

The Informant

Volume 1, Issue 1

April 2006



Central Illinois Paralegal Association

An Affiliate of the National Association of Legal Assistants, Inc.

“Name That Newsletter”

I can name that newsletter in two notes, er, syllables..... Does everyone remember the TV show “Name That Tune” or am I dating myself?

Welcome to the first of what I hope to be many more newsletters to come! The CIPA newsletter has been missing from our lives, for quite some time now. Our goal is to produce an informative yet fun newsletter.

Following in that vein, the newsletter committee would like to propose a contest to re-name this newsletter. The current title, *The Informant*, sounds a bit too harsh and, perhaps, too much like a gossip trade magazine.

Please submit your suggestion(s) to cipa@ciparalegal.org by June 30, 2006. The committee will vote on your submissions and announce the winner in the July 2006 issue of “the former” *Informant*.

The winner will be afforded a spectacular prize – so be sure and cast your vote!

Submitted by: Debi D. Taylor

President’s Message

Welcome to CIPA and welcome back to the newsletter! Our Newsletter Committee, led by Co-Chairs Chris Thomas and Liz Woodard, has designed a fresh new look for our publication and packed it with so much variety that there is something for everyone.

We are well into 2006 and have already enjoyed wonderful meetings in January, February and March. Our enthusiastic Meeting and Education Committee, led by Chair Amber Lilly, has planned some great offerings for the remainder of the year. Many of these monthly offerings are eligible for CLE credit to benefit those members who are Certified Legal Assistants. So, plan to join us and prepare to be *energized*.

Another new focus for CIPA this year is our more formalized commitment to pro bono activities. CIPA members have long recognized the value of service to their communities. Now, members may opt to serve under the direction of their own committee designed specifically for paralegal contributions. The new Pro Bono Committee is the brainchild of long-time member and past President Ann Hill, CLA, who saw a need for a service outlet designed for paralegals. If you have a heart for pro bono service to the legal profession, contact committee Chair Ann Hill to get involved at: ann.hill.h7q4@statefarm.com.

Save September 15, 2006 on your calendar for our 17th Annual Educational Seminar. We will again meet at the Eastland Suites Hotel and Conference Center in Bloomington. You will be amazed at the program the committee is preparing.

There is so much going on this year that there isn’t enough space in this column to describe it all. Feel free to contact any Board member or committee chairperson to find out how you can get involved. You can contact us by e-mail at: ciparalegal.org.

Martha Ross, President



INSIDE THIS ISSUE

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AND MUCH MORE. . .

Presenting . . . Your Editorial Staff!!

Crystal “Chris” Thomas, Co-Chair

Chris has been involved in the legal field for 25 years, first as a legal secretary and most recently as a paralegal for State Farm Insurance Cos. in the Securities Unit. She is currently pursuing her paralegal certificate and hopes to finish soon. Chris then plans to go back to ISU to get a Bachelor’s Degree in either Politics and Government or Legal Studies with an emphasis in constitutional law.

Chris has been married for 25 years to her husband Duane. They have two sons, Josh 19 who also is attending Heartland and Cole 12 who is in sixth grade. Chris’s hobbies include watching basketball, sometimes playing basketball with her sons, reading and stamping her own cards.

Elizabeth Woodard, Co-Chair

Elizabeth has worked for State Farm Insurance Cos. for 17 years, responsible for providing technical assistance to the Intellectual Property Administrator (IPA) with the registration, maintenance and protection of the Mutual Company's trademarks. She assists the IPA with researching proper usage of trademark's and works with IPA and Counsel to register various copyrights and patents. Elizabeth also assists the Department's Brand Liaison who provides brand guidance to the department.

Elizabeth received her paralegal certificate from ISU in May 2002. In December of this year, she will obtain her Bachelor’s Degree in Politics and Government and is exploring the possibility of obtaining a Master’s Degree in Global Politics and Cultures also from ISU. Elizabeth also attended Illinois Central College, graduating in 1987. Professional memberships include The Central Illinois Paralegal Association (Secretary 2006); McLean County League of Women Voters; Danvers Junior Woman’s Club (President 1999 & Treasurer 2006); and Toastmasters, International. In her spare time, she enjoys gardening, reading and spending time with her husband, Garry, daughters Rachel and Emma, and “the zoo” consisting of 2 dogs, a reptile and the newest addition, a parakeet.

Diana Holderby

Diana has been employed by State Farm Insurance Cos. for 15 years, currently as a Sr. Legal Assistant in the area of Litigation Support. Her main responsibilities involve data and document management, often venturing into the technical “Twilight Zone” of database and application development. Diana developed her own plan of study at Illinois State University, and will graduate in December 2006 with a B.S. in Litigation Support Technology, combining Legal Studies and Information Technology.

Diana is a native of Bloomington and resides in Normal with her husband, Eric, and their two children, Megan (11 going on 15) and AJ (8). She enjoys being involved in her children’s activities, reading trashy novels, and “hangin’ out” with her girlfriends.

Debi Taylor

Debi has been a member of the Corporate Law Auto/Fire Operations team at State Farm Insurance Co. since October of 2005. She spent the last 23 years in Chicago, most recently as the Project Manager for the American Bar Association Center for Professional Responsibility and the Office of the General Counsel. Prior to that, she was a Senior Paralegal in the Commercial Law Department with the law firm of Jenner and Block; a Courtroom Deputy for the Honorable Susan Pierson Sonderby at the U.S. Bankruptcy Court; and a Paralegal at the U.S. Department of Justice.

Since moving back to her hometown of Lincoln, Debi has enjoyed spending time with her family and making plans for her new house. She enjoys playing the piano and organ; gardening and landscaping; the theatre; and being anywhere that has a beach.

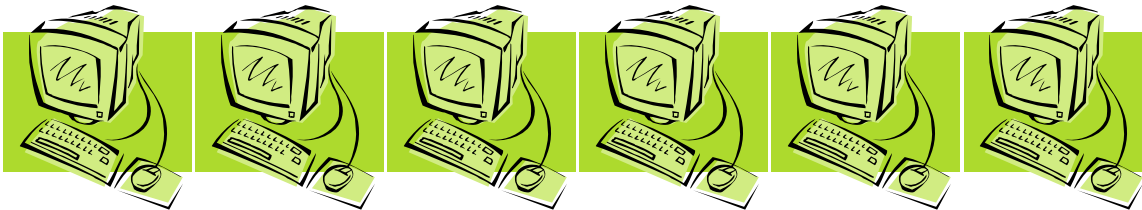
Peter Daoli

Peter began his career in the law in August 2002 as a Family Law Paralegal with Erwin, Martinkus, & Cole, Ltd. in Champaign, Illinois doing litigation support on domestic relations matters. In February 2006, he joined the law offices of Meyer Capel, P.C. in Champaign, Illinois as a Litigation Paralegal working in the areas of corporate law, telecommunications law, civil litigation, and criminal law. He enjoys his new position because it provides the opportunity to work on both state and federal cases filed in Illinois.

His professional training includes a B.A. in history from Arizona State University in 1995; an M.A. in history from West Chester University of Pennsylvania in 1999; and a Paralegal Certificate from the Arizona Paralegal Training Program in 2002. In addition, he earned his CLA designation from NALA in 2005. Peter has been married to his wife Rebecca for five years and they have two cats, Safiya and Augustus (“Gus”). In view of the damage they have subjected on the furniture, Peter and his wife are grateful that neither cat talks back or will ever ask to borrow the car. Peter’s hobbies include fine dining, reading, watching cancelled T.V. shows on DVD, and renting low budget horror/science fiction movies and making fun of them with his wife.

Please feel free to contact any member of the Committee with your comments or article suggestions.

We look forward to hearing from you!



Technology Tidbits

Author: Diana Holderby

Is your legal practice group considering the implementation of a technology solution? Software applications exist to help with document management, trial presentation, knowledge or information management - just to name a few. Applications can be used “off the shelf” or enhanced for specific user group needs by working with the product vendor. The biggest issue with design and implementation of technology solutions is how best to involve the end user in order to maximize use of the product. Here are some things I’ve learned through my experience with application design and development in my current position.

- * The project manager is pivotal – someone who can navigate the waters between business needs and “techno-talk”. It can take IT folks a long time to understand the business drivers behind particular user requirements.
- * The starting point is to define the strategic goals, and from that, the specific needs to be met. This occurs long before a product is purchased or designed, and should involve users at all levels of the group.
- * Select a core group of users (ideally 2-4, no more than 10 depending on the size of the project) to participate at a higher level. This group is involved in defining requirements, product design, and testing. Look for positive participants, people who are willing to be “change-makers” and encourage buy-in from the larger user population.
- * Communicate with a broader user group during the course of the project, ask for their input and treat it seriously, but don’t involve them in the decision making process and every detail. Give end users a picture, a diagram, a conceptual drawing to review – don’t expect them to understand functional or technical specification documentation.
- * Develop a solid testing plan. Give users specific steps to follow, with expected results, and room for them to make notation of actual results. Establish a procedure for reporting any bugs encountered during testing, an Access database can be created with an Input form screen to be completed by the user and submitted.

A wide variety of technology solutions are available to legal practice groups of today. The keys to success in implementing a solution in your office are a set of defined goals, a positive core user group, and lots of patience. Product development is far from painless, but the resulting benefit to your users will far outweigh any bumps encountered in the road along the way.

Conference / Education Opportunities

- *2006 NALA Annual Convention & Exhibition - Tampa, FL - July 26-29. Information available at www.nala.org.*
- *International Litigation Technology Association’s (ILTA) 29th Annual Educational Conference - Orlando, FL - August 21-24, 2006. Information available at conference.iltanet.org.*
- *Fundamentals of Bankruptcy - American Law Institute/ABA - Chicago, May 3-5, 2006. Information available at www.ali-aba.org.*

NEWS from NALA....New Education Requirements for Maintaining CLA Status

As we move into a new CLA testing year, please note there are new requirements for maintaining Certified Legal Assistant Status, applicable to those obtaining their certifications for the first time and for those CLAs and CLA Specialists currently certified after their renewal period ends. Effective January 1, 2006, five (5) hours of education on legal ethics will be required as part of the total 50 hour CLAE education requirement during each five (5) year period, in order to maintain valid certification.

Please note this requirement applies to individuals obtaining their CLA certifications in calendar year 2006 and after, and will apply to current CLAs or CLAs whose renewal period ends after January 1, 2006. Please see www.nala.org for specifics. To locate the requirements, at the NALA homepage click on "Paralegal Certification, the CLA/CP Program," select "General Information" at the next menu, then scroll down to find the "General Information Rules & Procedures" section in the left window pane, and click on "Continuing Education Requirements." Contact me if you have any questions.

Kudos to **Jackie McKinnis, CLA** on obtaining her certification last December! See Member News & Notes for the names of other members testing for their CLA certification. I counted the CLAs on our member roster and 50% of our current membership are certified!!

Lisa J. Craghead, CLA, CIPA/NALA Liaison

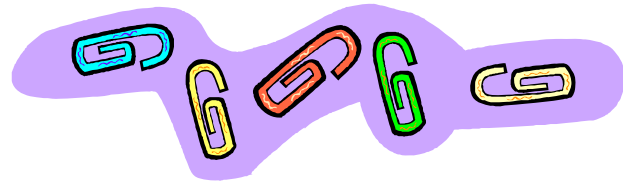


Member News & Notes

* CIPA member Debi D. Taylor was recently appointed to the National Association of Legal Assistant's Continuing Education Council. This is a three year term which begins at their spring meeting on April 29, 2006, in Tulsa.

Congratulations Debi!!

* **BEST WISHES** to CIPA President Martha Ross, and members Amber Lilly, Debi Taylor and Kathleen Weir as they anxiously await the results of the March CLA examination.



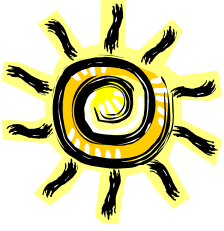
Dear Polly Paralegal,

I have a dilemma. I need your advice on how to handle a co-worker. She is always negative. It is difficult to carry on a conversation with her because she responds in an insulting and condescending manner. I have tried telling her numerous times that she is hurting her career but she doesn't want to listen to anything anyone says. She just received a promotion so now she doesn't care. How is it that people who act this way seem to still get ahead?

Signed,
Confused Co-worker

Readers: How would you handle this situation? If you have advice for Confused Co-worker, please send your advice to Polly Paralegal in care of cipa@ciparalegal.org. Responses will be published in the July newsletter.

SEND POLLY YOUR QUESTIONS – Maybe she'll use your question in the next issue -- cipa@ciparalegal.org



**“Education, Recognition, & Fun in Tampa”
2006 NALA Annual Convention & Exhibition
By: Peter Paoli**

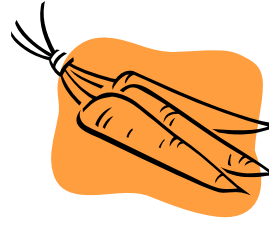
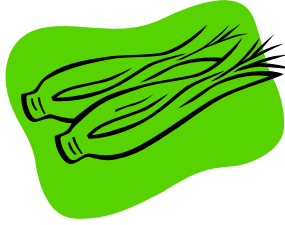
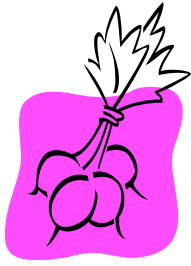
The 2006 NALA Annual Convention & Exhibition will be an exciting development for me professionally, as it will be my first year in attendance. This year’s convention marks a thirty-one year history of the Summer meeting allowing paralegals from around the country to meet for the purpose of furthering their legal education and networking. The convention takes place from July 26 to 29, 2006, at the Tampa Marriott Waterside Hotel & Marina in Tampa, Florida. Early Bird Registration begins on the afternoon of July 25, from 4:00 p.m. to 6:00 p.m., followed immediately by an Early Bird Reception and Orientation. These events offer first time attendees a great opportunity to meet the hosting officers and staff, as well as a chance to meet with fellow paralegals and legal assistants from around the country.

NALA has gathered practitioners from diverse legal backgrounds to provide four days of educational topics and course programs, including a review for those looking to go beyond their CLA designation and sit for the Advanced Paralegal Certification examination. Leadership Track sessions provide courses for those working towards becoming leading figures in our professional community. A La Carte sessions are provided in a variety of areas -- Mock Trial, Contract Administration, Anti-Trust Law, immigration landmines, discovery procedures, working in the non-profit arena of the law, persuasive speaking, and delivery of paralegal skills. Attendees can take courses via one of the educational tracks offered, or mix and match their selections to specialize their convention experience. Completion of the morning educational sessions earns a maximum of 13 continuing legal education hours for current CLA or CLAS designees.

Many activities will be offered outside the classroom! On the first afternoon there will be a session on Affiliated Associations -- including an affiliate exchange presentation, affiliate awards, and presentations on developing a CLA review course, membership growth, and retention strategies for affiliated associations. The 2006 Membership Forum takes place on the second afternoon, including a “Candidates’ Forum,” where candidates for NALA’s First Vice President, Secretary, and Treasurer will make presentations and take questions from attendees. This forum is immediately followed by presentations from NALA’s Board of Directors, the Developmental Committee, and the Certifying Board on a variety of topics and issues. Friday afternoon can attend the 31st Annual Membership Meeting of NALA, where presentations of the Founder’s Award, the President’s Award, the Affiliated Associations Outstanding Achievement Award, and the Affiliated Associations National Achievement Award will take place. A reception and the installation of the NALA Board of Directors takes place starting at 5:30 p.m. that evening.

I encourage CIPA members to review the conference materials on the NALA web site, www.nala.org, as well as the recent articles in the February 2006 issue of “Facts & Findings.” These sources provide session summaries and presenter names, as well as information on attire, exhibitors, networking, and much more. You can register directly from the NALA website, and select your sessions of interest.

I look forward to seeing all of my CIPA colleagues in Tampa this summer!



Oh No! GMO (genetically modified organisms)

By: Elizabeth Woodard

Feeding the World has a production challenge ~ to grow enough food. Feeding the World also has a distribution challenge ~ getting the food distributed to those in need. Those who are in the most dire need of food can't afford to buy it. Meeting this challenge is a significant economical, technological, political and social issue. The world has been trying to develop resources ever since the 1960's "green revolution."

Because of erosion, salinity, desertification, and deforestation, we need to protect our existing arable land. With Biotechnology science has the ability to change DNA. A select variety is achieved by breeding specific genetic traits. For example, a rose can cross with another rose, taking genetic traits from 1 species and copying them to another. How do you feel about crossing a rose and a mouse? Crossing a tomato and a fish? Genetic engineering is attempting to transfer desired character traits between foods that we eat.

Can you imagine making strawberries frost-resistant by transferring gene selection properties of anti-freeze found in arctic-water fish? Corn and cotton crops with foreign genes can create either their own pesticide or survive herbicide applications. More testing is necessary before genetically altered products are approved for human consumption. Do you want to know if your food contains genetically modified ingredients? The Grocery Manufacturers of America estimate: "That 60-70% of our processed foods may contain biotech soy, corn, cotton or canola."¹ Which means Americans are eating genetically modified foods every day. What happens to the human body once a genetically modified food enters it? The effects are unknown.

Genes are taken from viruses, insects, bacteria and even humans to be introduced into plants. Couldn't this lead to results that are impossible to predict or control? We've all seen movies about "super bugs, super weeds or animal genes" that get out of control by scrambling genetic code. While most is science-fiction, gene insertion could alter chemical reactions resulting in the creation of new allergens or rogue toxins.

Food's nutritional value can be changed with genetic modification. Golden rice is genetically altered to contain beta carotene benefiting undernourished people lacking vitamin A. Could genetically altered products increase antibiotic resistance and strengthen immune systems?

The United States does not currently require labeling of genetically altered foods. Many European countries have adopted labeling standards. There are limitations on how genetic mutations are regulated. A manufacturer in the U.S. who introduces a genetically altered food does not have to inform the consumer nor the government. There should be stricter tracing and labeling requirements on genetically modified products. So, your candy bar would now have to carry a specialized label if it contained sugar from genetically engineered corn.

The risk of liability relating to genetically altered foods could be removed if manufacturers, suppliers and farmers demanded that such products not be used. Consumers need to be made aware by requiring full disclosure and labeling of genetically altered ingredients.

How do you feel as a consumer? Would you reject genetically modified foods if given a choice?

¹ Grocery Manufacturers of America; www.gmabrands.com



“The firm will disavow any knowledge of your existence.”

By: Peter Paoli

I will admit that I probably watched a little too much television as a child, but I always enjoyed old shows like “Mission Impossible” and “The Prisoner.” What sold me on the characters was the classified information they possessed, and the consequences that would follow if they were captured by the enemy or attempted to leave their employment. I suppose a transfer from one law firm to another is not quite on the same level, but the type of work we do still puts us in a different category than other professionals. The amount of confidential information each of us faces on a daily basis is impossible to calculate, and there are potential consequences that come with being privy to this knowledge. For example, a casual conversation about an exciting case in the middle of a restaurant could have adverse effects if the opposing party or someone who knew someone working on the other side got wind of some information and disseminated the same. This “slip of the lip” could hurt your client’s position, it could lead to an ARDC action against your boss, or it could bring a lawsuit against your law firm or yourself. While I cannot imagine anyone of us was overwhelmed with excitement when we had to take our legal ethics class, I cannot stress the importance of every person working in our profession taking the time at least to review the ABA Model Guidelines for the Utilization of Legal Assistant Services, the NALA Code of Ethics and Professional Responsibility, and the Illinois Rules of Professional Conduct. My basis for this advice is a personal incident that happened earlier this year. The idea that I had faced every possible scenario in this line of work was challenged.

In early February 2006, I accepted a position at Meyer Capel, P.C., a highly reputable law firm in Champaign. This position would offer the opportunity to work in some new areas -- criminal, corporate, employment, and telecommunications law. For three and a half years prior I had worked solely in the field of family law. I considered the possibility of conflicts due to the transition, but thought that because I was not going to be working on many (if any) family law cases at my new job that there would be no direct conflicts of interest. At the time, I had worked for months on a case involving a highly contested motion to modify child support, and we had only recently received a response to discovery. Included in the information was a copy of the Defendants latest pay stub reflecting her wages, deductions, and (surprisingly enough) the fact that she was an employee of the firm I was going to work for in five days.

“Gosh! I’m going to be working with the other side,” I responded. (Actually, the comment was a little more colorful.) Because of my education and a little thing called the Ethics portion of the CLA examination, I knew I had to report this to both my current boss and my future employer. In the end, I prepared a letter to our client notifying him of my change in employment, and that I would be working for the firm that represented his ex-wife. The client was allowed the opportunity to decide whether or not he wanted to seek representation from another firm. My new employer was not too concerned about the conflict -- I was advised at orientation that they assumed I understood the rules of ethics and would act appropriately. I was further instructed to avoid making any comments regarding the case with the employee in question. A month has passed, and the employee and I have had many conversations, but none of them have been related to her pending litigation. The situation taught me to be more cautious of my surroundings and to keep an eye out for potential conflicts that may come my way.

The rules of ethics should never be taken lightly. The nature of our job means that we are faced with situations on a daily basis, and that every decision we make requires that we consistently and conscientiously consider the legal ethics behind those decisions.

Does the Right to Freedom of Speech Protect Hate Speech?

Author: Chris Thomas

All speech, including hate speech, whether or not we like what we hear, is protected under the First Amendment of the U.S. Constitution. Tolerance of hate speech is a price to be paid for individual liberty and attempts to regulate it will only encroach on everyone's freedom.

Freedom of speech is one of our most basic absolute constitutional rights. A quote from George Orwell states it very well: *"If liberty means anything at all, it means the right to tell people what they do not want to hear."* The First Amendment of the Constitution reads, "Congress shall make *no* law...abridging freedom of speech." When reading this language it should be noted that suppression of speech is only a violation of the First Amendment when Congress is doing the suppressing. Controversies surrounding the First Amendment arise only when the speech in question is unpopular. The First Amendment was not drafted to protect you or me from speech we might find offensive. Nowhere in the First Amendment will you see freedom of nice, kind speech. To restrict the speech of one group or individual jeopardizes everyone's rights. There is always going to be prejudice and hate. We need to learn how to deal with it. The only ammunition you have is your intellectual freedom to confront this type of thought process and openly criticize it for what it is. Although I may not like to listen to hate speech, I do have the right to walk away. We sometimes have to listen to speech we do not like in order to have the freedom and liberty to say what we want to say. Unfortunately, prohibiting hate speech does nothing to change the ideas that give rise to the opinions behind the hate.

The First Amendment refers to speech, it does not specify content of speech, nor does it stipulate that certain individuals or groups are excluded from the liberties it affords. Therefore, a reasonable person can come to the conclusion that the First Amendment protects all speech, regardless of content. We have a responsibility to respect First Amendment rights. We also must respect another's rights to express their views regardless of whether we agree with them or not. Everyone is equal under the First Amendment.

If we allow speech to be restricted it is just the beginning, we start spiraling down the slippery slope toward censorship and ultimately totalitarianism. Censorship is the suppression of ideas and information that certain persons, individuals, groups or governmental officials find objectionable or dangerous. Soon books, magazines, art, etc. are going to be banned and then we find ourselves with a totalitarian form of government. Totalitarianism is defined as "a form of government where the state exercises absolute political and social control over most or all aspects of public and private behavior, there is no regard for individualism, and political opposition is typically subject to violent or arbitrary repression."² This type of regulation would take away all the freedoms the First Amendment affords us. If that is allowed to happen we will never have the freedom to think imaginatively and experiment boldly. We will only be able to do what the government tells us to do, think what the government tells us to think and buy only government approved books, magazines and art. We would no longer be a democracy. The rights of everyone must be protected, or none will survive. It is our responsibility to care about freedom of speech. In my opinion, apathy is the biggest danger to our First Amendment rights.

"I disagree with what you say, but I'll defend to the death your right to say it."

Voltaire

² "Totalitarianism." Wikipedia Encyclopedia Online 03/04/2006. <http://en.wikipedia.org/wiki/Totalitarianism>