

MALA MOMENTS

March 2019 Edition

A publication of the Montana Association of Legal Assistants*Paralegals an affiliate of the National Association of Legal Assistants*Paralegals



In this Issue:

- Notice of Annual Meeting—March 22, 2019
- Slate of Officers—Bios of Candidates
- Article—Trial Presentation Trends by Milton Hooper
- Article— Drone Regulation by Jackie A. Van Dyke, MPS, CP
- Bylaws with Draft Changes

INSIDE THIS ISSUE

President's Message	2
Annual Mtg Notice	3
Sponsors.....	6
VP Report.....	7
Treasurer Report.....	8
Quarterly Minutes.....	10
NALA Liaison	12
NALA 2019 Conf.	13
New NALA ACP.....	14
Member Spotlight.....	17
Article	18
Puzzles	25
Recipe Corner	26
Article	27
MALA Library.....	31
Voting Proxy	32
2019-20 Candidates....	33
2018-19 BOD.....	39
Puzzle Answers	40
Draft ByLaws.....	41
Renewal Form.....	53
CLE Activity Form	54



President's Message

By Terry Hale, ACP



Dear MALA Members:

While winter is still hanging around, spring will soon be here before we know it. The days will get longer, the sun will shine more, the temperature will begin to warm things up and all things spring will start happening: green grass will grow, flowers will bloom, and trees will start budding. I love spring and the emersion of all things new.

It's hard to believe that my second term as President will come to an end April 1, 2019. The past two years serving as President have gone by so quickly. I want to express a special thank you to my Board members who I have worked with these past few years. Working with each of you to continue to make MALA a successful and professional organization has been such an honor. I also want to thank all my committee members that are so passionate about MALA. Everyone works so hard and so well together and every person has brought great ideas to make our organization better.

I welcome and urge you to participate in our organization either on a committee or serving on the Board of Directors as an Officer. Any amount of time someone can contribute to MALA is invaluable time. Let us all do what we can to make MALA the most professional paralegal organization in Montana. This year we are celebrating 27 years as a NALA affiliate. This is an amazing accomplishment. MALA has served so many paralegals, legal assistants and attorneys in obtaining Continuing Legal Education as well as assisting in the studying for NALA's Certified Paralegal Exam and with everyone's assistance we will continue to provide top notch CLEs.

I am looking forward to our Annual Meeting and Seminar on March 22, 2019 at the GranTree Inn in Bozeman, Montana, and I hope I will see everyone there. We have a great line up of speakers and topics to help "Control the Chaos" in your paralegal lives.

Besides the great education at the Annual Seminar and Meeting, members also get to spend some time meeting new paralegals from around the state, catching up with paralegals they haven't seen in a while and of course making new friendships and invaluable networking relationships. It is also an opportunity to show non-members why MALA is such an amazing organization.

Just a quick shout out to NALA, they will be holding the 2019 NALA Convention in Phoenix/Scottsdale, Arizona on July 11-13, 2019. NALA Convention is a wonderful opportunity to meet paralegals from all over the country while learning from top notch speakers and seeing new software and services offer by different vendors. Go to www.nala.org and click on Education to see all the sessions during this year's conference.

Just a quick remember, if you are unable it be present at our Annual Meeting, please be sure to complete and return your Proxy since we will be voting on the new fiscal year's budget as well as voting for new officers. Page 32.

If you have questions or suggestions, please contact any of the members of the Board of Directors or contact me directly at 406-523-5151 or by e-mail at terry.hale@mt.gov.

Terry Hale, ACP
President

**NOTICE OF MALA'S
ANNUAL BUSINESS MEETING**

Friday, March 22, 2019

12:45 pm

Lunch provided prior to the meeting

Gran Tree Inn

1325 North 7th Avenue

Bozeman, Montana

If you are unable to attend, be sure to complete and send in a Proxy Voting Form (Page 32) to as we will be electing officers, and voting on our By-law changes and FY 2019-20 Budget.





Montana Association of Legal Assistants/Paralegals

2019

Annual Meeting and Seminar Controlling the Chaos



March 22, 2019

Seminar Registration Deadline March 15, 2019

Hotel Reservation Deadline February 21, 2019

**GranTree Inn
1325 N. 7th Avenue
Bozeman, Montana**

6.0 CLE Credits (includes 2.0 Ethics Credit)

This is a Free seminar to all active and new members

Friday, March 22, 2019

8:00 am—8:15 am	Registration
8:15 am—8:30 am	Key-Note Address—Opening Remarks Terry Hale, ACP
8:30 am—9:30 am	Tales from the Hot Seat: Tips for Preparing Materials, Offering Effective Presentation Support, Managing Technology and Helping Attorneys Create a Visual Strategy for Trial Carisa Fisher
9:30 am—10:30 am	Know When (and How) to Hold and Produce ESI Susan Mayer
10:30 am—10:45 am	BREAK
10:45 am—11:45 am	E-Filing on Civil Cases at Trial Courts Ryan Davies
11:45am —12:45 pm	Networking Lunch (Provided)
12:45 pm—2:00 pm	MALA Annual Meeting
2:00 pm—3:00 pm	Technology & Rules of Professional Conduct: Evolving Technology & Standards Sam Alpert
3:00 pm—4:00 pm	Succeeding (and Surviving!) at Trial Alisia Duganz, CP
4:00 pm—5:00 pm	Technology—Internet Sleuthing Terry Hale, ACP

Annual Meeting Sponsors

As sponsorships and donations continue to come in daily, we would like to take the time to acknowledge the following Sponsors for their generous donations to date:

Gold—\$100

Jeffries Court Reporting
Wall, McLean & Gallagher, PLLC
Rocky Mountain Law Partners, P.C.
Axelberg Mediation & Arbitration, PLLC
Milodragovich, Dale & Steinbrenner, P.C.
Mike's Print and Copy
Axilon Law Group, PLLC
Goetz, Baldwin & Geddes, PC
Red Rhino Reporting, LLC
Bjornson Jones & Mungas, PC
Lesofski Court Reporting
Blackfoot

Silver-\$75

Bronze-\$50

Collection Bureau Services, Inc.
Berg Lilly, PC

If you or your firm would like to sponsor MALA's 2019 Annual Meeting and Seminar and help MALA celebrate 27 years of its dedication to promoting educational, professional and ethical standards including CLE seminars, CP/ACP testing preparation and mentoring programs for paralegals and legal assistants in Montana, please send a check to: MALA, ATTN: Annual Meeting, P.O. Box 9016, Missoula, MT 59807-9016.



Vice President Report

By Heather Bienvenue, CP

Current membership numbers:

Active Members:	137
Associate Members:	8
Student Members:	2
Total:	147

We have certainly seen an increase in new members as we approach MALA's Annual Seminar and new fiscal year which starts April 1, 2019.

April 1 is also the time to renew your MALA membership. For those members who just joined, you do not need to renew your membership until April 1, 2020. MALA members are required to provide proof of 10 CLE credits annually and 3 Ethics credits every three years. As a gentle reminder, please remember to submit your CLE credits with your renewal form. If you are a member of the State Bar Paralegal Section and track your CLEs through their record keeping system, you can print that record and submit it to MALA.

If you have any questions, feel free to email me at heather.bienvenue@gmail.com

Volunteers needed!!!

If it weren't for the dedication of our members, Officers and Committee members, MALA would not be making a difference in providing continuing education for paralegals, legal assistants and attorneys; providing professional development opportunities for paralegals to advance their careers, or the general education and promotion of the paralegal profession. Be sure to volunteer on a committee in 2019-20 and keep MALA going strong into the future.



Treasurer's Report

November 2018—February 2019

By Terry Hale, ACP (Pro Tem)



Montana Association of Legal Assistants

STATEMENT OF ACTIVITY

November 2018 - February 2019

	TOTAL
Revenue	
CLE	0.00
2018/10 OCT	121.24
2018/10 October CP Review	135.00
2018/11 - NOV	362.36
2019/01 - JAN	498.63
2019/03 Annual Meeting	232.44
Total CLE	1,349.67
Library	50.00
MALA Annual Meeting	0.00
Sponsors	1,250.00
Total MALA Annual Meeting	1,250.00
Membership Dues	360.45
Total Revenue	\$3,010.12
GROSS PROFIT	\$3,010.12
Expenditures	
CP Review Course	173.00
Legal & Professional Fees	20.00
NALA Membership	140.00
Postage	108.91
Wild Apricot	202.20
Total Expenditures	\$644.11
NET OPERATING REVENUE	\$2,366.01
Other Revenue	
Interest Earned	8.75
Total Other Revenue	\$8.75
Other Expenditures	
Reconciliation Discrepancies	-200.00
Total Other Expenditures	\$ -200.00
NET OTHER REVENUE	\$208.75
NET REVENUE	\$2,574.76

Montana Association of Legal Assistants

STATEMENT OF FINANCIAL POSITION

As of February 28, 2019

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
MT Assoc of Legal Assistants Checking (XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX king)	5,389.82
MT Assoc of Legal Assistants Savings (XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX ings)	17,744.58
Total Bank Accounts	\$23,134.40
Total Current Assets	\$23,134.40
TOTAL ASSETS	\$23,134.40
LIABILITIES AND EQUITY	
Liabilities	
Total Liabilities	
Equity	
Opening Balance Equity	21,626.90
Retained Earnings	-707.03
Net Revenue	2,214.53
Total Equity	\$23,134.40
TOTAL LIABILITIES AND EQUITY	\$23,134.40



MALA's Quarterly Meeting Minutes
By Amanda Hewitt



MALA QUARTERLY BUSINESS MEETING
 Friday, December 17, 2018—12:02 PM
 Telephonic

Officers:

- President – Terry Hale, ACP
- Vice President – Heather Bienvenue, CP—Absent
- Secretary – Amanda Hewitt
- Treasurer – Stephanie Spokas
- NALA Liaison – Becky Henderson, ACP—Absent
- Montana State Bar Liaison—Olga Bobko
- Parliamentarian—Velvet Truzzolino



1. Call to Order – 12:03 PM

2. Officer Reports/ Discussion:

Vice President - 120 Active Members, 1 Associate Member, 2 Student Members

Parliamentarian –Per Bylaws, we have quorum.

Secretary – October 5th Meeting Minutes were published in the newsletter. No corrections to minutes. No objections. Minutes approved as published in Newsletter.

Treasurer – Report published in Newsletter. Members are welcome to ask any questions regarding our financials. Report is approved as published.

Montana State Bar Liaison – Nothing new to report. The Board has had discussions regarding when/where the annual meeting will take place. Olga will update us when she has a date.

NALA Liaison – Report published in Newsletter. Start planning for 2019 NALA Convention in Phoenix.

3. Old Business:

Membership Committee has revised membership applications. They are completed and available on website. We added extra category to application. We'll update Bylaws to include Associate Membership category.

Terry plans to contact WildApricot to see if there's a way to upload membership CLE reports. Right now you can just email them to us.

NALA Books – No current books for CP Review from NALA. NALA is hoping to complete those early 2019. We do still have our old books. NALA has plenty of On-Demand webinars to obtain information on topics.

4. New Business:

Next Newsletter will come out on March 10, 2019. Please provide anything you would like to add to the newsletter by March 1st.

Upcoming Seminars:

Brown Bag CLE:

January 16th – Probate in Montana, Helena Hauerwas

February – Family Law, Craig Buehler

March 22nd – Annual Meeting

MALA Annual Meeting will be on March 22nd in Bozeman at the Grand Tree. It is going to be Technology themed. Remember that this meeting is free for members. We'll be sending out sponsorship letters after the 1st of the year. We'll be voting on Board positions. If you're interested in a Board position, but want more information on what that entails, reach out to Terry or check our Bylaws. Nominations and Election forms will be going out after the 1st of the year as well.

5. Announcements:

Terry's presentation on Internet Sleuthing at NALA Convention in July, 2018 is now ranked as one of the top 5 most popular On-Demand Webinars for NALA.

6. Discussions:

No additional discussions.

7. Adjourn - 12:18 PM.



NALA NEWS

*By Becky Henderson, ACP
NALA Liaison*



Dear MALA members,

Thank you for the honor of serving as interim (2017-2018) and duly elected (2018-2019) NALA Liaison. It has been a privilege to serve you.

Please make plans to attend the 2019 NALA Conference & Expo from July 11-13! This year's conference will be held at the luxurious Westin Kierland Resort & Spa located in Phoenix/Scottsdale, Arizona. This three-day educational event will provide attendees with superior networking opportunities, a chance to earn up 13 CLE hours, and over 30 sessions developed to help elevate your paralegal and professional skills.



Established in 1976, the CLA /CP (Certified Legal Assistant/Certified Paralegal) program has enabled the profession to develop a strong and responsive self-regulatory program offering a nationwide credential for all paralegals. Today over 15,000 paralegals have achieved this esteemed credential.

Conference Registration Options*			
Type	Best Rate - Ends June 1	Standard Rate	Registration Link
Member	\$545	\$610	REGISTER
Non-Member	\$600	\$665	
Student	\$209	\$309	
Day 1 <small>(App not included)</small>	\$89	\$109	
Conference Recording Packages available for purchase soon!			

*Cancellation policy - All cancellations received on or after June 11, 2019, will be assessed a \$100 processing fee.

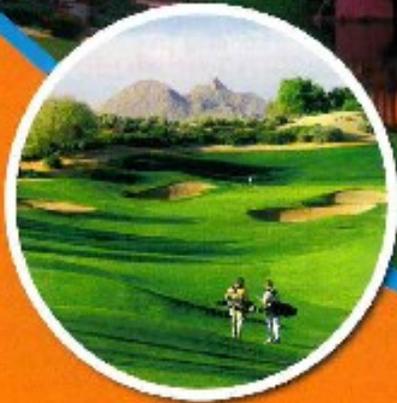
Becky Henderson, ACP
NALA Liaison



THE WESTIN KIERLAND

RESORT & SPA

PHOENIX-SCOTTSDALE



2019 NALA CONFERENCE & EXPO

Join us in Arizona on July 11-13 and be a part of our 3-day education event. We hope to see you at the nation's largest paralegal conference!

NEW
ADVANCED CERTIFIED PARALEGALS

MALA MEMBERS WHO HAVE ACHIEVED THE
ADVANCED CERTIFIED PARALEGAL DESIGNATION
FROM NALA:



HEATHER BIENVENUE, ACP
Criminal Litigation

CONGRATULATIONS ON A
JOB WELL DONE!!!!!!





CP
CERTIFIED PARALEGAL

ACCREDITED

Certified Paralegal Program Receives Accreditation from the National Commission for Certifying Agencies (NCCA)

On April 30, 2014, The National Commission for Certifying Agencies (NCCA) granted accreditation to the NALA Certified Paralegal program for demonstrating compliance with the NCCA Standards for the Accreditation of Certification Programs.

NCCA is the accrediting body of the Institute for Credentialing Excellence. The NCCA Standards were created to ensure certification programs adhere to modern standards of practice for the certification industry.

The NALA Certified Paralegal program joins an elite group of more than 120 organizations representing over 270 certification programs that have received and maintained NCCA accreditation.

More information on the NCCA is available online at www.credentialingexcellence.org/NCCA.

Information describing the Certified Paralegal program is available at www.nala.org/certification.aspx.



**THE ASSOCIATION OF
LEGAL ASSISTANTS • PARALEGALS**

PARALEGAL

Job Description



"Series of interruptions that are constantly being interrupted by more interruptions"

NALA



Advanced Certified Paralegal

**Advance your paralegal skills with
our specialized self-study courses.**

- ▶ Learn at your own pace, with one year to complete the course.
- ▶ You can take the exams as many times as you need to, until you pass.
- ▶ Self-Study courses include a PDF e-Book.
- ▶ The new interactive format includes many activities to engage learning.

ACP AREAS INCLUDE:

BUSINESS ORGANIZATIONS

CRIMINAL LITIGATION

DISCOVERY

E-DISCOVERY

FAMILY LAW

LAND USE

REAL ESTATE PRINCIPLES

TRIAL PRACTICE

To see a full list of courses available, visit www.nala.org.



MEMBER SPOTLIGHT

Jill Broughton spent 25 years in the mortgage industry filling a variety of positions, including: funder, shipper, branch supervisor, sales, and selling wholesale mortgages to mortgage brokers throughout Colorado, Wyoming, and Montana. She also spent time with other large investors such as IndyMac Bank and Homecomings Financial (a subsidiary of GMAC). She enjoyed the art of structuring mortgage loans, and providing assistance to current and prospective homeowners. Through her years in the mortgage industry, Jill learned the value of building and maintaining relationships.

In 2012, Jill put her experience in real estate transactions towards a new career in the legal field as a paralegal with Bjornson, Jones, Mungas, PLLC. She provides assistance across many different areas of practice, including estate planning, and entity formation and governance.

Jill is a native of Colorado; however her many business trips to Montana prompted her to follow a dream and move to Missoula. She enjoys all the outdoor activities that are easily found in the great state of Montana including horseback riding, skiing, and any activities based around rivers and lakes.



Trial Presentation Trends

A guide to the latest in trial presentation software, hardware and gadgetry for paralegals

By Milton Hooper

If you watch television, you probably are interested in the latest and greatest shows about to hit the small screen. You see the promos and teasers, and you want to know more so you can decide which ones you will watch. Maybe you lean toward new shows with your favorite stars or spinoffs of your favorite series because of their previous success. On occasion, you might take a chance on something new. Perhaps the title grabbed your attention or a coworker gave it some good reviews.

The same is true for trial presentation technology. As paralegals, you might already be aware of the technology that is available or you might already be using it; however, you probably are interested in the latest trends and new features that will improve upon what you already have and you might be wondering if the hype of the new presentation products will meet your expectations.

What's New and Improved: Software

Have you seen those commercials with two guys representing a Mac and a PC? No doubt, the competition continues to be fierce between the two giants of operating systems. Trial presentation software also has a similar competition between Verdict Systems' Sanction and inData's TrialDirector. Each company tries to outdo the other by adding new features, either with a new evolution of software or other services, to its strong base of products. Although no new versions of their basic trial presentation software have been released, they both offer new spin-offs of their products.

Verdict Systems (www.verdictsystems.com) has not released any new versions of Sanction since Version 2.8 was released in October 2006. The main focus of Verdict Systems now is its latest release, Verdical. Verdical is the company's evolution of Sanction to become the complete evidence management and presentation software. It's designed for use from the beginning of a case through presentation in the courtroom. Billed as a "cradle-to-grave" solution, Verdical offers document and case management, transcript management, an online hosting repository and new dual monitor presentation capabilities. Verdical is a full SQL database written with the latest .NET technology. This will provide more flexibility and avoid a past issue where the user encountered problems because administrative rights were required to make changes to the database. If you are using Sanction and want to convert to Verdical, any work you have with live Sanction cases easily will transfer to Verdical.

InData (www.indatacorp.com) has not released any new versions of TrialDirector since Version 5.1 was released in May 2007, although InData has continued to focus on other aspects of litigation such as e-discovery and video processing. InData's most recent release was TimeCoder Pro Version 5.1, its newest video and transcript synchronization software. TimeCoder Pro 5.1 automatically synchronizes transcripts and video depositions using advanced speech and pattern recognition technology.

In searching for trial presentation software, you will find more vendors who will provide the service for you as opposed to a software program you can purchase to use on your own. Nevertheless, although not as well known, there are other trial presentation software products available.

Visionary by Visionary Legal Technologies (www.visionarylegaltechnologies.com) is both discovery management and trial presentation software. It also is a powerful database that can handle over 1 million documents and gives you the ability to customize your database with over 250 user-defined fields.

Another program is TrialPro II by Idea, Inc. (www.trialpro.com), which lets you create your preferences so you can tailor the program to your presentation needs, including the capability to display exhibits in the program's standard file format.

For Mac users there is TrialSmart by Clarity Legal Software (www.claritylegalsoftware.com), which is trial presentation software specifically designed for Macs. The latest updates to this software in April 2007 added several new features including PDF text searching, group reports, saved layering and resizable video windows.

More Power With PowerPoint

Microsoft's PowerPoint continues to be a presentation software giant and the overwhelming choice of lawyers in opening statements and closing arguments. Although it isn't recommended that you use PowerPoint as your main trial presentation tool since you can't always script out how the trial will proceed, it has become a powerful complement to trial.

Microsoft released PowerPoint 2007 last year and, as with other Microsoft Office products, totally changed the look. Even for advanced users, it might take some time to locate familiar features. The new interface attempts to make all the tools you need available when you need them without cluttering your screen. Perhaps the biggest improvement is the SmartArt feature. You can create flowcharts, organizational charts and other diagrams much more easily and quickly with PowerPoint 2007. You even can convert a bulleted list into a SmartArt diagram. PowerPoint 2007 also gives you more animation options and you are not limited to its selection of animations; you can customize your

own. This is a huge improvement from previous versions. Another new feature worth mentioning is the capability to copy any presentation to a CD. The process is easy: simply use the “Package to CD” feature, and any video or audio clips will automatically be included.

Although PowerPoint continues to rule presentations, it also has become a two-headed beast. Using PowerPoint in the courtroom has become so common it might not be as effective as it once was. It’s no longer a novelty, which could mean that your PowerPoint presentation might not grab the attention of jurors as it once did. If the attorney reads the slides, if the text is hard to read or if it complicates the subject, then you have lost your desired result.

When you are creating PowerPoint presentations, think about more than just using bulleted lists or text-only slides. PowerPoint still can be a powerful tool if you remember to focus on creating points that add power to your presentation. Take advantage of new ways within the program to relay your message. Think outside of the average PowerPoint user box. In my experience, I see far too many attorneys who try to put an entire legal cite or jury instructions on one slide. This only makes your PowerPoint presentation powerless to persuade your audience.

Wireless and Wired Displays

Advances in technology and wireless 802.11 standards now have made it possible to transmit and receive wireless video. You no longer are confined to using VGA cables to connect your laptop to a projector or monitor display. Although wireless technology is available for this, I still worry about its reliability. You certainly don’t want to increase your probability of glitches in the courtroom. I would recommend sticking with wired connections for video if possible. However, if you are in a situation where transmitting your video signal wirelessly is necessary, there are a few options.

The Avocent EWMS1000 Wireless Media Streamer (www.avocent.com) broadcasts standard definition, full-motion, streaming video from an analog video source to multiple display devices up to 1,000 feet within the line of sight. The EWMS1000 makes installations simple and more cost effective by eliminating the need for long cable runs and expensive PCs at each display. If you have a laptop, you can display your presentation through a projector, LCD monitor, video monitor or computer monitor.

The description on the Avocent EWMS1000 claims that the product is plug-and-play with simple installation. I did not find this to be the case. For me, it took several calls to customer support to get the signal to synch between the transmitter and receiver until customer support realized my transmitter and receiver versions didn’t match. Eventually, however, we were able to set up the correct frequency and transmit the video signal wirelessly. This is a pretty nifty device to have if you need to transmit to a variety of output sources; however, I would repeatedly test it in the courtroom before use.

For computer-to-projector signals, there are several projectors that have the ability to receive wireless video signals either built-in or with an adapter accessory. The InFocus Liteshow II Wireless Presentation Adapter (www.infocus.com) connects directly to any projector with a VGA connection. You can send standard slideshow presentations from your laptop or transmit seamless high-resolution video and audio simultaneously.

Plexor offers the PX-PA15AW Wireless Projector Adapter (www.plexor.com), which projects video images to any projector with a VGA connection from anywhere in the courtroom. You easily can switch control of the projector from one presenter to another without long interruptions. This adapter also works with Macs.

Wireless capabilities also can come built into a projector. For example, the Sony Wireless VPL-CX86 XGA LCD projector (www.sony.com) is equipped with Sony's Air Shot technology, using 802.11 b/g wireless protocols. At a cost of \$3,000, it's expensive compared to other projectors; however, the investment might be worth considering if you need a projector for presentations in varied courtroom or conference room designs.

There are many other options for projectors with wireless capabilities. I recommend shopping around to find the one that works best for you. Many projectors also have connections for thumb drives or flash drives. Depending on the software provided, you might be able to make a presentation without a laptop. If I had one piece of crucial advice for anyone shopping for projectors, it would be: Don't let price be the deciding factor. It's wise to spend more for features that you need — especially brightness (i.e., lumens) — because they will pay for themselves in the future in efficiency and seamless presentations.

Sometimes projectors are not the answer because positioning projectors with screens can be cumbersome. Another option would be to consider LCD flat screens or plasma monitors. Costs for these displays have dropped considerably in the past few years and they will continue to drop as demand increases for digital television monitors. A 20-inch LCD monitor can cost between \$350 and \$450, depending on the brand and features.

Many courts are finding that larger LCD or plasma monitors are sound, affordable investments. As prices begin to fall within court budgets, you might not have to worry about setting up a display. The ideal situation would be to simply bring your laptop and connect to the court's displays. LCD and plasma displays also provide better viewing angles, as well as brighter colors that are more in synch with the display on your laptop. Projectors tend to be unpredictable with respect to color shades and are not always true to your laptop display.

Courting Wi-Fi and Broadband

Wi-Fi has been a hot issue in the courtroom. Some courts allow it; others don't. Recently I was in a federal courtroom in Georgia where the judge instructed an expert witness that he could bring his laptop into the courtroom but transmissions in or out of the courtroom

were not allowed. This meant no research on the Internet, use of online legal research providers or e-mail to or from his office. In another courtroom in the same district, a different judge allowed counsel to conduct online research and file motions electronically during the trial.

Wireless Internet use in courtrooms is completely at the discretion of the judge. Each judge has his or her view of this technology. If you or your attorneys will be using laptops in the courtroom, be sure that you are aware of what the judge allows.

Wi-Fi access in the courtroom can be a tremendous asset for legal research. Instead of wearing out the hinges on the courtroom doors going in and out to conduct Internet research somewhere else on issues that come up during the course of a trial, it's very convenient and efficient to be able to utilize Wi-Fi access to do research right at your counsel table.

Prior to a trial, check with the court for Wi-Fi access. If it doesn't provide Wi-Fi, check for hotspots in the area. You can check for Wi-Fi hotspots through www.jwire.com, which lists over 200,000 free and fee-based locations in 135 countries. Another good place to look for free wi-fi hotspots is www.wififreespot.com, which contains a directory listing of locations offering free Wi-Fi.

If you don't want to risk dependence on Wi-Fi access, most cellular phone providers offer broadband cards or air cards that use a cellular signal to access the Internet. In most situations, you can get a better deal on these cards if you include them with your cell phone service. Just pop the broadband card in your computer and you have service that will be as reliable (or unreliable) as your cell phone signal. Most mobile broadband services can download data at 3.4 megabits per second and upload at approximately 1.76 megabits per second. Again, you will need to check with the court for permission to do this.

Where Are the Floppy Diskettes and CDs?

Diskettes are gone! They have joined those old 45 records in the technology retirement home. You can't purchase a new PC today that comes standard with a floppy diskette drive. For one thing, floppy disks don't hold a lot of information compared to thumb drives or flash drives that now are common. CDs still are used but they are not as convenient as other storage media.

What do thumb drives have to do with trial presentation? Their convenience and storage capabilities make it possible for you to put an entire trial presentation on a thumb drive, tuck it in your pocket and transport it to the courtroom. However, there also is a serious risk that comes with that convenience. Security is an important issue to consider with thumb drives, flash drives and memory cards. It's great that they are small but not so great when you lose one, especially when it contains crucial information.

If you are going to use flash drives during a trial, you should make it a priority to pay extra for password--protected or fingerprint-access devices. The BioCert ClipBio Pro (www.clipbio.com) is a plug-and-play, secure portable device that can encrypt your files and only can be opened with a fingerprint. The ClipBio Pro includes iQBio Sync Software, which synchronizes with Microsoft Exchange for access to your e-mail, task lists, contacts and calendar. There also is no trace of it left on the PC and no data or history left behind. At \$49.95, it's reasonably priced for 2 GB of secured storage.

Bioflash from Aimgene Technology Co. (www.biometric-fingerprints.com) provides a secure flash drive by using a chip-based sensor for live scan capturing of 3D fingerprint minutiae. There also are options to allow both limited user and administrator settings.

The BioStik by Index Security (www.biostik.com) has all of the security built into the flash drive with no computer interaction for authentication. The USB opens only after the BioStik is connected to the USB port on your computer and your fingerprint is accepted. The downside is that a 2 GB BioStik will cost you \$450. You will have to evaluate whether the extra security is worth the price.

The Verdict: What do Jurors Expect From Trial Presentation Technology?

When you are deciding to use new technology in the courtroom, as a paralegal or legal assistant, you will need to look ahead and consider all possibilities for evidence presentation in each case. Many of your attorneys will not think about issues such as line-of-sight problems and in-sufficient lighting until they arise. In addition, you need to consider how the jury will be able to review the evidence when it's deliberating. Trial presentation software is great but if it stops at the door of the jury room, how effective will it be? For instance, you might synchronize your audio or video with the transcript so that it flows seamlessly during the trial, but how will the jury be able to view it in the jury room when it's deciding on a verdict? Some jury rooms might be equipped with a computer, but even so, they need someone that is capable of operating the system. Another option is to keep the equipment available in the courtroom so the jury has the option of returning to the courtroom when a question arises. The following are some things you should do in advance:

Contact the court and find out what, if any, technology is available in the jury room.

Make an appointment to see the courtroom for yourself.

Advise the attorney (probably many times) of the issues about which you are concerned.

If the evidence is in electronic format such as MP3 or DVD, make sure that the jury will have equipment available to play the media; otherwise, convert the files to another format.

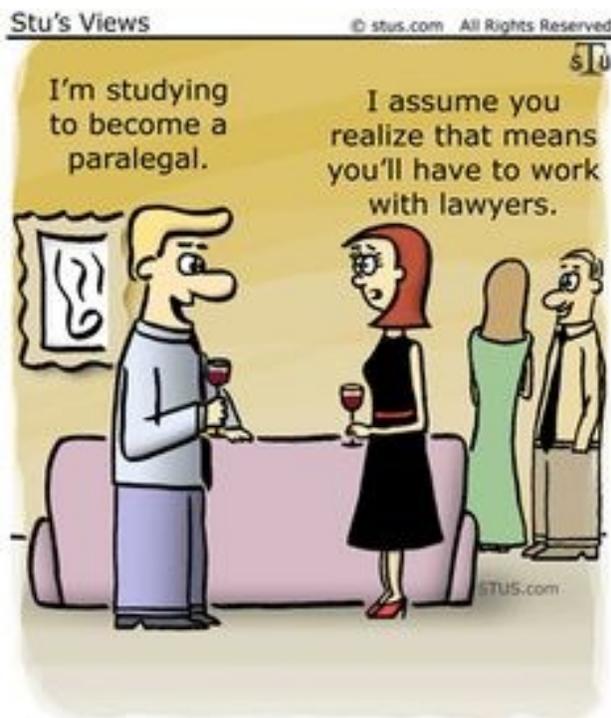
Ask other paralegals how they have handled these issues.

Finally, keep in mind that the expectations of jurors today tend to be unrealistic because of hit television shows such as “CSI” and “Law & Order,” which can go from crime scene to conviction within an hour (including commercials). In the real (legal) world, we know this doesn’t happen. But since we live in a multimedia world, it’s easy to lose the attention of the jurors. Presentation technology can address this issue — if a person sees something on a screen, he or she will tend to more readily believe it.

Regardless of what the jurors’ expectations are, there are three reasons that trial presentation technology should be used: to save time, to provide clarity and to persuade. In your evaluation of the latest in trial presentation technology, if you keep these three goals at the top of your list, the jury will stay tuned in.

Milton Hooper is a litigation support specialist in Macon, Ga. He has worked in trial graphics, document management and courtroom presentation technology since 1996. Hooper has been an instructor of Microsoft PowerPoint and Verdict Systems’ Sanction II at the National Advocacy Center in Columbia, S.C., and is an inspirational writer and speaker. He served active duty in the United States Air Force.

<http://paralegaltoday.com/trial-presentation-trends/>



THE PUZZLED PARALEGAL

Match the word in the left column to the correct definition in the right column.

voir dire	For this purpose, for this occasion
habeas corpus	Good faith
tenere	In another place, elsewhere
supra	Send the pleadings up
ipso facto	You have the Body
in presenti	In the bench, all judges present
mala prohibita	One side only, by or for one party only
ad hoc	By the fact itself
alibi	At once; now
non sequitur	Law of the place where the cause of action arose
bona fide	I will not contest it
en banc	Act declared criminal by statute; though not wrong in itself
certiorari	It does not follow
res judicata	Pending
scienter	For this occasion
quasi	As if, as if it were
scintilla	A thing (matter) adjudged
pro hac vice	Knowledge, awareness
status quo	A spark, the least particle
ex parte	State in which, present state
ultra vires	Above, cited in full above
pendens	To hold, to keep
nolo contendere	To speak the truth
lex loci	Without power, beyond the powers of

Pina Colada Icebox Cake



RECIPE

Ingredients:

1 pkg. (8 oz.) cream cheese, softened
1/2 C. Confectioners' sugar
1/2 tsp. Rum extract
1 can (13.66 oz.) coconut milk, divided
1 pkg. (3.4 oz.) instant vanilla pudding mix

1 container (8 oz.) frozen whipped topping, thawed
15 whole graham crackers
1 can (20 oz.) crushed pineapple, drained
1 C. Sweetened shredded coconut, toasted

Directions:

In a large bowl, beat cream cheese, confectioners' sugar and extract until smooth. Gradually beat in 1 cup coconut milk. Add pudding mix; beat on low speed until smooth. Fold in whipped topping.

Pour remaining coconut milk into a shallow dish. Quickly dip half of the gram crackers into milk, allow excess to drip off. Arrange in a single layer in the bottom of a 13x9 baking dish, breaking to fit as needed. Layer with half each of the cream cheese mixture, pineapple and coconut. Repeat layers. Refrigerate, covered, at least 4 hours before serving.

CORNER

Drone Regulation - Case Study



Drones can be both fun and troublesome. Photographers enjoy the fantastic shots they capture with a drone flying in high places he or she cannot physically reach. Others just experience the thrill of navigating a drone through an empty field. Some, unfortunately, have gone beyond ethical borders to trespass onto restricted property or to invade the privacy of another in their own home.

Drones can serve as a useful surveillance device in areas of grave danger for our service men and women as well as assist law enforcement in gathering evidence. Drones may eventually serve as an efficient and cost-saving transportation device for deliveries, as proposed by Amazon's Prime Air. To keep society informed, drones are used by the National Weather Service to monitor storms and to assess tornado damage.

Are current regulations addressing the safe use of such unmanned aircraft while safeguarding Fourth Amendment privacy rights? The Federal Aviation Administration (FAA) has specific training requirements for drone operators. But according to author Wayne Hicks, there are currently no federal regulations on the use of drones precise to law enforcement agencies. 47 U. Balt. L.F. 130 (Spring, 2017). The agencies are required, however, to complete an application process agreeing to operate drones within federal guidelines. *Id.* Of course, any evidence illegally gathered when using a drone cannot be used in court. The FAA has granted state and local governments the authority to determine the ground locations from which drones may be operated. Local regulations seem to focus on citizen privacy. There appears to be a lack of uniformity between state drone guidelines and those of the FAA.

INTRODUCTION AND FACTS

Singer v. City of Newton, 2017 WL 4176477 (U.S. District Court, Massachusetts, 9/21/2017) is the case of a resident challenging a Massachusetts city ordinance that requires drone registration and prohibits its flight space. Michael S. Singer is also an FAA certified small unmanned aircraft pilot. The question is whether unmanned aircraft, i.e., drones, fall under federal regulation or local permission rules. Singer argues the flying of unmanned aircraft is "an almost exclusively federal area of law" and that any city ordinance is preempted. Newton argues that unmanned aircraft fall under FAA law granting local government the "power to coregulate."

The Newton City Council in 2015 found it necessary to address drones and their increasingly widespread use in the context of protecting citizen privacy. Newton Ordinance Section 20-64 was passed in 2016, outlining the following criteria: (1) All owners of drones must register their aircraft with the city. (2) The use of drones below 400 feet over private property without express permission of the property owner is prohibited. (3) Drones must not travel "beyond the visual line of sight of the operator." (4) The operation of drones is prohibited "over city property at any altitude without prior permission."

COMPARING THE LAW

"The United States government has exclusive sovereignty of airspace." 49 U.S.C. § 40103(a)(1). There is case law, however, that acknowledges this section of the U.S. Code does not prevent local governments from passing aviation regulations. With the increased popularity of drones, the FAA Modernization and Reform Act of 2012 was passed to provide drone regulations and guidelines for drone integration into national airspace. This Act is a comprehensive plan outlining registration, airman certification, and operation of small unmanned aircraft. Similar to the criteria outlined in the Newton Ordinance, anyone operating a small unmanned aircraft must register with the FAA and keep the aircraft within sight of the operator or a designated observer.

DECISION

In reviewing the Newton Ordinance, the FAA found that "no local government may impose an additional registration requirement." Newton did not obtain approval from the FAA before implementing its Ordinance. Secondly, the Ordinance sought to register all drones in public spaces without regard to altitude, which "works to eliminate any drone use absent prior permission. This restriction thwarts the FAA's objectives, and those of Congress, to integrate drones into the national airspace." Finally, the FAA allows the requirement for a visual observer to be waived. This waiver also is in direct contradiction to the Newton Ordinance. Ultimately, the above-outlined criteria found in the Newton Ordinance were preempted. The city was encouraged to consider redrafting regulations for local drone use.

LOOKING AHEAD

In summary, the relatively new technology of drones provides many potential benefits but has brought about unintended legal ramifications that must be addressed. The threat to privacy should be paramount. Legislators must continue to work at both the state and federal levels to implement consistent drone regulation. Forbes reported in February 2017 that a passenger carrying drone was transporting individuals over the Dubai skyline without a pilot. to the manufacturer, Ehang, “in the event of a malfunction, the drone will immediately land in the nearest available area.” Such a landing would violate U.S. regulation. Business Insider magazine reported in early November 2017 that China has the potential to dominate the global market with their drone technology. www.businessinsider.com/chinesedrones-swarm-market-2017-11. Not only does this pose an economic threat to the U.S. drone market, but how will such competition and in-flight activity be regulated?

Author: Jackie A. Van Dyke, MPS, CP, is a graduate level instructor in The George Washington University College of Professional Studies Online Paralegal Program. She previously worked as a trademark paralegal and branding specialist for an international non-profit corporation. Jackie earned a Paralegal Certificate in General Litigation from the University of San Diego, a B.A. in Political Science from California State University, and her Master’s degree in Paralegal Studies from GWU. Jackie is a member of NALA and the Organization of Legal Professionals and can be reached at jvandyke2013@gwmail.gwu.edu.



Montana Court Reporters Association

Supporting our profession since 1957

When the record matters, a professional court reporter is your best choice for accuracy, timeliness, and value.

THE MEMBERS OF THE MONTANA COURT REPORTERS ASSOCIATION THANK YOU FOR YOUR CONTINUED SUPPORT OF OUR ORGANIZATION



Like us on facebook

AGAMENONI, JOAN P.
ASA, JOLENE F., RPR
BACHELLER, JoANN, RDR, CRR, RMR
BALDWIN, STACY M., RPR
BATTS, BARBARA, RMR, CRR, CSR
BOGGS, DARCY D., CCR
BRAY, VONNI, R., RDR, CRR
BRILZ, TINA C., RPR, FCRR
BRINKMAN, LAURINE, RPR, AZ Cert
COSTANZA, CONNIE S., RPR
CRUTCHER, LAURIE, RPR
DOG-MARTIN, PENNY L., RPR
FABRITZ, DEB, RPR
FISHER, KASEY, RPR
FORTUNE, STACEY, CCR
FRANK, GREGORY A., RPR
GOODMAN, BAMBI A., RPR, CRR
GAUGHAN, SHARON, RMR, RDR, CRR

GRAF, JOHN B.
HAZLETT, SHERI, RPR
HEINZE, YVETTE, RPR, CSR
HENRY, CLAUDETTE
JEFFRIES PETERS, MELODY, RDR, CRR, CRC
JESKE, MARLA, CSR
KELLEY TROY
LAKE, JULIE M., RMR, CRR, RDR
LESOFSKI, LISA R., RPR
LIVELY, CHRISTINE D., RPR
MARCHWICK, KIM, RPR, CRR, FCRR, CSR
MEREDITH, DEBI L., RPR, CRR
MICHELS, STEPHANIE A., RMR, CRR
MORROW, STEPHANIE A., RPR
NIKKEL, MARK
NILES, EMILY, RMR, CRR
NORDHAGEN, CANDI, RPR

NORDHAGEN, JONNY
OMAN, KATIE
PARKER, CERESE S.
PERRON, ANNE P., RPR
PRATT, VICKIE, RPR, CSR
ROHLFS, TERRA, RPR
ROMSA, CHERYL A.
SABO, BECKY, RPR, CRR
SAPP, TOM, RPR
STEPPLER, KENDRA
SMITH, T. STERLING
SULLIVAN, MARY, RMR, CRR
TRAVITZ GLENDA
USELMAN, CANDI, RPR, CSR
WALLACE, ROBERT, CLV
WAYRYNES, ANN
WELLS, JENNIFER, RPR

“word by word preserving the record”

Visit our website at www.mtcra.com

MALA LIBRARY

MALA Members – listed below is a sampling of CLEs available to you via checkout from your MALA library. Each disc is \$20.00. See the full list at malanet.org. Please send a check with a list of CLEs you would like to check out to:

**Jill Broughton
2809 Great Norther Loop, Suite 100**

	2016				
Guardian Ad Litem	3/14/16	Brock Kolar	1	\$20.00	
Service of Process; Rules and Procedures	4/13/2016		1	\$20.00	
Judgement Collection	6/9/2016	Michael Moore	1	\$20.00	
Criminal Law: Taking the Defensive Side	7/13/2016	Terry Hale, ACP	1	\$20.00	
Indian Law	8/10/16	Melissa Mt. District Attorney	1	\$20.00	
Montana Wrongful Discharge from Employment Act Essentials	11/16/2016	David C. Berkhoff, Esq.	1	\$20.00	
	2017				
Ergonomics	6/2017	Mark Rosenleaf, ARM	1	\$20.00	
LLLT (Limited License Legal Technicians)	7/2017	Paula Littlewood Steve Crossland	1	\$20.00	
E-Discovery	8/9/2017	Dorothe Schuch, ACP	1	\$20.00	
New CP Exam	8/30/2017	Terry Hale, ACP	1	\$20.00	
	2018				
Fitness to Proceed	1/24/2018	Bowman Smelko, PhD	1	\$20.00	
Real Estate for Paralegals	2/13/2018	Patrick Beddaw	1	\$20.00	
Hot Topics	6/20/18	Betsy Brandbord, Esq.	1	\$20.00	
Technology Hot Topics	7/18/18	Kent Sipe, Esq.	1	\$20.00	
The Profitable Paralegal	8/15/18	Terry Hale, ACP	1	\$20.00	
The Medium is the Message: Form and Style Tips	9/26/18	Jeff Tierney, Esq.	1	\$20.00	
Mediation in Montana	10/24/18	Tracy Axelberg, Esq.	1	\$20.00	
Residential Landlord Tenant Law	11/14/18	Daniel Cahalan, Esq.	1	\$20.00	
	2019				
Probate in Montana	1/23/19	Helen Hauerwas	1	\$20.00	

NOTICE OF ANNUAL MEETING OF MALA

Pursuant to MALA Bylaws, notice is hereby given this 6th day of March, 2019 that the annual meeting of MALA is to be held on **Friday, March 22, 2019 at 12:45 p.m.** at GranTree Inn in Bozeman, Montana.

New officers for FY 2019-20 will be elected during the annual meeting. ***IF YOU ARE UNABLE TO ATTEND THE ANNUAL MEETING***, please designate your choice of nominee and fill in the Designation of Proxy so another Active Voting MALA member can vote on your behalf for other matters during the business meeting.

On or before Friday, March 15, 2019, please email this form to Becky Henderson, ACP at bhenders425@msn.com.

DESIGNATION OF PROXY

I, _____, an active voting member of MALA, hereby appoint _____, an active voting member of MALA, to serve as my proxy holder at MALA's annual meeting on March 22, 2019 in all matters except election of officers. My vote for officers for FY 2019-20 appears below.

DATED this ____ day of _____, 2019.

(original signature required)

NOMINEES FOR 2019-20 MALA OFFICERS

(candidate bios appear on the following page)

- President:** **Alisia Duganz, CP**
 Crystal Montgomery-Kaler, ACP
- Vice President:** **Chelsea Wittmann**
 Helen Hauerwas
 Phyllis Dahl
- Secretary:** **Olga Bobko**
 Velvet Truzzolino
- Treasurer:** **Melissa Beyer**
 Terry Hale, ACP
- NALA Liaison:** **Amanda Hewitt**
 Michelle Harelson

President:



Alisia Duganz, CP grew up in Southern Oregon. She moved to Montana in 2007 to attend the University of Montana School of Journalism, graduating with honors in 2011. After a stint as a small-town journalist, Alisia moved to Bozeman to work as an intern at the Goetz Law Firm. Alisia quickly discovered her passion for the legal field and decided to become a paralegal. Alisia is now a certified paralegal. She loves trial work and has assisted on several jury trials, specializing in electronic courtroom presentation. Alisia is routinely asked to speak at continuing education seminars about trial preparation, trial presentation and case management from the paralegal perspective. Alisia sits on the Professional Development Committee of the Montana Association of Legal Assistants & Paralegals and is a member of NALA and the Paralegal Section of the Montana State Bar Association. Alisia is a presenter for MALA during CP Review Course and MALA's Annual Seminar. Alisia lives in Bozeman with her husband Patrick and her five-year-old son Grayson. Her hobbies include teaching yoga at a local studio once a week and tending to her many indoor plants (aka "the jungle").



Crystal Montgomery-Kaler, ACP is the Office Manager/Paralegal Supervisor for the Milodragovich, Dale & Steinbrenner firm in Missoula. She began her career in the legal industry as a Judicial Assistant to the Mineral County Justice of the Peace, Judge Davis. This position sparked her interest in the legal field, so she graduated from the University of Montana-Missoula with an A.A.S. in Paralegal Studies with High Honors. While continuing to work full-time as a paralegal, she graduated from the University of Montana with a B.A. in Sociology, and a minor in Criminology. She has continued her education in the paralegal field by obtaining the Certified Paralegal designation and Advanced Certified designations in Discovery, Trial Practice, Social Security Disability, and Criminal Litigation from NALA. Crystal has acquired a broad experience in complex litigation, trial preparation and presentation, and electronic document management. Her primary experience is in the areas of medical malpractice, wrongful death, personal injury, complex

anti-trust, products liability, insurance defense, family law, social security disability representation, and criminal defense. Crystal has been a member of MALA since 2006 and has served on the board in all positions except President and MALA Liaison to the Paralegal Section. Crystal has also served MALA on various committees over the years. Crystal is the Co-Chair for the Pacific Northwest Chapter of International Practice Management Association and is the Director for the Healthcare Paralegals Federation. She is also a member of NALA, the Paralegal Section of the State Bar of Montana, and the Society of Human Resources Management. Crystal serves as a member of the UM-Missoula Paralegal Advisory Board. She enjoys teaching the UM-Missoula Paralegal students a crash course in Trial Practices & Tips for Paralegals. When Crystal is not working, she enjoys reading, knitting, attending rodeos and horse competitions, and visiting her grandsons. Crystal also finds time to operate her custom jewelry design business, where she specializes

Vice President:



Chelsea Wittmann is a native of North Dakota who relocated to Missoula for college in 2004. She has a bachelor's degree in Wildlife Biology from the University of Montana, and while she is not using this degree in her current position, she is an avid naturalist and outdoorsman. After a decade of work in law enforcement jobs she went back to school and earned a Paralegal Studies degree at the Missoula College. Chelsea initially worked for a small family law office and is currently a Legal Assistant at Garlington, Lohn & Robinson in Missoula, where I primarily do medical malpractice work. She has been affiliated with MALA since February of 2017. She has been involved with MALA committee work ever since she became a member; serving as a member of the Membership Committee and serving as the Job Bank Chair.



Helen Hauerwas specializes in tax, estate planning and probate matters. Helen has a Bachelor's Degree in Business Administration from the University of Montana with an emphasis in Accounting and Finance. Prior to joining Bjornson Jones Mungas, Helen was a paralegal with Reely Law Firm and Garlington, Lohn and Robinson. Helen also was a tax preparer for over 10 years. She has more than 14 years of experience in probate and estate administration and more than 19 years in accounting, finance and tax. Helen has served on the MALA Board as a past Treasurer and has served as a member of the MALA Membership Committee.



Phyllis Dahl started her legal career with Habedank, Cumming, Best & Savage, a general practice firm in Sidney, and worked there for 22 years as a bookkeeper and legal secretary. She kept busy working and raising their three daughters, but also served on a fundraising committee for the Foundation for Community Care. After the law firm dissolved, she worked for Edward Jones Investments as a Branch Office Administrator and was a member of Lions Club. Her family moved to Billings in 2004, where she obtained a paralegal certificate from MSU-Billings. She has worked for Patten, Peterman, Bekkedahl & Green for 14 years. She was a member of the Billings BlueBlazers for several years, promoting new businesses in the Billings area. She served on the MALA Membership Committee from 2011 to 2016. She keeps busy with family, as well as the family farm and ranch business back in Sidney. Her three daughters are grown and she has an adopted dog and a cat who adopted her. She enjoys spending time with family and traveling.

Secretary:



Olga Bobko has been working as a legal assistant for over 4 years at Crowley Fleck PLLP and has recently taken a position with Montana Rail Link as the Manager of Contracts Administration and assisting the attorney for MRL. She loves working in the legal field and using her talents to help others. She has obtained a paralegal certificate from MSU in 2017, and is working on her associate's degree in paralegal studies. In her spare time she works with her husband on their screen printing and embroidery business. Olga has served as MALA's Montana State Bar – Paralegal Section Liaison as well as on the Membership Committee.



Velvet Truzzolino is an insurance defense litigation paralegal at the law firm of Milodragovich, Dale & Steinbrenner, P.C. She has been working in the legal field as a paralegal, legal assistant and Notary Public for 14 years. Her career in the legal field began when she enrolled in the A.B.A. approved Paralegal Studies program at the Missoula College of Technology in 2000. Upon earning her A.A.S. degree in 2003, Velvet became a member of MALA and worked as a civil litigation paralegal. Aspiring to enhance her education, Velvet returned to school in 2005. While attending college at the University of Montana, Velvet interned at A.S.U.M. Legal Services which gave her a diverse array of experience in the legal system. While working with law students, she performed paralegal

and secretarial duties in civil litigation, family law, criminal law, name changes and landlord/tenant matters. Upon graduation in 2008, Velvet earned a B.A.S. degree from the University of Montana emphasizing in Communications, Political Science and Philosophy. She then worked for a personal injury, social security and workers' compensation firm before finding her true passion seven years ago - using her impressive organizational skills to juggle a busy defense litigation schedule at the Milodragovich law firm. Velvet was born in Butte, Montana and is proud of her family's tradition of Truzzolino Tamales, although she leaves the cooking to her Uncle John in Butte. When Velvet is not working hard at the office, she is a busy single mom raising her two children, volunteering her time to local service organizations and enjoying the company of her friends and family.

Treasurer:



Melissa Beyer is a paralegal at Milodragovich, Dale & Steinbrenner. She has been working in the legal field as a paralegal for almost two years. She graduated from the University of Montana-Missoula College with an A.A.S. in Paralegal Studies in May, 2017. Melissa completed her paralegal internship with Milodragovich, Dale & Steinbrenner and shortly after graduation she was offered a full-time paralegal position. She works on a variety of different legal matters, but specializes in family law, criminal law, general civil litigation, and insurance defense. Melissa has been a member of MALA since 2017 as a paralegal student, and she is also a member of NALA. Melissa was born in Woodstock, Illinois and gradually moved to Montana during her childhood. When Melissa is not working, she loves to keep busy running, hiking, and spending time with friends and family.



Terry Hale, ACP, is a Criminal Investigator with the State of Montana Public Defender's Office in Missoula, Montana who has over 24 years of legal experience in a multitude of practice areas. Ms. Hale has been a member of MALA since 1996 where she has served as President, Vice-President, NALA Liaison, and on all committees and is the outgoing President. Ms. Hale has been a member of NALA since 2002 where she served on the NALA Board of Directors as Region 8 Director from 2009-2013, NALA's 2006-2007 CEC Committee and as the 2007-2008 Chair of NALA Campus LIVE! She serves as a member of the UM – Missoula Paralegal Advisory Board. In 1996, she received her AAS Degree in paralegal studies and in 2014 her BAS in Sociology with an emphasis in Criminology. Ms. Hale received her CP designation from NALA in 2006, Trial Practice ACP designation in 2007 and Criminal Litigation ACP designation in 2015. Ms. Hale received recognition over the years for her professional accomplishments including two NALA Making a Difference Awards, a NALA Affiliate Award, and a West Educational Publishing Award.

She was an adjunct faculty member of the UM – Missoula College where she taught Law Office Management and classes on writing resumes, cover letters and professional portfolios. Ms. Hale has been a speaker for MALA, NALA, the State Bar of Montana and other paralegal organizations on a variety of topics including judgment and analytical ability, communications, team building and leadership, criminal and civil litigation, ethics, trial preparation, cover letters, resumes and professional portfolios, stress management and being profitable paralegal. She is a published author in NALA's magazines *Facts & Findings* and *Career Chronicle*. Ms. Hale is the Treasurer for the VFW Post 209 Auxiliary and XSports4Vets. She loves spending time with her husband Steve, four amazing children, four beautiful granddaughters, two handsome grandsons and in her spare time she enjoys baking, gardening, teaching yoga and anything outdoors.

NALA Liaison:



Amanda Hewitt is from Bermerton, WA, and attended high school in Dillon, MT. She has been a MALA member since 2015 and a State Bar member since 2016. She graduated with an Associate Degree in Paralegal Studies in 2014. After an internship at Milodragovich, Dale & Steinbrenner in 2014, she began working as a paralegal with Browning, Kaleczyc, Berry & Hoven. Amanda currently handles mostly transactional work. She also has experience in civil litigation, family law, workers comp, environmental law, estate planning, and probate. She enjoys spending time with her son. Together they enjoy outdoor adventures like hiking and kayaking. Amanda also enjoys sports, reading and cooking. Amanda has served on many MALA committees and is the current Secretary.



Michelle Harelson graduated with a B.A. in paralegal studies and a minor in psychology from the University of Providence (formerly UGF) in 2005. She is a member of MALA, NALA and the State Bar of Montana, Paralegal Section. Michelle is currently studying and planning to take the new format of the NALA CP Exam. She works for the Fergus County Attorney Office as the Legal Assistant/Office Manager and works with 4 attorneys. One of the primary duties includes e-filing as the 10th Judicial District Court is one of the e-filing pilot courts. Michelle has worked for solo attorneys, a small law firm and a large law firm and has experience in multiple areas of practice including family law, estate planning and probate, collections, mental health commitments, guardianships, assisting in the formation of small businesses, personal injury, property law, and civil litigation. Michelle is a single mother and lives in Lewistown with her 6 year old daughter and her 22 year old son is attending college in Great Falls. Michelle is a central Montana native and enjoys cooking, baking, making chocolates and truffles, reading, quality time with her children and anything outdoors. She is excited to obtain NALA's 103rd CP in Montana in 2019. Michelle has been involved in multiple committees every year of membership in MALA, including 2 years as the Secretary. She looks forward to serving MALA again in 2019-2020!

MIKE'S PRINT & COPY

728-3363 • 1503 S. Russell

1503 S. Russell • Missoula, MT 59801
www.mikesprintandcopy.com • orders@montanacopy.com

406.728.3363

Previously **Denny's Copy Stop**

Color Copies as Low as \$.25

Mounted Exhibits ~ Up to 40" x 54" • Scanning ~ Graphics, OCR, PDF & Bates

24" x 36" Black Blueprints **\$1.00** / 24"x36" **Color Blueprints \$7.50**

COPY

Scanning
Color Copies
Legal Copies
Mounting
Faxing
Bindery
Laminate
Cutting

PRINT

Envelopes
Letterhead
Newsletters
Business Cards
Raffle Tickets
Booklets
Posters
Postcards

JEFFRIES COURT REPORTING, INC.



Terra Rohlfs, RPR; Jennifer K. Wells; Candace Simonich & baby; Melody Jeffries Peters, RDR, CRR, CRC; Debi Meredith, RPR, CRR; Sherri Urquhart
Not Pictured: Emily Brandon and Rona Chenoweth

1015 Mount Avenue, Suite B, Missoula, MT 59801 - jrcourt@montana.com

(406) 721-1143 Fax (406) 728-0888

www.jeffriescourtreporting.com - **VIDEOCONFERENCING OF MONTANA** - www.VC-MT.com

Jeffries Court Reporting, Inc., has been providing the legal community quality court reporting services since 1985. In addition to the traditional reporting services, we offer in-house videography, videoconferencing, realtime reporting and multiple conference rooms for your convenience.

MALA—2018-19 BOARD OF DIRECTORS

President

Terry Hale, ACP
terry.hale@mt.gov

Vice President

Heather Bienvenue, CP
hbienvenue@bozeman.net

Treasurer

Vacant

Secretary

Amanda Hewitt
Amanda@bkbh.com

NALA Liaison

Becky Henderson, ACP
bhenders425@msn.com

State Bar Representative

Olga Bobko
obobko@crowleyfleck.com

Parliamentarian

Velvet Truzzolino
VTruzzolino@bigskylawyers.com

PUZZLE ANSWER

ad hoc	For this purpose, for this occasion
bona fide	Good faith
alibi	In another place, elsewhere
certiorari	Send the pleadings up
habeas corpus	You have the Body
en banc	In the bench, all judges present
ex parte	One side only, by or for one party only
ipso facto	By the fact itself
in presenti	At once; now
lex loci	Law of the place where the cause of action arose
nolo contendere	I will not contest it
mala prohibita	Act declared criminal by statute; though not wrong in itself
non sequitur	It does not follow
pendens	Pending
pro hac vice	For this occasion
quasi	As if, as if it were
res judicata	A thing (matter) adjudged
scienter	Knowledge, awareness
scintilla	A spark, the least particle
status quo	State in which, present state
supra	Above, cited in full above
tenere	To hold, to keep
voir dire	To speak the truth
ultra vires	Without power, beyond the powers of





Montana Association of Legal Assistants*Paralegals

BYLAWS OF THE MONTANA ASSOCIATION OF LEGAL ASSISTANTS*PARALEGALS

ARTICLE I. NAME

The name of this association shall be Montana Association of Legal Assistants*Paralegals (hereinafter "MALA"). This association shall be affiliated with the National Association of Legal Assistants, Inc. (hereinafter "NALA").

ARTICLE II. OBJECTS & PURPOSES

- 2.1 To establish good fellowship among association members, NALA, and members of the legal community.
- 2.2 To encourage a high order of ethical and professional attainment.
- 2.3 To further education among members of the profession.
- 2.4 To cooperate with bar associations.
- 2.5 To support and carry out the programs, purposes, aims and goals of NALA.

ARTICLE III. POLICY

MALA shall be nonsectarian, nonpartisan, nonprofit, and nonunion. No actions or programs may be initiated or undertaken (now or in the future) in conflict with the bylaws or policies of NALA.

ARTICLE IV. MEMBERSHIP

Membership in MALA shall be based on requirements approved by MALA members.

There shall be ~~two~~three membership categories:

(1) ~~(1)~~ Active Voting Members: This membership comes with full voting rights. Active membership is open to any individual who meets at least one of the following requirements:

- i. Any individual who has successfully completed the NALA Certified Paralegal ("CP") examination of NALA and is currently in good standing as a CP with NALA, or
- ii. Any individual who has graduated from an American Bar Association ("ABA") approved program of study for paralegals, or
- iii. Any individual who has graduated from a course of study for paralegals, which is institutionally accredited but not ABA-approved, and which requires no less than the equivalent of sixty (60) semester hours of classroom study, or
- iv. Any individual who has graduated from a course of study for paralegals other than those set forth in ii and iii above, plus not less than six (6) months of in-house training as a paralegal, whose attorney-employers attests that such person is qualified as a paralegal, or
- v. Any individual who has received a baccalaureate degree in any field, plus not less than six (6) months in-house training as a paralegal, whose attorney-employer attests that such person is qualified as a paralegal, or
- vi. Any individual who has a minimum of two (2) years of law-related experience under the supervision of an attorney, including at least six (6) months of in-house training as a paralegal, whose attorney-employer attests that such person is qualified as a paralegal, or
- vii. Any individual who has a minimum of one (1) year of in-house training as a paralegal, whose attorney-employer attests that such person is qualified as a paralegal.

~~Legal assistants/paralegals working under the direct supervision of an attorney, attorneys, or paralegal educators; persons acting, or who have acted in the past, in a legal assistant/paralegal capacity; and~~

(2) ~~(2)~~ Student Member (NON-VOTING): ~~s who are enrolled in good standing in any university, college, junior college, or other approved program pursuing a course of study as a legal assistant or paralegal; and graduates of legal assistant/paralegal programs who have not obtained their first employment in the legal assistant/paralegal profession and/or have not completed one calendar year in said employment. After the student successfully completes his/her education, he/ she may renew as a regular member during the membership renewal period as long as he/she meets all the requirements to gain regular membership. -Student membership is open to any individual who is a full-time or part-time student in good standing in any college, junior college, community college, or other school pursuing a course of study as a paralegal. A student who that has graduated from the above-outlined paralegal educational programs may retain their membership status as a Sstudent Mmember for~~

one (1) year after the date of their graduation or until such time as they qualify as an Active Member. This classification of membership has no voting rights and those members of this classification cannot serve as an officer, director, committee chairperson, or member of the Executive Committee.

~~Student members shall not be allowed to hold office and shall not be appointed to an office. A student member may serve on a committee but shall not be chairperson of said committee. Members of the two membership categories shall hereinafter be referred to as "members."~~

(3) (3) Associate Members (NON-VOTING): Associate membership is open to:

- i. A any individual new to the paralegal industry who does not qualify for membership under MALA's Active or Student membership types listed above, or those individuals who are members of the BarABAs Associations endorsing the paralegal concept or involved in the promotion of the paralegal profession;
- ii. Those individuals who are members of the educational field endorsing the paralegal concept or involved in the promotion of the paralegal profession; and
- iii. Those persons involved in the supervision of paralegals and not actively working as a paralegal.

Associate Members This classification of membership has have no voting rights and those members of this classification and cannot serve as an officer, director, committee chairperson, or member of the Executive Committee. Associate Members This classification of membership may be a member of any committee, except the Executive Committee, and may have a vote on the committee, but cannot serve as the committee Chairperson. Once the Associate Member has acquired more experience and/or education, the Associate membership may be converted to an Active MALA membership type with all the rights of an active MALA membership.

MALA's fiscal year shall be April 1 to March 31st. For each fiscal year, each member must complete ten (10) credit hours of continuing legal education.

With the exception of first-year members, each member must complete at least three (3) credit hours of legal ethics within a three (3)-year period of their membership and every three (3) years thereafter.

Each member must present proof of the required credit hours of continuing legal education and ethics attained during the last fiscal year (April 1 to March 31) to the Membership Committee.

If any member fails to provide proof of completion of the required credit hours during the prior fiscal year, he/she is not in compliance with MALA's bylaws and will have a three (3)-month grace period (until July 1 of that fiscal year) to complete the required credit hours. If proof of compliance is not provided prior to July 1 of that fiscal year, the individual will be notified that he/she no longer qualifies for MALA membership.

Any former member whose MALA membership was revoked for failure to comply with the continuing education requirements listed above must provide proof of

completion of said requirements before he/she can reapply for membership.

First-year members are given a grace period to meet this continuing education requirement that extends one (1) year from the date of their acceptance for membership and from that date until the beginning of MALA's next fiscal year (April 1).

ARTICLE V. APPLICATION FOR MEMBERSHIP

Application for membership to MALA shall be submitted on forms approved by MALA members. The forms should clearly state that MALA is affiliated with NALA and that all MALA members are bound by the NALA Code of Ethics and Professional Responsibility and any code adopted by MALA. Approval of membership shall be noted on the forms in accordance with standing rules adopted by this association.

ARTICLE VI. MEETINGS

MALA shall meet at no less than quarterly intervals which may include attendance at association-sponsored seminars or workshops. Notice of quarterly business meetings shall be in writing to all members of record at least ten (10) days prior to the meeting. Those members present and qualified to vote shall constitute a quorum at a membership meeting, and the majority of such quorum shall, for voting purposes be necessary for the adoption of any matter brought before the meeting. In the event of a vote for dissolution, a quorum shall consist of two-thirds (2/3) of the members qualified to vote.

Special meetings may be called by the President upon five (5) days notice to all members of record.

Annual programs shall be held prior to the end of the association's fiscal year (see Article XIV Fiscal Year) for the purpose of electing officers, hearing reports of officers and chairpersons, electing a NALA Liaison, and adopting a budget for the ensuing fiscal year. Notice of annual meeting shall be in writing to all members of record at least fifteen (15) days prior to the meeting. Notice will also contain the slate of officers.

ARTICLE VII. CONTINUING LEGAL EDUCATION

It is required that this association hold a minimum of four (4) educational events or a total of ten (10) hours of education during each fiscal year in order to maintain affiliation with NALA. These programs may be held in conjunction with a regular meeting of the membership.

It is required that this association hold a minimum of two (2) educational events that include at least three (3) hours of legal ethics every three (3)-year period. These programs may be held in connection with the educational events in the previous paragraph or in connection with a regular meeting of the membership.

ARTICLE VIII. PROXY VOTING

At any MALA membership meeting, any active member shall have the right to vote either in person or by individual proxy. A member may appoint another member and one alternative as proxy by an appropriate written designation and proxy. Any such individual proxy shall be valid only for that single meeting for which it shall have been given and not otherwise.

No person shall solicit any proxies and proxies obtained by such solicitation may not be used at any membership meeting nor shall the same be accepted by the Parliamentarian (or in the absence of the Parliamentarian, by a member of the MALA Executive Committee).

Any individual proxy shall be deemed filed by a member with the Parliamentarian (or in the absence of the Parliamentarian, by a member of the Executive Committee) prior to the start of the meeting. Proxies may be delivered to the proxy holder, alternative proxy holder, Parliamentarian, or other Executive Committee member via e-mail, facsimile, or other electronic means.

ARTICLE IX. DUES AND ASSESSMENTS

The annual dues for members shall be proposed by the MALA Executive Committee. The Executive Committee shall submit changes to the annual dues to the MALA members for approval.

The dues of this association shall be Twenty-five and No/100 Dollars (\$25.00) per year. Dues for membership renewal must be submitted by April 1 (the beginning of MALA's fiscal year). Members are allowed a one (1) month grace period to pay their dues. If a member fails to pay dues by May 1, the individual will be notified that he/she does not qualify for MALA membership. If an individual who forfeits membership by not paying dues submits payment of said dues between May 1 and March 31 of that fiscal year, he/she will not be required to submit a formal application for MALA membership. If an individual does not pay dues for one fiscal year (April 1 to March 31), he/she will be required to submit a formal application to renew their MALA membership.

Dues shall not be prorated.

ARTICLE X. OFFICERS, EXECUTIVE COMMITTEE AND CHAIRPERSONS

The elected officers shall be the President, Vice President, Secretary, Treasurer, and NALA Liaison.

The appointed officers shall be Parliamentarian and Montana State Bar Paralegal Association Liaison.

The Executive Committee shall be composed of elected and appointed officers. The Executive Committee shall act as a planning committee bringing recommendations to the membership for a vote. This committee shall meet at least quarterly and at other times as called by the President.

Terms of office shall be one (1) year. Successive terms shall be limited to one (1) year.

No officer or member shall be compensated for association duties. However,

upon majority vote of the membership, persons may be reimbursed for out-of-pocket expenses in connection with association-related activities, provided the expenses were authorized to be expended.

ARTICLE XI. ELECTION OF OFFICERS

MALA members shall be invited to volunteer to serve on the Nominations and Elections Committee. The President shall appoint a chairperson for this committee at least sixty (60) days prior to the annual meeting of the association to present a slate of officers to the membership fifteen (15) days prior to election at the annual meeting.

No name shall be on the slate without consent of the candidate. Nominations from the floor will not be accepted at election. Election shall be by majority vote of members present voting in person or by proxy.

Voting for officers shall be by ballot at the annual meeting except when there is only one candidate for any office. In that event, if there is no objection, the Chair may declare the candidate elected. A minimum of two (2) members of the Nominations and Election Committee shall serve as tellers to tally the votes, including all ballots voted by proxy. If there are not at least two members on the Nominations and Election Committee, the President shall appoint two MALA members to serve as tellers. The tellers shall verify the results to the Chair who shall announce the results to the membership. In the event of a tie, the voting members shall immediately proceed to vote by ballot to dissolve such tie.

No member shall hold more than one elected or appointed office during the fiscal year.

Names of appointed officers must be presented by the President to the membership by the first meeting of the new fiscal year.

Names of newly elected or appointed officers shall be submitted to NALA headquarters and the Affiliated Associations Director as least thirty (30) days after election and/or appointment.

In the event MALA has more than one (1) class of membership, only full voting members may hold office.

First-year members are eligible for nomination or appointment to a position on MALA's Executive Board.

Student members shall not be allowed to hold office and shall not be appointed to an office. A student member may serve on a committee but shall not be chairperson of said committee.

Unexpired terms of office shall be filled by appointment by the Executive Committee.

Any officer (elected or appointed) absent from three (3) consecutive meetings without good cause, may be removed from the office by the Executive Committee.

Upon an officer's death, resignation, removal or inability to act, the President shall appoint an individual to fill the position, subject to the approval of the Executive Committee. Said officer shall hold such office for the remaining term of the office until such time as a successor is duly elected at the next annual meeting of the membership.

**ARTICLE XII.
STANDING AND SPECIAL COMMITTEE CHAIRPERSON**

The President shall appoint a chairperson to the following standing committees:

Advertising Committee
Attorney Contact Update
Audit Committee
Bylaws Committee
Community Outreach Committee
Membership Committee
Mentoring Committee
Newsletter (comprised of one editor or a committee)
Nominations & Election Committee
Professional Development Committee
Standing Seminar Committee
Student Liaison Committee

One MALA member volunteer will be responsible for each of the following duties:

Job Bank
Legislature Monitoring
MALA Library
Webmaster

The Audit Committee will be composed of a past MALA treasurer and two (2) members selected by the chairperson. This committee will audit the Treasurer's books at the close of the fiscal year prior to the transfer of accounts to the newly elected Treasurer. In the event the incumbent Treasurer is elected to a second term, the audit will be performed following the annual meeting and prior to the first regular meeting of the membership.

Special committee chairpersons may be appointed by the President, as needed, with the approval of the membership.

**ARTICLE XIII.
DUTIES OF ELECTED AND APPOINTED OFFICERS AND
CHAIRPERSONS**

The MALA Executive Committee shall consist of a President, Vice President, Secretary, Treasurer, NALA Liaison, Montana State Bar Paralegal Section Liaison, and Parliamentarian. The President shall appoint the Parliamentarian, Montana State Bar Paralegal Association Liaison, and special and standing committee chairpersons as provided in these bylaws.

President: The President shall preside over all Executive Committee meetings and membership meetings. The President shall pass files to successor immediately

upon installation and shall cause all other officer's and chairpersons' files to be passed to respective successors.

The President shall be ex- officio (non-voting) member of all committees except the committee on nominations and elections.

This officer shall automatically be chairperson of the Standing Seminar Committee. This committee is responsible for planning MALA seminars and workshops and working with NALA in co-sponsorship of any programs. The President shall be responsible for fulfilling the educational requirements under Article VI of these bylaws and shall report such educational meetings to the NALA Liaison.

The President shall submit a report summarizing MALA activities to MALA's newsletter editor for publication in the quarterly newsletter.

Vice President: The Vice President shall preside and shall assume all duties assigned to the President in the President's absence.

The Vice President shall serve as chair of the Membership Committee and shall be charged with developing programs to encourage membership in MALA. This officer shall receive applications for membership and shall, in conjunction with the Membership Committee, review applications for membership, and accept or reject said applications based on requirements set forth in MALA's bylaws.

The Vice President shall determine if MALA members have met membership renewal requirements as set forth in Article IV of MALA's bylaws and shall notify said members if they are not in compliance.

The Vice President shall maintain a current roster of membership.

The Vice President shall work with the NALA Liaison to encourage membership in NALA.

This officer shall also work with the MALA Student Liaison Committee to explain the benefits of MALA membership to paralegal students and encourage membership in MALA.

The Vice President will be responsible for MALA's Mentoring Program and encourage new members to participate in this program.

The Vice President shall submit a report of the number of current and pending members to MALA's newsletter editor for publication in the quarterly newsletter.

Secretary: The Secretary shall be responsible for taking minutes of all meetings, keeping permanent minutes, and submitting minutes approved by the Executive Committee and MALA membership to MALA's Webmaster for publication on MALA's website and MALA's newsletter editor for publication in the quarterly newsletter. The Secretary shall provide minutes of MALA's meetings to the NALA Affiliated Associations Director upon request.

This officer shall assist the President in preparing meeting agendas, notifying members of upcoming meetings, and assisting in other areas at the President's request.

Treasurer: The Treasurer shall deposit all funds and make all disbursements, in a timely manner, subject to approval of the Executive Committee and as provided in the budget. Any extraordinary expenses must be approved by the membership before obligation to pay.

The Treasurer shall work with the Executive Committee to prepare a proposed budget for the ensuing fiscal year. This proposed budget shall be presented to the

membership for approval at the annual meeting.

The Treasurer may be bonded (premium paid by association). All disbursements of association funds must be by association check, signed by the Treasurer and/or the President. However, the Treasurer or President are not to sign any association check that is made payable to him/her as payee.

This officer shall submit a written financial report at each regular meeting to be attached to official minutes as part of permanent record. The Treasurer is responsible for providing an annual report on MALA membership to NALA Affiliated Associations Director and submitting the fee required to continue MALA's affiliation with NALA. The Treasurer will submit a report of account balances/expenditures to MALA's newsletter editor for publication in the quarterly newsletter.

NALA Liaison: This officer shall have completed at least one (1) full term as a MALA President, Vice President, Secretary, or Treasurer within the past five (5) years.

MALA shall pay for the NALA Liaison's membership in NALA during the fiscal year of the NALA Liaison's term in office.

This officer shall be the main contact between NALA and MALA.

This officer shall be familiar with the NALA Bylaws and Standing Rules.

This officer shall:

- Represent MALA at the NALA annual convention of affiliated associations;
- Submit items that MALA wishes discussed at NALA annual meetings to the NALA Affiliated Associations Director;
- Participate in discussion sessions at NALA annual meetings;
- Provide a biannual report on MALA activities to the NALA Affiliated Associations Director on forms provided by NALA headquarters; and
- Submit names of newly elected or appointed officers to NALA headquarters and the Affiliated Associations Director as least thirty (30) days after election and/or appointment.

The NALA Liaison shall attend the NALA annual convention and prepare a report on what transpired at the convention. This report may be presented at MALA's annual meeting, published in MALA's newsletter, or posted on MALA's website.

Parliamentarian: The Parliamentarian shall attend MALA Executive Committee meetings and membership meetings and give opinions on parliamentary procedures upon request of the President. This officer shall be familiar with MALA bylaws, and NALA bylaws.

Robert's Rules of Order Newly Revised shall serve as parliamentary authority for items not covered by these bylaws or the association standing rules.

Montana State Bar Paralegal Association Liaison: This individual shall apply for membership to the Montana Paralegal Section of the Montana State Bar and said membership fee shall be paid by MALA. The Liaison shall attend Paralegal Section meetings and shall report Paralegal Section activities to MALA members.

**ARTICLE XIV.
RESIGNATION OF ELECTED OR APPOINTED OFFICERS**

An elected or appointed officer may resign at any time by delivering written notice to the MALA Executive Committee. Such resignation shall take effect at the time specified in the notice or, if the time is not specified, then upon receipt of such notice, at which time MALA members will be notified of the resignation.

**ARTICLE XV.
REMOVAL OF ELECTED OR APPOINTED OFFICER**

An elected or appointed officer may be removed from office for cause by the affirmative vote of two-thirds (2/3) of the current duly elected and qualified Executive Committee. Cause of removal shall be defined as the elected or appointed officer's:

- a) Conviction of a felony;
- b) Violation of the NALA and/or MALA Code of Ethics; or
- c) Substantial neglect of elected or appointed officer's duties.

The Executive Committee may also cancel the MALA membership of an elected or appointed officer by a vote of two-thirds (2/3) of the current duly elected and qualified Executive Committee after determining that said officer has:

- a) Conducted himself or herself in a manner that will actually and substantially injure the good name of MALA;
- b) Failed to maintain a high standard of professional ethics or personal conduct which is deemed sufficient for rejection of a MALA membership application;
- c) Substantial neglect of duty;
- d) Any physical or mental disability or illness to such an extent that it may render such officer unable to promptly resume the performance of his or her duties within a reasonable time; or
- e) Unethical or immoral conduct which together with publicity or anticipated publicity will reflect unfavorably upon MALA.

**ARTICLE XVI.
FISCAL YEAR**

The fiscal year of this association shall be from April 1 to March 31.

ARTICLE XVII. CODE OF ETHICS

Every member of this association shall subscribe to and be bound by NALA's Code of Ethics and Professional Responsibility and any other code so adopted by the membership of this association. Violations of the NALA Code may be grounds for immediate dismissal from membership and/or removal from office.

Any member sanctioned with dismissal from membership and/or removal from office may appeal orally to a special ethics committee consisting of five (5) members nominated by the association members. A majority vote of this special ethics committee will be binding.

ARTICLE XVIII. AMENDMENTS TO BYLAWS

MALA Bylaws that do not conflict with NALA bylaws may be amended by a majority vote of MALA's active members.

The NALA Affiliated Associations Director must be advised of any amendments within sixty (60) days of passage.

Any member may submit a proposed amendment to the Bylaws Committee by delivering the proposed resolution in written form to the Secretary of the association. Amendments submitted by the membership shall be considered by the Bylaws Committee who shall recommend for or against the adoption of the amendment to the Executive Committee for membership approval.

The Bylaws Committee shall cause any proposed amendment(s) to be published in the official publication of the association together with the notice of the next regular business meeting or annual meeting or otherwise included in a notice forwarded to the membership prior to approval of any amendments.

ARTICLE XIX. DISSOLUTION

In the event of dissolution of this association, all property and assets shall be distributed to a nonprofit charitable organization as defined by the Internal Revenue Code, to be selected by a majority vote of the remaining members of the association, notice having been given to members of the association and the NALA Affiliated Associations Director at least fifteen (15) days prior to the meeting. In no event shall any of such property and assets be distributed to any member or private individual.

In the event of a vote of dissolution, a quorum shall consist of two-thirds (2/3) of the voting members of the association.

**ARTICLE XX.
RETENTION OF AFFILIATION**

Affiliation with NALA is renewable each year by payment of an affiliation fee and attached to a current membership roster. In the event of suspension of affiliation, this association may reaffiliate with NALA by submitting a new application with membership roster, bylaws, sample of educational programs, petition and current initial fee.

In addition to the renewal fee, this association must comply with the required reports and requested procedures as outlined in these bylaws.

The annual renewal fee is payable on October 1 each year and delinquent as of November 1. Payment received after due date must be accompanied by a late fee established by NALA.



Montana Association of Legal Assistants*Paralegals

MEMBERSHIP RENEWAL FORM

Please submit this form with membership renewal dues for FY April 1, 2019- March 31, 2020 in the following amounts:

Online: \$26.00

Check/Mail-in: \$30.00

You must also complete and submit the CLE Activity Report to:

MONTANA ASSOCIATION OF LEGAL ASSISTANTS
ATTN: Membership Chairman
P.O. Box 9016
Missoula, Montana 59807-9016

MEMBER NAME: _____

EMPLOYER: _____

ADDRESS: _____

TELEPHONE: (Home) _____

(Business) _____

E-MAIL: _____

AREAS OF LAW: _____

POSITION TITLE: _____

HOME ADDRESS: _____

Please indicate where you would prefer to have MALA correspondence directed:

Home: ____ or Work: ____ (please check one).

Date

Member Signature



Montana Association of Legal Assistants/Paralegals

CLE Activity Report

Proof of continuing legal education (CLE) must be submitted to retain membership in the Montana Association of Legal Assistants*Paralegals (MALA), as outlined in Article IV of the MALA Bylaws. Please submit this CLE Activity Report with your membership renewal dues. A minimum of ten (10) CLE credits are required for 2018-2019.

CLE ACTIVITIES ATTENDED DURING OR TO BE APPLIED TO THE 2018-2019 REPORTING PERIOD:

Date/ Location	Course Title	Total Credits Earned			Sponsor
		Interac- tive	*Other	Ethics	

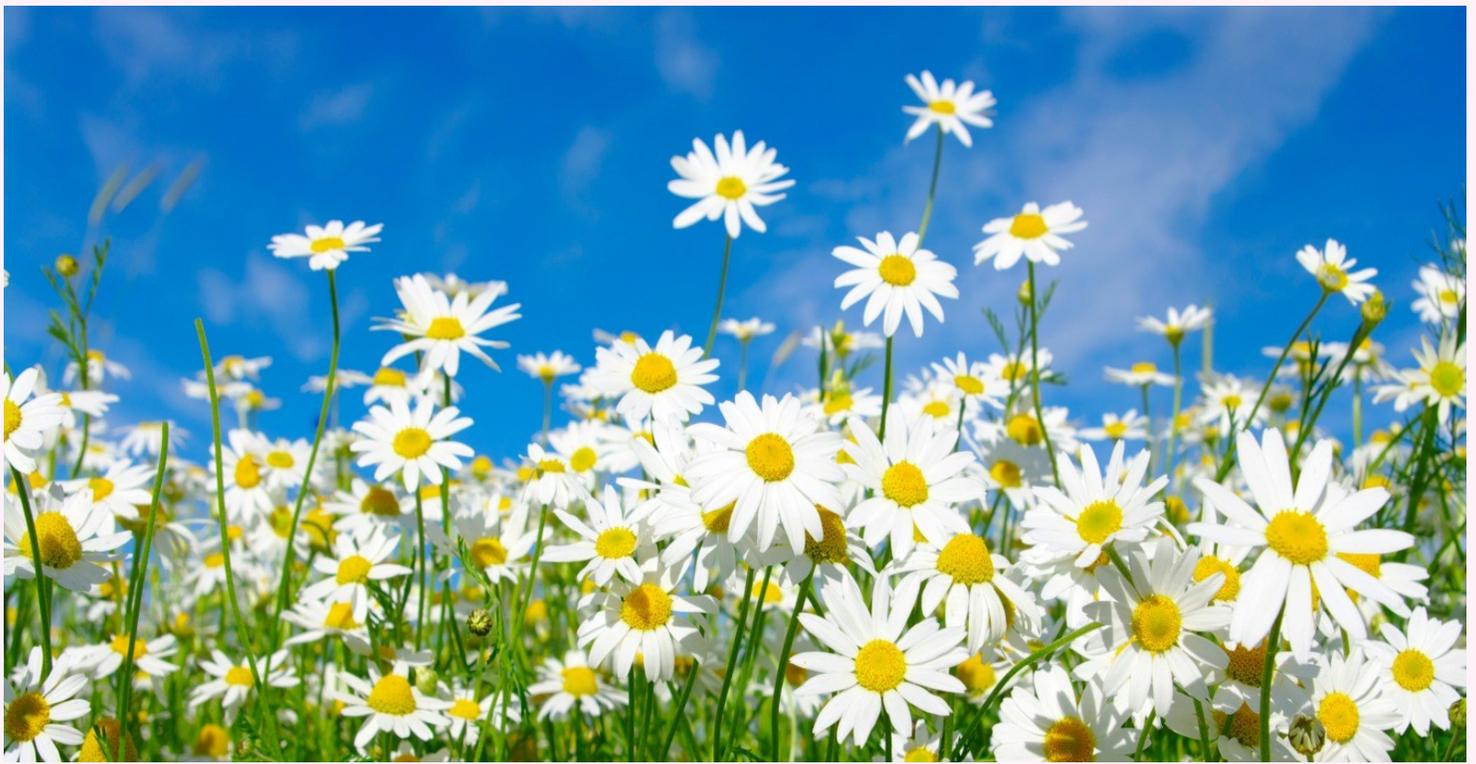
***IMPORTANT: "Other" credits are limited to 4.0 per year. These include audio/video, teaching/preparation, on-line self study, and in-house courses.**

1. Totals (add amounts from the Interactive, Other & Ethics Columns): _____
2. Plus carry-over credits from last year's Affidavit: _____
3. Total of lines 1 and 2 _____
4. Less ten credits for current year requirement -10.00
5. Remainder to be carried over to next reporting year _____
(the maximum carry-over credits allowed is 20.00)

Pursuant to §1-6-105, MCA, I declare under penalty of perjury that the foregoing is true and correct.

Date

Member Signature



Want to know more about MALA?

MALA
PO Box 9016
Missoula, MT 59807-9016

E-mail:
mala@malanet.org

We're on the Web:
www.malanet.org

