

PARA SIGHT

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Catawba Valley
Paralegal Association

Post Office Box 3068
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PARALEGAL POINT OF VIEW

Ah, the paralegal profession! We are celebrating you in this issue. We hope you will find the articles and information here insightful, delightful and inspiring. We will always be happy to hear from you. You may submit articles, ideas for articles and any thing you find to be amusing or informative. Your Parasight publishing team—Cyndy Adams, Suzanna Cowan , Peggy Hallman and Kelley Walker.



A BIG
CVPA

THANK YOU TO

LaRue & Rogers Investigations, LLC; BlueLine Advantage; The Law Firm of Hawkins and Mace and The Law Firm of John Cutchin for their support of our organization. We need sponsors! To find out how you can help, contact Cyndy Adams at 828-323-1234 or Jerri Lee Craig at 828-324-9194.

Paralegal Point of View

One of the most challenging parts of being a paralegal is dealing with time constraints and deadlines, which constantly loom on the horizon. Juggling due dates and reminders take up a large part of my day, and struggling not to miss something is a critical aspect of my job. I have daily tasks which pop up in my e-mail, reminders that occur at specific times in advance of a deadline, a timesheet, my desk calendar, file ticklers, iPhone and iPad reminders. My reliance upon technology is key to meeting deadlines, so I close my eyes and take a deep breath when I hear: “The network’s down!” A printed calendar is distributed for the next day, so that we may ensure that files are ready for Court. I even have a morning alarm set to remind me it’s time to walk out the door so that I arrive to work on time.

I calendar when a responsive pleading is due at 3 incremental stages, as well as the actual due date. I note when to follow-up with a client, to check on status of a particular situation, i.e., how are things progressing with a new visitation schedule and when a summons or subpoena was served. Appointments involve a large part of each day, as well as phone calls and meetings, and then there are those who just “drop by” the office without benefit of an appointed time to meet. Client interaction, communication with other counsel and legal staff, the Court, Clerk’s office, law enforcement, mediation, financial institutions and medical providers – all takes time – which is often in limited supply – and frequently involves a deadline.

These time-sensitive issues work to create stress and consume my life 5 or 6 days out of 7. I have often said that in a law office, we don’t make “widgets” in the back room – it’s our time and expertise that we sell – those are our only commodity. Learning to juggle, balance, estimate, draft, re-arrange, extend, check and re-check – all consume MY time! William Penn said: “Time is what we want most, but what we use worst.” But Henry David Thoreau has the best pearl of wisdom: “Time is the stream I go a-fishing in.” I surely would rather be a-fishing today, if I could only find the time!



Cyndy Adams, NCCP

I posed questions to our members regarding the paralegal profession
Set out below are the responses I received.

Kelley Walker, NCCP

Leah Poovey wrote:

The thing I like to do best is to forward a sent email to the client who says they never got it.

Besides that, I really enjoy working on a new personal injury case defense. When we get the medical discovery in, it's like putting a puzzle together. There are usually pieces missing so that I can write really, really long letters to the Plaintiff's attorney requesting complete information.

However, one of the things I like least is working on a Plaintiff's personal injury case and be on the receiving end of one of those really, really long letters from the defense attorney.

Some of the strangest things I've been asked to do: fetch the boss's wife's lunch, serve subpoenas, make home visits to hostile witnesses, go to community meetings incognito and report back what I heard, deliver files to the attorney's car down 3 floors, and trim an attorney's bangs.

I must say the most rewarding things I have done was once going to the hospital to witness a will for a client that knew her life was ending and notarizing about a million wills and powers of attorney for Wills for Heroes.

Craziest things I've heard from clients: "you charge me when I call you?" "I didn't know it was wrong to spend my father's money after he passed." "I can't remember which attorney I talked with." "Are you a power-legal?"

Another Paralegal wrote:

In my opinion, a paralegal has one of the most fascinating, rewarding, and challenging careers. I love helping people and the sense of accomplishment that comes from a job well-done. The most difficult thing for me is when I must suppress my sympathy for an

alleged victim enough to help build a good defense for someone who may be guilty, and "turning off" some of the information and images from discovery. It is all very interesting to learn, though.

We all receive many wild and crazy questions and requests. I once had a man call to ask if we could help him because he was involuntarily committed to a mental institution. He scared me so badly with the way he talked that I wasn't sure we wanted to help. Another time, a man called me to say his wife was denying him visitation with his son. He told me she was just mad because he gave his son a haircut and it said nowhere in their custody order that he could not give his son a mohawk. The list could go on and on, but these are the phone calls that help to make it all worthwhile, along with the "thank you" phone calls, of course!

Kelley Walker wrote: For me, I have seen so many strange and wonderful things in my career. There was the time that a woman called the office to have charges filed against her mother because she wouldn't let her have her medication. "She is mad at me, the woman said in a hushed voice, because I am going out on a date with Rick Springfield (yes, that Rick Springfield. This was in the late 80's). About that time, I heard a knock on the woman's door and a voice saying, "What are you doing?" The woman said, "I've got to go. Bye!" I still chuckle over that call.



MEET OUR FIRST SCHOLARSHIP RECIPIENT
DEBRA ELLEN BROWN



CVPA Lynn Price Scholarship

Debra Brown
P.O. Box 717
Hildebran, N.C. 28637
828-874-3243

March 11, 2014

Catawba Valley Paralegal Association, Inc.
P.O. Box 3068
Hickory, N.C. 28603

RE: Lynn Price Scholarship Award

Dear Sir/ Madam:

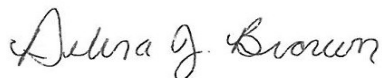
I want to take this opportunity to send my sincere and gracious thanks for the honor of receiving the Lynn Price scholarship.

After this semester, I have a 4 credit hour class to take to complete my paralegal associate degree. I thought I would be graduating in spring but then discovered I would have to take a class over the summer. I received partial financial aid for fall and spring, but nothing for the summer. My husband will be getting laid off in April, so this scholarship is covering my summer school tuition and most of the book cost. Both combined amount to a little over \$500.00.

I was very impressed with the memorial for Lynn on the CVPA website when I was applying for the scholarship. I found that I share a lot of Lynn's loves and passions, so I promise to make her proud. I have been on the Presidential List every semester, so I do work and study diligently. This is validation that we do have angels and the Lord does take care of our needs.

Again, thank you for the honor and award. It is truly appreciated. I will not let the memory of Lynn down.

Sincerely,



Debra J. Brown
WPCC/ Student

Another scholarship will soon be awarded to a deserving WPCC Paralegal student. To make a donation to the CVPA Lynn Price Memorial Scholarship at WPCC, forward your check payable to: CVPA with a notation in the memo section. Our mailing address is: PO Box 3068, Hickory, NC 28603.

Below is an article reprinted with permission from Lorie Laws, Fidelity National Title. The changes are coming and we all need to be aware of them. Kelley Walker

ALTA Best Practices and the North Carolina Closing Attorney

In 2010, the Dodd-Frank Act created the Consumer Financial Protection Bureau (CFPB). CFPB was given authority to supervise certain financial institutions and protect consumers through the regulation of these financial institutions. In April 2012, CFPB published a guidance bulletin which established expectations for the CFPB supervised banks and non-banks to manage the risks of service provider relationships. Also in 2012, CFPB investigated practices of several credit card issuers and imposed huge fines against these companies due to actions taken by their third party providers. While these actions involved credit card products, the implications for other third party providers, including settlement providers, was immediately recognized. North Carolina closing attorneys are considered third party service providers under the CFPB guidelines.

In response to the growing regulations of regulated financial institutions, ALTA opened a dialogue with CFPB as well as other industry professionals (agents, underwriters, lenders, etc.) and went to work developing a framework of standards/best practices. ALTA published the initial Title Insurance and Settlement Company Best Practices (“Best Practices”) in January 2013. The Best Practices were designed to provide the regulated lenders with the information they need to continue doing business with settlement providers while adhering to CFPB’s requirements to manage the risk of third party providers. On July 19, 2013, ALTA published the current version, *ALTA Best Practices Framework: Title Insurance and Settlement Company Best Practices Version 2.0*. There are seven Best Practice Pillars. Below, please find the seven pillars set out in the form of a simplified acronym:

1. **L**icensure
2. **A**ccount Controls
3. **W**ays to secure data
4. **Y**our office policies and procedures
5. **E**nsure timely title policies and post-closing matters
6. **R**etain insurance and coverage
7. **S**atisfy the customer

The full version of the ALTA Best Practices V 2.0 and a list of procedures to meet the Best Practices can be found on ALTA’s website (see link below). ALTA has also published additional resources that will assist your office with becoming compliant with the Best Practices, including but not limited to:

Continued on next page

Assessment Procedures

- This is a tool that can be used to help attorneys determine their compliance with Best Practices.
- A 3rd party, acceptable to the lender, should review the closing attorney's procedures for doing business
- Your office should undergo an assessment every 2 years

Certification Package

- The certification package can be used by closing attorneys to demonstrate they have implemented Best Practices and includes the following:
 - Open Letter to your customers which certifies you have been assessed as part of Best Practices. This letter should be on your letterhead and "company" should be replaced by your firm's name;
 - Certificate – This certificate would be issued by the assessing company stating that they performed the assessment procedures for your firm;
 - Copy of Declaration Page of your E&O or professional liability insurance and any other insurance that meets the Best Practices.

Best Practices Checklists

- The checklists are a tool to help organize your office's efforts to meet the Best Practices.

Assessment Workbook

- The workbook is similar to a test to assist your office with preparing for the ALTA Assessment Procedures.

Policy and Procedure Creation Guidance

- There are several tools included on ALTA's website to assist you with creating policies and procedures:
 - Best Practices Policy and Procedure Creation Guide
 - Template for Best Practices Policy and Procedure
 - Sample Outline/Table of Contents for Best Practices Policy and Procedure

Continued on next page

Some of the resources mentioned above are only available to ALTA members. However, ALTA's website includes a wealth of information, tools and webinars available to non-members. ALTA updates its website weekly by publishing new information and tools to assist your office in becoming ALTA Best Practices compliant.

In addition to the resources available on ALTA's website, the NCBA Real Property Section, Real Estate Lawyers of North Carolina (RELANC) and the North Carolina Land Title Association (NCLTA) recently formed the **NC Closing Attorney Best Practices Task Force** to address issues on behalf of the North Carolina attorneys handling residential real estate closings. The Task Force goals include development of suggested written procedures, contacting and meeting with lenders, educating attorneys and others in the industry. Please be sure to visit their website (see below) regularly for updated information and guidelines suitable for the North Carolina closing attorney.

Useful Links

American Land Title Association (ALTA) Best Practices:

<http://www.alta.org/bestpractices/>

NC Closing Attorney Best Practices Task Force

<http://www.ncclosingattorneybestpractices.org/>

Consumer Financial Protection Bureau

<http://www.consumerfinance.gov/>

Federal Trade Commission

<http://www.ftc.gov/>



LAW UPDATES

Submitted by Sara Deal

“The Institutional Wave has passed”

In the last couple of years, large and small Investors have helped strengthen housing recovery and raise prices by almost 25%! However, institutional investors, who bought as many as 200,000 homes since prices began to rise, are beginning to retract.

“The institutional wave has passed,” Jonathan Gray, global head of real estate at Blackstone Group LP, told Bloomberg. Thankfully, they’re not pulling away completely. They appear to be minimizing their own purchases of single-family homes; however, institutional investors are amplifying their lending to smaller investors that want to buy.

<http://www.inman.com/wire/the-institutional-wave-has-passed/>

“Flood Insurance Premium Relief”

Recently, the U.S. Senate passed a flood insurance relief bill that would minimize rate increases paid by some property owners. Now that it has passed the Senate, it will go to President Obama’s Desk for signature. Real estate groups are very happy about this bill. They said these hikes in premiums had suppressed home sales in areas that were in flood zones.

The bill will cap rate increases to 18% annually for primary residences.

It also revokes the Federal Emergency Management Agency’s right to raise rates when a home is sold or a new flood map is created. If you recently purchased a home and were overcharged, you should receive a refund.

<http://www.inman.com/wire/flood-insurance-relief-bill-heads-to-the-presidents-desk/>

“Mortgage rates are rising”

For the week of March 10, 2014, mortgage rates on a 30 year fixed rate averaged 4.37%.

This is a rise from 4.28% last week. Also a rise from 3.63% last year.

Mortgage rates on 15 year fixed rate and a 5 year ARM loans also increased, while rates on 1 year ARM decreased.

<http://www.inman.com/wire/mortgage-rates-edge-up-4/>

“Unmanageable Cloud Computing”

What Is Cloud Computing? Basically, it is a new way of working. It is accessing data and programs over the Internet (in the “cloud”). How many of you go to work and logon to your programs via the web? I work at RoundPoint Mortgage in the REO Title Curative Dept. Every program that I use to do my job is web based. With the exception of the copier, I could realistically work from home and my production would be as equivalent or greater than my production in the office.

But is it secure? Is it Safe? Do we really know the location of the data? What privacy measures are in place that will protect the data? Do we have a backup and a contingency plan? Hopefully, all these questions have been addressed by your IT Dept.

The legal side of the cloud includes knowing the relevant laws to ensure that your company is protected. This topic is constantly changing and will be new to most Attorneys. Perform due diligence on all your cloud vendors and negotiate rules and regulations on the management of your data.

Something to think about.

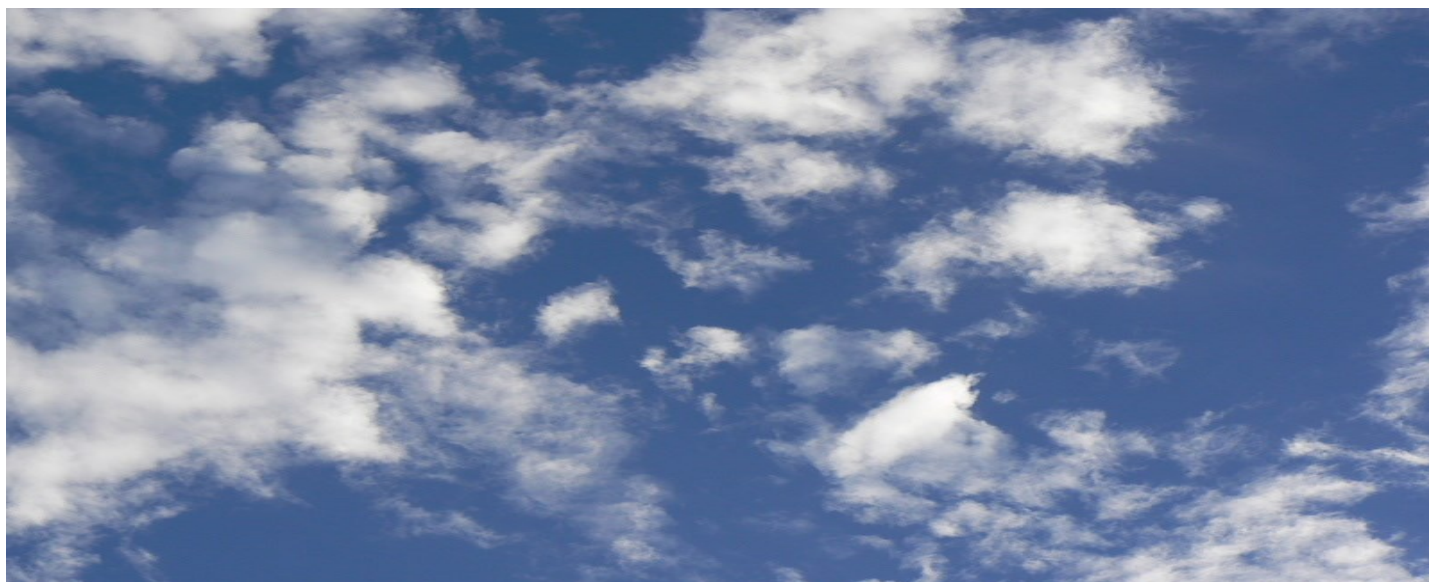
Sara Deal

REO Title Curative Paralegal

Sources:

<http://www.pcmag.com/article2/0,2817,2372163,00.asp>

<http://www.law.com/native-ad?mvi=13f5a72bce1c4307b663dab4003aa5e2#!/>





Julie Ingle Smith
March 12, 1972 to
April 6, 2014

UPDATE on the Julie Ingle Smith BBQ Benefit held on April 11, 2014. The goal of \$10,000.00 was exceeded by almost \$5,000.00. The event was a community outreach project of the CVPA. Members and friends of CVPA baked and donated desserts, volunteered their time and helped with planning, publicity and labor on the day of the fundraiser.

UPCOMING:

ETHICS CPE with Neal Beavens, Esq. instructor at WPCC on June 10th, CVCC auditorium.



JULY SOCIAL: Details to be announced

QUARTERLY CVPA Board Meeting June 24th at 5:45 pm at the Law Firm of Hawkins and Mace, PLLC, 21 3rd Street, SW, Hickory, NC 28602



TREASURER'S REPORT

Submitted by Leah Poovey

CVPA Treasurer's Report March 2014

Date	Beginning Balance	Deposit	Reason	Checks Paid	Ending Balance
3/3/2014	\$1,695.31				
3/5/2014			NC State Bar: CLE credit - Jason white	\$18.00	
Totals		\$0.00		\$18.00	
					\$1,677.31
Total in RLP Mem Fund	\$25.00				

CVPA Treasurer's Report: April 2014

Date	Beginning Balance	Deposit	Reason	Checks Paid	Ending Balance
4/1/2014	\$1,677.31				
4/1/2014		\$300.00	Sponsorship: Hawkins & Mace; Cutchin		
4/1/2014			CPE Certification Application April 2014	\$75.00	
4/18/2014			Cindy Smith donation for Smith BBQ	\$10.00	
4/16/2014			Honorarium Brenda Brewer	\$25.00	
4/24/2014			CLE Application Brewer	\$18.00	
4/25/2014			Stamps	\$9.80	
Totals		\$300.00		\$137.80	
					\$1,839.51
Total in RLP Mem Fund	\$25.00				