



PARASIGHT

JANUARY 2017

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President's Message *Learning from the Best*

A lot can be said about learning from your elders. Of course, as a teenager, I didn't think my parents knew much about the world. My two youngest children think I am way behind the times. My oldest child has learned, now that she is in college and virtually on her own, that mom actually does know what she is talking about and is pretty much right about everything. We may be resistant to advice as youngsters, but as we get older we tend to rely on those with more experience and know-how.

Charles Dixon was a man to be admired. He was a man of great integrity, knowledge and experience and truly generous with his time. In the 16 years I knew him, I learned a lot about estate administration and even more about how to treat clients. Mr. Dixon had time for everyone, co-workers and clients alike. It was common to find another attorney in his office discussing a legal matter and, I, of course, had worn out the carpet which went from my office to his. Of course, he preferred that clients made appointments, but if one of his clients stopped in for a quick chat or to get some advice and Mr. Dixon wasn't meeting with someone else, he would

meet with the client and give him or her the same attention he would give any other client. He also took all his phone calls and I never heard him ask the receptionist to put his calls in voice mail unless he had someone in his office (usually me).

It's easy to get frustrated when you have a particular client who constantly stops in without an appointment and I seem to have more than my share of clients who prefer that tactic. However, most of the drops-in don't take any longer than a phone call would take. Sometimes they just need a copy of a document, need something notarized or want a quick review of a letter they received. We are a service company. We serve clients who pay us to help them with legal matters. If I turned away clients who came in without an appointment, that wouldn't make me look good and it wouldn't make the firm look good. We want our clients to recommend our services to their friends, co-workers and family members and we want them to tell those individuals that we always made them feel like they were worthy of our time.

I have learned from other attorneys as well. One of the partners at a former firm always sent a letter to the law students who interviewed for summer positions, even if those students weren't going to be hired. The attorney believed that everyone deserved an answer in a timely manner, even if the answer was no. In keeping with that belief, I make it a point to call clients back by the end of the day if I miss their call or answer their emails before going home for the evening. If a client's email comes in late in the day and can't be answered quickly, I will send a reply acknowledging receipt of the email and say that I will get back to them first thing in the morning. Not only is this good customer service, but it puts clients' minds at ease and makes them feel like they are important to us. If I let clients know the status of their loved one's estate, even if nothing much is going on, or inform them that there is a waiting period which must be observed so they won't be hearing from me for a few weeks, they are less inclined to call, email or drop in (this I learned from yet another attorney older and wiser than me).

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MEMBER SPOTLIGHT - HEATHER MISENHEIMER

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Q: Where is your hometown? If not in North Carolina, what brought you here?

A: Macomb, IL - I came to NC to visit my sister in Gastonia years ago and loved Asheville so I moved there in 2003.

Q: What prompted you to choose a paralegal career?

A: Loved the law and have huge test anxiety so I didn't want to take the LSAT.

Q: Do you have a college degree or paralegal certification?

A: Yes. I have a BS from Western Illinois University and an AAS in Paralegal Studies from Midstate College in Illinois

Q: What do you like most about your job?

A: Arguing with adjustors to maximize my client's recovery and helping clients

Q: What do you like least about your job?

A: When someone does NOT tell the truth.

Q: How has your membership in the CVPA benefited you?

A: I am able to keep current on legal issues and attend CLEs to continue my NC Bar Certification.

Q: What has been the highlight of your career?

A: Being awarded the Pre-Litigation Negotiator

position and winning the firm's Leadership Award for Outstanding Leadership.

Q: If someone contemplating a paralegal career asked you for career advice, what would you say?



Corinne C. Justice
NCCP

A: I would tell them as I used to tell my paralegal students that it is a very rewarding career IF: you LOVE the law, care about people and want to help those who need your assistance, like to work hard and enjoy a fast paced position where no one day is the same then you will LOVE this.

Q: What tips do you have on how a paralegal can keep her career interesting?

A: Keep up with current laws and look at the case from all sides to be prepared for issues the other side will raise.

Q: Is there a quote or song that inspires you?

A: "It is NOT your aptitude but your attitude that determines your altitude."

Q: What is your favorite movie and why?

A: Erin Brockovich – because I handle all the pharmaceutical cases for our firm as well so I can totally relate.

Q: Do you attribute your success as a paralegal to a specific person or event?

A: Steve Swan.... He was my paralegal instructor and my first employer

Q: Who would play you in a movie of your life?

A: Julianna Margulies

Q: Other than being a paralegal, what would be your dream job?

A: FBI Criminal Profiler

Q: What makes you lose your patience?

A: When I am lied to.

Q: What is your favorite vacation spot?

A: Disney or the beach



Highlights from IRS Fact Sheet - January 2017

The following are recent IRS rule changes:

- **Individual Tax Return due date.** Taxpayers will have until Tuesday, April 18, 2017 to file their 2016 individual income tax returns and pay any taxes due because of the combined impact of the weekend and a holiday in the District of Columbia. Individual income tax taxpayers requesting an extension will have until Monday, October 16, 2017 to file.

- **Refunds delayed for some taxpayers.** A change to the law that went into effect this year requires the IRS to hold refunds on tax returns claiming the Earned Income Tax Credit (EITC) or Additional Child Tax Credit (ACTC) until at least February 15. Because of additional delays, many early filers will not have actual access to their refunds until at least the week of February 27. Under the law change, IRS must delay the entire refund, including the portion not associated with the EITC and ACTC.

- **Olympic metals and prize money now tax-free for most Olympians.** Starting in 2016, Olympic and Paralympic winners with adjusted gross income (AGI) of \$1 million or less (\$500,000 or less, if married filing separately) aren't taxed on the value of Olympic and Paralympic metals and the amount of US Olympic Committee (USOC) prize money.

- **ABLE accounts now available for some people with disabilities.** States are now offering specially designed, tax-favored ABLE accounts to people with disabilities who became disabled before age 26. ABLE accounts are designed to enable people with disabilities and their families to save for and pay for disability-related expenses. Contributions totaling up to the annual gift tax exclusion amount (\$14,000 in both 2016 and 2017) can generally be made to an ABLE account each year. Though contributions are not deductible, distributions are tax-free if used to pay qualified disability expenses.

- **New self-certification available for missed rollover deadline.** Beginning August 24, 2016, a

taxpayer who inadvertently fails to properly complete a tax-free rollover of a distribution from an IRA or workplace retirement plan to another eligible retirement program can often qualify to use a new self-certification procedure. Under the procedure, eligible taxpayers, encountering a variety of mitigating circumstances, can qualify for a waiver of the 60-day time limit and avoid possible early distribution taxes. Circumstances include: a distribution check that was misplaced and never cashed, the taxpayer's home was severely damaged, a family member died, the taxpayer or a family member was seriously ill, the taxpayer was incarcerated, or restrictions were imposed by a foreign country. Even if a taxpayer does not self-certify, IRS now has the authority to grant a waiver during a subsequent examination.

- **Partnership tax return due date.** Partnership tax returns are now due by March 15 (they were previously due by April 15). Since all partnership taxes flow through to the individual partners and the partners need their K-1s in order to prepare their individual tax returns, the due date for partnership returns was moved up so partners are able to file their returns in a timely manner. S corporations must also file their tax returns by March 15 for the same reason.

- **C Corporation tax return due date.** The new due date for C corporations to file their tax returns is April 15.

- **S Corporation and C Corporation filing extensions.** The extension period for both calendar year S corporations and C corporations is September 15.

- **Nonprofit corporation extensions.** Nonprofit corporations only have to request one extension now, which will be granted for a 6 month period. The extension will run through November 15.

IRS Facts

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HENDERSON COUNTY COURTHOUSE

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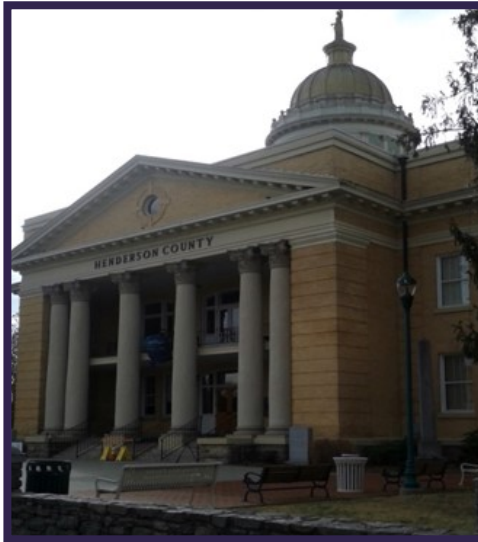
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There have been three courthouses in Henderson County. The original courthouse was located at Aspen and Chestnut Streets in Hendersonville which later became First and Second Avenues. It was built between 1841 and 1842 and cost \$8,000. This courthouse sat next to the site of the second courthouse and was torn down after the second courthouse was built.

The second courthouse sits at the west side of Main Street and was finished in 1905 (see picture at right). The courthouse was built by local builder W.F. Edwards. Architect Frank Pierce Milburn was originally asked to design the 1905 courthouse, but the county commissioners rejected his design and hired Richard Sharp Smith, who was the resident architect of the Biltmore Estate. Construction began in 1904 and was completed in July 1905. The cost to build the courthouse was \$38,000, but the county withheld \$500 until the first cold day to test the heating system. This courthouse was used as such for 90 years.

In 1943 the second courthouse was condemned and Superior Court was moved to

City Hall a few blocks away. Repairs were completed in 1944 and the courthouse was reopened. The courthouse was expanded in 1952, and in 1956 an addition was built for the Register of Deeds, Sheriff's Office and Board of Elections. In 1991 a reinforced dome with a gold-colored fiberglass coating was dedicated.



On May 10, 1979, the Historic Henderson County Courthouse, as it is now called, was added to the [National Register of Historic Places](#).

After many repairs had been made to the courthouse over the years, in 1995 the county commissioners decided to build a new courthouse on North Grove Street (see picture below). The cost of the new courthouse was \$7.6 million.

The year 2005 was the centennial celebration of the Historic Henderson County Courthouse which had been renovated to house county offices, including commissioners' offices and meeting rooms, and the Henderson County Heritage Museum.





SOCIAL MEDIA

By: Tricia Horn
Contributing Writer

Social media, whether you love it or hate it, most of us are involved in the hype in one way or another, either personally or we have someone in our family or close circle of friends who is. Social media provides a platform for the type of person we want to share with the world. We can design our perfect image. Now don't get me wrong, I am in favor of putting your best foot forward and the positive effect it can have on your life, but I can't help but wonder, is the image we are choosing to portray on social media an honest representation of ourselves in our day to day lives? Or are we all just trying to keep up with the Jones's and embarrassed to be ourselves for fear it doesn't match with what society tells us we should be?

We have allowed our culture to put an unhealthy value on perfection, self-image, self-centeredness and vanity. And while striving to be the best person we can be is certainly something to be admired, why is it more valuable than vulnerability, honesty, failure and humility? These words have unfortunately developed a negative connotation in our society and we are told they aren't in the vocabulary of successful, rich and popular people. We are taught we can be and do anything we want and no one can stand in our way, but when we don't reach our goals, we blame others, develop a self-pity attitude or are too prideful and

brush off a perfect opportunity to learn a lesson that has the potential to truly improve our lives, getting us even closer to that image we so desperately want to be true.

But that would go against everything our social media and pop culture is promoting. You have to be better, smarter, prettier, wealthier and more accomplished than everyone on your Facebook news feed or twitter page and when you don't feel you match up to that ideal image you're left with a feeling of insignificance which can push you even further into the "keeping up with the Jones's" mentality and portraying a false image instead of seeing the value in your individuality. To achieve the authentic and healthy self-image we are all so desperate to realize, we should focus on character building by promoting humility, honesty, and kindness, instead of feeding a culture of competition and entitlement.

Not only do we have social media constantly in front of us trying to dictate the kind of person we should be, we also have the ever elusive Hollywood elite portraying the "perfect" image to us in TV, movies, award shows, musicians, the list goes on and on. Female celebrities go on speaking events criticizing how our culture objectifies women and then the cover of their new album or in the preview to their new movie has them half naked flaunting their sex appeal and allowing men to do and say the same things to

them they were just ranting about at the latest day time talk show. There are even magazine articles devoted to "who wore it better" comparing an outfit two celebrities wore and through a poll, we are told who "wore it better" or looked the best. We criticize those kind of behaviors and call it bullying or harassment in our schools, yet we buy the magazines and never miss the movie or concert that does the exact same thing in the name of "entertainment". What is that breeding other than an egotistical generation? We have set such high standards that everyone is afraid to let people see anything but their chosen highlight reel. Only the best of what we have to offer is acceptable. Make sure we only show the good, forget the bad and the ugly.

In an overstimulated society where we can change our opinions, politics, Facebook status and hair color every week, I have to wonder, do we really even know ourselves? Do we have security in who we are and what we like and love about ourselves and our lives? Do we take time anymore to find out what's really important to us? Or do we just let pop culture and social media tell us what's important?

Ultimately the creation of social media and the popularity of the Hollywood culture is not by its nature a bad thing. We have created it into the beast it

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SOCIAL MEDIA (CONTINUED)

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is today by allowing so much emphasis to be placed on it. We've forgotten who we really are and what we truly value. As an individual or a family unit, it is critical to take time to understand the different negative influences life places on us and be honest with each other and build a support system to help us stay strong where we are weak. Life is too short to constantly be putting forth a false image or never showing vulnerability. There is strength that can be found in vulnerability that

allows you to take on life's struggles, build character and not crumble so easily under the pressures of being perfect. Perfection is not something that is actually attainable. None of us have achieved it in any aspect of our life and we gain nothing from pretending like we have. You will however gain priceless amounts of self-confidence if you focus inward instead of focusing on your outward approval rating. Know yourself, be confident and stop worrying about your approval rating.

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LEARNING FROM THE BEST (continued)

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Sometimes, good customer service in a law firm is hard to come by. Attorneys, paralegals and secretarial

assistants are extremely busy during the day and the last thing one wants to do is take a call while in the middle of a project, me included. But then I think what if I was the client?

How would I want to be treated, or better yet, how would Mr. Dixon want clients to be treated? So, I take the call.

CALLING ALL WRITERS

If you would like to submit an article for the newsletter, please contact Kelley Walker, Beverly Cook or Laurie Hayden.



THANK YOU/UPCOMING CPE

UPCOMING SEMINAR



February 21, 2017

William E. Morgan, Attorney at Law
Confidentiality and Privilege in the
Technological Environment
Room WW120
Catawba Valley Community College

Community Outreach Project Update:

The CVPA, along with the Catawba County Bar and the Caldwell County Bar, helped raise **\$534.00** at the 1st Annual Basketball Challenge to benefit Legal Aid of North Carolina, Inc.



Thanks to all who helped support this project!

**The Winner:
Catawba County Bar**

Thank You/ Upcoming CPE

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Position Available at

Western Piedmont Community College Paralegal Program

The WPCC Paralegal Program is looking for adjunct instructors beginning in fall semester 2017. Applicants should be able to teach a variety of different legal specialties, such as legal research, tort law, real estate or wills and trusts. There is a possibility of this position becoming full time. Applicants for adjunct positions should have a minimum of a Bachelor's Degree and NC certification is preferred. Should a full time position open up, those applicants should have a Master's degree in a field related to paralegal studies, such as Criminal Justice.

**The CVPA
has many volunteer
opportunities available.**

**If you are interested in
serving, please
contact a
Committee Member.**



PROPOSED AMENDMENT TO CVPA BYLAWS

CVPA Bylaws

The Board of Directors approved the following amendment to the bylaws of the association at the annual meeting on October 11, 2016 and recommend to the members that the amendment be adopted:

ARTICLE III MEMBERS

Section 2. Types of Memberships. Membership shall be open to paralegals, legal assistants, legal secretaries, students in paralegal programs, paralegal educators, employees of judicial entities, and other commonly recognized legal agencies. Classes of memberships and their respective rights and privileges shall be as follows:

(a) Professional. Professional membership is available to currently employed paralegals, legal assistants and legal secretaries, educators of legal assistants and paralegals, and those employed within the judicial system. **This level of membership carries full voting rights and privileges and these members may serve as directors, officers and committee chairpersons.**

(b) Associate. Associate membership is available to paralegals, legal assistants, legal secretaries, paralegal educators and those employed within the judicial system who are retired or otherwise currently unemployed. **This level of membership carries full voting rights and privileges and these members may serve as directors, officers and committee chairpersons.**

Changes:

The original wording in section (a) is currently ...“and these members **are the only members who** may serve as directors, officers and committee chairpersons”. The amendment removes the words in bold above. The wording in section (b) will be amended to mirror the wording in section (a).

Background:

The reason behind this change is that there may be members who are unemployed or retired who want to be involved in the CVPA as more than just a member or committee member. In addition, with the unemployment climate as it is, if a current director, officer or committee chair loses his or her job, the Board did not want that person to lose his or her position in the CVPA as well.

Voting:

The members of the CVPA will vote on this amendment at the February 21, 2017 meeting. Due to noticing rules, only those members who have turned in a membership application and paid the application fee by February 10, 2017 will be allowed to vote.

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CVPA ROSTER OF COMMITTEE MEMBERS

CPE

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Leah Poovey

Heather Misenheimer

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Crystal Campbell

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Laurie Hayden

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