

# NEBRASKA PARALEGAL ASSOCIATION

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VOLUME MMXIII ISSUE 2

# IN BRIEF

JUNE 2013

## FROM THE PRESIDENT: KIM HANSEN



What a busy couple of months it's been! I am thrilled to announce that our membership has reached 200 strong! As referenced in the last issue of the *In Brief*, NePA first reached 200 members in 1995 but the Association hasn't maintained that level for quite some time. Congratulations to Laurie Vik, ACP, Vice President and Membership Chair and her committee for this achievement!

Teresa Barnes, ACP and the Seminar Committee are to be commended for another outstanding Spring Seminar. With Caryn Redding's assistance, we were able to livestream the seminar to members at a distance. The Bylaws amendments were also approved at the meeting. Check out pages 22-23 for a summary of the seminar.

Tom Tilden, ACP and the Law Day Committee received 143 entries in the poster contest for Law Day. Emily Nguyen from St. James/Seton School was the first place winner and her poster is displayed on a billboard at 76<sup>th</sup> & Dodge. All of the winners were honored at the Law Day Luncheon on May 1 at the Regency Marriott.

Be sure to support the Legal Beagles team at the Relay for Life event on June 8, 2013 at Papillion-LaVista South High School. Contact Teri Gibbons, Team Captain (402.390.9500; [teri.gibbons@koleyjessen.com](mailto:teri.gibbons@koleyjessen.com)) if you wish to participate on our team and/or donate. More information can be found on pages 3 and 25.

Remember to mark your calendars for the following educational opportunities: NALA Convention in Portland, OR from July 10 – 12, 2013 and the Fall Seminar on September 19<sup>th</sup> & 20<sup>th</sup>, 2013 at the DC Centre in Omaha.

If you have any questions or comments concerning NePA, please call me at 402-444-1725 or send an email to [khan-sen@nebraskaparalegal.org](mailto:khan-sen@nebraskaparalegal.org). Have a wonderful summer!

**FROM THE EDITOR: AMBER ROBERTS, ACP**

When I sat down to write my article this issue, I got to thinking about how I've been doing on my resolution this year. It's right around March and April that many have completely abandoned the resolutions that they were so passionate about on January 1st. I have a friend at work that calls the people who resolved to workout more during the year "Marchers"...they never seem to make it past March and then the gym isn't nearly as full as it is during January and February!

So, my resolution this year was to challenge myself in all aspects of my life. At first glance, it doesn't seem like much, however, when I actually got to thinking about it, I may have bitten off more than I could chew. ALL aspects of my life! What had I been thinking?

Never one to shrink from a challenge (yes, horrible pun there, I know!), I tried to put some parameters around what that meant. I decided that I'd try to challenge myself physically, mentally, and emotionally. But what did that actually mean? Surprisingly, physically challenging myself seems to have been the easiest one so far. I helped to start a workout group at my office in order to get myself more active and keep us all accountable. Now we go to workout classes and down to the gym to run on the treadmill or use the other equipment 5 days a week. There are a couple of us who are also training to run the 5K at the Corporate Cup Run in September. We're doing pretty good so far and really open to trying all kinds of new things.

When thinking of what I could do to challenge myself mentally, I realized that by saying "yes" to opportunities that arose at the end of last year and the beginning of this one, I had already started down that path. I was set to give a presentation on Sharepoint at the local user group, which is full of IT professionals.

You may not have guessed this about me, but I'm actually very shy...okay, maybe not THAT shy, but public speaking is hard for just about anyone, especially when it's been 14 years since the last time you did it. On the plus side, I'm not afraid to laugh at myself, a lot, and just made sure to inform the group to ignore my face as it was sure to turn bright red and to please call a doctor if I passed out from lack of oxygen due to talking too fast. The presentation went great and I wish you had been able to experience how I felt afterwards.

I'm also finding that the job of Publications Editor pushes my mental boundaries as well; I have to think outside of the box frequently and learn new software. I'm determined to figure out why no line shows up in Publisher when I print but there is one when I convert it to PDF. I will conquer this issue, if for no other reason that to calm my obvious OCD tendencies down!

On the emotional front there are so many avenues to travel down, but I decided that I'd open myself up to new friendships, which in case you were unaware, take quite a bit of time and work. I'm also working on showing my family exactly how much I appreciate all of them, especially my wonderful husband who has been so supportive of me as I take on more responsibilities.

I hope you take the time to see what you can do to challenge yourself this year. Be open to change and experience all the wonderful things that come with it!



## CALLING ALL BAKERS AND LOVERS OF BAKED GOODS!!!!

The Relay for Life committee will hold its annual bake sale on May 23<sup>rd</sup>, 2013 in Room H-13 at the Omaha-Douglas Civic Center, 1819 Farnam St., from 8:30-11:00 AM.



Please come help us support this worthy cause and contact Teri Gibbons at [Teri.Gibbons@koleyjessen.com](mailto:Teri.Gibbons@koleyjessen.com) with any questions or for information on how to donate baked goods.



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## GETTING TO KNOW YOUR OFFICERS - TERESA BARNES, ACP



Teresa is currently the President-Elect and employed at Gross & Welch in Omaha. She's been with the firm since 2005 working primarily in litigation. She earned her Bachelor of Arts degree in Paralegal Studies in 1989 from the College of Saint Mary, Omaha, Nebraska. Teresa has previously served as NePA's Treasurer and Publications Editor. Teresa is a member of NALA, a volunteer for Alegent Health Hospice and a member of the American Contract Bridge League.

### IN THEIR OWN WORDS:

#### 1. How did you get involved in NePA?

In December of 2005 I began working at Gross & Welch which has a very generous policy of paying for their paralegals' memberships to NePA ; naturally, I became a member. Before working at Gross & Welch, I worked in Iowa and I would attend NePA luncheons on occasion. I was always impressed with the organization.

#### 2. What made you run for office?

In 2006, NePA's treasurer resigned from the position. At the urging and encouragement of then-Vice President, Alison Barthel Jacobson, ACP, I agreed to step in. Although I was familiar with QuickBooks software, I was still so new to NePA that it was quite the learning curve! It is not simply writing checks and depositing money like I naively believed when I agreed to fill the vacancy.

Once I became more familiar with NePA, I found I wanted to stay involved. After serving as treasurer for 2 ½ years I agreed to be appointed Publications Editor from October 2010 through November 2011. Once again there was an unexpected vacancy in the treasurer position so I agreed to be appointed treasurer again which I did through September 2012. At our last annual meeting I was nominated and elected President-Elect. I am humbled and honored to have the confidence of my peers to serve in this position.

#### 3. What has been the biggest benefit of being a member of NePA?

Do I have to limit it to the biggest? Since I have the "mike" per se I would like to mention that it has been a valuable asset in enlarging my network of professional associations. In addition, the continuing education received at the luncheons and seminars continues to re-energize me in so many aspects of my life both personally and professionally. Also, since I am somewhat introverted, it is likely I never would have aspired to serve on the board without the encouragement and urging of others. By doing so I have learned many leadership skills including (but not limited to!) listening, thinking critically and working as a team. Finally, the biggest personal benefit has been the friendships I have made.

#### 4. What one piece of advice would you give to the next generation?

I would advise and encourage everyone to keep continuing education and personal growth as a priority. Whether it is as diverse as taking a class on knife skills (yes, knife skills!), attaining your ACP designation or joining Toastmasters International to improve your public speaking and leadership skills, I think it is so important to continue learning new skills at any age or stage in your life.

(Continued on Page 15)

## GETTING TO KNOW YOUR OFFICERS - MISTY COWAN, ACP



Misty is a Paralegal and Digital Communications Coordinator at Rembolt Ludtke LLP. Having been with the firm for 18 years, her primary focal areas include franchising, intellectual property, brand development and marketing. She earned a Bachelor of Science degree in Paralegal Studies from Nebraska Wesleyan University and an Associate of Applied Science degree, with highest distinction, in Network Management from Southeast Community College. She has served on the firm's marketing committee for the past 10 years, the entertainment committee at Kooser Elementary School for the past two years, and also volunteers her time to youth community events as much as possible. Misty has also served on NePA's website committee and is a member of NALA.

### IN THEIR OWN WORDS:

#### 1. How did you get involved in NePA?

I first became involved in NePA when a fellow paralegal encouraged me to join the association. After expressing an interest a couple of years ago in taking on a more active role in the organization, a Board member approached me about serving on the website committee.

#### 2. What made you run for office?

I had really never thought about running for office until I was asked by two of NePA's board members. I am truly appreciative of their persistence and belief in me and feel this is a good opportunity to advance my leadership skills.

#### 3. What has been the biggest benefit of being a member of NePA?

I am always searching for ways to enhance my paralegal skills. For me, one of the biggest benefits of membership is having access to a variety of educational programs.

#### 4. What one piece of advice would you give to the next generation?

Go outside your comfort zone. Leaping into unfamiliar territory creates new opportunities and challenges that help you grow both professionally and personally.

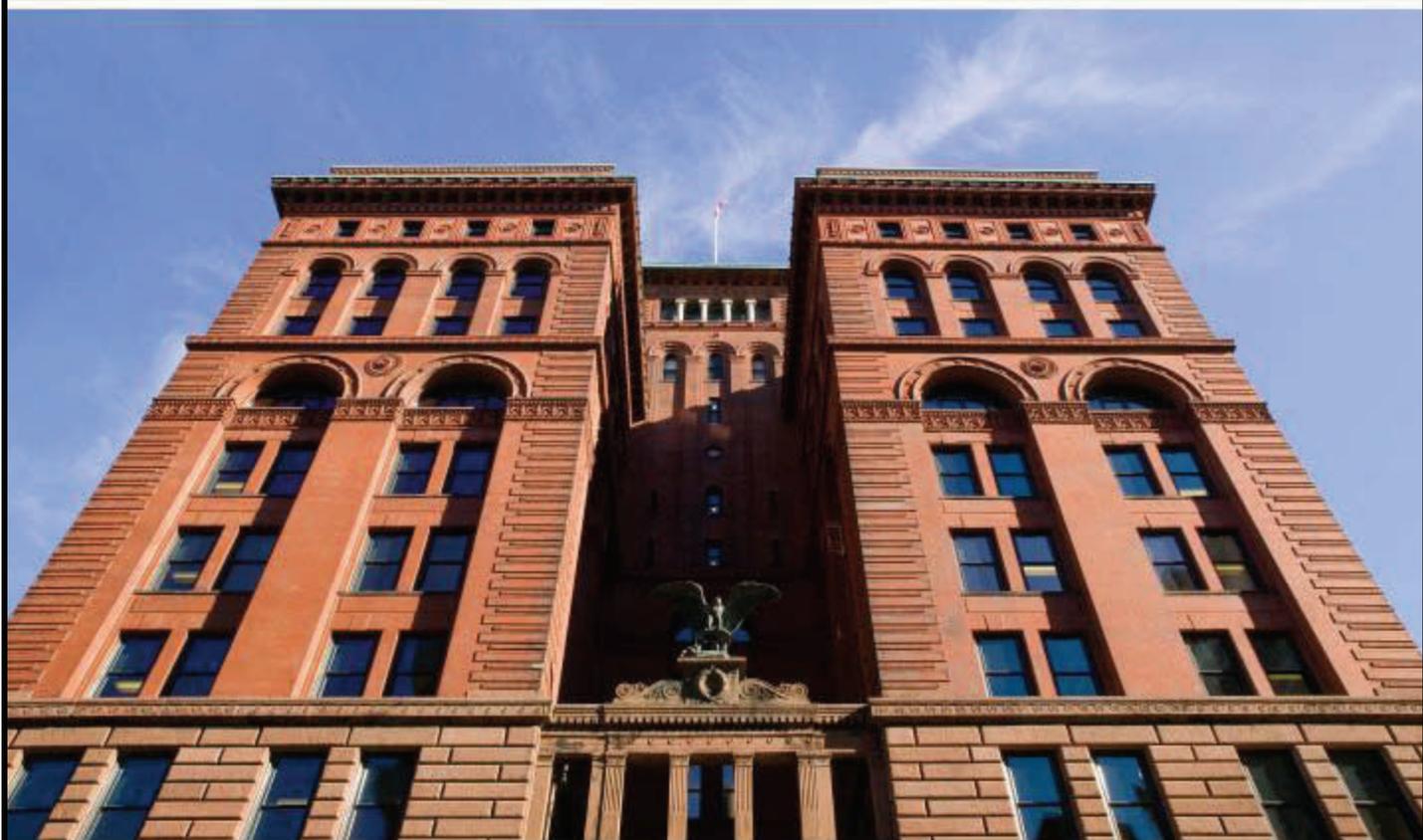
#### 5. What is/was your favorite job and why?

My current job is definitely my most favorite. There are many aspects I truly enjoy. The autonomy, people I work with, interacting with clients, diversified project management, and collaborating with attorneys on client and in-house projects are among some of the many great aspects. After nearly 18 years of service with the same firm, there are still new challenges and circumstances that make my job exciting.

#### 6. What is/was one of your professional weaknesses that you struggle(d) to overcome?

Earlier in my career I struggled with delegating. I managed this by assigning specific, manageable-sized tasks, and then established checkpoints along the way to ensure things were proceeding in the right direction. This has seemed to work well. I find it important to periodically reassess how work is delegated to others because workloads and responsibilities continually change.

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## TECH TIPS - BY AMBER ROBERTS, ACP

### How Being a Know-It-All Can Make You Stand Out

It never ceases to amaze me how little I know and how much more there is to learn every day. I was once again reminded at the January luncheon when Richard Jeffries of Cline Williams Wright Johnson & Oldfather, L.L.P. spoke on Adobe Acrobat. This is a program that I use on a daily basis and thought I was utilizing pretty well. Oh no, no, no! Mr. Jeffries, in a brief but life-changing presentation, showed all of us in attendance just a few more functions that we could use in the law office to increase efficiency. I've got to say, it really opened my eyes to the amount of time I waste every day instead of figuring out how to better use the tools I already have.



A few examples of how my life (and the lives of my co-workers) has changed since that day:

- Adobe Acrobat Pro (we use version 9 at our office) has the capability to fill in blanks with the Type-writer function which is located under the Tools tab. This is especially nice when the form you've found online doesn't have fillable fields. It is also wonderful for redlining in PDF form instead of using arrows and boxes that take way too much time to configure based on the text on your page. Even better, you can change the color of the text to make it stand out as needed. The day of the presentation, I happened to have about 50 different forms to fill out. I was extremely excited that I didn't have to print them off and fill everything in by hand. Time saved: about 4 hours.
- By far, the best new function I learned about was the ability to drag and drop pages from one PDF to another so long as both were open at the same time and you could see the page display on the left-hand side. This alone has saved me hours from rescanning documents and then doing a Document - Insert Pages. It amazed me too that my boss was looking for just this solution the very day of the luncheon. Imagine how smart I looked when I took over the mouse and had the documents combined in 5 seconds! This is the feature that my work group has benefitted from the most. I do a tips and tricks section at each of our monthly meetings and this was the one that got all of the ooohs and aaaahs. Credibility Improvement: Immeasurable.
- I never thought I'd need to know anything about Bates Numbering as I work in the corporate world and outside counsel handles litigation for us, but go to the Advanced tab and then Document Processing and there it is. Not a week after I attended the luncheon, one of our attorneys came looking for a Bates stamp. Imagine my surprise and her delight when I was able to tell her that even though we didn't have a stamp, I had a better solution that wouldn't hurt her hand and would get the job done in minutes instead of hours!

Probably the most important benefit of all, at least to me personally, was the increase in status in my department. I was able to once again show my co-workers why I am a great resource for them, especially regarding technology. Now, more than ever, if there is a question on how to do something, they come to me first. It helps them avoid the frustration of the IT help desk and gets them an answer faster (usually), but it also helps keep me up-to-date on job functionality which allows me to know what areas we should focus training on and make little tweaks to processes that add up to big savings in time. This makes us more efficient as a group and able to take on more projects. It doesn't hurt that I enjoy being a know-it-all (or at least appearing that way to co-workers).

## MEMBER SPOTLIGHT - MIEKO YOUNG, ACP



Having grown up in Tokyo, Mieko spent the last 25 years in the U.S. She has been with Mutual of Omaha's Law Operation since 2000. It was there that she became motivated and was encouraged to become a paralegal. She currently works in the areas of litigation/bankruptcy and trademark. Prior to joining Mutual of Omaha, Mieko worked for an airline for nine years and also worked as a freelance translator, during which time her projects included FedEx's Japanese language website and airline frequent flyer marketing materials. She holds a bachelor's degree in education from Chiba University in Japan and completed the paralegal certificate course at Metropolitan Community College in 2008. Mieko became a Certified Paralegal in 2009 and earned her ACP designation in Discovery in 2010. She is a member of NePA and NALA, and serves on NePA's Nominations & Election and Seminar Committees. She is also a charter member of National Language Services Corp.

### IN THEIR OWN WORDS:

#### 1. What is your secret talent?

I live a TV-free life. I would like to say we have no TV in the house, but there actually is one in a box in my daughter's closet.

#### 2. What are your hobbies?

I like to take long walks with my dog, read, eat (Asian vegetarian cuisine and mom-and-pop ethnic restaurants are my favorite), cook, garden and make things by hand. I love classical music and used to play cello. I also enjoy visiting museums while traveling.

#### 3. What was/is your favorite job and why?

I enjoy the analytical aspect of paralegal work. I like to read and write, and reading well-written pleadings/articles inspires me to write better. I also serve as a volunteer clinic coordinator for an organization that provides advocacy and legal services to low income immigrants and always find the interaction with people from different cultures fascinating.

#### 4. What is your favorite thing about yourself?

I am frugal.

#### 5. What one piece of advice would you like to pass on to the next generation?

It takes a village. Always remember the people who nurtured you and placed faith in you and helped you along — whether they are your family, friends, neighbors, or strangers you may never meet — and strive to do your part.



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## WEIRD LAWS!!!!!!

### KANSAS:

- Rabbits may not be shot from motorboats.
- Pedestrians crossing the highways at night must wear tail lights.
- No one may catch fish with his bare hands.
- The state game rule prohibits the use of mules to hunt ducks.
- If two trains meet on the same track, neither shall proceed until the other has passed.

### SOUTH DAKOTA:

- No horses are allowed into Fountain Inn unless they are wearing pants.
- It is illegal to lie down and fall asleep in a cheese factory.
- Movies that show police officers being struck, beaten, or treated in an offensive manner are forbidden.

Disclaimer: These laws were pulled from [www.dumblaws.com](http://www.dumblaws.com) and have not been verified in any manner.

## DISTANCE MEMBERSHIP COMMITTEE REPORT



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The Committee is extremely thrilled to inform the members that we were able to livestream District 1's March luncheon. We are still working out a few "kinks," but believe we're on the right track. I would like to give a special

thanks to Mindy Ware for monitoring the live feed during the luncheon. We are also thrilled to announce we were able to livestream the mid-year meeting and seminar. We experienced fluctuation in the internet feed which affected the streaming; however, we were excited to bring the speakers to our outlying members.

We will be livestreaming the May and June luncheons for District 1. If you work outside a 15-mile radius and would like to watch, please contact me at [caryn@whitmorelaw.com](mailto:caryn@whitmorelaw.com); I will be happy to show you how to do so.

## DISTRICT 1 DIRECTOR—CARYN REDDING, CP



**Welcome to the District 1 update! The March 27<sup>th</sup> luncheon featured Michelle Zych from the Women's Fund of Omaha. Members were informed about the Women's Fund and its role here in the Omaha area. There were 43 people in attendance. The Official Publications committee was highlighted, and Carla Larson, ACP, kept us up-to-date with NALA news and trivia. In conjunction with the Distance Membership Committee, we were able to livestream the luncheon.**

**District 1 did not have a luncheon scheduled in April since the Mid-Year Seminar was held at Mahoney State Park. Our next luncheon will be on May 22<sup>nd</sup> and our speaker will be Bernard Monbouquette from the Civil Division of the Douglas County Attorney's Office. He will speak on Nebraska Inheritance Tax. I also plan on highlighting two or three committees. Hope to see you all there!**

## PUBLIC RELATIONS COMMITTEE REPORT

The Law Day Poster Contest committee members, along with several members of the board of directors of NePA, attended this year's Law Day which was presented by the Omaha Bar Association. The Keynote Speaker was Senator Amanda McGill of the Nebraska Unicameral. She spoke on Human Trafficking in Modern Times and really opened our eyes to the detrimental effects of this issue which is not just a problem in large cities but in our own backyard as well.

Nicole Day, CP awarded the prizes to the Poster Contest winners and several other awards were presented as well, including the Robert M. Spire Public Service Award which was presented to Charles V. Sederstrom and the Public Service Award (Non-Lawyer) which was presented to Project Harmony.

I know this is one event that we will look forward to participating in next year.



Back row - Geneice Wilcher, Caryn Redding, Amber Roberts, Mindy Ware. Front row - Laurie Vik, Loretta Phillips, Kim Hansen, Tom Tilden

## PREDICTIVE CODING TO BECOME AN ETHICAL OBLIGATION

Looking back over the reported electronic discovery opinions and notable e-discovery themes in 2012, it's clear that the big shaker and mover is technology-assisted review (TAR), or predictive coding.

"Across the entire electronic discovery reference model many notable e-discovery trends emerged in 2012, but none promises to change the status quo more than the line of opinions approving the use of technology-assisted review," said Michele Lange, director of e-discovery thought leadership and industry relations at Kroll Ontrack. "As courts in the last year progressively embraced advanced technologies, such as TAR, opinions from the bench showed increased scrutiny over procedural issues."

Indeed, the number of e-discovery procedural disputes doubled last year, while sanction cases dropped 10%, according to Kroll Ontrack's annual report on electronic discovery cases.

Howard Sklar, senior corporate counsel at Recommind Inc., observed in an article on Recommind's *The Core Perspective* that predictive coding has gone through three stages of adoption, each marked by legal developments.

- In the first stage, courts allowed the use of predictive coding in e-discovery
- In the second, a dispute arose over electronic review of records because predictive coding wasn't used. Both sides eventually agreed on keyword search terms.
- In the third stage, a Delaware chancery judge required predictive coding without a request from the parties.

"In the future," Sklar contended, "we'll enter stage four: the decision by a state bar's ethics watchdog that failure to use predictive

coding is ethically questionable, if not unethical. After all, purposefully using a less-efficient, less accurate, more expensive option is problematic." Stage four, he said, could happen any time given how fast we've gone through the first three stages.

### **Other Legal Trends of 2012**

At the end of each year, Kroll Ontrack analyzes the 70 most significant state and federal judicial opinions related to the preservation, collection, review, and production of electronically stored information. In 2012, the decisions broke down into the following major issues:

- 32% of cases addressed sanctions regarding a variety of issues, such as preservation and spoliation, noncompliance with court orders, and production disputes.
- 29% of cases addressed procedural issues, such as search protocols, cooperation, production, and privilege considerations.
- 16% of cases addressed discoverability and admissibility issues.
- 14% of cases discussed cost considerations, such as shifting or taxation of e-discovery costs.
- 9% of cases discussed predictive coding.

Many e-discovery opinions discussing sanctions revolved around preservation and spoliation, yet courts were all over the map regarding an appropriate preservation standard for e-discovery — especially in the era of big data.

Kroll predicts that courts will continue to fine-tune the most appropriate instances and best practices for TAR adoption in 2013. It also said it expects continued buzz regarding discoverability of social media and e-discovery cost allocation.

Some courts, such as in *Robinson v. Jones Lang LaSalle Americas, Inc.*, allotted broad discovery of social media data, finding that such data helped prove or disprove a party's allegations.

Conversely, the court in *Mailhoit v. Home Depot U.S.A. Inc.*, found that requests for social media data failed to satisfy the Federal Rules of Civil Procedure 34's "reasonable particularity" requirement and denied the bulk of the requests. Similarly, when it comes to which party pays for e-discovery costs, courts across the country have yet to settle on a standard.

"E-discovery cost allocation remains ripe for consideration by the Advisory Committee on Civil Rules in 2013 when elevating amendments to the Federal Rules of Civil Procedure," concluded Kroll Ontrack.

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## VICE PRESIDENT'S AND MEMBERSHIP COMMITTEE REPORTS - LAURIE VIK, ACP



### NePA has reached 200 members!!!!!!

Seven new members were approved for membership with NePA at the Mid-Year Membership Meeting held on April 19<sup>th</sup>. Those approvals brought the membership total to 197. Since that date three additional membership applications have been received and approved by the Board of Directors which brings the membership total to 200!

The Membership Committee will contact the 200<sup>th</sup> member to notify her of this honor and ask if she will be available to attend the NePA Annual Meeting and Fall Seminar on September 19<sup>th</sup> and 20<sup>th</sup>. She will be offered free admission to the seminar and we will celebrate this wonderful milestone at that time. Balloons, streamers, etc. have been mentioned! The mysterious 200<sup>th</sup> member will be revealed soon, so stay tuned!

Marge Dover, the executive director of NALA, has extended NALA's congratulations to NePA on this accomplishment as well. Thank you all for your commitment and interest in NePA. It is extremely rewarding to see the organization grow!

## WELCOME NEW MEMBERS!!!!!!

**Shannah Portwood - Active**  
**Heidi Sharp - Active**  
**Amy E. Donato - Student**  
**Crystal Kropf - Student**  
**Jeanne Mangimelli - Student**  
**Sarah O'Callaghan - Student**  
**David B. Raddatz - Student**  
**Cady Troester - Student**  
**Shari Proffit - Student**  
**Amanda Erwin - Student**



## FINALLY! SOME CERTAINTY FOR FEDERAL DEATH TAXES

President Obama signed the American Taxpayer Relief Act of 2012 (the "Act") on January 2, 2013. This recent legislation addressed many of the concerns that made up the dreaded "fiscal cliff", including issues related to federal estate, gift, and generation skipping transfer taxes. After several years of stomach-wrenching uncertainty, it appears that clients and their professional advisors now can engage in long-term planning for these taxes.

First, before discussing the Act, here is a bit of background on the federal estate tax. Generally speaking, a person can die leaving assets to family and friends free of federal estate tax so long as the total value of the assets included in calculating this tax does not exceed a threshold dollar amount, which is referred to in this article as the "Exempt Amount". The value of included assets exceeding the Exempt Amount is subject to federal estate tax. Note that assets passing to a surviving spouse generally do not result in federal estate tax being owed, regardless of value.

Our estate tax roller coaster ride began in 2001 when President Bush signed legislation affecting federal tax laws. This legislation provided for periodic increases in the Exempt Amount from

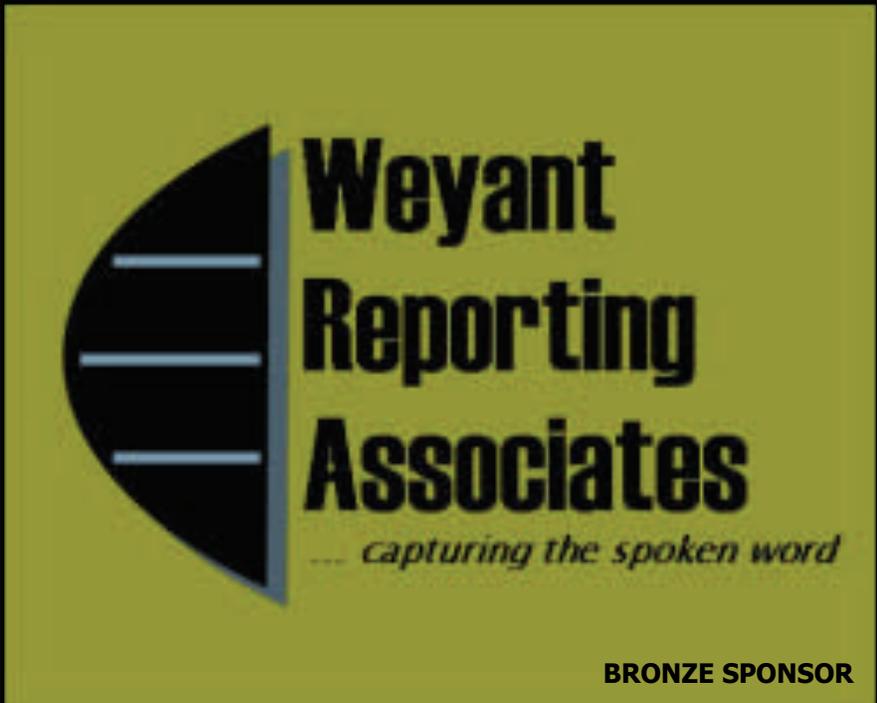
\$1,000,000 in 2002 to \$3,500,000 in 2009 and gave an option to estates of those who died in 2010 to avoid paying any federal estate tax. A "sunset" provision in the 2001 legislation would have permanently returned the Exempt Amount to \$1,000,000, beginning in 2011. The effect of this sunset provision was delayed when President Obama signed legislation in December 2010 which set the Exemption amount at about \$5,000,000 for those who died in 2011 or 2012, and provided for the \$1,000,000 Exemption Amount to return in 2013.

So what did the Act change? Among other things it permanently set the Exempt Amount at \$5,000,000, which is to be adjusted automatically on an annual basis for inflation. For 2013, the Exempt Amount is \$5,250,000. The maximum estate tax rate that applies to wealth exceeding the Exempt Amount is now permanently set at 40%.

The Act also made permanent the concept of "spousal portability". This feature, first introduced in the 2010 legislation, allows the surviving spouse to assume any unused Exemption Amount of the first spouse to die. Under the previous law, if the first spouse to die did not fully use his or her Exempt Amount at death (e.g. by leaving as-

sets to family members other than his or her surviving spouse), the unused Exempt Amount was forever lost and could no longer be used to shelter assets from federal estate tax. As a result of the recent legislation, a couple can now shelter at least \$10,500,000 in assets from federal estate taxation with relative ease. Note, however, that the estate of the first spouse to die must file a federal estate tax return with the IRS to preserve this option.

The Act generally includes beneficial estate and gift tax measures for clients. Hopefully these recent changes will remain intact in future legislation so that clients can engage in meaningful and calculated



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## FINALLY! SOME CERTAINTY FOR FEDERAL DEATH TAXES (CONT.)

planning. Be sure to visit with your estate planning attorney to discuss how the Act may affect your estate planning.

James A. Tews, a partner with Abrahams Kaslow & Cassman LLP, focuses his practice on estate planning, probate and trust administration, guardian and conservatorships, Medicaid and special needs trust planning, real estate law, franchise law and corporate and business law.

James has also developed a special emphasis on estate planning for families who are parenting or caring for a child with physical or cognitive challenges. James serves on the Easter Seals of Nebraska board and authors estate planning articles for local publications.



## GETTING TO KNOW YOUR OFFICERS - CONTINUED

### 5. What is/was your favorite job and why?

Since you did not qualify "favorite job" I will tell you that my favorite job is my role in my close relationships which include mother, partner, sister, daughter, nana, friend, etc. These relationships are a top priority. As we all know, our close relationships require enormous amounts of love and energy to thrive but the rewards and blessings are too numerous to count. My favorite job gives me the support and reason to continue working at being successful and happy in life.

### 6. What is one of your professional weaknesses that you struggle to overcome?

I view my fear of public speaking as a professional weakness. Hence, I joined Toastmasters International and I publicly speak from a podium .....shudder.... at **7:45 in the morning**. I struggle with early mornings too which can definitely be a professional weakness when you work with an "early bird". A big "thank you" to my friend Loretta

Phillips for her encouragement and support by inviting me to join this twice monthly torture session that will make me a better all around person. Seriously, I encourage all of you to check it out. It has been a wonderful experience.

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## MEMBER NEWS

**Brenda Ronspies, ACP welcomed her first child, son Braxton, into this world on October 11, 2012.**



The Boston Terrier Club of America National Specialty shows in Chicago, Illinois in May, 2013, brought two more exciting wins to Loretta Phillips and her Boston Terrier, "Taylor", a/k/a *Grand Champion Victory Taylor Made For Back Nine*. Loretta earned a First Award of Merit for Taylor (recognition as third Best Female Boston in the Specialty Show). In the finale at the Top Boston Competition, which included the top winning dogs in the United States, she was voted Best Female/First Runner up under four different judges! Taylor is enjoying being back home under her blanket on Loretta's lap for now – but the girls are already making big plans for 2014. . .

**A big congratulations goes out to Caryn Redding, CP this month. She's celebrating 10 years with Whitmore Law Office.**

A graduate of Northwest High School, Jessica Fleming has spent her career in service to others. She graduated from the University of Kansas in 2007, and first moved to London in 2008. While living in London, she worked for Amnesty International and traveled throughout Europe. She recently graduated from Metropolitan Community College with an accelerated degree in Legal Studies, completing her internship at the Omaha City Attorney's Office.



A member of the Nebraska Paralegal Association, Toastmasters, and Phi Theta Kappa Honor Society, Jessica has worked for the past two years as a therapeutic provider at a mental health facility assisting those with severe mental illness through their recovery. Jessica has recently been accepted to the University of Liverpool and will begin Master's level courses this fall at their London campus. There she will study Investigative and Forensic Psychology, which teaches various topics such as criminal profiling, investigative procedures, and court processes.

## COMMITTEE CORNER

### STUDENT SERVICES COMMITTEE

This committee might be for you if:

- You like sharing your experience and knowledge with a captive audience
- You like others telling you how wonderful NePA and NALA are
- You've got a couple days or nights a month to devote to the committee



This committee is responsible for inspiring future paralegals on college campuses and in student Paralegal Clubs by featuring the programs and resources NePA and NALA have to offer. Information shared with students includes the many activities NePA offers with its monthly luncheons, seminars, NePA's student scholarship, certification review course classes and the CP Scholarship. The committee members may be asked to speak at student association meetings, job fairs or paralegal classes. They also contact colleges to schedule presentations such as NePA's Work Flow Series which is designed to assist new paralegals just entering the job field. If you are passionate about NePA and like helping others get a step up, then this is the committee for you. They're always looking for new ideas and members to present in the classroom. Contact Loretta Phillips at 402-444-5122 and/or Ruth Bahr at 402-231-8526.



### SPONSORSHIP COMMITTEE

This committee might be for you if:

- You would enjoy asking others to become sponsors of your professional organization, with some great benefits for them
- You have a couple hours a month (and a few extra in October/November) to spend working on sending out letters and emails to potential or current sponsors, or making follow-up phone calls and developing relationships with our sponsors

This committee is responsible for contacting potential sponsors to raise additional funds for NePA to use throughout the year, particularly to offset the cost of the CLE seminars NePA offers. There are Bronze, Silver and Platinum sponsors and each level has its own benefits. If you enjoy contacting people via letters or over the phone to solicit sponsorships, then this is the committee for you. You'll also have a wonderful sense of accomplishment in meeting and exceeding goals. Contact Laurie Montag at [lmon-tag@clnewilliams.com](mailto:lmon-tag@clnewilliams.com) if you're interested.



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sam.delsenno@omaha-legal.com

**Nathan Dyke (402) 306-4045**  
nathan.dyke@omaha-legal.com

## LEADERSHIP DEVELOPMENT COMMITTEE

This course has been in the planning stages for approximately 2.5 years, and its vision and purpose were adapted to respond to the September 2012 membership survey results. The target launch date is still tentatively on track for this fall, but two committee members have had to withdraw due to personal time constraints, so we are currently regrouping and will assess progress this summer. Contact Carla Larson at [clarson@remboltlawfirm.com](mailto:clarson@remboltlawfirm.com) if you'd like to join the committee.

Stay tuned....

### You are Invited! To a "Bar-Wrapping" Party

- What:** Help wrap 300 Hershey candy bars with NePA SUCCESS bar wrap covers (these will be our affiliate booth giveaways during the 2013 NALA Convention)
- When:** Saturday, **June 29, 2013**, beginning at 9:00 a.m.
- Where:** Large Conference Room at Rembolt Ludtke LLP – in Lincoln
- Bring:** Yourself and a friend or two (many hands make light work!)
- Provided:** Double sided tape, pre-cut wrap covers, Hershey bars



**R.S.V.P. to Carla Larson, ACP at**  
[clarson@remboltlawfirm.com](mailto:clarson@remboltlawfirm.com)

## MEMBER BENEFITS:

Did you know that NePA subsidizes the cost of its monthly/quarterly luncheons? While you pay \$12 as a member, the cost is actually more than that. NePA and the district directors do their best to offer the highest quality at the luncheons at the lowest cost to members as possible.

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## STUDENT SPOTLIGHT - CADY TROESTER



Cady Troester is a legal secretary at Baylor, Evnen, Curtiss, Gruit & Witt in the Estates & Probate group. Born and raised in Lincoln, she graduated from Nebraska Wesleyan University with a BA in English and will be graduating with her Graduate Certificate in Paralegal Studies from College of Saint Mary in July. Besides trying to learn as much as possible about the law, she also loves to read, cook, and spend time with her husband and three cats.

### IN THEIR OWN WORDS:

#### 1. What interests you about the paralegal field?

The study of law, along with the opportunity to help people, is a wonderful combination. I am grateful for the opportunity to be in a practice area that I find fascinating and have direct contact with clients.

#### 2. What is your secret talent?

I love to cook! I work hard to expand my understanding of different techniques and types of food. My husband is a fantastic guinea pig when I try something new.

#### 3. What are you looking for in an employer?

I feel very fortunate to have been hired recently at Baylor Evnen in Lincoln. To a fault, they have been extremely welcoming and I can tell that the other secretaries and assistants in my group love working there. I'm looking forward to the future with them.

#### 4. What made you join NePA as a student member?

I was interested in getting involved with the organization as a way to meet other legal assistants and paralegals in Nebraska, as well as learn more about the profession and give back to the community.

#### 5. What advice would you give to those looking to go to school for paralegal studies?

I'd recommend looking for an ABA approved program and committing yourself to it. You'll meet some great, like-minded young professionals. I've been impressed at the career-preparatory nature of the program as well.

#### 6. Do you plan to take the CP exam once you graduate and if yes, what do you hope to gain from it?

I do plan on taking it later this summer. While the certification is important, I feel that it would be a great capstone to the hard work I've put into my graduate certificate in the past year.

## SPRING SEMINAR REVIEW - AMBER ROBERTS, ACP



**NE State Trooper Pedram Nabegh**

This year's Spring Seminar and Mid-Year Meeting was held on April 19th at Mahoney State Park and was again free to members of NePA. I'd like to take a moment to thank Teresa Barnes, ACP and the committee for a fantastic job! One of the best things about this year's seminar, other than the food, was the variety of speakers. They ranged from a State Trooper, Pedram Nabegh, informing us on the process for crash investigations (definitely not as glamorous as depicted on television!) to Mr. Greg Freeman of Capitol Services sharing changes to the UCC Forms (you'd think this topic would be boring...but Greg has a way of livening up even the most dry subjects).

It all started with opening remarks from Teresa Barnes, President-Elect and chair of the Seminar Committee. She welcomed the group and invited us to get refreshments at the back of the room (a delight of bagels, breads and other carb-loaded goodies that were fantastic, ...I believe there was fruit as well, but my mind was only focused on the carbs). Next we heard from Professor Richard Wiener from the University of Nebraska at Lincoln. He talked about research his department does regarding predicting the impact of laws and judicial decisions, in particular to see if there is inequality. This was extremely interesting and had unexpected results in many cases. Ruth Bahr has a copy of the presentation if anyone would like it.

Next we heard from Nebraska State Trooper Pedram Nabegh who gave a presentation on Crash Investigation and Reconstruction. He went through an actual case he worked



**President Kim Hansen conducting Mid-Year Meeting.**



## SPRING SEMINAR REVIEW (CONT.)



**Greg Freeman of Capitol Services**

on. The equipment that he brought along was quite impressive, but so were the technical qualifications needed for someone in that position, including a deep and thorough understanding of geometry and other math that I don't think I can pronounce!

We next took a short break and then held our Mid-Year Meeting which was presided over by President Kim Hansen. She called the meeting to order and went through the various officer and committee reports. Of particular note, the membership voted to amend the bylaws which will allow for a Distance Membership category. Caryn Redding will continue to work out the bugs in the hopes of offering this membership category to new members in the fall. After the meeting was called to a close, we enjoyed a wonderful lunch of salad and more bread, cheesy biscuits this time that were quite as wonderful as the breakfast selections!

The afternoon began with a presentation from Greg Freeman of Capitol Services. Mr. Freeman spoke on the effects of the 2010 Amendments on UCC Forms and the difficulties the changes were looking to address. He took what some would consider a very dry subject and brought it to life with audience participation and lots of laughter.

Our final presentation of the day came from Allison D. Balus, a partner at Baird Holm LLP. Ms. Balus spoke on the issues surrounding Managing Employee Absences and Accommodation Requests. She discussed the ADA, FMLA and Workers' Compensation laws. Her presentation was very thorough and interspersed with humor as she related many examples from her own practice.

All in all, this was a day spent learning, enjoying good food and friends, and winning prizes. Door prizes were given away throughout the day and we were encouraged to visit the booths of our sponsors, without whom we wouldn't be able to put on such a great seminar.

### Special thanks to:

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#### Seminar Committee:

Teresa Barnes, ACP	J.C. Tuck
Loretta Phillips	Laurie Vik, ACP
Ruth Bahr, CP	Mieko Young, ACP
Stephanie Henson, ACP	Angela M. Younger, CP
Andrea Maldonado, ACP	Laurie Montag, CP

**Allison D. Balus, Esq.**



## NALA NEWS - CARLA LARSON, ACP

Cengage Learning announced a **NALA Certified Paralegal Professional Scholarship Award**, inviting affiliate associations to nominate one of their members for consideration. NePA's Board of Directors received two qualified applications, and following a close vote, nominated Lori Chapman for this scholarship. The recipient of the scholarship will receive the CP exam study materials and the exam application fee. Cengage will announce the scholarship winner by May 31.



NePA's Annual Report is due to NALA by June 1. Members who would like to see a copy of it may contact me directly, and the report will also be available in the Annual Meeting notebook in September.

Christi Koch, ACP nominated Kim Brown, ACP for the NALA Affiliate Award, and NALA has confirmed that Kim will be presented with this prestigious award during the national convention in Portland! This award is public recognition by the candidate's peers within their affiliate association, and NePA is proud to recognize Kim's longstanding commitment to NePA and its members, her active participation on multiple committees, her service in multiple officer and other leadership roles, and her ready willingness to help any member at any time. Thank you, Kim!

### Announcing our Apple and Google Apps for *Facts & Findings!*

The apps place F&F at your fingertips to be read any time, any day on an Android tablet or the iPad. The app includes member password protected access to the current issue of *Facts & Findings*, and access to the last six issues, including the table of contents.

Issues may be downloaded as pdf files for access when the device is not online. The file may be saved in your documents folder on Android or in iBooks. This gives you access to the tools from Adobe, including highlighting and writing notes directly on the pages.














For non-members, there is a guest preview for the latest issue and access to the last six issues as well. Bonus features for the app include a CLE look up for all Certified Paralegals (password protected); AND a link to NALA's Facebook page. This brings a whole new dimension to NALA and to *Facts & Findings* ... The Journal for all Paralegals!



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## RELAY FOR LIFE - TERI GIBBONS, TEAM CAPTAIN LEGAL BEAGLES

There are only a couple weeks left before the American Cancer Society Relay for Life event being held from 6:00 p.m. to midnight on Saturday, June 8<sup>th</sup>, at Papillion-LaVista South High School. We still need more team members and donations. Our goal is to raise \$3,000 and we are far from that. You can contact me or go to the website 2013 Relay for Life, and register your online gift or purchase a luminary. You can donate to the team or to an individual team member. No gift is too small! The money raised will be used to further cancer research and make medications, treatments, and other support programs available for those struggling with cancer in whatever form.



For those of you coming to the May luncheon on the 22<sup>nd</sup>, please consider those in your life you want to honor or memorialize by purchasing a luminary in their name for \$10. I want to issue a challenge to all NePA members to sell three luminaries and/or register three survivors to attend the event. The one who sells the most luminaries or registers the most survivors by the May meeting will get a prize.

Our team bake sale will be held on May 23<sup>rd</sup>, in Room H-13 of the Omaha-Douglas Civic Center, 1819 Farnam Street, from 8:30 to 11:00 a.m. This is our 3<sup>rd</sup> annual Bake Sale fundraiser, and we hope it will be as successful as the past two years. A big thanks goes out to Loretta Phillips and Teresa Barnes for coordinating this event. Please participate as either a purchaser or provider of goodies! Anyone working or living out west who needs assistance getting their items to the bake sale should contact me; otherwise, please bring items to the May 23<sup>rd</sup> luncheon.

Finally, I would encourage you to attend the event on June 8<sup>th</sup> if possible, whether you are on the team or not. The survivor walk is at 7:00 p.m. and the luminary ceremony is at 9:45 p.m. It is such a beautiful and moving sight!

## DISTRICT 2 DIRECTOR - MISTY COWAN, ACP



The District 2 quarterly lunch and learn meetings at the Green Gateau restaurant in downtown Lincoln continue to grow in attendance with an average of 19 participants. It is good to see such a great turnout! To date, District 2 has presented the following guest speakers and topics:

November	Mike Linder, Director of the Nebraska Dept of Environmental Quality Keystone XL Pipeline and the Agency's response to TransCanada's final route
February	Dan Klaus, partner at Rembolt Ludtke LLP A Primer on Antitrust Law
May	Vince Powers, Vince Powers & Associates Judges, Juries, and Lawyers

August and November will be announced soon so stay tuned!

Is there a topic you want to learn more about? Please let me know. Until then, remember to save the date for our next meeting to be held on **August 14**. Watch the NePA calendar or your inbox for more details.

## DID YOU KNOW?

### FOOD FACTS:

- Milk chocolate was invented by Daniel Peter, who sold the concept to his neighbor Henri Nestlé
- An ounce of chocolate contains about 20 mg of caffeine.
- The can opener was invented 48 years after cans were introduced.
- Botanically speaking, the banana is an herb and the tomato is a fruit.
- Three quarters of fish caught are eaten – the rest is used to make things such as glue, soap, margarine and fertilizer.
- In 1994, Chicago artist Dwight Kalb sent David Letterman a statue of Madonna, made of 180lb of ham.
- Wine is sold in tinted bottles because wine spoils when exposed to light.
- An onion, apple and potato all have the same taste. The differences in flavor are caused by their smell.
- Americans eat twice as much meat as Europeans, gobbling up some 50kg (110 lb) per capita.
- China uses 45 billion chopsticks per year. 25 million trees are chopped down to make the sticks.



Disclaimer: This information was pulled from <http://www.didyounow.org> and has not been verified. It is intended for entertainment purposes only.

# KOLEY ■ JESSEN

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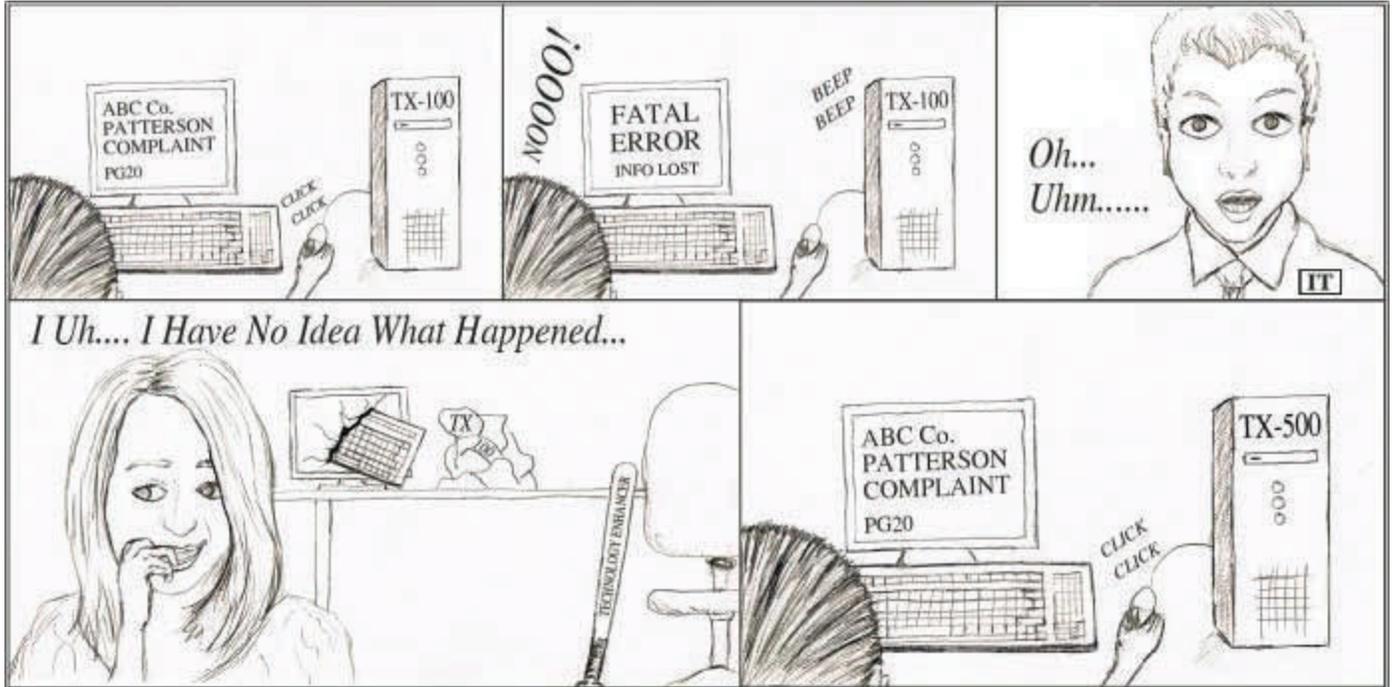
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## COMIC RELIEF



Special thanks to Nathan Portwood for his hard work on providing us with a quality comic strip!

## Student Scholarship Committee Report And the winner is....

This year's recipient of the NePA Student Scholarship is a graduate of the University of Nebraska-Omaha and is currently attending Metropolitan Community College to obtain her paralegal certificate. She volunteers for the Girl Scouts Spirit of Nebraska and the American Red Cross as well as working for the Eastern Nebraska Office on Aging and the Salvation Army as a case manager. She currently has a 4.0 and wants to pursue a paralegal career in the area of Estate Planning.



**We are pleased to announce the winner of the 2013 NePA Student Scholarship:  
Mandy Lozier!**

Mandy will receive \$1,000, which will be paid directly to the school, a Student membership in NePA for the 2013-2014 fiscal year, and the registration fee for the Annual Recognition Breakfast in September.

# Got Opportunity?

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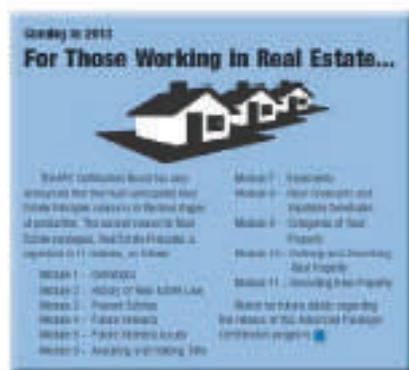
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*For Immediate Release ...*

The NALA Advanced Paralegal Certification Board has released the much anticipated *Real Estate Principles* course! *Real Estate Principles* is now available online. To access the course description and to enroll, visit the NALA web site/[Certification/Advanced Paralegal Certification](#).

The second advanced course for Real Estate paralegals, *Real Estate Principles* presents fundamental concepts related to acquisition, possession, use, and transfer of real property. *Real Estate Principles* is organized in 11 modules, as follows:

- 1 Definitions
- 2 History of Real Estate Law
- 3 Present Estates
- 4 Future Interests
- 5 Future Interests Issues
- 6 Acquiring and Holding Title
- 7 Easements
- 8 Real Covenants and Equitable Servitudes
- 9 Categories of Real Property
- 10 Defining and Describing Real Property
- 11 Recording Real Property



Advanced Paralegal Certifications are now available in 20 practice areas for paralegals. The courses are developed by the Advanced Paralegal Certification board composed of experienced paralegals, paralegal educators and attorneys, with input from certified paralegals. The APC board also works with experienced technical writers in the production of the on-line, curriculum based courses.

Through this program, Certified Paralegals may achieved advanced certification to enhance their developing careers, or for advanced instruction in practice areas in which they are unfamiliar. The APC program has been growing in popularity since its introduction in 2006. As of March 2013, nearly 3,000 paralegals have achieved advanced certification status.

Access to the Advanced Paralegal Certification courses is also available to those without the Certified Paralegal credential as an advanced CLE program. Paralegals without the CP credential will receive a certificate of completion from NALA upon fulfilling all course requirements.

For more information, contact NALA, or visit [www.nala.org](http://www.nala.org).