

THE PARAGRAPH

*Newsletter of the Georgia Association of Paralegals
Charter Member of the National Federation of Paralegal Associations*

First Quarter, 2002

January, 2002

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FROM THE PRESIDENT

Happy New Year! It is hard to believe that the year 2002 has arrived. It is even harder for me to believe that I have been on the GAP board since 1999 and have four more years ahead of me. I would like to thank you for electing me President. I would like to briefly share with you a few of my goals for 2002:

- To Enhance the GAP Web Site
- Promote Paralegal Involvement with Pro Bono
- Broaden GAP geographically to reach paralegals outside of Atlanta
- Revise the GAP brochure in order to publish benefits received by being a member of GAP
- Offer meetings in line with topics members are interested in
- Promote student growth and offer at least two GAP sponsored CLE courses

There are more things I would like to



*Jennifer K. Kirkland
2002 GAP President*

accomplish over the next two years, but that would take an entire page. The GAP board will be meeting in January to conduct strategic long rang planning for the association. Please share with me your thoughts, concerns, or suggestions. I look forward to serving you in 2002!

UPDATE ON PROBONO

I am excited to bring you the first update for 2002 on the activities being planned for GAP's Pro Bono Committee. Building on the awesome structure implemented by Jennifer Kirkland for more than two years, Lex Wells and myself, as the 2002 Co-Chairs, plan to offer to the GAP constituency pro bono projects with which members may affiliate themselves, whether directly as paralegal volunteers, or as volunteers which will comprise the several teams the Committee will be putting together this year to work as a group towards certain project goals.

Target projects for 2002 will include the following:

Domestic Law. Lex Wells has enthusiastically been participating in the Dekalb County Court Watch Program which monitors the status of domestic violence cases on arraignment in Dekalb County. I encourage you to contact Lex for more information on this important project.

Elder Law. The Committee is participating in the AARP project put together by the National Federation of Paralegal Associations, Inc. (NFPA) in conjunction with AARP. Legal check-up seminars for seniors will be conducted and part of that program will include referrals to participating AARP attorneys.



*James C. West
GAP 2002 Pro Bono Co-Chair
jwest@leftkoff-duncan.com*

Domestic Violence. I would like the Committee to get involved with at least one other domestic violence project as well, perhaps assisting with some legal work for one of the metro area women's shelters. Please contact me if you know of a project.

continued on page 8

FROM THE EDITOR

The Future of Paralegals in Uncertain Times

New jobless claims rose in the United States last week while the number of Americans out of work for more than a week hit the highest level in nearly a decade.

The Labor Department also reports new claims for unemployment benefits rose to 488,000 in the week ending November 24, 2001 and the number of continued claims, or jobless people still looking for work, jumped to 4 million in the week ending November 17, 2001, it was the highest level of continued claims since 1982.

While we hear news such as this and we experience first hand friends and family being laid off from their jobs, we need to keep in perspective the positive aspects of being a paralegal in these uncertain times.

While the Labor Department reports of unemployment, they also report that employment of paralegals are expected to grow

by at least 36 percent through the year 2006. This means an estimated 77,000 new jobs by year 2005. Law firms and other employers with legal staff are increasingly hiring paralegals to lower the cost, and increase the availability and efficiency of legal services.

In Atlanta, where top firms offer over \$100,000 plus bonuses, it is deemed more economical to keep paralegals to perform many of the duties the attorneys have conventionally carried out. Further, the role of the paralegal is becoming more defined as paralegals are specializing in areas such as real estate, trademark and patent law, and now more than ever, bankruptcy and labor law are becoming increasing popular areas.

The bottom line is to remember what a valuable asset a paralegal is to any law firm or organization and that while unemployment is rising, the paralegal profession is still growing and paralegals remain in demand.



Denise A. McSpadden
2002 Newsletter Editor/Director
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I am probably like most of you. I look forward to receiving my GAP newsletter. I enjoy reading the articles and looking at the pictures. Do you really ever stop to look at the advertising from our sponsors? I admit that I usually do not.

GAP sponsors serve the needs of our legal community and most importantly us, as paralegals. They are also very important to GAP because we could not afford to print our newsletter or fund our monthly dinner meetings without them. These sponsors spend their marketing money to try to get us to use their services. GAP strongly encourages members to support the businesses who purchase advertising in our newsletters and those who sponsor our membership meetings. They are here to try to make our work lives a bit easier. In addition, you actually have a face and person to put with the service provider. If there ever is a problem, you can deal with a sponsor you have seen or spoken to directly. Let these sponsors help you.

I personally manage a litigation support service company called The Legal Concierge. I attend these GAP functions as a paralegal but also so I can meet my potential clients personally. Yes, I am trying to get your business but I also offer to personally fix any problems or complaints you may have. I am the face that you can put with the company. That is why many sponsors attend our functions. They want to get to know you personally so that you feel comfortable enough to call them.

So the next time you are looking for litigation support, copy services, court reporting, document imaging, look to our sponsors and let them help you. That's what they are there for.



*Sandy Owens
District Manager
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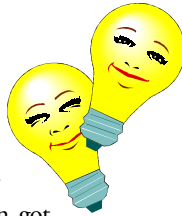
I join the GAP board this year as CLE chair. I have been a paralegal since 1989, starting out my career as a legal advocate for a domestic violence program and on to the family law practice area. These days, my primary focus is criminal law and has been for the last 8 years as the professional education coordinator/paralegal for the Professional Education Division of the Georgia Indigent Defense Council (GIDC). I welcome suggestions on what kind of seminars GAP members want to attend as well as convenient times to attend. My primary responsibility at GIDC is putting together and arranging all aspects of CLE seminars for attorneys and staff who represent indigent clients in criminal cases. I have the area of criminal law covered and plan to have at least 2 seminars in that area next year as part of my regular job. I would like to plan 2 additional seminars in other areas of interest and benefit to GAP members. Please email me your suggestions for topics, times and speakers dmulder@gidc.state.ga.us or call me at 404-894-2595. Our website has numerous links to criminal law and public interest law information www.gidc.com.



*Debra Mulder
CLE Chair
dmulder@gidc.state.ga.us*

Legal Limelight

Starting with our April issue, we would like to devote a section of the newsletter to all GAP members and focus on exciting news with our members. So if you recently received a promotion, got married, engaged, or anything you are enthused about and would like to share, please write to us - dmcspadden@kslaw.com



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Update on Pro Bono

continued from page 2

Wills Clinic. The Committee may consider another wills clinic as well such as we conducted in Douglasville in 2000 with Georgia Legal Services.

Animal Rights. My "pet" project in 2002 will be a foray into the rapidly expanding area of animal rights law. While not politicizing the issue and steering clear of protest marches and the like, I'll be researching ways in which Georgia paralegals could make substantive contributions towards protecting the legal rights of animals. Partnering with the Animal Legal Defense Fund might prove to be one of these ways.

Cobb Volunteer Probation Officer Program. Paralegals volunteering for this project would need to make a year's commitment and would function as probation officers for the Cobb County Court system. What an important way to live the NFPA pro bono slogan: "Paralegals Making a Difference"!

We have had a nice success this last year with the launch of our Committee newsletter *Pro Bono News*. Look for the newsletter to get even better in 2002. *Pro Bono News* comes out bi-monthly beginning in January and you may request for me to put you on our circulation list. The most current edition will probably be on line at the pro bono page of GAP's website as well (gaparalegal.org).

GAP sponsors an annual pro bono award which is granted to a deserving GAP paralegal who is nominated to have best embodied the pro bono spirit throughout the year. The next award will be presented at the February dinner meeting. The recipient receives a plaque, is the guest of GAP at the dinner along with his or her spouse or significant other, plus the paralegal's supervising attorney is invited to be an honored guest at the dinner meeting. Additionally, the winner receives a year's subscription to *Legal Assistant Today*.

And remember to report your hours of pro bono service! All Committee members, and

any GAP paralegals who have performed pro bono work should obtain a reporting form from Lex or myself. These forms are then filed along with a report by the Co-Chairs with the NFPA Pro Bono Director. A lapel pin is awarded by NFPA to those paralegals who perform a minimum of twenty-four hours of annual pro bono service. I am proud that several of our Committee members have achieved the NFPA goal this last year.

These are heady goals and we need a strong Committee to make them happen. We will continue our monthly meetings the third Wednesday of each month and we are always seeking strong and qualified recruits! Consider coming to a meeting or two in 2002 or ask us to keep your name on a list as someone who may wish to participate in pro bono projects. What with helping those in need, improving your profession and the justice system, learning more about other practice areas and networking opportunities, pro bono work is a win-win all around and we encourage you to get involved.



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FIRST ANNUAL PARALEGAL CAREER FAIR A HUGE SUCCESS!

The Georgia Indigent Defense Council and the Georgia Association of Paralegals joined together on November 3 to present a Paralegal Career Fair at the offices of the Georgia Indigent Defense Council, 985 Ponce de Leon Avenue, Atlanta, Georgia. We had approximately 75 people attending. Approximately 50 resumes were collected and sent to recruiters and law firms. We would like to thank the following participants: Atlanta Legalink, Bellon & Associates, Brown School of Court Reporting, Clayton State University Paralegal Program, Cobb County YWCA Domestic Violence Program, DeKalb Technical School of Paralegal Studies, First Pro, Georgia Association Of Paralegals, Georgia Association of Paralegal Pro Bono

Program, Georgia Indigent Defense Council, and the National Center for Paralegal Training. PACE Personnel Inc., although not able to attend had copies of all the resumes that were left in our "resume drop-off" mailed to them. Since the fair, a number of law firms have called and requested copies of the resumes which are on file and available by emailing dmulder@gidc.state.ga.us. We had a wonderful assortment of desert trays donated by METROTAINTMENT Bakery, www.metrocafes.com. We had face painting! We had popcorn! We had balloons! We had fun! We will do it again, plan to join us. Stay tuned to the GAP newsletter for details.



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HONEY, THEY SHRUNK THE STAFF!!

Take Heart - The Slowing Job Market Is Only Temporary! Since September 11th our ailing economy and already rising unemployment numbers soared to 5.4% on the shock of these events. Business froze while everyone absorbed the tragedy and tried to make sense of these cowardly acts. An already slowing job market slowed even further, but there is reason to be more optimistic than you think.

Human nature is resilient and so is our economy. You only have to look at the past economic downturns to see a light on the horizon. Our current slow down in hiring started in October of 2000 almost thirteen months ago. These contractions usually last 12 – 18 months. We expect to see the job market improving as we move through the first quarter of next year and see unemployment fall back to normal levels by the end of 2002.

But if you have been laid off or are looking don't get discouraged the economy is still creating jobs. A recent AMA survey showed while 58% of major corporations have had, or are planning, lay-offs, a third of these same companies were hiring



*Steve Sullivan
CambridgeStaff*

simultaneously. Despite the fact that the US is in an econ-omic slow-down, it is worth noting that more com-pa-nies created jobs than eliminated them albeit a narrow margin than in the past. The US work-force is estimated to have grown this year by .04%!!

Our advise for those effected by lay-offs or looking to make a career change is not to despair, but to work harder on their job search. The jobs are out there, it will take a little more effort to find the one you want. Companies and recruiters may not come knocking as aggressively but hiring goes on. Find a career coach, a seasoned executive or recruiter to work with you, keep a positive attitude, employ all search strategies and never, never, ever give up.

CALENDAR OF EVENTS

February 5, 2002

GAP Membership Dinner Meeting at Anthony's

April 9, 2002

GAP Membership Dinner Meeting at Anthony's

May 2-5, 2002

NFPA Spring Convention

June 11, 2002

GAP Free Networking Dinner at Anthony's "Member Appreciation Night"– Networking with a FREE Dinner and cash bar with a New Member Mixer

Aug. 13, 2002

GAP Membership Dinner Meeting at Anthony's

Sept. 2002

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Oct. 08, 2002

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TO SIGN OR NOT TO SIGN

I was recently faced with the question of whether a paralegal in Georgia is authorized to sign a Certificate of Service as "Paralegal for the Firm." I polled other members of GAP, and the overwhelming response was, "NO!"

The rules regarding this issue are different for actions in state court and federal court.

In Georgia state courts, a paralegal may sign a certificate of service, although the issue is not specifically addressed. O.C.G.A. § 9-11-5(b) states that "[p]roof of service may be made by certificate of an attorney or of his employee, by written admission, by affidavit, or by other proof satisfactory to the court" (emphasis added). Because of the vagueness of the term "employee," the statute would appear to include not only paralegals, but also legal secretaries and other staff members. This obviously could lead to a myriad of problems and must be better defined.

O.C.G.A. §§ 15-19-50 and 15-19-51 define the practice of law and the unauthorized practice of law, but neither address the issue of paralegals, or others, signing Certificates of Service.

In Georgia federal courts, however, the rule is clear: no one other than an attorney (or a party if it is not represented by an attorney) may sign any document requiring a signature. Rule 11 of the Federal Rules of Civil Procedure states specifically:

(a) **Signature.** Every pleading, written motion, and other paper shall be signed by at least one attorney of record in the attorneys' individual name, or, if the party is not represented by an attorney, shall be signed by the party.

Fed. R. Civ. P. 11. Also, "Rule 11(a) requires that documents be signed by an attorney or (if there is no attorney) the party." Fed. R. Civ. P. 11(a).

I recently spoke with Steve Kaczowski, Director of the Unauthorized Practice of Law ("UPL") Division of the State Bar of Georgia, about this issue. Mr. Kaczowski has received several complaints about paralegals signing Certificates of Service. Complaints of this nature received in the UPL office are reviewed on a case-by-case basis for additional evidence of a paralegal signing documents (i.e.,

pleadings, or letters), giving legal advice, or not identifying the paralegal as such. While not condemning the practice, Mr. Kaczowski does not condone it, and clearly prefers the abstention from the practice. Mr. Kaczowski encourages paralegals with questions regarding this, or any other possible UPL issue, to contact his office at 404/527-8743.

Based on the statutory rules and policies cited above, Georgia state courts do not expressly prohibit a paralegal signing a Certificate of Service in his or her own name, as long as he or she is clearly identified as a paralegal, however the practice is discouraged. In Georgia federal courts, the practice is not allowed.

Sherry A. Rosen
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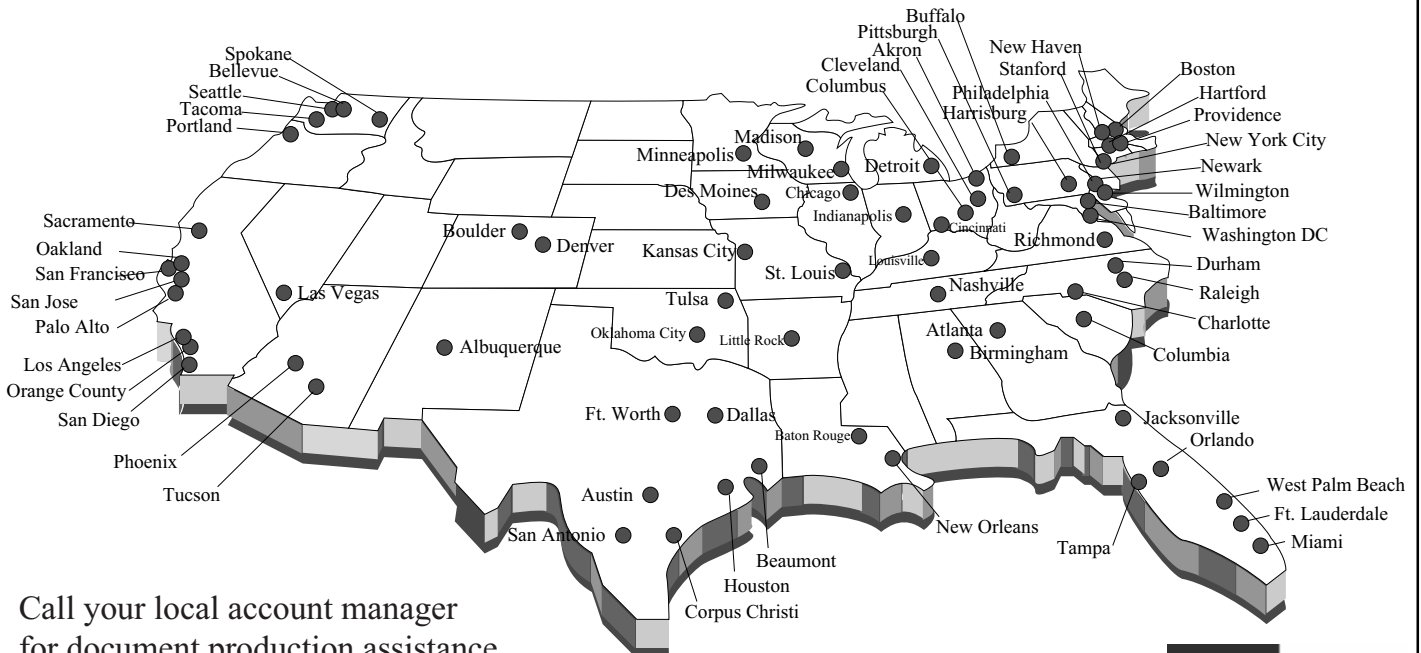
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