

PERSPECTIVE

Volume 36, Issue 1

Spring 2018

PRESIDENT'S MESSAGE

By Sarah M. Robinson

Happy Spring Fellow
Paralegals!

I keep reminding myself that April showers (rain and snow) bring May flowers. PANJ has been quite busy welcoming Spring and more suitable temperatures as the 2017-2018 term comes to an end. Since

if you haven't already done so. Also, stay in touch by following PANJ on Facebook and LinkedIn and joining our LinkedIn Group!

The Nomination Ballot for the Executive Board for the upcoming 2018-2019 term has been sent to all Regular

DON'T FORGET TO SUBMIT YOUR VOTE FOR THE
EXECUTIVE BOARD. BALLOT ENCLOSED.

the Winter Issue of *Perspective*, PANJ has participated in several events meeting with paralegals and other professionals in the industry along with marketing the Association all while continuing to provide legal education. Dinner meeting notices for May's, June's and September's upcoming general membership meetings are included in this issue.

In order to qualify for discounted attendance fees at the upcoming events, please remember to register for PANJ's new Forum www.NJPara/freeforums.net

members and is included in this issue. All members, especially our newer members, should give careful thought to serving on the Board. It is an opportunity to take an active role in *your* Association, providing a new perspective while enhancing your own skills and personal development. Work side by side with other paralegals to govern the Association and address issues that affect the future of *our* profession! While networking is beneficial to your career, serving on the Board gives you the chance to connect

It's that time of year! Remember to vote for the Executive Board.

Interested in joining the Board and becoming more involved in the Association? Vote for yourself as a Trustee At Large.



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

more closely with your peers, share ideas, make friends and laugh. (Laughter is necessary in this profession!) Please give some serious consideration to serving on the Board. No experience is required! Please feel free to contact me or chat with a present Executive Board member at an upcoming event with any questions.

Are you considering sitting for the NALA Certified Paralegal Exam to enhance your professional development? Starting May 1, 2018, PANJ is sponsoring a Sweepstakes open to all Regular, Associate and Student members in good standing for reimbursement of

the exam fee! The Sweepstakes Ticket and corresponding Affidavit are included in this issue. The Sweepstakes Ticket can be submitted by email to Info@NJPara.org or by regular mail and must be received by September 1, 2018. The drawing will take place at September's general membership meeting. You must be present to win!

In an effort to assist paralegals working in the litigation field, PANJ Trustee at Large, Nyree Benitez, has generously shared her "Litigation Road Map" which highlights important Court Rules, helpful procedures and reminders.

Finally, our featured articles this issue are from Dorothy Secol, CLA, *"Working as a Freelance Paralegal-An Inside Look"* and Elyssa A. Goldstein, CLM, PHR, SHRM-CP, *"The Perfect" Paralegal*". Dorothy summarizes the combined life of an independent paralegal and business owner while Elyssa discusses the most desirable traits of a paralegal from her view as a law firm administrator. Both articles offer intimate knowledge in connection with paralegal skillsets and business ownership.

SAVE THE DATE

2018 NJ PARALEGAL CONVENTION

FRIDAY, OCTOBER 26, 2018

8:00 A.M. – 4:00 P.M.

RENAISSANCE WOODBRIDGE

ISELIN, NEW JERSEY

www.NJParalegalConvention.com



www.NJPara.org

CERTIFIED PARALEGAL EXAM SWEEPSTAKES

The Paralegal Association of New Jersey, Inc. is sponsoring a Sweepstakes open to all Regular, Associate and Student members in good standing for reimbursement of the NALA Certified Paralegal Exam ("NALA CPE") fee up to \$275.00 ("Prize").

OFFICIAL RULES

1. The Sweepstakes will begin at 9:00a.m. on May 1, 2018 and is open to all Regular, Associate and Student members in good standing only. Participation is free and there is nothing to purchase in order to participate.
2. The Sweepstakes is only applicable to the NALA CPE.
3. The completed and executed Sweepstakes Ticket and Notice of Official Rules must be post marked and/or received by PANJ by 5:00p.m. on September 1, 2018 to be entered in the Sweepstakes. Sweepstakes Ticket can be submitted by email to www.NJPara.org or regular mail to P.O. Box 142, Caldwell, NJ 07006.
4. Drawing will take place at the September 2018 PANJ dinner meeting wherein the Sweepstakes Winner will be announced. Sweepstakes Winner must be present to win. Presently, the meeting is scheduled for September 18, 2018 at the Hyatt House, 194 Park Avenue, Morristown, NJ, but is subject to change.
5. Sweepstakes Winner must sit and successfully complete the entire NALA CPE by October 1, 2020.
6. Sweepstakes Winner's PANJ membership must be in good standing at the time of successful completion of the NALA CPE. If Sweepstakes Winner's PANJ membership has lapsed, the Prize is null and void.
7. Sweepstakes Winner will provide PANJ with proof of successful completion of the NALA CPE along with proof of payment. Upon receipt of same, along with an executed and notarized Affidavit of Eligibility, Publicity Release, and Liability Waiver, PANJ will reimburse the Sweepstakes Winner for the NALA CPE fee (up to \$275.00) within thirty (30) days.
8. Winning Sweepstakes Ticket is non-transferable.
9. Sweepstakes Winner acknowledges delivery of Prize is subject to agreement and execution of the Winner's Affidavit of Eligibility, Publicity Release and Liability Waiver before a notary public.
10. Odds of winning will depend on the number of eligible entries received.

I have read the above and agree to the Sweepstakes Official Rules.

(Signature)

Date: _____

SWEEPSTAKES TICKET

Name: _____ Email: _____

Address _____ Phone: _____

WINNER'S AFFIDAVIT OF ELIGIBILITY, PUBLICITY RELEASE, AND LIABILITY WAIVER

I, as the Winner, execute and submit this Winner's Affidavit of Eligibility, Publicity Release, and Liability Waiver ("Affidavit") to The Paralegal Association of New Jersey, Inc. ("PANJ") understanding that PANJ will rely on this Affidavit in connection with PANJ's Certified Paralegal Exam Sweepstakes ("Sweepstakes") and subject to my eligibility, as the Winner being awarded the Prize of the Sweepstakes (as defined in the Certified Paralegal Exam Sweepstakes Official Rules). Winner is referred to below as "I" or "me".

My full legal name is _____

My address is _____

My telephone number is _____

My email address is _____

I. ELIGIBILITY.

I hereby represent and warrant:

a. I am a legal resident of the United States and at least 18 years of age.

b. I have read and understand the Official Rules of the Sweepstakes.

c. I am presently a _____ (Regular/ Associate/Student) member of PANJ.

d. I have complied with all the provisions of the Official Rules and have not perpetrated any fraud or deception in connection with the Sweepstakes, I have not sought to influence the outcome of the Sweepstakes other than by participating as expressly permitted in the Official Rules, and all information that I have provided to PANJ in connection with the Sweepstakes is complete and accurate.

e. I am eligible to receive the Prize awarded to me in the Sweepstakes.

II. TAX CONSEQUENCES.

I acknowledge and agree that I may be taxed for the fair market value of the Prize. Accordingly, I agree to execute any documentation necessary (e.g. Form 1099) and to report the value of the Prize for tax purposes as required by law. I agree that all taxes, costs, and expenses associated with the receipt and/or use of the Prize shall be my sole and exclusive responsibility and to pay any and all federal, state, and other tax liabilities when due with respect to the Prize.

III. NO WARRANTY REGARDING PRIZE.

PANJ provides the Sweepstakes and Prize "as is." I hereby acknowledge that the Sweepstakes is provided without any guarantee or warranty, including without limitation any express, implied, or statutory warranty, including without limitation the warranties of merchantability or fitness for a particular purpose in connection herewith. PANJ shall not be liable to me for incidental, indirect, consequential, special, punitive, or exemplary damages of any kind – including loss of Prize or loss of data – arising out of the Sweepstakes, regardless of whether PANJ was advised, had other reason to know, or in fact knew of the possibility thereof. I acknowledge that any acceptance, participation in the Sweepstakes, and/or receipt or use of the Prize is solely at my own risk.

IV. PUBLICITY RELEASE.

By participating in the Sweepstakes, I hereby give the unrestricted, absolute and perpetual right, license and permission irrevocably and in perpetuity to PANJ to use, publish, reproduce, modify, distribute, display, broadcast, publicly or otherwise to use my name, photograph, visual likeness, video, statements and/or representations in whole or in part, in print, electronic format or any form of media whatsoever, without limitation and/or additional compensation to me, monetary or otherwise, in promotional or marketing activities of PANJ in connection with the Sweepstakes or otherwise. I hereby waive all claims to compensation, royalties, remuneration, consideration, notice, or permission in connection therewith. Any photographs/images become the sole property of PANJ.

V. LIABILITY WAIVER.

I, on behalf of myself, my heirs, devisees, executors and administrators (collectively "Successors"), hereby unconditionally release, forever discharge and agree to hold harmless PANJ along with each of its officers, directors, employees, agents and contractors and any other party associated with the development or administration of the Sweepstakes (collectively "Released Parties"), from any and all claims, judgments, costs, damages (including indirect, incidental, consequential or punitive), losses (whether arising under a theory of contract, warranty, tort, including negligence, whether active, passive or imputed, strict liability, product liability or any other theory) liabilities and expenses, including reasonable attorney's fees, relating to any claim I may now or hereafter have that may be suffered by me or any third party, in whole or in part, as a result of the Sweepstakes, including the Sweepstakes Ticket, Official Rules and/or Prize, any use by PANJ of my name, photograph, visual likeness, video, statements and/or representations or in connection with my acceptance, participation in, use of and/or inability to use the Prize awarded to me, even if such claim is caused solely by the unauthorized human intervention, technical errors, printing errors, mail delays, errors in the administration of the Sweepstakes, recklessness, negligence, error or fault of one or more Released Parties (collectively "Released Claims").

I also hereby agree to indemnify and hold harmless PANJ and all other Released Parties from and against any and all claims, costs, losses, damages and expenses, including reasonable attorney's fees incurred by PANJ and any other Released Parties arising out of or in connection with any Released Claims or in connection with any third party claims (including based on violations of publicity or privacy rights) based on the statements and/or representations I made to PANJ.

I hereby represent and warrant that any cause of action that I may bring forth that arises out of or connected with the Sweepstakes, including without limitation in connection with my Sweepstakes Ticket or the Prize, shall be individually, without resort to any form of class action.

I agree that in all cases PANJ or any other Released Parties' maximum aggregate liability shall be limited to my direct costs of entering and participating in the Sweepstakes and in no event shall PANJ or any other Released Party be liable for any attorney's fees.

I specifically understand and agree that this Release will prevent me and my Successors from bringing a lawsuit, claim or other action against PANJ or any other Released Party to recover any money damages or other legal relief from PANJ or any other Released Party in connection with any of the claims released above.

VI CERTIFICATION.

I hereby represent and warrant that all statements and/or representations made by me in this Affidavit are true, accurate, and complete, and I hereby indemnify PANJ and any other Released Party from and against any and all losses or damages (including attorney's fees) arising out of or relating to any statements and/or representations made by me in this Affidavit or otherwise in connection with the Sweepstakes including without limitation my completed Sweepstakes Ticket. I agree to immediately return to PANJ, upon demand, the value of the Prize that has been or may be awarded to me if any statement and/or representation made by me in this Affidavit is false or misleading, and I acknowledge and agree that all available legal and equitable remedies may be pursued against me in connection therewith.

VII ENTIRE AGREEMENT.

Except for the Official Rules, this Affidavit constitutes the entire Agreement between myself and PANJ with respect to the matters described herein, and supersedes any and all other agreements and communications, oral or written, between myself and PANJ or any other Released Party with respect to such matters. This Affidavit may not be amended or supplemented except by a writing signed by PANJ specifically referencing this Affidavit.

I acknowledge and agree that the Sweepstakes and this Affidavit will be governed and construed under the laws of the State of New Jersey. All disputes must be heard by a Court of Law of this State. If any provision of this Affidavit is found to be unreasonable or unenforceable in any respect by a Court of Law in this State, it is my intention and understanding that this Affidavit shall nonetheless be enforced to the maximum extent to which it is found by the Court of Law in this State to be legally enforceable. To the extent permitted by applicable law, I hereby waive the benefit of any provisions of any statute or other law that might adversely affect the rights of PANJ or any Released Party under this Affidavit.

I acknowledge that my agreement to the terms set forth above is required by PANJ to award the Prize to me and PANJ would not do so in the absence of my written agreement to the terms set forth above.

I acknowledge that PANJ has the right to cancel, suspend, and/or modify the Sweepstakes if any problem corrupts the administration, security or proper handling of the Sweepstakes. I agree that PANJ has the right to substitute any prize with another prize of equal or greater value if the advertised prize is not available.

I have been given a full opportunity to review, analyze, and ask questions in connection with this Affidavit as well as the Official Rules governing the Sweepstakes. I fully and completely understand all of the terms of this Affidavit and sign it voluntarily, freely, and knowingly.

Sworn to Before Me on

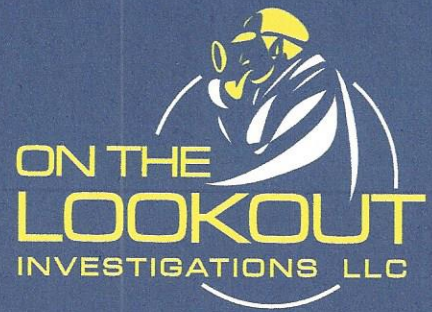
this day of , 201

Notary

Winner

D
G
R

only
THE [^]Source
For Legal
Support



Process Service & Investigations you can depend on.

10% OFF

YOUR FIRST ASSET SEARCH

All searches performed in accordance with the Gramm Leach Bliley Act,
Fair Debt Collection Practices Act and Fair Credit Reporting Act.
Must have permissible purpose in order to conduct search.

973-403-1700
service@dgrlegal.com
www.dgrlegal.com

973-867-3070
info@otlollc.com
www.otlollc.com

THE “PERFECT” PARALEGAL

By Elyssa A. Goldstein, CLM, PHR, SHRM-CP

Though harmoniously alliterative, the title of this article is largely hyperbolic, as we all know that a “perfect” employee of any kind rarely, if ever, exists. Disclaimers aside, when attempting to cull a list of character traits and work habits to attribute to the “perfect” paralegal, certain words did immediately come to mind based on my nearly nine years of law firm experience.

The job of a law firm administrator is to assess a paralegal hire in three phases. First, during the hiring phase itself, a law firm administrator must primarily evaluate a paralegal’s verbal and written communication and professionalism/presentation. Attention to detail can also be spot-checked during this initial phase by providing a candidate with a set of instructions, e.g., asking him/her to supply a specific copy count of resumes, list of references and/or writing sample in a preferred format. Albeit becoming increasingly antiquated, typing tests may be used to review technical expertise. Restricting applicant submissions to an online-only platform is a more modern option.

Next, during the second phase, i.e., the introductory (sometimes called “probationary”) period of employment, and in addition to continued appraisal of those items mentioned during the first phase, a law firm administrator is afforded the opportunity to gauge a paralegal’s ability to multitask, work independently and operate under pressure, as well as his/her judgment, logic, creativity, persistence and patience. Research acumen is also imperative at this stage, though, oftentimes, law firm administrators will have to ascertain feedback in this regard from the attorney(s) for whom the paralegal works.

Skilled law firm administrators will ask both direct and indirect questions related to these phase-two qualities during the interview process, but will have to rely almost entirely on a candidate’s words until an offer is made and accepted and the “prove it” mantra comes into play. Not everyone will be good at everything, so a paralegal should not oversell himself/herself in an area where he/she knows he/she may be lacking all that is necessary for attainment of “perfection”. Unfortunately, it is not uncommon for a braggadocios paralegal to be let go during the introductory period of employment when his/her promised skill set turns out to be severely limited or, worse, is nowhere to be found.

The third and final phase of measurement of a paralegal is impossible to universally quantify time-wise, aside from the fact that it will span from the first day after the conclusion of the introductory period of employment to the end of a paralegal’s tenure with a law firm (regardless of reason for said end). Beyond a “team-player” mentality ideally embodied by every employee, a law firm administrator seeks to hire a paralegal who views his/her job as his/her career. Dedication to an employer is, of course, admirable, but dedication to a craft is the number-one way a candidate can distinguish himself/herself from the crowd.

The paralegal who is active in one or more professional organizations, has completed one or more educational programs, has attained one or more professional designations and/or otherwise spends his/her “free” time continuing to grow and develop as a paralegal is the most desired paralegal hire for a law firm administrator. Knowing that a paralegal values continuous education and professional development helps put a law firm administrator’s mind at ease. A paralegal of this ilk could one day serve as a mentor to other paralegals in the law firm and help a culture of “betterment” permeate day-to-day law firm operations. In this way, a paralegal can act as an ally for his/her law firm administrator, and, perhaps, create a (near-) “perfect” pairing of people (instead of trying to be a “perfect” person).

Elyssa A. Goldstein, CLM, PHR, SHRM-CP is the Firm Administrator of Rebenack, Aronow & Mascolo, LLP, with offices in New Brunswick, New Jersey and Somerville, New Jersey. In her own “free” time, she serves as Treasurer of the New Jersey Association of Legal Administrators, as well as Editor of its newsletter, Jer-Z-Journal, and Co-Chair of its CLM and Education Committee. In May 2018, Elyssa will officially commence a three-year term on the Association of Legal Administrators Membership Development Committee. She is also an active member of the Morris County Chapter of the Society for Human Resource Management.

KEEPING UP WITH



January 2018 Dinner Meeting at Berkeley College

EMOTIONAL INTELLIGENCE

By Nazmia Abedrabo, Vice President

On January 9, 2018, PANJ hosted its monthly general membership dinner meeting at Berkeley College in Woodland Park. Traci Dingle, JD, MSA, PhD presented "The Importance of Emotional Intelligence for Paralegals." The meeting was well attended by students from Berkeley College, PANJ members and a few newcomers.

The focus of the discussion was how emotional intelligence affects paralegals in their work environment and extends to their personal lives. Ms. Dingle explained that emotional intelligence is learning to understand our own feelings, the feelings of others and how to manage our emotions effectively. Paralegals enhance their emotional intelligence by becoming aware of their own moods and emotional clues that can signal others' emotional states, remaining calm during times of frustration, provocation or criticism from others; not interrupting others when they are trying to comment or speak; and being polite and respectful at all times. Following these important rules helps paralegals to make better decisions at work and at home when situations arise and one's patience is tested ultimately positively enhancing relationships.

The four clusters of Emotional Intelligence discussed were:

	Self	Social
Recognition	<div>Self Awareness <u>Self-Confidence</u> Emotional Self Awareness Accurate Self Assessment</div>	<div>Social Awareness <u>Empathy</u> Organisational Awareness Understanding the environment</div>
Regulation	<div>Self Management <u>Self-Control</u> Trustworthiness Conscientiousness Adaptability Drive and motivation Initiative</div>	<div>Social Skills <u>Influence</u> Inspirational Leadership Developing others Influence Building bonds Team Work and Collaboration</div>

The most important lesson I learned from this seminar and I will always remember is to focus on one matter at a time and not to emotionally dwell on timing. Eventually everything will fall into place.

February 2018 Dinner Meeting at The Kenilworth

By Nazmia Abedrabo, Vice President

On February 13, 2018, PANJ hosted its monthly general membership dinner meeting at The Kenilworth in Kenilworth. Catherine M. DeAppolonio, Esq. presented “The Paralegal’s Role in Tort and Civil Rights Claims Against the Government and the Police.” Ms. DeAppolonio routinely advises and represents local governments and officials including defending municipal actions along with tort and civil right lawsuits against entire police departments and individual police officers.

The discussion focused on Title 59, known as the New Jersey Tort Claims Act (“TCA”). Below is an excerpt of key points for paralegals who prepare Notices of Tort Claims against public entities and/or their employees:

N.J. Tort Claims Act – Title 59: The general rule is sovereign (i.e. governmental) immunity from suit. However, there are exceptions whereby wronged or injured citizens may sue the State and its agents for civil damages. The requirements and limitations for a suit are detailed in the TCA and the relevant case law.

Examples when the TCA may apply are:

- a) Individuals who slip and fall on a property such as a street or sidewalk that is owned by a municipality;
- b) Pedestrians who have been injured by a vehicle owned by the State of New Jersey;
- c) An arrestee who claims assault by a police officer.

59:8-8 Time for Presentation of Claims: A Notice of Tort Claim has to be served on the proper public entity within 90 days of the accrual of the claim. Once six months has passed from service of the Notice of Tort Claim on the proper public entity, the claimant can file suit within the jurisdiction of the Court of Law.

Accrual of the claim is determined on a case-by-case basis. Accrual can be fact sensitive, based on general tort law or the “discovery rule” *Lopez v. Swyer*, 62 N.J. 267 (1973).

59:8-9 Notice of Late Claim: A claimant that has not served proper notice within 90 days may make application to the Superior Court by motion with supporting affidavits outlining the extraordinary circumstances for the delay for consideration to file late notice within one year of the accrual of the claim. Permission to file late notice is at the discretion of the Superior Court.

If a claim has not been properly served within 90 days, two years have elapsed from the accrual of the claim and settlement of the claim has not yet been reached, then the claimant shall be forever barred from recovering against that public entity or public employee.

Paralegals play a vital role in drafting the TCA Notice, gathering information, document management and assisting with investigation and discovery.

NJSBA Solo and Small Firm Conference

Sarah Robinson and Jennifer Smith attended the Solo and Small Firm Conference on February 24, 2018. The attorneys were very receptive to having the Paralegal Association of New Jersey present at their event. The most popular topic was the Job Bank. Make sure you check out the Job Bank as there was an influx of jobs posted due to this event. Don’t have access to the Job Bank? Join PANJ and peruse all the available employment opportunities!

Saturday Seminar at Union County College

Amazing presentations were given by Amanda Sexton of DGR and On the Look Out Investigations and Chris Morga of Lorelei Staffing. Ms. Sexton spoke on how to effectuate proper process of service, Efilng, and investigations. She discussed the different laws from state to state and country to country. Amanda also spoke about the many different ways investigators can find information out about whomever they are investigating. This was an informative and fascinating presentation.

Chris Morga discussed cover letters and resume writing including the importance of accurate information, positive representation of one's skills, and omission of nonessential information. Chris's presentation was a real eyeopener for paralegals who do not periodically update their resumes. Thank you Amanda Sexton and Chris Morga.

Supporting NJSBA as a Sponsor

March 17, 2018; April 14, 2018; April 21, 2018; and May 5, 2018.

2018 NJ Paralegal Convention

PANJ is preparing for and assisting with the preparation of the annual **NJ Paralegal Convention**. Save the Date OCTOBER 26, 2018. www.NJParalegalConvention.com



"Choosing a Career Coach is making an investment to your success."

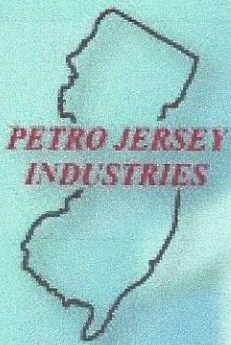
InvisiScope takes over 20 years of small, mid and enterprise level experience to provide you with the tools to take control of your professional life.

We offer affordable packages that are strategically designed to deliver impact.

Contact us today for a free consultation.

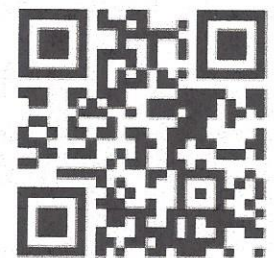
InvisiScope Solutions
Your Career. Elevated.
Invisiscope.com

Petro Jersey Industries, Inc.



**Oil Tank Services,
Removal, Investigation
and Site Remediation**

**When The Seller is
Property Rich and
Cash Poor**



**Pay at Closing!
1-800-707-2022**

**Fuel Tank Removal &
Clean-Up 2-4 Weeks With
State NFA Approval**

PetroJerseyIndustries.com



Registration is open for the **2018 Conference & Expo** which is scheduled for July 11-13, 2018 in St. Louis, MO. The first 50 attendees to register for the full Conference will receive a free 2018 conference t-shirt!

Voting takes place at the Conference. If you're not voting in person, proxies are due June 6, 2018.

Check out NALA's OnDemand Webinar: **Become the Ultimate Internet Sleuth**. Find out about:

- what services to use for background reports, including verifying information on background report and gathering additional data based on information in background reports.
- Internet search engines to use for investigation purposes
- Locating people on social media sites;
- Expert witness searches.

Nominations for **NALA Awards Program and Member Recognition** were due May 1, 2018 for the Founder's Award, President's Award, and Making a Difference.

For more information regarding the CP exam, go to nala.org.

Certified Paralegal Exam Preparation Program

The Paralegal Association of New Jersey has partnered with the Paralegal Education Group. This partnership will allow members of PANJ to take preparation classes for the certified paralegal examination. For more information about review courses go to www.paralegaleducationgroup.com. Make sure you advise PEG that you are a member of PANJ so you can take advantage of the discounts.





SAVE THE DATES!

UPCOMING EDUCATIONAL DINNER MEETING SEMINARS

****2017-2018 TERM****

MAY 8, 2018

Christopher Aveta and Melanie Bostick - Global Legal Solutions
"How to Effectively Prepare for and Manage Electronically Stored Data in Civil Litigation by Epiq"
Sills, Cummis & Gross, P.C., Newark

JUNE 12, 2018

Diane Fleming Averell, Esq. and William A. Kraus, Esq.
*"The Paralegal's Role in Successfully Building and
Managing A Medical Malpractice Lawsuit"*
Porzio, Bromberg & Newman, P.C., Morristown
INCLUDES INSTALLATION OF OFFICERS FOR 2018-2019 TERM

****2018-2019 TERM****

SEPTEMBER 18, 2018

Jill Francisco, President of the National Association of Legal Assistants
"Professional Certification and the NALA Certified Paralegal Exam"
Hyatt House, Morristown

By attending PANJ events, all attendees (either members or nonmembers), presenters and/or sponsors acknowledge that they may be photographed during an event and agree that PANJ has the right to use, edit, copy, publish, distribute and/or display the photograph/image for printed and/or digital promotional and/or marketing purposes without any monetary compensation. Such photographs/images become the sole property of PANJ.

www.NJPara.org



PARALEGAL ASSOCIATION
of
NEW JERSEY, INC.

POST OFFICE BOX 142
CALDWELL, NEW JERSEY 07006

MAY 2018 GENERAL MEMBERSHIP DINNER MEETING

**THE PARALEGAL ASSOCIATION OF NEW JERSEY, IN CO-SPONSORSHIP WITH
LEROE PROMOTIONAL MARKETING AND MINUTEMAN PRESS-NEWARK IS
PLEASED TO INVITE YOU TO ITS
MAY 2018 GENERAL MEMBERSHIP DINNER MEETING**

TOPIC: HOW TO EFFECTIVELY PREPARE FOR AND MANAGE
ELECTRONICALLY STORED DATA IN CIVIL LITIGATION
PRESENTED BY EPIQ

SPEAKERS: CHRISTOPHER AVETA - DIRECTOR, GLOBAL LEGAL
SOLUTIONS AND MELANIE BOSTICK - SOLUTIONS
ARCHITECT, GLOBAL LEGAL SOLUTIONS

DATE: TUESDAY, MAY 8, 2018

TIME: 6:00 P.M. - REGISTRATION/CHECK IN/NETWORKING

PLACE: SILLS, CUMMIS & GROSS, P.C. 973-643-7000
THE LEGAL CENTER, ONE RIVERFRONT PLAZA
NEWARK, NJ 07102

**PARKING VALIDATED BY SILLS, CUMMIS & GROSS, P.C.
(FREE). DIRECTIONS AND PARKING INFORMATION ATTACHED.**

COST: \$18 MEMBERS, \$23 NON-MEMBERS

Assorted Sandwiches, Salad, Dessert, Soda, Water

**RESERVATIONS MUST BE MADE IN ADVANCE NO LATER THAN
FRIDAY, MAY 4, 2018**

Reservations can be made by visiting njpara.org/events or by emailing info@njpara.org.
(Please provide your full name and telephone number.)

**Please remember that if you make a reservation and cannot attend, you must notify us no later
than Monday, May 7, 2018, by 12:00 p.m. or you will be held responsible for payment.**

By attending PANJ events, all attendees (either members or nonmembers), presenters and/or sponsors acknowledge that they may be photographed during an event and agree that PANJ has the right to use, edit, copy, publish, distribute and or/display the photograph/image for printed and/or digital promotional and/or marketing purposes without any monetary compensation. Such photographs/images become sole property of PANJ.

www.NJPara.org

NATIONAL ASSOCIATION OF LEGAL ASSISTANTS AFFILIATE



PARALEGAL ASSOCIATION
of
NEW JERSEY, INC.

POST OFFICE BOX 142
CALDWELL, NEW JERSEY 07006

JUNE 2018 GENERAL MEMBERSHIP DINNER MEETING

**THE PARALEGAL ASSOCIATION OF NEW JERSEY IS PLEASED TO INVITE YOU
TO ITS JUNE 2018 GENERAL MEMBERSHIP DINNER MEETING AND
INSTALLATION OF OFFICERS**

TOPIC: THE PARALEGAL'S ROLE IN SUCCESSFULLY BUILDING AND
MANAGING A MEDICAL MALPRACTICE LAWSUIT

SPEAKER: DIANE FLEMING AVERELL, ESQ. & WILLIAM A. KRAIS, ESQ.

DATE: TUESDAY, JUNE 12, 2018

TIME: 6:00 P.M. - REGISTRATION/CHECK IN/NETWORKING

PLACE: PORZIO, BROMBERG & NEWMAN
100 SOUTHGATE PKWAY, MORRISTOWN, NJ 07960
973-538-4006

MEETING COST: \$20 MEMBERS, \$25 NON-MEMBERS

Buffet Dinner, Dessert, Soda, Tea and Coffee

**RESERVATIONS MUST BE MADE IN ADVANCE
NO LATER THAN FRIDAY, JUNE 8, 2018**

Reservations can be made by visiting njpara.org/events or by emailing info@njpara.org.
(Please provide your full name and telephone number.)

**Please remember that if you make a reservation and cannot attend, you must notify us no
later than Monday, June 11, 2018, by 12:00 p.m. or you will be held responsible for
payment.**

www.NJPara.org

By attending PANJ events, all attendees (either members or nonmembers), presenters and/or sponsors acknowledge that they may be photographed during an event and agree that PANJ has the right to use, edit, copy, publish, distribute and or/display the photograph/image for printed and/or digital promotional and/or marketing purposes without any monetary compensation. Such photographs/images become sole property of PANJ.



PARALEGAL ASSOCIATION
of
NEW JERSEY, INC.

POST OFFICE BOX 142
CALDWELL, NEW JERSEY 07006

SEPTEMBER 2018 GENERAL MEMBERSHIP DINNER MEETING

**THE PARALEGAL ASSOCIATION OF NEW JERSEY,
IN CO-SPONSORSHIP WITH DGR-THE SOURCE FOR LEGAL SUPPORT &
ON THE LOOKOUT INVESTIGATIONS, IS PLEASED TO INVITE YOU TO ITS
SEPTEMBER 2018 GENERAL MEMBERSHIP DINNER MEETING**

**TOPIC: PROFESSIONAL CERTIFICATION AND THE NALA CERTIFIED
PARALEGAL EXAM**

**SPEAKERS: JILL FRANCISCO, ACP, VICE PRESIDENT OF THE NATIONAL
ASSOCIATION OF LEGAL ASSISTANTS**

DATE: TUESDAY, SEPTEMBER 18, 2018

TIME: 6:00 P.M. - REGISTRATION/CHECK IN/NETWORKING

**PLACE: HYATT HOUSE MORRISTOWN
194 PARK AVENUE, MORRISTOWN, NJ 07960**

COST: \$20 MEMBERS, \$25 NON-MEMBERS

Assorted Sandwiches, Salad, Dessert, Soda, Water

*******NALA CERTIFIED PARALEGAL EXAM SWEEPSTAKES TICKET DRAWING*******

**RESERVATIONS MUST BE MADE IN ADVANCE NO LATER THAN
FRIDAY, SEPTEMBER 7, 2018**

Reservations can be made by visiting njpara.org/events or by emailing info@njpara.org.
(Please provide your full name and telephone number.)

**Please remember that if you make a reservation and cannot attend, you must notify us no later
than Monday, September 17, 2018, by 12:00 p.m. or you will be held responsible for payment.**

By attending PANJ events, all attendees (either members or nonmembers), presenters and/or sponsors acknowledge that they may be photographed during an event and agree that PANJ has the right to use, edit, copy, publish, distribute and or/display the photograph/image for printed and/or digital promotional and/or marketing purposes without any monetary compensation. Such photographs/images become sole property of PANJ.

www.NJPara.org



www.NJPara.org

MEMBERSHIP BENEFITS

- *Professional Recognition.*
- Discounted Event and Dinner Meeting Fees.
- Season Pass.
The ability to prepay for monthly dinner meetings in advance for a larger discount.
- New Member Referral Rewards.
- Job Bank.
Discover gainful career opportunities available at law firms, corporations, agencies, business entities, and other paralegal employers who contact PANJ looking for desirable candidates.
- Quarterly Newsletter, *Perspective*.
Noteworthy news, articles and events related to the legal profession.
- Discounted Professional Headshots.
- Discounted Certified Paralegal Exam Preparation Programs from The Paralegal Education Group www.paralegaleducationgroup.com
- Discounted Career Coaching packages including Resume Writing and Interview Tips from InvisiScope Solutions www.invisiscope.com
- Certified Paralegal Exam Sweepstakes.
- Networking opportunities with fellow paralegals, students and attorneys.

As of May 1, 2018

WORKING AS FREELANCE PARALEGAL-AN INSIDE LOOK

By Dorothy Secol, CLA

I am a freelance paralegal, sometimes referred to as independent paralegal or virtual paralegal. In any case, whatever our nomenclature, we work independently under the supervision of an attorney. Many freelance paralegals work out of their homes, or as in my case, out of an independent office.

I started my career as a freelance paralegal in 1981, back in the covered wagon days. This was at the time in which there were very few independent paralegals. Attorneys were still saying, "paralegal, what' is a paralegal?" When I opened my office, I was investigated by the local bar association who was sure I was practicing law. Back then, lawyers were still grappling with the term "paralegal," let alone a "freelance paralegal." We were questioned, investigated and finally in 1990, the State Supreme Court Committee on the Unauthorized Practice of Law issued an opinion that the use of a freelance paralegal constituted the unauthorized practice of law. Our attorneys petitioned for a stay of the Opinion which was granted. In 1992, the State Supreme Court held there was no distinguishable difference between an in-house paralegal and a freelance paralegal as long as they worked under the supervision of an attorney. In re Opinion 24 of the Committee on Unauthorized Practice of Law, 128 N.J. 114 (1992). This allowed us to go about our business of practicing as freelance paralegals.

Over the years, I have worked for sole practitioners, small firms and occasionally large firms in specific areas of law, such as a quiet title procedure or mortgage or tax sale foreclosures. Larger firms usually have ample staff and only need your services if someone is on extended leave and need a particular area of substantive law on a temporary basis. I have clients that I work for on a daily basis and others on an "as needed" basis. My areas of expertise are:

Real Estate: I handle the file from beginning to end just as if I were in the office. I deal with the attorney's client throughout the file. The attorney tells their client that their real estate paralegal will be contacting them. When the closing is scheduled, my file goes to the attorney for the closing.

Estate Administration - Same as above from beginning to end. I meet with and communicate with the client's attorney throughout, I handle all the paperwork involved in gathering the assets and liabilities, prepare the inheritance and estate tax returns, and federal returns, if necessary.

Research and Writing: I may be asked to prepare a summary judgment motion with a brief, or prepare a brief in response to litigation. I review the documents, do the research and prepare the moving pleadings. Everything then goes to the attorney for editing, approval, etc. I also prepare and file appellate briefs.

Personal Injury, Corporate, Mortgage Foreclosure Tax Sale Certificate Foreclosure- all handled as if I were in the office. Everything I prepare goes to the attorney for approval, editing and finalizing. I discuss with the attorney what they are looking for, what needs to be accomplished and go from there.

As you might infer from this text, in order to truly practice as a freelance paralegal, you should have many years of experience before going out on your own. You will be expected to deliver a finished product ready for filing or in the case of real estate, for closing. In estate administration, you must be familiar with the rules and statutes governing this area of law and in particular the inheritance tax and estate tax regulations.

My original marketing consisted of ads placed in Bar Association newsletters, mailing flyers and appearing at every Bar function to be "seen," to get my name out there. I joined the Bar Association and participated in the Real Estate-Probate Section, and the Foreclosure section. I attended ICLE seminars, and gave seminars, "to be seen." The best marketing tool, however, turned out to be a monthly newsletter emailed to a large number of attorneys, including my clients and potential clients. The newsletter was informative as to new rules, info on specific areas of law and general information interesting and important to my clients. For examples, you can visit my website www.dorothysecolcla.com and look at some of the newsletters.

Many of my clients send me work on a monthly basis. For new clients, I have a retainer that I send them. The retainer sets forth the work that will be performed, my hourly rate, the fact that I will be reimbursed for expenses, if necessary, and that I will check for conflicts. The retainer also states that the work that will be performed will be of the highest standard. The retainer is signed by the client and by me. I bill monthly and itemize my work to the attorney. I do bill real estate closings on a flat fee basis. I am paid by the attorney for my work, not by the attorney's client. As a "sole proprietor," I receive a 1099 from the attorneys to file with my income tax return.

I chose to operate my business as a "sole proprietor," rather than forming a corporation or an LLC. I did not want to have to spend time in completing forms on a yearly basis or having to file a separate tax return if I incorporated or if I formed an LLC. That was my personal choice. Today, many "sole proprietors" have the option of filing individually or forming an entity to protect themselves, and assets, from liability. There are taxes and yearly fees that come with the formation of an entity. I have employed paralegals and secretaries over the years and of course, have filed payroll returns and have had to keep records and file returns for my employees. The form of business ownership is a subject to discuss with one's accountant to determine how you will proceed.

Over the years, I have had the opportunity to work for attorneys in other states. Most of the time it was related to New Jersey practice, however, I have worked for attorneys in Pennsylvania, where the estate practice is similar to ours and for attorneys in Florida, and Texas. I have even done research for an attorney in the U.K. In working for attorneys in other states, if you are not dealing with New Jersey practice, you must be very careful you are familiar with statutes, rules of the other states.

The most challenging aspect of being a freelance paralegal is that you are business person, not just a paralegal. You are running a business and with that comes all the responsibility of making that business successful. You are responsible for marketing, advertising, maintaining an office, ordering supplies, maintaining office equipment, paying your bills, hiring help, dealing with payroll taxes, if necessary. You must also be very careful to keep up with all rule changes, new statutes and statutes that are repealed. You are the bottom line. There is no one else responsible for your work product.

Being a freelance paralegal has been challenging and stressful, but I wouldn't change a thing that I have done. It is also been very rewarding. I have grown personally; I have learned to master the business world and the art of marketing. I have met amazing people who have helped me along the way. It has been quite a journey. I was told it couldn't be done and I have done it.

Ms. Secol is a member of the National Association of Legal Assistants (NALA) and received her CLA status in 1978. In addition, she is a former trustee of the Central Jersey Paralegal Association and a former Vice-President and trustee of the Paralegal Association of New Jersey. She is also an associate member of the New Jersey State Bar Association and is a past Co-Chair of the Special Paralegal Committee. She is also a member of the Foreclosure Committee. Ms. Secol serves on the Paralegal Advisory Boards of Brookdale Community College and Ocean County College and is a mediator for Ocean Township, Allenhurst and Deal Municipal Courts.

*Ms. Secol is the author of Starting and Managing Your Own Business: A Freelancing Guide for Paralegals, published by Aspen Publishing Co. and has written articles for the "New Jersey Law Journal" and "New Jersey Lawyer". In addition, Ms. Secol was a petitioner in the case of *In re Opinion 24 of the Committee on the Unauthorized Practice of Law*, 128 N.J. 114 (1992). The case validated the fact that "there is no distinguishable difference between an in-house and freelance paralegal working under the direct supervision of an attorney."*

Ms. Secol has presented seminars on real estate procedure, probate procedure and law office management as well as how to set up a business as a freelance paralegal.

EXECUTIVE BOARD & COMMITTEE DIRECTORY – 2017-2018 TERM

EXECUTIVE BOARD:

PRESIDENT

Sarah M. Robinson
Info@NJPara.org

VICE PRESIDENT

Nazmia Abedrabo

CORRESPONDING

SECRETARY

Michelle Mando

RECORDING SECRETARY

Jennifer Ciaburri

TREASURER

Carol Snyder

NALA LIAISON

Christine A. Principe, CP
NALALiaison@NJPara.org

TRUSTEES AT LARGE

Nyree Benitez
JoAnne Haffeman
Grace Kelly, CP
Allison Long
Jennifer Smith, ACP
Laura Temoyan
Ivette Torres

COMMITTEES:

JOB BANK

Michelle Mando
JobBank@NJPara.org

MEMBERSHIP

JoAnne Haffeman
Membership@NJPara.org

SOCIAL MEDIA

Allison Long
Michelle Mando
SocialMedia@NJPara.org

NEWSLETTER

Jennifer Smith, ACP

PUBLIC RELATIONS

Ivette Torres

NJ STATE BAR ASSOCIATION PARALEGAL COMMITTEE

Nyree Benitez – Co-Chair
Lisa St. Clair – Co-Chair
Nazmia Abedrabo
Helen Carras
Sandra C. Csaposs, CP
JoAnne Haffeman
Danielle Knoell, ACP
Kandi Moncelis, ACP
Sarah M. Robinson
Dorothy Secol, CLA
Carol Snyder
Jennifer Smith, ACP
Ivette Torres

COLLEGE ADVISOR BOARD MEMBERS

JoAnne Haffeman:
Essex County Community
College; Middlesex County
Community College;
Raritan Valley Community
College; Union County
Community College

Jennifer Smith, ACP:
Berkeley College

Laura Temoyan:
Rowan University;
Gloucester County
Community College

Ivette Torres:
Berkeley College

For more
information about
the Board go to
www.NJPara.org



Check back for the newly elected 2018/2019 Executive Board.
Will your name be on the list??

IT'S ELECTION TIME AGAIN!!

The Paralegal Association of New Jersey (PANJ) is calling for all Regular members who may be interested in running for a position on the Executive Board, or who may wish to nominate someone for a position on the Executive Board, to come forward and so advise the Committee. The following are the positions comprising the Executive Board:

President
Vice-President
Recording Secretary
Corresponding Secretary
Treasurer
NALA Liaison
Three (3) Trustees at Large

REQUIREMENTS FOR NOMINATION:

- A. Nominee must be a Regular member in good standing with voting rights;
- B. If nominated to more than one position, the Nominee may run for both positions. However, if elected to more than one position, the party will take the higher office and the lower office will be given to the party receiving the second highest number of votes; and
- C. All nominees will be contacted and must confirm their acceptance of the nomination.

PRESIDENT: The President shall be the Chief Executive Officer, direct the policies of the Association and have general management of the business, property and affairs of the Association, and general supervision, direction and control over its other officers, employees and agents. The President shall preside at all meetings of the members and Executive Board.

VICE-PRESIDENT: In the temporary absence or disability of the President, the Vice-President shall perform the duties of the President. If the office of the President should become vacant during the course of a term, the Vice President shall assume the office of the President for the remainder of the term.

RECORDING SECRETARY: The Recording Secretary shall maintain a written record/minutes of all Executive Board meetings and be responsible for the upkeep of the records, other than financial, of the Association.

CORRESPONDING SECRETARY: The Corresponding Secretary shall prepare and forward all correspondence on behalf of the Association.

TREASURER: The Treasurer shall have general supervision over the care and custody of the funds.

NALA LIAISON: The NALA Liaison shall be a NALA member, be familiar with the NALA Bylaws and Standing Rules, shall receive minutes of all NALA meetings and shall represent the Association at the NALA annual meeting of Affiliations. This Officer shall be the main contact between NALA and the Association.

TRUSTEES AT LARGE: Trustees at Large shall complete any special project assigned by the President and/or Executive Board.

Please accept this as nomination of the following for the PANJ 2018-2019 slate of officers:

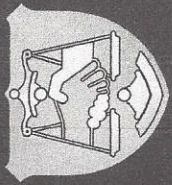
President: _____
Vice President: _____
Recording Secretary: _____
Corresponding Secretary: _____
Treasurer: _____
NALA Liaison: _____
Trustees at Large (Nominate 3)

FORWARD YOUR NOMINATION FORM TO:

Denise Zangoglia
5 Slate Court, D2
Woodland Park, NJ 07424
dzangoglia@gmail.com

Member Signature _____

PLEASE RESPOND BY May 15, 2018



THE NEW JERSEY ACADEMY OF MEDIATORS & ARBITRATORS

A CHAPTER OF THE NATIONAL ACADEMY OF DISTINGUISHED NEUTRALS (WWW.NADN.ORG)

MEMO TO ALL NEW JERSEY LITIGATION STAFF

Available Dates Calendars Now Online For New Jersey's Top-Rated Neutrals*

NAME	BASED IN	PROFILE ONLINE AT	PHONE	DATES [†]	NAME	BASED IN	PROFILE ONLINE AT	PHONE	DATES
Robert E. Bartkus	Florham Park	www.njmediators.org/robert-bartkus	(973) 635-6300	<input checked="" type="checkbox"/>	Roger B. Jacobs	Roseland	www.njmediators.org/roger-jacobs	(973) 226-6663	<input checked="" type="checkbox"/>
Hon. Raymond A. Batten	Haddonfield	www.njmediators.org/raymond-batten	(856) 795-2121	<input checked="" type="checkbox"/>	Laura A. Kaster	Princeton	www.njmediators.org/laura-kaster	(609) 921-0095	<input checked="" type="checkbox"/>
Elliot M. Baumgart	Up. Montclair	www.njmediators.org/elliott-baumgart	(973) 744-4000	<input type="checkbox"/>	Hon. John Keefe	Red Bank	www.njmediators.org/john-keefe	(732) 224-9400	<input type="checkbox"/>
Katherine Benesch	Princeton	www.njmediators.org/katherine-benesch	(609) 375-2603	<input type="checkbox"/>	Hon. Virginia Long	Lawrenceville	www.njmediators.org/virginia-long	(609) 895-3335	<input type="checkbox"/>
Steven J. Blumenthal	Williamstown	www.njmediators.org/steven-blumenthal	(856) 809-1235	<input checked="" type="checkbox"/>	Robert E. Margulies	Jersey City	www.njmediators.org/robert-margulies	(201) 333-0400	<input checked="" type="checkbox"/>
Hon. Peter F. Boggia	Clifton	www.njmediators.org/peter-boggia	(973) 470-0800	<input checked="" type="checkbox"/>	Suzanne M. McSorley	Lawrenceville	www.njmediators.org/suzanne-mcSorley	(609) 987-6663	<input checked="" type="checkbox"/>
Hon. John M. Boyle	Westfield	www.njmediators.org/john-boyle	(908) 233-6800	<input checked="" type="checkbox"/>	Hon. Norman Peer	Freehold	www.njmediators.org/norman-peer	(732) 414-0300	<input type="checkbox"/>
Harold I. Braff	Jersey City	www.njmediators.org/harbraff	(201) 333-0400	<input type="checkbox"/>	Lewis Pepperman	Lawrenceville	www.njmediators.org/lewis-pepperman	(609) 895-7260	<input checked="" type="checkbox"/>
Jennifer L. Brandt	Springfield	www.njmediators.org/jennifer-brandt	(973) 912-9292	<input checked="" type="checkbox"/>	F. Peter Phillips	Montclair	www.njmediators.org/peter-phillips	(973) 509-9667	<input checked="" type="checkbox"/>
Hon. Thomas Cavanagh, Jr.	Tinton Falls	www.njmediators.org/thomas-cavanagh	(732) 733-6200	<input checked="" type="checkbox"/>	Terri Reicher	Wayne	www.njmediators.org/terri-reicher	(973) 865-1069	<input checked="" type="checkbox"/>
Hon. Benjamin Cohen	Somerset	www.njmediators.org/benjamin-cohen	(908) 333-6208	<input checked="" type="checkbox"/>	Hon. Joel B. Rosen	Cherry Hill	www.njmediators.org/joel-rosen	(856) 488-7716	<input type="checkbox"/>
Hon. Harriet E. Derman	Warren	www.njmediators.org/harriet-derman	(908) 757-7800	<input type="checkbox"/>	Hon. Anthony Sciuto	Fort Lee	www.njmediators.org/anthony-sciuto	(201) 585-9111	<input type="checkbox"/>
N. Janine Dickey	Bridgewater	www.njmediators.org/janine-dickey	(908) 295-7900	<input type="checkbox"/>	Hon. Marguerite Simon	Springfield	www.njmediators.org/marguerite-simon	(973) 379-4200	<input checked="" type="checkbox"/>
Hon. William A. Dreier	Bridgewater	www.njmediators.org/william-dreier	(908) 252-4372	<input checked="" type="checkbox"/>	Richard H. Steen	Princeton	www.njmediators.org/richard-steen	(609) 895-0071	<input checked="" type="checkbox"/>
Hon. Mark B. Epstein	New Brunswick	www.njmediators.org/mark-epstein	(732) 545-4717	<input checked="" type="checkbox"/>	Nicholas Stevens	Roseland	www.njmediators.org/nick-stevens	(973) 403-9200	<input checked="" type="checkbox"/>
Dennis A. Estis	Iselin	www.njmediators.org/dennis-estis	(732) 476-2512	<input checked="" type="checkbox"/>	Hon. Barbara Wecker	Newark	www.njmediators.org/barbara-wecker	(973) 643-3700	<input type="checkbox"/>
Bonnie Blume Goldsamt	Hackensack	www.njmediators.org/bonnie-goldsamt	(201) 487-1622	<input checked="" type="checkbox"/>	Hon. Deanne Wilson	Mendham	www.njmediators.org/deanne-wilson	(908) 879-2013	<input checked="" type="checkbox"/>
Sheryl Mintz Goski	Florham Park	www.njmediators.org/sheryl-goski	(973) 520-8520	<input checked="" type="checkbox"/>					

[†] Indicates if Available Dates calendar is activated

Save HOURS of scheduling phone tag - instantly check which mediators are available on your preferred dates at

www.NJMediators.org

* The National Academy of Distinguished Neutrals is an association of attorney mediators and arbitrators who have substantial experience in the resolution of commercial and civil disputes. All members have been recognized for their accomplishments through the Academy's peer nomination system and extensive attorney-client review process. Membership is by invitation-only and is limited to individuals who devote a substantial percentage of their professional efforts to ADR practice.

To access our FREE National database of 900+ ADR attorneys, visit www.NADN.org/directory and select preferred state.

For more information about the NJ Academy, please visit www.NJMediators.org/about

In an effort to assist paralegals working in the litigation field, PANJ Trustee at Large, Nyree Benitez, has generously shared her "Litigation Road Map" which highlights important Court Rules, helpful procedures and reminders.

LITIGATION ROAD MAP

Complaint – Filed within (2) years of date of accident **N.J. Stat. § 2A:14-2(a)**

Title 59 Tort Claims Notice – Cases when the defendant is a public entity.
Filed with entity within (90) days of the date of accident/ "accrual of claim"

Serve Complaint w/Summons & Track Assignment Notice **R. 4:5A-2**

File the Affidavit of Service **R. 1:5-6**

File Default within 35 days of the date of service **R. 4:43-1**
*CC: Defendant (**AT ADDRESS SERVED VIA REG MAIL & CMRRR**)
Defendant's Insurance Company
Any attorneys for Co-Defendants

AMENDED COMPLAINTS R.4:9

R. 4:9-1 Amended Complaint can be filed if no Answer(s) have been filed by any Defendant(s).
If an Answer has been filed by any party, a Consent Order from adversary or a motion has to be filed to Amend the Complaint. A copy of the proposed Amended Complaint MUST be attached to the Motion as an exhibit.

MEDICAL RECORDS

Upon receipt of medical records:

1. Review for medical bills;
2. Review for diagnostic reports, (i.e. MRI's, XR's) ;
3. Review for new providers (consults w/other dr's, Surgery Centers, etc)
4. Amend rogs (if in suit).

*Request records and bills from any new providers/facilities
*Update Medical Bills/Records Ledger

DISCOVERY END DATES

1st DED – with consent from parties ext (60) days by ltr
2nd DED – via motion ***see motion procedures below
3rd DED or any after ** attach all prior orders otherwise motion will be denied

.....

PLAINTIFF INTERROGATORIES R. 4:17

R. 4:17-1(b)(2) *TO BE SERVED NO EARLIER THAN 30 days after service of

Answer

Upon filing of the Complaint:

1. Draft Rogs to Client;
2. Blank DA Hippas to be served with Rogs; **R:4:17-4**
3. Request Certification of Permanency from expert(s);
4. Request Defendant's Municipal Court Disposition;
5. Request PIP Ledger;
6. Subpoena PD files (Pltf & Def) w/color photographs;
7. Request films on CD
8. Personal Insurance Cards (request lien if necessary)
9. Medicare/Medicaid card for lien request.
10. Prior accident records – Inc. prior MRI reports & films on CD

SUPPLEMENTAL INTERROGATORIES

**R.4:17 1(b) Requests from Defendants no more than (10) Supplemental Questions
without subparts**

AMENDMENTS

Due no later than 20 days before the DED. **R. 4:17-4(e)**

.....

DEFENDANT INTERROGATORIES R.4:17

Due within 60 day of Answer to the Complaint **R. 4:17-1(b)(2)**

DEFENDANT NOTICE TO PRODUCE R. 4:18

Served with Complaint – Due within 50 days after service

Served after (i.e., 1st NTP, 2nd NTP) – Due within 35 days after service

REQUEST FOR ADMISSIONS R.4:22

Demand for Admissions – If a request is received, must respond with 30 days or
deemed admitted. **R. 4:22-1**

.....

DEPOSITIONS R: 4:14

1. NOTICE: No less than (10) days notice. **R: 4:14-2**
 2. Calendar
 3. Letter to client, advise of date.
 4. Cross notice of deposition to defendant(s). cc: all attys
 5. If deposition is to be videotaped, must specifically state such.
-

DEFENSE IME'S R:4:19

1. Cannot take place sooner than 45 days after the service of notice **R: 4:14-9(b)**
 2. Diary
 3. Letter to client advise of date.
 4. Call client the day before to confirm appearance.
-

MOTIONS R.1:6

1. Diary
2. Courtesy copy of motions &/or motion related documents must be sent to judge hearing motion

Motions R. 1:6-3(a)

Filed by 16 days before motion (usually Wednesday right before the previous mtn date)

Oppositions: 8 days before mtn (usually Thursday before the mtn date)

Reply to Opps: 4 days before the mtn date (usually the Monday before the motion date)

Motion to Amend Complaint R. 4:9

Amended Complaint can be filed if no Answer(s) have been filed by any Defendant(s).

If an Answer has been filed by any party, a Consent Order from adversary or a motion has to be filed to Amend the Complaint. A copy of the proposed Amended Complaint MUST be attached to the Motion as an exhibit.

Motions to Extend Discovery: R.4:24

R.4:24-2 Must be returnable before the DED.

******If the DED is 01/01/2018, the motion must be filed so that it is heard by the Court/Judge in December, 2017

******Motions must include all prior orders as an exhibit.

******Make sure that all personal info has been redacted from Exhibits, i.e. demographic information on police reports or medical records.

SJ Motions R.4:46

R.4:46-1

Returnable no later than 30 days before the scheduled trial date.

******If the trial date is scheduled for 01/01/2018 the SJ mtn must be returnable in November 2017

SJ Mtns must be filed and served at least 28 days before the requested return date.

*****If a return date of 01/01/2018 is requested, the SJ Mtn must be filed and served on the parties no later than 12/01/2017

Opposition to SJ Mtns: Filed & Served 10 days before the return date.

MOTIONS TO REINSTATE

Within 30 days \$100

After 30 days \$300

ORDER(S)

Follow up with order one week after return date.

All filed orders must be served on all parties within 7 days

NON-BINDING ARBITRATION R.4:21A

4:21A-6 within 30 days from the arbitration date filing of Trial De Novo

Diary multiple reminder deadlines

TRIAL

1. Ltr to client
2. Ltr to experts
3. Notice in Lieu to DA for any def(s) and/or witnesses
4. Subpoenas to officer(s) and witnesses
5. Demonstratives (Trial Exhibits)
6. All MRI Films should be in possession

SETTLEMENT

TO DA: Enclose the executed Release, Child Support, Stipulation of Dismissal and
Firm's W9

cc: Client [w/o enc]

Insurance Adjuster (via fax)

**Child Support Certification needed from client if judgments in Charles Jones
do not belong to them.

.....



Thank you for voting Guaranteed Subpoena

VOTED ABSOLUTE BEST PROCESS SERVER!



Year, after year, after year, after year...

Guaranteed

Subpoena Service, Inc.

If we don't serve it, you don't pay!®
Anywhere in the U.S.A.

1-800-672-1952

Fax: 800.236.2092 • email info@served.com • www.served.com