

Paralegal Focus

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

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

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*Newsletter Design By
Jeffrey T. Moreau*

President's Message

By Laurie S. Noyes

It's hard to believe that the dog days of summer are here, and we are closing in on the last quarter of another crazy year. I don't know about everyone else, but this summer feels like it was the fastest one yet – as I tried to squeeze in everything I hadn't been able to do over the last year due to the ongoing pandemic. I know many of us are still feeling weary and tired of this “new normal,” and we have all become a bit burnt out from Zoom meetings and online events replacing the in-person events we were used to attending. I find myself craving personal interactions and live actual “face time” meetings with friends, families, and co-workers more as this year marches on. I have come to find a new appreciation for all things social, big and small, like lunches with a co-worker, a random person dropping by my house to drop something off, and moments with family at home.

If you are feeling that way, and craving some live interaction with other paralegals, I hope you will consider joining the VPO for its first and likely only in-person event of 2021 at the Delta Hotels by Marriott Burlington in South Burlington on September 14. We are holding the conference in-person this year, and if you join us for a full day, you will receive both CLE credits and a plated lunch. The CLEs will consist of two tracks – a real estate track and a litigation track, and you can take seminars from either or both tracks during the day. We hope to see many of you there.

The VPO is also co-sponsoring the food drive to support the Vermont Foodbank together with the rest of the legal community again this year. In addition to bringing a non-perishable item to the VPO Conference on September 14, the VPO will have drop boxes where you can make a food donation. For more information, see the attached announcement in this newsletter. You may also reach out to the VPO's Pro Bono Chair, Lucia White, or myself with any questions, at lucia@nancismithlaw.com or lnoyes@pfclaw.com, respectively.

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The VPO is also seeking to fill its Treasurer position as our current Treasurer had to step down unexpectedly. We would like to thank Diane Drake for her past service on the Board as the Finance Chair and for helping the new Board transition over the last few months. If you know anyone who might be interested in serving on the Board as our Treasurer, we welcome your recommendations and interest. Board meetings are still virtual at this time and we hope to continue the option for virtual attendance at board meetings in the future.

Finally, the Board continues to work on ways to strengthen its membership and provide benefits that will best serve its members. Your input and feedback is always appreciated, and we look forward to hearing from you. Personally, as President, I encourage you to reach out to me at any time with your thoughts or ideas as we continue to make this a dynamic organization that serves its membership's needs.

Editor's Message

By Louise Reese

What a summer. The good, the bad, and the ugly were all present. And through it all, the VPO has moved forward. I am grateful to all who regularly provide content for the newsletter, and encourage others to send helpful information my way, including for the new Tech Talk column.

Tina Wiles has provided us with an update on agenda topics for NFPA's 2021 Convention in Portland, Oregon, held virtually and in-person. Let's wish Tina and Robyn safe travels for convention!

Lucia White has provided us with information on the Vermont Legal Community Fighting Hunger Food Drive. More information can be found in this issue, and we will have a collection box at the CLE Conference on September 14.

If you are interested in one of NFPA's certification exams, please read the article by Krista Cadieux. If you have asked yourself any of those questions, you can contact her to ask about the exams.

Vermont Attorneys Title Corporation has shared some information from its August newsletter with us and I submit a portion of it for your reading pleasure.

I have also included some recent Tech Talk items that I came across that I thought were worth sharing with my VPO friends.

I look forward to seeing you at the CLE Conference on September 14 at the Delta Hotel in South Burlington.



Membership News

Isabel Rourke from Maley and Maley is a new associate member. Welcome, Isabel!

We currently have 74 active members: 54 voting; 17 associate; 2 sustaining corporate; and 1 sustaining individual.

Community Service Opportunity

By Lucia White, CP®

The VPO is excited to be a co-sponsor of this year's Vermont Legal Community Fighting Hunger Food Drive! The drive will be held from September 3 through 17 and will benefit Vermont Foodbank and local food shelves.

You can participate in the food drive in a few ways:

- 1) Bring non-perishable food donations to the registration table at the VPO Conference on Tuesday, September 14 at Delta Hotels by Marriott, 1117 Williston Road, South Burlington, Vermont.
- 2) Bring your food donations to the office of Lynch and Foley weekdays between 8:30 and 5 at 7 Washington Street, Middlebury. You can leave your donations in the lobby.
- 3) Through the VPO team page for this food drive online. Keep checking your email for more information on this option.

Please contact Lucia White at lucia@nancismithlaw.com if you would like more information. (See also the insert from the Vermont Attorney General's Office - [next two pages.](#))

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August 24, 2021

To all members of the Vermont Legal Community:

Vermonters continue to face the challenge of keeping food on the table. The COVID-19 pandemic caused an increase in food insecurity and the results of a [recent University of Vermont study](#) show that need has not returned to pre-pandemic levels. The Vermont Foodbank continues to meet the need of our neighbors facing hunger by distributing food across all 14 counties of Vermont through a number of programs and services, including distribution of food to partner food shelves and meal sites, sharing fresh produce directly with individuals and families, assisting neighbors in accessing 3SquaresVT benefits, and reducing barriers to accessing food.

Vermont's Legal Community can continue to support Vermonters and this [vital work of the Vermont Foodbank](#).

This year will mark the fifth year the Vermont Foodbank, the Vermont Bar Association, and my Office will have hosted a Food Drive, and we are thrilled to have the Vermont Paralegal Organization join this year. For the first three years, along with many other law offices throughout the state, we hosted the *Lawyers Fighting Hunger Food Drive* during Hunger Action Month in September. Last year, due to the increase in food insecurity caused by the COVID-19 pandemic, we held the Food Drive in June with the goal of helping in a time of unprecedented need. We encouraged the Vermont Legal Community to join the collective effort and the drive was a great success.

Whether a lawyer, paralegal, judge, investigator, law student, professor, or staff member of a legal team, together the Vermont Legal Community can make a meaningful impact. **We will kick off the fifth annual Vermont Legal Community Fighting Hunger Food Drive on Friday, September 3rd, for a two-week fundraiser ending on Friday, September 17th.**

This year's drive will be structured similar to the first three years with an optional friendly competition in the interest of keeping food on Vermonters' tables. Attached is a sign-up sheet to indicate your preferred type of participation and to receive further information. There are a few ways to consider participating through your office, legal group, or as an individual member of the legal community:

1. **through a Vermont Foodbank fundraising page.** All funds would be collected through your unique fundraising page hosted by the Vermont Foodbank. Participants would manage their own fundraising pages, including noting efforts through the Activity Feed. See the attached sign-up sheet and submit to natasha.sala@vermont.gov by Tuesday, August 31st, to receive instructions on creating your fundraising page.
2. **AND/OR to a collection box.** See the attached sign-up sheet, and submit to natasha.sala@vermont.gov by Tuesday, August 31st, to receive templates for creating your collection box. If you also have a fundraising page, just count the number of items you donated and add a personalized comment in the Activity Feed. Add a photo if you would like!

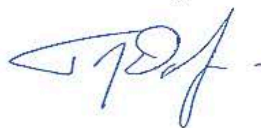
Every dollar amount and every effort to further this cause will help.

All members of the Vermont Legal Community are welcome to join this effort. We encourage participants to talk up our collective good work on social media by using the hashtag **#VTLegalFoodDrive**.

During the second week of the drive on Tuesday, September 14th, the Vermont Paralegal Organization will accept item donations from any members wishing to contribute through a VPO collection box rather than the VPO's online fundraising page. A press release reporting the overall totals raised together, the results of the friendly competition, and thanking participants will follow at the completion of the drive. On Friday, October 8th, a brief announcement will be made at the Vermont Bar Association Annual Meeting Luncheon.

As a member of the Vermont Legal Community, I hope that you will join my Office, the Vermont Foodbank, the Vermont Bar Association, and the Vermont Paralegal Organization to make the ***Vermont Legal Community Fighting Hunger Food Drive*** a success. Together, we can help to make sure all Vermonters are fed.

Sincerely,



T.J. Donovan
Vermont Attorney General



Q&A

Donna Sims Member Spotlight

<i>How old are you?</i>	34
<i>Describe your family?</i>	I am single. My mom and I live together in Winooski. My brother lives in Essex with his 5-year-old son. Being his aunt is the greatest joy of my life. Sadly, in 2015, my dad passed away.
<i>Town in which you live?</i>	Winooski
<i>What is your favorite food?</i>	Far too many to pick just one. I love a good cheeseburger, chips and salsa, and Mexican.
<i>Do have any pets? If so, what are they, and what are their names?</i>	One 8-year-old Boston Terrier named Bentley.
<i>What kind of hobbies do you have?</i>	I love spending time with my family and friends. I enjoy traveling both domestically and internationally. I'm an avid sports fan (Atlanta Braves, New York Giants, and Georgia Bulldogs). I enjoy target shooting and being outdoors.
<i>How do you unwind at the end of a long work week?</i>	A good glass of bourbon, spending time with my family and friends, and snuggling/walking my dog.
<i>What is your educational background?</i>	I graduated from Castleton University (f/k/a Castleton State College) with a Bachelor's Degree in Criminal Justice in 2009.
<i>Where do you work?</i>	Sheehy Furlong & Behm P.C. (Burlington Office)
<i>When did you first become a paralegal?</i>	August 2017

<i>What area of law do you work in?</i>	Civil and Criminal Litigation, Internal Investigations, and Administrative Proceedings
<i>What do you enjoy about working in that area of law?</i>	I enjoy working in litigation because I like the investigation aspect and enjoy working with discovery materials. I particularly enjoy criminal litigation because when working on a case with an attorney who no longer works at Sheehey, he taught me that just because someone might have committed a crime doesn't mean their rights should be violated because everyone is entitled to due process.
<i>If you could work in any other area of law, what would it be?</i>	While I do some work in criminal litigation, I would like to do more work in that area. I also really enjoy working in trial settings, and would like to be able to work more extensively in that area.
<i>What is the one thing about being a paralegal you would change if you could?</i>	I dislike having to keep track of my hours. I also wish that we were recognized more for how important our roles are, and for the value, insight, thoughtfulness, and experience we bring.
<i>How or why did you first enter the paralegal field?</i>	I've always loved the legal field and wasn't always sure what I wanted to do. I thoroughly enjoyed my time at the Chittenden Civil Division as the Motions Clerk, but I left after the most difficult time in my life when I had just lost my dad and needed a change. I've highly considered the law office study program, but for now I'm happy where I am and enjoy being challenged every day.
<i>Did you hold other positions, or have a different career, prior to becoming a paralegal, and if so, what was it?</i>	I started my legal career as a Motions Clerk with the Chittenden Civil Division and left after 5 years to join Sheehey as a Legal Administrative Assistant in April of 2016. In August of 2017 I was promoted to a Paralegal.
<i>What do you love about the paralegal profession?</i>	I've always been someone who follows the rules and obeys the law, and being able to have a career that relies on the belief that we all should do both while providing equal access to all is really important to me. I also love that no case/investigation is the same which challenges me daily.
<i>What things about the profession do you dislike?</i>	I dislike that sometimes I'm so busy that I feel like I'm working from assignment to assignment and don't always have the ability to take a break to analyze each case. It's a constant juggling act and sometimes the pressure can and does become too much.

<p><i>How long have you been a member of the VPO?</i></p>	<p>Since April/May of 2019.</p>
<p><i>Tell me about the skills or traits you possess that you find most useful in your position?</i></p>	<p>I'm really good at prioritizing, being organized, and I'm not afraid to speak up. I also have a really good memory, so I can remember procedural history of cases and witness information easily.</p>
<p><i>What character oddities or personality traits do you find at odds with your career?</i></p>	<p>While I'm not afraid to speak up, I have to be mindful and aware that it's not always my place to do so, and I often have to remind myself of that. I've always struggled with the ability to read and comprehend, and sometimes that's really difficult for me to overcome in my daily work. I always want to work hard and do a good job, and sometimes that means I want to work all the time because there's always something to do, so trying to find a work-life balance can be a struggle. I need to realize at the end of the day that not everyone has the same work ethic that I do and that has to be ok.</p>
<p><i>What brief advice or friendly tip would you offer to someone just entering the paralegal field?</i></p>	<p>Take every opportunity that you are given as a chance to learn something new. Learn early on that it will not all get done in one day and that is ok. If you are unsure about something, always ask questions. Never be afraid to speak up for yourself. If you're lucky enough to find an attorney you work well with and who trusts you, do whatever it takes to learn as much as you can from them because finding that kind of relationship is rare.</p>





NFPA News

By Tina Wiles, NFPA Primary

As delegates for the VPO, Robyn Sweet and I will be attending the NFPA 2021 Annual Convention in Portland, Oregon on October 7-10, in person. In preparation for the policy meeting at convention, we have received three topics presented for discussion by the delegates. Those topics are outlined below. Please contact Robyn or me to discuss any concerns or questions you have about the topics presented so that we can properly represent the view of the VPO and its membership. We will also be discussing the topics at the Board Meeting scheduled for September 15, 2021 at 5:30 p.m.

As a reminder, all VPO members can attend the NFPA Annual Convention. The convention will be a hybrid event (meaning in-person and via Whova, which is a virtual meeting space). This means that our members can attend the seminars held throughout the day on October 7, 2021, and other meetings virtually if they choose. Convention registration opened July 1. This is a great opportunity to obtain CLE credits without travel time, and it is affordable for the amount of CLE you will receive.

NFPA Recent News: Josie Estes of the Paralegal Association of New Hampshire was elected to serve as the President-Elect, will assume the position of President, and complete the current term which concludes in 2022. Please join us in congratulating Josie as she embarks on this new adventure.

Convention Policy Meeting Topics:

1. Agenda Topic – Ad Hoc Committee for Future Convention Planning – The purpose of this agenda topic is to discuss the formation of a committee to review issues of costs, logistics, market needs, and possible options about how NFPA should hold future conventions. The committee is proposed to consist of the NFPA Executive Director, NFPA President, NFPA President-Elect, NFPA Secretary & Director of Leadership Development, Convention Coordinator, other ex officio members of the Convention Committee, one member from each NFPA region, a member of the Diversity, Inclusion & Equity committee, and other NFPA Board Members and volunteers as necessary.
2. Bylaw Resolution – Majority of Affirmative Votes Required to Elect – The purpose of this bylaw resolution is to change the language as follows: “A majority vote of the associations’ voting delegates present ~~and voting~~ shall be an act of the assembly except and otherwise provided herein, and shall also be required to elect any person to any vacancy requiring a vote by the association delegates.” (Note: underlined is added language). This would clarify that no candidate shall be elevated to Director or Board of Directors without obtaining clear approval from the Voting Delegates as evidenced by obtaining a majority of positive votes, including Abstentions.
3. Discussion Topic #2 – Increase Dues for Voting Member Associations – The purpose of this discussion topic is to discuss a proposed increase in the annual dues paid by NFPA member associations for each of its members. The proposed increase is \$5.00 per member effective January 1, 2023. That would increase the current dues of \$30.00 to \$35.00 per member. The last dues increase took place in 2014. The request is made to ensure that the NFPA maintains a strong and effective Federation that can meet its expenses, reserves and maintain and improve member benefits.



Paralegal Certification

By Krista L. Cadioux, CP®

Certification Ambassador - certification@vtparalegal.org

Take a moment to ask yourself a few questions:

- * Are you ready to elevate your paralegal career? Take the next step? Be the best paralegal that you can be?
- * Do you want to learn more about the law? Improve your resume?
- * Do you wish you had some type of validation that you really are the excellent paralegal that you think you may be?
- * Would your employer benefit from seeing evidence of that validation? Is there room for improvement in his/her/their regard and esteem for you as a professional?
- * Are you considering a new personal or professional goal for yourself but you are not sure what direction to take?

If you answered “yes” or even a definite “maybe” to any of these questions, then you should consider becoming a certified paralegal. Earning a credential after your name is a great way to prove to yourself, your employer, your future employers, and your colleagues that you are a Top-Notch Paralegal.

Interested in learning more? Review the eligibility requirements to see if you are eligible to sit for a certification exam: [PACE and PCCE Information | National Federation of Paralegal Associations \(paralegals.org\)](#). You probably are, but if not, see what you might be missing, and make a goal to achieve it. The National Federation of Paralegal Associations, Inc. (NFPA) offers two certification routes:

- * Passing the Paralegal CORE Competency Exam® (PCCE®) will earn you the CRP® credential.
- * Passing the Paralegal Advanced Competency Exam® (PACE®) will earn you the RP® credential.

Yes, there’s an exam, and yes, you need to study for it (at least most of us do!). But yes, it IS worth the effort!

Remember, the VPO is here to support your paralegal career, including your goals for certification. Let me help you get started! Or check out NFPA’s website (www.paralegals.org) and review the Paralegal Certification tab. The applications for the exams are linked there. You can absolutely pursue certification privately if that is your style. The Certification tab under the VPO’s website (www.vtparalegal.org) can also help. Some of the information is a bit out-of-date, but we are working on updating it. Stay tuned!



Vermont Attorneys Title Corporation has given us permission to reprint the following information from its August 2021 newsletter.

Claims Corner

CATIC reports seeing a large spike in permit related claims in Vermont.

One problem area includes inconsistencies in the number of bedrooms vis-à-vis the seller's listing, the contract, the assessor's card, and/or state and municipal permits. Whether covered under the policy or not, this is an important issue for both the client and the lender so "the math" (getting a consistent count on bedrooms) must add up!

Additional claims scenarios involve: "seasonal" (unpermitted) properties being converted to year-round use; and offices issuing the wrong type of title insurance policy for "camp" properties. Remember that Expanded Protection policies should only be issued where the property is: 1-4 family, fully permitted for year-round use; and title is held by a natural person.

Yes, Expanded Protection policies do insure many permit related matters but, depending on the situation and the facts of the claim, **not all permit related claims are covered under the policy. If a permit issue is not covered under the policy, it may leave the title attorney exposed to liability.**

Please continue to exercise all due care when searching, and reporting on, the status of permits.

Condominium or Planned Community?

Appraisers sometimes report to a lender that the property is a condominium when it is, in fact, a planned community (PC) or even a planned unit development (PUD). Things get a bit more confusing when the terms PC and PUD are used interchangeably but perhaps incorrectly.

To avoid confusion (and post-closing work), before issuing an endorsement for a Condominium or Planned Unit Development (PUD), consult the title search notes as well as instruments in the chain of title to determine the correct type of Common Interest Community.

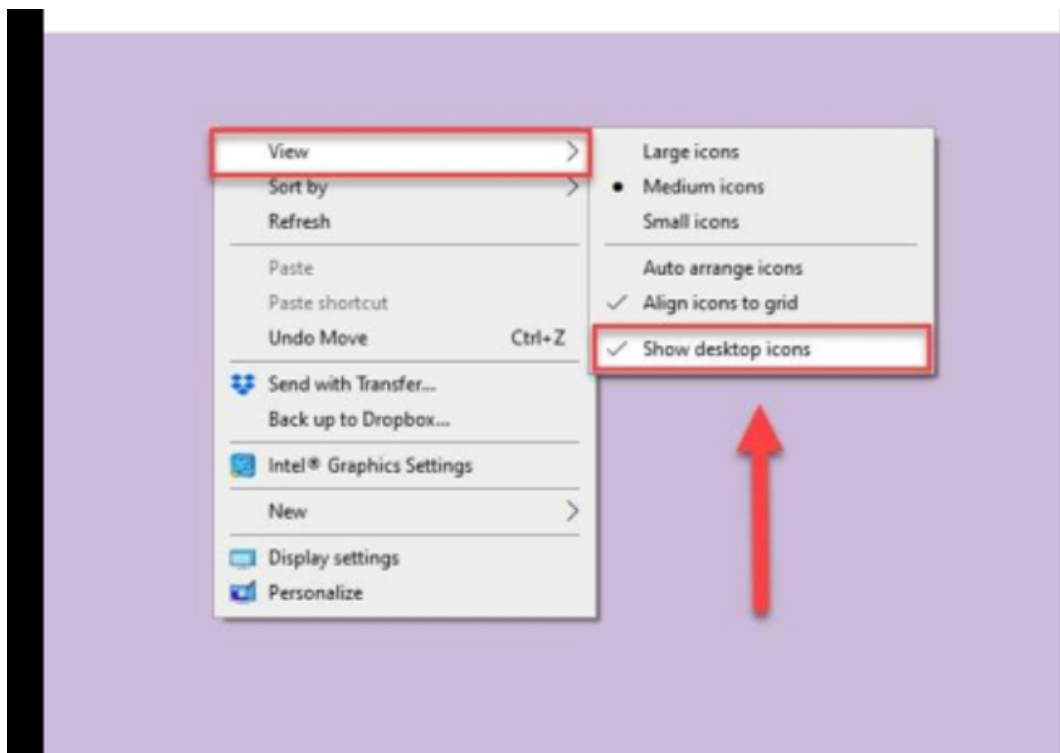
Tech Talk

By Louise Reese

I learned something recently about redacting text when you are in the middle of a paragraph, for example. When you need to redact from the beginning of a paragraph, the plus sign usually shows up and you can draw a box around the next and the redaction is easier. When you are in the middle of a paragraph or sentence, the plus sign doesn't always appear, and you may see what looks like an open book and need to "select text" which might not work so easily if you are redacting documents that are not "clean" or typed. If you want to draw a box around the text in the middle of a paragraph, and the plus sign does not show up, just hold down Ctrl and the plus sign will appear, and you can then draw a box around the text.

If anyone has done something different for those difficult redactions, I would love to hear it.

I recently read a post on a Facebook paralegal page that I thought might be helpful to those who screen-share for depositions and hearings. Did you know that you can temporarily hide your desktop icons so they are not visible with screensharing? See screenshot below. Right click on your desktop, choose View, and then toggle on or off the "Show desktop icons" option. They are hidden, but not removed, until you toggle them back to view.





Administrative Order No. 52 – Pilot Project for Remote Civil Jury Trials

This Order was promulgated on August 3, 2021, effective immediately.

Administrative Order 52 establishes a pilot project for remote civil jury trials. In response to the global COVID-19 pandemic, the Vermont Judiciary deployed remote technology to facilitate operations while maintaining public health. To promote access to justice and timely resolution of civil disputes, the Judiciary examined ways that remote video technology could be used on a more permanent basis. A committee comprised of judiciary personnel and members of the bar examined the feasibility of conducting remote civil jury trials. In response to recommendations from that committee, the Supreme Court implemented this pilot project, which establishes a time-limited, voluntary project whereby, with the parties' agreement, courts may conduct civil jury trials through remote video. The Court also adopted **Remote Civil Jury Trial Protocols**, which were recommended by the committee and detail the procedures for a remote civil jury trial. The pilot project established by this administrative order extends until August 12, 2022, unless extended by the Court.



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