

Paralegal Focus



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The Vermont Paralegal Organization is a Member of the National Federation of Paralegal Associations (NFPA)[®]

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

President's Message

By Diane L. Brown

Happy Winter and Spring! The VPO is moving full steam head in 2011 with many exciting projects. Below are a few projects that the VPO is currently working on.

Active Membership Drive:

Laurie Noyes, VPO Membership Chairperson, is continuing to work hard on the membership renewals. The VPO is experiencing an increase in membership and hoping to gain upward momentum in our membership drive and raise awareness of membership benefits being offered by the VPO. Please feel free to contact Laurie about any membership questions or concerns you may have at lnoyes@ppeclaw.com. Your membership is critical to your professional career and involvement in the VPO.

Board Retreat:

The VPO Board held its board retreat on Friday, January 28, 2011 at the President's residence with six attendees consisting of board members and committee chairpersons. After our social time and dinner, the group enjoyed each other's company and sharing of good food, spirits and stories. This year's Board Retreat was totally focused on a social event instead of business.

2011 VPO Annual Meeting:



Mark your calendars! It is official; we have committed to a date and location for the upcoming 2011 VPO Annual Meeting and Conference. This year's annual meeting will be held on Thursday, April 28, 2011 at the Capitol Plaza, Montpelier, Vermont. You will find more details on the upcoming annual meeting in this newsletter, as well as future email communications. It is so important that all VPO members participate in elections as this is an election year and every vote counts, as well as the offering of great CLE seminars.

As the current and outgoing President (yes I have reached the end of my two (2) year term as President), it has been a real pleasure serving as VPO President and having such a great team of individuals dedicated to the VPO. It has been quite a ride and experience for me and very rewarding. I want to thank the VPO Board, Committee members and members for your continued support. Thank you all for making this great experience and opportunity. I look forward in continuing to serve in some capacity within the VPO.

(Continued on page 2)

(President's Message Continued)



As President, I am so very proud of the VPO Board and Committee members for their fantastic dedication and the volunteer work that they have devoted to this organization. Our team continues to work hard toward to provide members with the best connection to the paralegal profession and legal community via the VPO.

Thank you for your continuing support of the VPO. Please do not hesitate to contact the VPO Board or Committee Chairs if you should have any questions, concerns, or comments, or if you want to become more involved. I look forward to another year of exciting events and work by the VPO.

Editor's Message

By Diane L. Brown

This quarterly edition of *Paralegal Focus* brings a different focus and agenda. The Newsletter Committee wants to inspire you, our readers and members, and bring a diverse range of information and articles. We want to continue to improve and expand communications to members by using a theme for each quarterly issue.

This edition will feature many updates and exciting news from VPO Committee Chairpersons on Membership, PACE, NFPA, CLE and Pro Bono. We are very happy to announce our upcoming 2011 VPO Annual Meeting and Conference being held at the Capitol Plaza in Montpelier on Thursday, April 28, 2011 and much more news coming out in the near future on that great event. Also, keep in mind that it is an election year so voting and participation is so important. I hope to see you there.

You will find an article from Laurie Noyes, RP® on "Changes to Foreclosure Rules in 2010," as well as an article from Cherylan Shearer, Region III Director on "Tips to Help Manage Your Time." Also, NFPA has provided us with an article on information concerning nominating local, regional and national members for NFPA Awards.

Kudos to the VPO for successfully raising a large amount of donations for the 2010 Making Strides Against Breast Cancer and you will find the details inside. And there is much more inside!

I would like to put a "shout out" to all members to see if we can engage someone to join our VPO team in beginning the next new Editor of this Newsletter. Please enjoy this edition!

Membership News

By Laurie S. Noyes, RP®

Membership Committee Chairperson

2011 is well underway as we have nearly completed the first quarter! Let's hope spring is just right around the corner now. I don't know about everyone else, but I will be happy to see the end of this long, snowy winter.

VPO Membership has dropped off some for the first part of this new year. Our numbers are down slightly from last year, where we ended with close to 100 members. The Board and I continue to work on ideas for increasing membership, and for getting our current members active and involved in this member-driven organization.

Most of you have renewed your memberships for 2011, but for those of you who haven't, please know that we will soon be revising the mailing list and distribution list to remove the names of non-renewing members. We must do this in order to submit new mailing lists for the upcoming year to NFPA, as well as complete the membership directory that we have been working on. So, if you've overlooked your renewal, please get it in to us as soon as possible.

Please join me in welcoming the following new members: Kenneth Nosek, Nina Mirabile, and Deborah Ryan!

Finally, be on the lookout for details about the upcoming Annual Meeting, to be held on April 28, 2011. The agenda looks fantastic and chock full of information. In addition, it is a voting year, so come and make your voice heard in the organization. We look forward to seeing you soon.



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The PACE® Posting

*Corinne Deering, RP®
PACE® Ambassador*

The Paralegal Core Competency ("PCC") Exam is in the item writing phase currently, so it is well on its way to development. For this installment of the PACE Posting, I enlisted one of our Southern VT RPs to submit an article describing her experience with PACE.

My PACE® Experience

*by Mary Louise Nelsen, RP®
Dummerston, Windham County, Vermont
OR: From the Banana Belt*

I have been a paralegal for 26 years, after being a stay-at-home mother, doing volunteer work and working part-time at the Southeast Regional Library in Dummerston. My first challenge turned out to

be learning the differences in mission between the public service sector and a private law firm, including billable hours and the seemingly-endless stream of legal words and concepts within this specialized world of the law. I was so proud of my indoctrination that I advised the district Superintendent of Schools (in my capacity as school board member) that if I could learn to keep track of every ¼ hour of my time, he could too.

I have worked primarily in litigation, foreclosures, workers' compensation, personal injury, discrimination and many aspects of employment/labor law. I also worked for about five years doing real estate work and title searches.

Why take the Paralegal Advanced Competency Exam ("PACE")? Because I had not completed college, I was caught by the PACE global grandfathering requirement that a person with four years or more of on-the-job experience and no associate or bachelor's degree would be barred from taking the exam after De-

cember 2000. By then I was very well-seasoned, had earned my paralegal certification (non-degree) through Keene State/UNH in New Hampshire, for which my firm paid, and by 1999 had nearly 15 years of full-time paralegal work.

It was a choice for me, however, because the law firms for which I have worked did not require nor request that I seek the RP designation. I am not aware that paralegal certification/licensure issues are a focus of local firms.

In the end, although I didn't have to take PACE, I wanted to prove that I could get past the grandfathering restrictions. I signed up, studied and passed PACE in July 1999.

From reading Laurie Noyes' article, I can see there are a lot of changes since I took the exam. I did not have a study group. I borrowed a manual which I studied on my own over a period of a few months. It was definitely good to study specific areas and practice the types of

NFPA® moves forward with the development of its Paralegal CORE Competency Exam



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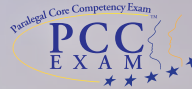
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Be among the first to earn this new credential by participating in the PCC Exam pilot test at one of several testing sites around the country on Saturday, June 11, 2011. The fee for this initial test will be \$65.00. The online application process for the pilot test will begin April 1, 2011.

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questions and thinking behind the testing areas. Review of all Court Rules, the deadline and timing issues was very helpful for me, as well as studying substantive areas of the law. My recollection is that I had the most trouble with questions relating to office administration and ethics which call for the use of judgment and discretion, a very important aspect of paralegal work within the legal team. I believe this had a lot to do with the multiple choice format, which can only offer a limited number of options.

I note that I am still posted on the NFPA website as an RP, but last year I fell behind in the continuing education requirement of earning 12 credit hours (including 1 in ethics) every two years, which are submitted for approval to the PACE Standards Committee. Caring for my mother, approaching retirement age, and having no specific courses I was required to take for my current litigation paralegal work, I let it lapse.

My goal as a paralegal then and now parallels that expressed recently by Ashley LaRose)(See Profile, October-December

2010 Paralegal Focus issue) when she was asked what she would change about being a paralegal: "The one thing that I would change about being a paralegal is the recognition, or rather lack of recognition, which we receive. Almost every time I tell someone that I am a paralegal, I hear: 'Why aren't you a lawyer?'" And I add to her sentiment that attorneys as well as the general population should recognize the importance of the paralegal profession.

I also agree with Laurie S. Noyes, RP ("The PACE Experience," Paralegal Focus, p. 8, October – December 2010) that "paralegal" should not be a randomly assigned job title. Speaking in favor of certification/licensure for paralegals, she says: "The definition of paralegals is being 'clouded' by attorneys and firms who, in an effort to reward hard working legal secretaries, routinely promote them to 'paralegal' positions despite a lack of education and/or specialized knowledge that is required for the position."

Our firm encourages continuing education, particularly within a paralegal's practice area.

Creating a cross-fertilization of ideas by setting out to study broadly for PACE, expanding upon the skill set one already has, may be reason enough to take the exam.

All legal work has a large component of "fact" development which can be performed by non-lawyers to which the "law" is applied. Paralegals are perfectly suited to be a key part of the legal team, providing many services at much lower cost to clients with greater accessibility on a day-to-day basis. Generally speaking, a person or company seeks the services of a law firm if she/he or it is in transition or in trouble. This means we all work with persons under stress or confusion, we handle confidential, highly technical, stressful situations whether it is real estate, family law, litigation or bankruptcy. Many times, a paralegal's availability can be less stressful (and less costly) than only having contact with an attorney.

For me, being an RP demonstrates my personal commitment to the field, gives me confidence that I have done what I could to enhance my paralegal profile, and defies the trend of downplaying the paralegal role despite the importance of the field (providing services more effectively at lower cost should be an obvious goal for the legal profession and all services in these economic times).

Recognition as an Associate Member of the VBA has been a large boost in this direction of stature in the community. I am very grateful to all of the Vermont paralegals and lawyers who have worked to enhance our public profile. As to being from the Banana Belt, we travel a long way to get to meetings and seminars, always enjoyable but sometimes not manageable with our schedules. I know we miss out on a lot of the cross-fertilization that could help us.

As a final note: for some years Windham County paralegals managed get-togethers, holding meetings with speakers and generally fostering sharing of mutual goals for paralegals in the community. My thanks to those paralegals who made that possible. I hope this can happen again in Southern Vermont.



VERMONT
PARALEGAL
ORGANIZATION

ANNUAL MEETING AND CONFERENCE

Thursday, April 28, 2011

CAPITOL PLAZA

100 State Street

Montpelier, Vermont

9:00 a.m. – 4:30 p.m.

Registration starting at 8:15 a.m.

APPROVAL PENDING FOR NFPA CLE CREDITS



Q&A

Leslie Mooney - Member Spotlight

How old are you?	I recently turned 57.
Describe your family?	My husband Jim and I met in college and have been married for over 32 years. We have three daughters: Megan is 29 and lives outside Philadelphia; she and her husband Scott have their first anniversary coming up in June. She works as a project manager for Duane Morris, a law firm in Philly. They have 26 or so offices and somewhere around 700 attorneys, so it's a bit different from our firms in Vermont! My 25 year old daughter Meredith is an aspiring elementary school teacher and works as a regular substitute teacher as well as running the afterschool program in Essex Junction. She is a camp coordinator in the summer and is great with children. Her twin sister Maura lives in Boston and is a food and beverage manager for the Liberty Hotel, which used to be the old Charles Street Jail.
Town in which you live?	We've lived in Essex Junction since we moved to Vermont about 25 years ago.
What is your favorite food?	Oh boy; it would be easier to ask what I don't like! I love to cook and to bake and to read cookbooks, and I'll try just about any kind of food. However, right now I'm on a health kick, and I've gotten us into "green smoothies" with fresh greens and fruits, which I think have really made a difference--we haven't had as much as a cold so far this winter!
Do have any pets? If so, what are they, and what are their names?	We have an 8 year old Morkie (1/2 Maltese and 1/2 Yorkie) named Dewey who is spoiled rotten but adorable.
What kind of hobbies do you have?	I love to read, and I love politics, so I read a lot of political newsletters and blogs, as well as usually having several books going at a time. My husband got me a Kobo e-reader for Christmas, which I love because I always have something in my purse to read if I get stuck in a waiting room or in the car. I also like to cook (on the weekends) and I'm working on a quilt for my daughter and son-in-law (very belated wedding present).
How do you unwind at the end of a long work week?	A glass of wine, slice of pizza, and "Say Yes to the Dress" and "Four Weddings" on TLC. I don't know why, but those cheesy shows are addictive...or maybe I just don't have any brain cells left on Friday night to watch anything substantive.
What is your educational background?	I have a BA in English from Stonehill College (my 35th reunion is this year!) and a Paralegal Certificate from Woodbury College.
Where do you currently work?	Downs Rachlin Martin, in Burlington.
How long have you worked there?	Almost five years.
What type of cases – what area of law do you work in?	I'm in the Family Law Group, but I sometimes also help out in litigation or other areas.
What is the one thing about being a paralegal you would change if you could?	I'd get rid of billable hours requirements, of course!
When did you first become a paralegal?	In 1998.

<i>What do you enjoy about working in that area of law?</i>	I find that most people haven't had much experience with the court system, and it can sometimes seem unjust or incomprehensible. It is rewarding when I can help someone who is at a very vulnerable and difficult time in their life through the process of divorcing. I especially like it when our attorneys are able to get a result that is most beneficial to the children involved.
<i>If you could work in any other area of law, what would it be?</i>	I used to do personal injury and other types of litigation, and I'd enjoy doing some of that again. I also enjoyed doing civil rights defense work. Right now I'm working on a project for our government affairs group, which I am really enjoying very much.
<i>How or why did you first enter the paralegal field?</i>	Long story, but I was on a school board in 1992-1995, and we had one member who was, shall we say, very difficult. He wound up suing the four of us other board members and the school district. We were eventually dismissed as individual defendants, and won on appeal, but the entire process was very frustrating and baffling to me. So I enrolled at Woodbury partially because I wanted to understand the legal system better, but I had also planned on changing careers when my kids were older anyway. Being an English major, I liked the reading and writing aspect of the work.
<i>Did you hold other positions, or have a different career, prior to becoming a paralegal, and if so, what was it?</i>	I used to work as a sales representative for several national consumer goods companies, calling on independent retailers, chain stores, and chain headquarters. I did that part time when my kids were little and also did a lot of volunteer work and served on the local school board.
<i>What do you love about the paralegal profession?</i>	I love it when a client (one who is the "good guy" in the situation) wins, especially when it's in the best interests of the children. I also love to write, especially when I get a chance to indulge in some "righteous indignation." I don't have much opportunity for that currently, but it's great to be able to do so when you have a client that really has been hurt.
<i>What things about the profession do you dislike?</i>	Some of the routine work like preparing discovery is very dull and repetitive.
<i>How long have you been a member of the VPO?</i>	Since I started working in 1998. The first lawyer I worked for, Jim Dingley, was a huge supporter of professional development, including the VPO, and encouraged me to join, which I appreciate.
<i>Tell me about the skills or traits you possess that you find most useful in your position?</i>	A sense of humor definitely helps to keep everything in perspective, particularly in family law. I also think you need to have compassion and empathy, and from a practical standpoint, organizational and communications skills are important.
<i>What character oddities or personality traits do you find at odds with your career?</i>	I sometimes find it a bit constraining and I miss being out of the office as much as I was in some of my previous paralegal jobs. I also dislike the amount of time I spend sitting at the computer.
<i>What brief advice or friendly tip would you offer to someone just entering the paralegal field?</i>	I would just urge them to network as much as possible and try to get a good sense of the type of law they enjoy and type of firm they would like to work for, as both can vary so much.

Save the date! VPO ANNUAL MEETING

The 2011 VPO Annual Meeting and Conference will be held on Thursday, April 28th at the Capitol Plaza in Montpelier, Vermont. In addition to covering topics such as e-filing in Vermont State Courts, Judge Colleen Brown speaking on Chapter 7 and 13 Bankruptcy, Foreclosure Actions in Vermont and the new mediation rules, researching legislative history, FOIA Requests, and Paralegal Regulation in Vermont, this will be a voting year! Elect and meet your new board while you learn valuable information and connect with old colleagues and friends. Brochures and registration forms will be forwarded electronically at the end of March, and will be available on our website at that time as well: www.vtparalegal.org.

CLE UPDATE by Louise Reese

On January 12, 2011, the VPO held a student Lunch 'n Learn at Champlain College. As the event fell on a day when Mother Nature was dropping at least a foot of snow, we were very pleased to have all panel members arrive safely, and five students in attendance. The topic of the session was "Defining Yourself - Things You Can Do Today To Shape The Paralegal You Will Become." The VPO's panel included three Champlain College Alumni who discussed the evolution of their paralegal careers over time into non-traditional paralegal roles, and in one case, beyond the paralegal field.

Diane Brown, current VPO President, and three-time Champlain alum ('78, '96, '03), discussed her start as a paralegal in a law firm, and later working for IDX, now GE Healthcare, where she has remained for 19 years. Heather Moreau, former NFPA Primary and two-time Champlain alum ('92, '00), discussed her start as a paralegal for the law firm of Paul Frank + Collins in 1993. This career evolved into her current position for the firm as Senior Paralegal/Litigation Technology Coordinator, a combined position she has held since approximately December, 2008. Rebecca Guenther, former VPO Membership Chair, is also a two-time Champlain alum ('92, '99), and is currently the Human Resources Manager at Paul Frank + Collins, a position she has held since 2001. Prior to becoming the HR Manager, Becky had worked as a litigation paralegal, and then Paralegal Manager, for nine years.

NFPA Inside Report

By Carie Tarte, Primary

On January 12, 2011, the VPO held its first Student Lunch-n-Learn at Champlain College. The topic of the session was "Defining Yourself-Things You Can Do Today To Shape The Paralegal You Will Be." The VPO provided a panel of three experienced paralegals (also former Champlain College Alumni) to talk about their non-traditional paralegal roles and how they worked to define and create the roles they currently hold. Panel members included VPO President, Diane Brown, who is a Senior Contract Specialist at GE Healthcare (formerly known as IDX), Heather Moreau, former NFPA Primary and Senior Paralegal Litigation Technology Coordinator, and Rebecca Guenther, a former VPO Membership Chair and current Human Resources Manager. The session culminated into a forty-five minute open forum where the students were able to ask questions of the panel. The program was videotaped for distribution to students who were unable to attend. The VPO plans to provide a link to members on its website of the Lunch-n-Learn session.

The CLE Committee is currently planning the VPO's annual meeting and conference. The conference will take place at the Capitol Plaza hotel. Sessions are planned regarding real estate foreclosures and recent mediation rules that were put into effect

regarding foreclosures, researching legislative history, FOIA requests, electronic filing in Vermont State Courts (which will be mandatory in March), and paralegal regulation and lobbying.

Last, Kristin Mattes, our Pro Bono Coordinator, has recently received unanimous endorsement from the Vermont Probate Judges Association of her request for paralegal involvement in Vermont's Long-Term Care Ombudsmanship as Probate Designees. The Vermont Ombudsman Project (VOP) protects the health, welfare and rights of people who live in long term care facilities, including nursing homes, residential care homes and assisted living residences. It also helps people who receive long term care services in their homes. The project improves Vermont's long term care system through individual complaint resolution, education and administrative and legislative advocacy. The work of the Long-Term Care Ombudsmanship is supported by an active group of certified volunteers.

VPO Pro Bono Update

By Kristin Mattes, Pro Bono Chairperson

I am happy to announce that on December 3, 2010 the Vermont Probate Court Judges Association voted to endorse the proposed involvement of the VPO in long term care ombudsmanship as probate designees under 18 V.S.A. §9701(25) and 9701.

This endorsement is subject to the development of a training and/or a certification program for paralegals prior to their appointment.

After much thought and discussions with my peers, I decided that the best option for paralegals would be a certification program. The certification program would allow paralegals to build on their professional skills and resume while helping the community reach a long standing goal.

After this development, I reached out to several members who had spoken to me about a desire to get involved in pro bono work. With these members, I formed a small panel comprising of members Carie Tarte, Mary Tino, Lenette MacDonald, Leslie Mooney, and myself.

On February 14, 2010, the panel had a conference call with Attorney Jacqueline Majoros from Vermont Legal Aid. The goal of the conference call was to begin development of the certification program. The panel plans to reach out over the next month to the Vermont Ethics Network and the Vermont Agency on Aging for support in the development of the certification program. Additional news on this front will be provided in the next issue of the *Paralegal Focus*.



Photo from Champlain College Luncheon

February 2011

Corinne Deering
36 Hawthorne Cir
South Burlington, VT 05403-8231



Dear Corinne,

Congratulations! With your help, we have done it again! Our third Vermont Making Strides Against Breast Cancer raised \$200,000! On behalf of the American Cancer Society, I want to personally thank and congratulate **Vermont Paralegal Organization** in successfully raising a total of **\$4,918.40** for the 2010 Making Strides Against Breast Cancer of Chittenden County!

Vermont's third Making Strides Against Breast Cancer was another huge success! We exceeded our goal by over \$25,000 for the American Cancer Society's research, educational and patient support programs! You should be so proud of yourself, and your team for the part you played in this event!

SAVE THE DATE!! We are gearing up to bring the 4th Making Strides Against Breast Cancer to Vermont this **October 16th, Dorset Park, South Burlington**. Our start time will remain 1pm with registration opening once again at 11:00 a.m. We feel this allowed our participants a bit more travel time and this year time for the sun to shine! We are due! Together we are sure to continue our success of last year with your help!

Save the date for our Team Leader Kick Off, July 16th. We will be sending more information soon! Also, see the enclosed meeting schedule for our 2011 season!

Please contact me with any questions. Thank you once again for making a difference and for Making Strides Against Breast Cancer!

Warmly,

Amy Deavitt
Distinguished Giving Officer
American Cancer Society

New England Division
55 Day Lane, P.O. Box 1460, Williston, VT 05495-1460 t) 802.872.6300 / 866.466.0626 f) 802.872.6399 tty) 866.228.4327
Cancer Information: 1.800.227.2345 cancer.org

NFPA Awards – They are Meant for Members – Get ready to nominate your members

*By Theresa A. Prater, RP
Director of Profession Development*

Do you know that NFPA gives yearly awards to its members? There are awards for associations and for individuals – including a scholarship to take PACE. Each award has specific requirements for what the nomination letter must contain and what supporting documents need to be submitted. Ask your board to look in the NFPA Procedures Manual for all the details as outlined in Section 25. Here is information on what the awards are and later I'll explain how they are judged and how the judges are chosen.

NFPA Individual Pro Bono – Recognizes an individual practicing paralegal who has exhibited extraordinary dedication to the delivery of quality legal services to a portion of the population that cannot afford to pay for legal services. Any individual or Association may nominate a practicing paralegal for this award. An individual may also nominate themselves. The nomination form shall be submitted with a letter of nomination of no more than two pages and must include a variety of information including a clear identification of the services and accomplishments of the nominee in the area of Pro Bono services.

This award is open to all practicing paralegals. The nominee need not be a member of NFPA or an NFPA member Association. Among the criteria the judges look at are that the nominee must have offered Pro Bono services designed to target that portion of the population which cannot otherwise afford legal assistance, and have contributed to the delivery of quality legal services directed to members of the community who are unable to pay reasonable or customary legal fees. Also, did the nominee further enhance the delivery of such legal services? and does the nominee exhibit a true dedication to the delivery of quality legal services? However, a greater weight shall be given to those nominees who provide Pro Bono services outside of or in addition to their normal course of employment.

This award includes expenses to attend the NFPA Annual Convention, a commemorative plaque, and a \$1,000 donation to the pro bono project of the recipient's choice.

NFPA Association Pro Bono -- Recognizes NFPA member association that has exhibited outstanding dedication and service in the area of Pro Bono services. Anyone may nominate an NFPA member association for this award, or the association may self-nominate. As with all awards, there are specific topics the nomination letter must include, which are outlined in the NFPA Procedures Manual at Section 25.

The general criteria to be considered shall include, but are not limited to:

- The Program must be designed to target a portion of the community which cannot otherwise afford to seek legal assistance.
- Each paralegal participating in the Program shall comply with the ethical standards of NFPA and the local Association.
- At no time will the Judges consider the number of hours contributed by the Association's members, nor the number of individuals assisted by the Program. This award comes with a \$500 check for the Association's chosen pro bono project.

PACE Ambassador -- This award will soon be renamed to include the PCC exam. It was designed to recognize outstanding achievement in promoting NFPA's paralegal certification exams. The nominee must be an NFPA member association can nominate its Paralegal Certification Ambassador and the Association for the award by submitting a letter of nomination, providing evidence of all the marketing efforts made by the Ambassador and/or the Association in the previous year. The nomination must be specific as to dates with respect to accomplishments, projects or any other information submitted. It should address the questions such topics as:

- Has the Association appointed a Paralegal Cert. Ambassador?
- Has the Association sent its Ambassador or other representative to the NFPA Paralegal Certification Ambassadors' Conference?
- How effective has the Ambassador been?
- Any other evidence presented by the association.

The judges weigh the evidence as follows:

20%: Utilization of the Paralegal Cert. Ambassador Program

20%: Assisting members by helping them prepare to take PACE or PCC Exam

20%: Participation by individual members in PCC Exam and PACE

20%: Marketing PACE and the PCC and exams within the Association

20%: Marketing the PCC and PACE exams to other members of the legal community

The award includes expenses to attend the NFPA Annual Convention and a commemorative plaque.

William R. Robie Leadership -- This award recognizes an NFPA member in honor of the Honorable William R. Robie and his dedication to the paralegal profession, the expansion of the delivery of legal services and equal access to justice for all Americans. Any NFPA member Association may nominate a voting, student or affiliate member of an NFPA member Association for the Robie Award. The nomination must be accompanied by a letter/letters of nomination from the nominating Association's President and/or other individuals and contain, among other information, the following information:

- A description of the following qualities of the nominee: Dedication to the paralegal profession; Service to the legal community; Leadership; Participation in the NFPA member Association work; Positive attitude toward paralegal education either by service on an advisory board, as an instructor in a paralegal program, or as a speaker in a continuing education project; and Has created a lasting legacy to the paralegal profession through some distinct contribution(s). The award includes expenses to attend the NFPA Annual Convention and a commemorative plaque.

NFPA Outstanding Local Leader -- This award recognizes an individual NFPA member for outstanding leadership contributions to his/her local Association. NFPA member Associations or a member of an NFPA member Association may nominate an individual NFPA member for this award. Nominations must be accompanied by a letter of nomination by the nominating member or Association detailing how the nominee meets the criteria for eligibility.

Nominees for this award must be a member of an NFPA member Association and must be nominated by a member Association or individual Member of the same association. The nominee will have demonstrated influential behavior in the paralegal profession; promoted interest and active participation in the activities of his/her local Association; motivated others to work toward establishing and carrying out professional goals; and will have been recognized by the legal community as a committed professional dedicated to the advancement of the legal profession. The award includes expenses to attend the NFPA Annual Convention as well as a plaque.

NFPA Paralegal of the Year -- The award recognizes an individual NFPA member, whose on-the-job achievements have contributed to expansion of the paralegal profession, including contributions to his/ her employer, colleagues and the paralegal profession in general. Anyone may nominate a member of an NFPA member Association or an individual sustaining member of NFPA for this award. The letter of nomination must include information on how the nominee has taken the initiative beyond typical job duties to contribute to expansion of the paralegal profession, including how an expanded role has served the paralegal's employer and/or others for whom the paralegal performed additional duties, cost savings, added efficiency, added professionalism, increased visibility, or other factors that have been a positive result of the paralegal's initiative and how his/her efforts have been recognized and appreciated by the individuals who the paralegal performs paralegal duties for.

Nominees for this award must be members of an NFPA member association or an individual sustaining member of NFPA. Paralegals working as either traditional or non-traditional paralegals are eligible to receive this award. If the nominee is a freelance or independent paralegal (within the scope of the authorized practice

of law), the nominating individual may be a client. The award also includes expenses to attend the NFPA annual convention together with a plaque.

Judges for the all awards are chosen by the NFPA board of directors at the winter board meeting, from the NFPA Advisory Board. It is the duty of the VPPD to suggest the judging panels for the Thomson-Reuters' scholarships, as well as the annual awards. Nominations can be made April 1 - July 1 – without exception.

All nominations are handled by the NFPA Management Team at headquarters, under the supervision of Cindy Byfield, the managing director. The NFPA board does not know who is nominated, how many nominations are received or when they are received. Cindy oversees the delivery of nominations and receives the judges' decisions, orders the plaques and contacts only those individuals who must make arrangement to get winners to Convention. The NFPA board does not know who wins what award until the announcement is made by the individual Vice Presidents announce the winners.

Please think about the members of your association who have given to the paralegal community and to the public – honor them by placing their names before an independent panel of judges for recognition of their accomplishments. Ask your NFPA primary, secondary or association president to get the procedures – read them – nominate someone by July 1.

NFPA also awards a PACE scholarship and further recognizes excellence in paralegal students by the presentation of two student scholarship awards. If you'd like more information on the scholarships, visit the NFPA website. These scholarships also have an application deadline of July 1. Of course, you are free to contact me at vppd@paralegals.org.

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**LAW AND ORDER
CHAMPLAIN 2011**

The details of Law and Order Champlain 2011 are in place. The Suppression Hearing is scheduled to start at 8:30 a.m. on Saturday, April 2, 2011, at the Hauke Conference Center (main floor), and will run until about noon. Trial is scheduled to start at 8:30 a.m. on Saturday, April 16, 2011 at the Hauke Conference Center, and will also run until about noon. Any student or *Paralegal Focus* reader who wishes to participate as a mock juror should contact Louise Reese at lreese@dinse.com or 802-859-7063, and she will put you in touch with someone at Champlain. This is a great opportunity to support Champlain and its legal programs.

Tips to Help Manage Your Time

By Cherylan Shearer

Region III Director

Working for approximately eight attorneys as a Corporate Paralegal and having been elected to serve as Region Director for NFPA can cause, at one time or another, for me to feel the crunch and stress to make sure that I accomplish my projects at work, prepare for the work and/or personal emergencies that may arise, and to make sure that I keep up with my NFPA responsibilities. I would like to share with you, the NFPA members, some tips that not only help me but may also help you when you are feeling the same type of crunch and stress.

1. First and foremost, get yourself organized before you prioritize. This means organizing your desk, files, case load, etc. Chaos is not good and only creates more stress in your life, especially when you can't find something and you need it right now.
2. Prioritize each project that must be completed by the end of the year. High priority is a project that comes first in line. Medium priority is a project that can be completed in a couple of weeks. Low priority is a project that can be completed at a later time. By labeling your projects, it will help you get organized and focus your time to one thing. Of course, there is always going to be wrench that is thrown into the mix, but re-prioritize. You may even need to ask your supervising attorney for feedback as to what he thinks should be on the high priority list.
3. Be realistic when prioritizing your projects. Some projects are going to take longer than others. Allow sufficient time for longer projects.
4. Set aside specific times during the day to accomplish your project. It may mean blocking several hours each day on your calendar so that the attorneys are aware that you are not available and you are working on something specific.
5. Communication is a key component. Communicate with your attorney to keep them in the loop on where a project stands. They will want to know what you are currently working on, what still needs to be completed, and what your plans are to complete the project on a timely basis.
6. Update your "To Do" list every day. You can either do this by paper or with your computer. Either way, review your list in the morning and at the end of the day to see where your projects stand. You may need to re-prioritize your "To Do" list to make sure a project gets finalized. It is a great feeling when you can cross off one or two items from your "To Do" list.
7. Email can definitely clog your day. Review your email and determine if a response is due immediately or if a response can wait. Organizing your emails and response times can increase your productivity at work.
8. Make the most of your day. Of course, you are going to have interruptions during your day. But don't let them distract you from keeping on task and accomplishing your project.
9. Ask for help if you need it. If you are unable to get something done, ask someone to help you. This is called "TEAMWORK". A successful project can be accomplished with teamwork.
10. Take a short break. Get up from your desk and talk a walk either to the break room or around your office for about 5 to 10 minutes. This will help to clear your thoughts and when you get back to your desk, you will be ready to refocus on your project.

Hopefully some of these tips will help you when you are feeling stressed and not sure which way to turn. Just take a few deep breaths and move on to the next project. Remember to focus on the results, not on being stressed or busy, and you will be surprised at how relaxed and productive you can be.

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2010 Changes to Foreclosure Rules

By Laurie S. Noyes, RP®

In an effort to address the current foreclosure situation in Vermont, the Legislature passed H.590: An Act Relating To Mediation In Foreclosure Proceedings. The Act became effective July 1, 2010, and incorporated significant changes to Rule 80.1 of the Vermont Rules of Civil Procedure. Two key changes resulting from the Act are:

1. The Plaintiff must attach to the complaint copies of the original note and mortgage deed and proof of ownership thereof, including copies of all original endorsements and assignments of the note and mortgage deed. Further, the plaintiff must state in the Complaint that the originals are in the possession and control of the Plaintiff, or that they are otherwise entitled to enforce the mortgage note consistent with the Uniform Commercial Code.

2. The Act further established a mandatory mediation program to assure the availability of mediation and application of the Home Affordable Modification Program ("HAMP") requirements in actions for foreclosure involving primary residences. Although the Act's mandatory mediation program was intended to apply only to foreclosures involving HAMP subject loans, the Vermont Courts have taken a liberal approach by ordering mediation in nearly all non-commercial foreclosure actions.

The mandatory mediation program places additional burdens on mortgagees filing foreclosure actions. These include, among others, (1) an obligation to pay the costs of mediation, (2) to provide copies of a pooling or servicing agreement that prohibits loan modification, and (3) to use and consider, and provide documentation of all such consideration, of all available foreclosure prevention tools, including reinstatement, loan modification, forbearance, short sale, and HAMP calculation and assumption guidelines. Failure to comply with these new obligations may result sanctions by the Court, including prohibiting the mortgagee from selling or taking possession of the property.

Finally, in December 2010, the Vermont Supreme Court issued an emergency amendment to Rule 80.1 affecting residential foreclosure actions. The amendment requires counsel for the Plaintiff to certify with the Court that a representative of mortgagee has personally reviewed the documents filed in the case and has confirmed the factual accuracy of the court filings and notari-

zations contained within the documents. In addition, an affidavit is required by a representative of the Plaintiff, and that representative will need to identify and document the source of his or her authority to act on the Plaintiff's behalf.

Did you know?

1. The Manchester Probate Court mailing address is no longer active as that Court is only open on a part-time basis. Mail should be sent to: Bennington Unit Probate Division, 207 South Street, Bennington, VT 05201
Phone: 802-447-2705

2. The Fair Haven District Probate Court is now consolidated with the Rutland District Probate Court. Probate matters in Rutland County should be addressed to: Rutland Probate Division, 83 Center Street, Rutland, VT 05701
Phone: 802-775-0114

3. The Bellows Falls Probate Court mailing address is no longer active as that Court is only open on a part-time basis. Mail should be sent to: Windham Unit Probate Division, 80 Flat St., Suite 104, Brattleboro, VT 05301
Phone: 802-257-2898

4. The North Springfield Probate Court mailing address is no longer active as that Court is only open on a part-time basis. Mail should be sent to: Windsor Unit Probate Division, 62 Pleasant Street, Woodstock, VT 05091
Phone: 802-457-1503

COURTS: Please use the following street addresses rather than PO Boxes for the following courts:

Bennington Civil Division 207 South Street Bennington, VT 05201	Windsor Civil Division 12 The Green Woodstock, VT 05091
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Franklin Civil Division
17 Church Street
St. Albans, VT 04578

NEW STATE JUDGES: Robert Mello, Timothy Tomasi, and Robert Gerety.



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