



Key Note



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Northeast Texas Association of Paralegals, Inc.
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Editor, Mona Hart Tucker, ACP

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Welcome to NTAP

We are happy to see you here, and hope you will find something useful with us. Please visit our new website, <http://www.NTAParalegals.org>.



2012 Executive Committee

President – Andrea Brunson, CP
1st Vice President – Sandi Clarke, CP
2nd Vice President – Nadriette Hardeman, CP
Secretary – Cindy VanBlaricom
Treasurer – Shannon Qualls
NALA Liaison – Javan Johnson, ACP

2012 Chairpersons

Parliamentarian – Mona H. Tucker, ACP
Employment – Andrea Brunson, CP
Auditor – Andrea Brunson, CP
Scholarship – Javan Johnson, ACP



The Ethics of Notarization

by Ellen Lockwood, ACP

Many of us are notaries and have been for years. We notarize documents without a second thought. However, just as you should regularly read articles and attend CLE regarding paralegal ethics, you should also regularly review educational materials provided by the Secretary of State with your official notary commission.

One of the prohibitions that is often overlooked is that a notary who is not an attorney cannot determine which type of notarial certificate

should be attached to a document. That would be considered UPL (unauthorized practice of law). If you receive a document that doesn't include a notarial certificate, always let your attorney determine which type certificate should be included.

A notary should also be familiar with the various types of notarial certificates and the differences between them. In particular, a notary should aware of the notarial certificates that require the person signing the document to swear or make an oath. These certificates include the following:

- Affidavit
- Affirmation (affirming the truth of the document, not an oath)
- Oath
- Verification

Any notarial certificate that includes the term *sworn*, *swear*, or *affirm* indicates the notary should have the person raise his right hand and swear to whatever is in the notarial certificate. If a notary neglects to actually have the person swear to a notarial certificate that calls for it, the validity of the notarial certificate and the document to which it is attached may be called into question.

An attorney friend told me recently of a real estate transaction that may be invalidated because the paralegal notary, like most of us, did not specifically ask the person signing the document to swear to what was in the notarial certificate. The opposing counsel is now questioning the validity of the signature on this document, and the validity of the entire transaction, because of this oversight. Imagine being deposed or sitting in the witness box and having to explain why you didn't require the person to swear. Insisting that "everyone does it that way" is probably not going to come across very well, especially to a jury. A possible defense

to this is that when the person signed the document, he should have read everything, including the notarial certificate, and known that he was swearing or making an oath. However, that may not be adequate, particularly if the person signing the document does not have much experience signing legal documents of that sort.

You will probably need to discuss how best to handle these situations with your attorney. Your attorney may want to make a distinction between notarizations for attorneys in your firm, who should be expected to know they are swearing or making an oath, and clients and witnesses, who may need to be asked to raise their right hands and actually swear. Of course, if in doubt, it is always better to be safe. Have all those individuals signing notarial certificates requiring the signer to swear or take an oath do just that.

Ellen Lockwood, ACP, RP, is the Chair of the Professional Ethics Committee of the Texas Paralegal Division, a position she has held since 1997.

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**Northeast Texas Association of Paralegals, Inc.
Minutes of the Membership Meeting
January 18, 2012**

The monthly membership meeting of the Northeast Texas Association of Paralegals was held at the Longview Community Center on Wednesday, January 18, 2012.

Those in attendance were Mona Tucker, Pamela Matthews, Ginger Gage, Nadriette Hardeman, Shannon Qualls, Cindy VanBlaricom, Elisha Calhoun, Sandi Clarke, Lori Campbell. Guests in attendance were Dena Frageman and Judge Alfonso Charles.

2011 President Mona Tucker welcomed members and guests and called the meeting to order at 12:10 p.m.

President Tucker introduced 2012 President, Andrea Linton-Brunson. Andrea introduced Judge Alfonso Charles, who swore in the 2012

NTAP officers, as follows:

President - Andrea Linton-Brunson
First Vice-President/Education - Sandi Clarke
Second Vice-President - Nadriette Hardeman
Secretary - Cindy VanBlaricom
Treasurer - Shannon Qualls
NALA Liaison - Javan Johnson

Lori Campbell announced the Paralegal of the Year is Mona Tucker.

Reports:

- Secretary - Cindy VanBlaricom announced the minutes for the December 21, 2011 meeting will be printed in the Key Note. We will vote on them at the February 2012 meeting.
- Treasurer - Shannon Qualls presented the December 2011 report and the budget for the 2012 year.
- Membership - Nadriette Hademan announced that membership renewals were coming in.
- Website/Facebook - Mona Tucker announced the website is up and running. Cindy VanBlaricom announced she is working on the Facebook page.
- Education - Sandi Clarke announced that this year we will be doing a civil, personal injury trial from beginning to end. Darren Coleman will be our February 2012 speaker and will be speaking on a client's initial visit and how a paralegal is involved.

New Business -

- Charities - Our charity this year will be the Rainbow Room and we will use the flower pots for collection of donations.
- New location - In May 2012 we will need to find a new location for our meetings as the Longview Community Center is now owned by Gregg County.
- Seminar - This year we will be hosting a CLA review course for our seminar. We are looking at October to hold the seminar.
- Wills Clinic - Since the Wills Clinic was very popular, we will be holding a follow-up in Daingerfield in the Spring, possibly in May. We will also hold it again in November in Longview and possibly every six months in another East Texas location.
- Auditor - Andrea will be acting as auditor.
- Hospitality Committee - At this time we do not have a hospitality committee and we will

be brown bagging it at future meetings.

- Key Note - Key Note submissions will need to be in by in by the first Friday of the month after the board meeting.
- Employment - Job Bank Chair Andrea Linton-Brunson announced there was a firm in Longview looking for a paralegal. The firm does patent and trademark work. They are looking for someone that is very detail oriented.

With no further business, the meeting was adjourned at 12:45 p.m.

Respectfully submitted,
Cindy VanBlaricom,
NTAP Secretary



February

The February membership meeting will be on 15th at noon at the Longview Community Center. We will be having a series of talks that follow a life of a trial this year, and our speaker this month is Sandi Clarke, who will address "Step 1 in the Litigation Process - the Initial Interview." We are not serving lunch, so be sure to pick up something to eat on the way to the meeting.



Now We're
Cookin'



Chicken Cheese Soup

Lori Campbell, CP

- 3-4 chicken breasts
- 3 stalk celery, chopped
- 3 carrots, sliced thin
- 1 medium onion, chopped
- ½ lb. butter (1 cup)
- 1½ cups flour
- ¾ gallon water (3 quarts)
- 3 oz. chicken bouillon granules
- ½ pkg. frozen peas (approximately 5 oz.)
- 8 oz. Cheez Whiz
- 1 Tblsp. Beau Monde seasoning (Spice Islands) or

poultry seasoning pepper

Boil chicken. Let cool and cut into bite-sized pieces. Set aside.

Boil celery, carrots, and onion until tender. Drain (use water from the vegetables as part of the ¾ gallon needed). Set aside.

In a large pot, melt butter. Add flour to butter and stir well.

Add water to flour and butter (use a whisk). Add bouillon and stir well.

Add vegetables, peas, and Cheese Whiz.

Stir in chicken pieces.

Add seasoning and pepper to taste.

Simmer on low to heat through.

Note: This soup freezes well.



COOKBOOKS - \$10.00

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PARALEGALS, INC.



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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) eDiscovery Automation: The Current State of Affairs. Feb. 29, 2012, 11:30 a.m. Free of charge. Approved by Texas Bar for 1.0 hour of general CLE. Register at <https://iediscovery.webex.com>.

(League City) HPA Spring 2012 CLE: A Step in the Right Direction! April 19-20, 2012. Thursday is registration and casino night social, and one lucky attendee will win a Kindle Fire. CLE all day Friday - ethics credits, litigation and specialties tracks. Pre-register by February 16th to receive a free 4G wristband flashdrive.

(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 "What Every Lawyer Should Know About Property Tax Exemptions." www.texasbarcle.com. Please note: NALA will not accept courses under 50 minutes in length.

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.

(Online) Free Webinars and CLE on Demand sponsored by Law.Com. For a full list of available courses, go to <http://www.law.com/jsp/law/webinars.jsp>.

Articles published herein do not necessarily represent the opinions of the Northeast Texas Association of Paralegals. Calendar listings and seminars should not be considered as endorsement of any such program or seminar.

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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