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PAST PRESIDENT'S MESSAGE

As you already know, a new president has been elected for the 2007-2009 term. Diane Brown, our treasurer for the past two years, will be leading the Organization through the next term. Diane is a long-time board member, and I wish her well.

It was my honor and pleasure to serve as the VPO's President for the 2005-2007 term, and I look forward to being a member under the leadership of the newly elected board. As a reminder, the board for the 2007-2009 term is as follows: President – Diane Brown; Vice President – Carrie Tarte; Treasurer – Katie Couture; Secretary – Lisa Laramée; NFPA Primary – Heather Moreau; and NFPA Secondary – Sharon Lucia.

The 2007 annual meeting in Montpelier was a success, and we truly appreciate the time given by Sharon Spinelli and Georgette Lovelace to come to the meeting.

We will be conducting a salary survey this year, and a copy of the questionnaire has been emailed to all current members. If you did not receive one, please do not hesitate to contact me at lreese@dinse.com. The more who respond, the more accurate the results!

Louise Reese
Past President

****New President's Message****



I am honored and thrilled to have been elected to the position of President of the Vermont Paralegal Organization for the 2007-2009 term. It is my hope to meet all of you through events and seminars.

First, I would like to thank everyone who voted and your participation as a voting member is much appreciated. A special thanks goes to Tina Wiles as the Nominations Committee Chair for facilitating the voting process and tabulation.

At the recent 2007 VPO Annual Meeting, the following VPO members were elected to serve on the VPO Board for the 2007-2009 term:

President	Diane Brown
Vice President	Carie Tarte
Secretary	Lisa Laramee
Treasurer	Catherine Couture
NFPA Primary	Heather Moreau
NFPA Secondary	Sharon Lucia
Past President	Louise Reese

Secondly, I would like to extend my appreciation and gratitude to two dedicated VPO members, Louise Reese and Kim Pritchard for their years of service on the Board and VPO and the tremendous contribution they have both made to our organization. I look forward to both of them playing a significant role and contribution to the future of our organization.

Thirdly, to begin this exciting journey as President, I will be hosting the members of the VPO Board and Committee Chairpersons at GE Healthcare for a regular VPO Board meeting on May 29, 2007 to transition over roles and responsibilities to the new Board members and chairpersons and to discuss our goals and objectives for 2007 and 2008.

Lastly, one of my main objectives is to bring a positive and refreshing attitude to the Board and organization. I hope to set achievable goals and expectations and work efficiently with colleagues. As a team leader and team player, I will strive to continually develop and improve consistency and uniformity in all our efforts for accountability and effectiveness.

Together we can build and improve our organization.

Please do not hesitate to contact me directly with questions, concerns or comments. I can be reached at 802-859-6379 or diane.brown@ge.com.

Diane L. Brown
President

MEMBERSHIP NEWS

WELCOME NEW VPO MEMBERS!

Anne Bransfield
708 Prospect Street
Brandon, VT 05733
Anne.bransfield@gmail.com

John Santamore
PO Box 611
Waterbury, VT 05676

Pamela Keats
Sheehey Furlong & Behm
PO Box 66
Burlington, VT 05402
pkeats@sheeheyvt.com

Sandra Quinn
Law Offices of Vince & Brennan
PO Box 76
Bristol, VT 05443
skquinngrvlaw@madriver.com

Members on the Move!

Jeanne McCarthy, a new member in 2006, is now employed as a paralegal working in immigration, nationality, and consular law at **Carroll & Scribner** in Burlington.

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Real Estate Corner



by **Andy Mikell**, Vermont Attorneys Title Corporation

RE: RIGHTS-OF-WAY ARE EXTINGUISHED BY MERGER

In *Fletcher v. Ferry*, 2007 Vt 8 (filed 2/2/2007), the **Vermont Supreme Court** reversed a lower court decision and confirmed that “under the common-law merger doctrine, an easement ceases to exist when the dominant and servient estates come into common ownership”.

The trial court had agreed with the owner of the dominant estate that a right of way is not

extinguished under the doctrine of merger unless the owner of the two properties intends for the right of way to be extinguished. The Court rejected this argument.

The case can be found on the Vermont Supreme Court’s web site at:

http://dol.state.vt.us/gopher_root3/supct/current/2005-295.op

2007 LEGISLATIVE UPDATE

By Katie Couture

In the legislative session just ended, 750 bills were proposed before the House and Senate for consideration this year and next. As we’ve seen in the news, our legislators spent time on budget matters, the war in Iraq, global warming, improving telecommunications, health care, and end of life issues, to name a few. Also before the Legislature were bills relating to wastewater and water supply permitting changes (H.296), stormwater discharge permits (H.154), bills relating to unidentified corridors and town highways (H.111 and S.107), a proposal allowing a licensed attorney to discharge a mortgage under certain conditions (S.171), and a bill which includes rules for prorating state education taxes in some real estate transactions, changes in small claims court, and transfer of motor vehicle title to a surviving spouse (S.77). There are many proposals spanning litigation,

family law, probate, criminal law and real estate which if enacted may affect our profession, and we will be sending an email to members further describing those as there are too many to list in this article. A few interesting proposals before the legislature are H.340 which would expand public access to criminal records, H.66 which proposes to publish State agency rules on the internet, and H.458 which would allow electronic communication for corporate matters pertaining to voting, meetings, etc. Status of a bill may be found on the Vermont Legislature’s website (www.leg.state.vt.us), and for those who are interested, during the legislative session the Vermont Bar Association’s website (vtbar.org) posts an interesting weekly article written by Bob Paolini (“This Week in the Legislature”).

The following bills have been signed by the Governor:

H.296/Act 32 – Potable water supply and wastewater system permitting.
S.77/Act 39 – Property tax adjustments at closing; small claims court jurisdictional limit increase and renewal of small claims judgments; transfer of motor vehicle title to surviving spouse.
H.334/Act 40 – Victim restitution, notice of confidential records disclosure.
S.51/Act 41 – Prohibiting discrimination on the basis of gender identity.
H.154/Act 43 – Stormwater management.
S.7/Act 58 – Use of marijuana for medicinal purposes.
S.6/Act 60 – Preventing conviction of innocent persons; post conviction DNA testing.
H.294 – Executive branch fees, including increase in recording/filing fees in land records to \$8 per page.

The following bills are in committee in either the House or the Senate:

Litigation -

H.0002 - Proposes a statute extinguishing civil causes of action after a certain period of time, eliminating punitive damages against State licensed professionals or occupations, limiting non-economic damages to \$100,000.
H.0021 - Proposes to increase the homestead exemption to \$180,000.
H.0221 & S.0024 - Proposed changes to medical malpractice actions.
S.0187 - Would reduce the number of jurors in civil and criminal actions from 12 to 6 and reduce the number of allowed peremptory challenges from 6 to 3.
H.0317 - Proposes to clarify that renewal of small claims judgments every eight years is not required.

Corporate -

H.0458 - To amend the statutes to address organizational and operational activities, including matters pertaining to share/stock ownership, voting, meetings, use of electronic documents and means of communication.

Family law -

H.0141 - Would permit the court to award primary sole or shared parental rights and responsibilities based only on the best interest of the child, eliminating the current requirement that the court award primary or sole responsibilities to one parent if the parents cannot agree on shared custody.
S.0018 - Would set forth that custodial parent must notify non-custodial parent of intent to relocate a substantial distance with parties' child. Hearing may be requested if other party objects and burden would be on custodial parent to prove that the move is in the best interest of the child.

Probate -

H.0203 - Proposes to increase the amount (to \$50,000) of an estate to which a surviving spouse is entitled when decedent dies without a will.
H.0381 - Changes the law governing guardianships.
H.0445 - Changes the laws governing wills and estates - would repeal provisions that define surviving spouses' share of decedent's estate, if the decedent died without a will and which distinguish between real and personal property in the estate, and which distinguish between men and women. Would also specify that if a decedent's will provides for transfer of the decedent's probate estate to a surviving spouse, that provision would be revoked upon divorce or annulment of marriage, or dissolution of civil union. Would also increase surviving spouse's share if decedent dies without a will, and would change share of surviving spouse if spouse chooses to elect against the decedent's will.

Real Estate -

H.0068 - Would permit recording a "notice of mortgage" instead of the whole mortgage, if the mortgage is more than 6 pages long.
H.0331 - Proposes to amend the statutes to treat mobile homes as real property for purchase financing purposes.
H.0349 - Proposes to continue Act 250 jurisdiction as necessary over expired permits.

H.0485 & S.0163 - Proposes to reduce the transfer tax.

S.0171 - Would permit a licensed attorney to discharge a mortgage if the mortgagee has failed to do so upon proper payoff as same, and to

discharge if the original discharge is not executed properly, or if executed by mortgagee no longer holding the mortgage
H.0111 and S.0107 relate to town highways and unidentified corridors

**NATIONAL FEDERATION OF
PARALEGAL ASSOCIATIONS (“NFPA”) –
REGION V MEETING**

Let me introduce myself. My name is Sharon Lucia and I work for Green Mountain Power Corporation. I had the pleasure of being nominated and elected to the NFPA Secondary Representative position for the Vermont Paralegal Organization (“VPO”), and I thank everyone who voted for me. In preparation for this role, I attended the Region V Meeting that was held in Albany, New York the last weekend of April. Also attending the meeting were representatives of paralegal organizations from Connecticut, Rhode Island, Massachusetts, and New York. Sharon Spinelli, the Director of Region V, led the two day event. Georgette Lovelace, Treasurer & Director of Finance for NFPA, also attended the meeting.

After introductions of new and returning members, the meeting on Saturday started with the recap of the Winter meeting.

Highlights of that meeting are as follows:

- The 2008 Leadership and Regulation Meeting will be combined into a two day event to enable more paralegals to attend both events.
- New Paralegal Organizations joining NFPA include Pennsylvania, Northern Virginia, Alabama, Arkansas, Springfield, Missouri and the Madison Area Paralegal Organization in Wisconsin. Unfortunately, the Greater Dayton, Ohio organization has resigned from NFPA relating in part to conflicts

between the organizations on regulation issues.

- The NFPA Board is working on language for its Bylaws that will allow international members to join the organization.
- Cleveland, Ohio’s attempt at changing its Bylaws to allow international members did not make it through voting.
- The NFPA Board also approved additional funding to allow members to obtain the right answers for incorrect answers from the online PACE practice exam.

The discussion then continued on the topic of the PACE exam. NPFA has decided not to pursue creating a Tier 2 exam at this time as there are not enough Registered Paralegals to warrant the cost of creating the exam. The issue of whether the Tier 2 exam should be state specific or practice specific was also discussed. See NFPA’s website for more information about the qualifications required to take the PACE exam.

NFPA also discussed the option of creating an entry level exam for students who are new to the paralegal field. At the present time, the only semi-entry level exam is the one produced by the National Association of Legal Assistants (“NALA”).

Next, Tracey Young of the Capital District Paralegal Organization of New York updated the group on the Regulation front. The State of California has regulation in place but at this time the organization believes that enforcement

of the regulation is needed. The State of Florida Paralegal Organization has filed a petition with the Florida Supreme Court against the Florida Bar Association's proposal for regulation. At this time, Florida is a NALA state but is trying to move over to the NFPA arena. The NALA organization is against any type of regulation at this time. Lastly, Indiana's regulation issue is currently being reviewed by the Indiana Supreme Court.

Finally, NFPA's Model Act is being redrafted to make it more user-friendly and generic so that state organizations can either use it for licensure or certification. This is an Agenda item for the Annual Convention to be held in Tampa, Florida on October 18-21, 2007.

The Leadership Conference had an overwhelming response and registration had to be closed. The conference took place on May 5 and 6, 2007. The next major NFPA event is the Technology Institute Conference scheduled for July 19 and 20. This is NFPA's first year for this type of conference. It will be held in Pittsburgh, Pennsylvania. There are 28 seminars that will be held, and CLE credits can be earned by Registered Paralegals.

From the marketing corner of NFPA, a new logo was approved at the winter meeting. You can view the new logo on NFPA's website <http://www.paralegals.org>.

Georgette Lovelace gave an update on NFPA finances which led to discussions on ways to increase our membership and other non-dues fund raising opportunities.

One such fund raising event that has been very successful for the Western New York Paralegal Organization is a Chinese Auction. This event auctions off donated items obtained by the paralegal organization. The Organization did not formally advertise this event; it was all done by word of mouth.

On the membership front, the Governor for the State of Connecticut, in recognition of the paralegal profession, has designated a day in June as Paralegal Day. The Paralegal Day offers seminars for paralegals, and a luncheon with keynote speeches by prestigious individuals such as the Attorney General for the State of Connecticut.

Other suggestions to increase membership include having more of a presence at colleges that have paralegal programs; have a well designed website which might include a frequently asked questions section, the list of board of directors and contact information, and by having more of a presence at seminars not sponsored specifically by the local association.

Lastly, there are a couple of NFPA deadlines coming up that may interest you. Every year NFPA and Thompson-West provide two scholarships available to students enrolled in an accredited paralegal education program. One scholarship is for \$1,500 and the other is for \$3,500. The two winners will be provided with a stipend to attend the NFPA Annual convention in October to receive their awards. The deadline for applications is August 1, 2007. See the NFPA website home page for more information.

The other deadline is July 15, 2007, and it is a nomination for Paralegal of the Year. If you know of anyone outstanding in the Paralegal Field, feel free to nominate him/her. For more information see the NFPA website; specifically, in the Membership category under awards.

This was an enjoyable and educational meeting. Unfortunately, Sharon Spinelli tendered her resignation as Region V director but we will not be without a leader for Region V as Tracey Young of the Capital District Paralegal Organization of New York expressed her desire to step up and take over that position.

VERMONT PARALEGAL ORGANIZATION'S
2007 ANNUAL MEETING AND DINNER

For those of you who could not make it to the VPO's 2007 Annual Meeting, we had the pleasure of having NFPA's Region V Director, Sharon Spinelli, and NFPA's Treasurer and Director of Finance, Georgette Lovelace, as our guest speakers. We were able to obtain Georgette's speech notes so that we could better share with all VPO members the vital information she had to share with us. Here is what Georgette shared with us at the meeting:

"Thank you so much for inviting me to be part of your 2007 Annual Meeting. Since taking office as NFPA's treasurer and director of finance after the 2006 Annual Meeting in May of last year, I have had an opportunity to visit with several of the associations in Region V, and I have to say, its one of the best parts of my job.

Despite the many hours of hard work, I have enjoyed every minute of being treasurer. It is both an honor and a privilege for me to serve NFPA's members. I have seen first hand how hard all of the NFPA board members work, and their dedication to the profession and to you, NFPA's individual members, is unmistakable.

My duties as treasurer include assisting in the financial management, planning and investing of NFPA financial resources; supervising the maintenance of all financial records and the filing of state and U.S. tax returns; assisting in the development and implementation of annual budgets and planning for maintaining of reserves; assisting in the development and implementation of financial controls; monitoring the amount of dues charged for all membership classifications and supervising the collection of dues from local member associations; assessing sources of non-dues income; and assisting in the development and

implementation of non-dues income programs to benefit NFPA. As Treasurer and Director of Finance, I am a member of NFPA's board of directors, and have additional duties related to my service on the board.

I serve as a member of NFPA's marketing committee, Technology Institute planning committee, convention planning committee, and contracts committee. I am the chairman of NFPA's budget committee and Tech Institute speakers committee.

My duties as treasurer also include providing assistance to local associations, at their request. I am available to help with budget planning, non-dues income suggestions, and other financial matters, and I hope you won't hesitate to call on me if your organization needs or wants my assistance.

I'd like to take a few brief minutes to share with you the plans for the Tech Institute NFPA is conducting in July of this year, briefly discuss the other NFPA conferences and annual meeting, and talk a bit about the many ways NFPA provides information and resources to its local associations.

I am very excited to be a part of NFPA's planning committee for the technology conference, planned for July, 2007. The conference, or "Tech Institute", as it is called, is scheduled for July 19th and 20th, and is offered to all paralegals as well as others in the legal profession; it is not limited to NFPA members. If you aren't the "techy" in your office, I hope you will share the information on this conference with that person. It is being held at the Omni William Penn Hotel in Pittsburgh. The format for the Tech Institute includes an exhibit hall where we expect 30-40 technology-

related vendors, 28 seminars, and a keynote speaker. The regular registration fee is \$275/person for NFPA members, slightly higher for non-members, and includes continental breakfast as well as lunch on both days. The seminars include topics such as managing your e-mail inbox, e-discovery, metadata, courtroom technology, e-billing, comparisons of software programs, and audio discovery. I think this is going to be a great event, and will appeal to paralegals who are “into” technology, as well as those who need to know despite their dislike for it!!

The summer board meeting will be held the 20th to the 22nd, in the same location. NFPA’s board meetings are open to all NFPA members. I would strongly encourage anyone interested in attending the tech institute to consider staying an extra day to attend part of the board meeting. It will give you a window into the actual workings and decision-making process at the board level, and a chance to get to know the board members individually.

NFPA’s Annual Meeting is also open to all NFPA members, not just the delegates sent by the local associations. The Annual Meeting consists of 16 educational seminars, 4 workshops, region meetings, and a policy meeting at which the annual budget is approved, and agenda topics are discussed and voted on by the delegates. Each local association has one vote at the Annual Meeting. The delegates vote to set the policy for NFPA, and the board of directors implements that policy.

In addition to the Tech Institute, NFPA holds 4 other conferences throughout the year – pro bono, leadership, regulation, and the PACE Ambassadors conference. The pro bono conference is held each year in conjunction with the ABA Equal Justice Conference. The leadership conference, which this year had to be closed to registrants when the attendance list reached the room maximum for the location

chosen, is a great opportunity to develop leadership skills and meet other paralegals from local associations across the country. The PACE Ambassadors conference is designed to provide the PACE ambassadors from each local association with information and materials to help paralegals from the local associations study for and pass PACE, and to keep the local associations, through the PACE ambassadors, informed as to NFPA’s activities involving PACE. NFPA’s regulation conference, which had not been held in several years, took place in Dallas in March this year, and included a lively discussion about the various forms of regulation and how paralegals around the country are already being affected by regulation in some of their states. A regulation listserv has been created through NFPA, and any member interested can sign up to be included on that listserv. Information and materials from each of these conferences can be found on the NFPA website.

In addition to the conference materials, NFPA has an abundance of helpful and informative data on its website, including 15 opinions issued by the NFPA Ethics Board and position papers. You will find opinions on questions involving whether a paralegal can continue to work in a law office during the period in which the attorney she reports to has been suspended from the practice of law, what means of compensation a paralegal can receive for referring business to the firm for which she works, and what the ethical implications are of a disbarred attorney teaching a paralegal course. There are position papers on short term paralegal education programs, legal document preparers, outsourcing, and non-lawyer practice.

At last year’s Annual Meeting, the delegates voted to establish an ad hoc committee to review, research, and make recommendations regarding the feasibility of creating PACE Tier II, including a consideration of whether Tier II should be state specific or practice area specific.

Although the committee has not yet formalized its recommendations, it appears that the committee is leaning in the direction of recommending an entry level exam rather than a state specific or practice area specific Tier II exam.

Sharon and I were asked to speak a little bit about regulation. Regulation of the paralegal profession is a broad term that encompasses all processes granting authority for recognition to an individual or institution. There are a number of mechanisms for regulating any profession ranging between a fully government driven regulatory system and a self-regulatory system. They include **entry qualifications, accreditation, reservation of title, registration, certification, and licensure.**

The delegates representing NFPA's local associations voted to authorize NFPA to actively promote regulation of the paralegal profession generally by providing information as to NFPA's preferred form of regulation of mandatory licensure and specialty licensure and its preference of a four-year degree being the requirement for entry into the paralegal profession. However, NFPA and its board of directors are not to initiate the introduction of any proposal to regulate paralegals in any jurisdiction but, may educate and inform others

regarding the existence, size, strength of NFPA, its regulation policy, and its resources, including but not limited to, NFPA's paralegal definition, education policy, minimum standards for paralegal regulation, publications, models promulgated, PACE, etc. NFPA may support or oppose, as appropriate, any legislative, judicial, administrative, or other regulatory activity introduced, provided that form of regulation proposed in a state is supported or opposed, as appropriate, by a majority of the voting members of NFPA associations in that state, or in any jurisdiction where NFPA is not represented, and subject to certain criteria determined by the delegates and incorporated into NFPA policy.

NFPA is not permitted to support any regulatory proposal, even if asked by a majority of the member associations in that state, if the regulatory proposal does not have certain minimum standards, which were set forth in the agenda topic approved by the delegates.

One of the best things about serving on the NFPA board of directors is the opportunity it affords me to meet and get to know paralegals around the country, like you.”



The Consequences of Bad Legal Writing: Avoiding reprimands, case dismissals and more

By Christy Hall Benson, CLA

*“The minute you read something that you can’t understand,
you can almost be sure it was drawn up by a lawyer.”*

— Will Rogers

Although this quotation by Will Rogers is humorous, bad legal writing is no laughing matter. Courts throughout the country are losing patience with attorneys and their poor writing skills. As a result, judges are issuing public reprimands, requiring attorneys to take legal writing courses and dismissing complaints for committing crimes against the English language such as excessive spelling errors, bad grammar and poor organization. As legal assistants, we can be invaluable resources to attorneys by editing legal documents before they leave our offices. This article explores some of the consequences of bad legal writing and helps you prevent the same consequences from happening to your attorneys.

Spelling and Typographical Errors

A bankruptcy attorney in Minnesota was publicly reprimanded for unprofessional conduct and ordered to pay court costs after repeatedly filing documents the court considered “unintelligible” because they contained numerous spelling and typographical errors. Additionally, the attorney was required to attend legal writing courses. The judge wrote in his opinion, “Public confidence in the legal system is shaken ... when a lawyer’s correspondence and legal documents are so filled with [these] errors that they are virtually incomprehensible.” *In re Hawkins*, 502 N.W.2d 770 (1993).

Follow these guidelines to ensure your documents are free from spelling errors and typos:

- Print out your document and do a manual edit on paper before editing electronically.

- If possible, allow some time to pass between drafting the document and self-editing.
- Ask another person to edit your document.
- Don’t rely 100 percent on your computer’s spell checker. Although spelled correctly, a word could be used improperly (e.g., trail judge instead of trial judge, statutes instead of statutes, etc.).

Bad Grammar

In Mississippi, a defendant appealed a district attorney’s burglary indictment, stating that it didn’t charge him with anything because it contained bad grammar. In part, the indictment charged that the “goods, ware, and merchandise unlawfully, feloniously and burglariously did break and enter.” The defendant presented an English teacher as an expert witness. In its opinion, the court said if the “rules of English grammar are a part of the positive law of [Mississippi], [the defendant’s] burglary conviction must surely be reversed, for the indictment in which he has been charged would receive an ‘F’ from every English teacher in the land.” Even though the court held the indictment to be legally sufficient, the judge stated that even Shakespeare could not have understood the indictment, which was “grammatically unintelligible.” *Henderson v. State*, 445 So. 2d 1364 (1984).

Good legal writing should follow all the rules of grammar. Your documents should be written in complete sentences, have subjects and verbs that agree with one another and contain properly placed modifiers. You don’t have to be a grammar expert to be a good legal writer; just

know where to go to find the answers. Two great desk references are “The Associated Press Stylebook and Briefing on Media Law” (considered the journalist’s “Bible”) and the “Gregg Reference Manual.” Both are available for purchase online and at bookstores.

Poor Organization

In *Duncan v. AT & T Communications, Inc.*, 668 F. Supp. 232 (1987), the defendant’s motion to dismiss was granted for several reasons, including poor organization. The court’s opinion stated: “A complaint may be so poorly composed as to be functionally illegible. This is not to say that a complaint needs to resemble a winning entry in an essay contest.”

The purpose of writing any legal document should guide your organization of it. Do you intend to advise a client, prepare for trial or draft a pleading? Using these strategies will ensure your documents are properly organized:

- Write an outline before drafting.
- Summarize your position in the introduction and the conclusion of your document.
- Use topic sentences to inform the reader of the contents of your paragraphs.
- Consider using a miniature table of contents or topic headings when your document exceeds three or four pages. Headings act like a skeleton to hold your body of work together and break up the text of a document, and can serve as an index to help readers find important information.

Citation Errors

Another element of bad writing is citing case law incorrectly. In a Vermont Case, *In re Shepperson*, 674 A.2d 1273 (1996), an attorney repeatedly submitted briefs to the courts during a seven-year period that contained “numerous citation errors that made identification of cases difficult, cited cases for irrelevant or incomprehensible reasons, made legal arguments without citation to authority, and

inaccurately represented the law contained in the cited cases.” One brief in particular was more than 90 pages long, and the judge noted that the attorney “fail[ed] to raise a legitimate legal issue or cite a single authority in support of his arguments.” The attorney appealed a lower court’s decision that he attend a six-month tutorial program designed to improve his skills. The appeals court suspended him for “not less than six months” and “until he has demonstrated to the satisfaction of the court that he is fit to practice law.”

To prevent citation errors, keep these tips in mind:

- The main goal of citing properly is to allow the reader to easily retrieve the citation.
- Rely on respected citation sources such as “The Bluebook” or the “ALWD Citation Manual.” Also, check with the courts in your particular state to see if any local citation guidelines exist.
- Never rely on outdated law. Always Shepardize your cases before submitting any document to the court and again right before a trial.

Not only does bad writing negatively impact attorneys, it can ruin the reputation of the entire legal profession. Bad legal writing weakens credibility and wastes the time of judges, other attorneys and clients, thereby wasting money. To ensure your documents don’t merit the same consequences, remember: edit, edit, edit!

Sidebar

Where to Go for Writing Help

- Merriam-Webster dictionary on the Web (www.m-w.com)
- Law.com legal dictionary (<http://dictionary.law.com>)
- Writing and research guidelines developed by Professor Colleen Bargar of the University of Arkansas at Little Rock (www.ualr.edu/cmbarger). Click on “Writer’s Resources,” then on “Citations”

for links to a variety of information ranging from tips for using “The Bluebook” to avoiding plagiarism when citing.

- Google’s Writing Resources (http://directory.google.com/Top/Arts/Writers_Resources/Style_Guides/Grammar)
- Strunk and White’s “The Elements of Style,” published by Pearson Longman
- Washington State University English Professor Paul Brians’ Common Errors in English (www.wsu.edu/~brians/errors)

Christy Hall Benson, CLA, has more than 15 years of paralegal experience and lives in Concord, N.C. She has a bachelor of arts in journalism and mass communication from the University of North Carolina at Chapel Hill and a paralegal degree from Meredith College in Raleigh, N.C. Benson has written many articles on legal writing and can be reached for questions or comments at chbenson@ctc.ne

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JOB BANK

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Did you know?

- Don’t forget that you can now electronically file with the United States District Court of Vermont. Although it is not yet mandatory, I would suggest that you get familiar with the process now when you have more time to do so. Jennifer Medler, CM/ECF Administrator, is ready to help you with any questions.
- There have been some amendments to Fed. R. Civ. P. 45 on Subpoenas effective December 1, 2006. Please check out www.vtd.uscourts.gov for the amended language.
- Note that there have been significant changes to the Federal Rules of Civil Procedure with respect to electronic discovery. These changes took effect December 1, 2006. You may also find the new language at www.vtd.uscourts.gov.
- Reminder that an amendment to V.R.C.P. 55 on the requirements of the affidavit needed for a default judgment in conformance with the Servicemembers Civil Relief Act went into effect on December 11, 2006. Please check out www.vermontjudiciary.org for more details.

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