



PARASIGHT

OCTOBER/NOVEMBER 2017

Board of Directors

Laurie Hayden
President

Leah Poovey
Vice-President and
Assistant Treasurer

Amanda Bentley
Secretary

Heather Misenheimer
Assistant Secretary

Beverly Cook
Treasurer

Ellen Abernathy
Corene Justice

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President's Message *Some bad . . . Some good*

This year was fraught with challenges. Our membership declined by 14 members due to changing careers, retirement or members moving to the Emerald City (or is it the Queen City?). The Board shrank from 11 directors to 7 by mid-year. Our CPE Chair stepped down after many years of tireless service to the CVPA and since no replacement could be found the directors had to schedule the balance of the CPEs for the year. Most recently, we discovered that our website is very much outdated so I have not been able to update any information on it for weeks. The person who hosts our website has become ill and not able to work. These setbacks have been discouraging, but we are determined to persevere and overcome the challenges. The Board has already booked interesting and informative CPEs for the upcoming year and started planning other events that will bring attention to the CVPA.

Many good things happened this year as well. We had some awesome CPEs (my favorite was author Jay Leutze). The Catawba County Bar Association gave us a generous contribution at the beginning of the year. We were able to make a contribution to the Western Piedmont Community College paralegal student scholarship fund. We have done so well with our budgeting that we have extra funds to use toward the winter social, which promises to be a fun event.

To encourage new members, brochures and membership applications were emailed in

September to 227 certified paralegals who live within a 50-mile radius of Hickory. One new member has joined so far and we are hopeful that others will join as well.

I would like to set up information sessions at Western Piedmont Community College and Caldwell Community College in order to garner some interest in the CVPA. We need volunteers to talk to a paralegal technologies class (or classes) about the role of

newsletter to giving the newsletter committee the authority to determine when to publish the newsletter, provided that a newsletter is published at least twice a year.

We will vote on these amendments at the November 14 meeting. A Notice of Meeting and Proxies have been sent out for those who will not be attending the November 14 meeting/CPE.

Our winter outreach project will be providing students at Catawba Valley Community College with gas cards or cash cards.

Our **winter outreach** project will be providing students at Catawba Valley Community College with gas cards or cash cards. The CVCC administration is concerned that some students aren't able to attend class because they do not have a reliable means of transportation. We will collect the gas cards/cash

a paralegal and the purpose of the CVPA. This would benefit both the students and the CVPA.

cards at the winter social and present them to CVCC before the end of the year.

The Board of Directors is recommending the following amendments to the Committees section of the Bylaws (Article VIII):

We will be selling raffle tickets again as our **winter fundraiser**. Tickets will be distributed at the November 14 CPE and ticket money will be due the evening of the winter social. We will choose the winners at the social.

- Delete the reference to an Ethics/Legal Updates Committee since the Newsletter Committee handles legal updates.
- Change the name of the Membership/Benefits Committee to just Membership Committee.
- Change the Newsletter Committee requirement from publishing a quarterly

Please invite those from the legal community to join the CVPA. A huge thank you to those who have brought in new members this year! The CVPA not only benefits paralegals, but legal assistants and those in the judicial system wishing to acquire additional knowledge about legal issues and to take part in a professional association.



2017-2019 Slate of Directors/Officers

Directors/ Officers

Congratulations to the Newly Elected Board of Directors and Officers of the CVPA!

Board of Directors (2017 – 2019):

Ellen Abernathy

Amanda Bentley

Beverly Cook

Laurie Hayden

Corene Justice

Heather Misenheimer

Leah Poovey

Officers:

President:

Laurie Hayden

Vice President:

Leah Poovey

Secretary:

Amanda Bentley

Treasurer:

Beverly Cook

Assistant Secretary:

Heather Misenheimer

Assistant Treasurer:

Leah Poovey

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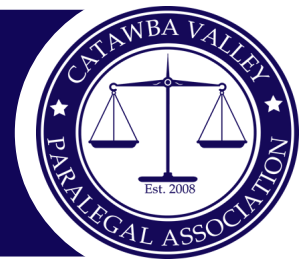
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Ellen Abernathy

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

A: I was born in Boone, NC, while my parents attended what was then Appalachian State Teachers College (I know, I'm dating myself). We moved to Fayetteville, NC, when I was four years old and I then moved to Morganton, NC, when I was a senior in high school. I now live in Lenoir, NC.

Q: What prompted you to choose a paralegal career?

A: I got a job in an attorney's office in Morganton. He didn't require any previous legal experience and though the learning process was trial by fire and I had little guidance, I ended up learning a lot! The more I learned, the more I realized that this was a job for me.

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

A: I've been a North Carolina State Bar Certified Paralegal since February, 2006, and as of November, 2017, I will have been working in the legal profession for thirty years.

Q: What do you like most about your job?

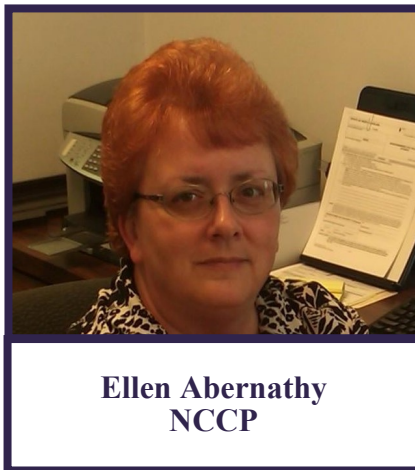
A: I love the attorneys I work for and my co-workers. I couldn't ask for a better place to work. There is never a dull or boring moment at this office.

Q: What do you like least about your job?

A: Clients who call repeatedly to ask the same question in the hopes they will get a different answer.

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

A: It's great tool for being able to network with other paralegals. It's also very convenient to be able to get CPE credits locally for my recertification. That way I don't have to drive to Charlotte or some other place with nightmare traffic to



attend a seminar. (I refuse to drive in Charlotte, by the way.)

Q: What has been the highlight of your career?

A: Working with some really great attorneys from whom I learned a tremendous amount—Scott Matthews, David Learner, Derek Mace, and Vanessa Hawkins.

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

A: Be sure to check out jobs in the legal departments of hospitals, corporations, municipalities, etc. Don't focus just on traditional law firms.

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

A: Learn as much as you can about as many aspects of the law as you can. If your employer practices more than one type of law, it's not as easy to get bored or burnt out, and the plus side is that the more you know, the more valuable you are.

Q: What is your favorite movie and why?

A: Currently my favorite movie is *The Revenant*. It encompasses the most important elements of a great movie—great screenwriting, great acting, superb cinematography, and breathtaking scenery. If you haven't seen it, you really should.

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

A: I would love to be able to write full time. Alas, what I've earned so far as a writer barely keeps my dogs in kibble and dog treats for a year.

Q: What hobbies or activities do you enjoy doing?

A: Writing, reading, cooking, and—if you can't tell by looking at me—eating.

Q: What is your favorite vacation spot?

A: Most anywhere in the mountains beside a river or a lake—I'm not a beach person. I feel most at peace in the mountains.

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Courthouse History

WAKE COUNTY COURTHOUSE

Wake County was founded in 1771 and named by Joel Lane, a planter and member of the colonial General Assembly, in honor of Margaret Wake, wife of William Tryon, the Royal Governor of the British colony of North Carolina. Joel Lane, who owned thousands of acres in the area, was a very influential person of his time.

Wake County has had six (or seven, depending on how you count) different courthouses. The first official court was believed to have been held in 1771 at Joel Lane's house (named Wakefield), which was located at a crossroads in Johnston County called Bloomsbury, which was later named Wake Court House. During the Revolutionary War, Lane's home was the site of important government meetings, including the venue for the May – June session of the State General Assembly in 1781.

North Carolina did not have a state capital until 1792. In that year, a commission was appointed to select a site for a permanent state capital. The members of the commission were leaning toward land near New Bern, which was the colonial capital of North Carolina. However, probably due to Joel Lane's influence, the committee ended up voting to locate the state capital on 1,000 acres purchased from Mr. Lane. The City of Raleigh, which was named after Sir Walter Raleigh, became both the state capital as well as the county seat of Wake County. Raleigh is the only planned state capital in the United States.

The second courthouse, which was built within the city boundaries, was constructed between 1794-95 by John Conroy in a traditional columned Greek style. Several lots were purchased on which to build the courthouse. The owner of one of the lots (James Bloodworth), stipulated in the deed that

his land always had to be used as a courthouse or the ownership of the land would revert back to his heirs.

In 1837, the city fathers decided to replace the old wooden courthouse with a brick one due to devastating fires that occurred in 1818, 1821 and June 1831, which destroyed the Statehouse. The new courthouse was built by Alexander Bragg. In 1882 the building was totally remodeled by the owner of Briggs Hardware.

As Raleigh's population continued to grow during the early 1900's, there was a need for more courtrooms, county offices and a larger jail, so a new building was built in 1915 on the existing site. The building was designed by P. Thornton Marye, who had designed several buildings in Raleigh including the City Auditorium and the Commercial National Bank building.

The 1915 courthouse stood for over 50 years until the sixth courthouse was built by Peden Steel Company between 1968 - 70. The current courthouse, which stands 14 stories high, is a prime example of Brutalist architecture, which was popular in the 1950's until the mid-1970's. Brutalist style is typically a massive concrete building that is blocky in appearance and fortress-like.

Due to Raleigh's continued growth, the Wake County Justice Center was built in 2013 and while not considered a courthouse, it acts as one. It is made of marble, steel, lots of windows, and boasts 577,000 square feet, 17 elevators and 40 courtrooms. It houses the Register of Deeds Office, Revenue/Tax Office, Criminal Court, City Manager's Office, Board of Elections and Sherriff's Office. Civil, Family and Business Court still operate in the Wake County Courthouse.

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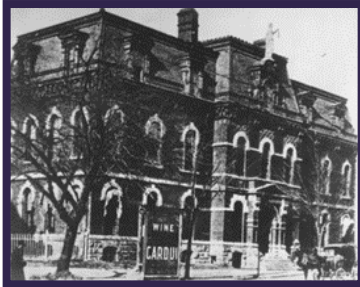
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WAKE COUNTY COURTHOUSE



1882 Courthouse



1915 Courthouse

Wake County has had six (or seven, depending on how you count) different courthouses.

Four of which are pictured here.

1968 Courthouse



Wake County Justice Center



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General Assembly of North Carolina - Session 2017

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SESSION LAW 2017-7 HOUSE BILL 239

AN ACT TO REDUCE THE NUMBER OF JUDGES ON THE COURT OF APPEALS TO TWELVE; TO PROVIDE AN APPEAL OF RIGHT FOR TRIAL COURT DECISIONS REGARDING CLASS ACTION CERTIFICATION AND TERMINATION OF PARENTAL RIGHTS...

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7A-16, as amended by Section 22(a) of S.L. 2016-125, reads as rewritten:

"§ 7A-16. Creation and organization.

...On or after January 1, 2017, whenever the seat of an incumbent judge becomes vacant prior to the expiration of the judge's term due to the death, resignation, retirement, impeachment, or removal pursuant to G.S. 7A-374.2(8) of the incumbent judge, that seat is abolished until the total number of Court of Appeals seats is decreased to 12.

SECTION 2. G.S. 7A-27, as amended by Section 22(b) of S.L. 2016-125, reads as rewritten:

"§ 7A-27. Appeals of right from the courts of the trial divisions.

Provisions that were added:

- (4) Any trial court's decision regarding class action certification under G.S. 1A-1, Rule 23.
- (5) Any order that terminates parental rights or denies a petition or motion to terminate parental rights.

Ratified by the General Assembly on the 11th day of April 2017.

SESSION LAW 2017-22 SENATE BILL 53

AN ACT TO AUTHORIZE A LAW ENFORCEMENT OFFICER TO OBTAIN CUSTODY OF A CHILD UPON DETERMINATION BY THE COURT THAT THE CHILD IS IN DANGER

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 50-13.3 reads as rewritten:

"§ 50-13.3. Enforcement of order for custody.

...



General Assembly of North Carolina - Session 2017

(c) Notwithstanding subsections (a) and (b) of this section, a warrant to take physical custody of a child issued by a court pursuant to G.S. 50A-311 is enforceable throughout this State."

SECTION 2. G.S. 50-13.5 reads as rewritten:

"§ 50-13.5. Procedure in actions for custody or support of minor children.

...
(d) Service of Process; Notice; Interlocutory Orders. –

(3) A temporary order for custody which changes the living arrangements of a child or changes custody shall not be entered ex parte and prior to service of process or notice, unless the court finds that the child is exposed to a substantial risk of bodily injury or sexual abuse or that there is a substantial risk that the child may be abducted or removed from the State of North Carolina for the purpose of evading the jurisdiction of North Carolina courts. A temporary custody order that requires a law enforcement officer to take physical custody of a minor child shall be accompanied by a warrant to take physical custody of a minor child as set forth in G.S. 50A-311.

SECTION 3. G.S. 50A-311 reads as rewritten:

"§ 50A-311. Warrant to take physical custody of child.

(a) Upon the filing of a petition seeking enforcement of a child-custody determination, the petitioner may file a verified application for the issuance of a warrant to take physical custody of the child if the child is immediately likely to suffer serious physical harm or be removed from this State.

(b) If the court, upon the testimony of the petitioner or other witness, finds that the child is imminently likely to suffer serious physical harm or be removed from this State, it may issue a warrant to take physical custody of the child. The petition must be heard on the next judicial day after the warrant is executed unless that date is impossible. In that event, the court shall hold the hearing on the first judicial day possible. The application for the warrant must include the statements required by G.S. 50A-308(b).

(c) A warrant to take physical custody of a child must:

(1) Recite the facts upon which a conclusion of imminent serious physical harm or removal from the jurisdiction is based;

(2) Direct law enforcement officers to take physical custody of the child immediately; and

(3) Provide for the placement of the child pending final relief.

(d) The respondent must be served with the petition, warrant, and order immediately after the child is taken into physical custody.

(e) A warrant to take physical custody of a child is enforceable throughout this State. If the court finds on the basis of the testimony of the petitioner or other witness that a less intrusive remedy is not ~~effective, available,~~ it may authorize law enforcement officers to enter private property to take physical custody of the child. If required by exigent circumstances of the case, the court may authorize law enforcement officers to make a forcible entry at any hour. An officer executing a warrant to take physical custody of the child, that is complete and regular on its face, is not required to inquire into the regularity and continued validity of the order. An officer executing a warrant pursuant to this section shall not incur criminal or civil liability for its due service.

(f) The court may impose conditions upon placement of a child to ensure the appearance of the child and the child's custodian."

SECTION 4. This act becomes effective October 1, 2017, and applies to orders for temporary custody on or after that date.

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UPCOMING SEMINARS



NOVEMBER 14, 2017

Attorney Derek Mace
Retirement Accounts and Equitable Distribution

6:00 PM -

Catawba Valley Community College - Room WW120

JANUARY 9, 2018

TBA (Ethics CPE)

FEBRUARY 13, 2018

Your LNC's – Lisa Heidrich and Ruth Pearce

What's Missing from the Medical Record?

6:00 PM -

Catawba Valley Community College – Room WW120

APRIL 10, 2018

Attorney Kim Whitley
Elder Law and Medicaid

6:00 PM -

Catawba Valley Community College – Room WW120

NOTICE REGARDING THE CVPA NEWSLETTER

Beginning in 2018, ParaSight will only be published twice a year, in April and October. This will allow for better content and a more informative newsletter. If you are interested in submitting an article or information on any law changes for the newsletter, please contact Beverly Cook.

WINTER SOCIAL INFORMATION

Our winter social will be held at **Market on Main on Thursday, December 7**. The event will start at 5:30 PM with appetizers and a cash bar. Dinner will start at 6:30. The cost will be \$28.00 per person, including children. **All those wishing to attend will need to send in their money no later than December 1 so we can get a proper headcount.** We will start selling tickets to the dinner at the November 14 CPE. Family members and friends are welcome. Since this will be a more formal event than usual, we will not be playing Dirty Santa. However, we will be giving away a door prize and Heather Misenheimer will be selling LuLaRoe clothing items. Please make checks payable to the CVPA.



CVPA ROSTER OF COMMITTEE MEMBERS

CPE

CHAIR NEEDED

Leah Poovey

Laurie Hayden

Community Outreach

Amanda Bentley (Chair)

Catawba County Attorney's Office
abentley@catawbacountync.gov

Fundraising

Amanda Bentley (Chair)

Catawba County Attorney's Office
abentley@catawbacountync.gov

Crystal Campbell

Membership

Laurie Hayden (Chair)

Patrick, Harper & Dixon L.L.P.
lhayden@phd-law.com

Newsletter

Beverly Cook (Chair)

Patrick, Harper & Dixon L.L.P.
bcook@phd-law.com

Laurie Hayden

Leah Poovey

Publicity

Leah Poovey (Chair)

Alex Lee, Inc.
leah.poovey@alexlee.com

Social

Crystal Campbell (Chair)

carolina_gall118@yahoo.com

Heather Misenheimer

Website

Laurie Hayden (Chair)

Patrick, Harper & Dixon L.L.P.
lhayden@phd-law.com

Crystal Campbell (Facebook)

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**NEW COMMITTEE MEMBERS
ARE NEEDED.
PLEASE SUPPORT THE CVPA
BY VOLUNTEERING AS A
COMMITTEE CHAIR OR MEMBER!!**