

The Paragraph

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

January, 2004

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2003 PACE SCHOLARSHIP WINNERS



At the December 2003 dinner meeting GAP recognized Kevin S. Fogle and Christine A. Rector as recipients of the annual PACE Scholarships. Each year GAP presents two scholarships to members who wish to take the Paralegal Advanced Competency Exam. This year Paramount Staffing, Inc. is funding the scholarship package, which includes; the application fee, the PACE Study Manual, practice exam diskette and Registered Paralegal pin.

Kevin, in addition to being a Corporate Paralegal with Brock, Clay, Calhoun, Wilson & Rogers, P.C., will serve as GAP's Bar Liaison in 2004. Christine is a paralegal with Regent Partners, LLC and one reason she wishes to become a Registered Paralegal is because "everyone is not agreed that a paralegal is a professional. I believe the Registered Paralegal designation helps to do away with this misconception."

Echoing this, Kevin also acknowledges that many people do not understand the value of paralegals and believes that receiving the PACE Registered Paralegal credential demonstrates "that paralegals are also educated professionals and provide a significant contribution to the delivery of quality legal services."

GAP thanks all the members who applied. We look forward to supporting Kevin and Christine, and other members of GAP, as they study for and take PACE in 2004. GAP appreciates the support and encouragement of Kimberly Lusink and the members of Paramount Staffing, Inc. for supporting GAP and the advancement of the paralegal profession.

For more information about the Paralegal Advanced Competency Exam and how you can become a PACE Registered Paralegal visit www.paralegals.org or contact Beth Magee, RP, GAP's PACE Ambassador.

Beth Magee, RP GAP PACE Ambassador

FROM THE PRESIDENT

Happy New Year! As we welcome 2004, the newly installed officers of the Georgia Association of Paralegals (GAP) are busy forming committees and setting goals for another successful year. I would like to extend a special thank you to our continuing board members, as well as a warm welcome to our first time officers. Their time and commitment to GAP is very much appreciated!

If your New Year's resolutions include volunteer work, then we can still help. Please see any board member, the GAP Office, or myself. Our Paralegal profession is a fairly young one, so let's take charge and be the driving force of setting the standards.

For the past couple of years GAP has experienced the pleasure of President Jennifer Kirkland's vision and leadership. During her term as the association's President, Jennifer has served GAP proud. We are thrilled that she will continue this year as our Board Advisor and GAP's Primary Representative with the National Federation of Paralegal Associations (NFPA).

I am honored to take on the role and responsibilities of GAP President and am committed to working with you in furtherance of the Paralegal Profession while continuing to uphold the Georgia Association of Paralegals' reputation as a leading Paralegal Organization.

Always remember to support our association sponsors when possible.

Cheers! Marcus Li GAP President



TO OUR FRIENDS AT THE GEORGIA ASSOCIATION OF PARALEGALS

The Board of Directors and the Members of the Middle Tennessee Paralegal Association invite you to visit Nashville in the Springtime. Your visit will begin on Thursday, April 1 with a full day of CLE seminars on a variety of topics suitable for litigation or corporate paralegals. (Members will be able to register for the sessions individually for \$55 or for the whole day for \$200.) Thursday evening before the NFPA Board meeting, we'll be hosting a little get-together for our friends at the law firm of Waller Landsden Dortch & Davis. On Friday, you can attend NFPA's regional meeting, then go boot-scootin' at the Wildhorse Saloon on Friday night (cost of the social event is \$55 / person). Saturday and Sunday, NFPA will be conducting its annual policy meeting, but don't worry, there's plenty more time for fun on Saturday night as you experience some of Nashville's nightlife on your own or with a group of your friends. For more information about Nashville and some of the activities planed, visit our website at www.matpaonline.com or visit the NFPA website at www.paralegals.org. We'll be updating our site often and registration forms will be available soon. We hope to see you there!

Kathy Teague
MTPA President and
NFPS 2004 Host Coordinator

2003 GAP EMPLOYER OF THE YEAR

In his statement of nomination to GAP Alvin D. Thurman included the following information about his boss, and why he believed she should be the "2003 Employer of the Year".

Ms. Pamela K. Anderson is the business administrator for the law department of the Georgia Pacific Corporation. She has been with Georgia Pacific since 1990 and has more than 15 years experience in law firm business administration and strategic planning. Ms. Anderson encourages paralegal growth and continual skill development including encouraging membership with GAP. Through her guidance, Georgia Pacific's law department has increased its paralegal staff over the past five years and has one of the highest ratios of paralegals to attorneys in corporate surveys.



Pamela K. Anderson GA Pacific GAP Employer of the Year

Ms. Anderson is always ahead of the curve concerning implementing new and updating current software and hardware.

Because of Ms. Anderson's encouraging the paralegals to participate in our affiliated associations, encouraging skill development and active involvement in the legal work at Georgia Pacific; and her continual communications with the legal community supporting the high utilization of paralegals, I nominate Pamela K. Anderson as the "2003 Employer of the Year" for the Georgia Association of Paralegals.

Congratulations Pamela and; thank you to Alvin and all our members who chose to nominate their employer.

Pamela Anderson Georgia-Pacific GAP Employer of the Year

During her thank you remarks at the December GAP holiday dinner meeting, Ms. Anderson stated that she felt very privileged to have received this recognition from GAP. She added that she felt the recognition is to a great degree reflective of the caliber of paralegals at Georgia-Pacific and their ability to make a significant contribution to the Law Department's success—that their skills and proactive involvement help her achieve the goal of leveraging paralegal positions.

She also stated that she feels strongly that membership in associations such as GAP can greatly contribute to an individual's career and success; and encouraged the members in attendance to take full advantage of the educational and networking opportunities GAP provides.

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Kevin Fogle kfogle@bcwr.com

New Member Reception

Position Available

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Christine King

cking@carllp.com

REPORT ON GAP DECEMBER **HOLIDAY MEETING**

The holiday spirit and a passing of the torch highlighted the December meeting of the Georgia Association of Paralegals.

President Jennifer Kirkland presided over the fifth annual GAP Holiday Party Dec. 9 before turning over the reins of the organization to her successor, Marcus Li, who was elevated from senior vice president. Li said he had studied Kirkland's leadership style and hoped to carry on the work over which she presided in 2002 and 2003.

Judge Joel Feldman, U.S. District Court magistrate for the Northern District of Georgia, installed Li and the new Board of Directors for 2004 (see sidebar).

Pamela K. Anderson of Georgia Pacific Corporation was honored as GAP Employer of the Year. In nominating Anderson, GAP member Alvin Thurman referred to her mentoring of staff and encouragement of education advancement.

Christine Rector and Kevin Fogle were the recipients of the PACE scholarships sponsored by Paramount Staffing, Inc. The scholarships pay for the application fee and study materials for the Paralegal Advanced Competency Exam (PACE).

The sponsors of the meeting were Document Technologies, Inc. (DTI) and Alexander Gallo and Associates (Court Reporters). All GAP members and their guests were treated to a "glass of holiday cheer" courtesy of the holiday dinner sponsors. In addition, many attendees, including the Employer of the Year, received one of the dozens of special door prizes awarded by the sponsors at the end of the evening.

> Christina Sheets & Charles Cromwell **GAP** Newsletter Committee



Christina Sheets, Newsletter Editor and Charles Cromwell. Newsletter Committee



GAP DECEMBER
HOLIDAY MEETING





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February GAP Dinner Meeting

CASE MANAGEMENT/ELECTRONIC CASE FILING IN US DISTRICT COURT

Melissa Shalongo is a 2002 graduate of the University of Georgia, where she earned dual degrees in psychology and criminal justice. While at UGA, Melissa enjoyed being a member of the Criminal Justice Society and interning at the Athens-Clarke County District Attorney's Office. Now, a deputy clerk at the United States District Court for the Northern District of Georgia, Melissa works in the administrative section of the Clerk's office. Aside from handling attorney admissions and assisting with the attorney maintenance database, Melissa is also a member of the Public Relations/Awareness Committee.

On behalf of the Public Relations/Awareness Committee, Melissa will be giving a power point presentation to the Georgia Association of Paralegals on the new Case Management System to be implemented by her Court in the



Spring of this year. What makes the new system of interest to our group is that it has the capability to accept electronic case filings, hence the title CM/ECF or Case Management/Electronic Case Filing.

The introduction of electronic case filing in the Federal District Court will offer practitioners a number of opportunities for greater efficiency, greater convenience, and lower costs. Melissa's presentation will give a brief overview of what to expect with the implementation of CM/ECF, as well as the related benefits, resources required for electronic filing, and training opportunities.

While Melissa will provide a brief review of the process for filing a document electronically, hers is not a training presentation. She assures the members of GAP that there will be training opportunities for those interested before the new system is implemented.

NOTE: Put February 10, 2004 on your schedules and make plans to attend this kickoff GAP dinner meeting for 2004. Bring others from your office and we will make every attempt to seat parties of four or more together!

All GAP members are invited to submit articles to The Paragraph. If you have an idea or wouldlike to write an article please contact Newsletter Editor, Christina Sheets at chrissy404@joimail.com. To see back issues of The Paragraph please seeour website, www.gaparalegal.org.

MEMBERSHIP IN GAP HELPS SECURE JOB



Don't underestimate the value of belonging to your professional organization and including on your resume the fact that you are an active member.

Susy Ross (left in photo) was one of many applicants for a paralegal position at The Manely Firm, PC. The head paralegal, Sheila Manely (right in photo) confirmed that Susy got the job because, all other variables being equal, participation in a professional association tipped the balance in favor of Susy Ross.

Susy brought her boss as well as a coworker, Vickey McCombs, to the December holiday dinner meeting. The GAP office will make every effort to seat a group from the same office together at the dinner meetings and members are encouraged to invite potential members to attend a meeting in 2004.

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United States District Court for the Northern District of Georgia Case management / Electronic Case Files

The United States District Court for the Northern District of Georgia is pleased to announce the forthcoming introduction of Case Management / Electronic Case Files (CM/ECF) system. Expected release is Spring of 2004.

Attorneys with Internet access will be able to file and view documents 24 hours a day, 7 days a week. Documents will automatically be docketed as part of the filing process and will be immediately available electronically with an established account. An active <u>PACER</u> account is required. Some of the other benefits include automatic e-mail notice of ase activity, capability todownload and print documents directly from the court system, and concurrent access to case files by multiple parties.

Training on use of the systen will be available before the system is introduced. More information will follow in subsequent newsletters. You can also get information on electronic filing by going to the following websites:

- www.uscourt.gov
- www.pacer.uscourts.gov
- www.gand.uscourts.gov



NAMES 8 NEW PARTNERS

Miller & Martin LLP, a leading law firm in the southeastern United States with offices in Atlanta, Chattanooga and Nashville, and a proud GAP sponsor, is pleased to announce eight new partners to the firm as of January 1, 2004.



In Atlanta, Paul A. Alexander, Joseph R.

Delgado, Jr., **Ryan A. Kurtz**, and **Carlton C. Pilger** have all been named partners. **Philip A. Langford** and **Richard C. Rose** of the Chattanooga office and **Kara Shea** and **Bryant Witt** of the Nashville office have also been named partner.

Mr. Alexander focuses his practice in the areas of bankruptcy, creditor's rights and commercial litigation. He has extensive courtroom experience, as well as significant experience with financial restructuring, receivership actions, and collection actions. Mr. Alexander is admitted to practice in the United States Bankruptcy Court and United States District Courts for the Northern, Middle and Southern Districts of Georgia, as well as in the State and Superior Courts of Georgia. He received a B.A. from Emory University in 1988 and a J.D. from The College of William and Mary, Marshall-Wythe School of Law in 1991.

Miller & Martin LLP, established in 1867, is a full-service regional law firm. Miller & Martin offices are located in Nashville, Chattanooga and Atlanta with more than 160 attorneys practicing in 30 areas of law.

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IDENTITY THEFT

Identity theft is a crime that has increased dramatically in the 1990s to the present. It is also known as identity fraud and goes far beyond forging checks and stealing credit card numbers. The thief uses personal information about the victim to perform activities in the victim's name. With a person's name, social security number, and date of birth the crook can obtain credit and use it to purchase items worth thousands of dollars. By the time the crime is discovered in 30 to 40 days the thief is on to the next mark.

If the filcher gets hold of a person's checking account number, he can potentially order checks with that person's name, but with a different address and phone number. With a phony ID card he is able to write several checks until the money is missed from the account. This actually happened to a neighbor of mine. They discovered the crime early because an alert store clerk called my neighbor because the crook forgot to take his receipt.

Of course credit card fraud is a common scheme. With your name, credit card number, and card expiration date the thief can ring up many charges before being exposed. The same goes for debit cards.

Other modes of operation for the identity thief include:

- · Steal wallets and purses which contain personal identification information
- · Steal mail, including bank and credit card statements, pre-approved credit offers, telephone calling cards, and tax information.
- · Fill out a change of address form to divert your mail to a different location.
- · Rummage through your trash for personal information.
- Fraudulently obtain your credit report by posing as a landlord, employer, or someone else who may have legitimate need for the information.
- · Find personal information in your home.
- · Obtain personal information you share on the Internet. You may have heard of recent cases where web sites are hacked for the sole purpose of acquiring credit information.
- · Buy information from "inside" sources. For example, and unscrupulous store clerk might offer to sell information for profit.
- · Call your credit card company, pretending to be you, and ask to change the mailing address on our credit card account. Since your bills are going to another address it might be some time before you realize there's a problem.
- · Open a bank account in your name and write bad checks on that account.
- · Establish phone or wireless service in your name.
- · Buy cars by taking out auto loans in your name.

The consequences of identity theft can be dreadful. In the case of checking account or debit card fraud, your checking account could be drained. False credit charges can be devastating to a person's credit report. Fixing the problem can be difficult. In my next article, I'll provide you with information about how to minimize the risk of having your personal information used for illegal purposes.

By: Gregg Reinhardt GAP neighbor in Candler Park, VP of Safety, CPNO

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In 1998, Document Technologies started a nationwide revolution, right here in Atlanta.

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WHY AN OFFER LETTER?

I recently accepted a position with an attorney as an Administrative Assistant/Office Manager with an enticement of assisting in the courtroom organizing voluminous documentation needed for those proceedings.

This was a dream come true! I had undertaken a Paralegal Certificate Course in 2002 to prepare for my new endeavors. So when I received a phone call from this attorney requesting to interview me there was no second thought.

On the day prior to the interview I received an offer from a firm in which I had interviewed a couple of weeks prior. I relayed to them I had an interview the following day and I felt I had to honor my word and sit for the interview.

The attorney could not pay benefits or even match the compensation from the other firm. Because I believed this position was everything I had been preparing to do for the last year I wholeheartedly accepted with the promise of upgrading my compensation to match the other firm's offer three months from date of hire. We agreed upon a start date which was to be the following Tuesday (the interview had been on Wednesday). Shortly after leaving her office I received a call requesting I come in Tuesday around noon to start transitioning into the position.

On my way into work that first day I received a call from a gentleman saying he was calling on this attorneys behalf. It seems the two of them had a discussion regarding how busy she was going to be from then until the end of the year and she was wondering if I would rather wait until after the holidays to begin. Since she and I had already discussed this

issue, and thus the reason I was starting this particular day, I said "No, it was not good for me to start after the holidays and as a matter of fact I was on my way into the office as we spoke."

To make a long story short, I was told not to come into the office until I had spoken with her. I requested that she call me to discuss. When I had not heard from her by mid afternoon, I placed a call to her mobile number. She answered, and when realizing it was me, indicated she was in the middle of preparing papers for the judge and she promised to call back in 20 minutes to give me her undivided attention. As of this writing I have not received a phone call nor has my call(s) been returned. My dilemma . . . Do I have a job and when do I start?

Considering I had worked in the corporate world for over 22 years, I had never encountered anything of this nature. Because I had attended several classes sponsored by the Department of Labor and had spoken a couple of times with a particular individual, I called for advice. In essence I was told I do not have any legal recourse since this is an "at will" state. While I was not seeking legal recourse, I needed to know how to proceed should this dilemma arise again.

You will find with larger corporations and institutions this is normal operating procedure, however, it is not necessarily true in the private sector. In short, had an offer letter been extended and received, there could have been recourse.

As a word to the wise, please ensure an offer letter is in hand prior to turning down any pending offers.

Valerie H. Gordon GAP Member



2004 GAP President, Marcus Li (R) and his boss, Katrina Hammons, Esq. of YKK Corporation of America attended the December GAP dinner meeting. GAP members are encouraged to invite your boss to attend a GAP dinner meeting and see what our association is all about.

2004 GAP CALENDAR OF EVENTS

Anthony's Restaurant ** 3109 Piedmont Road ** 5:00 cocktails - 6:00 dinner

February 10, 2004 GAP Membership Dinner Meeting at Anthony's

(5:00 – 6:00) New Member Mixer: Sponsor: Andrew Grace Associates

Speaker: Melissa Shalongo, "CM/ECF or Case Management/Electronic Case

Filing" United States District Court for the Northern District of Georgia

Sponsor: E- Lit (Electronic Litigation Support)

Sponsor: Document Resources

Sponsor: Georgia Messenger Services

April 1-4, 2004 **NFPA Spring Convention**

April 13, 2004 GAP Membership Dinner Meeting at Anthony's

Skits & Information: "Making IP Fun and Interesting" Carol Newman and Scott Killingsworth, Powell Goldstein.

Sponsor: IKON Legal Document Services

Sponsor: Paces Personnel, Inc.

June 8, 2004 GAP Free Networking Dinner at Anthony's

"Member Appreciation Night" – What's On Your Mind?

FREE Dinner and cash bar

(5:00 – 6:00) New Member Mixer: Sponsor: Andrew Grace Associates

Six Sponsors make the event possible

(1) **Brown Reporting**

(2) Legal Eagle

(3) Corporation Service Company

(4) The LawStaff Group

(5) OPEN

(6) Anthony's Restaurant

Aug. 10, 2004 GAP Membership Dinner at Anthony's

Speaker: TBA

Sponsor: **SPECIAL COUNSEL**Sponsor: **LEX Business Solutions**

Oct. 12, 2004 GAP Membership Dinner Meeting at Anthony's

(5:00 – 6:00) New Member Mixer: Sponsor: Andrew Grace Associates

Speaker: TBA

Sponsor: CT Corporation

Sponsor: OPEN

Dec. 14, 2004 6th Annual GAP Holiday Party at Anthony's

Installation of the 2005 Board of Directors

Sponsor: **Document Technologies, Inc. (DTI)**Sponsor: **Alexander Gallo & Associates**

Sponsor: Paramount Staffing

GEORGIA SPURNS REAL ESTATE CLOSING TREND

When it comes to the trend in real estate closings, Georgia is definitely old fashioned.

The Supreme Court of Georgia on November 10, 2003 reiterated its stance that only attorneys should handle real estate closings. Thus did Georgia buck the growing number of states that allow non-lawyers to close such transactions or allow so-called "witness-only closings".

How might that issue affect Georgia paralegals? It shouldn't, said H. Gilman Hudnall of Atlanta, past president of the Georgia Real Estate Closing Attorneys Association, who said paralegals "can still prepare documents under the direct supervision of an attorney from start to finish."

It might, however, afford job security to paralegals employed in the area of real estate closings. "The real estate closing attorney profession is alive and well, and pretty much the only game in town," said Mara Burgar, assistant professor of paralegal studies at Clayton College and State University. "If you work as a real estate paralegal and you work under the supervision of an attorney, the possibilities are very great."

Cathy Golden of Beck, Owen & Murray in Griffin is one such paralegal who stands to benefit. But years of experience as a real estate agent already had Golden favoring the decision to restrict closings to attorneys. "There are so many variables" in a closing, Golden said. "You have to have accountability, and an attorney can lose his or her license" if something goes wrong.

That's precisely one argument the Georgia justices made in upholding the opinion of the State Bar of Georgia's Standing Committee on the Unlicensed Practice of Law that the "preparation and execution of a deed of conveyance on behalf of another and facilitation of its execution by anyone other than a duly licensed Georgia attorney constitutes the unauthorized practice of law."

The Supreme Court decision, rooted in O.C.G.A. 15-19-50, cited the opinions of the Federal Trade Commission and others that requiring the services of lawyers hurts consumers by limiting choices and increasing costs. But the Court said it continues to "believe that the public interest is best protected when a licensed Georgia attorney, trained to recognize the rights at issue during a property conveyance, oversees the transaction." Such an attorney, the Court noted, may be held accountable through a malpractice or bar disciplinary action while the public "has little or no recourse if a non-lawyer fails to close the transaction properly."

The Kentucky Supreme Court last fall decided otherwise in ruling that the conduct of real estate closings on behalf of third parties does not constitute the unauthorized practice of law. That decision followed the trend that allows notaries public and others to close such transactions by defining most of the acts performed at closings as ministerial and not the practice of law.

"The Georgia Supreme Court is very strict in its definition," said attorney Hudnall. A real estate closing, he said, "is not just going into a room and getting documents signed – what I would call a ceremonial signing of documents. It's reading the contract and getting the title work done."

The complete Supreme Court decision (S03U1451 UPL Advisory Opinion 2003-2) can be found online at www2.state.ga.us/Courts/Supreme/.

Charles Cromwell GAP Newsletter Committee

NEWS YOU CAN USE

Nominations for the 2004-2005 NFPA Board of Directors is officially open. If you are interested please see the NFPA website at www.paralegals.org or contact Karen Mascola, Nominations Coordinator, New Haven County Association of Paralegals, karenMascola@paralegals.org, (203) 234-8081 Fax: (203) 234-8181.

The National Federation of Paralegal Associations, Inc., in conjunction with West, is pleased to award two scholarships totaling \$5,000. Scholarships of \$3,500 and \$1,500 will be presented at the 2004 NFPA Spring Convention in Nashville, Tennessee on April 1, 2004. West will provide a travel stipend for the two award recipients so that they may receive their awards at the NFPA Spring Convention. For information on this and other awards, please go to www.paralegals.org.



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MEMBER SPOTLIGHT . . . CHRISTINE KING

My name is Christine King and I am very excited to be serving as GAP's Student Growth Coordinator for 2004. I began my legal career 14 years ago at the tender age of 20 when I began working for a law firm as a girl Friday. I quickly fell in love with the law. I learned all I could and soon I moved up the ranks to secretary.

Again I took on more difficult assignments and before long I was promoted to a paralegal position. A couple of years ago I felt that I needed to increase my opportunities. While I had a vast amount of work experience, I lacked a college degree. I felt that in order to be more valuable to the paralegal profession and my employers, and to grow personally, I needed to go back to school.

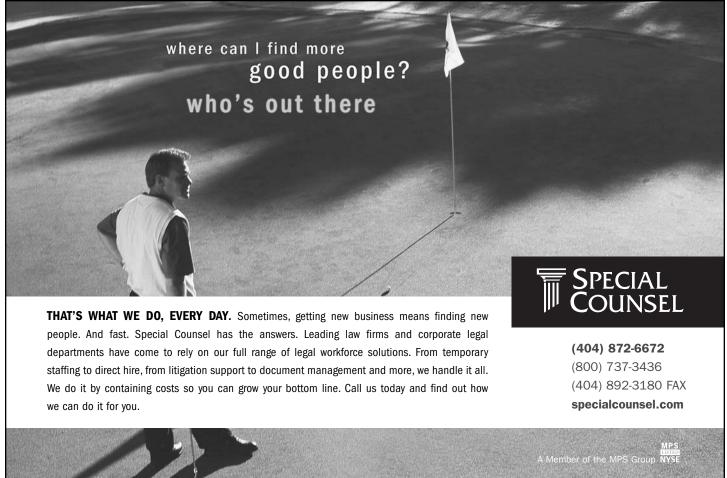
A few years ago I began taking classes online. I quickly determined that I still had a great deal more to learn about being a paralegal. I found that while I knew the area of law in which I was practicing (tort law), I was completely in the dark about the other areas of law. I found that I knew the rules, but did not understand why the rules were there or how they applied to me as a paralegal.

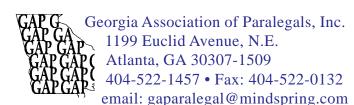


At present I have received my Associates Degree in Paralegal Studies and I am currently pursuing my Bachelor's Degree. I plan to graduate in a little over a year. While the pursuit of higher education has not been easy, it has been very rewarding. I have not only learned more about the law and what it takes to be a professional, I have learned the importance of receiving an education and some excellent time-management skills.

I think it is important for all of us to continue our education and to always keep learning so that we all can participate in the growth of the paralegal profession. I believe the more we know the better we can serve our employers, their clients and the general public by providing quality legal services.

Again, I am very excited about the upcoming year and I am available to answer any questions about going back to school that any of you may have. I wish all of you the best of luck in 2004.





ADDRESS CORRECTION REQUESTED

Deadline for the April issue is March 1, 2004

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