

# Paralegal Focus

## INSIDE

**Wild Apricot 6**

**Community Service 7**

**PCCE/PACE Posting 8-9**

**Bills Before the Legislature  
10-11**

### PLEASE SUPPORT OUR ADVERTISERS!

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](mailto:vermont@paralegals.org)  
[www.vtparalegal.org](http://www.vtparalegal.org)

Newsletter Design By  
[www.consulting4tomorrow.info](http://www.consulting4tomorrow.info)

## President's Message

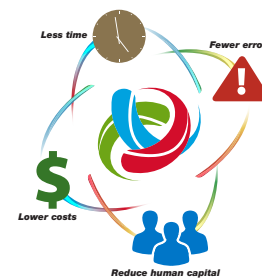
*By Carie Tarte, RP®*

It is with mixed emotions that I write my last President's Message. In the past four years, we have re-vamped our website, created a listserv to communicate with our members, purchased a new membership database, lobbied for and obtained a Paralegal Section with the Vermont Bar Association, because of our Pro Bono Chair, won the national Pro Bono Award with a \$1,000 scholarship to fund our legal clinics, created a new legal clinic in Barre, Vermont, had our former Vice President, Laurie Noyes, RP, elected to lead Region V, won the NFPA President's PACE Challenge two years in a row for having four members obtain their RP designation, and last but not least, won the bid to host our national convention in 2016. Wow, we have been busy!

There is still more work to do, however, and we need strong leadership to continue our legacy. Our annual meeting this May is a voting meeting. At a minimum, we will need a new president and new treasurer, but we are always looking for new faces and ideas for any position. Please be sure to attend this year's annual meeting at the Hampton Inn on May 14th to cast your vote and keep our momentum going.

### {i-proclamation}

**Simple, Affordable and Automated eDiscovery  
should be the expected norm!**



#### The Ipro Difference!

- NO** additional fees for analytics
- NO** exorbitant named user fees
- NO** long term agreements needed
- NO** upfront extra startup fees

allegro eclipse eclipse ecapture

**ipro** 25 YEARS  
innovative information solutions

## Editor's Message

By Louise Reese

*Paralegal Focus* is calling out to its readers to contribute from expertise or experience. Don't be shy or uncertain. We all have something to share, and we can learn from each other. The current contributors to this newsletter cannot be skilled in every area of law, so we need your help. If you have helpful hints for the Did You Know column, or updates in the areas of real estate, corporate, family, or estate planning, we want to hear from you! (And any other areas.)

Until then, we have a reminder from Corinne Deering, RP about Wild Apricot. Like many new systems, it takes a bit more work at the beginning to provide the most reward at the end.

The VPO is proud to welcome back Martha Hunt. Please see the Member Spotlight for more information about Martha.

Doug Wemple, a valued employee at Dinse, Knapp & McAndrew, has prepared a summary of a handful of bills that went before the House and Senate this session.

Ashley LaRose, RP has given us an update on scholarships and study courses for PCCE and PACE.

Please also review the Did You Know tidbit about the change to VRCP 45. The amendment requires that a notice and copy of a subpoena commanding production of documents or other materials must be served on the other parties before it is served on the persons to whom it is directed. This change became effective February 13, 2015.



**Get the skills you need to start your career as a paralegal.**

**Paralegal Studies Certificate Program**  
An intensive program designed to fulfill the needs of those interested in work related to law, human services, government, public policy, or in continuing their studies in the legal field.

You will be provided with both paralegal skills and broad exposure to various areas of the law and current world affairs. On completion of the program, you may find employment with legal firms, banks, real estate agencies, state agencies, courts, and business corporations. You may also use the paralegal program as a foundation for reading for the law or entering a law degree program.

 **BURLINGTON COLLEGE**  
BURLINGTON | VERMONT

**The only Paralegal Certificate Program offered in Vermont.**  
Call 800.862.9616 or visit [BURLINGTON.EDU/APPLY-NOW](http://BURLINGTON.EDU/APPLY-NOW)



# Q&A

Martha Hunt  
Member Spotlight

---

***How old are you?***

I just turned 40.

---

***Describe your family?***

My husband and I have a son and daughter.

---

***Town in which you live?***

I live in Charlotte, Vermont.

---

***What is your favorite food?***

Gyoza and miso soup.

---

***Do have any pets? If so, what are they, and what are their names?***

I have a 14-year old black Lab named Zoe.

---

---

***What kind of hobbies do you have?***

I enjoy reading, traveling, hiking and spending time with my family.

---

***How do you unwind at the end of a long work week?***

When the weather is warm, I like going for a long walk. When it's cold, I like to curl up with a good book. And I always love a good laugh.

---

***What is your educational background?***

I have a Bachelor of Science degree from UVM and a paralegal diploma from Fayetteville Technical Community College. I also attended law school at Franklin Pierce (UNC), but I didn't finish.

---

***Where do you work?***

McCormick, Fitzpatrick, Kasper & Burchard, P.C. in Burlington.

---

***When did you first become a paralegal?***

In 2004.

---

***What area of law do you work in?***

I assist with insurance defense, plaintiff cases and workers' compensation matters.

---

***What do you enjoy about working in that area of law?***

I love working at McCormick Fitzpatrick because I have the opportunity to work in several different areas of law, and with a large diversity of cases so my job never gets boring. Plus, the attorneys I work with are very generous mentors.

---

***If you could work in any other area of law, what would it be?***

That's a tough question. I think I've found my niche, but if I could add another practice area, I would try corporate law.

---

***What is the one thing about being a paralegal you would change if you could?***

Attorneys see each other at meetings, depositions, mediations, trials, etc., but paralegals spend a lot of time at their desks. I've spoken to and e-mailed with a lot of other paralegals (you're all very nice!) and I'd like to have more opportunities to get out and interact in person.

---

***How or why did you first enter the paralegal field?***

I entered the paralegal field after leaving law school to be with my husband. He was stationed at Fort Bragg and about to deploy to Iraq at the time, and I wanted to spend time with him before he left.

---

***Did you hold other positions, or have a different career, prior to becoming a paralegal, and if so, what was it?***

Prior to being a paralegal, I was a kindergarten teacher and I taught English as a second language to Japanese students (I lived in Japan for four years).

---

---

***What do you love about the paralegal profession?***

The legal profession is not static; it's always changing. The law, the clients, and the facts are all unique to each case and that keeps my work interesting.

---

***What things about the profession do you dislike?***

I dislike having to make the courthouse run in the pouring rain. And it always seems to down pour when it's my turn!

---

***How long have you been a member of the VPO?***

I originally became a member of VPO in 2006. I let my membership lapse for a while when I was a stay-at-home mom, and now I'm back.

---

***Tell me about the skills or traits you possess that you find most useful in your position?***

I think attention to detail and organizational skills are crucial when handling a large, diverse case load. Letting just one small detail fall through the cracks can be detrimental to a case.

---

***What character oddities or personality traits do you find at odds with your career?***

I tend to be a little too perky at times. I try to tone that down; the practice of law is serious business!

---

***What brief advice or friendly tip would you offer to someone just entering the paralegal field?***

I would suggest establishing your organizational routines early and adhering to them because there are a lot of moving parts to every case and your attorney(s) will depend on you to help keep their cases moving forward efficiently.

---

## **Membership News**

As of February 26, 2015, the VPO had 53 members comprised of 43 voting members, 9 associate members, and 1 student member. Welcome, friends!

## Wild Apricot Online Membership Application and Renewal

By Corinne Deering, RP®

The VPO is now using an online membership management software program to manage our membership applications, renewals and events. The program, Wild Apricot, is helping us to better manage membership information. It is a work in progress and we are all learning the ropes of development, maintenance of the information, and the way that the program functions. To access the membership website and application, the link is: [www.vpo.wildapricot.org](http://www.vpo.wildapricot.org). There is also a button on the Membership page of the VPO website that will take you directly to the application.

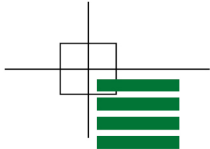
We are working through the kinks of the program and hope that you will have patience with us and any unexpected issues with the program. Our Membership Chair is working hard to learn the ins and outs of the program and resolving any problems that may arise.

Our hope is that next year the program will automatically generate emails to you with invoices for your dues upon renewal. There will be no need to complete another membership application, and it will only be necessary for you to update any information that may have changed. You will receive a reminder email at 60 days prior, 30 days prior, and the renewal date of January 1<sup>st</sup>. If you do not renew with payment of your dues by the end of January, your membership will lapse.

We hope to try the registration option for the upcoming Annual Meeting. You will be able to register for the event online, but will still have to “snail mail” your registration fee. We are not yet to the point of enabling online payment.

Please remember to renew your membership this year before the end of March; otherwise, your benefits will end. The VPO pays the NFPA dues for the majority of all registered members at the end of the first quarter of each year. Renewals made subsequent to the end of the first quarter are paid at a later date, but we cannot pay NFPA dues in the first quarter for any members who are lapsed, late or delayed with their renewals. Keep your membership benefits active by renewing your membership on a timely basis!

WORLDLY INSIGHT + LOCAL KNOW-HOW



**PAUL FRANK + COLLINS**  
ATTORNEYS AT LAW

One Church St. Burlington, VT 05401 | 802.658.2311 | pflaw.com

### SAVE THE DATE

**The Vermont Paralegal  
2015 Annual Meeting & Conference  
will be held on  
Thursday, May 14, 2015  
at the Hampton Inn  
in Colchester, Vermont.  
Come spend the day with friends  
and get CLE credit!**

## Community Service Contagion!

By Louise C. Reese



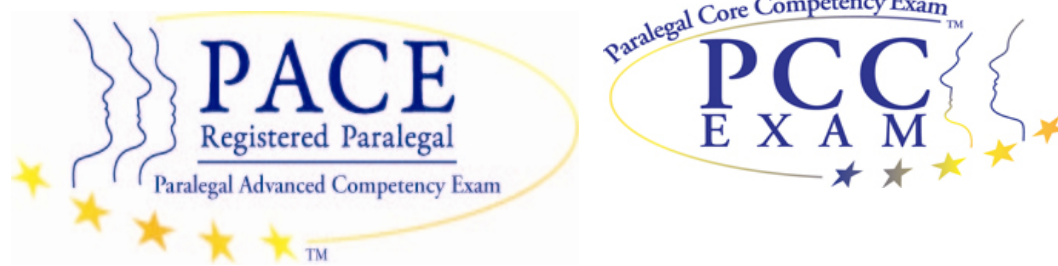
On February 13, 2015, members of the VPO board and committees, along with other helpers, gathered to fill goody bags with donated food and other fun items for children services users at COTS, the Lund Home and the Ronald McDonald House for delivery on Valentine's Day. This event was coordinated by Kristin Mattes, RP, but the contagion was fierce! Staff from Primmer Piper Eggleston & Cramer, Paul Frank + Collins, and Vermont Energy Investment Corporation made cash donations toward the Valentine's Day bags. Laurie Noyes, RP solicited packaged cheese snacks from Cabot Creamery, chocolate lollipops from Vermont Nut Free Chocolates, and cookies from August First. Kristin Mattes, RP solicited Ben & Jerry's free scoop coupons and Lake Champlain chocolate bars. These donations were in addition to the individual product donations by Carie Tarte, RP, Laurie Noyes, RP, Kristin Mattes, RP, Corinne Deering, RP, Diane Brown, Louise Reese, Evelyn Wetzell, Cathy Foutz, Julie Halliday, Joann Geary, and Mallory Goldstein. And it doesn't end there. We also had help filling the bags from Sara Boyden of Dinse, Knapp & McAndrew, Alexa Clauss, Laura Daudelin, Lisa Geer, Mallory Goldstein, and Linda Paskiewicz of Primmer Piper Eggleston & Cramer, and Jayne Germain of Pease Mountain Law, PLLC. In summary, the event was a huge success and accomplished its purpose – to spread the love on a holiday that many of these children do not get to celebrate. The event focused on children services users at COTS particularly because of the string of cold weather we have had. It is heartbreaking to learn that many children are spending the days and nights outside without a roof over their heads. We hope this event helped these children realize that they are special.

25 bags were delivered to COTS, 10 bags to Lund Home, and 15 bags to Ronald McDonald House. A special thanks to Kristin Mattes, RP, Mallory Goldstein, and Laurie Noyes, RP for delivering these special packages.

## THE PCCE™ / PACE® POSTING

By Ashley LaRose, RP®

Paralegal Certification Ambassador



I hope everyone is having a great start to 2015, and hopefully some of you have had the will power to stick to your New Year's resolution. If your New Year's resolution was to obtain a paralegal certification, then here are a few places to start making that resolution a reality:

### 1. Scholarships

The VPO sponsors a \$250 Paralegal Certification Scholarship each year for qualified candidates. The criteria for applying for the VPO Scholarship are simple:

- You must be a member of the VPO.
- You must be eligible for either the Paralegal Advance Competency Exam® (PACE®) or the Paralegal CORE Competency Exam™ (PCCE™) at the time of the application.
- You must fill out a written application, which is located at the bottom of the Scholarship page of the VPO website.
- Be scheduled to take the exam within one year of the scholarship being awarded.

The VPO's Paralegal Certification Scholarship Selection Committee takes into account the candidates' goals and desires for taking a paralegal certification exam, including the candidates' participation in paralegal association activities, community activities, volunteerism, and the overall promotion of the paralegal vocation and education.

Check out the Scholarship page on our website at <http://vtparalegal.org/pace-scholarship.html>



## 2. API Study Courses

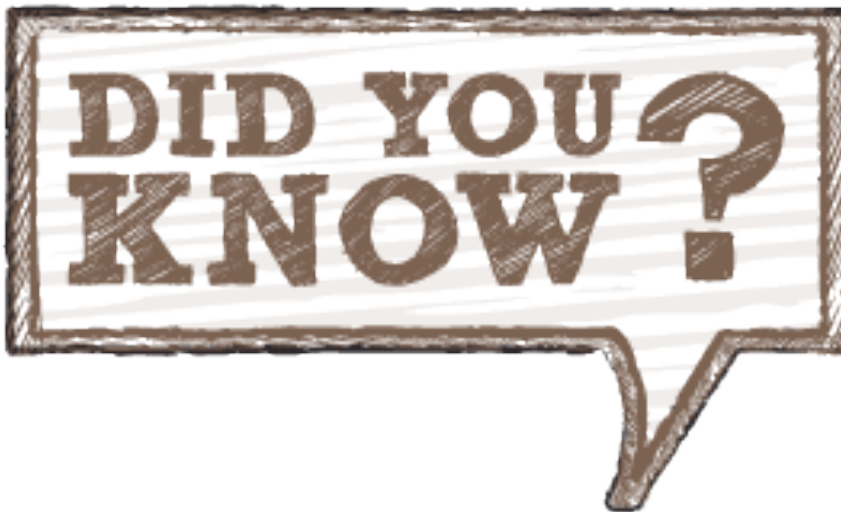
There are study courses available through the National Federation of Paralegal Associations (NFPA®) and the Advanced Paralegal Institute (API, a.k.a. Advanced Institute for Paralegal Studies or AIPS) for both PACE® and PCCE. Both the PACE and the PCCE courses are available online and run for seven weeks. The courses are designed, like many online courses, so students can interact with the teacher and other students at any time of the day (or night).

The PACE review course is designed to prepare paralegals for the five domains (administration of client legal matters, development of client legal matters, factual and legal research, factual and legal writing, and office administration), as well as ethics, covered in the exam. The PCCE review course is designed to prepare paralegals for the two domains (paralegal practice and substantive areas of law) covered in that exam.

Check out <http://www.paralegals.org/> for the start dates of the upcoming PACE and PCCE study courses.

## 3. Contact your Paralegal Certification Ambassador for more information

If you have any questions about studying for PACE or PCCE, or taking the exams, feel free to contact me. If you simply want more information to see if you would like to sit for either exam, I would be happy to hear from you. I can be reached at [alarose@dkzlegal.com](mailto:alarose@dkzlegal.com) or 802-863-9603.



Effective February 13, 2015, there was an amendment to Rule 45 on subpoenas commanding the production of documents that incorporates the subpoena notice provisions in the recently amended Federal Rule 45, and moves it from Rule 45(b)(1) to Rule 45(a)(4).

Rule 45(a)(4): “If the subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial,

then before it is served on the persons to whom it is directed, a notice and a copy of the subpoena must be served on each party.”

## A Sample of Bills before the Legislature in 2015\*

By Douglas Wemple

### **H.3** *An act relating to adverse possession*

Status: 1/8/2015 – Read first time and referred to the Committee on Judiciary

This bill proposes to change the statute of limitations on adverse possession claims. To make an adverse possession claim in the State of Vermont, fifteen years must pass before the claim can be made. If passed, this bill will change the statute of limitations to twenty years. This bill will go into immediate effect upon passage.

### **H.17** *An act relating to identification and notification of Public Records Act exemptions in administrative rules*

Status: 1/28/2015 – Passed House, 2/19/2015 – Read third time and passed on concurrence (Senate)

This bill proposes the following amendments to the Administrative Procedure Act:

- (1) Require an agency filing a proposed rule to identify in the cover sheet included in the filing whether the rule contains a Public Records Act exemption;
- (2) Require that the Legislative Committee on Administrative Rules send a copy of a final rule proposal to the House and Senate Committees on Government Operations if the agency identifies a Public Records Act exemption in the proposal;
- (3) Authorize the House and Senate Committees on Government Operations to convene for the purpose of considering a recommended course of action for the Legislative Committee on Administrative Rules with respect to a Public Records Act exemption contained in a rule; and
- (4) Specify consequences for an agency's failure to identify a new or broadened exemption in its cover sheet on and after the effective date of this act.

This act shall take effect on July 1, 2015.

### **H.18** *An act relating to Public Records Act exemptions*

Status: 1/13/2015 – Read first time and referred to the Committee on Government Operations

This bill proposes to:

- (1) Give the Public Records Act (PRA) a short title;
- (2) Require the Office of Legislative Council to compile and update periodically a list of statutory PRA exemptions, arranged by subject area and by topic, and require that the list be posted to various State websites; and
- (3) Amend miscellaneous exemptions to the PRA.

This act shall take effect on July 1, 2015.

**H.153** *An act relating to exemptions and enforcement of the Public Records Act*

Status: 2/6/2015 – Read first time and referred to the Committee on Government Operations

**S.23** *An act requiring disclosures for workers' compensation settlements*

Status: 2/20/2015 – Read third time and passed, 2/25/2015 – Read first time and referred to the Committee on Commerce & Economic Development

If a worker becomes injured on the job, this bill is meant to prevent them from agreeing to a workers' compensation settlement; unless they are fully informed of the terms and potential consequences of the agreement. Under §622A, employers are required to provide the employee with a written disclosure statement outlining potential consequences of their rights to compensation, rehabilitation, or medical benefits. Settlement amounts must be explicitly stated as well as a complete description of the sustained injury. The employer must specifically identify current or continuing medical benefits that will cease upon the agreement and identify rights to compensation, rehab, or medical services/supplies.

If passed, S.23 will go into effect on July 1, 2015.

**S.26** *An act relating to physician expert witnesses in medical malpractice actions*

Status: 1/20/2015 – Read first time and referred to Committee on Judiciary

This bill proposes to set certain qualifications of a physician expert witness involved in medical malpractice actions. Qualifications include a valid license to practice in the state in which they reside and board certification in the same area as the defendant. The expert is required to demonstrate competence in the area of practice involved in the case, familiarity with the standard of care provided during the time of occurrence, and be actively involved in the area of medical practice involved in the case.

Retired physicians may also serve as an expert witness with certain conditions. These include an unrestricted license to practice within the previous three years, board certification in the same specialty as the defendant, and specialty practice in the area of medical practice involved in the case. A retired physician may not serve as an expert witness unless they are currently employed by an academic institution to teach medicine or conduct research.

If passed, S.26 will take affect on July 1, 2015.

\*This is only a sample of the bills before the legislature this session, and these summaries are as of March 2, 2015.



# ExhibitSticker.com

The solution to a sticky situation!

[www.exhibitsticker.com](http://www.exhibitsticker.com)

**Special Discount for the Vermont Paralegal Organization members!**



ExhibitSticker.com is working with the Vermont Paralegal Organization to bring you the E-Sticker at a discounted price.

Use this coupon code at check out:

**VPO20**

Enter the code VPO20 at checkout and you will receive 20% off your cart total. No minimum order required!

Visit [www.exhibitsticker.com](http://www.exhibitsticker.com) now to purchase your E-Sticker!

### Happy Customers Say:

"This is so simple! You saved my weekend!!!"  
- T. H. | San Jose, CA

"Works like a charm! Easy to install and use. It's perfect and it's going to save me a huge amount of time that I didn't have to begin with. It's ingenious and worth buying."  
- Jill C. | Pensacola, FL

## Finally...digital exhibit stickers are here!

Specifically created to work with Adobe Acrobat Standard or Pro (versions 9, X & XI), this simple plug-in tool lets you add exhibit stickers directly to your Adobe Acrobat PDF exhibits. No more hand sticking, hand writing or re-scanning your deposition or trial exhibits. These **digital E-Stickers** are fast, affordable and easy to use. The E-Sticker **auto-increments numbers or letters** and remembers the last number/letter you used.

### Four All-In-One E-Stickers Styles to Choose From!

(\$149.95 - \$189.95)

<p><b>All-In-One Style 1</b></p> <p>Standard Exhibit Sticker</p>	<p><b>All-In-One Style 2</b> <span style="color:red">NEW</span></p> <p>Exhibit Sticker with Sub-Title Option</p>
<p><b>All-In-One Style 3</b> <span style="color:red">NEW</span></p> <p>Exhibit Sticker with Header Option</p>	<p><b>All-In-One Style 4</b> <span style="color:red">NEW</span></p> <p>Exhibit Sticker with Footer Option</p>

**Single E-Sticker**  
(\$49.95 each)





## Save on Your Car and Home Insurance!



You're part of an exclusive group that has partnered with Liberty Mutual to save you money. And the best part — you receive knowledgeable support, immediate claims assistance and the latest information to help keep you and your family safe.

### Savings you can count on.

As a member of Vermont Paralegal Organization, you could save hundreds of dollars a year on car and home insurance with Liberty Mutual.

#### Here's how:<sup>1</sup>

- Get an exclusive group discount off our already competitive rates.
- Add extra savings on your home insurance when you insure both your car and home.
- Obtain additional discounts, based on your driving experience, car and home safety features, and more.

<sup>1</sup>Discounts and savings are available where state laws and regulations allow, and may vary by state. Certain discounts apply to specific coverages only. To the extent permitted by law, applicants are individually underwritten; not all applicants may qualify.

<sup>2</sup>Coverage not available in all states. The descriptions of coverage are necessarily brief and are subject to policy provisions, limitations and exclusions that can only be expressed in the policy itself. For a complete explanation of coverages, please consult a sales representative.

**Start Saving Today!**  
Contact me to learn more and receive a **FREE no-obligation quote.**

Jennifer Goeke  
(802) 747-0600 x 52652  
jennifer.goeke@libertymutual.com  
www.libertymutual.com/lm/jennifergoeke

435 West Street  
Rutland, VT 05701  
Client 114704

### Service and support when and where you need it.

- **Cost-saving features** such as New Car Replacement and New Customer Accident Forgiveness on your car policy and a Loss Forgiveness Program on your home policy<sup>2</sup>
- **24/7 support** including claims service, emergency roadside assistance and home repair
- **Service convenient for you** by phone, at one of our local sales offices or online
- **Your choice of payment options**, including direct billing, checking account withdrawal or online payment

Need additional coverage? Our representatives explain your options in clear terms and recommend the best match for you—whether you need to protect your **car, home, watercraft or motorcycle**. You can also obtain **personal liability (umbrella), flood, renters and identity theft** insurance.

Coverage provided and underwritten by Liberty Mutual Insurance Company and its affiliates, 175 Berkeley Street, Boston, MA. ©2008 Liberty Mutual Insurance Company. All rights reserved.

AFF 17 AP 2008/06



# Vermont Paralegal Organization

P.O Box 5755  
Burlington, VT 05402-5755  
[vermont@paralegals.org](mailto:vermont@paralegals.org)

## Board of Directors 2013-2015

		<u>Phone</u>	<u>Fax</u>	<u>E-mail</u>
President:	Carie Tarte, RP®	864-9891	864-6815	ctarte@sheeheyvt.com
Vice President (Interim):	Lisa Laramée	862-6511	862-5645	llaramee@lclawvt.com
Secretary (interim):	Lucia White	860-1003	860-1208	lwhite@dunkielsaunders.com
Treasurer:	Ashley LaRose, RP®	863-9603	658-5685	alarose@dkzlegal.com
NFPA Primary:	Diane Brown	859-6379	859-6279	diane.brown@ge.com
NFPA Secondary:	Corinne Deering, RP®	658-2311	658-0042	cdeering@pfclaw.com
Past President:	Diane Brown	859-6379	859-6279	diane.brown@ge.com

## Standing Committee Chairpersons

Membership:	Evelyn Wetzel	864-4555	864-4659	ewetzel@healaw.com
Finance:	Diane Brown	859-6379	859-6279	diane.brown@ge.com
Professional Liaison:	Kristin Mattes, RP®	658-6060	658-1643	kmattes@veic.org
Paralegal Certification Ambassador	Ashley LaRose, RP®	863-9603	658-5685	alarose@dkzlegal.com

## Special Committee Chairpersons

Advertising:	Carie Tarte, RP®	864-9891	864-6815	ctarte@sheeheyvt.com
Bylaws:	Diane Brown	859-6379	859-6279	diane.brown@ge.com
Continuing Legal:	Carie Tarte, RP®	864-9891	864-6815	ctarte@sheeheyvt.com
Ethics:	Kristin Mattes, RP®	658-6060	658-1643	kmattes@veic.org
Employment Opportunities:	Heather Rylant	658-2311	658-0042	hrylant@pfclaw.com
Legislative Paralegal Affairs:	VACANT			
Newsletter:	Louise Reese	859-7063	859-8763	lreese@dinse.com
Scholarship:	Carie Tarte, RP®	864-9891	864-6815	ctarte@sheeheyvt.com
Website:	Corinne Deering, RP®	658-2311	658-0042	cdeering@pfclaw.com
Pro Bono:	Kristin Mattes, RP®	658-6060	658-1643	kmattes@veic.org
Sponsorship:	Carie Tarte, RP®	864-9891	864-6815	ctarte@sheeheyvt.com



Vermont Paralegal Organization  
PO Box 5755  
Burlington, VT 05402-5755