

PARALEGAL PIPELINE

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PRESIDENT'S MESSAGE

BY: DONALD P. BRISTOL, PA.C.P.

A Reflection on my Paralegal experience:

As 2014 forges ahead, I realized that I am in my tenth year in the legal profession. Ten years ago, work in a legal career was not on my radar at all. I had just wrapped up a master's degree in piano pedagogy at West Chester University and was teaching piano in a private studio full time with a roster of nearly 35 students. However, as any musician can attest, the wallet can be very vocal with its hunger, and I decided it was time to fill in the budgetary gap. I contacted a temporary employment agency, and had a preliminary interview and typing test. Apparently a fringe benefit of piano playing is a very fast typing speed that makes one that much more marketable!

My first placement, within just a couple weeks, was a one-week stint filling in for a just-retired receptionist at a West Chester law firm. The larger-than-life personalities I met there were altogether different from previous non-musical employments, though such temperaments were occasionally found among the tenants in the musical world. A couple weeks after completing that first position, I received a second, two-week assignment filling in for a vacationing legal secretary at MacElree Harvey in West Chester.

To be clear, I was in personally-uncharted waters. It took me 2 hours to realize that the pedals on the floor were for a Dictaphone playback unit, and only after an additional 1 hour did I realize you were supposed to type while listening – I had been writing down everything on a pad of paper, long hand of course, and then proceeded to type the transcription onto the computer. Thank God someone showed me the coffee machine. The pace within the office was very quick. Despite feeling wholly inadequate for the task, I was seeing a glimpse of some very interesting work and equally interesting and enthusiastic practitioners. I was asked to stay on at the firm at the conclusion of the original temporary assignment, and ended up working as a legal assistant with an estate planning/administration and corporate attorney. I was under the tutelage also of Tina, the head estate administration paralegal responsible for maintaining the majority of the firm's estate roster. One day I asked to be more involved in assisting her with the estate administration work. I sensed that I had discovered a newfound area of personal interest and skill, and that surprised me completely. I enjoyed the work that every day had something new to offer.

I learned early on about the



paralegal certificate program at Villanova University, and ended up attending and earning a Certificate. At the same time, I was promoted to the "paralegal" role in the firm, focusing solely on estate administration. And, as they say, the rest is history. Today, I enjoy my work completely, and the people that I work with here are terrific. Every day is a new experience; overwhelming at times, but always with some sense of accomplishment and learning.

Estate administration is an interesting practice area. Other than dabbling in corporate work, it is all I've known in my paralegal life. Upon reflection, one of the aspects of the work that has the most

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“Success in life consists of going from one mistake to the next without losing your enthusiasm.”

- Winston Churchill

YOU MIGHT HAVE A CONFLICT IF...

BY: VICKI VOISIN, ACP

American Bar Association (ABA) Model Rules 1.7 through 1.10 address conflicts of interest. A **conflict of interest** refers to a situation where someone, such as an attorney or public official, has competing professional or personal obligations or personal or financial interests, that would make it difficult to fulfill his duties fairly.

Generally, a conflict would include a relationship with the client or previous involvement with the client's business. The existence of a conflict may result in the disqualification of the attorney and the firm. For this reason, conflicts of interest must be identified and avoided. **Since paralegals are subject to the same ethics rules as attorneys, conflict situations may also apply to paralegals. For this reason...**

You might have a conflict if...you are working on a case

where a close relative is on the other side. 'Close relatives' include parents, children, siblings, spouses and sometimes grandparents. Some states include friends, roommates and significant others. For instance, if your Aunt Sally is suing your firm's client, Anytown Construction, you may have a conflict.

You might have a conflict if...you have information about the client on the opposite side of the case. For instance, prior to your current employment you worked at a firm that represented John Doe in his divorce from Jane Doe. Now, in your current employment, your firm's client, Anytown Construction, wants to sue John Doe's building supply company. You may know nothing about the new case but you have a great deal of information about Mr. Doe's business from your previ-

ous employment, thereby putting him at a disadvantage. You may have a conflict.

You might have a conflict if...you want to enter into a business relationship with a client. For example, you decide to purchase an interest in Anytown Construction. You may have a conflict. In this situation, the client must give written consent, the transaction must be fair and the client should be advised to seek independent counsel. This rule covers taking an interest in a client's business in lieu of fees.

You might have a conflict if...your client decides to make you the beneficiary of his estate. General ethics principles indicate that paralegals would not accept such a gift but you may still receive the inheritance IF the client seeks

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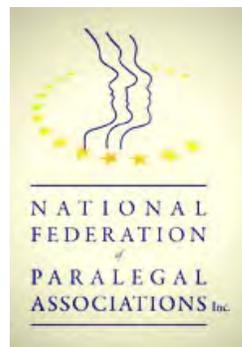
NFPA®

Did you know your membership fee also includes membership to the National Federation of Paralegal Associations (NFPA)? As a NFPA member, you have many benefits available to you. Some of these benefits include:

- The webinars NFPA put on in 2013 are also available as recordings for CLE.
- Pa.C.P's and NJCP's may get their CLE approved by NFPA at a discounted rate of \$15 per bundle - **no matter how many CLE's are in that bundle!**
- Lorman Education Services and NFPA have arranged a 20% discount on both CLE and bookstore items for NFPA members. Start at this page <http://www.lorman.com/training/NFPA> or by calling (866) 352-9539 and using Discount Code **Q6784229** and Priority Code **16353**. Discounted membership in the National Notary Association.
- Discounted subscription to **Paralegal Today** magazine.
- An exclusive one year unlimited online CLE subscription only \$195.00! Please contact Rose Kelly-Pond to get your coupon code for this discounted offer. rosekellypond@smartpros.com / 508-621-7852 or visit the website at <http://sple.smartpros.com>.
- Visit the "Happiest Place on Earth" - Walt Disney World Resort. As a NFPA member you can log on to the following website to plan a Florida trip to any of the 16 Theme Parks in the Orlando area. Go to the website: <http://www.orlandovacation.com/discounts/login.php>. Our username is NFPA. From there you can view the National Member Discount Program and all the discounts

and special offers in Orlando. Some of the packages include cruises and resorts, National car rentals and other discounts.

- **Dell** - Take off an additional 4% on top of generally advertised Dell Products! Go to www.dell.com/paralegals. Our member ID is CS105317223 or call 1-800-695-8133.
- **NFPA CAREER CENTER** - Select "Career Center" at the NFPA home page to search for job opportunities and post your resume through the Legal Career Center Network at Legalstaff at no cost to you.
- **CONTINUING LEGAL EDUCATION** - Discounts are provided for various courses offering CLE credits. Look at NFPA's home page for the "CLE" navigation tab.
- **Credit Union** - Community America Credit Union is a non-for-profit financial institution owned by its members. Enjoy lower loan rates, high savings yields and a full range of banking services. Telephone (800) 892-7957 to sign up for membership.
- **Liberty Mutual** - We've partnered with Liberty Mutual to offer our members special discounted rates on Auto Insurance, Home Insurance, and Renters Insurance. This special rate comes from a company that has been leading the industry in safety advancements since 1912. Find out more at <http://www.libertymutual.com/nfpa>
- **Software** -The **SmartDraw Legal Solution** is the easy drawing software that helps you create perfect legal diagrams in minutes. Drawing is easy! Just drag ready-made graphics from the built-in libraries and drop them onto your page. Quickly create



timelines, storyboards, accident diagrams, medical diagrams, evidence charts, org charts, floor plans and facilities, and much more! SmartDraw includes more than 50,000 symbols and templates specialized for the legal community. Gain greater control over your exhibits, save time with pre-made templates, make changes on the fly, wow your peers and intimidate the opposition!

- **CaseSoft** creates software products for paralegals, legal assistants, and litigators. Download full-featured trial versions at www.casesoft.com. Discover why 10s of 1000s of paralegals appreciate the power and ease of CaseSoft's award-winning software. **Special pricing** for NFPA members!
- **Magazine** - Subscription to the *National Paralegal Reporter* is included as part of membership in NFPA. This publication includes articles on career issues and legislative activities.

This is not an all inclusive list. To find out more, go to the NFPA web site at www.paralegal.org. To use the NFPA site as a member for the first time - just click on Member Sign In, put in the email you supplied to the CCPA (this one) and ask for a password. The password will be sent to your email then you can change it later.

"Obstacles are what you see when you take your eyes off your goals."

-Anonymous

PRESIDENT'S MESSAGE

(Continued from Page 1)

meaning to me is the connection to the people I'm assisting – those who have lost their loved ones and have come to us for help, guidance, etc. But beyond that help and guidance, there's also the extra "ear" for them to vent the frustrations, grief, and memories that are all part and parcel of the estate administration experience. I've experienced very close loss in my own life, and I hear the same in the voice of our clients sometimes. In my own loss, I appreciated the "lent ear" from friends and the offers of help. My goal is make sure our clients feel they can expect the same from me.

As soon as I could after joining MacElree Harvey, I joined CCPA. Partly I joined because nearly all the other paralegals at our firm were members (it seemed the "default" or "expected" thing to do). I also joined because I could see

from the music-part of my life that being part of a larger network is great for making friends, business connections, assistance in work-related issues, etc. It was very clear to me that CCPA was an expansive, diverse and enthusiastic group of individuals with myriad of talents. I suppose I could have felt that I didn't belong because of being a "newbie" in the profession but at no time was I treated anything other than a part of the team and absolutely an equal. I know now that joining CCPA helped confirm in my own mind that I had found a good place/career in my work life. Through CCPA I have met many fantastic people, made new and close friends, learned new and interesting things, and had a chance to be involved in something greater than my office space. I am thankful for that. I still play piano – every lunch break is spent at the studio practicing. I teach a few students each week, judge piano festivals in Delaware, accompany other musicians for vari-

ous concerts, sometimes give recitals of my own. I'm very thankful that I have been able to keep that most important part of me alive and healthy. I have plenty friends who are in the musical profession and are entirely successful in their careers. I am sometimes envious, but then I head back to the office for the "day job" and realize that I have two talents to share.

I know that each one of you reading this has your own story, your own adventure in your paralegal life. Some of you just happened upon it as I did, some chose the profession specifically as an "encore career," and some have been in the profession from the onset of your working life. No matter how it began, and where it has taken you, be assured that your talents are what set you apart and make you an asset in such a profession. There's certainly more to life than "work," but I think a paralegal's job is not so bad a way to spend that part of the day.

"If you are not willing to risk the unusual, you will have to settle for the ordinary."

- Jim Rohn

YOU MIGHT HAVE A CONFLICT IF...

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independent counsel and you have absolutely nothing to do with the drafting or signing of the documents. You must take every possible step to avoid any appearance of impropriety. Note: The general rule is that a paralegal would refuse anything but a token gift from a client.

You might have a conflict if... you are changing jobs and the new firm represents a client who is on the opposite side of a case you worked on at your old firm. To avoid disqualification, your new employer may (1) decline to hire you; (2) request your former employer consent to your hiring; and (3) establish a

screen that will prevent you from access to the client's file and any involvement in the case at your new firm.

Your challenge: First, as always, review the ethics rules in your jurisdiction and learn to recognize conflicts. I have just scratched the surface here. When you believe a conflict exists, inform your employer immediately. The attorney will then decide how to handle the matter. Attorneys are prohibited from representing clients when there is a conflict unless the attorney reasonably believes the representation will not affect either party adversely and each party consents. The consent should be in writing. It is possible that you will also need to

be screened from work on the case. If you and your employer take the appropriate steps, the conflict can be avoided and there will be no adverse effect on the client or the firm.

Vicki Voisin, the 'Paralegal Mentor,' delivers simple strategies for paralegals and other professionals to create career success and determine the direction of their career paths. Vicki spotlights resources, organizational tips, ethics issues, and other areas of continuing education to help paralegals and others reach their full potential. Vicki publishes the bi-weekly ezine '**Strategies for Paralegals Seeking Excellence.**' Get tips and information at no cost at www.paralegalmentor.com.

HELPING THROUGH HOOPS

In years past, we have supported the Helping Through Hoops fundraiser, which coincides with "March Madness" and is a much enjoyed event by all.

Come out and watch the first round of the NCAA tournament! All proceeds benefit Legal Aid of South-eastern Pennsylvania.

This year, the event will be held from 4:00 – 7:00 p.m., so those that would

like to meet after work are encouraged to attend.

Tickets for admission can be obtained from Barbara Butler, so if you are interested, please contact her at bbutler@macelree.com. Admission is open to all, and the donation is \$20.00, which includes food, beer, soft drinks, etc. The event is held at the CCBA Building at 15 W. Gay St, West Chester.



Thank you for supporting our legal community so that all who need legal services can receive them.



March 27, 2014—General Membership Meeting

April 9, 2014—Board Meeting

May 3, 2014—Keystone Alliance of Paralegal Associations 2014 Education Summit, Villanova University Conference Center (Registration packets will be available soon).

October 9-12, 2014—NFPA Annual Convention, Dallas, TX

2014-2015 PARALEGAL STUDIES SCHOLARSHIP

The Chester County Paralegal Association is proud to announce that it will be sponsoring two \$500.00 Paralegal Scholarships to two deserving individuals pursuing a degree or certificate in Paralegal Studies during the 2014-2015 academic school year.

Eligible applicants must be, at a minimum, a graduating high school senior or high school graduate, including GED,

and planning to enroll, or already enrolled, in a Paralegal course of study. The recipient of the scholarship will have the monies forwarded directly to the educational institution upon verification of their acceptance or attendance in a Paralegal program.

Please see the Scholarship Information Sheet for further details and specific instructions with respect to applications. All

application packages must be either received or post-marked no later than **June 1, 2014**. Applicants from Chester County, PA and the PA Delaware Valley will be given first consideration.

Questions may be directed to the CCPA in writing or to Maureen O'Hara, Scholarship Committee Chairperson, by phone at (484) 354-4160 or by email at MOH436@comcast.net.



We're on the web
chescoparalegal.org

The Chester County Paralegal Association, based in Chester County, Pennsylvania, was formed in 1992 with the objectives and purposes of promoting and maintaining high standards and ethics in the paralegal profession, of providing a forum for the exchange of information about the profession, of enhancing the role of paralegals in the legal community, and of encouraging the continuing legal education of paralegals.

The Chester County Paralegal Association is a member of the Keystone Alliance of Paralegal Associations and the National Federation of Paralegal Associations, Inc.

GUARDIANSHIP PROGRAM SEEKS VOLUNTEERS

BY FRANCINE FULTON

Chester County Orphans' Court is currently seeking volunteers to serve as its "eyes and ears" by visiting residents under guardianship to assure that they are receiving appropriate care.

As part of the legal process, the court appoints guardians for people who need assistance in making decisions about their daily lives due to serious physical and mental disabilities. "A guardian can be a family member, (a) friend or an agency," said Diane Mulhearn, program coordinator. "They are basically responsible for protecting the person under guardianship, managing their assets and arranging for their care that will adequately provide for their well-being."

The Hon. Katherine B.L. Platt, an administrative judge with the Orphans' Court, explained that once a guardian of the person is appointed, there is an ongoing obligation for those appointed to report to the court annually. However, the volume of open guardianships makes it impossible for the Orphans' Court judges to stay involved in each of the 400 or so cases that are open in the Chester County courts. "Our trained volunteers are the eyes and ears of the court and help us to be alert to and deal with issues of personal and fiscal safety for those whom we have (declared) incapacitated," she said.

Mulhearn said volunteers with

the program are of all ages and come from different backgrounds. "Some volunteers work full time, and a lot of their visits take place during the evening or on weekends.

They are looking to give back to the community and assist the court," she said. "We have attorneys that work with the program, (as well as) a physician, many social workers, nurses and educators (as volunteers). Our youngest volunteer is in her upper 20s, and volunteers go up to their 70s or 80s."

Mulhearn said every effort is made to accommodate the volunteers. "The beauty of the program is that it is so flexible. Some visitors want to work with the elderly. Others are more interested in working with the younger incapacitated individual," Mulhearn said. "Some are only interested in going to private homes; some are interested in only going to a nursing facility.

Their time is their own. They can take on as many cases as they want," she continued.

"They make their own schedules. It's not like other volunteer positions that require a certain number of hours."

Volunteer visitors should be friendly, have common sense and objectivity, and have the ability to maintain confidentiality. "Volunteers must be good listeners, have good communication skills and, above all, be compassionate," Mulhearn said. "Volunteers have the support of court

personnel and other seasoned volunteers. The program has been in existence for 19 years, and our dedicated staff of volunteers has made it a success story."

A good indication that the Chester County Orphans' Court Guardianship program is a success is indicated by the words of Platt, who stated, "This program is a godsend to the people we serve and to the court. I, for one, sleep better at night knowing these committed volunteers are helping me and my fellow judges protect the people we serve." Additionally, Chester County is reportedly the only local county with a guardianship program at this time, but other counties are looking to start their own programs. "We've been contacted by a number of other counties who have heard about this program and know what a success it is," said Mulhearn.

Those interested in becoming part of the program are invited to take part in a training session that will be held on Tuesday, April 8, beginning at 9 a.m. at the Chester County Justice Center, 201 W. Market St., Suite 4100, West Chester. For more information or to request an application for the upcoming training, interested readers are asked to call Mulhearn at 610-344-5212.

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