



SFPA Legal Journal

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www.sfpa.info

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President's Message

I began working as a paralegal in 1994. I was a very experienced legal secretary who was offered a paralegal position at the firm I was working for.

When the opportunities would present themselves, I would read the Daily Business Review and The Florida Bar News always looking for anything that mentioned paralegals. The few articles I found always had a quote from a Lisa Vessels of the South Florida Paralegal Association. I began to really admire this woman - Lisa Vessels, she really knew what she was talking about. Today, I know Lisa and have served on the SFPA Board with her for a few years, today I admire Lisa more because I have gotten to know the human, not just the brain.

When the time came for me to join a paralegal association, I went straight to the South Florida Paralegal Association. What I found in the South Florida Paralegal Association was so much more than I ever imagined. I found an amazing group of paralegals who support each other and offer the wisdom of their experience freely and selflessly. I found a shared commitment to excellence in their profession and every aspect of life. I found professional paralegals who offered incredible examples of balancing their families, careers, and volunteerism. I found encouragement, mentorship, and friendship.

Serving as President of South Florida Paralegal Association is truly an honor. South Florida Paralegal Association and its Committees are constantly doing everything they can to create an association that meets the needs of its members and paralegals generally.

For those of you who are new to SFPA or thinking about joining, **I invite you to attend a CLE luncheon meeting.** SFPA has so much to offer.

For full details of all that SFPA offers go to www.sfpa.com.

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Calendar at-a Glance

January 22, 2013 *Voluntary Trial Resolution*
SFPA Miami CLE
Luncheon
Shutts & Bowen,

January 24, 2013
Broward CLE TBA

For those of you who are members of SFPA, I hope you will take full advantage of your membership. Attend your Association CLE events and meetings and get to know your network of paralegals who are committed to supporting and mentoring each other. Get involved in your Association by serving on the board or a committee.

And SPREAD THE WORD! Share the SFPA experience with your friends and colleagues. I would challenge you to bring in one new member this year. Each of you knows someone who could benefit from SFPA membership while contributing their expertise and talents.

I look forward to seeing all of you throughout the year.

- Karen R. George, FRP

CONGRATULATIONS TO LISA VESSELS

News from NFPA

Edmonds, WA - November 1, 2012 - The National Federation of Paralegal Associations, Inc. (NFPA) is pleased to announce that Lisa Vessels, CP, FRP of Miami, FL has been elected to the position of Vice President and Director of Positions & Issues for 2012-2014 term.

Lisa Vessels lives in Miami, Florida, and is employed by Duane Morris LLP as manager of the rules-based docketing software program utilized by her firm's U.S. offices. Lisa has worked in the paralegal profession since 1992 with experience in commercial litigation, as well as corporate contract law specializing in commercial aviation equipment leasing and sales.

Lisa has served two terms as President of the South Florida Paralegal Association and the Florida Alliance of Paralegal Associations. As an active member in both organizations, she has served in many additional roles such as Webmaster, Treasurer, Secretary, and Membership Chair since joining in 2005.

THANKSGIVING CHARITY DRIVE & DINNER

WINGS South Florida

Thank you to all the members that made donations and volunteered their time out to help for this worthy cause. The dinner and toys were well appreciated by the young ladies at WINGS. It really makes a difference in their lives! For this event, SFPA donated over \$900.00 in supplies, food and toys. Once again, thank you to all the members who opened their hearts and wallets to make this event happen.

In addition, SFPA, in 2012, also made donations to Dade Legal Aid, AT EASE through NALA (to help returning veterans), and the Alaska Wildlife Conservation Center through NFPA.



SAY HELLO TO YOUR NEW BOARD

On March 27th, your 2012-2013 SFPA board was elected at the annual meeting and member appreciation event held at Kork Wine & Cheese Bar.

A special thanks to the elections committee, **Mary Ann Myskiw-Jones (Committee Chair)**, **Sadena Blatt**, **Janet Betancourt**, **Barbara Victorero**, and **Lisa Vessels** for putting the work in behind the scenes, continuing the success of Kork Wine Bar & Cheese for the association, invited our master of ceremony, **Judge Michaelle Gonzalez-Paulson** and our sponsors [IRIS Data Services](#), [Veritext Court Reporting](#) and [Legal Search Solutions](#).

The board consists of: President **Karen R. George**; Vice President **Nora E. Portuondo**; Secretary **Mary Ann Myskiw-Jones**; Treasurer **Janet Bentacourt**; NALA Liaison **Arturo Rodriguez**; NFPA Liaison **Lisa Vessels**; and Parliamentarian **Barbara Victorero**.

Welcome to **Jennifer Patti** - Broward Education Chair and Webmaster, and **Mimi Gross** - Membership Chair.



2012-2013 SFPA Board with Judge Paulson

Read more about your new board members in the following pages.

Our first is Jennifer Patti, a 2011 SFPA scholarship winner from Nova Southeastern University & the current Broward Education Chair:

Jennifer Patti: a true SFPA success story

I truly cannot thank SFPA enough as the scholarship helped me financially and mentally in my path to becoming a Paralegal. Through the members-only employment page, I was able to move to a more fulfilling job. The free one-year membership (also part of the scholarship) opened my eyes to a world of support and knowledge that I did not know existed. I received notice of my SFPA membership on a Tuesday, saw the ad for my current position that same evening and applied, was interviewed on Wednesday and hired on Thursday.

I had already spent three weeks searching for a new job and, through the SFPA site, was hired in less than three days.

It's a success story that I'm thrilled to share and would love to continue this momentum within the collegiate community and throughout Broward County. There are so many of my questions that were not "in the books" which were answered within the first week of SFPA membership. This is a fabulous group and I am so excited to be a part of it.



Jennifer's Paralegal Practice Tip:

Read everything twice if you have to. Missing one word can be an extra hour of un-billable work. **Anyone can work in the office; you earn the title "paralegal."**

Q&A With Jennifer Patti, BROWARD EDUCATION

What prompted you to choose a paralegal career? I didn't want to be a lawyer. My love is research and writing, but I wasn't comfortable with public speaking. I understood and appreciated the distinction between the roles of a paralegal and an attorney, and that line should never be blurred. In my "early" years, I had an internship that had me questioning whether I wanted to even be in the legal field. I realized the value in learning from the "questionable" lawyers so I appreciated what a good attorney can do.

What is your favorite part of your job? When my attorney walks into my office and says "research this"!



Jennifer's fave movie is *The Pelican Brief*

How has your membership in SFPA benefited you? Two ways: 1) I found my current position on the SFPA employment page. I was hired within 72 hours. I had been applying to jobs on other classified boards for 3 weeks and my current position was not posted on those boards. 2) You never feel alone. I know I can turn to anyone in SFPA and get assistance.

What do you see as hot trends in the paralegal industry? The electronic age is overwhelming some firms and they are looking for employees who were raised with this technology. Having an employee who can update your webpage/blog etc., is the new "in" thing.

FUN FACT: Jennifer published two young adult romance novels under a pen name

If someone contemplating a paralegal career asked you for career advice, what would you answer? Be realistic. Some firms don't understand the distinction between a legal assistant and a paralegal, let alone a paralegal with a bachelor's vs. a paralegal with a certificate. Having years of experience on the job is usually more valuable than the bachelor's. I believe in working your way up like most other fields. This field is not one for instant gratification, but can be extremely gratifying once you find the right fit.

To what do you attribute your success as a paralegal? Teachers who taught me never to speak or write anything you can't back up.

What is the most important step a paralegal can take to keep his or her career interesting? Attend CLE classes that appeal to you, even if they are not in your field.

What's next for you? Graduating from the NSU Shepard Broad Law Center in 2017.



Jennifer's fave recipe is eggplant parmigiana

WHEN YOU NEED IT **FAST!**

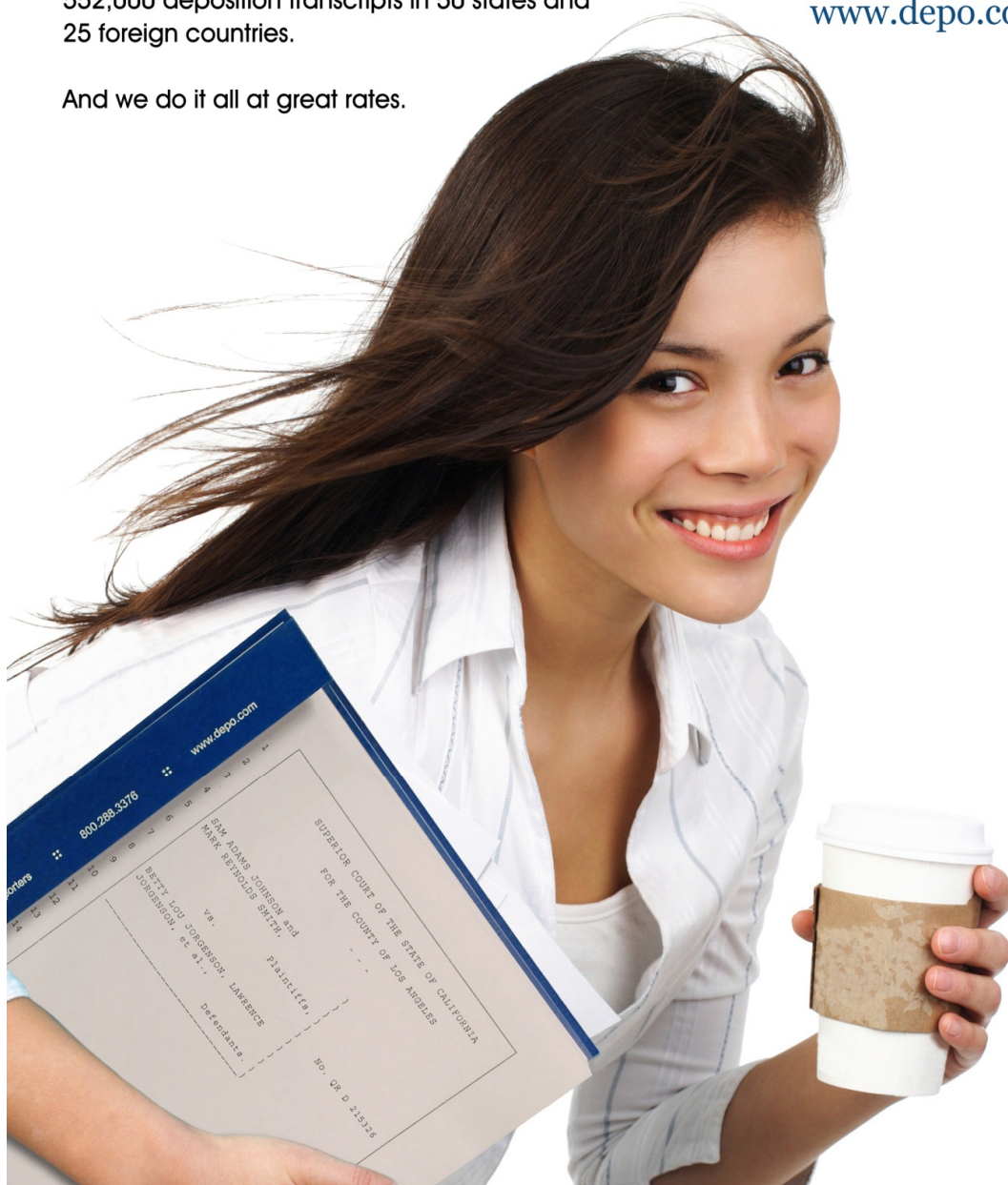
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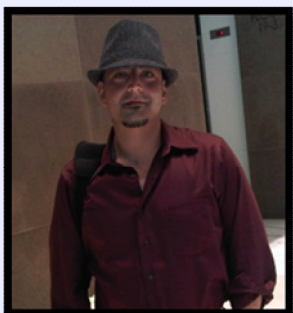


Q&A With ARTURO RODRIGUEZ, NALA LIAISON

Art's Paralegal Practice Tip:

Stay on top of your tasks. Create a task reminder in Outlook for every assignment. In this field, there is nothing worse than dropping the ball. **Momentary forgetfulness can lead to malpractice.**

"ART" RODRIGUEZ: up and coming



Arturo may be new to the paralegal industry and to SFPA's board, but he's not to be underestimated! He studied anthropology and sociology in college and is on a mission

to pass NALA's CP Exam and NFPA's PCC Exam. Since his election in March, Arturo has gone to the annual NALA convention, secured Miami Dade College as a NALA testing center, recruited instructors for the CP Review course and working as a paralegal clerk at Greenberg Traurig. Be on the lookout for Arturo at one of our next events. Chances are, he'll be making history in no time.

What prompted you to choose a paralegal career?

I'm intellectually curious about how our society functions and how humans interact. The law and the legal system in our country are really indicative of our cultural ideals. Rather than street brawls and violent protests, we push the legal system as a sign of civility and stability. I look at the law not just as "government," but our modern religion. I decided to become a paralegal to be a part of this fascinating field.

How has your membership in paralegal associations benefited you? Networking and expanding my exposure to different aspects of my job. I really enjoy the responsibilities of sitting on the Board.

What do you see as hot trends in the paralegal industry? Litigation support and data base management. It's really important for paralegals to understand how important it is to zero-in on proper keywords when doing e-discovery searches and pushing the attorneys to understand that they really don't need every piece of paper saved in the system. With email and electronic filing, it's too easy for people to save every miscellaneous comment. Attorneys really need to understand this when making their discovery requests.

If someone contemplating a paralegal career asked you for career advice, what would your answer be? I would advise him or her to master proper writing skills. The ability to express coherent and complete ideas with brevity will separate you from the pack. It's too easy for people to ramble off in e-mails and send way too many e-mails.

What is the most important step a paralegal can take to keep his or her career interesting? Branch out and insist on exposure to different procedures and legal subjects. Like any job, it can become a routine.

What is your favorite part of your job? The satisfaction of pulling through when your plate is full.

Getting to know Art

Specialty Area: In-House General Counsel
Future Goals: Passing the NALA and NFPA certification exams.

Fun Fact: I love backpacking. It's a new hobby I picked up last year. I enjoy having to stick it out in nature with limited resources.

Favorite Movie: [π](#) (Pi)

Favorite Book: [As I Lay Dying](#) by William Faulkner

Last song or album listened to: [Leonard Cohen's "Old Ideas"](#)

Favorite Subject in School: Social Studies

Favorite Food: Seafood Pasta

One Gadget You Can't Live Without: I try not to be too dependent on gadgets. It's good every once in a while to go without.

Favorite Quote: *Gnothi Seauton* (Know thyself).

Q&A With MARY ANN MYSKIW-JONES, Secretary

Mary Ann: *JACQUELINE OF ALL TRADES*



From waitress and office temp to elementary school teacher, court reporter and now paralegal, Mary Ann has had quite the career. She is a recent graduate of Miami Dade

College's Paralegal studies program (with honors). She has a bachelor's from Florida Bible College and is currently working for the State Attorney's Office criminal division.

*Due to her court reporting skills, the board agreed that she is and will continue to be an excellent SFPA secretary. We are pleased to have her on board – **literally**.*

To what do you attribute your success as a paralegal?

Eagerness to work and do more than is required.

What is the most important step a paralegal can take to keep his or her career interesting?

Go above and beyond your job description.

Mary Ann's Paralegal Practice Tip:

Never stop learning and growing.



FUN FACT: Mary Ann wants to learn how to Stand Up Paddle Board

Getting to know MARY ANN

Specialty Area: Criminal law

Career highlight: Passing the CP exam.

Future Goals: Pass the ACP certification for discovery, criminal law and litigation.

Favorite Movie: "One Day" starring Anne Hathaway (2011)

Favorite Book: The Diary of Anne Frank. Any book by [Jodi Piccolt](#), [Taylor Caldwell](#), [Debbie Macomber](#), [Anne Tyler](#), [Maeve Binchy](#), [Barbara Taylor Bradford](#).

Last song or album listened to: Adele 21

Favorite Subject in School: English Literature

Favorite Food: Stuffed mushrooms, homemade salsa

Favorite Quote: "You may be only one person in the world, but you may be the world to one person."

CONGRATULATIONS

New CPs

Sabrina Armenteros, CP

Mary Marcos, CP

Jeannette Martin-Tasis, CP

Arturo Rodriguez, CP

Nerida Dominguez, CP

SFPA 2012 Scholarship Winners

**1st place - Haydee Martinez,
Nova Southeastern University
\$1000 Sandra L. Keith Memorial**

**2nd place – Jayson Mathurin,
Palm Beach State College
\$500 Marisa Maugeri Memorial**





Miami Dade College Wolfson campus is now an official NALA testing site, courtesy of MDC's Law Center and Testing Department. MDC started with the October 2012 CP exam and will continue for 2013 exams. The cost is \$30 per hour. Contact [Patrick Helmus](#), (305) 237-7813, for more details.

Other testing sites: Tamiami Airport, Opa Locka Airport, Ft. Lauderdale Airport and Keiser University in Ft. Meyers. Contact NALA Liaison, [Art Rodriguez](#), for more information.



After fourteen years in the legal field, I felt it was important to take my experience and skill set to the next level. I wanted a professional certification that the legal community would acknowledge; that would signify that I was capable of providing the highest quality of service as a paralegal.

The Certified Paralegal examination challenged my knowledge of specific areas of law, reading comprehension, analytical skills and writing abilities. It required me to demonstrate an understanding of the structure of the legal system, the purpose of the law and its procedures. The most challenging aspect of the examination was the Judgment and Analytical portion, which required analysis of a research request, finding applicable law, and writing a responsive memorandum.

The review course offered by South Florida Paralegal Association was extremely helpful. The individual classes covered each subject in the NALA Manual for Paralegals, and included a mock examination which simulates the test environment. I am honored that I have acquired my certification and plan to take a more active role in the legal community as a certified paralegal.

-- Sabrina Armenteros, CP
SFPA Member



The National Association of Legal Assistants has a free Facts and Findings App on iTunes (also on Android market). Now available: feature to check your CLE credits on mobile devices. Click [here](#) for iTunes and [here](#) for Google Play.

GREETINGS FROM NALA Convention



NALA Liaison, Art, and NFPA secondary, Janet, attended the NALA Convention in Omaha, Nebraska. "Janet and I had a great time," said Art, "we learned a lot about some important changes at NALA and met some great people."

Art and Janet's caricature pictured above was drawn during the convention.



SAVE THE DATE!

SFPA is hosting the NFPA Region III meeting on March 8-9, 2013 in Miami.

The NFPA-affiliated paralegal associations from Indiana, Georgia, Kentucky, Tennessee (and some other states) will meet in downtown Miami.

On Friday, March 8, there will be a luncheon for the delegates from other states.

There will be 2-3 CLE presentations that afternoon (ethics and possibly elder law).

Any members interested in helping out in welcoming our NFPA partners, please feel free to contact us.



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DEFINING A PARALEGAL's role



Defining a paralegal:

Bureau of Labor Statistics defines paralegals or legal assistants as individuals that "assist lawyers by investigating facts, preparing legal documents, or researching legal precedent...conduct research to support a legal proceeding, to formulate a defense, or to initiate legal action."

American Bar Association: "A legal assistant or paralegal is a person, qualified by education, training or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency or other entity and who performs specifically delegated substantive legal work for which a lawyer is responsible."

National Federation of Paralegal Associations: A Paralegal is a person, qualified through education, training or work experience to perform substantive legal work that requires knowledge of legal concepts and is customarily, but not exclusively, performed by a lawyer. This person may be retained or employed by a lawyer, law office, governmental agency or other entity or may be authorized by administrative, statutory or court authority to perform this work. Substantive shall mean work requiring recognition, evaluation, organization, analysis, and communication of relevant facts and legal concepts."

Which definition fully states what we believe to be a paralegal? What definition should associations adopt? Which definition will the Courts accept? Each definition stated above stresses the importance of education, supervision by an attorney and substantive legal work (that is non-clerical in nature) that would otherwise be completed by an attorney.

What a paralegal cannot do:

1. Paralegals must communicate to the client that they are not an attorney;
2. Paralegals cannot be partners in a law firm;
3. Paralegals cannot share legal fees;
4. Paralegals are permitted to have business cards, their name on firm letterheads and sign correspondence as long as it has the appropriate designation;
5. Paralegals cannot give legal advice; and/or;
6. Paralegals cannot sign pleadings, appear in court, set fees or receive bonuses that are tied to a particular case.

What is the difference between a paralegal and a legal document assistant?

According to the *Alliance of Legal Document Assistant Professionals*, "A Legal Document Assistant (LDA) is a non-attorney, qualified by experience and education, who is authorized to provide self-help legal services to a consumer who is representing himself or herself in a legal matter. A Paralegal is authorized by law only to perform substantive legal work for a licensed attorney, law firm or in-house legal department. Paralegals are not permitted to provide services directly to members of the public."
(<http://www.aldap.org/ethics.htm>)

**Who should clearly define
paralegals? The Courts, the States
... should there be statutes and
legislation or reliance upon case
law? Who will ultimately respond
to these questions?**

What are the educational differences and requirements to sit for the following various tests:

National Association of Paralegals - the Certified Paralegal/Certified Legal Assistant Exam (CP/CLA) and the Advanced Paralegal Certification (APC);
National Federation of Paralegal Associations (NFPA) - the Paralegal CORE Competency Exam (PCCET™) and the Paralegal Advanced Competency Exam (PACE®);
American Alliance of Paralegals, Inc. (AAPI) - the American Alliance Certified Paralegal application (AACP);
National Association of Legal Secretaries (NALS) - the Professional Paralegal Exam (PP)?

Which test is the right test? Will any of the tests be approved by the Courts to certify a paralegal? Who will monitor the UPL requirements of paralegals? States like Florida, Ohio and North Carolina are some of the few that have Certification programs through their state bar associations. States like Pennsylvania, New Jersey and Delaware have Certification programs through their state or local paralegal associations. Other states like Florida, Ohio, Kentucky and North Carolina are some of the few that have Certification programs through their state bar associations.

There are three (3) types of regulation:

Registration, Certification and Licensure. Why is regulation important? As attorneys confront challenges in their daily practices to provide quality legal services to their clients, attorneys need to be assured that the paralegals they employ to assist in their practice are better educated and qualified to provide legal services. Members of the public indirectly rely on the work performed by paralegals and many times directly rely upon information given to them by paralegals. Paralegals should know and understand their ethical duties, their limitations under the Unauthorized Practice of Law statutes, and meet minimum standards of paralegal competency. Although most states with a regulatory scheme have a voluntary program, it does give the attorney a much-needed benchmark to assist with hiring practices and hopefully reduce ethical violations, unauthorized practice of law violations, and malpractice claims. Regulation will not prevent attorneys from hiring any non-lawyer as a legal assistant or paralegal but it will help attorneys to identify qualified candidates and allow the attorney to publicize the employment of a certified or registered paralegal.

There seem to be more questions than answers; more gray areas than clear black and white ones. How can individuals hold themselves out as professional paralegals when no one knows or even understands what that role means and entails? What should the requirements be? Should someone right out of school hold the same position and salary recommendation as someone who has been in the legal field for over ten (10) years and is just now getting the recognition they deserve? What are the educational requirements, degrees or certificates which should determine becoming a paralegal?

Some of the benefits for employers to utilize paralegals are reduced costs to clients, lower legal fees, increased client contact, court approved paralegal fees, pro bono opportunities, liaison with Court personnel, proficiency in electronic filings, specialized services and competitiveness in legal community ([American Bar](#)).

Some of the issues facing the paralegal profession include outsourcing, disbarred/suspended attorneys working as paralegals, cutbacks, work satisfaction and growth/promotion opportunities. However, according to the *Bureau of Labor Statistics*, **"The number of jobs for paralegals is expected to grow much faster than the average for all occupations through 2018.**

Law firms will hire more paralegals to help lawyers prepare their cases. More people and businesses will need legal help. Many people like these jobs, so new workers are expected to face competition."

A student and/or a working paralegal should be interested in these issues and many of the other issues facing the paralegal profession. A way to do that is to make professional development a part of your daily program or schedule.

Remember VIPER:

- **Volunteer** - for pro bono or community service projects or assignments
- **Involve** - get involved in a committee or group with the local paralegal association
- **Participate** - in a luncheon or special event in the legal community or local paralegal association
- **Educate** - continue your legal education through seminars or conferences
- **Respect** - continually have respect for your chosen career

Valerie A. Dolan, R.P.®, Pa.C.P. is a litigation paralegal with the law firm of Hangley Aronchick Segal Pudlin & Schiller and currently serves as Region IV Director of the National Federation of Paralegal Associations, Inc. (NFPA®). NFPA is a non-profit professional organization representing more than 10,000 paralegals and is headquartered in Edmonds, WA. NFPA's core purpose is the advancement of the paralegal profession. Information about NFPA can be found at www.paralegals.org.

E-EVERYTHING!

It seems every month there's a new "e" rule, whether state or federal, and in each jurisdiction.

Regardless of what field you work in, or plan to work in, keep your eye out for these rules:

Florida Rule of Judicial Administration 2.516, the "e-Service" Rule, effective September 1, 2012

Florida Rule of Judicial Administration 2.525, the "e-Filing" Rule, effective October 1, 2013 for Civil, Probate, Small Claims, and Family Law cases. The Rule is effective October 1, 2013 for Criminal, Traffic, and Juvenile cases.

Note: this Rule is voluntary in Broward County, the 17th Judicial Circuit. They have a wonderful page with a tutorial, FAQ, and breakdown of each Supreme Court Administrative Order, Local Administrative Order and field-specific orders at <http://www.17th.flcourts.org/index.php/court-administration/court-programs/efiling-program>



Broward County Pilot Program for Acceptance and Service of Electronic Agreed Orders and Court Documents pursuant to Florida Rule of Judicial Administration 2.516, effective December 1, 2012 for specific cases and judges. Using the online scheduling system, attorneys can file certain Agreed Orders to the judge and opposing parties. Once executed (or denied) by the judge, the Order will be emailed back to the attorneys of record. More information can be found at: <http://www.17th.flcourts.org/index.php/announcements/195-eordersannounce>

Say Hello to our New Members!

KAVITA BEDASIE

Broward College

TRECIA BENNETT

Broward College

KENNETH HART

Miami Dade College

KRISTINE HISHINUMA KADLAC

Shook Hardy & Bacon, LLP

HAYDEE MARTINEZ

Nova Southeastern University

JAYSON MATHURIN

Palm Beach State College

KENNETH KOONCE

City College

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[Janet Betancourt, CLA, FRP](#)

NFPA Liaison

[Mary Ann Myskiw-Jones, CP](#)

Bar Liaison Committee

[Karen George, FRP](#)

Broward Chapter Committee

[Jennifer Patti, FRP](#)

Miami Education Chair

[Vivian Fusco, CP](#)

Employment Committee

[Mayda Nahhas, CP](#)

Ethics Committee

[Janet Betancourt, CLA, FRP](#)

FAPA Delegates

[Karen George, FRP](#)
[Nora Portuondo, CP, FRP](#)

Membership Committee

Mimi Gross

School Liaison Committee

[Mayda Nahhas, CP](#)

Webmaster

[Jennifer Patti, FRP](#)

PRO BONO OPPORTUNITY

LawHelp.Org is looking for volunteers to work with live-chats to assist Spanish speaking users on how to navigate the resources on its new Spanish version. For more info, contact Alexander Karsten at xkarsten@probono.net.

the *SFPA Legal Journal*
today.

Send your wildest ideas to
Newsletter@sfpa.info.

About SFPA Legal Journal



The *SFPA Legal Journal* is published quarterly & is the official publication of the *South Florida Paralegal Association*.

Subscriptions are free.

The deadline for articles & advertising for the next issue is

February 1, 2013.

Plug In & Get Involved!

Gain marketable skills, help others, make friends & meet new people, build business contacts, increase professional satisfaction, stand out above the crowd. **Get in the "know."** Contact admin@sfpa.info to find out how and where you can serve.



Editorial Staff

**"Individual commitment to a group effort - that is what makes a team work a company work, a society work, a civilization work."
~ Vince Lombardi**



Arturo Rodriguez, CP

Editor in Chief

Lisa Vessels

Production Editor

Looking for Advertising Editor