

PERSPECTIVE

Volume 36, Issue 1

Spring/Summer 2019

PRESIDENT'S MESSAGE

By Sarah M. Robinson

A belated Happy New Year to you all! I hope the holiday season was joyous and time was well spent with loved ones. The Association kept busy as always participating in the Annual New Jersey Paralegal Convention in October, the 6th Annual End-of-Year CLE Symposium presented by the New Jersey Legal Training Academy in December and the New Jersey State Bar Association Family Law Symposium in January. PANJ Board member, Nyree Benitez, participated in a panel discussion at Mercer County Community College providing insight to students about the paralegal profession and promoting the networking benefits, among others, of membership in the Association.

The annual Paralegal Convention was a success (as always) and well attended by enthusiastic paralegals looking to enhance their skills, expand their knowledge and network with their colleagues. Feedback from paralegals who attended the Convention is included in this addition of *Perspective*. Kudos to the Convention Board on a job well done (again) and Bravo to all who attended for taking an active role in their profession. **Save the date for this year's Convention on October 25, 2019!**

If you were unable to attend November's (2018) or January's (2019) dinner meetings, Charlene Silva and Angela MacLeod took notes to catch you up. Thanks ladies! Information regarding upcoming dinner meetings is listed on the Association website www.NJPara.org.

Remember in order to qualify for discounted attendance fees at upcoming events, please remember to register for PANJ's Forum www.NJPara/FreeForums.net if you haven't already done so. Also, stay in touch by following PANJ on Facebook and joining our LinkedIn Group!



Vincent Ascolese has again offered his insight on "*The Power of No*" in this edition's *The Unconventional Paralegal Thinking Out of the Box*, a column dedicated to helpful tips, tricks and skills not frequently mentioned in continuing legal education courses but still necessary and practical in every day paralegal work. I especially appreciate the simple truth in his closing paragraph. Fellow Paralegals, I invite you to submit constructive content for the column that would benefit our colleagues. Content and/or questions can be directed to Info@NJPara.org.

The Association is delighted to announce that this quarter PANJ's Member Spotlight is on Stefanie Baroutoglou, a paralegal with Agostino & Associates. I met Stefanie at a dinner meeting and was elated by her desire to continue her legal education. She works in a fascinating (and challenging) area of law. Get to know Stefanie! If you would like to recommend a PANJ member to be featured in the next Member Spotlight, submit the member's name to Info@NJPara.org.

A benefit of membership in PANJ is discounted career coaching packages including resume writing and interview tips from InvisiScope Solutions. Christopher Morga, a certified professional Forbes career coach, has highlighted for us "*The Power of Coaching*". Feel free to reach to Christopher should you be in the market to accelerate your career!

Finally, our featured article is from Melissa Acosta, an independent paralegal and owner of Melissa Acosta Freelance Paralegal Services, LLC. Melissa put a legal spin on an important New Year resolution everyone should put on their "to-do" list. We do so much to take care of our clients-we must remember to take care of ourselves as well!

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 being added regularly.

Don't miss out on a potential great opportunity!

CLE Opportunity

Get ready to earn some quick and easy CLE hours! Effective January 1, 2019, Certified Paralegals can earn three CLE hours for writing an article of 1,000 words or more for *Findings and Fact*. If the article is co-authored, CLE hours will be credited on a pro-rated basis.

Also, beginning with the September/October 2018 *Findings and Fact* issue, NALA members can earn one hour of CLE credit for reading five designated articles in one issue and successfully completing a follow up test. The CLE credit must be submitted within one year of publication. Up to two hours of CLE credit will be available each year. A maximum of five hours of CLE will be available per five-year certification period. The Jan/Feb 2019 digital issue of *Findings and Fact* is available now. How easy is this?!

NALA Conference

NALA's annual Conference and Expo is taking place on July 11-13 at the Westin Kierland, Phoenix, Arizona. It's such a great event; if you're able to attend, I'd urge you to go. You won't be disappointed. Thirteen hours of CLE hours are available from over 30 sessions. There's something for everyone. It bears repeating - occasionally review NALA's website to see what discounts are available to members. Also, check out their complimentary webinars available to NALA active members and few other webinars available to us as an affiliated association.

Membership

NALA's membership dues are slightly increasing for 2019. The new rates are \$140 active members; \$115 associate members and \$115 sustaining members.

CP Exam and CP Stats

February and April are upcoming CP Skills Exam testing windows.

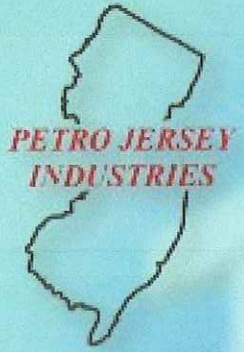
In addition to their books available in 11 areas of the law, NALA has recently released its official Certified Paralegal Exam Fundamentals book. As a reminder, NALA also hosts a closed group on Facebook for those studying for the CP exam. Check out their website for details.

NALA's latest CP numbers are as follows:

219	CPs in NJ
33,159	Total number of Certified Paralegal candidates examined
19,595	Total number of candidates certified through December 7, 2018
8,575	Total number of active Certified Paralegals through October 24, 2018

Christine A. Principe, CP is PANJ's NALA Liaison. Questions in connection with local NALA certification exam study groups should be directed to Christine at NALALiaison@NJPara.org

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SAVE THE DATES!

UPCOMING EDUCATIONAL DINNER MEETING SEMINARS

Wednesday, February 20, 2019

Brian D. Kenney, Esq.

Expungements-What You Don't Know

Hyatt House, Morristown

Tuesday, March 12, 2019

Patricia Greer, Esq.

Minimizing Risk by Drafting a Concise Contract

Berkeley College, Woodland Park

Saturday, March 30, 2019

Amanda Sexton of DGR Legal & On the Lookout Investigation
Process Service, Investigation and E-Filing for New Paralegals

Christopher Morga, CPCC of InvisiScope Solutions

Resume Writing, Interview Tips and the Benefits of Career Coach

Union County College, Cranford

Tuesday, April 9, 2019

Kristy Terranova, Esq and Gary R. Botwinick, Esq.

Changes in Tax Laws affecting Alimony & Child Dependency

Location: TBD

Tuesday, May 7, 2019

Speaker TBD

Topic: TBD relating to Litigation/Trials

Sills, Cummis & Gross, P.C., Newark

Tuesday, June 11, 2019

Speaker Kerri A. Wright, Esq. and David L. Disler, Esq.

Topic: TBD relating to Education

Porzio, Bromberg & Newman, P.C., Morristown

INCLUDES INSTALLATION OF OFFICERS FOR 2019-2010 TERM

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PARALEGAL ASSOCIATION
of
NEW JERSEY, INC.

POST OFFICE BOX 142
CALDWELL, NEW JERSEY 07006

MARCH 2019 GENERAL MEMBERSHIP DINNER MEETING

**THE PARALEGAL ASSOCIATION OF NEW JERSEY,
IS PLEASED TO INVITE YOU TO ITS
MARCH 2019 GENERAL MEMBERSHIP DINNER MEETING**

TOPIC: MINIMIZING RISK BY DRAFTING A CONCISE CONTRACT

SPEAKER: PATRICIA GREER, ESQ.
BERKELEY COLLEGE, SCHOOL OF PROFESSIONAL STUDIES

DATE: TUESDAY, MARCH 12, 2019

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

PLACE: BERKELEY COLLEGE,
RENAISSANCE BUILDING, COMMUNITY ROOM
44 Rifle Camp Road, Woodland Park, NJ 07424

FREE PARKING: The Community Room is accessible from all parking lots

COST: \$15 MEMBERS, \$18 NON-MEMBERS,
CURRENT BERKELEY COLLEGE STUDENTS \$15

Assortment of Wraps, Salads, Fresh Fruit, Dessert, Soda, Tea and Coffee

**RESERVATIONS MUST BE MADE IN ADVANCE
NO LATER THAN FRIDAY, MARCH 8, 2019**

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, March 11, 2019, 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.

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**THE PARALEGAL ASSOCIATION OF NEW JERSEY,
IN CO-SPONSORSHIP WITH
THE UNION COUNTY COLLEGE PARALEGAL CLUB**

PRESENTS

**MARCH 2019 SATURDAY SEMINAR at
UNION COUNTY COLLEGE**

1033 Springfield Avenue, Room EEC-2nd Floor
Cranford, NJ 07013

SATURDAY, MARCH 30, 2019

9:00 A.M. – 12:30 P.M.

CHECK-IN OPENS AT 8:00A.M.

Light refreshments will be served.

**ALL CURRENT UCC STUDENTS INVITED!!
MUST register with Professor Monica Schurtman, Esq.**

PANJ MEMBERS: \$5

NON-MEMBERS: \$10

**PRE-REGISTRATION IS REQUIRED THROUGH
THURSDAY, MARCH 28, 2019 by 12:00P.M.
(NOT APPLICABLE TO UCC STUDENTS)**

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 Thursday March 28, 2019, by 12:00 p.m. or you will be held responsible for
payment.**

**AT DOOR REGISTRATION-ADDITIONAL \$5.00
(NOT APPLICABLE TO UCC STUDENTS)**

At door registrants are welcome, however, seminar availability cannot be guaranteed.

Schedule of Events

Registration/Check In/ Networking	8:00A.M.-9:00 A.M.
Opening Remarks	9:00A.M.-9:15 A.M.
Session One	9:15A.M.-10:15 A.M.
Break/Networking	10:15A.M.-10:30 A.M.
Session Two	10:30A.M.-11:45 A.M.
Session Three	11:45A.M.-12:15P.M.
Closing Remarks	12:15P.M.-12:30 P.M.

SESSION ONE 9:15A.M.-10:15A.M.

Ethical Process Service and Investigations in the Digital Age
Amanda Sexton of DGR Legal and On the Lookout Investigations, LLC

BREAK/NETWORKING 10:15 A.M.-10:30A.M.

Light refreshments will be served.

SESSION TWO 10:30A.M.-11:45A.M.

Resume Writing, Interview Tips and the Benefit of a Career Coach
Chris Morga of InvisiScope

SESSION THREE 11:45A.M.-12:15P.M.

Applying your Paralegal Skills to "Real" Life and Alternate Careers
Nichole Chobin

CLOSING REMARKS 12:15P.M.-12:30P.M.

******DIRECTIONS******

Attendees should proceed to the Princeton Road entrance, just off Springfield Ave. Attendees will park in Lot 4. The entrance to the Nomahegan building at Lot 4 leads directly to a staircase and an elevator to the second floor. The Event is taking place on the second floor across from the top of the staircase in the ECC conference room.

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.



Paralegals Share Lessons from the Field with MCCC Students

10/31/18

West Windsor, N.J. – Mercer County Community College (MCCC) Paralegal students got a revealing look at life in the real world as two seasoned paralegals shared their insights during a panel discussion on Oct. 22. Approximately 30 students attended the event arranged by Program Coordinator Erin Rybicki, who served as the moderator.

Participating in a candid, wide-ranging discussion were paralegals Lisa St. Clair (Keefe Law Firm) and Nyree Benitez (Rebenack, Aronow, & Mascolo). Both stressed the importance of making connections with attorneys and other paralegals and encouraged students to join the Paralegal Association of New Jersey. "Networking is invaluable. If you are looking for a job, you never know who you will meet who can help you," Benitez said, adding that the more exposure students get to attorneys and other paralegals, the better their communication skills and comfort level in the field.

St. Clair noted that paralegals have a fast-paced job, but their job description can encompass many different tasks, depending on the firm. "Some paralegals have a lot of client contact," she said. "Administrative work is key, so staying current with software and other technology is expected, including the ability to do online research."

Both women emphasized that people skills are one of the paralegal's most valuable assets. "Keep your cool at all times," St. Clair advised. St. Clair has enjoyed steady advancement at her firm, starting as a clerk, then being promoted to legal secretary, and now working as a paralegal.

They stressed that personal social media must remain private, especially so when students are job hunting. "The first thing we do when hiring is to search a potential employee's name on the internet," Benitez said.

Students asked many questions, including the level of credentialing necessary for hiring. Benitez earned her associate degree in Paralegal studies at a community college and has now returned to college to earn her bachelor's degree for personal fulfillment. St. Clair, who earned a bachelor's degree in another field, went back to a community college for a year to earn her paralegal certificate.

Rybicki notes that MCCC's Paralegal Studies Certificate (30 credits) and Paralegal Studies AAS degree (65 credits) are both approved by American Bar Association (ABA). "The ABA approval really helps because it qualifies students for certain positions," she said.

Theresa Engelhardt, a returning adult student who attended the session, was an administrative professional in a corporate office for many years. With her current family responsibilities, she has returned to MCCC to get her Paralegal certificate, anticipating that the paralegal profession will provide her with a good living and a good balance between work and home. "It was interesting to hear from people working in the field. This information session was very helpful," she said.

[Paralegal Program: AAS Degree Curriculum](#)

[Paralegal Program: Certificate of Proficiency Curriculum](#)



Paralegals Lisa St. Clair, left, and Nyree Benitez offer professional advice.



Both paralegals stayed to answer students' questions.



Thanks to Lisa St. Clair, seated, left, and Nyree Benitez for coming out to MCCC to share their knowledge. They are pictured with Paralegal Program



2018 NEW JERSEY PARALEGAL CONVENTION RECAP

"When Was the Last Time You Did Something for The First Time....."

By Diana Wolfe

These are lyrics from a song by Darius Rucker, Country Singer. These lyrics sum up my 2018 professional life. *Something for the first time*....after 10 plus years working as a Paralegal in a sole practitioner's law office, I accepted a position as a Paralegal in the Estates and Trust Department at Einhorn Harris in Denville, New Jersey, a firm of approximately 70 members. It was a challenge learning the way things are accomplished in a firm of this size. I successfully navigated the new computer system, learned firm policies, met new clients and I am working with many new people that are eager to assist me in my journey.

Something for the first time.....I attended my first Paralegal Association of New Jersey dinner meeting in April. Not knowing anyone other than Jenn Smith, my mentor at Einhorn Harris, she talked to me about the benefits of being involved with this group. The meeting gave me the chance to meet new people in the paralegal profession, enjoy a good meal, listen to an informative speaker and earn CLE's for continuing education.

Something for the first time.....After that meeting, I made the conscious decision that I wanted to further my knowledge of the law and would study to take NALA's certification exam to become a certified paralegal. I have purchased the study guide and while I admit the studying is going slower than I would like, I am determined to complete the study guide and take the test. Stay tuned.....

Something for the first time.....I attended the Annual New Jersey Paralegal Convention in October. The Convention attracts paralegals from all over the state of New Jersey who specialize in various aspects of the law. The seminars offered insight into many different areas of law, and if needed, CLE's toward continuing education.

At registration, participants were given a bag of information and goodies along with a "Passport" that listed all the companies on "Vendor's Row". The goal was to visit each and every vendor and discussing the service offered in case you needed it in the future personally or professionally. A bonus of visiting the vendors was filling your bag with free items they gave away and entering drawings for door prizes. It became a challenge to visit all the vendors before lunchtime, for if you did your Passport would be submitted into a bowl for yet another door prize.

The lecturers of the seminars handed out a brief synopsis of the topic they covered and answered questions from the participants. All the seminars I attended were interesting and gave me an insight into other aspects of law. There was a buffet breakfast, and continual snacks and beverages, hot or cold, available throughout the day. If you were interested, there was a photographer taking head shots for business or personal use for a nominal charge. Lunch was served followed by raffles for various door prizes from the vendors and then the final session for the day. The day was filled with new connections, good food and a great day away from your busy work day. If you have never attended the Annual New Jersey Paralegal Convention, make 2019 the year that you do **SOMETHING FOR THE FIRST TIME**.

Diane Wolfe works as a paralegal in the Estates and Trusts Department of Einhorn, Harris, Ascher, Barbarito and Frost, PC in Denville, New Jersey.

Annual New Jersey Paralegal Convention 2018

By Dorothy Pense, ACP

Alarm goes off. Yawn! Sigh! Just another day. Oh, wait ... it is not just ANY old day, it is October 26. It is the day of the Annual New Jersey Paralegal Convention. Jump out of bed – it is gonna be a GOOD day!

Upon arrival at the Renaissance Woodbridge, I see my fellow paralegals are milling around the foyer, picking up the registration packet and munching on the breakfast spread (this is not just a typical continental breakfast – come prepared to EAT). There are hugs galore and many "I haven't seen you since last year! What is new?" as old friends meet up.

Before the opening meeting, ample time is given to visit the vendor booths. Legal services, colleges/universities, etc. are all represented at these booths. As I visit the booths, I note many of the vendors have a drawing (wine seems to be the theme for the giveaway). I am glad I brought plenty of business cards with me so that I can drop one into each basket/jar provided. There is also a hustle and bustle on the part of all of us paralegals to visit ALL of the vendor booths to receive a sticker so that we can be entered into the BIG drawing of the day!

After the opening remarks, each paralegal attends the seminars that are of interest to him or her. I attended the seminar on Employment Law and Pharmaceutical Law. Because I am in the middle of a job change, I also attending a seminar on job interviews and resume writing.

Then comes lunch (as if we haven't eaten enough already!). Lunch is a great time to network. I sat at a table with some ladies who ended up being great resources for my job search. After lunch, the winners are drawn for the vendor prizes. Everyone anxiously waits to see if his or her name will be called!

Before going home for the day, a final seminar is presented to the entire group. This year it was "Ethics & Professional Responsibility for Paralegals."

I look forward to this day every year. It is a great day of networking, seeing old friends, making new ones and boosting my legal knowledge. I hope to see YOU at the Convention in 2019.

Dorothy Pense is a NALA Advanced Certified Paralegal (in contract management) and a member of PANJ. She is currently employed by Nestlé Nutrition as a Contracts Manager.

The 2018 NJ Paralegal Convention

By Kristen Golden

The Annual New Jersey Paralegal Convention which was most recently held on October 26, 2018 encourages paralegals to mingle amongst others in their field while taking advantage of the many offerings throughout the day. There are opportunities to gain insightful information, tips and advice from seasoned attorneys during the multiple CLE seminars presented. A few different topics of seminars are offered and the preferred topic track is pre-selected by each attendee to cater to their field or interests. Each attendee should be able to gain something from attending, from knowledge to business connections.

In addition to the seminars, there are various booths to visit with multiple vendors to speak with which vary from educators offering special promotions on abilities to further education, to vendors that work in businesses that help facilitate the day-to-day operations of paralegals and attorneys. It is encouraged to exchange business cards with each representative because you never know when you might be in need of the service or products their business offers, or when they may need assistance from your firm. It is a great way to broaden your network. It is also nice to speak with and get to know other people in the legal field.

The day also includes some fun perks such as giveaways, raffles and prizes, and an abundance of food. The overall atmosphere of the day is positive and motivating because there are large groups of paralegals from all fields of law and all levels of experience whom all share a passion for their career and a desire to expand their knowledge, opportunities, and network. The 2018 convention marked my third year of participating in the annual event. I look forward to attending the paralegal convention each year and I would highly recommend it to all paralegals or those who are aspiring to become paralegals.

Kristen Golden is a paralegal for Hoagland Longo Moran Dunst & Doukas of New Brunswick, NJ and currently specializes in insurance defense litigation. She has worked in the field of law for over a decade and was first employed by a law firm in New York specializing in plaintiff's personal injury litigation. She obtained an Associate's degree in paralegal studies from Berkeley College and then went on to achieve a Bachelor's degree in business management from the College of Staten Island. She has also obtained a paralegal certificate of mastery following participation in a Lexis Nexis Advance certification program. Kristen is an ambitious litigation paralegal who prides herself in her ability to maintain strong work ethic, manage a heavy case load, and prosper in her legal career.

2018 New Jersey Paralegal Convention

By Samantha Vitone

When my boss asked if I wanted to attend the Annual New Jersey Paralegal Convention October 26, 2018, I could not have been happier. Around the time of the Convention, I was employed as a full-time Project Assistant at Day Pitney, LLP. I also was just accepted to the Paralegal Studies Program at Fairleigh Dickinson University. Because I was new to the field, I was aware that I had a lot to learn about myself and my career path as a Paralegal. I also knew that the Convention would be the perfect opportunity to network with other professionals, give me a deeper understanding of the different fields of law, and prepare myself for the paralegal program.

When I first approached the Convention, I felt like a deer caught in headlights. It was my first time attending the Convention, and I had no idea what to expect. Quickly, I felt at ease as I was greeted by many smiling faces at the entrance, who were incredibly welcoming. They handed me a bag filled with informative paperwork, a personal name tag and a "NJ Paralegal Convention Passport." This creative idea of carrying around a passport for the duration of the event allowed the attendees to travel around the room and learn about each vendor's services. As I walked around and approached each table, I met several guests and vendors with different job backgrounds and specialties.

I was mostly excited for being able to attend the four seminars I had signed up for prior to the Convention - Employment, Day in the Life of a Paralegal, Trusts and Estates and Ethics and Professional Responsibility for Paralegals. At each of these sessions, I was amazed by the interaction of the speakers with the audience, their enthusiasm and vast amount of expert knowledge.

Leaving the Convention, I felt like a completely different person. I learned an abundant amount of information, more than I was expecting, both about the law and about myself. I highly recommend that all Paralegals, individuals who are thinking of becoming a Paralegal, or those considering to pursue a career in law, attend the 2019 New Jersey Paralegal Convention. I thank the New Jersey Paralegal Convention for helping me gain confidence in myself, and for confirming for me that I chose the correct career path.

Samantha graduated from Salisbury University in May 2017, receiving her bachelor's degree in Sociology and minored in Creative Arts. In 2018, she ran two half marathons, one sprint Triathlon, and has participated in many running races. In 2019, she is hoping to run her first full marathon. In October 2019, she should be receiving her Paralegal Certificate at Fairleigh Dickinson University.

~Be sure to support our sponsors~



Save the Date!

Renaissance Woodbridge Hotel

Iselin, New Jersey

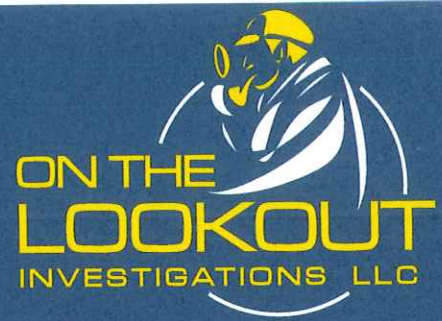
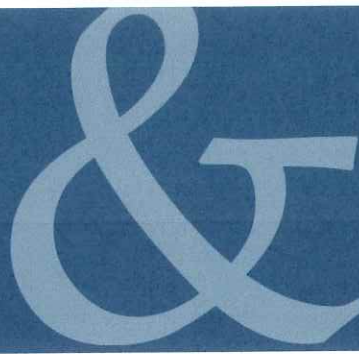
October 25, 2019

www.NJParalegalConvention.com

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Member Spotlight



Stefanie Baroutoglou
Paralegal at Agostino & Associates
stefaniebaroutoglou@gmail.com
[linkedin.com/in/stefanieannb](https://www.linkedin.com/in/stefanieannb)

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

A: I have been a member since 2017.

Q: Why did you decide to join the Association?

A: When I came across the Association, it was at the New Jersey Paralegal Convention for the first time. I had just finished my Paralegal Program at FDU weeks prior and was looking for a networking opportunity. I was very timid/shy and attending the Convention was a huge step in my career as I just learned what being a Paralegal really meant. I had such a great time at the Convention that I knew I wanted to be a part of a networking team of individuals working towards the same career goals as myself.

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

A: A typical day for me at Agostino and Associates is definitely challenging. When I arrive at work, I usually make coffee because who can do what we do without coffee, right? I work in the area of Tax Controversy and litigation. I work directly for the founder and president of the firm, Frank Agostino, Esq., who encourages continuing legal education as often as possible.

For a portion of my day, I handle calendar matters that involve scheduling Tax Court dates, CDP Conferences, and client meetings. When needed, I sit in on initial client meetings and draft new client memos. Thereafter, I draft retainer agreements, FOIA requests and Form 2848's to obtain respective client transcripts from the IRS. I handle IRS notices received on behalf of our clients with respect to amounts owed and determine the urgency of response depending on the designated IRS Code.

In addition to his law practice, Mr. Agostino hosts and participates in CLE seminars locally and nationally for tax professionals which I schedule and coordinate. I also contribute to the firm's newsletter most recently publishing a "TAC" tip on "LEP Taxpayers" (Tax Advocates).

Q: What do you enjoy most about the Association?

A: I love the Association for the confidence I gained through networking.

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

A: Find the area of law that best suits you. There are so many options and types of law-never feel stuck.

The PANJ Member Spotlight highlights a different PANJ member quarterly. If you would like to recommend a PANJ member to be featured in the next Member Spotlight, submit the member's name to Info@NJPara.org.

**THE PARALEGAL ASSOCIATION OF NEW JERSEY
WELCOMES THE FOLLOWING NEW MEMBERS!**

Renee Antonelli

Jana Bulikova

Melissa Cannella

Patricia Ciavolella

Ingrid DeLisa

Brian Durborow

Michelle Landazabal

Clare Pellegrini

Crystal Rivera

Catherine Semper

Samantha Vitone

Diane Wolfe

Laurie Wright

**WE LOOK FORWARD TO SEEING YOU AT AN
UPCOMING EVENT!**

THE POWER OF COACHING

As we come to the close of another NFL season, I've been thinking more and more about what the similarities of an NFL coach and career coach actually are.

When we think of a coach, immediately what comes to mind is that signature polo coat and fedora worn by arguably the greatest football coach in history. Vince Lombardi - heck the man is immortalized in a trophy for "World Champions".

Vince Lombardi embodies what any coach in any specialization achieves to be. A champion of talent. As a Career Coach, we constantly analyze many verticals in business to identify trends, regulations, position responsibilities, best practices, organization success/failure rates and so much more. We do this so that we can deliver a complete strategy for an entire professional lifetime.

Mr. Lombardi visualized a final goal - A championship win! From there he worked backwards game by game, quarter by quarter, play by play to ensure that each player leveraged their specific skills to take away the win.

A Career Coach does much of the same. We ask a myriad of questions at the beginning of the partnership so that we can understand the clients' goal, strengths and weaknesses, fears and desires all to help them devise a game plan for their overall professional success.

The "Coach" can help with all parts of the professional process including:

- Introduction letters
- Social Media marketing/branding
- Cover letters/resume
- Interview strategy
- Networking effectively
- Post interview/offer strategy
- 30/60/90 day planning
- Career acceleration
- And more...

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An Important and Underappreciated New Year's Resolution

By Melissa Acosta

Many people make resolutions for the new year. The most popular resolutions include losing weight, dieting, managing assets more efficiently, and updating a resume for a new job search to name a few. However, there is one resolution that is important and very few people like to think about it (especially during the holiday season). Why not update your estate plan or having an attorney prepare your estate planning documents? Yes; I am referring to having a Last Will and Testament, Medical Directive and Durable Power of Attorney.

Estate planning documents are important, and everyone should have their estate plan in order. Many people prefer not to think about what would happen after they are no longer on Earth. Sure, it is not the best topic to discuss, but it is something that is very important. Needless to say, it also makes it easier for the loved ones we leave behind. Some estate planning documents also provide direction to your loved ones should you become incapacitated or unable to make informed decisions with respect to your medical care or finances.

The documents that help to protect your wishes in the event you become incapacitated or unable to make decisions include a medical directive (also known as a "Living Will") and a durable power of attorney. Most hospitals offer a form of a medical directive but having your personal attorney prepare this form for you while you are not in a stressful situation is probably the best-case scenario. In a medical directive document, you can elect a person who can make medical decisions for you in the event you are no longer able to make those decisions. This document is important because you also can specify whether your wish is to remain on life support or elect to not have life support treatment in the event you are considered to be in a terminal condition by your attending physicians. The person you elect must be someone you trust and someone you know will confidently comply with your wishes.

Similarly, a power of attorney is prepared by your attorney and protects you in the event that you are not able to make financial decisions. With this document, you must elect the person you trust who will follow your wishes and assist you in your time of need. This is an important document because it will allow your attorney-in-fact to write checks and make payments of your bills. It will also allow your attorney-in-fact to pay medical expenses as needed and until you are fully recuperated or at your death.

A Last Will and Testament allows you to have (in writing) all of your wishes disclosed. Why should I have a Will you may ask? The answer is simple. Any person who owns probate assets should have a Last Will and Testament.

Probate assets are assets owned by a decedent that can't be accessed unless an Administrator or Executor is appointed to distribute the assets by the Surrogate Court in the county where the decedent resided. Some examples include bank and brokerage accounts titled in the sole name of the decedent without a beneficiary designation. Real property owned in the decedent's sole name or as tenants in common. Bonds that are titled in a decedent's sole name without any beneficiary designation. A car titled in the decedent's sole name. Any interest in partnership or corporation is also a probate asset.

On the contrary, non- probate assets are assets that pass by operation of law or through beneficiary designation form that the individual setup during his or her lifetime and prior to his or her death.

To access these assets, you do not need to probate a Will. An example of non-probate assets include life insurance policies, annuity contracts, 401K plans, and IRA accounts to name a few.

A Will also allows you to include all of the beneficiaries you want to inherit your estate and it allows you to exclude any family member you may want to exclude for your own personal reasons. Whereas if you die without a Will, your estate passes to intestate heirs by statute and you have no control over the situation.

Also, the Court may require an administrator's bond in order to appoint an Administrator in cases when there is no Will. The amount of the bond is based on the total assets of the decedent. When there is a Will, there is no requirement for a bond.

Another very important reason to have a Will is that you can control how monies are disbursed to the beneficiaries of your choice. For example, if you die without a Will, the Administrator distributes your estate outright to the heirs at law by statute. What happens if you have a child or a spouse who is a spendthrift and unable to manage their assets? With a Will, you can direct that a portion or all monies be set aside in trust for that beneficiary. You can also nominate a Trustee to manage that testamentary trust.

What happens if you are legally married and are currently living separate from your spouse due to your preference or if you have not yet had the time to get a proper divorce? If a person passes away in this scenario without a Will in NJ, the surviving spouse is entitled to 100% of the assets in your sole name according to the laws of intestacy. This assumes the decedent had a surviving spouse and children (of the same marriage) and there were no children of the decedent outside of that marriage.

LET'S TALK ABOUT FIRPTA, BULK SALES, DEEDS AND MANSION TAX

By Charlene Silva

PANJ's November 2018 dinner meeting was held at the Maplewood Country Club on November 14, 2018. Our speaker of the night was Doni Landy, Esq. from Landy Law Group, LLC who discussed a few relevant topics in real estate law practice.

Ms. Landy started her presentation by discussing FIRPTA, which is a familiar term in real estate transactions. The *Foreign Investment in Real Property Tax Act of 1980* (FIRPTA) authorized the United States to tax foreign persons on dispositions (sales) of U.S. real property interests. The Buyer (Transferee) is responsible to collect these funds from the Seller (Transferor), when applicable. When withholding is required, 15% of the purchase price must be withheld from the Seller's proceeds at the time of the sale. The settlement agent is responsible to obtain the necessary forms from the Seller and forward the funds to the IRS within 20 days of closing. The funds are held by the IRS until the Seller files the appropriate income tax returns and pays any taxes due, as determined by the IRS. Only then will the FIRTPA funds be refunded to the Seller.

There are exceptions to this withholding. While the Buyer is not required to withhold the tax from the Seller if the Buyer is purchasing real estate for use as the Buyer's primary residence and the purchase price does not exceed \$300,000.00, the Buyer would still be responsible for the Seller's tax liability if the Seller does not file a U.S. income tax return post closing. The Seller has an option to file an application for reduced withholding prior to the closing, but the request can take up to 90 days to process.

A good tip offered by Ms. Landy is to obtain the Seller's information early on in the transaction and have a checklist to stay organized. It is crucial to protect the Buyer by taking the necessary steps to ensure the Seller pays the required tax, or the IRS will pursue payment of the 15% tax by the Buyer.

Maintaining the tax subject matter, Ms. Landy talked about the Bulk Sale notification requirements. Bulk Sale is the sale, transfer or assignment of any individual's or company's business assets outside of the business' ordinary course. The purpose of the Bulk Sale statute is to protect a Buyer from inheriting any tax debt from a Seller (whether foreign or domestic) of business assets. The Buyer is responsible to notify the NJ Division of Taxation of the sale at least 10 business days prior to closing by submitting form C-9600, along with a copy of the contract of sale. It is best to forward same by courier, overnight delivery, registered or certified mail. The State establishes

the amount of escrow to be held by the settlement/escrow agent. If no escrow is required, the State will provide a "clearance letter" stating that no escrow or amount is due from the Seller. If the Buyer fails to notify the State of the Bulk Sale or closes on the property before the State provides response to the Bulk Sale notice, the Buyer becomes responsible for the Seller's tax obligation.

If there aren't sufficient funds from the Seller's proceeds for the Bulk Sale escrow, the Buyer and Seller must negotiate who will provide the necessary funds. There are instances when the required escrow amount may exceed the purchase price. If the Seller provides a completed Asset Transfer Tax Declaration (a/k/a TTD form), files delinquent tax returns and/or pays any tax deficiencies, the Division of Taxation may reduce or even waive the initial required escrow amount.

Ms. Landy advised it's important to remember that a short sale is still subject to Bulk Sale notification and the short sale approval letter from the Seller's lender should accompany the C-9600 notice. However, in a formal foreclosure, there is no need for Bulk Sale notification. If the Buyer assigns its right to purchase the property to another party, a new C-9600 is not required, but the Division of Taxation (particularly the case worker assigned to the matter) must be notified.

Next, we briefly discussed the mansion tax. This tax liability falls on the Buyer of real property only if the purchase price exceeds \$1,000,000.00. It is equal to 1% of the consideration. Seniors, disabled persons, and governmental entities are exempt from the tax. If the real property consideration is modified by the parties and recalculated to proportion payment of the consideration towards the purchase of the real property *and personal property* in order to keep the real property consideration under \$1,000,000.00, it may raise a red flag and the transaction may be subject to an audit since the Division of Taxation may view the modification as a method to avoid paying the tax.

Ms. Landy also reviewed different types of Deeds. A Deed is a legal document that transfers an individual's or entity's rights of ownership (Grantor) to another individual or entity (Grantee). Deeds may contain conditions or assurances. There are several types of Deeds depending on the type of title being transferred by the Grantor: General and Special Warranty, Quitclaim, Bargain and Sale, and Grant, among others less common.

The General Warranty Deed is used to convey good and marketable title. This type of Deed protects the Buyer (Grantee) because it contains an assurance that not only applies to the present Seller (Grantor), but all previous Grantors in the chain of title and guarantees there are no outstanding debts or liens. However, the most common type of Deed used in New Jersey today is a Bargain and Sale Deed with covenants against Grantor's acts, which provides the Grantee with a covenant that the Grantor has not committed any act that would encumber title to the real property being conveyed. The Quitclaim Deed contains no warranties. It simply provides whatever interest the Grantor has in the property at the time.

Generally, a Quitclaim Deed is used when there is some uncertainty about the chain of title or a "cloud" on title, such as a previously overlooked heir; a transfer between family members or into a trust; division of property related to a divorce or business dissolution; or a remainder interest in a property that the owner wants the holder to disclaim.

Ms. Landy indicated that paralegals should remain diligent because the real estate purchase/sale process may not be so simple for first time Buyers or Sellers. Ms. Landy also advised that paralegals should familiarize themselves with county requirements and should not hesitate to reach out to the county clerk's office or a frequently used title company with any questions regarding Deed filing. Deeds must be recorded with the clerk of the county where the property is located. It is imperative to remember to attach the appropriate State forms (Seller's Residency/Non-residency Certification and/or Affidavit of Consideration, if applicable), as well as the property's metes and bounds legal description, to the deed prior to filing. The Deed should also be accompanied by a check for the appropriate recording fee and a check for the appropriate realty transfer fee as well as the recording cover sheet which can be obtained on the county's website.

Overall, the meeting was a good overview of some relevant topics in real estate transactions.

Charlene Silva is a paralegal with the law firm of Inglesino Webster Wyciskala & Taylor, LLC located in Parsippany, NJ. Mrs. Silva graduated from Union County College with high honors and obtained an AAS degree in Paralegal Studies. She has worked in the legal field for over 15 years. Her responsibilities are concentrated in residential and commercial real estate transactions, land use and development, redevelopment, and tax appeal, with experience in business/corporate law, aviation law and general litigation. Mrs. Silva is a member of PANJ, a member of the New Jersey State Bar Association Special Paralegal Committee and serves on the Board for the New Jersey Paralegal Convention.

PATENTS & TRADEMARKS

By Angela MacLeod

On January 15, 2019, the Paralegal Association of New Jersey hosted its monthly general membership dinner meeting at the Spanish Tavern in Mountainside. Patricia P. Werschulz, Esq. presented "Trademarks, Patents and Paralegals."

Ms. Werschulz is a dynamic, intellectual property lawyer and registered patent attorney who is proprietor of Werschulz Patent Law, LLC in Cranford. Prior to practicing law, Ms. Werschulz worked in the pharmaceutical industry in many different chemist positions. Her practice now includes life sciences and a wide range of industrial consumer products. Her passion for this area was apparent as she outlined the areas of intellectual property: patents, trademarks, copyrights, trade secrets and rights of publicity/privacy. She assists clients in obtaining patents and registered trademarks along with advising clients on intellectual property matters and copyrighting.

As defined by the World Intellectual Property Organization, intellectual property is a creation of the mind, such as an invention, literary or artistic work, design, symbol, name and image used in commerce. The United States Patent and Trademark Office ("USPTO") defines a patent as a limited duration property right relating to an invention, granted by the USPTO, in exchange for public disclosure of the invention. There are three different types of patents: utility, design and plant.

A Utility Patent may be granted to anyone who invents or discovers any new and useful process, machine, article of manufacture, or composition of matter, or any new and useful improvement thereof. There are two types of utility patent applications, provisional and non-provisional.

A Design Patent may be granted to anyone who invents new, original, and ornamental design for an article of manufacture.

A Plant Patent may be granted to anyone who invents or discovers and asexually reproduces any distinct and new variety of plant.

A complete non-provisional utility patent application consists of the following components: the fee and Fee Transmittal, Application Transmittal, Application Data Sheet, Entity Status, Specification, Drawing(s) and Oath or Declaration. Further components of the patent prosecution (i.e., the process of pursuing protection for the patent application with the USPTO) are translation (if not in English), Information Data Sheet, foreign prior art with translation, non-patent prior art literature, power of attorney, office actions and responses thereto and notice of allowance/pay issue fee. Once the patent application is granted maintenance fees are due for the remainder of the patent term.

A Patent Cooperation Treaty application may be filed from the non-provisional utility, allowing introduction into foreign countries.

A Trademark is a word, name, symbol or device that is used in trade with goods to indicate the source of the goods and to distinguish them from the goods of others. The types of trademark applications are TEAS and TEAS Plus (Trademark Electronic Application System) and TEAS RF (Trademark Electronic Application System Reduced Fee). Some of the components of the trademark application process are the application, USPTO review, office actions and responses thereto. If the trademark is approved by the USPTO, then Notice of Allowance/fee and the USPTO registers your trademark. Thereafter, Affidavit of Use/Incontestability and Affidavit of Use/Renewal is filed to maintain the trademark.

Copyright is a form of protection provided to the authors of "original works of authorship" including literary, dramatic, musical, artistic and certain other intellectual works, both published and unpublished.

A Trade Secret is information that can include a formula, pattern, compilation, program, device, method, technique or process which must be used in business and give an opportunity to obtain an economic advantage over competitors who do not know or use it.

Finally, the Right of Publicity / Privacy is an individual's right to control the use of his/her name, likeness and other recognizable aspect.

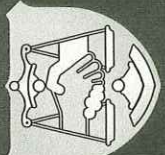
Ms. Werschulz briefly discussed the United States Patent and Trademark Office website which is full of interesting and useful information. It includes directions on how to file applications for particular types of protection. It is possible for areas to overlap allowing an author/inventor to secure more than one type of protection, under certain circumstances on one article.

As Ms. Werschulz pointed out, paralegals play a vital role in intellectual property, such as docketing, preparation of forms, collecting/maintaining client files, preparation of response shell, electronic filing via EFS-Web (Electronic Filing System) and TEAS, downloading USPTO correspondence from PAIR (Patent Application Information Retrieval) and TSDR (Trademark Status and Document Retrieval), working knowledge of MPEP and TMEP (Trademark Manual of Examining Procedure), and curating and indexing prior art. She further pointed out that patents and trademarks are very different, but also have a lot in common. They both utilize the USPTO and have Federal Court Jurisdiction and Federal Circuit. Both also share terminology such as examiner, office action, notice of allowance, abandonment and assignment.

I found Ms. Werschulz' talk to be informative and engrossing. Her presentation included patented consumer products that she passed around to the attendees while she discussed the necessary components of the application for each of the particular products, associating real life examples with her seminar.

Angela MacLeod started her career in the legal field initially working in law firms as a legal secretary followed by executive assistant positions in corporate legal departments. She currently works as a patent paralegal in a corporate pharma firm for the past 11 years.





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THE UNCONVENTIONAL PARALEGAL

THINKING OUT OF THE BOX

The Power of "No"

By Vincent Ascolese

It goes without saying that attorneys do not take "no" for an answer very well. I have learned that each and every time I use that word, it creates issues in the future. In short, I strongly suggest against saying "no" when asked to perform work related projects, or use it sparingly.

What ill effects is this guy talking about? Months ago I was swamped at work. An associate had asked me to perform a lengthy project with an imminent deadline. I saw no possible way I could complete it and no extension was possible. So, I chose to say "no." This associate is extremely pleasant and lenient. Now, each and every time the associate asks me to do a project the request is preceded by, "I know you're very busy, but can you . . ."

At a previous firm, I worked on one case that was litigated for nearly 9 years. Somehow the majority of assignments required ASAP attention. To this very day, ASAP is a four letter word for me and sends shivers down my spine. I frequently turned down other assignments due to the urgency of the assignments on this case. I felt in demand yet unaware of what the future would bring. I learned the true meaning of the word "pigeonholed" once the case had settled. Like a vacuum, my workload went from insane trial mode to nonexistent. Years of seemingly justifiable "nos" left me vying for off-team work only to be given small projects.

You may be wondering if there ever is a time when "no" is appropriate. I'm sure there are plenty of instances absent ethical concerns and other legal issues of course. Again, I'm suggesting to say "no" sparingly.

So, I've suggested against saying "no" or to use it extremely sparingly. What are some suggestions to creatively say "no?" In other words, what are a few ways to decline with the least amount of ill effects.

Make the attorneys aware of your immediate workload. It may help everyone as your workload may require prioritization or adjustment. Sometimes deadlines change and priorities will shift. A shift in priorities may affect your ability to accept new assignments.

Listen to the attorney before declining an assignment. Also, always ask when it is due. At that time, you might ask, "I'm currently working on X, can this wait until I finish?"

Preemptively saying "I cannot take on a project" may leave your superior to assume that you are not in a position to take on a project unless you are not busy. Doing so can set a precedent even if unintended. We are all busy, but our job is to assist.

As paralegals we are employed for the purpose of assisting attorneys. They are looking for attitudes that reflect: "How can I help?" and "Yes I will." The opposite of those are "I can't help" and "No I will not." Then again, the opposite of employed is unemployed.

Vincent Ascolese graduated from St. John's University with a Bachelor's degree in Paralegal Studies in 1998. He has over 15 years working as a paralegal in various practice areas including: employment, commercial litigation, and general litigation. Most recently he works in practice areas including personal injury, workers' compensation and general 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.

Why Service Method Matters When Collecting an International Judgment

By Amanda Sexton

Deciding what type of international process service method to use will be impacted by whether or not you'll be enforcing a judgment. We have some tips on how to help you choose.

The cost (anywhere from \$700 to \$2,000+) and time (one month to a year) associated with international service of process means it's extremely important to choose the correct method the first time. While the United States may consider an individual served properly, the country in which the judgment will be enforced must also recognize service as valid.

There's considerable risk associated with choosing the wrong method of service. In a New Jersey district court case, *Shenouda v. Mehanna*, a judgment for \$578,600 was dismissed along with the case after it was determined the plaintiff's method of service didn't comply with The Hague Convention.

Choosing a Method

There are several options available for international process service including but not limited to: The Hague Service Convention Treaty, Letters Rogatory and service via agent. Each method has different timelines and costs associated with them.

In the event you would need to enforce a judgment, service via agent won't be an option. The only choice would be to proceed through the official channels of the country. Service via agent is useful in instances where you wish to notify a party without any further judgment action abroad.

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What international service method is right for your case?

Does the service need to be personal or is it on a corporation headquartered in another country?

YES

Will you possibly need to enforce a judgment?

YES

It looks like you're going to have to go through the Hague Convention or Letters Rogatory or other service treaty to be sure the court will acknowledge service and help you enforce your judgment.

Is the country where you need service effectuated a signatory to the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents?

HMMM, NOT SURE

NO

You may not need to serve internationally after all. See who else you can serve upon that will constitute valid service based on your state's laws.

Service via agent may work for your purposes. This option is much quicker than other international service alternatives but may cost more depending on location.

You'll need to go through Letters Rogatory. Make sure to choose an experienced process server, as this costly process can take up to one year. Any mistakes will cost you time and money.

Lucky you - as a signatory, you can go through the Hague Convention which is a quarter of the cost and half the time of Letters Rogatory.

YES

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BONUS!

Register for the 2019 Annual Meeting and your first year of New Jersey State Bar Association (NJSBA) membership is **50% off the regular rate!**

Why you should take advantage of this special offer.

NJSBA Member Rate	Special Offer for Non-NJSBA Members*	
Paralegal Annual Meeting Rate Paralegal Membership Dues*	\$115.00 \$80.00	Paralegal Annual Meeting Rate Paralegal Membership Dues* \$115.00 40.00
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After one year, your membership will renew at the standard Paralegal member rate.

* A non-member is anyone who has not had an active membership with the NJSBA for 12+ months. This offer cannot be used to renew a current membership.

Please return this entire form when registering.

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HOTEL RESERVATIONS: Reservations at Borgata Hotel Casino & Spa may be made through a central reservations department, before April 26, 2019, by calling 1-866-MYBORGATA (866-692-6742) or online at theborgata.com or thewaterclubatborgata.com. Borgata Group Code GBNJS19: Rate \$160/night. The Water Club Group Code GTWSB19: Rate \$180/night.

Individuals must identify themselves as being with the NJSBA or reference the Group Code in order to receive the discounted rate. Individual rooms cancelled less than 48 hours prior to arrival time will forfeit deposit of first and last night's room and tax.

By registering for the NJSBA Annual Meeting and Convention, all attendees, instructors and exhibitors acknowledge they may be photographed and/or videotaped during the convention. They agree that such photographs and/or videos will be the sole property of the NJSBA, and they consent to the NJSBA's unrestricted use of their name, portrait, photograph, video and other likeness in any and all commercial, promotional and advertising material without any monetary compensation.

Cancellation policy: All requests for refunds must be in writing. For a full refund of registration fees, requests must be received on or before April 12, 2019. A \$50 service fee will be deducted from each registration fee for refund requests received from April 13 through April 26, 2019. If a refund request is received from April 27 through May 8, 2019, 50 percent of the registration fee will be refunded. Requests for refunds after May 8, 2019, will not be honored. Refunds will not be issued for ticketed events after May 8, 2019. Refunds will not be processed before June 21, 2019.

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- Free online legal research available anywhere, anytime - from Fastcase, an NJSBA affinity partner.
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Payment Details:

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One Constitution Square
New Brunswick, NJ 08901

FAX: (732) 249-2414

ONLINE: www.NJSBA.com





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