# Paralegal Focus

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Paralegal Focus is the quarterly newsletter of Vermont Paralegal Organization, Inc.

Vermont Paralegal Organization, Inc.

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### **President's Message**

By Lucia White, CP®

### 30 Years Ago, 30 Years From Now

Where were you 30 years ago? Some of us were already professionals in this burgeoning field, some of us weren't born yet, and some were somewhere in between. Where was the VPO? It was in its infancy.

In this issue of the Paralegal Focus, learn more about the VPO's origins in Carie Tarte's interview with Trudy Seeley, one of our founding members. It's a great read, and it really got me thinking about how the paralegal profession in Vermont was starting to define itself in those days. It also made me wonder where we would be in 30 years, and what will be the legacy of our work on the VPO Board.

Here are some things we might be remembered for:

After incorporating in July 2019, we tackled our bylaws. The current version has just been signed and posted to the website under Governing Documents. Melinda Siel, our Bylaws Chair, shepherded us through this effort and then became our Membership Chair.

You probably know that NFPA has been doing a lot of reorganizational work. But you might not know that our very own NFPA Primary, Tina Wiles, has been heavily involved in their strategic planning. It's great to have one of our own involved on a national level!

Not daunted by the pandemic and the cancellation of our annual meeting, Vice President Louise Reese, has been diligently pursuing the VPO's first ever online CLEs. These sessions, in real estate and ethics, are offered exclusively to members.

Our Professional Liaison, Carie Tarte, has been actively involved in discussions with attorneys about the voluntary licensure of paralegals. She and Tina have also been involved in discussions to try to get an educational program for new paralegals up and running in the state.

Continued on Page 2

Everyone on the VPO Board inspires me. Some do their part behind the scenes to keep things running smoothly. Everyone has creative ideas and is willing to work hard to make them a reality. It's really something special.

Would you like to help shape the paralegal profession in Vermont in ways that will be remembered over the next 30 years? I invite you to join the energy of the Board. We have some positions open.

The NFPA Secondary serves as a second liaison with NFPA mostly as backup to the NFPA Primary. Now is an excellent time for anyone who is interested to take on this position. Tina was elected as NFPA Primary in 2019, but prior to this stint, she was very involved in VPO and NFPA leadership. She is an excellent guide to anyone new to the NFPA world.

We are also looking for a Certification Ambassador. This person needs to be NFPA certified, either as an RP or a CRP. Their role is to help administer our scholarship and to help guide people through the exam process.

The NFPA Secondary and Certification Ambassador vote on VPO policies and agenda items and need to be voting members of the VPO.

We are also looking for a website chairperson, who needs to be a member, but not a voting member of the VPO. This person is not a Director of the Board, but has an essential role in raising the VPO's visibility not only on our website, but also on our Facebook page. Many thanks to Corinne Deering who has worked countless hours in this role, including the daunting task of moving us over from our old platform to our current system and designing and editing the site.

If you are interested in joining us on the Board, please reach out to any Board member. We would love to have you help us shape the next 30 years!

### Editor's Message

By Louise Reese

Back in June, when we had all those 90 degree days, we may have longed for cooler temperatures. Now September is upon us, and I am definitely happier getting outside in cooler weather. I hope all of our members are doing well. It has been a "long" and unusual summer, and school has begun. I send heartfelt appreciation to all of our members who have spent several months as teachers, parents, employees, and entertainers, and will continue in those roles for an unknown period.

I hope you will be able to squeeze in a few minutes to read this issue. Let me introduce our two newest Spotlights and recent new members, Peggy Lord and Amanda Schrader. We all come into this profession with various experiences, and I hope you find their Spotlights helpful and interesting. In honor of the VPO's 30th Anniversary, Carie Tarte spoke with Trudy Seeley, one of our founding members, who now lives on the West Coast. It presents a wonderful history of our organization and what the founding members had in mind way back in 1990.

Tina Wiles, who has also been busy wearing multiple hats this summer, has provided us with a NFPA convention update, and a snapshot of the NFPA Town Hall meetings that took place almost every Tuesday night this summer.

We also have a brief update on the work that Tina Wiles and Carie Tarte have been doing with Marni Leikin, Assistant Director for Adult Education at Burlington Technical Center, on a paralegal program. It is very exciting news, and I look forward to seeing the plan come together!

Please stay strong, healthy, and in good humor. If you need any support, please call on your fellow members. We are family.



### Membership News

As of September 3, 2020, we have 78 active members: 60 voting; 16 associate; and 2 sustaining corporate.

### Members on the Move

Here is a brief update on the project that Carie Tarte and Tina Wiles have been working on with Marni Leikin, Assistant Director for Adult Education at Burlington Technical Center. Marni has been working with Castleton University to offer an on-line, 18-month paralegal certificate course, an Associate in Paralegal Studies degree, or a Bachelor in Paralegal Studies (depending upon the background and education of the student coming into the program). The team is currently awaiting approval by the Trustees at Castleton for the umbrella "paralegal programming" with various options (certificate, associate, bachelor). They had hoped to have approval for a fall semester start, but due to backlog as a result of Covid, they are now working toward a January 2021 start for the program.



How or why did you first enter the paralegal field?	I became a paralegal out of pure interest. I wanted to finish my degree and was initially interested in medical billing, but the legal and criminal justice courses were way more interesting to me.		
Did you hold other positions, or have a different career, prior to becoming a paralegal, and if so, what was it?	Prior to becoming a paralegal, I worked in health care. I began work for the State of Vermont in 2002, at the Vermont State Hospital where I worked for 10 years before Tropical Storm Irene destroyed the hospital. Two years later I began work at the Attorney General's Office as an Administrative Secretary, and two years after that I became the Docket Clerk for the Civil Division, the position I remain in today.		
What do you love about the paralegal profession?	I love researching laws and the scavenger hunt aspect of it.		
What things about the pro- fession do you dislike?	Micro-management, surprises, and anything last minute.		
How long have you been a member of the VPO?	I just became a member this year.		
Tell me about the skills or traits you possess that you find most useful in your position?	One of the skills that is most useful is that I am a "seeker." I most always find information that is requested with the use of many resources.		
What character oddities or personality traits do you find at odds with your career?	My sarcasm and humor are sometimes misinterpreted or completely lost on others.		
What brief advice or friend- ly tip would you offer to someone just entering the paralegal field?	Do what you enjoy, do it well and most importantly take no S%&t!		





How or why did you first enter the paralegal field?	I was working at the court as a small claims docket clerk, and talked to one of the Acting Judges for Small Claims one day about wanting to be a paralegal as the work interested me, and would challenge me and keep me busy. I was later offered a job at Sheehey Furlong and Behm and accepted the position immediately. I started as a Legal Administrative Assistant and became a paralegal a few years later.		
Did you hold other positions, or have a different career, prior to becoming a paralegal, and if so, what was it?	I was a docket clerk at the VT Superior Court – Civil Division in Small Claims.		
What do you love about the paralegal profession?	The flexibility to learn and grow in any field and the constant demand of work.		
What things about the profession do you dislike?	I do not have anything that I dislike.		
How long have you been a member of the VPO?	For about 4 months.		
Tell me about the skills or traits you possess that you find most useful in your position?	The ability to multitask and work well under pressure, while staying organized.		
What character oddities or personality traits do you find at odds with your career?	I cannot think of any at this time.		
What brief advice or friend- ly tip would you offer to someone just entering the paralegal field?	Based on my experience, I would suggest that he/she ask questions in the legal community, and be willing to get his/her foot in the door in a clerical or secretarial position.		



### The History of the VPO

By Carrie A. Tarte,  $CP^{\mathbb{R}}$ 

Recently, I had the privilege of corresponding with Trudy Seeley, one of the founding members of the VPO. What started out as a simple fact-finding mission about the origin of our organization for our 30th anniversary, turned into a fascinating delve into the transformation of our profession through the eyes of a paralegal who has lived it all.

From an apartment she built on the back of a house she owns with one of her daughters, Trudy reflected on decades of work as a paralegal. She obtained her BA in Philosophy from Western Washington University, and from there, found her way to Middlebury, Vermont, where she worked a family farm and raised six children. When she wasn't raising children and livestock, Trudy was taking classes on the weekends through Woodbury College. She credits Woodbury for "bending the rules" and allowing her to attend without having to pay full tuition.

Trudy eventually graduated from Woodbury, and began her paralegal career in 1985 with Langrock Sperry & Wool (then Langrock, Sperry, Parker and Wool). At the time, the paralegal profession was still relatively new. As Trudy describes it "I stopped in the office (Langrock Sperry & Wool) about 8 times being told they don't use or know what to do with paralegals." It wasn't until founder Peter Langrock saw her in the waiting area to meet with the office manager, yet again, that he instructed the manager to put Trudy to work since she's around so much anyway. And so her adventures as a paralegal began. It wasn't glamorous. It wasn't sexy. But it was the start of what would become a varied and fascinating legal career that brought her from leaky underground storage tanks to the compliance department for big Pharma. Trudy started at Langrock Sperry & Wool copying receipts for a class action lawsuit in the evenings so as not to monopolize the one office photocopier, and ended up providing Peter Langrock with content for the cover and chapter headings of his first book.

In the late 80's and early 90's, Trudy began getting together with other paralegals to share experiences and roundtable various legal issues they had encountered. It quickly became apparent to Trudy that paralegals had no group identity, "there were no standards, no educational or on-the-job training guidance. If we didn't have any standards around our term 'paralegal," how would we gain legitimacy or respect?" To add to the challenges of being a paralegal (then referred interchangeably with "legal assistant"), there was no format to come together. Long before the days of social media and even e-mail, Trudy had to find a way to reach out to her fellow paralegals.

Not short on investigative skills, Trudy turned back to her alma matter, and obtained a roster from Woodbury College of all former paralegal program graduates. In addition, she approached the Vermont Bar Association who provided her with a list of all law firms in the state. Trudy got to work, armed with a list of over a thousand law firms, solo practitioners, and former paralegal program graduates in the State, she crafted a cover letter and questionnaire for everyone on the list, as well as developed a database to record responses to her questionnaire when they were returned. On March 22, 1990, Trudy's letter began "Would you be interested in being involved in the creation of a Vermont Paralegal Association? Many of us have long thought a forum to discuss our needs, share information and generally provide support for our burgeoning profession would be well worthwhile." She ended that paragraph with a prophetic statement: "What it becomes will be entirely up to the people who become involved in it."

For only \$25.00, you could become a member of the Vermont Paralegal Association for 1-5 years. If less than a year, the membership fee was \$15.00. Trudy based the fee schedule on the Vermont Trial Lawyer's



Pre-Covid picture of Trudy in a dog-friendly pub one block from her home.

Association's fee structure. The first Vermont Paralegal Association meeting was held Saturday, November 10, 1990 at Vermont Law School. The event was a brown bag, bring-your-own-lunch and lasted from 10 a.m. to 3 p.m. As Interim President, Trudy addressed the group with a speech that stated in part: "I think we have come to realize that this field is still so new to Vermont, that there isn't really a job description, there are no standards of education, there aren't any statistics out there about pay scale, perks, available positions, opportunities for independents. And we're realizing that if we don't stand up, and get our act together, and take an active voice in these issues, someone else is going to decide our future for us."

The purpose of the VPA, as set out by the first Bylaws, looks very much like our mission statement today: to establish and maintain high standards of education, conduct and integrity among paralegals, to foster, advance and promote the paralegal profession, and to facilitate communication within the Vermont paralegal community and within local, state and national bar associations.

I asked Trudy what the main focus was for the VPA as she recalled it. First and foremost, Trudy and other members felt that lawyers and firms needed to be educated on the use of paralegals and what paralegals could do. This was a very delicate balance, as Trudy could see that many attorneys did not enjoy being told that their degree was not necessary in the administration of every aspect of legal services. As Trudy put it, "our 'mission' was not at all appreciated by all lawyers, so we had to be very careful about what we said around our lawyer bosses." Similar to today, there were paralegals that were integral parts of their law firms, and others were regarded as the low-level errand person that got all the "crap jobs." The goal of the VPA was to educate lawyers and office managers to make sure all paralegals were regarded as essential members of the legal team.

Trudy recalled that it was also important to the VPA initially for paralegals to have different levels or designations, i.e., Senior Paralegal, Junior Paralegal. Those titles could not come, however, without first defining what a paralegal was and what a paralegal could do (which became the over-arching focus of the VPA, particularly in its early stages).

With regard to different levels of paralegals, I asked Trudy if she supported various state initiatives to have Licensed Limited Legal Technicians. Trudy wholeheartedly supports such initiatives, explaining, "I can go to a faith healer, a chiropractor, homeopath, or masseuse for advice and treatment for what works right for me." Similarly, people looking for legal help should have those same options to select a legal provider that best meets their needs. Just as we aren't limited to just seeing a medical doctor when we are sick, we shouldn't be limited to just the services of a lawyer when we need legal assistance.

Trudy's involvement in the VPA (which within its first year became VPO) remained for ten years, as she continued to advance and thrive at Langrock Sperry & Wool assisting with personal injury cases, criminal cases, and environmental pollution cases. Eventually, life circumstances afforded Trudy the opportunity for change. Langrock Sperry & Wool had begun a mentoring/succession planning process with young associates which gave much of Trudy's work to the young lawyers in the firm. Trudy's farm was also no

longer prospering, and her youngest child had graduated high school. With these changes in circumstance, Trudy decided to seek new adventures as an English teacher- in Taiwan. She hopped a plane and took off to Taiwan not knowing a single word of Chinese to teach in a full-immersion school. She made her way around Taiwan on a motorcycle, mingling among the people and absorbing all that the culture had to offer. In her first year in Taiwan, Trudy survived an earthquake that took the lives of 4,000 people on the island. This experience did not deter her or even slow her down. Just as she was never "just a paralegal," Trudy was not "just a teacher." She went on to become lead teacher and head of the teaching staff, receiving a Teacher of the Year award in Taiwan.

Trudy returned to the U.S. when her son's wife was preparing to give birth to offer the couple support (Trudy had four of her six children on her farm without any doctors or midwives). In New Jersey, where her son lived, Trudy worked for a pharmaceutical company, first in their legal department, then in Compliance. Because of various government regulations, the company was forced to develop a separate compliance department, which Trudy transitioned to. Trudy saw this move as a way to advance, as she put it "In the legal department, there were lawyers and then everyone else. In the Compliance Department, you could advance to Manager, Senior Manager, Officer, Director."

Trudy advanced in the pharmaceutical company to become a Senior Manager in their Compliance Department, flying around the country speaking at various conferences on State and Federal regulations for pharma sales representatives. "I loved the camaraderie and getting to know compliance folks from across the pharma companies." Trudy worked in this position until she moved across the country to San Diego, California to live near her daughters. She was hired by the pharmaceutical company as an independent consultant to train compliance staff on various state reporting requirements for the first nine months of her move to San Diego.

Currently, Trudy is retired and lives with her rescue dog Zach in San Diego, where her two youngest daughters live. When she's not serving as a Court Appointed Special Advocate (CASA) for children in foster care, she works at the San Diego Model Railroad Museum building structures and scenery for model trains, as well as running trains for the public on the second Sunday of every month. She sits on the board of the San Diego Model Railroad Association and belongs to the National Model Railroad Association (lest you think this is all child's play). Before the pandemic, she was playing on the San Diego Badminton Club, joined a seniors' swim group, and was taking guitar and yudelele lessons just to round out her schedule.

I asked Trudy if she had any advice for the VPO members out there, and not surprisingly she had this to offer: "whatever pulls at your soul-just do it and try to find a place that will let you grow. Follow your passion and your work will be both stellar and super rewarding."

Thank you, Trudy, for having the vision and the passion thirty years ago to provide Vermont paralegals with the forum and voice we have today.



### NFPA News

By Tina Wiles, NFPA Primary

As the summer comes to an end so has the first phase of the work undertaken by the NFPA Change Management Task Force. The Town Halls concluded in mid-August after many Zoom meetings to gather information from NFPA delegates, coordinators and board leaders. The Governance Team of the Task

Force will be presenting new Bylaws to the delegation for consideration and approval at convention in October. In the meantime, they have begun the process of also revamping the chaotic policy and procedures manual. If any VPO members have an interest in assisting with that undertaking, please let me know and I will connect you with the appropriate contact. The Culture Team of the Task Force will continue to work on creating standards for the NFPA board and the NFPA membership as a whole so that NFPA is a well-oiled machine. The Strategic Team of the Task Force, of which I am the leader, is working on reviewing the many responses to the surveys sent out to the various levels of NFPA membership. Once that task is completed, we will be working on a draft strategic plan to present to the NFPA board and delegation at convention. In my role on the Task Force, I have personally learned a lot about NFPA, the board members and roles, delegates and their roles, local membership, and myself as a leader and role model. I encourage all VPO members to take an active interest in where NFPA is headed and assist the VPO board leaders with initiating similar changes as we move into another decade as the leading paralegal organization in Vermont.

For the first time in NFPA history, the Annual Convention will be held virtually October 22-25, 2020. The Minneapolis Paralegal Association and NFPA, with the assistance of the staff at headquarters, have pulled together a fantastic line-up of convention seminars, meetings, and workshops, along with policy meeting. A virtual convention - #ParalegalsPlugin - means that each and every one of the VPO members can attend convention from the comfort of their office chair or favorite space at home. I encourage all VPO members to take advantage of this terrific opportunity to attend national CLE's and to participate in the Region V meeting held on Friday, and in the policy meeting held on Saturday. All the convention information can be found at: https://www.paralegals.org/i4a/pages/index.cfm?pageID=3282, In order to register, you will need to have your NFPA login information available. If you do not already know your login information, simply contact info@paralegals.org, or click the reset password if you have your username but not the password.

As in the past, bylaw revisions and policy proposals are brought to the policy meeting floor for discussion and consideration/approval by the NFPA delegates. The list of bylaw/policy revisions is not yet available. Once they are available, I will send an email to all members for input on the issues presented. The VPO Board is also planning a meeting to discuss the matters to be brought forward to the policy floor and the positions that the VPO delegates are directed to take on those issues.

If any members have any questions about NFPA, the Annual Convention, or how they can become more involved on a national level, please feel free to contact me to discuss. In the meantime, I hope everyone continues to be healthy and takes moments to enjoy the beautiful fall weather that Mother Earth has provided so far.



### REAL ESTATE CORNER

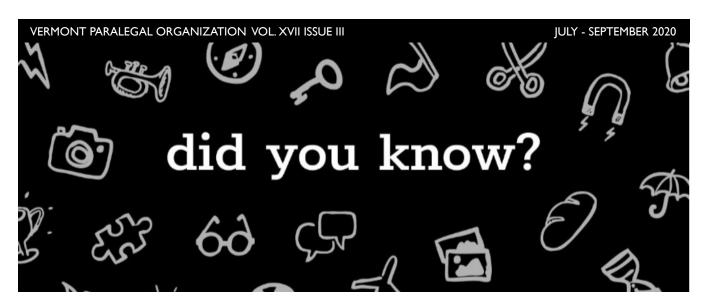


Vermont Attorneys Title Corporation has given us permission to reprint the following information from its September newsletter.

### Common Post-Closing Title Update Problems & How to Avoid Them

Our super-human title post-closing updaters continue to spot issues requiring correction. Many mistakes could have easily been avoided. We know things have never been busier - or more complicated - and we thank you for your continued commitment to your clients and to VATC. We are committed to you, too! In that effort, we share some common issues as well as some easy ways to correct the issues on the "front end" (also known as the lower-cost end)! Slowing down now, even, for a nanosecond, will save a ton of time later!

- 1. Powers of Attorney acknowledged with a Notary's scrawl signature only. This does not comply with the Notary statute so, if the name is not legibly written or there is no printed or commission number, we reject the Notarial Certificate. From there, a Notary Affidavit must be obtained. SOLUTION: Review both the buyers' and the sellers' POAs before recording. If the notary's name is not legible (or not printed) and there is commission number, the issue should be cured prior to recording.
- 2. Lender conducted closings using Remote Ink Notarization (RIN). In refinance situations lenders often conduct their own closings. Some lenders fail to use the VBA/VATC approved Remote Notarial Certificate. Since that Certificate contains many statements affirming that the remote notarization was conducted pursuant to Emergency Rule, it must be used. SOLUTION: If you know lenders that are conducting their own refi closings, contact them, instruct them to use the VBA/VATC approved Certificate and provide them with a copy. You'll be a hereo! If you need the Certificate, please email Andy or Liz.
- 3. Borrower is Trustee of a Trust. Some mortgages require the signature of Trustee(s) in two capacities, to wit: as trustee(s) and individually. Post-closing updates find a recorded Delegation of Authority but no POA. The problem is that the Delegation does not provide the delegatee with authority to sign for the trustees as **individuals** - a POA was also required! SOLUTION: Where trustees will not be at closing, examine the mortgage carefully. If it requires that the trustee(s) sign in two different capacities then you will need a Delegation of Authority AND a Power of Attorney.



This Order was promulgated on August 7, 2020; effective October 1, 2020.

Administrative Order No. 50 creates a pilot project that is a result of a joint effort between the Judiciary and the Office of Child Support (OCS) to more efficiently provide service to defendants in cases filed where OCS is providing services under Title IV-D of the federal Social Security Act, which established a Child Support Enforcement Program. See 33 V.S.A. § 4101(a) (designating OCS as agency responsible for Title IV-D). In cases in Windham and Windsor Units, where efiling has been implemented, OCS will be able to effect service. Administrative Order 50 revises provisions of V.R.F.P. 4.1(a)(2) to implement this pilot project and allows service by email under specified conditions.

AO 49 Amendment - Declaration of Judicial Emergency and Changes to Court Procedures 8-20-20

#### This Order was promulgated on August 20, 2020, effective immediately.

This order further amends A.O. 49, which declared a Judicial Emergency on March 16, 2020, in response to the COVID-19 pandemic.

Paragraph 2 of A.O. 49 is amended to extend the judicial emergency to January 1, 2021 in recognition of the fact that the continuing and dynamic nature of the pandemic will continue to impact court operations and to require ongoing changes to court operations and rules.

The order also amends ¶ 7, regarding access to court buildings, to allow entry to individuals participating in proceedings other than hearings, for example case manager conferences.

Appendix A referred to in ¶ 21 of A.O. 49, which concerns compliance with the Federal CARES Act in eviction actions, is amended to clarify that the required notice to vacate must give thirty days of notice.

More information regarding COVID-19 and court operations can be found at https://www.vermontjudiciary.org/news/information-regarding-coronavirus-disease-2019-covid-19-and-courtoperations



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