



CVPA Gives Back to the Community

Thank you for all the items we received for our “emergency child care”. Kathy Odom, Family & Children’s Medicaid Supervisor & DSS Christmas Project Coordinator for Catawba County Department of Social Services (DSS) asked Rebecca Wilson and Jennifer Owen to attend our meeting on behalf of DSS. Both ladies did an excellent job informing us of the daily trials of the person asking for help.

Did you know the average Medicaid client is 4 year old white female? In an email from Kathy Odom she states “For example: Parent and one child household = the parent can't have income over \$472 a month. The way that income is calculated is: If the parent works to earn that income, then we can take a deduction off for that. If they didn't earn that from work, then we can't take

work related expense deduction off. We count unearned income also. We go by gross income. We can take off for child care expense, but normally they pay more out than we can deduct. For example, for a child under 2 we can allow up to \$200. For a child 2 and older we can only allow up to \$175 deduction. We are required to deduct for court ordered child support if the parent pays that out to a child not living in their home. As you can see, if the parent works full time they can't meet the income limit. When that happens, then we have to calculate a

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CVPA would like to extend a warm thank you to

Attorney Martin “Marty” Steele of Gorham, Crone, Green & Steele. Marty was our guest speaker at the CPE meeting regarding Elder Law held in

November.

Thank you Mr. Steele for taking the time to speak to our group and for the wonderful information you provided.

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Who is Doing the Filing? *By Vicki Voisin, ACP*

There is a saying that goes like this: If you want to know if the person you are hiring is truthful, ask if they like to file. If the answer is 'Yes!' do not hire them because they are not truthful. NO ONE likes to file! Unfortunately, like it or not, filing accurately and regularly is crucial in our business.

A filing system is really a finding system. This is your method for storing information today and finding it quickly and easily tomorrow.

Searching for a misplaced document or file is not only a waste of time and energy, it is also a waste of money. Assuming you work 48 weeks in a year and spend just five minutes of each hour of an eight-hour workday looking for lost documents or files, you will waste 160 hours per year. Using a billing rate of \$95 per hour (insert yours here), the annual loss is \$15,200. Usually this search involves several people and it delays getting your work done, so the cost increases proportionately. You also lose credibility and appear unprepared when you do not have information at your fingertips.

A good filing system can remedy



all

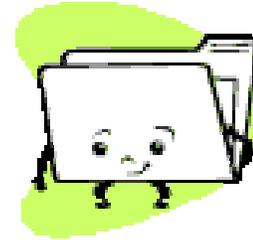
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this. Here are some tips to help you create a system that will minimize the time you spend (waste) looking for lost files and documents.

Begin by making some decisions. First decide who is responsible for the filing. This may be delegated to one or more employees or it may be that the person doing the work on the file is responsible for putting their work away and cleaning up any loose ends. Unless this is clear, papers will be thrown haphazardly into the file, if they make it there at all, creating a continuing nightmare. Second, decide when the filing will be done. Again, doing this as you do your work is really the most efficient. If that cannot happen, establish a policy that filing is to be done by the end of every day or at the beginning of the next. Do not allow papers to disappear into a filing tray, never to surface again.

Establish a filing system that is easy and flexible. Your mantra should be 'store it where you can retrieve it...file it where you can easily access it.' Visualize how you use files and set up a system that is both flexible and matches your situation. This system should include a policy on where the files will be stored (a central area or in the office of the person working on the file?) with an explicit rule that the floor is not a filing cabinet.

Also, how do you want the files set up in the first place? How will the



documents be put in the file?

What kind of file folder will be used? How do you want them labeled? Even if all the filing is done perfectly, if the label is not visible, you will not be able to find the file.

Remember that bloated files are a waste of money and space. Statistics reflect that you will only refer to about 20% of what you file. The remaining 80% just takes up space. Generally waaaaay too much paper is being filed in the first place. Aim to keep your files lean and mean. Do not save anything you will not need. Condense and purge whatever you can before filing. You do not need five copies of the same document. Before you put papers away, ask these questions:

Is this relevant?

Will I need this again?

Can I get this again if I need it?

What are the consequences of getting rid of this? What is the worst case scenario if I don't have this?

Depending on the answers to your questions, you may be able to get rid of the paper altogether.

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Did You Know . . . Unused CPE Hours



The question was raised regarding the accumulation of CPE hours, do they carry over to the next year like Attorney's CLE hours? The answer is, NO. Paralegals are not allowed to carry over any un-

used CPE/CLE hours into the next certification year. Since the six hours is such a minimal amount, the (NCBA) board feels that education about changes in the law would not be adequately maintained if allowed to carry over.

This information was obtained from Tara Wilder, Assistant Director of Paralegal Certification for the North Carolina State Bar.

For any questions that you may have regarding your paralegal certification, below is contact information for Ms. Wilder:

Tara J. Wilder, NCCP
 Assistant Director of Paralegal Certification
 The North Carolina State Bar
 208 Fayetteville St.
 Raleigh, NC 27601
 Tel: 919/719-9291 direct
 Fax: 919/719-9368 direct
 Web: www.ncbar.gov
www.nccertifiedparalegal.gov

UPCOMING EVENTS



January 13, 2009
 "Ethics Seminar"

Presented by **William Morgan** at the CVCC Auditorium at 6:00 pm

Approved for 1 hour of CPE by NCBA.

**February 10, 2009
 "Mediation Seminar"

Presented by **Lewis E. Waddell, Jr.**, meeting will be at the Newton Library Meeting Room at 6:00 pm

March 10, 2009,
 Social Event, Catawba Country Club, (minimal cost for food) time will be 5:30—7:30 pm

Website is under construction and should be up and running by the first part of 2009!

***Application for 1 hour of CPE credit will be submitted to the NC State Bar for these seminars.*

Ethics Seminar Set for January 2009

CVPA will sponsor an ethics seminar on January 13, 2009 at the CVCC Auditorium at 6:15 pm. The presentation will be by: William E. Morgan, an Attorney with Patrick Harper and Dixon, LLP of Hickory, North Carolina.

William E. Morgan concentrates his practice in the areas of [Civil Litigation](#), Construction Law, [Family Law](#), and Contracts Law. His practice ranges from small claims cases to federal court cases. Mr. Morgan graduated valedictorian of his class at Lambuth University in Jackson, Tennessee with B. S. Degree in Theatre and also earned a B.A. in Business Administration. He earned his law degree from Wake Forest University where he was selected as a national member of the Order of the Barristers.

During law school Mr. Morgan was a member of the National Trial Team, Moot Court (Berkowitz Best Orator Award), First Year Trial Bar Competition Winner, Editor of Moot Court Problem Book, Editor of Hearsay, the law school newspaper and an intern with the United States Attorney's Office in Denver Colorado. He is a member of the Catawba County Bar, the North Carolina Bar Association, the North Carolina State Bar, the North Carolina Association of Defense Attorneys, and the American Bar Association.

Mr. Morgan serves on the North Carolina Bar Association Committee for Continuing Legal Education and participates as a Mentor in the Young Lawyer Division. He is admitted to state practice in North Carolina, federal practice in the Western District of North Carolina, and is also admitted to practice in the Cherokee Tribal Court.

Mr. Morgan grew up in McComb, Mississippi and most recently hails from Martinsburg, West Virginia. Prior to law school, he worked in restaurant management, as a radio talk show host, and a professional film narrator. He was the Artistic and Managing Director at the Old Opera House Theatre Company in Charles Town, West Virginia. He acts and directs locally at Hickory Community Theatre and The Green Room Community Theatre and won the Metrolina Theatre Award in 2007 for Best Supporting Actor and two Kay Awards for performances with the Hickory Community Theater. He is on the Board of Directors of the Kiwanis Club of Western Catawba and ALFA, a regional organization for HIV/AIDS education and client care. A 2008 graduate of the Catawba County Chamber of Commerce "Leadership Catawba" program, he has also volunteered with the United Way and Exodus Homes.

Contact Mr. Morgan at:
wmorgan@phd-law.com
 or (828) 322-7741, x202
 to discuss how he may assist in resolving your legal problems, small or large.

Agenda for this meeting:

1. Integrity and Ethical Guidelines
2. Definition of Legal Assistant/Paralegal
3. Unauthorized Practice of Law
4. The Attorney/client/paralegal relationship
5. Confidentiality
6. Financial Matters
7. Questions/Answers

**Approved for 1 hour CPE*



CVPA Sponsors Mediation Seminar

CVPA is off to a great start for 2009. A seminar is scheduled for February 10, 2009 at the Catawba County Library, Newton Branch at 6:15 pm. This presentation will be "Settlement Procedure/Mediations in North Carolina Equitable Distribution and other Family Financial Cases". The featured speaker is Attorney Lewis E. Waddell Jr., Certified Family Financial Mediator, Arbitrator.

Mr. Waddell is a graduate from the University of North Carolina at Chapel Hill with a Bachelor of Arts in History and Political Science and a graduate from University of North Carolina at Chapel Hill School of Law with Juris Doctor.

Mr. Waddell has been a North Carolina State Bar member since 1966 and also is either affiliated or a member of the following organizations: North Carolina Bar Association, Association of Trial Lawyers, North Carolina Academy of Trial Lawyers, Catawba County Bar, 4th Circuit Court of Appeals and U.S. Supreme Court, Middle & Western Districts of North Carolina, Federal Court, Certified Family Financial Mediator since October 2004, District Court Arbitrator since 1996, Shriner and Mason.

His practice has included, City attorney for Town of Maiden and Catawba and formerly Catawba County Attorney. His area of practice include: family law, criminal law, wills and estate planning, wrongful death, corporate law, civil law (litigation).

We are very fortunate to have Mr. Waddell as our guest speaker for this topic. The agenda will be as follows:

1. Overview of Mediation
2. Selection of Mediator
3. The Mediated Settlement Conference
4. Duties of Parties, Attorneys and Others
5. Sanctions for Failure to Attend
6. Duties and Authority of Mediator
7. Compensation of the Mediator
8. Mediator Certification and Decertification
9. Comments from the Dispute Resolution Commission
10. Questions and Answers

If you would like to contact Mr. Waddell he can be reached at 828-464-9510 or waddell_law_office@charter.net

**Pending approval for 1 hour of CPE credit*



CVPA would like to express our gratitude to **Tammy Payne, CPA**. Ms. Payne worked with several members of the CVPA Board to answer questions regarding tax issues. She graciously gave her time and knowledge to CVPA without charge.

If you are in need of an accountant, please contact: Tammy Payne at 828-464-7464 or at her office at: 1147-E N Main Avenue, Newton, NC 28658



PARA SIGHT

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"Medicaid deductible" for six months. The family can use unpaid medical bills that they have incurred during the previous 24 months to meet their deductible/financial responsibility etc.

Example: \$1,000 earned income from their job at John Doe Hosiery monthly. Client does pay child care of \$100.00 per month.

\$1,000.00 - \$90.00 work expense deduction \$910.00 counted - \$100.00 child care deduction \$810.00 = over the income limit for a mom and 1 child of \$472.00, therefore, deductible calculated: \$810.00 - \$317.00 \$493.00 (1 month deductible) x 6 (six months in this type case)

\$2,968.00 = 6 months deductible. Therefore, unless the family can meet the deductible they do not get any Medicaid for the adult/parent. However, the income limit for children is much higher. Therefore, most children are eligible.

For example: Parent and 2 children, the income limit is \$544.00; parent and 3 children = \$594.00." Kathy has been employed with Catawba County DSS since 1990. The income limit for a parent/caretaker of a child under age 19 has not increased since 1990.

CAN YOU IMAGINE TRYING TO LIVE ON SUCH A SMALL AMOUNT?

In 2007, one out of five persons in NC received Medical assistance by DSS. Rebecca stated, "Case Workers in Catawba County currently handle between 950 to 1,100 cases and currently Catawba County has 12 Case Workers."

Client needs are met either by face to face, telephone or mail contact. If a person presents to the agency after 4:00pm on Friday, benefits may not be active until Monday. The Case Worker may offer emergency assistance through their food pantry, if the food pantry has items. Imagine not having adequate cleaning products or picking up furniture on the street. We were informed of a case where a child was laying on one blanket in the floor and the mother was truly proud because she had a blanket to lay on the floor. Both Jennifer and Rebecca told how each social worker may need to ask for assistance from outside sources, both network asking their church or friends for items that families need. Most of the social workers keep snacks (**which they provide from their own funds**) to give to small children when the children are in the office. Rebecca told of a lady that was applying for a job; was offered the job, however, she didn't have but one set of clothes and lost the job because she didn't have clothes.

Tuesday, December 9th, we realized a small thing can make a huge difference to someone that is in need. Jennifer and Rebecca said they would gladly take clothes of any size. Sometimes we forget DSS helps from the time a **child is born, through adult life and finally during the elder years**. The money received by DSS does not cover all expenses. Elders in nursing homes do not have eating trays that attach to their beds/chairs to allow them to eat more comforta-

bly. Rebecca told of a young mother whose child was born premature. The child was in Baptist hospital and the mother did not have the resources to stay in Winston-Salem. The mother's only opportunity to go to Winston-Salem to see her child was either a random gas card or a social worker driving her. Can you imagine your child being in the hospital and not seeing them every day?

We were told any donations of clothes (new or used), baby food, diapers, beds, strollers, high chairs, gas cards, pharmacy cards, female personal hygiene products, cleaning supplies, paper products, miscellaneous household appliances, new and used furniture would be greatly appreciated. Kathy Odom informed me she can provide a tax deduction receipt if needed. If anyone has anything they wish to donate to DSS, please contact me at 828-381-9444 or lyprice@charter.net My office will be the drop off location for the Hickory area. Cyndy Adams, NCCP for Lewis Waddell, Attorney at Law, informed the Board, Mr. Waddell graciously offered his office for a Newton drop off location. Cyndy and I will make the necessary arrangements to delivery items to DSS. You may contact Cyndy at:

cyndyeadams@hotmail.com.

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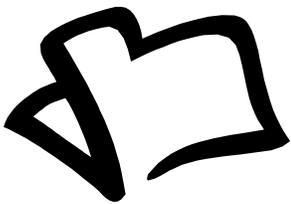
During the summer of 2008, members of CVPA were asked what community involvement they desired for CVPA. We received the following answers: Animal shelter, old folks home, food banks, special children anything, elderly, help Paralegal students in some way, education events for the public, help with youth and maybe elderly at a nursing home, a program for at risk children (lunch buddy program, tutoring) work with shelter homes, give teddy bears to children during troubled situations, relay for life and school supply for kids in need. Some answers were worded a little different but very similar to one of the answers above. *Would you be willing to “adopt” DSS as*

CVPA’s community outreach? At dinner, CVPA members discussed the possibility of having a theme each month. For example, in February we could collect blankets (new or used) and in March we could collect cleaning supplies. We all know times are difficult but thought if we did a little each month we would be making a difference.

This is your association. I want to know your views and opinions so we can incorporate them as we continue to plan 2009. Please let me know if you approve of CVPA “adopting” Catawba County DSS as our community outreach.

Lynn Price, President of CVPA

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Are you done? Move it out!
Do the math: if you keep adding files to the filing cabinet and never move any out, the cabinet will soon be overflowing. When you are done

with a matter, move the file to closed storage immediately. This is the only way to make room for new files. If more comes in than goes out, you have a problem. Your file drawers should have a minimum of two inches of free space or it will be too difficult to put anything away. Where will the files go? on your desk, on the floor...and the piles mount.

What about those files on your desk? A vertical step file organizer is your solution to the piles of files on the corner of your desk (or on the floor!) that become part of the landscape and soon forgotten. When the files are upright, they are easier to see and

easier to locate.

Your challenge: Visualize your office: consider the flow of work and the best location for your files. Then design a policy for setting up the files, doing the actual filing, and moving the closed files to storage. This policy will include who will actually do the work, when they will do it, and how it will be done. Be very clear and concise. Remember that this is a lot like home: if everyone understands their responsibilities, does their fair share and picks up after themselves, the problem will be solved.

Source: Vicki Voisin, also known as The Paralegal Mentor, publishes the bi-weekly ezine 'Strategies for Paralegals Seeking Excellence' where she offers tips for paralegals and others who want to create lasting success in their personal and professional lives. Get tips and information at no cost at www.paralegalmentor.com.