



VOLUME 15 ISSUE 3

RPA On The Record

Newsletter of the Richmond Paralegal Association
An Affiliate Association of the National Association of Legal Assistants, Inc.

President's Message

Upcoming Events

July 8-11 – NALA Convention
in San Diego, CA

July 24-25 - CLA/CP Exam

July 28 – Dinner Meeting

August 1 - Outstanding
Paralegal Nominations

August 26- Brown Bag Lunch

September 22 – Jean H.
Proffitt Scholarship Application

October 7 – Paralegal Week
Reception

November 2 – CLA/CP
Scholarship Entry Form

Inside This Issue

- 1 President's Message
- 2 Education Report
- 3 Treasurer's Report
- 4 Outstanding Paralegal of
the Year
- 5-6 Why Should You Be
Certified?
- 7 2009 CLA/CP Study
Group Schedule
- 8 CLA/CP Scholarship
Entry Form
- 9 Jean H. Proffitt
Scholarship Criteria
- 10 Jean H. Proffitt
Scholarship Application
- 11 Executive Board and
Committee Chairs

Hot-Button Issue - Paralegal Regulation

Regulation of the paralegal profession is a hot-button issue nationwide. Although many state legislatures, bar associations, and courts have adopted definitions of a "paralegal," they don't agree on the need for paralegal regulation nor do they seem to agree on the form of that regulation (e.g., registration, certification, or licensure). **Registration** may be voluntary or mandatory and may include education, training or bonding requirements. **Certification** programs involve testing and CLE requirements and can be administered by national and state organizations. **Licensure**, which would be enacted by legislation, is the "process by which an agency or branch of government grants permission to persons meeting predetermined qualifications to engage in a given occupation or use a particular title." Licensure would then be a mandatory requirement for employment.

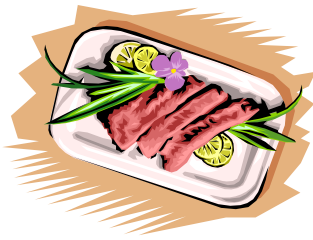
Some governing bodies and paralegals argue that regulation will encourage professional accountability, increase professional development, and recognition of the profession, resulting in pay increases and opportunities for advancement and better paralegal assignments. They also believe that regulation would protect the public by serving as a gatekeeper, limiting those who may call themselves paralegals. Others oppose regulation, arguing that there is no demonstrated public need for regulation, as lawyers are ultimately held accountable for the work done by a paralegal under his or her supervision. It is also argued that the cost of examination and licensing fees and CLE requirements which are associated with regulation, be it registration, certification, or licensure, would result in increased costs to employers and/or paralegals. To avoid those expenses, some law firms may choose to hire law clerks or other non-paralegals instead. Consequently, the job market may prove to be the true regulator.



Catherine W. Eagles, CP
President

Education Report

by Brenda McGill



July Dinner Meeting

- When:** Tuesday, July 28, 2009 at 5:30 – 7:30 pm
- Where:** SunTrust Bank, 24th Floor, 919 East Main Street, Richmond
- Speaker:** Judge Philip L. Hairston, Richmond General District Court
- Topic:** Legal Ethics
- Reservations:** Dana Bruce at 782-5278 or dana.bruce@suntrust.com
- Sponsor:** Served by Carroll



August Brown Bag Luncheon

- When:** Wednesday, August 26, 2009 at 12:00 – 1:00 pm
- Where:** McGuireWoods, Frances Hayes Room, 2nd Floor, One James Center, Richmond
- Speaker:** Paul G. Izzo, Esquire of ThompsonMcMullan
- Topic:** Identity Theft
- Reservations:** Brenda McGill at 771-5630 or bmcgill@hf-law.com
- Sponsor:** CT Corporation (providing lunch)

TREASURER'S REPORT

by Michael Yager

Beginning Balance

\$23,992.99¹

APRIL

Date	Event	Expenses	Income	Balance
04/21/2009	Membership dues		2,325.00	
04/21/2009	Dinner (3/24)		1,050.00	
02/27/2009	Interest (3/2009 statement)		.66	
04/02/2009	Check #983 [Website Design]	500.00		
04/09/2009	Check #984 [Spring Forward]	573.61		
04/09/2009	Check #985 [Spring Forward]	44.66		
04/22/2009	Check #986 [C.P. Dean - Jefferson Cups]	567.00		
04/23/2009	Check #987 [door prizes]	32.00		\$25,651.38

MAY

Date	Event	Expenses	Income	Balance
05/19/2009	Membership dues		625.00	
05/19/2009	Bar Day Luncheon		300.00	
03/31/2009	Interest (4/2009 statement)		.81	
05/01/2009	Check # 0988 [Bar Law Day Luncheon]	250.00		
05/08/2009	Check #0989 [Dessert Tray-RPA]	79.48		
05/13/2009	Check #0990 [Name Tags-Law Day]	28.00		\$26,219.71

JUNE

Date	Event	Expenses	Income	Balance
06/22/2009	Membership dues		400.00	
06/22/2009	Law Day Luncheon		1595.00	
06/22/2009	Interest (4/30/2009 statement)		.81	
06/22/2009	Interest (5/31/2009 statement)		.87	
06/09/2009	U.S. Postal Service #991	56.00		
06/19/2009	Brenda McGill [RPA Flower Expense] #992	73.29		
06/22/2009	Richmond-Times Dispatch #993	320.84		
06/29/2009	Defenders of Freedom #994	150.00		\$27,616.26

¹ This figure derived from *Treasurer's Report*, signed by Michael Yager as of 3/25/2009, which corresponds to the checkbook ledger at entry check register #0982

Outstanding Paralegal of the Year

Each year The Richmond Paralegal Association recognizes an Outstanding Paralegal who has made significant contributions to the development of the paralegal profession in the Richmond area within the last 12 months.

Nominees must have been a member of RPA from July 1, 2008 to June 30, 2009; performed twelve hours of service on behalf of RPA, and/or attended one RPA event per month and have high ethical standards.

To nominate a deserving paralegal, submit nomination information by August 1, 2009 to:

Marcia Meekins, Membership Committee Chair
Richmond Paralegal Association
P.O. Box 384
Richmond, VA 23218-0384
Or via e-mail to: rpa.members@gmail.com

NOMINATION INFORMATION:

Nominee Name: _____

Address: _____

Telephone number: _____

Your Name: _____

Telephone number: _____

Also include a short paragraph stating why this nominee should be RPA's Outstanding Paralegal of the Year.

After accepting the nomination, nominees will be invited to submit a resume describing his or her background, education, public service, and other relevant activities. Employers of each nominee will have an opportunity to provide letters of support, articles, or other documentation for consideration by the selection committee by September 15, 2009.

The Outstanding Paralegal of the Year award will be presented at the RPA Paralegal Week Reception on October 7, 2009.

Why Should You Be Certified?

By Vicki Voisin, ACP

The issue of certification has long been debated. Here are a few questions I'm frequently asked:

- I graduated from a paralegal program, why should I sit for a certification exam?
- I have a paralegal certificate from a university, doesn't that make me 'certified'?
- I have a good job and several years of experience, how will being certified make a difference?
- What will those letters after my name really do for me?

I wholeheartedly support the certification process for paralegals and believe that it is an important professional goal. **Please consider the following points:**

Having a certificate does not mean you are certified. A *certificate* is issued upon completion of an educational program, at which time you are *certificated*. *Certification* involves passing an examination established by a sponsoring organization that usually has specific requirements of education and experience for persons taking the exam. Upon completion of the examination, you are *certified*.

The American Bar Association defines certification as 'a process by which a non-governmental agency or association grants recognition to an individual who has met certain predetermined qualifications specified by that agency or association.'

I am certainly not minimizing the importance of completing a paralegal program and obtaining your certificate or your degree. In fact, I view paralegal education as essential. I am merely pointing out that there is an additional step you can take that will increase your professional profile. That step is *certification*.

Credential = credibility. Certification is a voluntary process and is not a prerequisite for paralegal employment. However, certification gives you credibility. It demonstrates that you have the knowledge base and the skill required to pass the examination. It may also make you more marketable and may increase your income potential.

Certification takes you off the level playing field. Graduation from a paralegal program (and, thus, being *certificated*) is the primary avenue by which people enter the paralegal profession. If everyone has a certificate, how is a potential employer to judge the best candidate for the job?

Think about it, two paralegals standing side by side with the same certificate from the same school and the same amount of experience. How can one be distinguished from the other? The answer is certification. The certified paralegal demonstrates that he or she is a multi-skilled professional with diverse knowledge and effective communication skills.

Certification gives paralegals an avenue for self-regulation. The issue of licensure for paralegals is old news...it's been discussed to the nth degree for more than a quarter century. Paralegals work under the supervision of a licensed attorney and do not provide their services directly to the public. For this reason, they do not need to be licensed.

Also, licensure says a person is 'qualified' to do work. It does not demonstrate advanced knowledge and skills. An example is a hair dresser (and I have the highest regard for my hair dresser, believe me!). Hair dressers are allowed to enter the profession when they are licensed by a state agency. The license does not say they have fantastic skills, it only says that they can perform the services. The certification credential is awarded to people who prove their advanced knowledge and skills by meeting the standards of the credentialing organization.

Certification will do much for you personally. Ask anyone who has a credential and they will tell you that the achievement made them walk a little taller, made them feel stronger professionally, gave them incredible personal satisfaction and increased their level of professional confidence. They set a goal and they achieved it. They took a risk and they survived it. They have the credibility that the credential provides. They literally stand out above the crowd. Their accomplishment gave them great pride. You, too, can have all that with professional certification.

One more benefit you will reap from the certification exam is the learning that takes place in the preparation for the examination. Even the most experienced paralegal will learn something new and benefit from the intense review.

Also, you will usually be required to participate in continuing education programs to maintain your certification. This requirement will help you keep up to date with changes in the profession and in the legal arena. Further, the credentialing organization will usually set high ethical standards for those using the credential. Unethical behavior will result in the loss of the credential.

Certification may give you a 'leg up' when you're searching for a job. In today's economy, you need all the ammunition you can muster to prove that you are the person for the job. Having the certification credential behind you exhibits not only the advanced knowledge I mentioned earlier, it also shows discipline, ambition, motivation and willingness to accept a challenge.

What is important is that the credentialing organization you choose is a bona fide entity, that the exam is administered under rules and regulations in accordance with governmental acts and in accordance with such issues as anti-trust and fairness.

It is essential that the organization agrees to keep applications and records confidential. It is crucial that the organization prepares an examination under the guidance of professional testing consultants, that the exam be continually reviewed for accuracy, and that it be updated on a regular basis.

Usually the certification designation is a certification mark duly registered with the U.S. Patent and Trademark Office. Claims of certified status must be verifiable...in other words, if a paralegal claims to be certified, he or she must have the credential to prove it.

- **Can you ethically use the credential after your name?** Yes! Whether it is CLA, CP, PP, RP, AACP, ACP, PLS, AVA, ALS, NCCP etc. you can use it. The U.S. Supreme Court has addressed the issue concerning the utilization of credentials awarded by private organizations. In *Peal v Attorney Registration and Disciplinary Committee of Illinois*, 110 S.Ct. 2281 (1990), the Court suggested that a claim of certification is truthful and not misleading if The claim itself is true
- The bases on which certification was awarded are factual and verifiable
- The certification in question is available to all professionals in the field who meet relevant, objective and consistently applied standards
- The certification claim does not suggest any greater degree of professional qualification than reasonably may be inferred from an evaluation of the certification program's requirements.
- There is a qualified organization behind the certification process

Of course, the credential cannot be used to mislead the public and represent something you are not.

How do you prepare for a certification examination? The thought of all that study may sound overwhelming. The idea of taking such a critical examination may be frightening. The key to success is in the preparation and planning. The best thing to do is to break the process into steps:

- Decide which examination you will take.
- Decide when you will take the examination
- Working backward from the examination date, block a period of time for study and determine a study schedule (I recommend three months but that is an individual decision)
- Plan how you will study and what reference materials you will need (these may be available from the credentialing organization)
- Join a study group and enlist 'study buddies' to hold you accountable
- Take advantage of preparation and educational opportunities offered by the credentialing organization, as well as your professional association. For instance, NALA offers a three-day intense CLA review course, as well as CLA preparation courses at its convention.

Your challenge: If you already have a professional credential, congratulations! If you don't, please put that at the top of your list. Follow the steps above and begin planning for the examination. You will never regret the time and effort it takes. You will always feel immense professional pride when you put those initials after your name!

© 2009 Vicki Voisin, Inc.

Vicki Voisin, "The Paralegal Mentor", delivers simple strategies for paralegals and other professionals to create success and satisfaction by achieving goals and determining the direction they will take their careers. Vicki spotlights resources, organizational tips, ethics issues, and other areas of continuing education to help paralegals and others reach their full potential. She publishes a bi-weekly ezine titled Strategies for Paralegals Seeking Excellence. More information is available at www.paralegalmentor.com



2009 CLA/CP Study Group Schedule

Dates Wednesdays 6:00 pm – 8:00 pm	Topic	Instructor	Location Beale, Davidson, Etherington & Morris PC 701 E Franklin St Richmond, VA 23219***
<i>June and July - Self Study, NALA CLA Review Manual</i>			
August 19	Communications	Carla Nagel Winters	***
<i>Self Study Weekend Practice, Take NALA Self Study Course – Communications</i>			
August 26	Human Relations/Ethics	Carla Nagel Winters	***
<i>Self Study Weekend Practice, Take NALA Self Study Course – Legal Ethics</i>			
September 2	Judgment and Analytical Ability	Ginny Butler, CLA	***Please note this will be a 3/hr session
<i>Self Study Weekend Practice, Take NALA Self Study Course – Judgment and Analytical Ability</i>			
September 9	Substantive Law - General, The American Legal System	Yvonne Berry, CLA	***
<i>Self Study Weekend Practice, Take NALA Self Study Course – The American Legal System</i>			
September 16	Legal Research	Teresa Clark, CLA	***
<i>Self Study Weekend Practice, Take NALA Self Study Course – Legal Research</i>			
September 23	Civil Litigation	Kitty Bice, CLA	***
<i>Self Study Weekend Practice, Take NALA Self Study Course – Civil Litigation</i>			
September 30	Family	Anna DiGrazia	***
Application Deadline for Exam			
October 7	Contract	Teresa Clark, CLA	***
<i>Self Study Weekend Practice, Take NALA Self Study Course – Contract Law</i>			
October 14	Real Estate	Anna DiGrazia	***
<i>Self Study Weekend Practice, Take NALA Self Study Course – Real Estate</i>			
October 21	Business Organizations		***
October 28	Estate Planning and Probate		***
November 4	Bankruptcy		***
November 11	Criminal Law and Procedure	Teresa Clark, CLA	***
November 18	Administrative	Carla Nagel Winters, CLA	***
December 4-5	NALA Exam		University of Richmond

If you have any questions concerning certification,
attending this study group, or
if you have an interest in leading a study group
contact Shirley Barwick at sbarwick@midkiffllaw.com

JANET SCOTT CLA/CP SCHOLARSHIP

ENTRY FORM

Drawing to be held at the November 17, 2009 Annual Meeting.
Entries must be received by **November 2, 2009**.
You must be present to win.

Name: _____ Phone: _____

Address: _____

E-mail Address: _____

Employer: _____ Position: _____

RPA Member since: _____ How long have you been a paralegal/legal assistant? _____

Do you have a Bachelor's Degree (yes/no) _____ Paralegal Certificate (yes/no) _____

Are you currently a student? (yes/no) _____ If yes, where? _____

How many credits do you currently have? _____ Expected date of graduation: _____

Please send completed form to:

Shirley Barwick, CLA/CP Committee Chair
Richmond Paralegal Association
Post Office Box 384
Richmond, VA 23218-0384
Or submit via e-mail to sbarwick@midkiffllaw.com

*RPA is not responsible for misdirected, late or undelivered mail.
Drawing is open to RPA members only.*

JEAN H. PROFFITT SCHOLARSHIP FUND

SCHOLARSHIP CRITERIA

1. Applicants must be attending a Legal Assistant/Paralegal Program at an approved school in Richmond, Virginia, on a part-time or full-time basis, and have completed at least the equivalent of 9 semester hours in the Program. Applicants who have completed at least 12 semester hours will be given a higher consideration.
2. An application ([Word format](#) or [PDF format](#)) must be completed by each applicant. The application should include general background information, educational information, employment history, extracurricular activities and any additional pertinent information.
3. Grade point average and transcripts will be required from the institution the applicant is attending. Preference is given to students attaining a 3.0 average or higher.
4. One letter of recommendation is required, which should be from the applicant's current or recent academic advisor, professor, or supervising attorney. The letter of recommendation must be sent directly to the Scholarship Committee at the above-referenced address, or along with the Application to the address noted within.
5. Educational transcripts may be official or unofficial. If unofficial, the student's advisor must sign the transcript. If official, the educational institution should send it directly to the Scholarship Committee.
6. Applications will be reviewed on the basis of:
 - grades;
 - applicant's narrative statement;
 - letter of recommendation;
 - education and employment history;
 - community involvement;
 - financial need; and
 - applicant's demonstration of commitment to the legal assistant/paralegal profession.
7. The selection of the scholarship winner will be made by the Scholarship Committee (a subcommittee of the RPA Education Committee), and its decision shall be final.
8. One scholarship in the amount of \$1,000.00 may be awarded, along with a one-year paid membership in the appropriate category in the Richmond Paralegal Association. The recipient will be honored at the October 7, 2009 RPA Paralegal Week Reception following their selection.
9. The Scholarship Committee will notify in writing all applicants regarding the outcome of their application.
10. Scholarships will not be awarded to the same recipient in two consecutive years.
11. Complete applications (including transcripts and letter of recommendation) must be received no later than September 22, 2009.

A copy of the scholarship application is available online in both [Word format](#) and [PDF format](#) or may be obtained from the RPA Scholarship Committee, c/o Brenda K. McGill, Hirschler Fleischer, Post Office Box 500, Richmond, VA 23218-0500.

Scholarship Application

Name: _____

Social Security Number: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Education: In chronological order, beginning with the most recent, please list the names and addresses of all schools you have attended since high school. Mention any degrees/certificates earned and honor/scholarships received, if appropriate. Attach additional information if necessary.

Employment: In chronological order, beginning with the most recent, please list the names, addresses, phone numbers, names of supervisors, beginning and ending dates of employment, and whether or not such employment was full or part-time. Attach a copy of your resume if available.

College/University Currently Attending: _____

Credits/Classes of Legal Assistant/Paralegal Program Completed: _____

Expected Date of Graduation: _____

Extracurricular Activities: _____

Community Service/Social Organizations: _____

Describe Need, if any, for Scholarship Aid: _____

Additional Pertinent Information: _____

Brief narrative of the applicant's interest in the Legal Assistant/Paralegal profession, statement of goals, educational objectives, etc.

(Please attach separate sheet if necessary)

References: One letter of recommendation, which should be from the applicant's current or recent academic advisor, professor or supervising attorney should be sent directly to the Scholarship Committee. An official educational transcript should be sent directly to the Scholarship Committee by the institution. Unofficial educational transcripts, signed by the applicant's advisor, may be sent with the Application to the Scholarship Committee. All applications should be addressed to: RPA Scholarship Committee, c/o Brenda K. McGill, Hirschler Fleischer, Post Office Box 500, Richmond, VA 23218-0500. Applications, transcripts and letters of recommendation must be received by **September 22, 2009**.

2009 Executive Board and Committee Chairs

President

Catherine W. Eagles, CP
Contract Paralegal
cathy.eagles@yahoo.com

1st Vice President (Education)

Brenda K. McGill
Hirschler Fleischer
bmcgill@hf-law.com

2nd Vice President (Membership)

Marcia Meekins
Rhumb Line, LLC
rpa.members@gmail.com

Secretary

Donna Strauss
Genworth Financial
donna.strauss@genworth.com

Treasurer

Michael Yager
Williams Mullen
myager@williamsmullen.com

Director (thru 2009)

Deborah Hodges
Chesapeake Corporation
Deborah.hodges@cskcorp.com

Director (thru 2009)

Gale G. Valentine
Circuit City Stores
gale_valentine@circuitcity.com

Director (thru 2010)

Virginia Butler, CLA
Dept. of Environmental Quality
vabutler@deq.virginia.gov

Director (thru 2010)

David B. Richardson
ThompsonMcMullan, P.C.
drichardson@t-mlaw.com

Director (thru 2010)

Teresa A. Clark, CP
Sands Anderson Mark & Miller
tclark@sandsanderson.com

Parliamentarian

Shirley Barwick
Midkiff, Muncie & Ross
Shirley Barwick
sbarwick@midkiffllaw.com

NALA Liaison

Amy Vaughan
Beale, Davidson, Etherington & Morris
vaughan4vt@yahoo.com

RPA is always interested in your input and help, if you are interested in making a difference or contributing to the success of YOUR organization, please contact one of the following committee chairs for more information

Education Committee:

Brenda McGill - bmcgill@hf-law.com

Meeting Reservations:

Brenda McGill - mbgill@hf-law.com

Membership Committee:

Marcia Meekins - rpa.member@gmail.com

Technology Committee:

David B. Richardson - drichardson@t-mlaw.com

Newsletter Editor:

Teresa Clark, CP - tclark@sandsanderson.com

Web Master

David B. Richardson - drichardson@t-mlaw.com

Marketing/Public Relations:

Teresa A. Clark, CP - tclark@sandsanderson.com

Job Bank:

Deborah Hodges - deborah.hodges@cskcorp.com

Bar Association Liaison:

David B. Richardson - drichardson@t-mlaw.com

CLA Study Program:

Shirley Barwick - sbarwick@midkiffllaw.com

Nominations/Elections Committee:

Virginia Butler, CLA - vabutler@deq.virginia.gov

Central Virginia Legal Aid Society:

Dana Fischer - dfischer@wrightrobinson.com

CASA Program:

Ann Knobbe - annknobbe@yahoo.com

Dress for Success:

Gale Valentine - gale.valentine@circuitcity.com

**Do you have useful information to share, or are you interested in contributing an article?
Please contact Teresa A. Clark at tclark@sandsanderson.com**