



# PARASIGHT

OCTOBER 2015

## Board of Directors

Laurie Hayden  
President  
Leah Poovey  
Vice-President and  
Assistant Treasurer  
Debbie Dellinger  
Secretary  
Pamela Dorsey  
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Beverly Cook  
Treasurer  
Ellen Abernathy  
Amanda Bentley  
Kathi Gemza  
Corene Justice  
Chera Pardue

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## President's Message CVPA Is Changing . . .

The Board of Directors and committee members have worked diligently this past year to make the Catawba Valley Paralegal Association a successful professional association. We have had interesting CPEs and fun socials. I have been very fortunate to have worked with such a wonderful group of women who share the same passion for the CVPA and do their best to ensure that the CVPA is successful. We strive to make our members feel that being involved in the CVPA is worthwhile and a positive influence on their lives.

Our accomplishments for the 2014 – 2015 year were many. The Articles of Incorporation were revised to remove the "Inc." from the Association's name and to correct the federal tax code section under which business leagues fall. An Assumed Name Certificate was recorded with the Register of Deeds for "CVPA" since we have used that acronym for many years. We adopted a logo to use on our letterhead, envelopes, flyers, and brochure. Our website has been updated so all current information can be easily accessed. Our newsletter got a facelift and includes more professional content which better serves our members. We created a brochure to send to potential members and a mass

mailing was sent out to 196 certified paralegals.

The most important achievement was the drafting (and eventual adoption) of the Amended and Restated Bylaws which were amended to include provisions in the North Carolina Nonprofit Corporation Act as well as reflect how the CVPA actually functions and includes changes that will benefit the CVPA now and in the future. The following are the major changes to the Bylaws:

1. Membership is no longer open to attorneys since they cannot get credit for attending CPEs;
2. Directors will now hold office for two years;
3. The number of directors has been changed to not less than 5 nor more than 12;
4. The President may be re-elected for up to four subsequent one-year terms;
5. The offices of Assistant Secretary and Assistant Treasurer are open to any professional class member in good standing, which gives non-directors a chance to be on the executive board;
6. Any member in the professional membership

class may be a committee chairperson which gives members an opportunity to be in a leadership position; and

7. The committee previously known as Website/Publicity is now two separate committees.

We have also increased our membership. Halfway through the year, we gained four new members and starting in October 2015, we have seven new members. Increasing our membership will continue to be our main goal. Having a larger pool of members will give us the opportunity to bring in different types of speakers and will allow the committees and Board to maintain fresh ideas and decrease burn-out of its members.

As an added bonus, we now have the largest Board of Directors since the formation of the CVPA. Our Board has grown to 10 members, with the potential of adding two directors in the next month.

Keeping the CVPA successful takes commitment by all its members. We have accomplished quite a bit this past year, but there is still more we need to do to make the Catawba Valley Paralegal Association a first-rate professional association.



## MEMBER SPOTLIGHT - PAMELA HEMPHILL

### Member Spotlight

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**Pam Hemphill** is a paralegal/PAI Coordinator with Legal Aid of North Carolina and works in the areas of unemployment law and expungement.

**Q. What prompted you to choose a paralegal career?**

A. I did not choose my paralegal career; it chose me. I began working at Legal Aid of North Carolina formerly, Catawba Valley Legal Services, in 1979 as a Legal Secretary. When my predecessor retired I was promoted to Private Attorney Involvement (PAI) Coordinator recruiting private attorneys to participate in the Volunteer Lawyer Project (VLP) with our office.

**Q. Do you have a college degree or paralegal certification?**

A. I received my certification in 2005 when the State Bar instituted the voluntary certification program for paralegals. The qualifications were education, training and demonstrated knowledge, skill and proficiency to perform substantive legal work under the supervision of a licensed lawyer.

**Q. What do you like most about your job?**

A. My job is different from the private law firm paralegals.

Under the supervision of a private attorney, I have my own caseload, representing low-income clients in unemployment hearings. I can also interview and prepare petitions for clients who need criminal records expunged in order to obtain housing or employment.



**Q. What do you like least about your job?**

A. Because we are a non-profit organization that depends on federal funding, we are not able to assist as many people as we would like.

**Q. How has your membership in the CVPA benefited you?**

A. Attending CPEs gives me insight into areas of law that Legal Aid attorneys are not allowed to be involved in. During the CPEs I am able to meet and talk to paralegals, lawyers and judges. This helps with

recruitment of attorneys for the PAI part of my job.

**Q. What has been the highlight of your career?**

A. As a Legal Aid of North Carolina paralegal/PAI Coordinator, I have had the opportunity to travel to multiple states for training at the Equal Justice Conference sponsored by the American Bar Association (ABA) and National Legal Aid & Defender Association (NLADA). At these trainings, I am able to meet colleagues from all over the country and discuss strategies on how to better assist low-income clients.

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

A. Do your research to decide if this is the career for you. If so, then go for it and learn all you can learn, the "sky is the limit." There are so many areas of law where you will be able to assist an attorney. But remember it is hard work and you have to be in it for the long haul.

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## IRS TAX RETURN DATES/NEW BILLS/LAW CHANGES

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

A new IRS law has been implemented which restructures entity tax return dates, effective for returns for entities with tax years beginning after December 31, 2015 as follows:

- S corporations must file their returns by the 15<sup>th</sup> day of the 3<sup>rd</sup> month after the end of the tax year, so companies with a calendar year will have to file their returns by March 15 of the following year. (Code Sec. 6072(b), as amended by Act Sec. 2006(a))
- C corporations must file their returns by the 15<sup>th</sup> day of the 4<sup>th</sup> month after the end of the tax year, so companies with a calendar year will have to file by April 15 of the following year.

Partnership returns will be due on the 15<sup>th</sup> day of the 4<sup>th</sup> month after the end of the partnership's tax year so those partnerships with a calendar year must file their returns by April 15 of the following year.

Note: Since the partnership return date is the same as for individuals, those taxpayers holding partnership interests often must file for an extension to file their returns because their Schedule K-1s don't arrive until the last minute. The new deadlines generally go into effect for returns for taxable years that begin after December 31, 2015. Under a special rule, for C corporations with fiscal years ending on June 30, the change

won't apply until tax years beginning after December 31, 2025. (Act Sec. 2006(a)(3)).

**Senate Bill 332** called, "AN ACT TO ENABLE REGISTERS OF DEEDS TO COLLECT ADDITIONAL FEES FOR INDEXING INSTRUMENTS THAT CONTAIN EXHIBITS WITH MULTIPLE ENTERABLE PARTIES."

Section 161-10, Uniform fees of registers of deeds, has been amended to add the following provision:

"For an instrument that contains excessive recording data, the fee shall be an additional two dollars (\$2.00) for each party listed in the instrument in excess of 20. An instrument contains excessive recording data when there are more than 20 distinct parties listed in the instrument, including attachments and exhibits that require indexing..."

**This Act becomes effective October 1, 2015.**

**House Bill 293** called "AN ACT TO MAKE VARIOUS CHANGES UNDER THE LAWS PERTAINING TO ADOPTION." **SECTION 1.** Article 1 of Chapter 48 of the General Statutes is amended by adding a new section to read:

**"§ 48-1-108A. Adoptees subject to the Hague Adoption Convention.**

If the adoption of the adoptee is subject to the Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption (Hague Adoption Convention), the provisions of The Hague Adoption Convention shall control the individ-

ual's adoption. Documentation establishing whether the Hague Adoption Convention applies to an adoptee may be filed and copies thereof may be certified by the court before or after the decree of adoption has been granted."

**SECTION 2.** G.S. 48-1-109(c) reads as rewritten:

"(c) An order for a report to the court must be sent to a county department of social services in this State, an agency licensed by the Department, or a person or entity authorized to prepare home assessments for the purpose of adoption proceedings under the laws of the petitioner's state of residence. If the petitioner moves to a different state before the agency completes the report, the agency shall request a report pursuant to the Interstate Compact on the Placement of Children under Article 38 of Chapter 7B of the General Statutes from a person or entity authorized to prepare home assessments for the purpose of adoption proceedings under the laws of the petitioner's new state residence."

**SECTION 3.** G.S. 48-2-100(c) reads as rewritten:

"(c) The courts of this State shall not exercise jurisdiction under this Chapter if at the time the petition for adoption is filed, a court of any other state is exercising jurisdiction substantially in conformity with the Uniform Child-Custody Jurisdiction and Enforcement Act, Article 2 of Chapter 50A of the General Statutes. However, this subsection shall not apply if within 60 days after the date the petition for adoption is filed, prior to the decree of adoption being granted

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## THE CATAWBA COUNTY COURTHOUSE

### Local Interest

**By: David W. Hood**  
**Attorney**

This courthouse is, frankly, not particularly historic, but is highly functional in my opinion. On the other hand, we have outgrown the space, so this photo is one of the last ones that will be taken of the Catawba County Justice Center before construction on the main phase of courthouse expansion begins at the first of the year. In addition to space for the Clerk of Court, probation people, and other county functions, we are going to have two new courtrooms (right now we have 4 true courtrooms and another that is more appropriate for smaller hearings) and also shell space available for future expansion as needed. The County has usually done a good job of planning for future space needs when new construction is done, and this project is no exception. They make good decisions despite the fact that the legal advice they get from their appointed Counsel to the Commissioners is very suspect.

As you might have suspected, Catawba County is named for the Catawba Indians who peopled the area before the coming of white settlement. In general, the Catawbas tended to ally with the settlers against the old foe of the Catawbas, the nearby Cherokees. During the Revolution, for example, the Catawbas helped the Patriot cause against the British whereas the Cherokees tended to either remain neutral or to aid the Brits. Now the Catawbas themselves are mainly to be found just below Charlotte in Rock Hill, South Carolina where they have a reservation. They also hope soon to have a casino either in South or North Carolina. Just as was true before white settlement even began in the state, guess who their primary political adversary is regarding their casino plans – yep, the Cherokees!



**Catawba County Justice Building built in 1980 designed by the architect firm, Arch-Clemmer-Bush-Sills-Abernethy Inc., and built by Laxton Construction Company Inc.**

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## CATAWBA COUNTY COURTHOUSES

The postcards to the left are of the second Catawba County Courthouse built in 1858. It stood in the center of the square in Newton, NC until 1920 when it was torn down to build a new courthouse which was completed in 1924.



The postcards to the right are of the Catawba County Courthouse built in 1924 which now houses the Catawba County Museum of History. Situated in downtown Newton, the Renaissance Revival structure was designed by Willard G. Rogers of Charlotte, North Carolina and built by J. J. Stout for \$250,000.00.

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## JULY AUGUST SEPTEMBER - 2015

### Financial Information

CVPA Treasurer's Report: July 2015

Date	Beginning Balance	Deposit	Reason	Checks Paid	Ending Balance
	\$721.62				
7/23/2015			NC State Bar - CPE - Survey	\$75.00	
<b>Totals</b>		\$0.00		\$75.00	
					\$646.62

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CVPA Treasurer's Report: August 2015

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Date	Beginning Balance	Deposit	Reason	Checks Paid	Ending Balance
	\$646.62				
8/14/2015		\$255.00	Deposit		
8/14/2015			Darrin L. Reid - Honorarium	\$25.00	
8/21/2015			NC State Bar - Jennifer Eckard CPE application	\$75.00	
8/21/2015		\$30.00	Deposit		
<b>Totals</b>		\$285.00		\$100.00	
					\$831.62

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CVPA Treasurer's Report: September 2015

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Date	Beginning Balance	Deposit	Reason	Checks Paid	Ending Balance
	\$831.62				
<b>Totals</b>		\$0.00		\$0.00	
					\$831.62

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**Thank you**

**Darrin Reid**  
for presenting the CPE  
on surveys

**Thank you**



for sponsoring the survey CPE



## NEW BILLS/LAW CHANGES (CONTINUED)

### Continued from 3

the court of the other state dismisses its proceeding or releases its exclusive, continuing jurisdiction."

**SECTION 4.** G.S. 48-2-206 reads as rewritten:

**"§ 48-2-206. Prebirth determination of right to consent.**

(a) At any time after six approximately three months from the date of conception as reasonably determined by a physician, the biological mother, agency, or adoptive parents chosen by the biological mother may file a special proceeding with the clerk requesting the court to determine whether consent of the biological father is required. The biological father shall be served with notice of the intent of the biological mother to place the child for adoption, allowing the biological father 15 30 days after service to assert a claim that his consent is required.

(b) The notice required under subsection (a) of this section shall contain the special proceeding case caption and file number and shall be substantially similar to the following language:

"[Name of the biological mother], the biological mother, is expected to give birth to a child on or about [birth due date]. You have been identified as the biological father. It is the intention of the biological mother to place the child for adoption. It is her belief that your consent to the adoption is not required. If you believe your consent to the adoption of this child is required pursuant to G.S. 48-3-

601, you must notify the court in writing no later than 15 30 days from the date you received this notice that you believe your consent is required. A copy of your notice to the court must also be sent to the person or agency that sent you this notice. If you fail to notify the court within 15 30 days that you believe your consent is required, the court will rule that your consent is not required."

(d) If the biological father notifies the court within 15 30 days of his receipt of the notice required by subsection (a) of this section that he believes his consent to the adoption is required, on motion of the petitioner, the court shall hold a hearing to determine whether the consent of the biological father is required. Promptly on receipt of the petitioner's motion, the court shall set a date for the hearing no earlier than 60 days nor later than 70 days after the biological father received the notice required by subsection (a) of this section and shall notify the petitioner and the biological father of the date, time, and place of the hearing. The notice of hearing to the biological father shall include a statement substantially similar to the following:

**SECTION 5.** G.S. 48-2-401(f) reads as rewritten:

"(f) A notice required under this section must state that the person served must file a response to the petition within 30 days after service or, if service is by publication, 40 days after first publication of the notice, in order to participate in and to receive further notice of the proceeding, includ-

ing notice of the time and place of any hearing."

**SECTION 6.** G.S. 48-3-202(b) reads as rewritten:

"(b) Information about a prospective adoptive parent shall be provided to a prospective placing parent or guardian by the prospective adoptive parent, the prospective adoptive parent's attorney, or a person or entity assisting the parent or guardian. Except as otherwise provided in this subsection, this information shall include the preplacement assessment prepared pursuant to Part 3 of this Article, and may include additional information requested by the parent or guardian. The agency preparing the preplacement assessment may redact from the preplacement assessment provided to a placing parent or guardian detailed information reflecting the prospective adoptive parent's financial account balances and detailed information about the prospective adoptive parent's extended family members, including surnames, names of employers, names of schools attended, social security numbers, telephone numbers and addresses, and other similarly detailed information about extended family members obtained under G.S. 48-3-303 the information described in G.S. 48-3-303(c)(12)."

**SECTION 12.** Sections 4 and 5 of this act are effective when they become law and apply to proceedings filed after that date. The remainder of this act is effective when it becomes law.

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## ANNUAL MEETING NOTES

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### Notes from Annual Meeting of Members Held on October 13, 2015

**Financial Report:** The PO Box rental and liability insurance went up and membership was down from the previous year. Payments toward the scholarship are taking most of our funds so financially things have been very tight. In light of this, the Board has decided to do the following:

We recently gave Western Piedmont Community College \$260 for the scholarship fund, which were funds given to us as donations specifically for the scholarship. Since the scholarship fund has a balance of \$770 due to prior CVPA and private donations, and our donation of \$260 raises the balance to \$1,030, there will be enough money to fund the scholarship for the 2016 spring and fall semesters. Since we don't have the membership base and fundraisers typically don't bring in enough money to fund both our programs and the scholarship, we won't be able to continue funding the scholarship. If we end up at some point with extra funds, the Board may fund the scholarship to the extent possible, but the CVPA members are our number one priority so we need to make sure we have enough money to fund programs.

Membership dues will increase by \$10 beginning January 1, 2016. This is still a very good deal since the cost to each member will only be \$5 per CPE (based on 8 CPEs per year).

The Board has decided to discontinue the discount on dues if someone joins after April 1. No matter when someone joins the CVPA, the new member will pay the full regular dues.

**President's Report:** We have increased our membership for the 2015 – 2016 year by 7 people due to the mass mailing which reached 196 certified paralegals. I am hopeful that we will continue to get new members in the next couple of months, but we may need to send out a second mailing next year.

A huge thank you goes out to Jerri Lee Craig and the CPE committee for bringing us interesting CPEs.

If you know of an attorney who might be interested in conducting a CPE, let Jerri Lee know. Also, if you would like to see a specific topic discussed in a CPE, give your ideas to Jerri Lee.

The new Bylaws allow for any professional class member to be a committee chair. Any member, regardless of the membership class she falls under, may be on a committee. We particularly need members for the Fundraising Committee, Community Outreach Committee, Legal/Ethics Committee and Publicity Committee. Most committees don't require a large time commitment. For instance, we hold two fundraisers a year and conduct one service project so those committee members would only be busy for a few weeks a year. The Social Committee could use additional members for ideas and organizing events. With our group being small, we all need to pitch in to make the CVPA a success.

**December Fundraiser:** We are collecting donations from the membership to fill gift bags. Donate new unopened items that you have at home or purchase items and gift cards. Ideas for items are: gift cards, office supplies, beauty products, note cards, pet products, car care items. Gift cards can be in small amounts like \$5. **If we don't collect enough items to fill at least 20 gift bags by the November CPE, we will continue this fundraiser into 2016.**

We will be selling raffle tickets for a Walmart gift card as part of the winter fundraiser and raffle tickets will be available for pick up at the November CPE. Fundraisers are an easy way to raise money for our programs. **We will need everyone to participate in the fundraisers.**

**Community Outreach program:** The Community Service Project for the year will be the Pregnancy Care Center. We will be collecting baby items at our November CPE and probably at the December social. We will donate the items to the Pregnancy Care Center in December or early January. Please donate new or gently used baby items. The PCC takes items for infants through age 2 and maternity clothes.



## THANK YOU/UPCOMING CPE

**Thank you**

**Jennifer E. Eckard, Esq.**

for presenting  
our CPE on

All Aspects of Adoption

## UPCOMING SEMINAR



November 10, 2015

*Third Party Custody Rights*

Presented by **Wesley E. Starnes, Esq.**

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**Q. What tips do you have on how a paralegal keeps her career interesting?**

A. When you begin working as a paralegal or legal assistant be motivated and learn as much as you can. The more you know, the more opportunities you have in furthering your career.

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

A. No specific person or event, but the encouragement of my managing attorneys and the staff attorneys here at Legal Aid, past and present.

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

A. Angela Bassett

**Q. What hobbies or activities do you enjoy doing?**

A. Reading, dancing, traveling and volunteering for my church, American Cancer Society,, Susan G. Komen and Habitat for Humanity of Burke County.

**Q. What is your favorite vacation spot?**

A. I haven't been yet, but I would love to visit Jamaica.

**Thank  
You/  
Upcoming  
CPE**

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## CVPA ROSTER OF COMMITTEE MEMBERS

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### CPE

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

**Leah Poovey**  
The Law Offices of Jason E. Taylor, PC

**Heather Misenheimer**  
John F. Cutchin, P.A.

### Community Outreach

Chair needed

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

### Fundraising

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

**Amanda Bentley**  
Patrick, Harper & Dixon L.L.P.

### Membership

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

**Pamela Dorsey**  
Baker Furniture

### Newsletter

**Beverly Cook** (Chair)  
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**Kelley Walker**  
Scott Matthews Law Firm

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

### Publicity

**Leah Poovey** (Chair)  
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### Social:

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**Laurie Hayden** (Chair)  
Patrick, Harper & Dixon L.L.P.

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

