



PARASIGHT

JULY 2015

Board of Directors

Laurie Hayden
President

Leah Poovey
Vice-President

Erin Banks
Secretary

Pamela Dorsey
Assistant Secretary

Beverly Cook
Treasurer

Leah Poovey
Assistant Treasurer

Jerri Lee Craig

In This Issue

Member Spotlight
Page 2

What's New?
Page 3

Member Article
Page 4

Local Interest
Page 5

Financial Report
Page 6

Thank You/CPE
Page 9

Committee Roster
Page 10

President's Message

A History of the Paralegal Profession

As I was pondering what to write about for the July edition of the newsletter, my daughter suggested that in keeping with July 4th and the topic of history that I write about the history of the paralegal profession. Susan Mae McCabe, the paralegal program coordinator at Kellogg Community College in Battle Creek, Michigan wrote a history of the paralegal profession for the Michigan Bar Journal several years ago. Ms. McCabe said that paralegals have been around since the 1960's, but were working under the guise of legal secretaries who were trained on the job to handle more substantive legal work in order to assist attorneys with their increasing caseload. The only training these legal secretaries received was provided by the attorneys for whom they worked.

Others contend that the profession was created (or evolved) in the 1970's when the rise of multinational corporations as well as the growth in high volume law firms caused an increase in administrative employees to help attorneys handle their work load. There was no reason for a highly paid attorney to do very basic work so attorneys figured out that they could train their staff to

do everyday tasks such as case filings, research, and drafting simple documents for less money than attorneys (brilliant!). According to Susan McCabe, the American Bar Association's standing committee on ethics and responsibility adopted the term "legal assistant" in 1971 as the preferred term for an individual performing paralegal functions. Over time, the word "paralegal" was coined, but the titles "**paralegal**" and "**legal assistant**" are essentially the same.

While paralegals were originally only hired by law firms, by the early 1980's, paralegals were given employment opportunities with corporations, governmental entities, and other law-related businesses as positions in law offices became more limited. Freelance or contract paralegal opportunities also increased during this time as the trend to down-size legal departments in corporations and governmental agencies became the norm. Nowadays, paralegals are broadening their horizons, taking jobs wherever legal issues are part of the corporate structure – in the court system, nonprofit organizations and consulting firms.

By my count, which is less than scientific, in the United States there are 186 public and private colleges and universities which offer an ABA approved four-year degree in paralegal studies and 89 community colleges and 21 technical colleges that offer an ABA approved two-year degree in paralegal technology. There are also a number of online paralegal programs and programs which offer post-degree certificates. Paralegal education is also available in several foreign countries including Canada, Australia and the United Kingdom. While those beginning paralegals may have only had a high school diploma, the modern paralegal possesses at least one college degree, and many have more than one degree or a degree and a separate paralegal certificate, plus a state or national certification – sometimes both.

The National Federation of Paralegal Associations, Inc. (NFPA) was formed in 1974 as a federation of eight existing local paralegal groups to promote the growth and development of the paralegal profession. The NFPA awards the designation "Registered Paralegal" (RP) to persons

Continued on Page 7



Member Spotlight - Amanda Bentley

Member Spotlight

Amanda Bentley is a paralegal with Patrick Harper & Dixon L.L.P. and works in the areas of corporate law, estate planning and estate administration.

Q: What prompted you to choose a paralegal career?

A: To be honest, my paralegal career sort of fell in my lap. I call it “being where I am supposed to be.” While in high school I was a member of FBLA (Future Business Leaders of America) and absolutely loved my government and economics classes. A lady I worked with at the grocery store also worked full time in a lawyer’s office and asked if I would intern with them - do filing and run errands mostly. I was only 16 and working in a law office while still in high school sounded glamorous! So I took the job and glamorous it was not. However, I loved it, loved the pace, loved the people, and there was never a dull moment as this firm primarily practiced criminal law and domestic law. I have been in a legal role ever since.

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

A: I did get an Associates of Applied Science degree in paralegal technology as well as my certification from the North Carolina State Bar Board of Paralegal

Certification.

Q: What do you like most about your job?

A: I like feeling like I am providing a much needed and valuable service in the realm of estate planning and administration. We have a lot of sweet, little old clients.



Q: What do you like least about your job?

A: I like it least when our sweet, little old clients pass away.

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

A: My CVPA membership has allowed me to network with like-minded paralegals, to continue learning and growing, and obtain my much needed CPE credits for continued certification.

Q: What has been the highlight of your career?

A: I wish I could say there was some Erin Brockovich crowning moment where I

saved the day, righted the wrongs and made the world a better place. There isn’t. Honestly, the highlight of my career is a compilation of the little daily moments of helping a client have peace of mind in wrapping up a case for them or getting their Wills and estate in order.

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

A: RUN! Only kidding!! I would advise a newbie to get his/her degree and see what areas of law they enjoy. There is a world of difference between transactional, estates, corporate, real estate, criminal and domestic (to name a few). In school, you will get a feel for all areas. With that in mind, I would tell him/her that school will be very different from the practice of law.

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

A: Never stop learning or trying new ways of doing things. Software programs are forever upgrading and there are always new and better ways to do things. Never stop asking questions.

Continued on Page 9

[President’s Message](#)
Page 1

[Member Spotlight](#)
Page 2

[What’s New?](#)
Page 3

[Member Article](#)
Page 4

[Local Interest](#)
Page 5

[Financial Report](#)
Page 6

[Thank You/CPE](#)
Page 9

[Committee Roster](#)
Page 10



New Limited Liability Company Act

**By: Laurie J. Hayden,
NCCP**

On January 1, 2014, North Carolina's new limited liability company act went into effect. The new Act repeals the previous LLC Act and can be found in NCGS Chapter 57D. The North Carolina LLC Act is very similar to the Delaware LLC Act in that it is based on contract law and the LLC's Operating Agreement governs the rules and regulations of the LLC in most cases. The major changes to the new Act are as follows:

1. The Articles of Organization no longer state whether or not the LLC is "member managed" or "manager managed." All members by virtue of their status as members are also the managers of the LLC, unless the Operating Agreement appoints separate managers.

2. Under the new Act, an Operating Agreement does not have to be a written document. It can be written, oral or implied.

3. Like the old LLC Act, an LLC may have officers;

however, officers are known as "company officials."

4. The new LLC Act now clearly states that third parties may rely on the Articles of Organization, all amendments to the Articles of Organization, and Annual Reports even when they conflict with the LLC's Operating Agreement. Therefore, all Annual Reports must accurately reflect the information about the managers and company officials as well as the company's business address and phone number.

5. The definition of "Business" in the new Act makes it clear that an LLC may be organized for any legal purpose or activity whether or not conducted or undertaken for profit. Since an LLC may be conducted for nonprofit purposes, the provisions from the old Act creating low profit limited liability companies (L3Cs) was eliminated.

6. The new Act adds the terms "Interest Owner" and "Economic Interest Owner." An Interest Owner can be a Member or an Economic Interest Owner. An Economic Interest Owner owns an economic interest but is not a member and

therefore has no management or voting rights. A "Member" is defined as a person who has been admitted as a member, who was a member of the LLC before the repeal of Chapter 57C, or a person who has been admitted as a member of a foreign LLC under the law of the jurisdiction in which the foreign LLC was organized.

7. The term "Membership Interest" was changed to "Ownership Interest."

8. Decisions of the managers can be taken by a majority of the managers. The managers may make management decisions without a meeting and without notice.

9. The term "Transfer" is defined broadly to include the transfer of legal, equitable or beneficiary ownership of an ownership interest or other property by any means. To transfer an ownership interest without the admission of the transferee as a member causes the ownership interest that is transferred to become an economic interest only.

10. A section on professional LLCs and foreign LLCs is included in the Act.

What's New?

[President's Message](#)
[Page 1](#)

[Member Spotlight](#)
[Page 2](#)

[What's New?](#)
[Page 3](#)

[Member Article](#)
[Page 4](#)

[Local Interest](#)
[Page 5](#)

[Financial Report](#)
[Page 6](#)

[Thank You/CPE](#)
[Page 9](#)

[Committee Roster](#)
[Page 10](#)



The Time to Stop Racism is Now!

Member Article

President's Message
Page 1

Member Spotlight
Page 2

What's New?
Page 3

Member Article
Page 4

Local Interest
Page 5

Financial Report
Page 6

Thank You/CPE
Page 9

Committee Roster
Page 10

**By: Kelley Walker,
NCCP**

When the Civil Rights Act of 1964 was put into law, things were supposed to have gotten better for people in our country – not just people of color – but all people. In many ways it has. Just look at the recent Supreme Court decision to allow gay marriage. Women are treated more fairly in the workplace. People cannot be discriminated against because of their race, religion, national origin, sex or sexual orientation. However, with these tremendous strides, our country is still struggling with racism. As I write this, there is a debate over the Confederate flag. I am so clueless that I didn't even realize the Confederate flag still flew over any government entity. If someone had told me, I would have thought they were joking any way.

After the horrendous events in Charleston a few weeks ago, I believe I am about to become what I feel I would have become if I had been just a few years older in 1962. I am going to be a civil rights activist. The time has come to make sure that all people in this country are treated fairly. I am sick of seeing a day to day, real life living out in my neighborhood of the reality many young black

men face. There are no jobs for them. Their hope is taken away from them when they are young. Hopeless people become despairing people, despairing people become desperate people, desperate people do desperate things.

Last summer, I visited a church in my neighborhood that is mainly African-American. I was the only white person there, and I was made to feel very welcomed. This was right after riots in Ferguson, Missouri. The pastor's comments were calming and rational. The black community must not lose hope. They must return hatred with love. This was the only way that they can continue to try to win a war that they have been fighting far too long. The young man who entered Emanuel AME Church had hoped to start a race war. He picked the wrong church. This church was founded by slaves and former slaves who gave their lives to be able to worship in freedom.

The Southern Poverty Law Center publishes a pamphlet, "10 Ways to Fight Hate". It is available on their website (www.splcenter.org) along with many other resources to combat racism.

10 Ways To Fight Hate:

Act – Do Something.
Start paying attention.

Unite – Call a friend or co-worker. Organize allies.

Support the Victims – Hate crime victims are especially vulnerable.

Do Your Homework – An informed campaign improves its effectiveness.

Create an Alternative – Give groups other ways to express their anger.

Speak Up – Hate must be exposed and denounced.

Lobby Leaders – True change is going to have to be enacted.

Look Long Range

Teach (and practice) Tolerance

Dig Deeper – Root out any bias.

Remember, no country is truly free unless all of it's citizens are free.



Local Paralegal Writes First Novel

Ellen Abernathy, paralegal to Derek L. Mace, Hawkins & Mace, PLLC, has just published her first novel. *Cold Comfort*, a psychological thriller, written under her pen name, E. W. Abernathy, and went “live” on Amazon.com on June 29, 2015. It is also available on Kindle for pre-order with a delivery date of July 10, 2015. Here’s a brief synopsis to whet your appetite:

In December 2004, John Colucci was found not guilty of murder by reason of insanity. Declared incompetent at age 19, he was subsequently committed to a mental institution. In January 2013, he is released to his sister, Laurie, to begin a new life... but someone wants to make sure he never gets the chance to live it. John's enemies include half the population of Kingsville, his home town. Even his brother-in-law is determined to see him returned to the institution. As John struggles to navigate his independence, he meets Caitlin Murphy, a young woman who changes his life. Surrounded by the solitude of Caitlin's lakefront cottage, supported by her and his new friend, Rev. Jack, he finds a reason to live. However, it isn't long before the nightmares begin again, shattering the peace and forcing John to fight for his life and what's left of his sanity. *The hunt is on.*

The paperback version is available on Amazon for \$15.00. To order, use this link: <http://amzn.com/0692381155>

The Kindle version is also available on Amazon for \$4.99. To order, use this link: <http://amzn.com/B010MKBWUO>

Be sure to follow Ellen on Facebook and Twitter for more information on how to win a free copy of *Cold Comfort*.

Facebook: <https://www.facebook.com/ewabernathy1>

Twitter: <https://twitter.com/EllenAbernathy4>

You can also find her at: Google+: <https://plus.google.com/+EWAbernathy>
Or email her at: ewabernathyauthor@gmail.com

The following is an interview with Ellen done by Bex Aaron, author of *Independence Day* (be sure to check out Bex's stories on Amazon, too! She's a fellow paralegal in Texas.)

1. Introduce yourself to me like I have never met you before.

I'm a headbanging grandmother with 28 years' experience as a paralegal. I was the only kid in elementary school who got all excited whenever the teacher told us to write a story using all of our spelling words. I've been writing weird and twisted tales ever since. After reading one of my stories featuring a teen-aged boy who kept a dead body in the crawlspace under his house, my grandmother asked me, "Can't you write about something *happy*?" And the answer is, "No. I can't. It's not in my personality." Aren't you glad?

2. What inspired you to write *Cold Comfort*?

There are two things that greatly influence my writing and provide fuel for my fictional fires. One is music and the other is dreams. *Cold Comfort* was inspired by two songs: "Sanitarium (Welcome Home)" by Metallica, and "Uncle Jack" by Motley Crue. *Cold Comfort* is also loosely biographical (no, I'm not schizophrenic) in that, like me, the main character must come to terms with being "different" from everyone around him, while struggling to accept the hand that life has dealt him.

Continued on Page 8

Local Interest

[President's Message](#)
[Page 1](#)

[Member Spotlight](#)
[Page 2](#)

[What's New?](#)
[Page 3](#)

[Member Article](#)
[Page 4](#)

[Local Interest](#)
[Page 5](#)

[Financial Report](#)
[Page 6](#)

[Thank You/CPE](#)
[Page 9](#)

[Committee Roster](#)
[Page 10](#)



April May June - 2015

Financial Information

CVPA Treasurer's Report: April 2015

Date	Beginning Balance	Deposit	Reason	Checks Paid	Ending Balance
	\$1,133.62				
4/24/2015		\$45.00	membership dues		
4/14/2015			Honorarium - Ventura	\$25.00	
4/15/2015			NC Secretary of State	\$25.00	
4/24/2015			Catawba Co. Reg. Of Deeds - Cert. Assumed Name	\$26.00	
Totals		\$45.00		\$76.00	
					\$1,102.62

[President's Message](#)
[Page 1](#)

CVPA Treasurer's Report: May 2015

Date	Beginning Balance	Deposit	Reason	Checks Paid	Ending Balance
	\$1,102.62				
5/27/2015		\$55.00	membership dues / \$40 Pledge to WPCC Scholar.		
4/13/2015			NC State Bar - Mark Killian CPE App.	\$75.00	
4/14/2015			NC State Bar - Hillary Ventura CPE Credit	\$18.00	
5/6/2015			Postmaster	\$128.00	
4/12/2015			Mark L. Killian - honorarium	\$25.00	
Totals		\$55.00		\$246.00	
					\$911.62

[Member Spotlight](#)
[Page 2](#)

[What's New?](#)
[Page 3](#)

[Member Article](#)
[Page 4](#)

[Local Interest](#)
[Page 5](#)

[Financial Report](#)
[Page 6](#)

CVPA Treasurer's Report: June 2015

Date	Beginning Balance	Deposit	Reason	Checks Paid	Ending Balance
	\$911.62				
6/23/2015		\$210.00	membership dues / \$180 Pledge to WPCC Scholar.		
5/21/2015			NC State Bar - Blair Cody CPE App/	\$75.00	
6/10/2015			Blair Cody - Honorarium	\$25.00	
6/17/2015			Auto-Owners Insurance	\$300.00	
Totals		\$210.00		\$400.00	
					\$721.62

[Thank You/CPE](#)
[Page 9](#)

[Committee Roster](#)
[Page 10](#)



The History of the Paralegal Profession (Continued)

Continued from Page 1

who have met its requirements and have passed the Paralegal Advanced Competency Exam. Created in 1975, the National Association of Legal Assistants, Inc. (NALA) is the leading paralegal association in the United States. Its purpose is to provide continuing education and professional development programs to all paralegals. NALA offers professional certification programs, including an Advanced Certified Credential (ACP) for certification in specialty practice areas. To date, over 26,000 paralegals have taken the national certification test, and there are more than 17,500 nationally certified paralegals in the United States.

Only four states certify paralegals, being Florida,

North Carolina, Ohio and Texas. In Washington State, a new type of paralegal has emerged, called a Limited License Legal Technician (LLLT), which is a licensed legal professional who meets certain educational and experience related requirements in order to advise and assist clients on specific areas of law without the supervision of an attorney. A person wanting to become an LLLT must also pass a licensing exam. The only area of law in which LLLTs may currently practice is domestic relations.

Although Washington State is the only state which licenses non-lawyers to provide legal services, California is actively considering non-lawyer licensing and several other states are beginning to explore the issue. New York does not

license non-lawyers, but allows non-lawyers (called Navigators) to provide legal assistance in limited circumstances.

The paralegal profession, even during the economic downturn in 2008, has proven to be one of the fastest growing fields in the American job market, in part due to the relatively high demand for certain types of legal services. Also, by providing more affordable legal services more people have access to the legal system. Many attorneys prefer to hire paralegals over legal secretaries because of their strong educational background. As competition for positions grow, however, a stronger background in terms of certification (national or state) will more than likely become necessary.

President's Message Continued

[President's Message](#)
[Page 1](#)

[Member Spotlight](#)
[Page 2](#)

[What's New?](#)
[Page 3](#)

[Member Article](#)
[Page 4](#)

[Local Interest](#)
[Page 5](#)

[Financial Report](#)
[Page 6](#)

[Thank You/CPE](#)
[Page 9](#)

[Committee Roster](#)
[Page 10](#)

Simple Strategies for Organizing Your Workspace

Vicki Voisin, The Paralegal Mentor

**Kick Clutter!
Kick Bad Habits!
Kick Up the Decision Making Process!**

Purchase your copy at: <http://paralegalmentor.com/simple-strategies-for-organizing-your-workspace/>





Local Paralegal Writes First Novel (Continued)

Local Interest Continued

Continued from Page 5

3. **John Colucci is a compelling character -- a man that intrigues you, excites you and keeps you guessing. What type of research went into creating his world?**

I read a lot of texts about schizophrenia by some of the foremost authorities on the subject, but as to the meat of John's character, I must confess that I was possessed by an entity that held me captive until I had finished transcribing his story.

4. **Tell me about your other projects, and how they differ from *Cold Comfort*.**

My other projects are as different from *Cold Comfort* as they are from each other. I don't write in any one genre. *Long Hard Winter* is a historical novel set in the antebellum South. It is about William McPherson, the youngest son in a family of nine children, and his struggles to keep his apple orchard out of the hands of those who take it from him. It's also a story about the injustice of anti-miscegenation laws.

My other works in progress are *Aryan: The Final Realm*, a dystopian/futuristic novel about human genetic engineering taken to the extreme, and a story with the working title *Coma*, about a young musician who is severely injured in an automobile accident, which leaves him in a coma. He can see, hear, and understand everything around him but is unable to move and can't communicate except through a special telepathic bond with his young niece.

5. **What is your favorite type of story to read? How about to write?**

While I don't write in any one genre, I tend to read mainly crime novels and mysteries.

My favorites are gritty, urban, and contemporary. I like strong male and female characters—Mikael Blomkvist and Lisbeth Salander from Stieg Larsson's *The Girl with the Dragon Tattoo*, V.I. Warshawski in Sara Paretsky's novels, and Kinsey Milhone in Sue Grafton's novels, but my absolute favorite characters are in the Stephanie Plum series of books by Janet Evanovich. I met Janet Evanovich early on in her writing career while she was still writing romance novels. I greatly admire her writing.

My favorite story to write is one which evokes deep emotions in the reader. A central theme to the majority of my fiction is the feeling of being different and the struggle to be accepted and to be free of the people and things which oppress the spirit—in essence, what I call the human condition.

6. **If it all ended tomorrow, what would you want your literary legacy to be?**

Hmmm...the phrase "literary legacy" conjures images of Shakespeare and Charles Dickens. I don't harbor any illusions that my work will be remembered hundreds of years from now, but I hope to provide at least a small measure of entertainment for my readers. I've been fortunate to read some great fiction. My parents never attempted to censor what I read, and I read EVERYTHING! I'm "paying it forward" through my writing. Perhaps my writing will, in turn, inspire other writers, who in turn inspire even more writers. Therein exists the true legacy.

7. **Will you write the rest of my book for me? Seriously...I'll pay you.**

LOL--do I have to share the royalties?

[President's Message](#)

[Page 1](#)

[Member Spotlight](#)

[Page 2](#)

[What's New?](#)

[Page 3](#)

[Member Article](#)

[Page 4](#)

[Local Interest](#)

[Page 5](#)

[Financial Report](#)

[Page 6](#)

[Thank You/CPE](#)

[Page 9](#)

[Committee Roster](#)

[Page 10](#)



Thank You / Upcoming CPE

Thank you
to
Blair E. Cody
of
Cody Law Firm
for presenting
our June 9, 2015 CPE
“Misdemeanor Sentencing.”

UPCOMING SEMINAR



August 11, 2015

***Land Surveyor’s Working
Relationship with Attorneys***

Led by **Darrin Reid**, Professional Land Surveyor

Member Spotlight

Continued from Page 2

Q: What other jobs have you had in your lifetime?

A: I have been a Mary Kay representative, had a small traveling vintage shop, makeup artist for pin-up pageants and I spent 2 years teaching ballroom dance.

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

A: There are too many to list! Dita Von Tease said – you can be the ripest, juiciest peach in the world and there’s still gonna be someone who hates peaches.

“I find in myself a desire which no experience on this world can satisfy, the most probable explanation is I was made for another world” – CS Lewis

The Bible states “do not fear” 365 times. One for each day.

People will either drain you or inspire you, choose them wisely.

Q: Favorite vacation spot?

A: Anywhere near the water; the Nantahala or South Toe River in the mountains, the lake or the big blue ocean!

Thank You/ CPE

President’s Message
Page 1

Member Spotlight
Page 2

What’s New?
Page 3

Member Article
Page 4

Local Interest
Page 5

Financial Report
Page 6

Thank You/CPE
Page 9

Committee Roster
Page 10



CVPA Roster of Committee Members

Committees

CPE

Jerri Lee Craig (Chair)
Hawkins & Mace, PLLC
jerrilee@hotmail.com

Leah Poovey
Young, Morphis, Bach & Taylor, L.L.P.

Erin Banks
Catawba County Clerk of Court

Heather Misenheimer
John F. Cutchin, P.A.

Community Outreach

Erin Banks (Chair)
Catawba County Clerk of Court
erin.l.banks@nccourts.org

Cyndy Adams
Law Offices of Blair E. Cody, III, PLLC

Fundraising

Pamela Dorsey (Chair)
Baker Furniture
Pamela.dorsey@kohler.com

Membership

Laurie Hayden (Chair)
Patrick, Harper & Dixon L.L.P.
lhayden@phd-law.com

Pamela Dorsey
Baker Furniture

Newsletter

Beverly Cook (Chair)
Patrick, Harper & Dixon L.L.P.
bcook@phd-law.com

Kelley Walker
Self-employed
kwalker_cvpa@yahoo.com

Laurie Hayden
Patrick, Harper & Dixon L.L.P.

Social:

Heather Misenheimer (Chair)
hbmisenheimer@gmail.com
John F. Cutchin, P.A.

Erin Banks
Catawba County Clerk of Court

Website:

Lori Edwards
Patrick, Harper & Dixon L.L.P.
(Facebook updates)

President's Message

Page 1

Member Spotlight

Page 2

What's New?

Page 3

Member Article

Page 4

Local Interest

Page 5

Financial Report

Page 6

Thank You/CPE

Page 9

Committee Roster

Page 10

Get Involved!

If you would like to participate on a committee, please notify Laurie Hayden or any committee chair listed above.

Also, if you are interested submitting an article to be included in ParaSight, please forward your contribution to Kelley Walker, Beverly Cook or Laurie Hayden.