



THE VERDICT

Affiliate of the National Association of Legal Assistants ❖ Affiliate of the California Alliance of Paralegal Associations

JULY 2006

Volume XIX, No. 4

General Membership Meeting

Thursday, July 20, 2006
5:45p Social/6:00p Dinner

Ottavio's Restaurant
1620 Ventura Boulevard
Camarillo · (805) 482-3810

Program:

Ethics – Client Confidentiality
Michael W. Case, a partner in the law firm of Ferguson, Case, Orr, Paterson & Cunningham, LLP, as well as the present chair and founder of the Ethics and Professional Responsibility Committee of the Ventura County Bar Association, will provide information on the very important topic of client confidentiality. There will be time for Q & A.

Price:

\$25.00 VALA Members
\$30.00 Non-members

R.S.V.P.'s/cancellations by 4:00p
Wednesday, July 19, 2006 to Jami Knupp at (805) 642-0911 or e-mail to j.l.knupp@att.net. If you leave a message, please include your phone number and the names of all the people in your party.

*** MCLE CREDIT ***

This activity has been approved for Minimum Continuing Legal Education credit by the State Bar of California in the amount of 1.0 hour.

President's Message

by *Laura Orlando, VCPA President*

As we leave spring behind, it's full speed ahead through the summer.

In May, VCPA hosted its 10th Annual Wine Tasting and Silent Auction. There was a lot of positive feedback on the new venue and many compliments on the wine selections. We were excited to see so many new items up for auction. In the coming weeks, VCPA will present a check to the Ventura County Legal Services Program and announce the amount which will be offered for the 2006-2007 VCPA Scholarship Program.

Thank you to everyone who have renewed their membership or have joined VCPA this year. If you haven't received your new roster yet, please contact Maria Romero, 2nd Vice President/Membership. Also, if you would like to be added to the list of "volunteers" to contact, please send me an email. I would be happy to call you and enlist your help for any upcoming event.

Jami Knupp, 1st Vice-President/Programs, is working on confirming speakers for the general meetings scheduled during the final summer months. If you have a speaker in mind or a topic that interests you, don't hesitate to contact Jami. She works hard to bring us information which is both educational and interesting. It's hard to know what will please everyone. She has done a great job so far.

We would like to reach out to the Conejo Valley/East Valley by hosting a general meeting there. If anyone knows of a location which would be suitable, please let Jami know.

In the next couple of months, I will be forming the nominating committee to put together the slate of candidates for the 2006-2007 VCPA Board. Yes, it's almost that time again.

[Continued on next page]

If you or someone you know would be interested in taking on a Board position, please let me know. I would be happy to tell you all about it. We really do have a lot of fun and we meet new people who become great friends (sometimes even great co-workers). I hope you will consider the opportunity to bring your ideas and talents to the organization.

In closing, I wish everyone a safe summer and hope you all have the opportunity to share some time with family and friends. Don't forget to take some time for yourself, too. □

VENTURA COUNTY PARALEGAL ASSOCIATION CAPA LIAISON REPORT

By Matthew F. Tice, CAPA Primary Representative

Over the past few months since becoming VCPA's liaison to the California Alliance of Paralegal Associations ("CAPA") so much change has taken place for me. I was a relatively new active member of VCPA, fresh out of school and getting settled into a new position as a corporate paralegal with a local broadcasting company. I am very thankful to the members of VCPA whom I have networked with and credit this with securing employment so quickly after graduating from the paralegal program at Oxnard College last year. I am excited to represent VCPA's interests as CAPA liaison. It has allowed me to further network with other professionals, learn more and get involved on a bigger scale. It has also enabled me to share with you what other local paralegal organizations are doing throughout the state of California.

I honestly did not know what to expect from my first CAPA meeting. I assumed (wrongly) that it would be a fairly sedate gathering of paralegals; we would sit down and peaceably discuss the paralegal profession as a whole (wrong again). Let's just say that my first CAPA meeting was a real eye opener. Alliance members did not sit back quietly, but debated dissenting opinions with passion and conviction on topics affecting alliance members large and small to the long-term direction of CAPA and the profession as a whole.

CAPA like any other organization going through change is experiencing some growing pains as we set out to define our long-term goals and direction. Beginning just this year CAPA has undergone several positive changes with the election of Michelle Whitaker, CLA to the position of CAPA President, and the inclusion of the San Francisco Paralegal Association as a new alliance member. CAPA's aim has always been to further the paralegal profession as a whole. First, by getting the job of a paralegal officially recognized as a profession with the passage of the California Business and Professions Code section 6450, thus legitimizing the profession's standards of proficiency and accountability. CAPA now seeks to spearhead legislation to further the paralegal profession by providing representation at the state level through the formation of the CAPA Legislative Committee, as well as to be more active with the local level organizations through attendance and by hosting presentations to the members who might not be able to attend the regular CAPA meetings or seminars.

I came away from my first meeting tired, but with a good feeling that even though opinions may be varied as to the Alliance's long term direction, people cared enough to come from all over the state to meet and discuss their concerns. By getting together as we did, we were better able to walk away with a unified course of action to be administered not just by one organization, but also for the betterment of the Alliance organizations and our profession as a whole. □

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CLA QUESTION OF THE MONTH

Q: What is considered a “relevant” topic?

A: Yes. Audio or video recorded programs may be considered for CLAE credit provided they meet the Certifying Board's guidelines.

For more information regarding the CLA/CP and CAS examinations and the new Advanced Paralegal Certification (APC) programs, please contact Cyndi Williams-Hitsman, CP, VCPA's NALA Liaison at (805) 648-4700 or E-mail her at: paralegal@taylormccord.com

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NALA Announces Its Fall 2006 CLA/CP Short Course

The Fall CLA/CP Short Course, an intensive three-day workshop for nationwide certification as a paralegal/legal assistant, is scheduled for Oct. 26–28 at the Four Points by Sheraton Denver Southeast.

This is the only CLA/CP Short Course scheduled by the National Association of Legal Assistants (“NALA”) before the December 2006 and March 2007 CLA/CP examinations.

This short course meets credit requirements of the NALA Certifying Board for maintaining the CLA/CP credential as well as helping those who are preparing for the examination. The program is also helpful to experienced paralegals seeking a refresher.

The Short Course Coordinator is Kay Kasic, CLA, with Coombs & Dunlap, Napa, CA. A distinguished faculty of attorneys, certified legal assistants, and legal educators will teach the courses ranging from a survey of the American legal system and essential paralegal skills to specific legal topics.

Extensive handout materials, available only to participants, will supplement the instruction.

Nearly 3,000 legal assistants have participated in this program since its inception in 1985. It is widely regarded as the most comprehensive continuing education program offered to paralegals. The short course is one of an array of continuing legal education efforts by NALA, and earning the CLA/CP credential is not ensured, nor contingent, upon completion of the course.

The schedule of courses is as follows:

Thursday, October 26

- ❖ *American Legal System*—Karen Sanders-West, ACP, JD; Foulston Siefkin, Wichita, KS.
- ❖ *Judgment & Analytical Ability*—Virginia Koerselman, JD, Attorney; Omaha, NE.
- ❖ *Ethics: Part I*—Kay Kasic, CLA; Coombs & Dunlap, Napa, CA.

Friday, October 27

- ❖ *Contracts*—John W. Dunn, LLB, and Karen M. Dunn, ACP; John W. Dunn & Associates, LLC, Avon, CO.
- ❖ *Legal Research*—Virginia Koerselman, JD, Attorney; Omaha, NE.
- ❖ *Civil Litigation*—Karen Sanders-West, ACP, JD; Foulston Siefkin, Wichita, KS.
- ❖ *Communications*—Virginia Koerselman, JD, Attorney; Omaha, NE.

Saturday, October 28

- ❖ *Ethics: Part II*—Kay Kasic, CLA; Coombs & Dunlap, Napa, CA.
- ❖ *Real Property*—John W. Dunn, LLB, and Karen M. Dunn, ACP; John W. Dunn & Associates, LLC, Avon, CO.
- ❖ *Business Organizations*—Connie Kretchmer, ACP; First National Bank of Omaha, and Virginia Koerselman, JD, Attorney, both of Omaha, NE.
- ❖ *Administrative Law*—Karen Sanders-West, ACP, JD; Foulston Siefkin, Wichita, KS.
- ❖ *Estates and Trusts*—Virginia Koerselman, JD, Attorney, and Connie Kretchmer, ACP, First National Bank of Omaha, both of Omaha, NE.

NALA members may register for \$385. The cost to non-members is \$440, and California Alliance of Paralegal Associations members may enroll for \$410. Fees cover the short course, handouts, coffee service, Friday luncheon, and a complimentary copy of the *CLA Study Guide and Mock Examination*.

Registration information will be on the web site <http://www.nala.org> after July 1. □

Submitted by Cyndi Hitsman, CP, VCPA's NALA Liaison.
For more information, please contact Cyndi (805) 648-4700 or E-mail her at: paralegal@taylormccord.com.

The Alternate Ad

VCPA MEMBERSHIP RENEWAL

**HAVE YOU RENEWED YOUR MEMBERSHIP WITH
THE VENTURA COUNTY PARALEGAL ASSOCIATION?**

To remain on the mailing list and be included in the roster, please complete and return this form to:

VCPA Second Vice-President/Membership
Post Office Box 24229
Ventura, California 93002

Annual dues for Active and Associate membership:	\$ 40.00
Annual dues for Student membership:	\$ 30.00
Annual dues for Sustaining membership:	\$125.00

Name: _____ Birthday (Month/Day) _____

Residence Address: _____

City, State, Zip: _____ Hm/Contact Telephone No.: _____

Employer (or School, if a student): _____

Street Address: _____ Work Telephone No.: _____

City, State, Zip: _____

E-mail Address: _____ Fax No.: _____

Area(s) of Specialty: _____

Check One:

- _____ **ACTIVE MEMBERSHIP** -- Anyone who has completed or is currently enrolled in a legal assistant training program and is currently employed as a paralegal under the direction and supervision of an active member of California State Bar or an attorney practicing law in the California federal courts; or anyone who is currently, and has been for at least six months, employed as a paralegal under the direction and supervision of an active member of the California State Bar or an attorney practicing law in the California federal courts.
- _____ **ASSOCIATE MEMBERSHIP** -- Members of a Bar Association, legal educators, legal secretaries, law students, and others who support or are involved in the promotion of the paralegal/legal assistant profession.
- _____ **STUDENT MEMBERSHIP** -- Those who are enrolled in a program for paralegal certification that meets the requirements of California Business and Professions Code 6450.
- _____ **SUSTAINING MEMBERSHIP** -- Any individual or corporate entity which supports the paralegal/legal assistant profession and is interested in supporting the goals and purposes of VCPA.

Please mail VCPA correspondence to my _____ home _____ office.
Please indicate how you would like to be involved with VCPA:

- _____ CLA/CP Workshop
- _____ Recruiting Sponsors
- _____ Fund Raising
- _____ Education/Scholarship
- _____ Newsletter/Website
- _____ Publicity
- _____ Seminars/Workshop
- _____ Law Day/5K Run
- _____ Employment
- _____ Historian

VCPA Employment Job Bank Policy and Procedure

If you are looking for a job or have a job opening:

1. Any VCPA member who wishes to be informed of employment opportunities which become known to VCPA should contact the VCPA Employment Chairperson(s) who will maintain a confidential list of persons seeking employment. When a job opening becomes known to the Employment Chairperson(s), all the persons on the employment list will be informed of the position within 24 hours, regardless of the job seekers' qualifications and the requirements of the opening.

2. Any other VCPA Board Member who is made aware of employment opportunities or who is contacted by members wishing to be on the employment list will pass on the information to the Employment Chairperson(s) within 24 hours of notification.

3. All employment opportunities will be posted on VCPA's website at www.vcparalegal.org for 30 days or until filled, whichever occurs first. It is the responsibility of the Employment Chairperson(s) to notify the Web Administrator whether a posted position has been filled.

4. The Employment Chairperson(s) will not utilize employment opportunities for their own benefit.

5. Access to employment opportunities which are made known to VCPA are available to VCPA members only. Anyone may advertise a legal assistant employment opportunity within VCPA. There is no fee for this service. Personnel agencies may advertise specific employment opportunities free of charge; however, information regarding general services available via personnel agencies must be made through paid advertising in VCPA's newsletter.

If you are a student looking for an internship, or have an internship to offer:

1. Internships are valuable for students enrolled in legal assistant certificate programs who wish to gain supervised practical experience in a law office or other environment where legal assistants are utilized. Interested persons should contact the VCPA Employment Chairperson(s) who will maintain a list of students seeking internships. When an internship becomes known to the Employment Chairperson(s), all the students on the internship list will be informed of the position within 24 hours, regardless of the students' qualifications and the requirements of the opening, if any.

2. Any other VCPA Board Member who is made aware of interning opportunities or who is contacted by student members wishing to be on the internship list, will pass on the information to the Employment Chairperson(s) within 24 hours of notification.

3. All interning opportunities will be posted on VCPA's website at www.vcparalegal.org for 30 days or until filled, whichever occurs first. It is the responsibility of the Employment Chairperson(s) to notify the Web Administrator whether a posted position has been filled.

4. Access to interning opportunities which are made known to VCPA are available to VCPA members only. Anyone may advertise a legal assistant interning opportunity with VCPA. There is no fee for this service.

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in Ventura is printing our newsletter at a reduced rate in exchange for advertising. They, as well as all of our advertisers, are hopeful that additional business can be generated by the extra exposure in our newsletter. If you individually, or via your offices, have the opportunity to utilize any of the services offered by our advertisers, please let them know that you heard of them through *The VCPA Verdict*.

BENEFITS OF MEMBERSHIP IN VCPA

- ☞ Dinner meetings, open to members and guests each month with informative guest speakers and in many cases, MCLE credit.
- ☞ Monthly newsletter, *The Verdict*
- ☞ Employment referrals and résumé bank
- ☞ Members only access to most current job listings on website: www.vcparalegal.org
- ☞ Networking opportunities
- ☞ Three months free advertising in the Classified section of *The Verdict*
- ☞ Comprehensive group medical, dental and vision care plans provided by Gene Noble & Associates
- ☞ Full service financial and insurance planning provided by Lincoln West Financial
- ☞ Preferred home financing provided by Partners Funding Corporation
- ☞ Educational and seminar discounts including UCSB and other CLAE/MCLE courses and VCPA-sponsored CLA Review Courses
- ☞ Affiliate membership in the California Alliance of Paralegal Associations
- ☞ Affiliate membership in the National Association of Legal Assistants
- ☞ Up-to-date news pertaining to the profession on local, state and national levels

For more information or to receive a membership application, please contact Maria Romero, VCPA's Second Vice-President/Membership at drmariaromero@msn.com

VCPA'S CODE OF ETHICS & PROFESSIONAL RESPONSIBILITY

The canons of ethics set forth hereafter are adopted by the National Association of Legal Assistants, Inc., as a general guide intended to aid legal assistants and attorneys. The enumeration of these rules does not mean there are not others of equal importance, although not specifically mentioned. Court rules, agency rules and statutes must be taken into consideration when interpreting the canons. (Note: Legal Assistant and paralegal are used interchangeably.)

CANON I A legal assistant must not perform any of the duties that attorneys only may perform or take any actions that attorneys may not take.

CANON II A legal assistant may perform any task which is properly delegated and supervised by an attorney, as long as the attorney is ultimately responsible to the client, maintains a direct relationship with the client, and assumes professional responsibility for the work product. (See NALA Model Standards and Guidelines for Utilization of Legal Assistants, Sections IV and VII.)

CANON III A legal assistant must not (See NALA Model Standards and Guidelines for Utilization of Legal Assistants, Section VI):

(a) engage in, encourage, or contribute to any act which could constitute the unauthorized practice of law;

(b) establish attorney-client relationships, set fees, give legal opinions or advice or represent a client before a court or agency unless so authorized by that court or agency; and

(c) engage in conduct or take any action which would assist or involve the attorney in a violation of professional ethics or give the appearance of professional impropriety.

CANON IV A legal assistant must use discretion and professional judgment commensurate with knowledge and experience but must not render independent legal judgment in place of an attorney. The services of an attorney are essential in the public interest whenever such legal judgment is required. (See NALA Model Standards and Guidelines for Utilization of Legal Assistants, Section VII.)

CANON V A legal assistant must disclose his or her status as a legal assistant at the outset of any professional relationship with a client, attorney, a court or administrative agency or personnel thereof, or a member of the general public. A legal assistant must act prudently in determining the extent to which a client may be assisted without the presence of an attorney. (See NALA Model Standards and Guidelines for Utilization of Legal Assistants, Section V.)

CANON VI A legal assistant must strive to maintain integrity and a high degree of competency through education and training with respect to professional responsibility, local rules and practice, and through continuing education in substantive areas of law to better assist the legal profession in fulfilling its duty to provide legal services.

CANON VII A legal assistant must protect the confidences of a client and must not violate any rule or statute now in effect or hereafter enacted controlling the doctrine of privileged communications between a client and an attorney. (See NALA Model Standards and Guidelines for Utilization of Legal Assistants, Section V.)

CANON VIII A legal assistant must do all other things incidental, necessary, or expedient for the attainment of the ethics and responsibilities as defined by statute or rule of court.

CANON IX A legal assistant's conduct is guided by bar associations' code of professional responsibility and rules of professional conduct.

VCPA

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CAPA Secondary Representative: **

Legal Assistant Education/Seminars/

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**Position open. If you are interested in serving on a committee, please contact Laura Orlando.

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