



Key Note



Volume 99

Northeast Texas Association of Paralegals, Inc.
An Affiliate of the National Association of Legal Assistants, Inc.
Editor, Mona Hart Tucker, ACP

March 2013

President's Message

Happy March! Spring is in the air ... well, sort of. It's Spring Break, but the weather outside is not as "Spring-ish" as I would like. Still, beautiful weather is definitely on the horizon and we have a busy year ahead, so I'm excited! I am hoping the pretty weather will entice me to get out and walk in the evenings. Sitting at a desk all day is not the most active thing we can do and, by the end of the day, I don't normally have enough energy left to do the "gym" thing. I'm hoping the weather will be pretty enough to help motivate me to MOVE!



Please be reminded that our monthly membership meeting in March will be held on Wednesday, March 20th at noon, at The Summit Club on Methvin. You should receive either an email or an E-vite soon. Our speaker this month is our very own Mona Hart Tucker, ACP, who will speak to us on "Real Estate law." I am extremely anxious to hear and learn from Mona since this is not an area of law in which I work and she is definitely our local Real Estate guru. For those of you who need CLE, this meeting has been approved for one hour.

There is so much to do and very many ways to get involved in NTAP. I encourage you to join in on the planning of our upcoming festivities. We need help planning the 25th Anniversary Party (in May) and the First Annual Bowling Tournament (in October). We also need EVERYONE'S help at the upcoming Wills for Heroes Clinic which will be held on November 9, 2013. NTAP can be your greatest networking tool - if you will just get involved.

Please remember that the Board of Directors is

here for you. We encourage your questions, suggestions, and comments. This is YOUR association - why not utilize it to help your career in the best way possible?

See you all on March 20th.

Sandi Clarke, CP
NTAP President, 2013



2013 Executive Committee

President - Sandi Clarke, CP
1st Vice President - Andrea Brunson, CP
2nd Vice President - Cindy VanBlaricom
Secretary - Crystal Roberts
Treasurer - Shannon Qualls
NALA Liaison - Mona H. Tucker, ACP

2013 Committee Chairs

Parliamentarian - Javan Johnson, ACP
Employment - Andrea Brunson, CP
PR/Historian - Gail Love, CP
Newsletter - Mona Tucker, ACP
Scholarship - Javan Johnson, ACP
Technology - Shannon Qualls
Auditor - Andrea Brunson, CP
Social - Andrea Brunson, CP



TBLS Announces Paralegal Certification Application Deadline Date

Filing deadline is April 15, 2013

Established by the Texas Board of Legal Specialization (TBLS) in 1994, the paralegal certification program recognizes the quality of services of paralegals who have achieved a level of special knowledge in a particular area of law.

The TBLS program is the only state organization authorized to certify paralegals as specialist in specialty areas of law. This year's certification applications are currently available through April 15, 2013. Please request a form via email to tbls@tbls.org.

Examination for Paralegal Board Certification will be mid-October, 2013 in Austin.

Specialty Areas of Law for Paralegal Certifications:

Bankruptcy Law
Civil Trial Law
Criminal Law
Estate Planning & Probate Law
Family Law
Personal Injury Trial Law
Real Estate Law



CP Review Course in Tyler

Our friends at TAALP are planning a CP Review Course for April 26 and 27, so if you missed NTAP's course in the fall, here's another chance for you to prepare for the exam. The course will be held at the Tyler Area Chamber of Commerce at 315 North Broadway. Watch the *Key Note* for details as they become available.



Northeast Texas Association of Paralegals, Inc. Minutes of the Membership Meeting February 20, 2013

The monthly membership meeting of the Northeast Texas Association of Paralegals was held at the Summit Club on Wednesday, February 20, 2013.

Those in attendance were Devon Whatley, Andrea Brunson, Elisha Calhoon, Sandi Clarke, Nadriette Hardeman, Javan Johnson, Shannon Qualls, Crystal Roberts, Mona Tucker, Lori Campbell, and Cindy VanBlaricom.

2013 President, Sandi Clarke, welcomed members and called the meeting to order at 12:07 p.m.

Reports:

Secretary: President Sandi Clarke announced the minutes from the January 2013 membership meeting were printed in the *Key Note* and asked the membership to approve the same. Crystal Roberts made a motion to approve the minutes, Andrea Brunson seconded the motion, and the minutes were approved as printed.

Treasurer: President Sandi Clarke discussed the 2013 proposed budget, provided by Shannon Qualls. After reviewing the proposed budget, Shannon Qualls made a motion to approve, Elisha Calhoon seconded the motion, and the 2013 budget was approved, pending audit.

Membership: Cindy VanBlaricom announced that membership renewal applications had been received and one new membership application was received by Carrie Moore, who works for Goudarzi and Young. Cindy VanBlaricom made a motion to approve Carrie Young, and Andrea Brunson seconded the motion. The membership voted to approve Carrie Young as a new member.

Sandi Clarke discussed the status of a membership drive by mail and stated that she will be printing flyers listing the upcoming speakers and topics for 2013, as well as a list of the speakers and topics from last year. The flyers will then be mailed to all local law firms, encouraging the staff to attend a NTAP meeting.

Website: Shannon Qualls is working on keeping the website updated and Cindy VanBlaricom keeps the Association's Facebook page updated.

Sandi Clarke asked members to let Shannon Qualls know if there is anything to post on the website and to advise Cindy VanBlaricom if anything needs to be posted on the Facebook page.

Employment: Andrea Brunson announced that Kelly Heitkamp is looking for a legal assistant.

Education: Andrea Brunson announced the speakers for the following months in 2013:

March - Mona Tucker will be presenting on Real Estate
April - Elaine Hart will be speaking on managing stress factors
May - Ruth Conley, NALA Region IV Director

June - Jonathon Wharton, Attorney -
topic is TBD
July - TBA
Aug. - TBA
Sept. - Joe Newsom, Attorney, will be
speaking on the Family Law updates
Oct. - TBA
Nov. - TBA

Charities: Javan Johnson announced that The Rainbow Room was in need of prom dresses and shoes for the upcoming prom. Sandi and Javan offered to pick up any donations and deliver them to The Rainbow Room.

Key Note: Mona Tucker reminded the members that the deadline for article submission to the *Key Note* is always the first Friday after the first Wednesday of each month.

25th Year Celebration: Sandi Clarke announced that Ruth Conley will speak at the 25th Anniversary celebration will be held on May 15th.

Miscellaneous:

Andrea Brunson informed the members about the Tyler's CP Review course that will be held April 26-27th in Tyler, Texas.

Sandi Clarke reminded all members to bring exact change or a check for lunch at next month's meeting.

Speaker: Andrea Brunson introduced, Shane Jackson, who spoke on the assessments and legalities of mental illness. After a very informative speech, Andrea presented Ms. Jackson with a cookbook, as thanks for speaking to the group.

With no further business, the meeting was adjourned at 12:40 p.m.

Crystal Roberts
NTAP Secretary



7 Steps to Conduct Rocking Legal Research

- Shelley M. Riseden

Conducting good legal research is something that not all paralegals, or lawyers, can do, and excellent research skills can be invaluable to a law practice. Even if your current position does

not require you to perform research, it is a skill that you want on your resume, and one that you should be constantly looking to improve. To conduct good legal research, follow the steps below.

1. If you do not know much about the legal topic, learn it before beginning your research. This is the one of the most important steps in conducting good legal research. You cannot find the answer to a legal question, especially a very complex question, if you do not know anything about the broad legal topic under which it falls. To learn about the topic, you will use what are called 'secondary sources'. You learned about these in school, if you have a paralegal degree, in your legal research class, but probably have never used them, as most researchers tend to skip this step. For example, if you were asked to find out if a client could terminate his alimony payments, when he had agreed to lifetime alimony in a Settlement Agreement, you might be tempted to simply go to Google or Westlaw and run a search. That is fine, if you know what alimony is, under what circumstances it might be ordered, how the amount is calculated, and how your Courts view alimony in general. If you do not know even one of these things, you would want to start with some secondary sources to learn something about it. Good secondary sources include:

a. Dictionaries and Encyclopedias. The Free Dictionary's Legal Dictionary is an invaluable tool to a legal researcher. The dictionary-encyclopedia-in-one provides definitions of legal terms as well as an encyclopedia style description, history, and background on the word, with examples, citations, and further readings.

b. Legal Treatises. If you do not have access to Lexis or Westlaw, you will have to visit a library to access Treatises. Treatises provide in-depth commentary and analysis of a certain legal topic. To locate Treatises, by subject, visit the Chicago Library's Treatises page or the New York Law School Library's Treatises by Topic page and choose a topic. If the Treatises is available on Lexis or Westlaw, you will see a code listed for it under the library location information. Instructions for using Legal Treatises are provided by the Oklahoma City University Law Library.

c. Restatements of the Law. Restatements of the Law are published by the American Law Institute and are meant to inform judges and lawyers on the general principles of common law. Like Legal Treatises, Restatements may be found online if you have access to Lexis or Westlaw. If you do not have access to Lexis or Westlaw, you may order Restatements from the American Law Institute at a fairly low cost.

d. Online Resources. Excellent secondary resources available online free of charge include Cornell University Law School's Legal Information Institute and Zimmerman's Research Guide provided by LexisNexis.

2. Gather some basic information. Before you go search your state's code or case law, do a couple of simple searches to gather some basic information about keywords and/or relevant statutes.

a. Run a basic internet search for your topic. Go to your favorite search engine and type in some keywords or phrases from your research topic or question. For example, if you are trying to determine if a Settlement Agreement entered into in Indiana can be modified as far as the spousal support your client agreed to pay, you may want to search "alimony in divorce settlement agreements" or "'Indiana divorce' and 'alimony'". Skim the first page or two of results, looking for keywords, statutes, citations, or anything else that can help you answer your question. A search of Yahoo for "alimony in divorce settlement agreements" returns results, which seem to indicate that alimony can be modified.

b. Narrow, broaden, or reword your search terms and search again. Based on the results of your original search, come up a new search terms that may provide more relevant results. For instance, using the previous example, of "alimony in divorce settlement agreements" which returned results indicating that alimony in a settlement agreement can be modified, we can come up with the new search term, "when alimony cannot be modified". Again, looks for references to statues, citations, or additional keywords that may be helpful.

3. Look for an applicable statute. Go to the annotated state or federal code and run a keyword search or browse for a statute that may apply. Annotated code contains references to cases that have interpreted the given statute. If you have access to Lexis or Westlaw, you should have access to both annotated and unannotated code, and want to make sure that you are using the annotated version. If you do not have access to the annotated code for your state, ask your attorney for a subscription service, or an annotated codebook. Freelance paralegals who find that subscription services are too expensive may consider taking a class at a college that offers students free access to Lexis, visiting the library for an annotated codebook, or purchasing an annotated codebook for the states whose laws they most frequently research.

4. Search for case law. You will begin this process differently, depending on whether you found an applicable statute, and whether that statute contained annotations or not.

a. If you found an applicable statute, with annotations, your case law research should start with any cases listed in the annotations of the statute.

b. If you found an applicable statute, but it did not have annotations, your case law research should start with a search of the statute's citation, in order to find case law that mentions that statute.

c. If you did not find an applicable statute, your case law research should start with a keyword search. You may have to try a combination of keywords, search for occurrences of two different keywords close to one another (such as in the same paragraph or sentence), use legal topic designations to narrow your search, and/or run several different searches before you begin to get any relevant results.

5. Read the cases you find. Pull up each case you come across, and read it. It is very important that you take the time to actually read the case, and not just skim it. Not only should you be looking for an answer to your question, but also for any citations to another case or statute that may answer your question, get you closer to an answer, provide you with new information that may help you narrow your search, or possibly

send you in a new direction. You may have to read several cases before you start finding any that come close to what you are looking for.

6. Run a new search. After reading several cases, and not finding an answer, go back and run a new search for different keywords, topics, or phrases, based on the information you have gathered reading cases from your first search. You may have to repeat this process several times before you begin turning up relevant cases that you can use.

7. Do it all again. Keep reading cases and following links, looking to further define your research topic or question, with new keywords or phrases until you have it narrowed down your search results to the point that you are finding some answers and/or going in circles, being directed to the same cases or one case over and over. You may even need to go back to step one and run a new internet search with new keywords or keyword phrases.

Shelley M. Riseden is a freelance paralegal providing research, document preparation, and writing services to both attorneys and non-attorneys. She is an expert at conducting legal research and has a natural ability to grasp complex legal issues.
<http://www.virtuallylegal.net>



The membership meeting will be at noon on March 20 at the Summit Club in Longview. Our speaker is Mona Hart Tucker, ACP, who will be talking with us about real estate law, and deeds in particular.

Please RSVP your menu selection to Andrea Brunson, AndreaB@NixLawFirm.com, by Tues., March 19.

\$10.00 (includes tea, water and gratuity)
Chicken Fried Tenderloin - beef tenderloin

lightly pounded, breaded and fried; served with gravy, vegetable and starch of the day.

\$10.00 (includes tea, water and gratuity)
Chicken Salad - containing walnuts, apples, grapes, served with seasonal fruit on a bed of greens.

\$3.00 (includes tea, water and gratuity)
Tortilla Soup or
Soup Du Jour

PLEASE HAVE EXACT CHANGE OR A CHECK
MADE PAYABLE TO NTAP.



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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.

(Longview) Combining Our Resources Effectively, Friday, Mar. 22, 2013. Presented by Lone Star Legal Aid. Free 7.75 CLE hours, including one hour ethics. Please pre-register: stمبرlake@lonestarlegal.org, tself@lonestarlegal.org, or call (903) 758-9123 .

(Online) Texas Veterans Legal Assistance Project Webinar, Mondays 11:45-1:00 p.m. The Texas Legal Services Center offers a free webinar each Monday on topics related to veterans. All courses have been approved by the State Bar for one hour of participatory credit (no ethics). For upcoming topics, go to www.tlsc.org.

(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 "Demonstrative Evidence and Trial Presentation Technology". www.texasbarcle.com. Please note: NALA will not accept courses under 50 minutes in length, but the Paralegal Division does accept these 30-minute online classes.

(Online) Ethics. If you need ethics CLE hours check out www.lexvid.com. All the courses are free.

(Online) NALA Campus Live! has many topics to choose from, and the Texas Board of Legal Specialization has approved certain courses for certification and re-certification. The spring program runs through May 10th. More information is available at www.nala.org.

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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AndreaB@NixLawFirm.com
NTAP, P.O. Box 2284, Longview, Texas 75601