

# Paralegal Focus

## INSIDE

**Member Spotlights 4-9**

**2017 Annual Meeting  
10-13**

**NFPA News 16-19**

**Opinion: Justice Gap 20-21**

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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).

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Newsletter Design By  
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## President's Message

*By Lucia White, CP®*

Hello everyone! Thank you for the honor of serving as your Board President.

For those of you who don't know me, I moved to Vermont just over 3 years ago from Austin, Texas. I first became interested in the legal field as a child advocate working with abused and neglected children. In 2010, while still working as a child advocate, I completed an online paralegal certificate program through the University of Texas in San Antonio, and in 2011, I became a Certified Paralegal (CP®) through the National Association of Legal Assistants (NALA). My first paralegal job was at a county office in Austin as the first and only paralegal for five attorneys who represented children in child welfare cases.

After moving to Vermont in 2014, I was hired at Dunkiel Saunders Elliott Raubvogel & Hand, PLLC as a paralegal, working largely in the energy practice, but also in our transactional and intellectual property practices. Since October 2016, I have served as our firm's practice manager while continuing paralegal work in intellectual property.

I am very excited about working with our newly elected Board: Vice President, Louise Reese; Secretary, Karen Farnsworth; Treasurer, Sara Boyden, RP®; NFPA Primary, Corinne Deering, RP®; and NFPA Secondary, Ashley LaRose, RP®. Please join me in congratulating them and thanking them for serving.

*Continued on Page 2*

*Continued from Page 1*

I would also like to extend special thanks to Louise Reese and Carie Tarte, RP®, with assistance by Interim VP, Pam Pinard, for another excellent Annual Meeting on May 18th. The litigation updates and real estate tracks provided some excellent information (which I have already used at my firm), but most important to me is what I refer to as our “Idea Session” on the direction of the VPO. This session was an excellent way to help me focus on what is important to our members. As a direct result of that discussion, some of the areas our Board will prioritize are:

- increasing communication to and among our members
- exploring different tools to facilitate communication
- exploring other CLE opportunities, including offering trainings in different locations around the state
- increasing membership around the state
- continuing the hard work already done around limited licensure of paralegals and its role in helping low income Vermonters access justice
- our role in helping revive paralegal training programs in the state.

I look forward to getting started on these issues at our first Board Meeting on June 15. If you have any questions, please contact me at any time at [lwhite@dunkielsaunders.com](mailto:lwhite@dunkielsaunders.com).

## **Editor's Message**

*By Louise Reese*

Spring was busy, but I am still grateful for the commitment of our members to the newsletter. We can always count on Corinne Deering, RP® to keep us apprized of all that happens at the national level, and this time with an assist from Ashley LaRose, RP® and Robyn Sweet, CP®. We are fortunate to have our most recent “PACE passer” Tracy Lord, RP® and her daughter, Bonnie Lord, MLIS, collaborate on an article about the importance and value of law librarians. We also have an article from Karen Morin, RP® of New Hampshire titled “Opinion: New Class of Legal Professionals Could Help Close Justice Gap.

We also have a few submissions from members who attended the VPO's 2017 Annual Meeting and Conference on May 18, and were asked to report on some things learned from the sessions. There is more on the Annual Meeting later in this issue.

We are very fortunate to have two Member Spotlights in this issue – Philip Munderville and Catherine Radigan. Philip has been a member for two years, and Kate has been a member for 10. Thank you, Philip and Kate, for your support!

# MEMBER NEWS



As of May 31, 2017, we have 72 members:  
57 voting; 12 associate; 2 students; and 1 sustaining.

Our newest members are:

Grace Conley from Stark Law and Trecia Pallman-Hamilton.

Welcome, Grace and Trecia!

## CLE Needs You

Although we encourage members to join any committee of interest, the CLE Committee is actively seeking help from around the state to coordinate and/or host lunch and learns or half day seminars. Carie and I would love to be able to tour the state, but that is not possible, so we need your help. If you would be willing to work with us to coordinate these events, we can walk you through the process.

If you are interested, or have questions, please contact me at [lreese@dinse.com](mailto:lreese@dinse.com) or (802) 859-7063. I would love to hear from you!





# Q&A

Philip G. Munderville  
Member Spotlight

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***How old are you?*** 33

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***Describe your family?*** My wife and I were college sweethearts and both of our families are in New England, though we're the only ones in Vermont.

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***Town in which you live?*** South Burlington.

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***Do have any pets? If so, what are they, and what are their names?*** An 8 year old pet cockatiel named Geez.

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***What kind of hobbies do you have?*** Playing soccer, traveling.

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***How do you unwind at the end of a long work week?*** Sit on the back porch and soak up some sun!

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***What is your educational background?*** History degree from Colgate University.

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***Where do you work?***

Downs Rachlin Martin in Burlington.

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

2006 at a no-fault insurance company in New York City.

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

Commercial Real Estate.

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

Conducting title research in the land records brings me back to long nights researching historical primary sources in the bowels of the university library. I also enjoy being able to run closings independently, one of the many quirks to Vermont law.

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

It seemed like a good fit for my background studying history, and I was considering going to law school.

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

There's a good balance of responsibility and independence. I find it fits the Vermont work/life balance ideal.

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

2 years.

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

Find a mentor that you can learn from. They will help guide you in ways you never considered starting out.

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# Q&A

## Catherine (Kate) Radigan Member Spotlight

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***How old are you?***

I am 40 years old.

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***Describe your family?***

I have been happily married to my husband, John, for 18 years. We have two children. My daughter, Caclan, is 15. She is a Freshman at Spaulding High School, plays on the JV basketball team and Varsity softball team, and she recently got her permit (YIKES!). My son, Aidan, is 13 and in 8<sup>th</sup> grade at Barre Town Middle School. He enjoys video games and goofing off with his friends.

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

I live in Barre Town.

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

I could probably eat pizza every day of every week.

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

I have a four year-old dog named Igley. We adopted her in May, 2016 from the Central VT Humane Society.

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

I love to read, especially in the summertime while on my deck with a glass of wine. I also love to cook and entertain.

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

I love to entertain, so having a couple of my girlfriends over for good food and good company is a great way to wind down the week.

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

I have a high school diploma. I completed a course in December, 2016 at CCV called Assessment of Prior Learning and was awarded 70 college credits, many of which are in the paralegal field. I'm now in the process of enrolling to obtain my bachelors<sup>s</sup> degree.

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***Where do you work?***

I've been at Diamond & Robinson, P.C. for 10 years this August.

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

I started as a receptionist at Cheney, Brock & Saudek in 1997. When I left in 2007 to come to Diamond & Robinson I had paralegal responsibilities which have only increased over time.

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

Workers' Compensation, Personal Injury, Family Law, and Land Use and Zoning.

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

Meeting the clients and being able to help them through a difficult time.

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

In my 20 years of working in the legal field, I've dabbled in many, many areas of law. Workers' Compensation is my favorite. If I had to choose a field that I don't currently practice in, I think maybe criminal law or employment law would be interesting.

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

The feeling of "You need it WHEN??"

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

It was an accident. I was 20 years old, working as a Kelly Temp for the Department of Public Service. One of the attorneys from Cheney, Brock & Saudek did a lot of business there. He recruited me, and I was so thankful – and continue to be – for the opportunity.

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

Between the time I graduated high school at 17, and 20 when I started at Cheney, Brock & Saudek, I worked for my father's engineering firm, as a temp for the State of Vermont, and as a Kelly Temp at various businesses.

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

I love the opportunity to learn a new skill. I am challenged daily to perform at a high level, to meet deadlines, and to make people happy (including myself!).

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

Disorganized attorneys. They make me nervous. I also dislike having more balls in the air than in my hands. Completing a project (catching a ball) allows me to breathe a bit easier.

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

Approximately 10 years.

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

I love proofreading and editing documents. I never want a document to leave the office with glaring errors...or any errors, really! I could also say that the ability to research, draft motions and other court documents etc. is *useful*, but the ability to relate to my clients, to calm them, and ease them through their case is the most *important* to me. It is so rewarding – both personally and professionally – when a client leaves with a smile.

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

Because I have to be so organized and efficient at the office, I find that I can be a pretty big slob and procrastinator at home.

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

It is better to ask a question than guess the answer. Find a field that interests you, stick with it, and always continue to learn. Also, don't be a shrinking violet, go get 'em tiger! (This advice was given to me 20 years ago and I've never forgotten it.)

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## VPO 2017 Annual Meeting and Conference

*By Louise Reese, CLE Co-Chair*

I am very pleased with the results of the VPO 2017 Annual Meeting and Conference this year. Not only did the DoubleTree step up and improve from the last time we were there, but I am very pleased by the support shown by our members in attending. We had 31 members, three non-members, and one new member in attendance. Given that one member had registered but was unable to make it, we would have been equal to our total number from 2015. We still need to increase our numbers, both in membership and annual meeting attendance, but I truly appreciate those who consistently return to our annual meeting and enjoy the opportunity to network and socialize with the rest of our members, all while gaining a bit of new knowledge at the same time!

Philip Munderville and Lucia White participated in the Buddy System and recruited non-members to attend the event. I had an opportunity to meet both Kimberly Gilding from Downs Rachlin Martin and Nichole Mason of Seventh Generation, and hope to see them at a future event. A special thanks to Philip and Lucia for increasing awareness about our event. Lucia's name was drawn to win a gift box of Dakin Farm products.

We also drew names for two certificates for free webinars offered by NFPA, one year of a digital subscription to Paralegal Today, and a couple of beautiful pens crafted by Jim Knapp, Esq.

Justin Barnard, Esq. from Dinse, Knapp & McAndrew, P.C. presented on recent state and federal rule changes within the last two years. The most significant changes were in various areas of discovery, but there also rule changes on the computation of time and service.

Ritchie E. Berger, Esq. from Dinse, Knapp & McAndrew, P.C. presented on several Vermont Supreme Court decisions within the past two years. Some of the case issues discussed involved the need for a certificate of compliance in malpractice cases, timely filing of lawsuits, and the increasing issue about solar arrays.

James Knapp, Esq. of First American Title presented on topics including foreclosures, life estates, public buildings, current use, oil and gas leases, and the notary public statute.

Elizabeth Hunt and Marylee Woods from Vermont Department of Taxes presented on the myVTax program started in 2016.

The VPO greatly appreciates the time and commitment from our presenters to further the education of our members and the paralegal community at large.

Since it is an odd numbered year, we had elections! The new Board of Directors for the 2017-2019 term is as follows:

- President:** Lucia White, CP®
- Vice President:** Louise Reese
- Secretary:** Karen Farnsworth
- Treasurer:** Sara Boyden, RP®
- NFPA Primary:** Corinne Deering, RP®
- NFPA Secondary:** Ashley LaRose, RP®

*Here are reports from some members who attended the CLE sessions:*

### **Karen Gramer**

Attorney James Knapp from First American Title Company presented us with real estate updates incorporating topics of current interest as follows:

Foreclosures: The timing of conveyances by foreclosing lenders is important as a Quitclaim Deed by a lender that is recorded prior to a Confirmation Order is not valid because foreclosing entity did not have title when the quitclaim deed issued. Also, a written assignment of mortgage is required for the plaintiff in foreclosures.

Issues Related to Life Estates: When Grantor has power to sell, mortgage, lease, and gift free of the rights of the remaindermen, Grantor will retain title to the property.

Public Buildings: Defined as everything that is not an owner occupied detached or single family resident. State Fire Marshall Report is required, but in certain cities, the city deals with public building inspection. When searching title, inquire of town or city what is required.

Current Use: Defined as farm land and managed forest land that is taxed to owner at use value instead of fair market value. When property is developed, owner must notify VT Department of Taxes, Property Valuation and Review and pay penalty of 10% of the FMV.

Lease Land: Established when Towns were founded and a portion of land was leased to schools, social worship of the gospel, first settled minister, Episcopal Church, or Society for the Propagation of the Gospel in Foreign Parts. The term of these Leases are “as long as grass grows and rivers run.” Today the annual rental is incorporated in the Town taxes and Towns/Diocese or UVM can transfer underlying fee to owners of leasehold interest.

Property Descriptions: Be careful not to cut and paste property descriptions in deeds without considering the language, especially with life estates and reservations of easements.

Tax Sales: Towns need to keep records of tax sales to prove taxpayer and lienholders had actual knowledge of the tax sale. First class mail does not always get to addressee. You have to be able to prove for 15 years after the tax sale that taxpayer and mortgagees, lienholders got notice of tax sale. The actual tax sale can be challenged within 3 years of sale.

Notary Public Statute: There is a bill in the legislature for new requirements for a Notary Public. Candidates must take a test. The four year commission will be changed to two years. There is a new statutory form of acknowledgement and it will require a stamp or seal.

### **Karen Farnsworth**

Rule Changes: The update on the federal and state rule changes and proposed rule changes was very informative. The changes regarding service time of the complaint and the discovery deadlines and that the federal courts are no longer going to allow “blanket” objections were particularly interesting. It’s good to see that the state courts are trying to catch up to the federal rules in some instances. We all need to be mindful to check the rules to be certain we are in compliance and not scrambling to file a request for an extension of time or trying to get opposing counsel to sign a stipulation to extend deadlines. I know that trying to keep attorneys on track can sometimes be like herding cats.

Vermont Supreme Court Opinions: I deal with the Vermont Supreme Court a lot. The best advice I can give is if you have questions, call or email the docket clerk, Gerrie Denison. She is very helpful and is more than willing to answer questions. If she doesn’t know the answer, she checks with the staff attorneys and gets back to you. VSC is pretty lenient on a lot of things since they deal with so many pro se appellants/appellees. They do prefer the law offices conform to the VSC rules when it comes to deadlines for the filing of documents and the electronic filing of briefs and printed cases or supplemental printed cases.

Remember, the filing date of a brief, motion, etc. is the date the Vermont Supreme Court receives the paper document. Currently the only documents they want electronically filed are the briefs and printed cases because those are forwarded to Westlaw. They need to be sanitized, optimized and page labels should be added to your pdf documents.



## **Jill Drinkwater**

Life and fire safety inspections of property in Vermont are required when a public building is transferred (either inspected by the town or state, depending on locus). As Jim Knapp reminded us, the term “public” is broad but refers to every structure that is not owner-occupied, detached, and single-family. Therefore, even though inspections are not mandated for properties such as vacation homes, attorneys should advise their clients about the risks of acquiring property that has not been inspected.

There is a bill in the legislature that would add new requirements to Vermont’s notary public statute (24 V.S.A. § 441). If passed, candidates would be required to pass a test in order to be confirmed (licensed attorneys will be exempt from the exam); commissions would be valid for two years; requirements will also be added for notary acknowledgements. Stay tuned to how this will unfold.

The new myVTax system for property transfer taxes has seen some improvements since its inception late last year. The tax department gave an informational training at the annual meeting, and just recently posted the training presentation on the department’s website: <http://tax.vermont.gov/sites/tax/files/documents/myVTaxGuidePTTRLogInAndFile.pdf>

## **Law Librarians: An Underused Talent**

*By Tracy Lord, RP® and Bonnie Lord, MLIS*

Most law firms have a law library. The size and content varies from firm to firm. A sole practitioner may have a rule book, statutes, and an inexpensive, no frills, subscription to WestLaw or Lexis; a large firm may have a room dedicated to the housing of books, and several online databases.

One of the most underused, but extremely valuable, resource for a law firm is a law librarian. In addition to performing such functions as maintaining subscriptions to active books (think pocket parts) and other periodicals, a law librarian will catalogue the books already in the library, and ensure there are no duplicate subscriptions. This can save a law firm thousands of dollars. One of the most exciting uses for a law librarian is their research ability.

Things to know:

- There are levels of law librarians, and this can affect how their time is billed. For example, a paralegal who also manages the firm's library will only bill his or her time at the usual rate. A librarian with an MLS or MLIS degree bills at a slightly higher rate. At the top of the tier is a librarian with an MLS/MLIS and a JD degree. These librarians have much higher billable rates.
- Some organizations offer law librarians as a part of their service. Places to check for these services include local (in your immediate city or state) law schools, and your local courthouse. While schools generally cater to students and faculty, some offer "public" hours as well. Other subscription services, such as Westlaw, offer reference attorneys. You can call or use their online chat function for research aid. <http://legalsolutions.thomson-reuters.com/law-products/support/reference-attorney-help>. Keep in mind that public law libraries are also available. New York, for example, mandates that each county have a publically available law library. <https://www.nycourts.gov/lawlibraries/publicaccess.shtml>
- Law librarians, despite being overall amazing, cannot offer legal advice. They serve as a compass, pointing you in the right direction. Like the old proverb, we can lead a horse to water, but we can't make it drink, so pay heed to your librarian!

Legal research can be very challenging. The words and phrases we use when speaking about a legal concept may not be the same as used in statutes, case law, or other sources (primary or secondary). Also, an easily obtainable source may refer us to a different source which is not readily available. For instance, sometimes an article in a law journal points to another source which could be useful to a matter at hand. While a law librarian is not specifically trained in reading and analyzing laws, they can assist the attorney or paralegal in locating these sources.

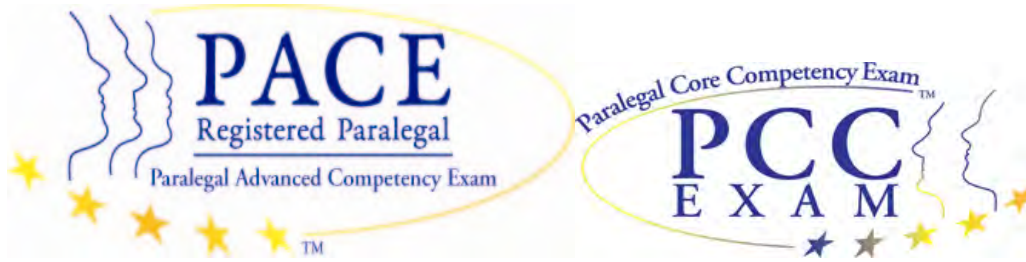
One frequently asked question is if a law librarian is "worth it" for a firm to invest in. Well, it depends on the type of law, the amount of research, and other responsibilities they are given. MLIS is a Master in Librarian and Information Science. This may sound like a fancy way of saying "Google," but it's more than that. The information sciences include, in large part, information technologies. Librarians frequently manage intranets, and sometimes websites. They catalog collections, negotiate renewal and subscription contracts with vendors, work as communication liaisons within the firm and also as outreach coordinators outside of the firm.

If your firm has a public relations or marketing department, a librarian will do well to collaborate with them. Librarians can also work with competitive intelligence research. In other words, the librarian is not only a research resource for attorneys and paralegals; they fit into different hats around the firm.

The assumption that libraries, and thus librarians, are a dying breed is being quietly proven wrong throughout the library field. As an evolving breed, we've expanded to encompass the changes the internet and technology have brought to us. Research no longer involves accessing the stacks in dusty, unlit corners of the world. A large amount of it is online. We know, we know. You're probably thinking "but I can just Google it myself." Yes, you can. Whenever attorneys Google an article or specific resource, 90% of the time there is a paywall. Why? Because Google (and other search engines) do not always pull resources by relevance. Sometimes, specific sites pay to have their link at the top of the page. With few exceptions, a librarian can usually find the same source for free. Google is a convenience, but it is not all-knowing. Likewise, when attorneys want to pay for articles from recent journals, a librarian could pull the journal's archives. Usually, unless the article was published in the last 12 months, the archived article is free.

If your firm does have a librarian (or librarian-esque staff member), look at sources such as AALL. <https://www.aallnet.org/default.aspx>. AALL is great for networking with other law librarians and can help in creating ILL (inter-library loan) connections. It also offers educational resources for law librarians, and many forums and specialty groups.

Although every law firm does not have a law librarian, if your firm does have one on staff, remember to use this valuable resource! He/she can make your job easier, save you and your attorney time (which in turn saves the client money), and bring in billable hours. Librarians are no longer a relic of the past and can do so much more than re-shelve books. This makes for happy clients and a better work environment.



## NFPA News

By Corrine Deering, RP®  
NFPA Primary Representative

As summer approaches (hopefully), your NFPA Primary has been busy with NFPA business in the last couple of months. Thankfully, this time around, I did not have any computer glitches causing me to lose my notes from the NFPA conferences attended, so here is my summary of the news from the last couple of months.

### Region V Meeting

Ashley LaRose, RP® and I attended the Spring Region V Meeting in Albany the weekend of April 22-23. We briefly reviewed the duties and requirements of being NFPA representatives, including submitting the *Inside Reports* advising NFPA every other month on the Association's activities. We also discussed getting brief status updates from those members of Region V who are also members of NFPA committees. NFPA committee members do not have to be a delegate (NFPA Primary or NFPA Secondary) to be on a NFPA committee. All interested volunteers are welcome and encouraged to get involved. We also learned that NFPA Coordinators will now be appointed at the NFPA winter board meeting, instead of trying to get everyone in place right after convention. Therefore, deadlines for letters of interest will be changing. If you are interested in being on a NFPA committee, reach out to either Ashley or me, and we will get you in touch with the right people. Also, watch the weekly NFPA News You Can Use emails for requests for volunteers. In particular, if you are interested in marketing, NFPA could use your help!

Speaking of the News You Can Use, the VPO is scheduled to submit an Association Spotlight during the month of August, so keep an eye out for our submission! All members are encouraged to report your pro bono hours and CLE hours to NFPA. You will need to log into the NFPA website to report this information. We were reminded that CLEs need to be legally substantive and related to the paralegal practice. For instance, a seminar on how to utilize Microsoft Word is not legally substantive. While we all agree that technology is an important aspect of our profession, you need to sell the legal aspect of the CLE, what you are doing, and specifically why you need the technology in your practice. NFPA's CLE requirements are stricter now due to the fact that there are some bar associations and paralegal alliances that are using them, which translates to the need for a higher standard. As a side note, you can earn CLE



credit for writing articles for the *Paralegal Reporter*. We were advised that articles will not be turned away if they are unrelated to the theme of the issue; they may just be published at a later date. It is also a great addition to your resume!

Region V discussed the NFPA website, distribution lists, leadership directory, and difficulties that members and delegates are having with certain sections of the website. We brainstormed some suggestions to be passed along to NFPA. Further, some upcoming events in other areas of our region were shared: June 2nd New Haven, Connecticut's Paralegal Day; June 20th Massachusetts MCLE Paralegal Conference in Boston; and September 15-16th ESAPA (Empire State Alliance of Paralegal Associations) Conference.

The deadlines for the 2017 NFPA convention were quickly discussed, including the July 1st deadline for NFPA Board nominations. Board positions that will be elected in 2017 are: Treasurer and Director of Finance, Vice President & Director of Membership, Vice President & Director of Marketing, Vice President & Director of Profession Development, and Region Directors. We were also reminded of the 2016 President's Challenge to bring in two new RP<sup>®</sup>s, four new CRP<sup>™</sup>s, and ten new members into our association. We will have to look at our membership lists to see if we are anywhere close to meeting any of these challenges. July 1st is also the deadline for nominations for NFPA Awards and Student Scholarships. Awards include: William Robie Award, Outstanding Local Leader, Paralegal of the Year, Association Pro Bono, Individual Pro Bono, Certification Ambassador, PACE & PCCE Awards, and the Thomson-Reuters Student Scholarships.

Each association in Region V then briefly discussed news and activities from their region. Topics discussed included regulation, bylaw updates, electronic voting, successful membership events, board term limits, electronic attendance at board meetings, lack of membership involvement, pro bono campaigns, marketing efforts, Joint Conference registration numbers, recruiting student members, freelance paralegals, membership requests from prisoners/convicted felons, upcoming conventions, CLEs, fundraisers, certification study groups, listservs and job banks, suggested event speakers, changes in educational institution programs, and access to justice.

We then began discussions about agenda topics for the 2017 NFPA Convention including a marketing plan to market paralegals, and the concept of non-lawyers providing services to the public, a continuation of the revised position statement from 2016, which did not pass upon voting. We discussed revisions that the Region members would like to have made to a proposed agenda topic and position statement. We also discussed use of the NFPA discussion boards to disseminate and discuss these topics prior to convention.

### Joint Conference

On Friday, April 28th, VPO Member Robyn Sweet, CRP<sup>™</sup> and I attended the Leadership Conference which included presentations on the following topics: managing work, family life and paralegal association obligations; tools and skills for dealing with difficult people; leveraging social media to engage members and entice leaders; reaching the millennial – how to recruit members and train leaders; motivating your board and maximizing performance; and a special presentation on military paralegals and leadership. These presentations were given by an elite group of paralegal professionals. The Keynote Speaker, Honorable Jonathan Lippman, Chief Judge of the New York Court of Appeals, presented on the access to justice campaign. Judge

Lippman commented that the paralegal community is a well-trained group and could be a vital piece to the puzzle. He encouraged us to raise our own profile and visibility for paralegal associations and the role of paralegals. Judge Lippman indicated that paralegals should absolutely be represented on the access to justice commissions around the country. There is a need for legal services in some areas of law where no one is being represented. As a proponent for paralegals, Judge Lippman gave an interesting and insightful presentation.

After dinner at Pasta Lovers with a large group of attendees, we split off with some fellow paralegals to make our way to the subway (yikes!) and then to the Empire State Building for a climb to the top. It was a long night of lines and a lot of people. I was thankful for the subway experts and friendly New York natives helping us with subway ticket machines.

Saturday, April 29th was the Certification Ambassadors' Conference which included presentations on the following: a boot camp for ambassadors; developing mock study groups; a panel discussion about why panelists (including Robyn) became certified and how they are going to change the profession; how to de-stress your distress (preparing for taking exams); overview of the eligibility and content, and how to maintain the credential; and tips on marketing your new credential.

Saturday night we attended a celebratory gathering honoring the New York City Paralegal Association's 10th Anniversary. Fun was had by all at the 5th & Mad Bar with finger food, drinks, cake and a lot of photos! Due to my graceful ankle turning and falling in Times Square, and after two late nights, Robyn and I did not venture out for any further tourist activities on Saturday night. We packed up and readied ourselves for check out and Sunday's conference.

The Regulation Conference was held on Sunday, April 30th. Topics included the following: exploration of alternative legal models to expand access to justice and Minnesota's process for evaluating legal models and final recommendations to their Task Force; an overview of 20 years of development and formation of paralegal regulation policies and programs, work with legislators, state bar associations and the justice department, and Wisconsin's proposal for a voluntary certification program; how to effectively work with your local bar associations and task forces on alternative legal service delivery methods and legislation; the expanded scope and roles and the evolution of rules of professional conduct to avoid the unauthorized practice of law; and ethical challenges and implications with the use of social media in the legal profession. We ended the day with a panel of members to discuss ethical situations and scenarios submitted by members and possible resolutions to the situations.

Marty Tankleff, J.D., the Keynote Speaker on Sunday, was wrongfully convicted at the age of 17 of killing his parents. He was incarcerated for 17 years, all the while fighting to gain justice in the court system. Mr. Tankleff discussed his case, life experience, and what he went through to gain justice in the court system, and how difficult it is for innocent or wrongly convicted people to obtain justice. Following his exoneration and release from prison in 2007, Mr. Tankleff obtained a B.A. in Sociology and obtained his J.D. in 2014. He now devotes his time and legal expertise helping the wrongly convicted obtain justice. Mr. Tankleff's story was very interesting and inspiring, while sad that there are people who are in the position of being wrongfully convicted of crimes they did not commit, and the struggles and often defeats to their attempts to obtain justice.

The Joint Conference was a jam-packed weekend in New York City. Robyn and I did not have any celebrity sightings, but others may have seen Katy Perry at the Pie Truck in Times Square or Celine Dion making her way around the city. Overall, it was an interesting and informative trip to the Big Apple. I am also thankful to a community of great paralegals on social media which connected me at the very last minute (after multiple flight delays) with a shared Lyft ride from the airport to Times Square, and a wonderful personalized ride back to the airport with a very special NYC paralegal friend.

### Miscellaneous

On January 26th, I attended a Membership Building and Retention Telephone Conference which also offered some excellent tips, suggestions and ideas. This conference call was another NFPA Association Management conference designed by NFPA to help associations. These conference calls are open to everyone, are very informative, and offer a wealth of information and guidance to associations. I encourage everyone to watch for these conference calls and pick one or two to attend to learn more about the inner workings of NFPA associations.

On April 19th, I took part in a NFPA Association Management Telephone Conference discussing larger or established associations mentoring younger or smaller associations to help them be more successful. I was representing the VPO as a smaller association. We exchanged a lot of great ideas and suggestions, and hope to incorporate some of these suggestions into our management of the VPO.

To close, I wanted to remind you of some upcoming dates which may be of interest to you:

July 22, 2017                      NFPA Summer Board Meeting  
October 12-15, 2017      NFPA Convention & Annual Policy Meeting, New Orleans, LA

Finally, I want to encourage you all to get more involved in your local association and in NFPA. Your input and involvement is what the VPO needs to continue to represent and promote the paralegal profession in Vermont. As your NFPA Primary Representative, I want to remind you that Ashley and I are here to be your liaison with NFPA, and if you have suggestions, input, tips, requests, or issues relating to NFPA, please bring them to our attention so that we can work with NFPA and you for a successful result.

## Opinion: New Class of Legal Professionals Could Help Close Justice Gap

By Karen Morin, RP®

In his article “Help for the Unrepresented: A Look at a New Approach,” published in the Sept. 21, 2016, issue of *Bar News*, attorney Chuck Douglas advocates for the use of non-lawyer legal professionals to close the justice gap in New Hampshire. In contemplating how to provide low-income, unrepresented litigants with the legal help they need, he suggests that, “Just urging lawyers to take more pro bono cases is not going to solve the problem...”

I couldn't agree more, and as a paralegal in New Hampshire, I would like to add that many paralegals are already in a position to play a role in bridging the justice gap. Paralegals already handle substantial legal work, and in a limited capacity, we could provide significant assistance to unrepresented litigants.

As Mr. Douglas points out, an astounding number of people are trying to navigate the justice system without an attorney because they cannot access representation. They fill courtrooms and clerks' offices, trying to figure out what forms to fill out, what laws to read, and the roles of the professionals in the courtroom. They need assistance in obtaining justice.

As part of a comprehensive approach, a new class of legal professionals could be instrumental in providing assistance to unrepresented litigants. Legal needs are not all created equal. Many legal needs could be addressed by properly trained, non-lawyer legal professionals (NLPs); individuals with experience and skills similar to those of a paralegal, perhaps with some additional training depending upon the area of law and the scope of their services.

Around a dozen states are contemplating or have implemented programs using NLPs to provide limited legal services, including preparing and filing forms, reviewing and explaining exhibits and other legal documents, and providing support and guidance. NLPs are not lawyers and do not represent clients in court.

One example of a NLP program is New York's Court Navigators Program. Volunteers (often college students and law students) are trained to assist unrepresented litigants in the Housing Court's nonpayment proceedings. The Court Navigators do not give legal advice. They act as a guides or interpreters, helping unrepresented litigants to access courthouse computers and other resources, and to collect and organize case documents. They can sit in on conferences with the judge or opposing party and respond to the judge's request for factual information. They also help secure pro bono attorney services as needed.



In Washington State, Limited License Legal Technicians (LLLTs) have more latitude in their representation. They also have much more rigorous education and training requirements, must be licensed, and must secure professional insurance. LLLTs can represent clients in family law matters. They can open their own practices. At this time, LLLTs cannot represent a client in court (though that may come in the future), but they can help clients prepare legal forms, advise them on documents they will need, explain legal procedures and proceedings, and gather facts and explain their significance to the case.

Research will need to be done to determine how NLPs could help close the justice gap in New Hampshire. Personally, I don't think an LLLT program would be effective in addressing New Hampshire's justice gap. With all the costly requirements LLLTs must meet, how can they charge a significantly reduced rate?

I believe a program with less rigorous requirements could serve New Hampshire well in its efforts to close the justice gap. We could identify specific areas of law or specific services that are in high demand, and could tailor a NLP program to help meet the need. Relevant courses, taught by attorneys or other qualified individuals, could provide targeted information to paralegals for handling the need in these areas. Some paralegals may be able to show they have the required knowledge by taking an exam. Paralegals could assist litigants in a limited capacity and at a reduced cost.

Paralegals could make a big difference in the lives of the unrepresented litigants that stream into New Hampshire's courts on a regular basis. Doing so would take pressure off court employees, who do their best to guide unrepresented litigants while performing their own jobs. It would also help free up attorneys to handle the more complex legal matters that are better suited to their education and experience.

NLP programs vary, but the programs have a common goal. They are designed to be part of a comprehensive approach to bridge the justice gap. Our justice system is not designed for those who do not normally operate within it. Concepts and procedures that are basic and routine to those of us in the legal field are completely foreign to many others. That's why people hire lawyers and why the growing justice gap has resulted in new programs designed to help those who can't afford to hire one.

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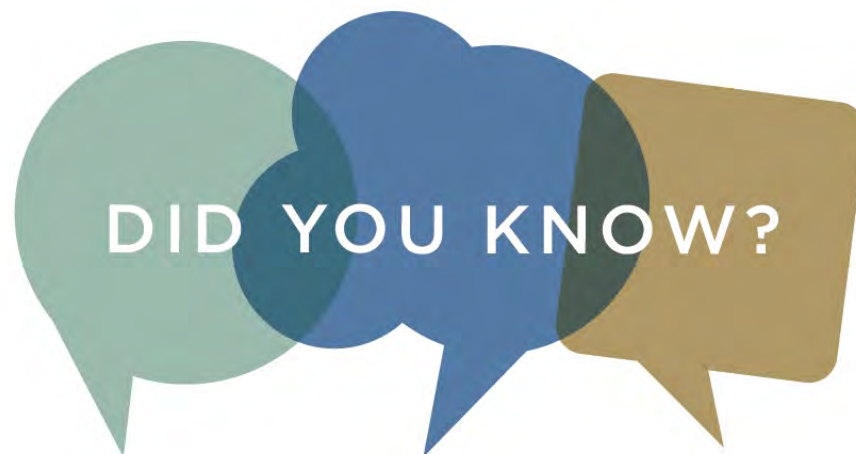
This article first appeared in the New Hampshire Bar News, the monthly publication of the NH Bar Association.



Karen A. Morin, RP® is a paralegal working for Sheehan Phinney in Manchester, New Hampshire. She works primarily in Intellectual Property, but she also has experience with liquor licensing and other corporate work.

Karen graduated with her Bachelor of Science in Political Science, summa cum laude, from Northeastern University in 2002.

She is currently the President of the Paralegal Association of New Hampshire, and has served on the Board since 2014 in various capacities. She earned her Registered Paralegal Designation with the National Federation of Paralegal Associations, Inc. in June, 2015.



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