



The PARAVIEW



Photo: 2015-2017 Executive Board at Installation Luncheon

Quarterly Publication of the Metrolina Paralegal Association

Summer 2015 Edition

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A Paralegal's Motto

If I don't know how to do it, I will figure it out!

MPA's Quarterly Goal

To fill our empty Executive Board Positions

Meet MPA's New Executive Board for 2015-2017

On Thursday, May 14, 2015, the MPA held its installation and general membership luncheon at the Levine Museum of the New South. The event was well-attended and meal lunch was delicious (provided *free* to members of MPA). After an uplifting address by Ralph Clontz, the new board was installed. We were sorry to see Penny Higdon step down from the board, and we want to thank her for the great leadership she has provided for the past two years as President. We have a few open positions on the board, so if you are interested in serving as a board member, please contact us at metrolinaparalegal@gmail.com. The new board members are as follows:

Michelle Kass, CP – President

Carrie Marshall, NCCP – 1st Vice President

M. Tyler Helms, CP – 2nd Vice President

Open – 3rd Vice President

Lynn Minton – 4th Vice President

Open – Secretary

Selene Hendricks – Treasurer

Renaë Elam – Parliamentarian

Susan Randolph – NALA & NC State Bar Liaison

Open – Public Relations, Communications Coordinator

Ellen Hamilton, NCCP – Student/School Liaison

MPA Paralegal of the Year Award

Congratulations, Margaret!

Photo below, L to R: Margaret Reinhardt, Sandra Boscia



Year after year we solicit applications for our Paralegal of the Year Award, a most prestigious and rewarding accomplishment, and this year we were thrilled to have five outstanding nominees. In alphabetical order, the nominees were:

Renae Elam

Forfeiture Support Associates
Contractor at U.S. Attorney's Office for the Western District of North Carolina

Carrie Marshall

Parker Poe Adams & Bernstein

Tyler Murphy

Baucom Claytor Benton Morgan & Wood

Margaret Reinhardt

Family Dollar Stores

Satyra Riggins

Robinson Bradshaw & Hinson

The awards committee deliberated thoughtfully and carefully before choosing a winner, which was not easy considering each of the nominees deserved the award.

We were pleased to announce at our 2015-2017 Installation Luncheon that **Margaret Reinhardt** received the award, which included a beautiful plaque and a check for \$500.00.

Meredith R. Pollette Memorial Scholarship Award

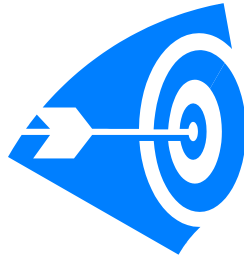
Our heartfelt congratulations go out to Carla Bryson, our award winner. In addition to a \$300.00 check to be used as she pleases, Carla also received a 1-year membership to MPA.

Photo below, L to R: Lisa Albright Jurs, Carla Bryson, Tyler Helms.



Ready, Aim, Fire!

(Reminders of what you know but could use a refresher)



Enhanced Legal Vocabulary

ad litem adj. Latin. (lit. “for the case”) For purposes of a particular case. Used particularly in the phrase, “Guardian *ad litem*.”

bench trial A trial in which no jury is present and all factual issues are decided by the judge.

fiduciary A trustee or a person in a position analogous to that of a trustee, whereby another person or persons must rely upon the fiduciary to exercise special care, good faith and loyalty in dealing with money and property.

standard of care The level or nature of conduct necessary to avoid liability for negligence, malpractice, or breach of fiduciary duty.

trier of fact or **trier of the facts** The person or group charged with deciding the factual issues in a proceeding; the jury in a jury trial or the judge in a bench trial.

Elementary Civics

The United States Government is divided into three sections, called **branches** so that no one branch has complete control over the people. This was established in the United States Constitution, so that the government incorporated a system of checks and balances.

Legislative Branch

The United States Congress, which includes the Senate and the House of Representatives. The Legislative Branch is responsible for making laws.

Executive Branch

Includes the President, Vice President, and Cabinet (advisors to the President). They are responsible for enforcing the laws created by Congress.

Judicial Branch

Includes the U.S. Supreme Court and lower federal courts. The courts evaluate and rule on laws or determine how the law should apply in disputes.

Capitalization Rules

Buildings, Streets, Parks, Statues, Monuments

Capitalize names of:

- Buildings, towers, churches, schools
- Thoroughfares, squares, parks
- Statues, monuments

Courts

Capitalize federal, state and provincial courts only when used with a definite name.

Example: the United States Supreme Court, the North Carolina Court of Appeals, the Fourth Circuit Court of Appeals, the federal court system, etc.

Do not capitalize when referring to courts in general, and do not capitalize district or city courts.

Example: the magistrate's court, district court

Government

Capitalize the word "Government" when referring to a country's government or that of any foreign nation.

Example: Her Majesty's Government; Government responsibility; Imperial Government; on official Government business.

Usage, Punctuation & Grammar Tips

Numbers

Use a hyphen for numbers from twenty-one to ninety-nine and to indicate fractions.

Do not spell out the numbers used in dates.

Example: On August 3, 2015, she will be 20 years old.

Be consistent in the same sentence.

Example: Give me 5 red ones and 25 blue ones. Or, give me five red ones and twenty-five blue ones.

Commonly Misused Words

All right: means the same as saying something is okay. It should be spelled in two words, not, "alright."

Allude: do not confuse with "elude." When you allude, you are indirectly mentioning something. Elude means to escape, as in an escaped convict that eludes capture.

Effect: used as a noun it refers to a result; used as a verb it means to bring about or to accomplish. Do not confuse it with "affect," which means to influence.

Possessive singular nouns

Use an apostrophe "s" after a word that ends in a consonant, unless it is the possessive of an ancient proper name ending in *es* or *is*.

Examples: a witch's broom, Charles's books, James's light, Jesus' teachings, Moses' writings.

Be careful when writing *its* and do not confuse with *it's*. *It's* means *it is*, and *its* shows possession.

Example: It's a sad thing when a child loses its favorite toy.

Recent Court Decisions

Supreme Court of the United States

Torry Dale Grady v. North Carolina, No. 14-593, Decided March 30, 2015

Convicted recidivist sex offender Torrey Dale Grady won his appeal to the U.S. Supreme Court when it recently handed down the decision that New Hanover County's satellite-based monitoring ("SBM") system violated his fourth amendment right for freedom from unreasonable searches and seizures.

Fourth Circuit Court of Appeals

Reya c. Boyer-Liberto v. Fontainebleau Corporation, et al., No. 13-1472, Decided May 7, 2015

Ms. Boyer-Liberto prevailed on appeal against her previous employer for violating her civil rights when she was harassed because of her race and terminated when she reported the harassment. This ruling was important in the context of employees' civil rights because it overturned the Court's previous ruling in *Jordan v. Alternative Resources Corp.*, 458 F.3d332 (4th Cir. 2006).

North Carolina Court of Appeals

The Estate of Nathan Richard Coppick v. Hobbs Marina Properties, LLC, et al., No. COA14-127, Decided April 7, 2015.

Nathan Coppick was killed in 2008 when the fuel he was pumping into a boat exploded. It is illegal in North Carolina for fuel pumps at marinas to be equipped with hold-open latches on the dispensing nozzles. Petroleum Equipment & Service, Inc. ("PES") was the appellant and Coppick's Estate was the appellee ("Estate"). Appellants argued that the Estate failed to prove negligence by PES, that the Estate did not establish that PES's installation of nozzles with hold-open latches proximately caused the explosion, that the trial court erred in its jury instructions, that its evidentiary rulings resulted in abuse of discretion, and that the trial court erred in awarding interest on the full amount of compensatory damages (\$1,500,000.00). The Court disagreed and/or overruled all of Appellant's arguments. The Court found no error and upheld the jury's decision.

Need CLE Credits?

The **North Carolina State Bar Board of Paralegal Certification** requires certified paralegals to obtain 6 hours of continuing paralegal education annually, of which 1 hour must be an ethics course. Certifications are renewed at the beginning of the year, and now requires proof of attendance, so be sure to hang on to those signed course documents.

The **National Association of Legal Assistants (NALA)** renews its paralegal certifications every five years, counting from the date of the original certification. Although it does not always require proof of attendance, it conducts random audits and you may need to prove attendance, so again, be sure to keep up with the required signed certificates of attendance.

CLE Opportunities:

MPA

www.charlotteareaparalegals.com
2015 Fall Fest CLE Seminar
Dates TBD

Mecklenburg County Bar

www.meckbar.org

July 16 **Residential & Commercial Landlord-Tenant Law:
9:30 a.m. to 2:00 p.m. Practical & Ethical Concerns**
VIDEO REPLAY CLE Credit: 4.0 Total Hours (3.0 General + 1.0 Ethics)

August 6 **Representing Immigrant Children in Uncontested
or Custody Hearings**
Sept. 16 VIDEO REPLAY CLE Credit 1.0 General Hour.
9:00 a.m. to
10:00 a.m.

August 13 **Residential & Commercial Landlord-Tenant Law:
or Practical & Ethical Concerns**
Sept. 10 VIDEO REPLAY CLE Credit: 4.0 Total Hours (3.0 General + 1.0
or Ethics)
Oct. 15
9:00 a.m. 1:30
p.m.

NALA

www.nala.org

40th Annual Convention and Summer Institutes
July 22-24
Tulsa, OK

Letter from the Editor

Happy Summertime! We are excited to see the long, hard winter that seemed to envelop spring and welcome the long, lazy days of summer. The Metrolina Paralegal Association has been hard at work making sure each member feels appreciated and has the tools necessary to move forward in his/her career goals.

Our legal community is growing as fast as the Metro population, and there are opportunities opening up every day. We want to assist all of our members to become vibrant, active members of our profession and to speak out with passionate voices about your concerns, interests, activities, opportunities, suggestions and accomplishments.

We are therefore *extending an invitation* to all MPA members to submit articles, letters, humorous stories, photos of yourself at work or involved in a community project, tips on how to better perform a particular task, or any other thing of interest that you would like to have published in this quarterly newsletter. Your submission must be your original work and cannot be plagiarized from an article in another publication or on the Internet.

Please Email your submissions to the Paraview Editor, Renae Elam, at renaeelam@gmail.com. Your submission should include your name, Email address and telephone number.

Just to get us started, I am sharing below a fantastic, quick and easy summer recipe I know you will love.

Greek Cucumber-Tomato Salad

2 peeled cucumbers cut into 1/2 inch cubes
1 large tomato, cut into 1/2 inch cubes
1 baby Vidalia onion, quartered and sliced thin
1/4 green pepper, cut into thin slices
1 small banana pepper, cut into thin slices
6 fresh basil leaves (or 1 T dried basil if you must)
1/4 cup Greek dressing (may substitute Italian dressing or Olive oil & vinegar)
Salt and pepper to taste
2 oz feta cheese crumbles

Mix all ingredients except feta cheese and refrigerate for 1/2 hour or longer. Top with feta just before serving. Enjoy!

Happenings

MPA Summer Social!

Thursday, August 6, 2015 6:00 p.m. to 9-ish

TAKE ME OUT TO THE BALL GAME!

Mark your calendar to join us at the beautiful BB&T Ballpark for a Charlotte Knights game! Announcement Email with details and RSVP information coming soon!

Party in the Park!

Every Wednesday 6-9 p.m. through September 3

Romare Bearden Park, Corner of Church & Martin Luther King in Uptown Charlotte.

Bring your lawn chair or blanket and a picnic, or grab a hot dog and a beer/wine at the vendor set-ups in the park (no outside alcohol permitted). Featuring local bands and a dance section in front of the stage.

June 24 – Too Much Sylvia

July 1 – Fantastic Shakers

July 8 – Swingin' Medallions

July 15 – The Entertainers

July 22 – the Holiday Band

July 29 – Rick Strickland Band

Aug. 5 – Atlantic Groove Band

Aug. 12 – Bank of OZ

Aug. 19 – Jim Quick & Coastline

Aug. 26 – North Tower Band

Sept. 3 – The Catalinas (rescheduled from cancelled May concert)

Charlotte Black Gay Pride

July 16-19

<http://www.charlotteblackgaypride.com> for more info.

Charlotte Pride 2015

Aug 15-16

<http://charlottepride.org> for more info.

First Friday Gallery Crawl at SouthEnd

1st Friday of the month, 6-9 p.m.

<http://historicsouthend.com/play/gallery-crawl> for more info.

Alive After Five

Every Thursday through August

<http://www.aliveafterfives.com> the-epicentre/bands for more info.

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