

# PARASIGHT

Knowledge is Power

July 2010

What is the essence of America? Finding and maintaining that perfect, delicate balance between freedom "to" and freedom "from." ~Marilyn vos Savant, in *Parade*

## JULY SOCIAL

Celebrate summer by attending the CVPA July Social to be held at the Riverbend Pointe Clubhouse, on July 13, 2010, from 6:00 pm to 8:00 pm. By now you have received your e-vite so be sure to RSVP by July 8. See the Riverbend website for location and directions. <http://www.riverbendnc.com/> Lynn Price, Immediate Past-President, is coordinating the evening of fun and friendship highlighted by a "pot luck" dinner. So the menu is up to you! **CVPA members who bring TWO or more items for the Humane Society and/or the Women's Resource Center are eligible for one of several random drawings for \$25 gift cards to local restaurants.** Call Lynn at 828-381-9444 or email: [lyprice@charter.net](mailto:lyprice@charter.net) for additional information and details, and to **REGISTER to attend. Deadline to respond: July 8, 2010.**



Riverbend Pointe Clubhouse

## SOME FUN

## SUMMER READING

If you are looking for some great summer reading...look no further than your local library. Both Catawba and Hickory Public Libraries have the China Bayles Mystery series in their catalogs.



Susan Wittig Albert

The books are written by Susan Wittig Albert, and feature protagonist China Bayles, a former criminal defense attorney. Bayles grew tired of lying and being lied to, so she moves to Pecan Springs, a tiny Texas town. There she opens an herb shop, makes some great friends, and begins solving the occasional murder. She uses her legal expertise and relies heavily on the help of her good friend, Ruby, who owns the only new age shop in town. Ruby senses things, some times before they happen. Together, China and Ruby make a great team. Quite often China's husband, McQuaid, an ex-Texas lawman, has to come to China and Ruby's rescue.

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Not only does Susan Wittig Albert create interesting characters, she also imparts a great deal of knowledge of herbs, their uses both for cooking and medicinal purposes. She includes wonderful recipes. You can find some of her recipes here: <http://www.abouthyme.com/recipes/appetizers.shtml> If you haven't yet been bitten by the gardening bug, you probably will be after reading one of these books. Titles are:

- |   |                               |                                  |
|---|-------------------------------|----------------------------------|
| <i>Thyme of Death</i> (1992)                              | <i>Witches' Bane</i> (1993)   | <i>Hangman's Root</i> (1994)     |
| <i>Rosemary Remembered</i> (1995)                         | <i>Rueful Death</i> (1996)    | <i>Love Lies Bleeding</i> (1997) |
| <i>Chile Death</i> (1998)                                 | <i>Lavender Lies</i> (1999)   | <i>Mistletoe Man</i> (2000)      |
| <i>Bloodroot</i> (2001)                                   | <i>Indigo Dying</i> (2002)    | <i>A Dilly of a Death</i> (2004) |
| <i>Dead Man's Bones</i> (2005)                            | <i>Bleeding Hearts</i> (2006) | <i>Spanish Dagger</i> (2007)     |
| <i>Nightshade</i> (2008)                                  | <i>Wormwood</i> (2009)        | <i>Holly Blues</i> (2010)        |
| <i>Mourning Gloria</i> (2011)                             |                               |                                  |
| <i>An Unthymely Death (Short story collection)</i> (2003) |                               |                                  |
| <i>The China Bayles Book of Days</i> (October 2006)       |                               |                                  |

Take a look at The Home of the China Bayles Mysteries on the web at <http://www.abouthyme.com/index.shtml> and follow China on [Facebook](#).

*Article submitted by Kelley Walker,  
NCCP (Freelance Paralegal)*



## CVPA Bylaws: a Primer

Article II of the Bylaws of the Catawba Valley Paralegal Association, Inc. list our Objectives and Purpose as follows:

1. Encourage the highest order of ethical and professional conduct in the paralegal profession.
2. Further education and encourage exchange of information among members of the legal profession.
3. Establish good fellowship among the CVPA

members, North Carolina Paralegal Association, Inc., and members of the legal community.

4. Support the goals and objectives of the North Carolina Paralegal Association, Inc.
5. Promote the Paralegal Profession through community service activities.
6. Operate in conformance with and evidence our intent to be and remain a non-profit entity in conformance with Internal Revenue Code Section 501 (c)(6).
7. Establish a network of paralegals to exchange ideas and information.
8. Provide a local forum for paralegals to share knowledge, forms, ideas and experience.
9. Disseminate relevant information to members of CVPA and the legal community.
10. Increase attorney awareness of the value of the efficient utilization of paralegals.
11. Elevate the status of paralegals in the Catawba Valley area through exhibiting professionalism in all that we do.

*The CVPA Bylaws can be found on our website at:*  
[http://www.catawbavalleyparalegalassoc.org/images/CVPA\\_By-laws.pdf](http://www.catawbavalleyparalegalassoc.org/images/CVPA_By-laws.pdf)



## COMMUNITY SERVICE

CVPA is now accepting in-kind donations for either WRC or the Humane Society. *Please e-mail us or call in advance before bringing items to the CPE's or social events, so that we may be prepared to transport the donations.* You may also drop off items at the Lew Waddell Law Office at 22 South Main Avenue in Newton, Monday through Thursday between 9:00 am and noon or 2:00 pm and 5:00 pm, telephone Cyndy at 828-464-9510 before stopping by.

The “wish lists” can be found on our website, here: [Humane Society Wish List](#)

and here: [Women's Resource Center Wish List](#)

We understand that all gifts made to Women's Resource Center and The Humane Society are tax-deductible as allowed by law.

## MONTHLY MEETING SCHEDULE

**Mark your calendars! Plan now to attend our monthly meetings held on the 2nd Tuesday in each month at 6:00 p.m.**

**Our quarterly social will be held on July 13 at Riverbend Pointe Clubhouse;**

**Then in August attorney Susan Janney will speak with us regarding foreclosures;**

**Attorney Jennifer Fulkerson will present our CPE in September;**

**October: Election of officers.**

**In November, attorney Charles D. Dixon has agreed to present our CPE.**

## Translation: French to English or English to French

Translation is at the heart of doing business in a country like Canada where there are two official languages: French and English.

In their first experience as exporters of goods to Canada, some US companies may have faced certain difficulties related to language, particularly if the product was marketed in Quebec. Usually the difficulties reported involve the translation of contracts, commercial documents, invoices, product labeling and other literature requirements. This is also often the case for American companies doing business in developed countries where other official languages, aside from English, are present.

Certain rules and regulations pertaining to the written language used in trade documents must be respected to avoid a shipment being refused at the border by Canada Customs. These requirements have been set by legislation from The British North America Act, the Official Languages Act and the Quebec Charter of the French Language. These laws then together state that trade documents, product labels and operating/instruction manuals are to be provided in both languages.

With the US-Canada trade reaching more than \$1 billion US per day, the Canadian market is not one that should be overlooked.

*~Vanina Joulin-Batejat*  
**TRANSFRENCH**

<http://transfrench.webs.com/>

**Transfrench** was founded by Vanina Joulin-Batejat who worked as a corporate legal advisor, legal manager and contracts negotiator for nearly 10 years, mainly in France but also for a company in USA, and a company in Quebec.

The professionals at Transfrench are experienced business people with diverse backgrounds in business management, engineering, finance, accounting, taxation, law, and marketing. We do think that translating involves more than replacing a word with its equivalent in another language.



## LAW UPDATE

### Order Adopting Amendment to General Rules of Practice for the Superior and District Courts

Pursuant to the authority of Article IV of the Constitution of North Carolina and N.C.G.S. §7A-34, the General Rules of Practice for the Superior and District Courts are amended by adding a new Rule 26 to read:

#### 26. Secure Leave Periods for Attorneys

(A) Purpose, Authorization. In order to secure for the parties to actions and proceedings pending in the Superior and District Courts, and to the public at large, the heightened level of professionalism that an attorney is able to provide when the attorney enjoys periods of time that are free from the urgent demands of professional responsibility and to enhance the overall quality of the attorney's personal and family life, any attorney may from time to time designate and enjoy one or more secure leave periods each year as provided in this Rule.

(B) Length, Number. A secure leave period shall consist of one or more complete calendar weeks. During any calendar year, an attorney's secure leave periods pursuant to this Rule and to Rule 33A of the Rules of Appellate Procedure shall not exceed, in the aggregate, three calendar weeks.

(C) Designation, Effect. To designate a secure leave period an attorney shall file a written designation containing the information required by subsection (D), with the official specified in subsection (E), and within the time provided in subsection (F). Upon such filing, the secure leave period so designated shall be deemed allowed without further action of the court, and the attorney shall not be required to appear at any trial, hearing, in-court or out-of-court

deposition, or other proceeding in the Superior or District Courts during that secure leave period.

(D) Content of Designation. The designation shall contain the following information: (1) the attorney's name, address, telephone number and state bar number, (2) the date of the Monday on which the secure leave period is to begin and of the Friday on which it is to end, (3) the dates of all other secure leave periods during the current calendar year that have previously been designated by the attorney pursuant to this Rule and to Rule 33A of the Rules of Appellate Procedure, (4) a statement that the secure leave period is not being designated for the purpose of delaying, hindering or interfering with the timely disposition of any matter in any pending action or proceeding, and (5) a statement that no action or proceeding in which the attorney has entered an appearance has been scheduled, preemptorily set or noticed for trial, hearing, deposition or other proceeding during the designated secure leave period.

(E) Where to File Designation. The designation shall be filed as follows: (1) if the attorney has entered an appearance in any criminal action, in the office of the District Attorney for each prosecutorial district in which any such case or proceeding is pending; (2) if the attorney has entered an appearance in any civil action, either (a) in the office of the trial court administrator for each superior court district and district court district in which any such case is pending or, (b) if there is no trial court administrator for a superior court district, in the office of the Senior Resident Superior Court Judge for that district, (c) if there is no trial court administrator for a district court district, in the office of the Chief District Court Judge for that district; (3) if the attorney has entered an appearance in any special proceeding or estate proceeding, in the office of the Clerk of Superior Court of the county in which any such matter is pending; (4) if the attorney has entered an appearance in any juvenile proceeding, with the juvenile case calendaring clerk in the office of the Clerk of Superior Court of the county in which any such proceeding is pending.

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(F) When to File Designation. To be effective, the designation shall be filed: (1) no later than ninety (90) days before the beginning of the secure leave period, and (2) before any trial, hearing, deposition or other matter has been regularly scheduled, peremptorily set or noticed for a time during the designated secure leave period.

(G) Procedure When Court Proceeding Scheduled Despite Designation. If, after a designation of a secure leave period has been filed pursuant to this rule, any trial, hearing, in-court deposition or other in-court proceeding is scheduled or peremptorily set for a time during the secure leave period, the attorney shall file with the official by whom the matter was calendared or set, and serve on all parties, a copy of the designation with a certificate of service attached. Any party may, within ten days after service of the copy of the designation and certificate of service, file a written objection with that official and serve a copy on all parties. The only ground for objection shall be that the designation was not in fact filed in compliance with this Rule. If no objection is filed, that official shall reschedule the matter for a time that is not within the attorney's secure leave period. If an objection is filed, the court shall determine whether the designation was filed in compliance with this Rule. If the court finds that the designation was filed as provided in this Rule, it shall reschedule the matter for a time that is not within the attorney's secure leave period. If the court finds the designation was not so filed, it shall enter any scheduling, calendaring or other order that it finds to be in the interests of justice.

(H) Procedure When Deposition Scheduled Despite Designation. If, after a designation of a secure leave period has been filed pursuant to this Rule, any deposition is noticed for a time during the secure leave period, the attorney may serve on the party that noticed the deposition a copy of the designation with a certificate of

service attached, and that party shall reschedule the deposition for a time that is not within the attorney's secure leave period. Any dispute over whether the secure leave period was properly designated pursuant to this Rule shall be resolved pursuant to the portions of the Rules of Civil Procedure, G.S. 1A-1, that govern discovery.

(I) Nothing in this Rule shall limit the inherent power of the Superior and District Courts to reschedule a case to allow an attorney to enjoy a leave during a period that has not been designated pursuant to this Rule, but there shall be no entitlement to any such leave.

Adopted by the Court in Conference this 6th day of May, 1999, on the recommendation of the Chief Justice's Commission on Professionalism. This amendment is effective January 1, 2000, and applies to all actions and proceedings pending in the Superior and District Courts on and after that date. This amendment shall be promulgated by publication in the Advance Sheets of the Supreme Court and Court of Appeals and by distribution by mail to each superior and district court judge, district attorney, clerk of superior court, and the North Carolina State Bar.

Wainwright, J.  
For the Court

*Taken from:*  
<http://www.aoc.state.nc.us/www/public/aoc/rule26.htm>

### TREASURER'S REPORT

As of May 28, 2010, our account has a balance of \$3,310.51.

