

PERSPECTIVE

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Summer 2020

PRESIDENT'S MESSAGE

By: Sarah M. Robinson

The Paralegal Association of New Jersey welcomes Kerry Mackey, CP as incoming President for the 2020-2021 term! I will remain on the Executive Board as Vice President to assist President Mackey in all her endeavors for the Association and I am not alone. Three other past presidents sit on the Executive Board-JoAnne Haffeman, Jennifer Smith and Jennifer Ciaburri-to whom Kerry can look for guidance. The Executive Board is very excited about our new leadership. Congratulations Kerry! You can always find a list of PANJ Board and Committee members on the Association's "About" page of www.NJPara.org and included in every edition of *Perspective*.

Kerry is already putting the pedal to the metal on moving the Association forward with hosting continuing legal education virtually. The Association will contract with Cisco Webex as the platform for future virtual meetings. While we cannot connect in person at this time, PANJ is dedicated to keeping its members active and educated!

PANJ will provide its members with one free educational seminar a month. In addition, the Association will host at least one additional education seminar for a very small fee. Since there is not presently a need for a physical location and/or dinner for attendees, the small fee will simply cover the cost of a gift for the speaker who volunteered their time to present the seminar.

Members will also be able to access previously recorded seminars on various legal topics from an online library....all from the comfort of your chair, couch, bed, wherever you wish to learn! Once we return to in person meetings again, the online library will continue to be available to all PANJ members as a benefit of membership.

For now, the Association has scheduled its first continuing legal education webinar on July 28, 2020 at 6:00P.M. Ann Pearson of Paralegal Bootcamp will discuss the 7 Habits of the Indispensable Paralegal. This is a FREE webinar for anyone interested in participating. Up to 100 people can "attend" the webinar on a first come, first serve basis. Ann uses the platform GoToWebinar. If you register for the webinar but cannot attend, a recording of the webinar will be available for you to view for 30 days. Please keep in mind, you have to participate in the entire webinar to obtain CLE credits.

I wish to apologize to everyone for PANJ's lack of interaction and continuing legal education since March. As you know, PANJ is a non-profit organization governed entirely by volunteer paralegals who are experiencing some of the very same hardships as its members-increased responsibilities, reduction and/or loss of employment, loss of family members, homeschooling and entertainment of young children, depression-etc, etc. While other organizations hurried to throw virtual events together, the PANJ Board took a step back, took a deep breath and put in the time and effort to research a professional, reliable platform to offer webinars to its members and all participants both now and in the future, even after in person meetings start up again. I thank everyone for their patience and understanding.

Finally, as I start my term as Vice President, I look forward to being able to continue to further our profession by focusing on renewing discussions about regulation, registration or required certification. Now that the ABA has distinguished paralegals from legal assistants in order to clarify the work done specifically by paralegals, I believe the time has come for more uniform practice guidelines for paralegals throughout New Jersey. Change will not happen overnight. The first step, however, is opening up a dialogue among our profession and dissecting the options in order to advocate for a common goal through the appropriate channels. We may not all agree on every point but what all paralegals can agree on is further efforts are needed to distinguish our profession from non-paralegals.

If you wish to contribute to upcoming editions of *Perspective*, please submit your pieces for review to Info@NJPara.org.

If you know a vendor who may be interested in advertising their product/service in the *Perspective* or at an upcoming dinner meeting, have the vendor contact Info@NJPara.org.

Are you seeking employment? Make sure you check out the Job Bank! New positions are added regularly. Don't miss out on a potential great opportunity!

The *Perspective* is a newsletter designed to report news and/or opinions of interest to PANJ members. The opinions expressed herein are solely those of the author, not the *Perspective* Editor nor the PANJ Executive Board. Publication herein does not imply endorsement in any manner. No information contained herein is intended nor should it be construed as legal advice. All articles presented herein are with permission of the author. Inclusion and editing of material is at the sole discretion of the Editor.

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1. How many months or years have you been a PANJ member? _____

2. Do you read the quarterly Newsletter?

_____ Yes Do you find it easily accessible on the PANJ forum? _____ Yes _____ No

_____ No Briefly explain why you do not read it

3. What topics in the legal field would you want to see explored in the Newsletter?

4. Would you be interested in writing articles for the Newsletter?

_____ Yes

Would you be able to write an article for *each* quarterly Newsletter? _____ Yes _____ No

Would you be able to write upon request (no more than twice a year) _____ Yes _____ No

_____ No

5. Do you believe the Newsletter is graphically appealing (such as color or font)?

_____ Yes

_____ No How would you change the graphics? What changes would you recommend?

6. Do you feel the Newsletter should only be provided to PANJ members? _____ Yes _____ No

Please Explain. _____

EMAIL RESPONSES TO NEWSLETTER@NJPARA.ORG

Member Spotlight



Kerry Mackey, CP

Certified Paralegal at Braff, Harris, Sukoneck & Maloof

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<https://www.linkedin.com/in/kerry-mackey-55a82328/>

Q: How long have you been a member of PANJ?

A: Two years.

Q: Why did you decide to join the Association?

A: I wanted to meet other paralegals and learn more about the paralegal field.

Q: What do you enjoy most about the Association?

A: I enjoy meeting new people and learning about new topics. My firm handles mostly personal injury cases so its refreshing to learn about other types of law.

Q: Why did you decide to go into the legal field?

A: I have always had an interest in the legal field. I wanted to go back to school but decided that I did not want the hours that a lawyer has and then learned about the paralegal program at FDU.

Q: What is a typical day as a paralegal like for you?

A: I work in an insurance defense law firm. My day usually consists of ordering medical records, setting up medical evaluations and drafting motions, and other correspondence.

Q: What's a helpful tip for someone in our industry?

A: Do not be afraid to ask questions. If you are not sure how to do something, ask someone. I sometimes have to train new employees at my job and I would rather be asked a million questions than have something done wrong. There is no harm in asking questions.



NALA NEWS

June 2020

2020 NALA Conference and Expo

As of this writing, NALA's Conference and Expo is next week, July 9 to 11, 2020. Time flies! However, because of COVID-19, the Conference has gone 100% virtual, including a virtual Exhibitor Hall. In addition to CP review courses, CLE topics include, among other interesting topics, the First Amendment, Estates, Employment, Cannibus, Immigration, Technology, and Interviewing Techniques. The Convention is now at a greatly-reduced cost, and I'm excited to earn some bargain CLE credits. Additionally, NALA is sending Conference swag to those who registered early. Can't wait to see what's in the box!

NALA will be coming to New Jersey on July 10-12, 2025.

NALA Affiliates Award

I'm so pleased to inform you that **JoAnne Haffeman**, PANJ's former President and *Perspective* Editor, will receive NALA's Affiliates Award! JoAnne is so deserving of the Award for her many years of service to PANJ and the paralegal profession. Kandi Moncelsi, ACP, a former PANJ President, summed up JoAnne's contributions at the time of JoAnne's nomination:

Being a paralegal is a second career for JoAnne Haffeman; previously she was editor of legal publications. In 1999, when JoAnne joined PANJ (formerly LAANJ) the NJ Supreme Court Committee on Paralegal Regulation published its report on paralegal licensure creating quite a debate for NJ paralegals. JoAnne volunteered then to be Editor of PANJ's newsletter, Perspective, and held that position for many years.

JoAnne held numerous board positions, including several terms as President. "Volunteering does give you a wonderful sense of helping, not only your fellow paralegals but also yourself as well." JoAnne was instrumental in changing the Association's name, replacing "legal assistant" with "paralegal" to keep up with the changing times. "We should....not only take pride in our profession and the valuable work that we do, but also rededicate our efforts to becoming better informed and thus more valuable to our attorneys".

JoAnne has maintained the PANJ membership roster since joining PANJ and sits on the Advisory Board of three college paralegal programs, is a member of the NJ State Bar Association's Special Paralegal Committee and has contributed to the Annual NJ Paralegal Convention.

JoAnne has been an invaluable asset to PANJ and is a shining example of its members and the paralegal profession as a whole. "The stronger we become as a profession, the more we will be able to affect the changes we feel are necessary to enable us to perform our jobs effectively and professionally."

The Award will be presented at the virtual Affiliates Annual Meeting held during the Conference and Expo. Congratulations JoAnne and thanks for your hard work and dedication to PANJ and the profession!

NALA Leadership

Melissa J. Hamilton, ACP will now lead NALA's team of officers as President. NALA's elections for the remaining offices will be held during the Conference

NALA Commons

Have you checked it out? Log into your NALA account and see what going on in the on-line member only collaboration site. Besides the main group there are so many additional subgroups - CP, Career Development, Study Group, Freelance, Manager, Trial, just to name a few. There seems to be something for everyone.

CP Exam

The Knowledge Exam is administered on demand all through the year. The Skills Exam is next available in July and October.

When you purchase the NALA CP Practice Exam, included in the purchase is NALA's new Practice Exam App which is available for one year from purchase.

Christine A. Principe, CP
Certified Paralegal
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NALA NEWS

(supplement)

June 2020

THIS JUST IN ...

I just finished **2020 NALA Conference @ Home**. While I'm disappointed that the Conference was not in person ... and A.C. would've been a lot of fun despite the bad weather ... it was a great event.

The CLE sessions were pre-recorded, and most speakers joined at the end of each session for live Q&A. There was also a contemporaneous Q&A in writing while the presentation was ongoing. AND a live chat feed was also up on the screen to stay connected with other attendees throughout the session. It was so much to take in and every session was so informative.

In addition, the Conference attendees downloaded the Conference App which provided, among other things, another way to stay in touch with fellow attendees and speakers, to keep track of your schedule, and to visit the virtual vendor hall.

Besides the CLE sessions, the following meetings were held:

- 2019-2020 Board of Directors Meeting
- Annual Membership Meeting and Awards Presentation
- Affiliated Associations Annual Meeting and Exchange Presentation
- Installation of Officers
- 2020-2021 Board of Directors Meeting
- Panel Discussion with NALA Leaders

As I mentioned in my prior NALA News, **JoAnne Haffeman** was a recipient of the Affiliates Award presented at the Affiliated Associations Annual Meeting. Congratulations again JoAnne!



I just wanted to give you this brief summary of the Conference and to encourage you to attend next year's conference in Louisville, KY.

Importantly, I also wanted to share some key information provided at the various meetings:

- **NALA Affiliate Member Discount:** Starting July 15, 2020, NALA will be providing to NALA Affiliate members a 25% discount on NALA's yearly membership. NALA's \$154 yearly membership is available to PANJ members for \$115.50. Additionally, included in NALA's annual membership is an \$80 gift certificate to be used towards CLE, the Conference and certain items in their store. So, immediately the \$115.50 is reduced to \$35.50! Melissa Hamilton, ACP, NALA's President, said the value of NALA's membership exceeds its cost. The value includes:

- \$80 Gift Certificate
- \$35 Facts and Findings
- \$79 Compensation and Utilization Survey
- \$350 in free webinars
- Discounted CLE
- Job Bank/Contract Work
- Affinity Discounts
- Employer discount for multiple employees joining

- **Digital Badges:** Shortly, NALA will be providing members with digital badges to include on you LinkedIn profile and the like. Digital badges will provide a way for people to validate your NALA membership and CP/ACP status.



- **ACP Courses:** New ACP courses will be rolled out.
- **Extension of Recertification Dates and Exam Dates:** Recertification and testing dates have been extended due to Covid. NALA has sent emails, but the extensions are as follows:
 - Recertification completion dates between March 31 and June 30, 2020 have been extended to September 30
 - CP Exam Knowledge portion completion dates set to expire between March 31 and June 30, 2020 have been extended to September 30
 - CP Exam Skills portion of the exam for the April and July testing windows have been extended to the October testing window

If an applicant has difficulty meeting these deadlines, contact NALA to discuss your situation.

Hope this information was helpful. See you in the Fall!

Christine A. Principe, CP
Certified Paralegal
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CONGRATULATIONS **MICHELLE VALDIVIA, CP**, AND
AMY KIHM, CP, FOR PASSING THE CERTIFIED
PARALEGAL EXAM!

THE UNCONVENTIONAL PARALEGAL – THINKING OUT OF THE BOX HOW I CAN INFLUENCE MY CAREER

By: Vincent Ascolese

During the COVID-19 pandemic, I attended an incredibly helpful CLE webinar titled “The Art and Science of Time Entries”, put forth by Paralegal Bootcamp. On a telephone call with the Paralegal Bootcamp founder and director of training, Ann Pearson, I mentioned that I was unsure how I kept my job (from 2007-2017) with the looming possibility of layoffs. She quickly replied that the answer was billable hours. After attending this CLE, I learned that I had much to improve and that this was an area where I had influence.

In the past, I only billed for the time I felt was appropriate, as opposed to the actual time spent. I had been self-writing off time. This practice was only cheating myself. It was also time that will never be paid by a client because I did not record it. Now, I do not write off time that I am actively working on a project.

I also learned to be more descriptive of the task performed. Previously I entered time entries such as “draft responses to discovery requests” or “preparation of documents for production.” More specific time entries are informative for the billing partner and client. A more specific entry of the same task could include, for example, “organize and analyze client’s medical records to draft responses to interrogatories and document demand.” Of course, the latter is more accurately reflective of the task performed and more likely to remain uncut from the invoice by the billing partner.

This Paralegal Bootcamp seminar demonstrated how to calculate something called a “Utilization Rate” ($\text{Hours Worked} \div \text{Hours Billed} = \text{Utilization Rate}$). I calculated this rate going back several months at my current firm. Though my current firm did not have a minimum billable requirement, I knew this was an area where I should improve. As suggested by Ms. Pearson, I sought to increase my Utilization Rate in small increments.

It has been difficult working from home during COVID-19. The Paralegal Bootcamp provided a multiple prong test to determine if a task should be billed, which are as follows: Would an attorney ask me to do the task; Does the task move the case forward; Would an attorney do the task (if a paralegal did not); Is the task substantial in nature; and Would the task benefit the case/client. Answering in the affirmative to 2 or more of the prongs is an indication that a task should be billed.

Lastly, I had previously discussed how a paralegal could handle interruptions in my article on Mindfulness as a paralegal. I have found that the same applies when working from home, such as: place E-mails and cell phone on silent, take scheduled breaks, do not multitask, etc. Billable hours can be increased by minimizing interruptions while so that the focus is on the task at hand.

I can have an influence on my career if I continue learning and bill my time. I learned much more than the above during this seminar. The following is the link to the course which I attended <https://paralegal-bootcamp.com/paralegal-courses/billable-hour-boot-camp/>



Vincent Ascolese graduated from St. John's University with a bachelor's degree in Paralegal Studies in 1998. He has over 17 years working as a paralegal in various practice areas including: employment, commercial litigation, and business litigation. Most recently he works in practice areas including personal injury, workers' compensation and business litigation. Vincent has served on the Special Paralegal Committee to the New Jersey State Bar Association. He is an active member and is a former Trustee-at-Large for the PANJ.

7 Habits of the Indispensable Paralegal

WEBINAR

July 28, 2020 at 6:00 p.m.

In this motivational workshop, Ann Pearson, Founder of [The Paralegal Boot Camp](#), puts a new spin on Stephen Covey's 7 Habits of Effective People by showing us how we can develop habits that will lead to a rewarding, successful paralegal career. Program highlights include:

- What separates a highly successful paralegal career from a paralegal job
- A different approach to the meaning of proactive behavior
- The importance of building and keeping credibility with attorneys
- Time management when juggling multiple priorities
- Why a paralegal should strive to become the "master of technology" on their team



Ann Pearson is the Founder of the Paralegal Boot Camp®, a company that develops training programs exclusively for paralegals. The training programs are delivered as live workshops, online training events, and on-demand courses. Prior to founding the Paralegal Boot Camp in 2010, Ms. Pearson had 20 years of experience in the legal industry, first as a litigation paralegal at a boutique law firm in Sarasota, Florida, and then as a litigation paralegal at Holland & Knight LLP. She later became the paralegal manager at McKenna, Long & Aldridge LLP (now Dentons), where she managed the paralegals and case assistants in their Atlanta, New York, and San Diego offices.

Planning is underway for the 2020 Annual New Jersey Paralegal Convention!!!!

By: Jennifer Smith, ACP

The New Jersey Paralegal Convention (“NJPC”) is an annual event organized by paralegals for paralegals! The Convention has offered a full day of education and networking to New Jersey paralegals for over 27 years! It provides many possibilities for those interested in the legal industry, not just those working in the legal field but those who offer professional services as well.

NJPC has taken form over the past decades. When I took over the Convention in 2018, it was a well-oiled machine. While I tweaked certain aspects, the majority of Convention stayed the same. I had some big shoes to fill! My predecessor did a great job setting things up.

The NJPC Board starts planning the event at least a year in advance. Hosting Convention requires a lot of pieces to fit together perfectly and seamlessly. Few people understand the magnitude Convention encompasses.

The most important aspect of NJPC is the location. The facility needs to be central and easily accessible from major highways. The facility also needs to be big enough to have a general meeting area, several breakout rooms, a vendor hall that easily flows allowing networking with sponsors, and most importantly, somewhere for everyone to eat!

Once the facility is addressed, the next most important item is the sponsors. The exhibitors and sponsors play a huge roll in Convention. If it weren’t for the sponsors, the cost to attend NJPC would be astronomical. Also, sponsors who support NJPC expose attendees to legal services and companies they may need to call upon in the course of their work and if the situation arises, their personal lives.

When I have need for a service, I will turn to those who sponsor NJPC first to see if I can utilize their services. These services can range from service of process, private investigation, copying, forensic accounting, medical record retrieval and/or interpretation, the creation of visual illustrations for trial, and court reporting services for a deposition just to name a few.

After addressing the facility and sponsors, the legal education must be finalized. The NJPC Board reviews the past year's seminar surveys and utilizes the comments to schedule seminars on a variety of legal topics of interest to attendees including current issues affecting the legal profession, the State of New Jersey and our Country. The NJPC Board does such a great job in choosing topics and finding volunteer speakers that attendance at NJPC has remained steady over the years.

This format has been the norm for the past 27 years. However, life as we know it has now changed due to COVID-19 and NJPC will evolve as well. While the NJPC Board does not need to reinvent the wheel altogether, some pretty big changes have to be made. I hope everyone will stay tuned to see what Convention 2020 has in store for New Jersey paralegals!

www.NJParalegalConvention.Com

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Jennifer Smith is an Advanced Certified Paralegal specializing in family law with the law firm of Einhorn Barbarito Frost & Botwinick for over the last 15 years. Ms. Smith is the President of the New Jersey Paralegal Convention and serves as Trustee at Large for the Paralegal Association of New Jersey. She also participates on the Berkeley College Legal Studies Advisory Board and is a former Co-Chair of the New Jersey State Bar Association's Special Paralegal Committee.



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The Top-10 Tech Tips for Working Remotely during the Coronavirus Pandemic

By: Paul R. Kiesel, Esq.

Over the years many of us have imagined what the world would be like in some sort of global pandemic. There have been books, movies, and short stories all “imagining” the day a global pandemic might hit. The time, tragically, is upon us. For those of you who have geared your practices toward a remote working environment, you are several steps ahead of the game. For the majority, now is the time to consider what tools you should have in your toolkit to survive this and perhaps future experiences. Fortunately, we have not had to experience a mass disaster such as an earthquake, but many of the concepts discussed in this article are applicable to all sorts of disasters.

Tip 1: It's about your hardware. Needless to say, having an iPad, a laptop, or a home computer is the first, most important way to connect remotely. Although you could certainly use your smart phone, having an adequately sized piece of hardware is critical to getting the most out of your out-of-office productivity. For the last 20 years, I used a laptop to connect to the office remotely, but over the last five, I have abandoned the laptop and use an iPad exclusively when working remotely. The current generation of iPad I am using is the iPad Pro 12.9 device. It truly is, at least for me, a laptop replacement. Using the iPad Pro with the Apple keyboard (although there are several third-party keyboards available as well) provides enormous amounts of productivity wherever I am. However, there are several manufacturers that produce fantastic laptops to be considered as well. What's great about the iPad is that rather than having to lug around a separate computer charging cable, the iPad Pro cable is easy to carry, and with just a replacement, the lightening plug works with the same adapter. As an aside, my firm is totally PC-based; therefore, even though the iPad is an Apple product, I almost exclusively use Microsoft software on my iPad.

Tip 2: Software. You must ensure that you are using software that allows you to connect to your office remotely. In my firm there are two ways for users to connect to the office remotely. The first is through Citrix, which is a software system that allows remote connectivity to my office's servers using a remote connection. The other option is LogMeIn, which is software that allows you to connect remotely to your actual desktop computer and work as though you were literally sitting at your own desk at the office. I really enjoy LogMeIn because of this experience. The backbone for all of this remote connectivity is Tip 3.

Tip 3: Internet connectivity. When you are remotely connecting to your office, it is important that you have good, stable internet connection, as well as the appropriate security. (I will deal with security in Tip 4.) It is important that you are connecting to your office through one of at least three different methods. The first method is a wired internet connection at your home to connect to your firm's computers. If you are working somewhere where you do not have direct internet connectivity, another option is hardware with built-in wireless connectivity. For example, the iPad has two versions: one is a purely Wi-Fi-based

connection, and the other is Wi-Fi plus cellular. I have the iPad Pro with both Wi-Fi and cellular access because sometimes there may not be Wi-Fi available, and I do not want lose access to the internet. However, if you do not have a cellular iPad, you could use your own cell phone to create a wireless “hotspot” to connect with your iPad. For example, my iPhone 11 Pro has a feature to connect my remote device through the Sprint network to the internet. In other words, if I did not want to use my iPad’s own cellular connectivity, I could turn my iPhone into an access point for connection. When I have traveled outside of the United States where the cellular connection does not work on my iPad, I can actually use my iPhone to connect the iPad wirelessly. That said, it tends to be expensive to use my iPhone to connect my iPad to the internet. You can also purchase a cellular providers’ “hot spot,” which is a separate device that serves as a gateway between your laptop or iPad and an internet connection. Nevertheless, those are your options for internet connectivity as we begin 2020. There are several companies working on developing a blanket around the world of access points that would essentially create Wi-Fi for all no matter where you are.

Tip 4: Security. It is important that your communications with your firm remain private. The one way to ensure privacy in your communications when working by Wi-Fi is using a virtual private network (VPN). When using a VPN, your communications are encased in a steel tube so that no one can penetrate the contents of your communications from your device to your office systems, assuming you are accessing a secure connection. You may have seen the following designation: “[www.https://](https://).” The “https” designation denotes a “s”ecure connection. When you visit a bank website, for example, you will notice it is designated as an [https](https://), meaning it is secure. However, the connection is only as secure as your initiation point. Whenever I am using a “public” wireless connection, whether at a hotel, an airport, or a Starbucks, I always initiate the VPN software on my iPad. VPNs are readily available and cost a minimal monthly amount for their use. There are numerous amazing benefits to a VPN, but they are beyond the scope of this article. However, if interested, I would encourage you to find out more about VPNs and how to use them. It is sufficient to say that if you are not entering your firm’s network from a secure location, such as your home, you should absolutely use a VPN.

Tip 5: Telephone calls. Most office phone systems now allow you to call-forward your office line to your remote device. If you have a direct dial at your office and can call-forward your direct dial to your remote device, whether it's a cell phone or a home number, it is important that you have the ability to call-forward your main office line. However, at a small firm, you may need to simply direct the main number for your office directly to one individual, like a receptionist, who can take and process all calls. In times such as these where your offices are essentially vacated, you must have someone monitor your telephone system.

Tip 6: Video communication. I have been a power user of Zoom, a U.S. web-based video teleconferencing system, since 2012. Zoom is one of several companies that offer real-time video connectivity between yourself and anyone else who has access to the Zoom network. There are certainly several competitors to Zoom, but I personally find the ease-of-use and scalability of Zoom preferable. You are able to call as few as one to as many as 1,000 individuals at the same time. On a smaller scale, you can use Apple's FaceTime for basic, peer-to-peer videoconferencing. Ring Central offers videoconferencing, as does Microsoft

meeting. I find, especially during these isolating times, that the ability to see people face-to-face is absolutely necessary to maintaining your sanity when working.

Tip 7: Speech-recognition software. Those of you who are challenged in your typing skills and do not currently have access to support staff might need to look into speech-recognition software for assistance. I have used Dragon NaturallySpeaking for almost 25 years. Dragon translates your spoken word into typewritten text one word at a time and is the program I am using to prepare this article. Whenever I am doing any sort of word processing, I dictate my work directly into Dragon and subsequently proofread, cleanup, and then send. I oftentimes dictate using Dragon and then forward to my legal assistants to clean up my dictation, deal with formatting issues, and then finalize the pleading, correspondence, or even an article like this. I highly recommend Dragon NaturallySpeaking as a fantastic complement to your remote work environment.

Tip 8: Screening your calls. Google Voice allows you to force callers to identify who they are before the call gets forwarded to you. I oftentimes choose not to give out my cell phone number in favor of my Google Voice number. When you pick up a Google Voice call, the individual calling you is first announced and then you can choose whether to accept or reject the call—a nice feature when working remotely. At the office, you might have your receptionist or secretary "screen" your calls for you, but when working remotely you lose that opportunity. Google Voice solves that problem. Unfortunately, Google stopped supporting Google Voice in 2019, but there are several alternative products available, and you should research which one might be best for you.

Tip 9: Cloud-based computing. Although my office has continued to use on-site servers, several of my colleagues in larger firms have migrated to cloud-based software providers. Essentially, a cloud-based system allows you to work remotely as though you were in your office wherever you are in the world. Unlike the options mentioned earlier through Citrix or LogMeIn, if you are a cloud-based user, your law firm software resides somewhere in the world. It really doesn't matter to you where it's located so long as you have consistent access to your data. Although I prefer having all of my client files, documents, and other information reside at my office, if your firm uses a cloud-based computing platform, you have access to the entire suite of information wherever you are based. This certainly would be true if there were some sort of a mass catastrophic event that took your office out of service. Currently the pricing of cloud-based computing is expensive enough that I prefer housing my servers at my firm along with the concomitant outside vendor support, but in the future, that will probably change. In short, it really doesn't matter whether a cloud-based office is physically open for business or where in the world you are in order to access your data.

Tip 10: Password managers. All of us have dozens of sites that we access daily that require password access. Whether you are accessing your office's computer system, your Apple account, your Google account, or even your grocery store, managing your passwords is an important task. I have used for many years Dashlane to manage my passwords. I have over 300 different sites maintained in my Dashlane account, and these passwords synchronize among my devices. In other words, I have Dashlane at the office, at my home, on my iPad, and on my iPhone, and anytime I change one password, all of the other devices connected to

Dashlane synchronize through the cloud and update every other device. It is *not* a good idea to use the same password on every website. Although I realize it is difficult to use multiple passwords because it is hard to remember which password is for which account, that is the beauty of Dashlane. It automatically remembers and recalls for you the password you've used for each individual website. One trick to think about for your passwords is to use a phrase. Studies have shown that a series of lowercase letters, capitalized letters, symbols, numbers, etc. is not as effective as a long password, such as a common phrase that only you know. For example, you could simply vary the end of the phrase "hickorydickorydock" depending on the website.

Needless to say, there are a whole lot more than 10 tips, but this is a pretty good start when working remotely now and in the future. Be safe and be healthy!

For more business law content, visit [businesslawtoday.org](https://www.businesslawtoday.org).



Paul Kiesel, Esq. received his Juris Doctorate from the Whittier College School of Law in Los Angeles in 1985. In 2005, he was awarded an Honorary Doctorate of Law from Whittier Law School. His practice is devoted to representing consumers in personal injury, class action, environmental, and toxic tort litigation.

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Serving a Subpoena for a Deposition or Records in Another State Using the UIDDA

By: Alana Gibson, Chief Operating Officer

If you've ever had to serve a subpoena in another state, you know what a hassle it can be to retain counsel in that state in order to get the subpoena served - and be enforceable. Thanks to the creation of the Uniform Interstate Depositions and Discovery Act (UIDDA) though, you can serve these items across state lines without the headache.

For paralegals who have a lot on their plate, the UIDDA can cut down on the to-do list.

What the process used to look like

Prior to the introduction of the Uniform Interstate Depositions and Discovery Act (UIDDA) in 2007, deposing individuals or conducting discovery outside of the state a case originated in was a daunting task. Since it's passing, there now exists a streamlined way to make a subpoena enforceable in another state by recommissioning the subpoena through the UIDDA. Because of the variations in procedure by state and strict format requirements, many utilize process servers rather than take hours learning the nuances of a particular clerk and court.

The UIDDA was created due to the many differences in state rules and cumbersome procedures required to serve a subpoena in another jurisdiction. Every state had its own laws and it was necessary to be familiar with each state's particular requirements.

While not every state has adopted the UIDDA, it's a useful way to request discoverable documents and schedule depositions where permitted. As of the writing of this article, 42 states as well as the District of Columbia and the Virgin Islands have adopted some form of the UIDDA.

How the UIDDA works

The process through the UIDDA is much more efficient and removes the need for local counsel in the state of deposition or discovery (but you will still need to retain a location for the deposition that's within the county of the service address). It also eliminates the need for letters rogatory or a commission from the discovery state. Most importantly, it

saves judicial resources as previously it took significant time for the courts to handle domesticating a subpoena.

To serve a subpoena through the UIDDA, a draft subpoena which complies with the rules of the other state must be created. It's important to remember any motion such as to quash or modify is governed by the rules of the state where the subpoena will be domesticated. Applying for the reissued subpoena can only be done in person, which makes it difficult and costly for lawyers to handle this themselves.

The reissuing of the subpoena is handled by the clerk or prothonotary depending on the state. In most commonwealth states, the prothonotary will handle this. Once the subpoena is reissued it will either receive a new index number or be signed by the clerk.

If scheduling a deposition, this must happen in the same county where the document is being served. The domestication of the subpoena must take place in that county in order for it to be enforceable. If not done correctly, the subpoena will need to be recommissioned, wasting time and money on the initial efforts.

After the subpoena is domesticated, it can then be served according to the rules and laws of that state. There are particular requirements for what documents must be served along with the reissued subpoena. It's critical to be sure these are included or the service will not be considered valid.



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What To Do During Tough Times

By: Samantha Vitone

Times are tough right now and it is hard to ignore with what is going on in the world, especially in the United States of the year 2020. When I sign in to any social media platform or put the news on, what I usually see is fear. I love being informed and educated with current events but lately, it has played a negative toll on me. I have been feeling sad, upset and concerned. I bet you that I am not the only person who has hit that point during this craziness.

I recently realized that I needed to make some active changes in my life to help keep my spirits uplifted and to have a sane mind. Below are a few tips and tricks that help me feel relax when I am upset and I want to share them with my readers. This is a time where we should help each other out and I hope my tips will help you too.

- 1) *Healthy Activities*: Step away from your smart phone and yes, you will be okay. “The vast majority of Americans who have access to the internet rely on social media to keep up with friends and current events.” Most of us can agree that social media is a fun and a colossal time-suck and addictive. It has become so easy to access anywhere and anytime and we feel compelled to pay attention 24/7 to what is taking place on our newsfeeds. According to [Dr. David Greenfield](#), he said, “staying away from social media makes you less prone to such high level of cortisol, leaving you more relaxed and focus. Choose more mentally engaging activity to banish your boredom instead of scrolling through your feeds such as reading a book or building something,” (I love reading books so if you need any book recommendations, let me know!). Once you stop scrolling through other people’s opinions or news, “you will likely find out more about what motivates you, activities you enjoy and it will help lead to the discovery of one’s self.” There are applications that can help keep you off your social media accounts such as Offtime, Moment, Forest and more.
- 2) *Emotions* – It is okay to open up and to seek help. Talk to your family or friends with your issues or even just vent to get some feelings off your chest. If you do not want to talk to anyone who is close to you at first, that is okay. There are several services that can help you such as therapy, find a support group and other helpful services. Or, writing your feelings and thought, can help you understand your feelings more clearly which can improve your mood. “Journaling can help you manage anxiety, reduce stress and cope with depression.”
- 3) *Staying Active* – When I finish a work out, I feel happier and better from either doing a high-intensity work out, a run or the spin bike. Why is that? According to healthdirect.gov.au, regular exercise releases chemicals like endorphins and serotonin which makes you feel good. A recent study done by the Harvard T.H. Chan School of Public Health found that, “running for 15 minutes a day or walking for an hour reduces the risk of major depression by 26%.” In addition to relieving depression symptoms, research also shows that maintaining an exercise schedule can prevent you from relapsing.

Even a little bit of activity is better than nothing. Take a few minutes out of your day and do a physical activity such as walking in your neighborhood, yoga, stretching and more.

- 4) *Take A Deep Breath In And Now, Let It Out* – What helps me sleep every night is doing deep breathing exercises. “The way you breathe affects your whole body and breathing exercises are a great way to reduce tension, relax and relieve stress.” Improper breathing can cause anxiety, panic attacks and fatigue. According to psychologist and breathing expert Alison McConnell, “taking 6-10 minutes each day using this breathing technique can help reduce your heart rate and blood pressure.” There are several different breathing exercises that can help you relax. Do your research to find deep breathing techniques that works best for you.

Difficult times can feel incredibly overwhelming and there are many things we can do to soften the blow. The tips above are ways that can help you be mentally strong during tough times. What helps you de-stress? To help others, let others know what healthy and safe ways that help you relax.



Samantha is an Associate Member to the Paralegal Association of New Jersey, Inc. She is also the Social Media Coordinator for the New York City Paralegal Association Inc. She enjoys being active and involved in the legal industry, especially the paralegal world.

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Characteristics of Good Leadership

By: Bruce Boucher, President, Roos Advisors

If there is anything that we have learned through this pandemic, it is that a good leader is the key to a successful team. As we begin to enter the various phases of reopening our country, it is important to recognize the characteristics of a good leader.

In my long career as an HR professional and specifically as a leader, I have had my share of ups and downs. It turns out that I am not alone in that realization and there are some signs that can help us recognize when our leadership needs improvement. Recognition of these signs can be crucial to the development of a positive work environment, high performance and team unity. Here are some ideas for how to improve leadership when you feel such improvement is needed.

1. **Give complete instructions or vision.** Direction that is vague and nebulous does not promote the strategy and directional intent of the business or the department. When leaders are “under the gun”, they can assume things are obvious or straight forward when, for others, they are not. When asked for input, instructions or clarification, speak in specific terms and do the thinking necessary to consider strategy, application, impact, business needs, and people. Good leaders take a breath, are patient, find out what is needed, and ALWAYS provide a why.
2. **Build up your teammates.** Many leaders feel that teasing is harmless in the workplace. However, such teasing or comments can be a dangerous and destructive practice. Being kind in public and corrective in private is the golden rule for positive, impactful leaders. If “venting” is necessary, find a coach, consultant, or a mentor outside the business or work group to talk with.
3. **Follow through on commitments.** The “example” factor is powerful. If the leader commits personally with the team to a project, activity or a change, he or she is also committed to respond and perform. No excuses will suffice and failure in following through is devastating. However, caution should be exercised here. In doing your portion or keeping your commitment, nobody wants a leader to devalue what they have done or need to do by hyping or overstating their own personal efforts. Celebrate the team publicly and your efforts privately.
4. **Make the hard decisions.** Indecision can cripple a leader and their team. Employees love confidence and certainty and sometimes even the greatest of leaders doesn’t have an immediate answer. Shooting from the hip, hiding and avoiding, or deflecting responsibility to others are not the answers here. Communication and authenticity during these times can help bridge the gap between uncertainty and a decision. Counsel with co-workers and other leaders. “Admitting it and owning it” is a great practice that people seem to appreciate. Remember, no one person is smarter than the group.
5. **Tell people the truth about their performance.** Many leaders are afraid to upset the balance in their department by being honest with their team. They think they are keeping the peace, but in truth they are limiting team members from reaching their potential. It is important to be kind but authentic and this can be a very delicate balance. Some employees want it straight and others don’t. Giving direct, yet balanced feedback is a wonderful leadership characteristic worthy of emulation. It may also take practice and real intention on the leader’s part.

6. **Be present in the moment.** In this day of phones, texts, tweets, workloads, or unending email, work-related distractions take us away, and quickly, from personal connection.

This was described to me in a consulting session by a frustrated team member, who said about her leader, “if I only get 20 minutes of her time during the week, I’d really like the full 20 minutes or something close to it.” We can create an environment of being authentic in circumstances when we need our authenticity to come through, by making the people in front of us our priority.

By sharing these simple, practical suggestions, I hope I can help others be more effective and efficient and not make some of the mistakes I made. Better leadership is hard-fought, evolving, and is also worthy of our efforts if we want our teams to succeed. *#commitmenttoleadwell!*



Professor K. Bruce Boucher is currently the Director of the Masters of Human Resources Executive program for Utah State University and is a professor in the graduate and undergraduate programs. Previous to his three-year sabbatical for the LDS Church, Bruce was the Chief Human Resources Officer for Extra Space Storage. During his 14 plus years, Extra Space went from a privately held company with 150 employees and 38 properties to a publicly-traded company with over 3000 employees and 1100 properties.

Bruce is a member of SHRM and has been asked to speak at several local chapter events on HR issues. He is trained as an executive consultant and coach and has been a featured panelist at the annual BERSIN DELOITTE Learning and Development conference. He is also the President of Roos and Associates: an HR and Business consulting firm and a partner in Wall Management – a real estate management company.

Professor Boucher has a Bachelor’s degree from Brigham Young University in International Relations and a Master’s of Science degree in Human Resource Management from Utah State University. For three years, he served as the President of the Puerto Rico San Juan Mission for the Church of Jesus Christ of Latter-day Saints overseeing the Church’s efforts on Puerto Rico and 6 Caribbean islands.

Bruce and his wife, Becky, reside in Salt Lake City, Utah and are the parents of 4 children and 5 exceptional grandchildren.

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