Key Note

Northeast Texas Association of Paralegals, Inc.

Volume 82 | *An Affiliate of the National Association of Legal Assistants, Inc.* | October 2011

Editor, Mona Hart Tucker, ACP

From the Hart

For those of you who were unable to attend TAPS last week, you really missed out! We had three very full days of CLE, covering several areas of law and all sorts of things from software to personality conflicts.

We had some great vendors who gave away awesome door prizes (just ask Beth Goodman!). Our very own Javan Johnson co-chaired the socials (again) and did a fantastic job of pulling everything together. This marks the 30th anniversary of the Texas Paralegal Division, and the theme for the affair was "Pearls of Wisdom".

Sandi Clarke and I hawked our cookbooks after the luncheon on Friday and sold a good number of them.

If you've never been to TAPS, or even if you have, you need to make plans for next year. It'll be Oct. 3-5 in Dallas. Mark your calendars!

Mona Hart Tucker, ACP
President

<u>2011 Executive Committee</u>

President – Mona H. Tucker, ACP
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Scholarship – Javan Johnson, ACP
Technology – Elisha Calhoon, CP
Publicity – Gail Love, CP
Hospitality – Ginger Gage, ACP; Sandi Clarke, CP; & Javan Johnson, ACP

TEXAS PARALEGAL DAY
October 23, 2011

The State Bar of Texas was the first bar association in the United States to create a separate division for paralegals. The Paralegal Division of the State Bar of Texas *(the "Division")* was created on October 23, 1981, and has been in existence for 30 years.

In honor of the many contributions made by the paralegal community and the Paralegal Division, the Senate of the State of Texas adopted Proclamation No. 1144, recognizing October 23rd as Texas Paralegal Day. ***We will have a special treat to honor of Texas Paralegals at our membership meeting on October 19th.***

TAPS REVIEW

The 2011 TAPS theme was *Pearls of Wisdom – Celebrating 30 years of excellence,* and for the 13th year, offered 14 hours of CLE in a variety of substantive areas of law. It was held at the Marriott Resort & Golf Club, across from the Texas Motor Speedway in Fort Worth. There were approximately 260 in attendance.

The TAPS socials were once again a big hit. The Wednesday night social was a *Party on the Lawn* on the back lawn of the hotel. It was sponsored by Esquire Deposition Services. Lawn games were played, and the attendees renewed old acquaintances and made new ones. All of the TAPS vendors also attended the social.

The Thursday night social was a celebration of the Paralegal Division's 30th Anniversary *Time After Time – a 30 Year Celebration*. It was an elegant evening in the Texas Ballroom atop the Texas Motor Speedway and was truly a pearl-filled evening. The attendees enjoyed a beautiful view, a wonderful buffet dinner, live music on keyboard, and played a game from a retrospective slide show of 30 years. Prizes were given out for various types of evening wear, and there were lots of other door prizes. The evening was sponsored by Innovative Legal Solutions, HG Litigation, Hollerbach and Associates, and The Center for Advanced Legal Studies.

The Friday attendee luncheon featured a past State Bar President, Roland Johnson, who spoke on the history of the Paralegal Division which he entitled *Pearls of Wisdom and Reflections from a Past President*. Javan Johnson, who served on the TAPS Planning Committee as Socials Co-Chair, gives a big shout out to Sandi Clarke who helped get 25 vases of fresh flowers ready for the Thursday night social, and of course, helped the entire week in several capacities. Thank you Sandi!

Javan Johnson, TBLS, ACP

WHAT YOUR HEIRS NEED TO KNOW

by Mona H. Tucker, ACP

When a loved one's death occurs, the family is thrown into a situation where critical decisions must be made at a time when everyone's emotions are in turmoil. You can make things vastly more simple with a little forethought and organization.

It is important to have the proper legal documents signed, but it's just as important that your heirs know where to find them. Be sure that your spouse (or other person who will take care of things) knows what documents there are and where they are. The original documents should be kept in a safe place, but one that is accessible to that person.

- Last Will & Testament. Is yours up to date? Does it adequately reflect the way you want your estate handled?
- Trust Documents. If you have a trust, the documents should be kept with your Will.
- General Durable Power of Attorney. This document gives your designated person the ability to handle financial matters, property, and generally, most things you could do yourself if you were able. It expires at the time of your death.
- Medical Power of Attorney. This document gives someone else the ability to make medical decisions for you in the event you are unable to. If you are a veteran and may need medical services from a VA doctor or hospital, you should also execute the VA's own form (available from your county veteran Service officer).
- Directive to Physicians. Also called a "living will", this document tells doctors and hospitals exactly what your wishes are concerning life support and heroic measures.
- Life insurance, house insurance, automobile insurance, mortgage insurance policies. Avoid confusion by updating your file any time you cancel a policy or take out a new one.
- Pre-need funeral plans and burial plot information. 'Nuff said.

Your survivors will rise up and call you blessed if you will do one other thing for them – write a letter. Yes, a letter. In that letter, clearly state where those important documents listed above can be found. But because there are a million other things that must be attended to, also include the following:

- Your attorney. Name, address, phone number, and the paralegal's name.
- Banks, brokerage accounts, escrow mortgage accounts. List account numbers and contact information.
- Safe deposit boxes. Bank name (and branch), box number, and location of the key. It may be prudent to have someone else's name on the bank signature card as well, so there is no need for a court order allowing access. But be aware that, in some states, by putting someone else on the card, you are making that person a co-owner of whatever is in the box. Choose wisely.
- Debts you owe. Include the lender's contact information, along with the loan officer's name and loan number. Be thorough; your heirs don't need any nasty surprises.

- Debts owed to you. Does someone owe you money? Give complete contact information, location of any promissory notes and record of payments.
- Insurance agents. Names and contact information. Indicate which agent handles which policy.
- Licenses. List your licenses and numbers, whether driver's license, medical license, concealed handgun permit, or anything else you may have. At some point, the issuing entity should be notified of your death.
- Credit cards. Account numbers, contact information. And if you pay extra for the protection that provides for the balance to be paid off in the event of your death, be sure you include that information.
- Book club and magazine subscriptions. Listing these can help your survivors avoid automatic shipments or automatic subscription renewals charged to your credit card.
- Retirement accounts. Account numbers, financial advisor's contact information.
- Computer logins. Whether for social networking, credit cards, or game sites, it would be helpful for your heirs to be able to close your accounts.
- List of assets. Real property, vehicles, leases, stocks and bonds, interest in a business. Include VIN numbers; the location of deeds, titles, stock certificates, lease agreements, partnership agreements, or anything else that would help verify ownership.
- Alarm systems. List code numbers and the alarm service company's phone number.
- Income tax returns. Advise where your income tax returns may be found. It's a good idea to include your social security number as well. Oh, and you really don't need to keep tax returns all the way back to the beginning of time.
- Marriage and divorce papers. Be sure to list the location where these important papers are kept.
- Miscellaneous personal property. Do you want your niece to have your cookbook collection? Your oldest grandson to have your marksmanship medal? Although listing those things in your letter does not carry the same weight as your Will, it does help your executor know what your wishes are concerning those inevitable questions.
- Warranties. Where are the warranty papers when the garage door quits working? It's good to have a central place to keep all your warranties, but especially those that might need to be transferred upon the sale of the home or automobile. Include the location in your letter.
- List of people to be notified in the event of your death. Old friends, distant relatives, alumni organizations, club members, or anyone else you want to be notified of your death before they read about it in the newspaper. Be sure to include phone numbers or some other way to get in touch with them. And, by the way, where is your address book or Christmas card list?
- Historical information. If that beautiful butterfly quilt was given to your grandparents as a wedding gift, or Harper Lee personally gave your dad the signed copy of *To Kill a Mockingbird*, include that information. It may help your executor decide what should be done with things of particular interest or value.

Don't stop there. Review your letter once a year to be sure the information is up to date. Change or add necessary account numbers or contact information. And don't forget to give the letter to your spouse, or at least be sure he or she knows where it is.

Oh, and one other thing. Please go through your photos and put names on the back.

OctoberMeeting

On October 19, our guest speaker will be Tracy Almanza, ACP. Tracy will be speaking on the recent legislative changes in probate and estate planning.

In honor of Texas Paralegal Day, NTAP will provide lunch. The menu calls for chicken stroganoff, salad, garlic bread and dessert.

In order to reserve your complimentary lunch, you must RSVP to sandi.clarke@boon.law.com no later than Monday, October 17.

OUR VETERANS NEED *YOU!*

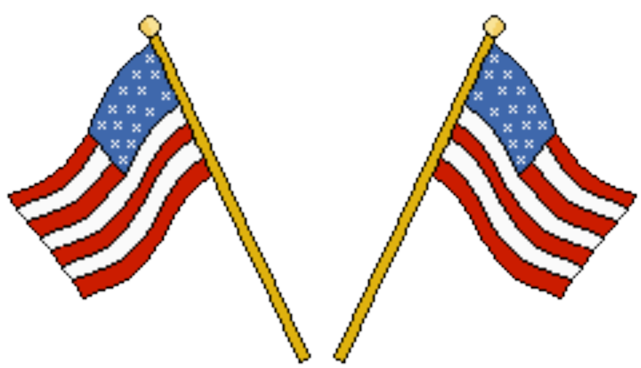
We are planning to have a pro bono estate-planning clinic for area veterans.
The place is the Marine Corps League building on Alpine in Longview.
The date has changed, and is now Saturday, November 5th,
so please clear your calendar and participate with us.

We need all of you who possibly can to help out.

We have some attorneys lined up, but will need more, so please ask whether your attorney will give up a Saturday for our veterans.

There are so many ways you can help. This list is just the beginning…

- Attorneys to consult with veterans
- Paralegals to prepare documents
- Notaries
- Computer printers
- Copy machines
- Reams of copy paper
- Simple refreshments, paper goods
- Advertising
- Extra hands (to witness documents, help mobility-impaired persons, be sure refreshments are replenished, etc.)



Commercial Bankruptcy

New APC Course

A new Advanced Paralegal Certification (APC) course in Commercial Bankruptcy under Chapters 7 and 11 of the *United States Bankruptcy Code* is now available to paralegals seeking advanced certification in this specialty practice area.

The new course focuses on bankruptcies of business debtors. Chapter 7 provides for debt relief and liquidation of an enterprise’s assets. Chapter 11 gives a business protection from creditors and a chance to prepare a plan of reorganization to pay debts and stay in business.

There are nine modules of study in the new course: 1) The Bankruptcy Estate; 2) Avoiding Powers; 3) Initial Relief; 4) Chapter 7 Cases; 5) Chapter 11, Reorganization; 6) Chapter 11, Plan Development; 7) Chapter 11, Plan Confirmation; 8) Involuntary Bankruptcy; and 9) Adversary Proceedings.

Paralegals are helpful to attorneys throughout the process of guiding clients from the time of filing a bankruptcy petition through discharge and closing the case. The new course helps prepare paralegals for specific tasks from initial client interviews to drafting various petitions, judgment searches and UCC information.

The massive load of requisite motions, agreement letters, and other correspondence with debtors, creditors, lawyers, clerks, trustees, and clients is presented in logical order in easily digested modules to help make sense of the complex world of Commercial Bankruptcy.

This new offering brings the total APC program to 19 courses:

Alternative Dispute Resolution
Business Organizations: Incorporated Entities
Contracts Management/Contracts Administration
Criminal Litigation
Discovery
Land Use
Social Security Disability
Trial Practice
Trademarks
Personal Injury and/or

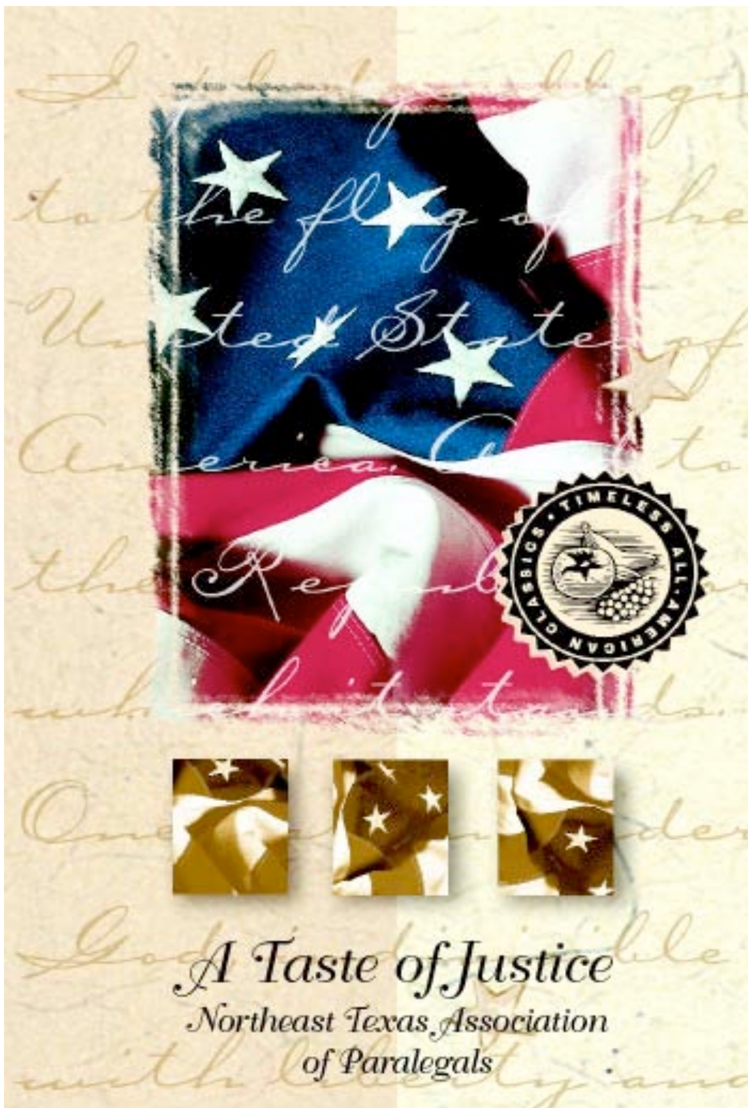
Individual certifications in the following PI practice areas:
· Automobile Accidents
· Entity Medical Liability
· Individual Medical Liability
· Intentional Torts
· Premises Liability
· Product Liability
· Workers' Compensation
· Wrongful Death

For further information, visit the NALA web site (www.nala.org) Certification/Advanced Paralegal Certification. (or http://www.nala.org/APC-comm-bankruptcy.aspx)

COOKBOOKS - $10.00

RAISING MONEY FOR PARALEGAL STUDENT SCHOLARSHIPS

NORTHEAST TEXAS ASSOCIATION OF PARALEGALS, INC.



FANTASTIC HOLIDAY GIFTS!!
See Javan Johnson or Mona Tucker to get your copy.

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CLE Calendar

For additional information about CLE across the State see the SBOT - PD web site at www.txpd.org. Also, don't forget that the PD and NALA both offer on-line CLE.

(Online) Texas Bar CLE *free* online seminar. TexasBarCLE offers a complimentary half hour of participatory MCLE credit. You will find a new topic available every other month. The current topic is "Business Disparagement and the Internet: Libel and Slander/Injury to the Brand." www.texasbarcle.com.

Check out the **Ten Minute Mentor** on www.texasbar.com. These instructional video presentations are from leading lawyers in their areas of expertise. Each presentation is typically short (around 10 minutes or less), practical, and free. Viewing presentations qualifies for MCLE self-study credit only. Topics available include Daubert challenges, petitions for review, bankruptcy issues, and many more.

(Online) NALA Campus *Live!* has many topics to choose from, and the Texas Board of Legal Specialization has approved certain programs for certification and re-certification. More information is available at www.nala.org.

(Online) Free Webinars sponsored by Litigation Solution, Inc. Contact Todd Kelly at KTS Litigation Support, mtkelly@ktslitigationsupport.com, for a schedule and to register.

NTAP EMPLOYMENT REFERRALS

One of the benefits of your membership is NTAP's employment referral service. We receive calls from firms offering employment opportunities. If you are seeking a position or considering a change, we encourage you to use NTAP's employment referral service. If your firm is searching for qualified paralegals, ask your attorney or firm administrator to let us know about current openings.

If you are interested in being listed with the service, mail a current resume and contact information to:

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