 4, 2000

At the time I decided to study and take PACE®, the grandfathering period was set to expire. I could not see myself returning to school to get a bachelors' degree in order to take the exam at some point in the future. I wanted to take PACE® for my own self-improvement and to prove to myself that I could still study and take a test, despite being out of the formal education setting for years. Several of my co-workers and I lobbied our employer to support our efforts to take PACE®. While they agreed to financially support our efforts and allowed us to have time to meet as a study group during working hours, we were told that if we passed the exam to not expect that it would have any impact on our pay rate. It was disappointing to hear this, but I was happy that we had at least some level of support from them. Taking and passing PACE® was more of a personal and professional achievement for me than anything else.

Ashley M. LaRose, RP® - Received RP designation October 26, 2012

I wanted to become a Registered Paralegal to validate to myself and to others in the legal field that my experience and education qualified me to work as a paralegal. While I did not have as many years of experience as some other paralegals in the field, I still believed that the combination of my education and experience provided me the skills to take and successfully pass PACE®.

Additionally, I feel that it is important for paralegals to obtain a form of certification or licensing, so that there is a standard level of skill and competency that will raise the value of the profession. I want to be part of the advancement of the profession, and to that end I am trying to lead by example.

Kristin M. Mattes, RP® - Received RP designation November 25, 2013

I chose to take the PACE exam to prove to myself that I wasn't just a paralegal. I was a great paralegal that through education, hard work and dedication had developed a level of knowledge, skills and capabilities that qualified me to be an expert in my field. This allowed me to regain self-confidence and hold my head high in a profession that is sometimes challenging, demanding and high pressure.

Heather A. Moreau, RP® - Received RP designation June 26, 2012

Why take PACE®? I asked myself this question countless times over the last few years. Applying my paralegal training to my own life, I carefully weighed the advantages of becoming a PACE® Registered Paralegal® (“RP”) with the potential obstacles - evaluating and analyzing how prepared I was for such an undertaking. Then finally, one morning last spring, I decided to stop pondering the issue and “just do it.” I knew I wanted the RP professional distinction. I believe holding the RP designation is an objective measurement of competency.

Laurie S. Noyes, RP® - Received RP designation June 21, 2010

For me, it was purely about accomplishing a goal. I felt like I had reached my career goals, and there was nothing left on the horizon for me to accomplish other than to pass a certification examination. I truly felt like becoming certified and passing the PACE® exam would elevate my status and truly show my employer that I considered myself to be a professional who was dedicated to her field. My employer was supportive, and paid for my examination fees.

Michelle S. Perlee, RP® - Received RP designation May 4, 2000

When they started talking about licensing paralegals I think that is when we decided to go through the PACE® exam. At this point, I am not sure that I would do it now, but back then I thought it was a good idea. We did have support from our office who paid for the exams and gave us time to study (most of it was done on our own though).

Carie A. Tarte, RP® – Received RP designation October 28, 2013

I decided to take PACE® for myself. I have long been a proponent of some form of voluntary regulation in the paralegal field, whether it be certification or limited legal licensure. I quickly realized that if I was going to be a proponent for regulation in our field, then I should probably take the exam and become certified myself.

Lynn Wdowiak, RP® - Received RP designation November 9, 2012

I took PACE® because I firmly believe that learning is a lifelong process and if I am not improving myself and my skills, then I am stagnating. Only by improving his/her skill set can an employee become more valuable to the employer, thus earning both job security and a higher wage. In this difficult economy, even the smallest differentiation an applicant/employee makes from the rest of the field can be the difference in getting/keeping a job.

I am NOT an advocate of government-required licensing for professionals like paralegals; I believe that the licensing should be voluntary, and showing not just “fulfillment of an obligation,” as such regulation could easily become, but showing the initiative to not be afraid to prove your knowledge.

Don't forget that the Advanced Paralegal Institute has developed both the PCCE™ and PACE® Review Courses. Both courses are seven-week online courses designed to prepare applicants for the respective tests. The next Review Courses start on July 13, August 17, and September 14. For information go to NFPA's Paralegal Certification section at <http://www.paralegals.org/>.

NFPA Region V Meeting Recap

By Corinne Deering, RP®, NFPA Primary

On the heels of the VPO Annual Meeting, I attended the National Federation of Paralegal Associations' (NFPA) Region V Meeting in Albany, New York. Once again, the Capital District Paralegal Association did an amazing job as host of the meeting and being our Albany tour guides. Kevin Dayer, a commercial litigation paralegal with Nixon Peabody, was our early morning host to guide us to the office coffee maker and to get us in and out of their beautiful office building on Saturday and Sunday.

I am preparing this report with a slight disadvantage – my eight hours of notes taken on Saturday disappeared by way of computer gremlins. I was met Sunday morning with nothing on my computer screen when I attempted to call up my notes from the day before. Thanks to some of my Region V colleagues who sent me copies of their notes, I can piece together the results of the meeting. With our new Region V Director, Laurie Noyes, RP®, at the helm of the meeting, we successfully zipped through the agenda in record time. We exchanged ideas, suggestions, and shared some great information to make our local associations successful.

The following associations were represented at the Region V meeting: Western New York Paralegal Association, Paralegal Association of New Hampshire, Rhode Island Paralegal Association, Western Massachusetts Paralegal Association, Central Massachusetts Paralegal Association, Central Connecticut Paralegal Association, New Haven County Paralegal Association, Rochester Paralegal Association, Capital District Paralegal Association, New York City Paralegal Association, and the Vermont Paralegal Organization. Members from the Massachusetts Paralegal Association were unable to attend.

We began the day with discussions on how to increase membership, how to gain student members and keep them involved in the association, and how to get lapsed members to return to the association. Several associations described how they tried to entice student members by making them aware of available scholarships, but found that the association membership fee could be a deterrent to students joining the association. The New Haven County Paralegal Association described its attempts to gain an interested student who would be willing to set up a paralegal student committee at the schools. That student would then attend the association's meetings, report back to the student committee, and act as the liaison between the paralegal association and interested students. A member of the association was also invited to become a member of the paralegal program advisory board. The association also found success with student members by supporting them with mentors. Other ideas for enticing student members included a career night function, a panel discussion with educators, headhunters, and people willing to review resumes, a workshop on basic skills and "what they don't teach you in class," and even a new student membership category for non-paralegal students who are interested in becoming members.

Many of the associations have tried mailings to lapsed members, but found that the actual mailing never reached its ultimate target – the paralegals in the office. Other suggestions to get returning members and to resolve the contact problem included trying to locate a paralegal contact at the law firms, touching base with lapsed members to let them know what has changed in the past few years, keeping lists of names of paralegals that might appear on firms' letterhead, finding potential names of paralegals on LinkedIn, and sending the mailings to a particular attorney instead of just the firm in general.

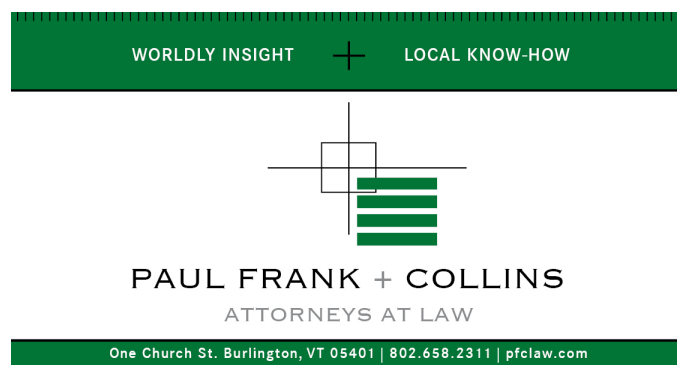


Laurie then gave us a recap of the Winter NFPA Board meeting which included appointment of various coordinators who are listed on the leadership directory, the determination of the scholarship essay question, the adoption of streamlined CLE guidelines for local associations, the establishment of the RP Reclamation period, the improvement in NFPA finances from the recent dues increase, and non-dues revenue from NFPA webinars. It is important to note that the NFPA webinars are recorded and can be purchased on demand at a later date if you cannot attend the original date of the webinar. It was suggested that if someone cannot register due to a full capacity of registrants that the website inform the potential registrant of the ability to purchase the webinar on demand. It was also discussed at the Winter Board Meeting that the early bird registration fee for convention in Hawaii be decreased to \$215. The CLE sessions are marketed to the local members, and it was suggested that the original rate was too high for the Hawaii members. Additionally, a NFPA program has been rolled out to provide an association with two NFPA webinar gift certificates per year. The association must request these gift certificates from NFPA.

We then moved on to discussions about the NFPA website, the use of Wild Apricot for the association websites, and various social media options for marketing local associations. Region V was encouraged to participate in the Association Spotlight on the NFPA website. It is an opportunity to introduce your association, to highlight particular members or accomplishments, or to ask for input from other associations. There are guidelines available for the preparation of the content. We were also reminded to update our membership contact information on the NFPA website, and to be careful not to get locked out due to membership dates that are not updated. All members are responsible for updating his or her own contact information in the membership directory.

The conversation then moved to various methods of fund raising, both for the local associations and for NFPA's desire to update PACE. We were asked how local associations would feel about a raffle at convention from which the income could be pinpointed for a specific project, such as updating PACE. The majority of the associations were in favor of a raffle, but it was noted that there can be many rules to raffles including state-specific laws regulating them and those issues would have to be investigated. It was also suggested that a line item be added to the convention registration for a straight forward donation toward updating PACE.

We further discussed various methods that local associations are using to raise funds for their association or for specific purposes such as sending their delegates to convention. The Rhode Island Paralegal Association conducted a wine tasting and developed its own wine and label to promote its association through a company called BenefitWines.com. The bottled wine is sold for approximately \$19 and the association receives \$6 per bottle. The association found that the wine was a big hit among its firms. Other associations mentioned various restaurants that will have fund raising days for non-profits associations: Bertucci's, 99, Chili's, Sweet Frog, Dress Barn, Papa Gino's, Longhorn Steakhouse, and Texas Roadhouse. The association sends out a flyer to targeted people, and those people go to the restaurant on that day with the flyer, and the association earns a percentage of the profits from those dinners. The various Connecticut associations have Paralegal Day which is a big fundraising effort. Paralegal Day offers speakers, lunch and vendors all rolled up into one exciting day.



Association representatives were reminded to disseminate information to their membership about NFPA Committees that can be joined by any member. There are several committees available and it is a good way to get your feet wet on the national level without drowning! The committees are: strategic planning, budget, marketing, editorial, nominating, legislative, case law, bar association, and minutes. In addition, there are NFPA Coordinator positions that are appointed yearly and offer a great way to become involved. If you are interested in any of these positions, you are encouraged to contact someone currently serving in these positions. The contact information can be found in the Leadership Directory which is available to members only on the NFPA website. In addition, several NFPA board positions will be open for nomination at the 2015 convention: Vice President and Director of Professional Development; Treasurer and Director of Finance; Vice President and Director of Membership; Vice President and Director of Marketing; and Region Directors.

Members are also reminded that there are new online tools through the NFPA website for renewing your certifications, as well as for logging your pro bono and/or community service hours. You must be logged into the website in order to use these tools. It is important to differentiate between pro bono hours and community service hours. No attachments are needed to log these hours, but you must report the date of participation, the hours, the supervisor contact, and a brief synopsis of the activities you performed. If you want to be recognized at convention for your achievements, please log your hours early and do not wait until the week before convention.

We also discussed what types of CLE sessions are most requested in the various associations and their success rates for various venues and timeframes for association functions. The NFPA dues increase was briefly discussed and how the associations each managed the increase with their membership. We also discussed various topics from each association's report which was prepared prior the meeting. It was a long day that ended with great food at the Dinosaur BBQ.

On Sunday we discussed preparing an agenda topic and a discussion topic for the 2015 convention in Hawaii. Region V is drafting a proposed agenda topic to limit the terms for Region Directors to 4 years. Currently, the Region Director positions are voted upon yearly, but there is no limit to the number of terms someone could serve in that position. The members of Region V felt strongly that 4 years is a good time frame within which to establish a good routine, as well as have a succession plan for training and grooming someone new within that third and fourth year. The discussion topic being drafted involves whether or not the members of NFPA support limited license legal technician (LLLT)-type programs and based upon that vote, requests NFPA to draft a policy statement consistent with the results of that vote to be presented for approval at the 2016 convention. It is important to note that the Washington LLLT program has adopted NFPA's Paralegal Core Competency Exam to test the core competencies of Washington paralegals looking to be licensed under their LLLT program.

If you are interested in the LLLT program and want to learn more about it, there is a video (1 hour 48 minutes) available on YouTube from the 2014 American Association for Paralegal Education (AAfPE) Conference LLLT Seminar: <https://www.youtube.com/watch?v=6pXi6KqtUbk>.

Lastly, here are some dates to remember:

2016 NFPA Convention, Burlington, VT – October 20-23
2017 NFPA Convention, New Orleans, LA – October 12-15
2018 NFPA Convention, Seattle, WA – October 23-26

I would encourage all of you to periodically review the NFPA website. Log in as a member and explore the website. There is a wealth of information on the website regarding NFPA, its Board and Coordinators, member benefits, and much more.

2015 VPO Annual Meeting and Conference

By Louise Reese

The CLE Committee is dedicated to offering the best possible educational opportunities for Vermont paralegals. As you have seen in print before, it takes a village! We wanted to shake things up this year, and bring in a lot of new talent. Only one of the presenters had conducted a seminar for us in the past. We got help from Patty Merkel, who recommended Eric Knudsen for the real estate session, and Martha Hunt, who recommended David Berman for the workers' compensation session. Heather Rylant also lined up Mike Hawkins from UVMMC for the HIPAA session, and confirmed back up when his travel plans kept him from getting back to Vermont in time. Ladies, thank you!

I asked attendees to submit one or two things he or she learned from a particular seminar, and here are the responses:

Real Estate

IRS tax liens have 120 days beyond the one year redemption period.

Penny Hannigan

Closing Disclosure ("CD") effective 8/1/15 will replace the HUD Settlement Statement in all financed residential real estate transactions. Depending on the lender, the CD may be prepared by Lender or Closing Agent. The CD must be completed and received by the borrower at least three days before the closing.

Karen Gramer

New HUD forms have to be finalized three days prior to closing, so all pro-rations must be done.

Penny Hannigan

The next new hot topic for marketable title may be the Building Energy Standards. 30 VSA §51-54. The standards apply to all residential buildings constructed after 7/1/98 and commercial buildings constructed after 1/1/07. Certification is required for both the design and construction, and residential certificates must be recorded in the land records. At this time failure to issue, record or post Certificates does not create a defect in title. 30 VSA §51(i) and §53(g). However, this search should be on a title searcher's checklist.

Karen Gramer

Plaintiff's case/medical liens

The Veterans Administration Hospital does hold liens against third-party claims.

Sabrina Urich

The portal on the Medicare website can streamline any changes you need to make to the conditional payment letter.

Louise Reese

If you provide diagnostic codes in your demand letter, it tends to result in higher offers from the insurance company.

Sabrina Urich

Property Transfer Tax Return

The Department of Tax will be coming out with a new system, and there will no longer be a \$5 fee per return.

Penny Hannigan

When there are multiple “date seller acquired property” dates for the PTTR, use the most recent date since you can only put in one date in the current electronic PTTR program.

Sara Boyden

The general rate is increasing from 1.25% to 1.45%, so a new form will be generated.

Penny Hannigan

When unsure whether the property will be used as a primary residence, it is best to take the higher transfer tax rate and request a refund from the tax department.

Sara Boyden

HIPAA

I was surprised to learn “relationship” status and regulations had changed in the HIPAA guidelines, making the obligation to comply with the guidelines and regulations a bit stricter. The discussion also prompted me to check the security in place at the office and on my personal devices.

Robyn Sweet

I was surprised to learn that a patient is not permitted to view a list of individuals who accessed their healthcare record in the course of treatment, payment, and healthcare operations, and is only allowed to see a list of other individuals not falling under this category who viewed their record, i.e. an auditor.

Martha Hunt

Legal Writing

I learned to avoid the use of legalese, if possible. Also, use simple writing style—write in active voice, avoid Latin and don’t use archaic words like “herein,” “aforesaid,” or “heretofore.”

Linda Beal

The biggest and best take away from this section is with citing Vermont Supreme Court briefs. When citing Vermont cases published before January 1, 2003, while you do have to provide the parallel Atlantic cite, you do not have to also provide the parallel pin cite.

Carie Tarte

Workers’ Comp

Workers compensation claims are managed by a Department of Labor specialist who holds informal conferences, and is not typically a judge or an attorney.

Louise Reese

These cases are not lawsuits seeking damages, but rather insurance claims. There are fixed benefits—no pain and suffering.

Louise Reese

Practice Tip

Vermont Rules for Electronic Filing in State Court

By Lynn Wdowiak, RP®

All attorneys licensed in Vermont are required to register on the electronic filing system. VT R Elec Fil Rule 3(b) requires attorneys to register at least one current e-mail address, but the attorney can register two additional email addresses.

In an electronic filing case in Vermont Superior Court, [Rutland and Windsor Civil Divisions only], when you serve documents [not including *original notice of an action or proceeding*, and other specific documents listed in VT R Elec Fil Rule 11(a)] to registered filers, all email addresses listed for an attorney must receive copies of all documents that are served on the attorney of record, i.e. the additional registered email addresses. You can find an attorney's registered emails at <https://efiling.eservices.crt.state.vt.us/Common/UIPages/ViewFilers.aspx> or go to the main eCabinet page and look for "Utilities" and "View Registered Users." All email addresses for an attorney should also be listed on all electronic filings by that attorney also, generally in the signature block or on the Certificate of Service.

(b) An attorney licensed to practice law in the State of Vermont and in active status must register on the electronic filing system website . . . An attorney registered under this subdivision may submit up to two additional e-mail addresses. All e-mail addresses submitted will be listed on the Judiciary website. The attorney's license number and **all e-mail addresses submitted** must be listed on all electronic filings by that attorney. The addresses submitted are the addresses to which **all service, notice, or other communication submitted must be sent**. The attorney must report any change in the information and e-mail addresses submitted forthwith by amendment to the electronic filing system registration. The Court Administrator may permit an attorney on request to submit one or more additional registrations that the attorney shows are required to facilitate the practice of law from multiple offices with independent staffing and technology systems.

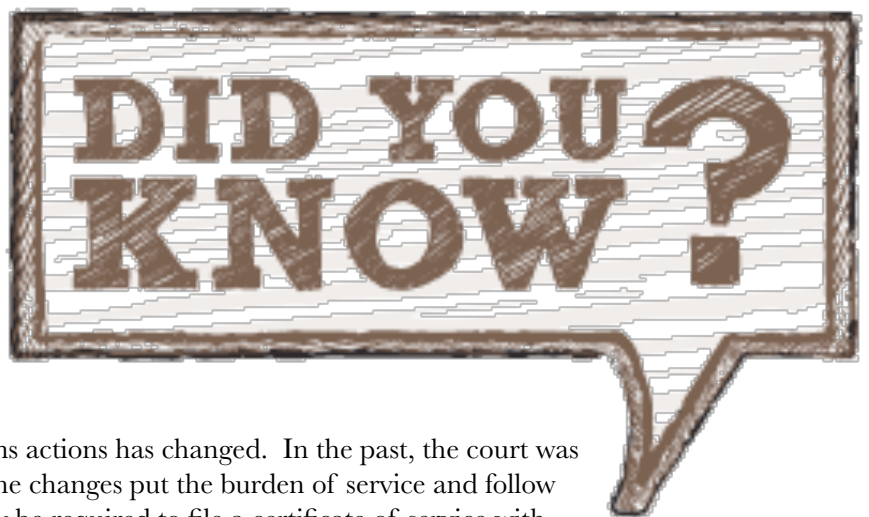
VT R ELEC FIL Rule 3(b). (Emphasis added.)

The Vermont system is not like the federal electronic filing system. When documents are filed in the current Vermont eCabinet system, the documents are only filed with the court. The system does NOT also serve the documents on the registered filers; the filer must serve the documents by email to all registered email addresses.

As my mentors tell me, "let interesting rules of procedure be decided on someone else's cases." You don't want to be the paralegal/legal assistant involved in the first case that decides service of a document wasn't proper because the rules were not followed!

Vermont Paralegal Organization 2015 Scholarship

The VPO Board, due to decreasing interest and qualified candidates, has decided to no longer offer a \$500 scholarship through VSAC after this year. We are pleased, however, to award the 2015 VPO Scholarship to Simone Williams. Ms. Williams is from Waitsfield, Vermont, and plans to attend The University of Vermont and double major in Legal Studies and Anthropology. Congratulations, Simone!



Effective May 4, 2015, service in small claims actions has changed. In the past, the court was responsible for service on the defendant. The changes put the burden of service and follow up on the plaintiff, and the plaintiff will now be required to file a certificate of service with the court. The amended small claims rules, as well as some amended forms and instructions, are now available on the Vermont Judiciary website.



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P.O Box 5755
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www.vtparalegal.org

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PO Box 5755
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