



# POINTS AND AUTHORITIES

Member California Alliance of Paralegal Associations  
July 2008 Issue  
[www.fresnoparalegal.org](http://www.fresnoparalegal.org)

## President's Message

by Holly Silver

While we are well into the year 2008, I want to begin by expressing how honored I am to be President of the Fresno Paralegal Association. I look forward to continuing the success of this association that has such a strong history and foundation of 27 years. I want to thank Donna Johnston, President 2006-2008 for her leadership and enthusiasm, and I very much appreciate her continued involvement.

We have a full Board of Directors and I am enjoying working with each and every one of them and am excited about what they are bringing to the Association as individuals. They are featured in our article "Meet Your Board" on page 2. They are Sharon Glisson – Vice President; Renea Pasquale – Secretary; Lisa Eakins – Treasurer; Tiffany Pack – Member at Large; Claudia Stempien – NALA Liaison; Pat Salazar – CAPA Primary; and Donna Parrish – CAPA Secondary Representative. Please know that this is YOUR association, and this Board is here to work toward accomplishing your goals. So please feel free to contact any one of us to discuss your interests and ideas.

Our goals for this year are to provide opportunities to learn valuable information for your paralegal career, make connections and new friends, and offer involvement in a professional association. The mission of FPA is to promote our profession through education, and we will be working on ways to achieve this.

We are off to a great start, with voting membership greater than ever at 72 strong. Thank you to everyone who renewed your membership, and we welcome all newcomers! We had an excellent turnout at our March general membership when Attorney Rene Lestreto enlightened us on the world of judgments and collections. And, I had the extreme pleasure of attending the Fresno City College Paralegal Program Graduation Banquet on May 17, 2008 at Club One. As your representative, I had the honor of presenting this year's scholarship on behalf of FPA to graduate Hilda Ramirez.

Once again, I thank you for the opportunity to represent you this year. I wish each and every one of you success and joy in your own professional and personal goals.

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## FPA Purpose

To promote, encourage and expand the paralegal profession.

To serve as a forum for the interchange of ideas among paralegals.

To sponsor professional activities and offer continuing education for paralegals.

To educate employers and consumers regarding the role of paralegals in the delivery of legal services.

# POINTS AND AUTHORITIES

## Meet the Board

Your 2008 Board of Directors are:

President – Holly Silver

I am a paralegal at McCormick Barstow and work for attorneys Mike Ball and Jerry Casheros, primarily in medical malpractice defense. I have worked as a paralegal for over twenty-five years. I have a Bachelor's degree in political science from California State University Fresno and completed the paralegal program at Fresno City College many years ago. I have been married to my husband Rod for 25 years, and we have five sons. Two are married, one with a 3-month old son and the other with a newborn daughter, one just graduated from the police academy, one will be in his third year of college, and the youngest is a senior in high school. All my guys bring a great sense of pride & joy to me!

Vice President – Sharon Glisson

I am a legal assistant in the Office of the Madera County Counsel. Before coming to the Central Valley, I was a paralegal at Best Best & Krieger in Sacramento. Originally from Tucson, Arizona, I attended the University of Arizona. (Go Wildcats!) My career in the legal field began in 1976 as a legal secretary. I was interested in becoming a paralegal shortly after that, and received an A.A.S. in Legal Assistant Studies from Pima College. I have two adult children: a daughter who lives in New York City and a son who lives in Coos Bay, Oregon. I look forward to a great year and appreciate the opportunity to serve as your Vice President.

Secretary – Renea Pasquale

I am currently a civil litigation paralegal at Jacobson, Hansen, Najarian & McQuillan. I work primarily for Steve McQuillan but have been known to assist some of the other attorneys in the firm as well. I graduated from Fresno City College with highest honors and earned an Associate of Arts degree in Paralegal studies as well as a Paralegal Certificate of Achievement. I am married to my best friend Larry and we have four children ranging in age from 12 to 17. We have a dog (baby) named Hulk and three cats, Hurricane, Hannah & Montana, who are anti-social. Anybody want a cat?? In my off time, my husband

and I race a stock car at Madera Speedway and I do silk screening. We like to ride dirt bikes and go camping as a family. This is my first year serving on the Fresno Paralegal Associations Board of Directors and I am excited to be able to serve as your Secretary.

Treasurer – Lisa Eakins

I am a wife and mother of two. I enjoy reading, cooking, and spending time and traveling with my family. I graduated from the San Joaquin College of Law Paralegal Program in August 2003. I have been a paralegal at McCormick Barstow for almost three years. I work primarily with Victoria Bernhardt and Mark Busick in the Litigation Department. I enjoy the challenge and diversity of this work. I have been a board member of the Fresno Paralegal Association for three years and I appreciate the dedicated, loyal and fun people who have given, and continue to give, their time, knowledge and expertise to FPA. Through these volunteer efforts, FPA



has been able to offer valuable benefits, such as economical quarterly MCLE seminars, job networking, student scholarships, etc., to its members. I encourage the members to share their voice, ideas and commitment, and I hope that FPA continues to strive to create worthwhile opportunities for Paralegals in the Central Valley.

Board Member at Large – Tiffany Pack

I am currently a paralegal/case manager at The Law Office of Darryl B. Freedman in personal injury. With my Liberal Arts Degree, I worked several years as a stage producer for Theatre 3 repertory company. A few years ago, my director retired. I decided to return to college

...continued on page 3

## Meet the Board continued...

and get a better degree. Within two years, I completed the Fresno City College Paralegal Program. I am married to my high school sweetheart and we have two young children who have many pets. I am thankful for my family and their support through my career change.

### NALA Liason – Claudia Stempien

I am a civil litigation paralegal for attorney Murray Aron. I completed the Fresno City College Paralegal Program in 2006, and received the prestigious West Legal Award for Outstanding Achievement. I have a Bachelor's degree in English and Philosophy from California State University Fresno and an Associate of Arts degree in General Education from Fresno City College. I value higher education, and believe with hard work and determination you can accomplish your professional and personal goals. My passion for law has drawn me to the Fresno Paralegal Association, and I am excited to be a part of the 2008 Board.

### CAPA Primary – Pat Salazar

I have been in the legal profession for over 20 years. I completed the Paralegal Studies Program at Fresno City College in 1996 and have worked in the areas of business litigation, insurance defense, and medical malpractice. I am currently with the law firm of Kimble, MacMichael & Upton which specializes in business litigation.

### CAPA Secondary – Donna Parrish

I am a currently a paralegal in the Insurance Coverage and Bad Faith Department at McCormick Barstow have been involved in the Fresno legal community for about thirty years. My current position is in an area of law that is new to me and I am excited to be learning new things! My background is primarily on the defense side of tort litigation although I have been exposed to several different areas of law over the years. I have one son, a wonderful daughter-in-law and have been blessed with two very handsome grandbabies who are a huge source of pride and joy to me. I also have two tiny fur balls that bark who are also members of the family. My hobbies include gardening, camping and spending time with friends, family and especially my grandsons.



## Event Calendar

July 30 – August 2, 2008 – NALA's 33rd Annual Convention Oklahoma City

Info: <http://www.nala.org/08convention/general.htm>

August 7, 2008, 5:30 FPA Board Meeting @ McCormick Barstow

September 4, 2008, 5:30 FPA Board Meeting @ McCormick Barstow

September 20, 2008, 8:00 a.m. to 3:30 p.m.  
OCPA's 22nd Educational Conference – "Pathway to Success" Wyndham Hotel, Costa Mesa  
Info: [www.ocparalegal.org](http://www.ocparalegal.org)

October 2, 2008, 5:30 FPA Board Meeting @ McCormick Barstow

October 18, 2008 – LAPA's 32nd Annual October Conference Omni Los Angeles Hotel  
Info: [www.lapa.org](http://www.lapa.org)

October, 2008 - FPA General Membership Meeting  
TBA

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*Decisions...*

*Decisions...*



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# POINTS AND AUTHORITIES

## Richlin v. Chertoff and Paralegal Fees

On June 2, 2008, the United States Supreme Court issued their opinion in *Richlin Security Service Co. v. Chertoff*, Secretary of Homeland Security on the issue of recoverability of paralegal fees. NALA participated in this case by filing an amicus curiae brief. The Court held that a prevailing party may recover paralegal fees from the government at prevailing market rates, under the Equal Access to Justice Act. It also cited the precedent setting decision of *Missouri v. Jenkins* in which the Court found paralegal time may be included in attorney fee awards under the Civil Rights Act. To review the Court's decision, visit the NALA website at <http://www.nala.org/08-Richlin-Decision.pdf> or go to <http://www.law.cornell.edu/supct/html/06-1717.ZS.html>. This decision reflected definite support of the work done by those in the paralegal profession. Be sure to share this important development!

## Sustaining Membership Thank You

Fresno Paralegal Association would like to extend our sincere gratitude to the following companies for their support of our association through their corporate membership. It is through their corporate partnership that we are able to provide the highest caliber events at a reasonable cost to our members. Members, please explore what these companies have to offer to assist you in your jobs. Thank you.

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## FPA Lunch at Roundtable

The lunchtime get-togethers that we have had in April, May & June have been a great way to spend a little time visiting with paralegals and others in the legal community. Look for notices of more opportunities of the same in the near future!



FPA Board with Rene Lestreto, Esq.  
General Membership Meeting 3/13/08  
"Collections and the Paralegal"

# POINTS AND AUTHORITIES

## The Paralegal and the Nurse

The paralegal is the right hand of you, the attorney. They are the glue that holds your law firm together. I know many attorneys who would rather lose the hair on their head than their paralegal. I cannot blame you. I have witnessed the magic performed by the prized paralegals.

Nurse Ratchet walks into the attorneys lobby. She is a mean old gal, looking to administer an enema to anyone who gives her a sly look. With her knee-high socks drooping, funny colored pens poking out of her pocket, a pointy hat she wears like a crown, she arches her eyebrows as she stares at her nemesis. "NO!" cries the paralegal. Do not separate me from my beloved attorney!!" "Yes, here I come!!" Crabby old nurse Ratchet demands to peruse the medical file as she pulls out her bottle of Lysol...

Sorry, just a little punchy humor!

Paralegals work for you, the attorney, as the key to the lock of the litigation team. From the basic one gun attorney in the home office to the huge calvary of corporations around the country, the paralegal stands out as an integral part of the legal team. They are involved with of every type of law imaginable. They require salaries, health care, 401k's and vacations for the valued work they perform. How can you exist without them?

Simply, you cannot exist without them.

Paralegals and legal nurses can have the perfect symbiotic relationship. When you use a legal nurse,

the paralegal is saved precious time for their work. By outsourcing the medical records, the paralegal can focus on other tasks and needs of the attorney. A legal nurse can review all medical information with precise accuracy and speed. Most legal nurses work by independent contract outside of the office, thus you do not have to provide work space, salaries or benefits. Using this process you, the attorney save money.

*Wait a minute.. That is not Nurse Ratchet...its Super Legal Nurse! She is zipping through your office collecting the charts, medical bills, and depositions. In 60 seconds she gathers all items and is out the door. "HOORAY!!" shouts the paralegal with tears in her eyes, "I had no idea what Acute Angina was anyways!"*

A legal nurse can tackle that pile of medical records and documents with ease. Then she can whip up summaries, chronologies and requests for production in the blink of an eye.

How you ask?

A legal nurse has exceptional knowledge of the medical field with a sharp eye for the standards of care. She has the unique ability to decipher cryptic hand written notes. Your legal nurse can review medical bills looking for quirks in what are routine and acceptable charges. A qualified legal nurse will understand the medical field; who is at fault, what to look for in procedures, where to compare charges, how medical errors are fixed, and why charting is so awkward.

Oh yes, Mr. Attorney, you and your paralegal need her!

By the way, Acute Angina is sudden chest pain.

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# POINTS AND AUTHORITIES

## NALA News

NALA now offers Advanced Paralegal Certification. For information, visit <http://www.nala.org/apcweb/index.html>. It is a curriculum-based program that provides training as well as assessment through participatory learning on the Internet. It is available to those who currently hold the CLA/CP credential. Currently, the courses that are available in the APC program are in the practice areas of Contract Management and Administration, Discovery, Social Security Disability and Trial Practice. To learn about the professional certification examination, visit <http://www.nala.org/cert.htm>.

For online study for certification and for California continuing education hours, visit NALA Campus at <http://www.nalacampus.com/>. NALA Campus LIVE offers real-time, online courses that are 90 minutes to two hours in length. They cover a wide range of topics, from areas of law to ethics to practical matters like time management and the art of public speaking! The cost of each course is \$80 for NALA members and \$105 for non-members.

Some of the topics for the Fall Program are as follows: Ethics, Dealing with Difficult People, Elder Law, Employment Discrimination, Evidence, Marketing Yourself with the Professional Portfolio,

Judgment & Legal Analysis, HIPAA Privacy, Time Management, Legal Research, Corporations: Mergers & Acquisitions, The Art of Public Speaking, Storyboarding Your Case, Real Estate Title Searches, Fundamentals of Editing & Proofreading, PowerPoint for Paralegals, Trademark Prosecution, E-Discovery: What You Should Know, Written Communications, Blue Book Review of Citing, and Working for a Corporate Law Department.

To check the class times and latest schedule, visit [www.nala-campus.com](http://www.nala-campus.com).

## CAPA News

Coming this year – Online program for training and testing for the California Advanced Specialist exams that mirror the NALA program.

The California Advanced Specialty program was created in 1994 through an agreement between NALA and CAPA to provide testing in California law and procedure in a specialty area of practice. One must have passed the CLA/CP exam through NALA before taking a California specialty exam. The first CAS program will be on California Discovery. To check the status of the roll-out of this new program and for more information, visit [www.cla-cas.org](http://www.cla-cas.org).















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at (559) 903-8597 to discuss our services.

# POINTS AND AUTHORITIES

## Use Correct Grammar Please!

Whether you are studying for the CLA/CP Exam, want to improve your writing skills and knowledge of correct language usage and punctuation, or simply want to brush up on some common language mistakes, the following websites may be useful to you:

Common Errors in English by Paul Brians. <http://www.wsu.edu:8080/~brians/errors/errors.html>

Guide to Grammar and Style by Jack Lynch. <http://andromeda.rutgers.edu/~jlynch/writing/index.html>

University of Delaware, English Language Institute, Grammar Hotline <http://www.udel.edu/eli/questions/g05.html>

## Some Other Useful Websites:

**CONVERSION:** This site is extremely useful and user friendly! Online conversion of weight, distance, etc. [www.onlineconversion.com](http://www.onlineconversion.com)

**ACRONYMS:** Looking for what an acronym stands for? Check this out: [www.acronymfinder.com](http://www.acronymfinder.com)

**SCIENTIFIC JOURNALS:** A new website, the Directory of Open Access Journals includes over 1,900 "scientific and scholarly journals linked from the directory". Almost 500 of those can be searched for articles. Check it out at: [www.doaj.org](http://www.doaj.org)

**MEDICINE/CHEMICAL INFORMATION:** The subject link may be of some use to you. It is the U.S. National Library of Medicine and Chemical Information, SIS specialized Information Services. <http://sis.nlm.nih.gov/chemical.html>



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## FPA Membership as of July 2008:

Voting Members	72
Associate Members	1
Student Members	31
Sustaining Members	6
Total:	110

# POINTS AND AUTHORITIES

## CONGRATULATIONS 2008 PARALEGAL GRADUATES!

On May 16, 2008, the following individuals graduated from the Fresno City College, Paralegal Studies Program, directed by Brian J. McCully, J.D.

Monica Chavez  
Ivana Hamilton-Cortez  
Noelle Huenergardt  
Tracy Miller  
Connie Ott  
Michelle Palominos  
Paul Regier  
Hilda Ramirez  
Tauzetti Tatman  
Angela Thomson

In celebration of this accomplishment, the Student Paralegal Association held its annual Graduation Banquet, on May 17, 2008, at Club One. I was privileged to attend in two capacities. One as an award recipient, and the other as the bearer of a scholarship.

I had been selected to receive the Alumni Recognition Award, and it was a privilege to be recognized and share the special evening with my husband and the new graduates, professors and students. The Fresno City College Paralegal Program is such an outstanding program, that I am very proud to be associated with it and proud to display the wonderful plaque that I was given!

I was also very pleased to present the FPA 2007/2008 scholarship to Hilda Ramirez. Hilda was not only an excellent student, but she exhibited outstanding leadership in her commitment to the FCC Student Paralegal Association, enhancing the academic experience of her fellow students and in promoting a working relationship with the Fresno Paralegal Association.

The Fresno Paralegal Association would like to extend their congratulations to these graduates! We wish you all the best in your paralegal careers.

By Holly Silver



FCC Paralegal Program Graduates and  
Brian J. McCully and Judge Hilary Chittick 5/17/08

# POINTS AND AUTHORITIES

## FRESNO PARALEGAL ASSOCIATION GUIDELINES FOR PROFESSIONAL RESPONSIBILITY

### PREAMBLE

The FRESNO PARALEGAL ASSOCIATION recognizes and supports the ideals and concepts of the rights of individuals and entities to fair and equal justice under the law.

The FRESNO PARALEGAL ASSOCIATION, as a professional organization, recognizes the relationship of Paralegals, the State and Local Bar, and the general legal community in the performance of legal services to the public.

In efforts to establish and preserve the highest quality of services, the FRESNO PARALEGAL ASSOCIATION, its officers and members adopt this affirmation of responsibility.

**CANON 1:** A Paralegal shall be bound by the same standards of ethics and responsibility which govern attorneys within the state where they practice.

**CANON 2:** A Paralegal shall not engage in, promote, or in any way aid, allow, or advise the unauthorized practice of law as defined by statute, court decision, or legislative or administrative act, duly authorized by federal or state constitution; including, but not limited to, acceptance of cases or clients, setting fees, giving legal advice, or appearing in a representative capacity in court or before an administrative board or hearing, or regulatory agency or commission, except where authorized by statute, court, administrative or agency rule.

**CANON 3:** A Paralegal shall at all times perform all duties under the supervision of an attorney duly licensed and authorized to practice law in the State of California.

**CANON 4:** A Paralegal shall at all times exercise care and caution in using professional judgment. When in doubt as to what extent a client may be assisted without the presence of an attorney, the Paralegal shall either consult with or refer the client to an attorney. A Paralegal shall not act independently in matters requiring professional legal judgment.

**CANON 5:** A Paralegal shall at all times protect and preserve all client confidences and privileged communications.

**CANON 6:** A Paralegal shall at all times demonstrate initiative in promoting the role of Paralegals in the performance of legal services within the parameters authorized by law.

**CANON 7:** A Paralegal shall at all times maintain the highest degree of professional and ethical conduct.

**CANON 8:** A Paralegal shall at all times maintain and exhibit the highest degree of competence and integrity.

**CANON 9:** A Paralegal shall support and promote public interest programs and organizations addressing the legal needs and concerns of the general public. Paralegals shall strive to maintain sensitivity to issues of legal concern to the general public and the legal community.

**CANON 10:** A Paralegal shall support and promote the development and acceptance of the paralegal profession. A Paralegal shall support and promote continued education of Paralegals and the legal community.

**CANON 11:** At such time that the State shall formally adopt, create, or require by Paralegals adherence to a Code of Ethics and/or Professional Responsibility, licensing or other such requirements promulgated by statute or legislative or administrative act, such code or responsibility shall supersede, but shall not invalidate or nullify, this Code of Ethics, except in such instance that portions or provisions of this Code are deemed unconstitutional or in violation of such state authorized or adopted code or requirement.

## Fresno Paralegal Association Directory

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NALA Liaison

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