

MALA MOMENTS

March 2018 Edition

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



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President's Message

By Terry Hale, ACP

Can I say, I'm so over winter and ready for SPRING and warmer weather!!! I know it is just around the corner, but if it could get here sooner it wouldn't hurt my feelings. Our Annual Meeting is also just around the corner and looks to be another amazing seminar full of great topics and speakers. We even have the honor to have Debora Overstreet, ACP, NALA's Treasurer, speak to us during our seminar and during our Annual Meeting. I'm soooooo excited for all of you to meet Debora. I first met Debora at a NALA Convention way back when—like over 15 years ago. We served on the Board of Directors together and even were roommates during Board Meetings and Convention. She is funny, sweet, down-to-earth and is such a positive person. She will be joining us here in Montana from Oklahoma, so make sure to give her a BIG MONTANA welcome when you meet her. She will be presenting our Ethics CLE during the seminar and then talking to us more about NALA and their upcoming events during our Annual Meeting.

Be sure to thank all our Sponsors for their generous contributions, because without them, MALA wouldn't be able to provide our FREE Annual Seminar for all our MALA members. Please see our Sponsors on Page 28 and be sure to send them a big thank you. MALA would also like to thank all those businesses that donated items for our basket give-a-ways. Can't have a good Annual Meeting without some awesome basket give-a-ways.

MALA has had a great year this last year. But this wouldn't be possible without the many amazing volunteers working to make MALA better for the future. I certainly couldn't have done my job without the tireless contributions of my Board of Directors and all my committee members. They truly are the backbone of MALA and I want to thank each and everyone of them from the bottom of my heart!!!!

Remember during MALA's Annual Meeting we will be conducting a lot of business including voting on the 2018-19 Budget, By-law changes, the Election of Officers as well as having a sign-up sheet for next year's committee work. I encourage you all to review the sign-up sheet, consider your talents and offer up some time to volunteer on a committee. Most committees don't take much time during the year but we need volunteers in order to move MALA forward throughout the year. If you are not able to join us at our Annual Meeting, be sure to send in your Proxy (Page 7). Your vote counts as to what happens to MALA in the future.

See you all at the Annual Seminar & Meeting on March 23, 2018!!!!

Terry Hale, ACP
President

NOTICE OF ANNUAL MEETING

MALA'S 26th ANNUAL MEETING

Friday, March 23, 2018

12:45 pm

Lunch provided prior to the meeting

Hilton Garden Inn
3720 North Reserve Street
Missoula, Montana

If you are unable to attend, be sure to complete and send in a Proxy Voting Form (Page 7) to ensure we have a voting quorum as we will be electing officers, and voting on our By-law changes and FY 2018-19 Budget.

Stu's Views

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The Problem
With Juries



2018

Annual Meeting and Seminar

The Empowered Paralegal



March 23, 2018—Seminar & Meeting

**Hilton Garden Inn
3720 North Reserve Street
Missoula, Montana**

5 CLE Credits

This is a Free seminar to ALL active and NEW members

Agenda

Friday, March 23, 2018

8:00 am —8:15 am	Registration
8:15 am—8:30 am	<i>Key-Note Address—Opening Remarks</i> Terry Hale, ACP
8:30 am —9:30 am	<i>Paralegal’s Guide to Dealing with Difficult Clients</i> Simon T. Fickinger IV, M.S., C.C.T., C.M. P. Mars Scott Law Offices
9:30 am—10:30 am	<i>Legal Writing: Editing & Proofreading</i> Jacob Coolidge, Esq. State of Montana—Office of Public Defense Jacob Hansen, Associate Director UM—The Writing Center
10:30 am—10:45 am	BREAK
10:45 am—11:45 am	<i>Strategies for Deciphering, Organizing, and Indexing Medical Records</i> Becky Henderson, ACP Bulman Law Office
11:45 pm —12:45 pm	Lunch (Provided)
12:45 pm—2:00 pm	MALA Annual Meeting
2:00 pm—3:00 pm	<i>Ethics: “Here in the Real World”</i> Debora L. Overstreet, ACP US Army Corps of Engineers
3:00 pm—3:15 pm	BREAK
3:15 pm—4:15 pm	<i>Early Case Assessment Strategies for Paralegals</i> Miva Van Engen, Esq. Van Engen Law Office
4:15 pm– 4:30 pm	Closing Remarks
4:30 pm	Adjourn



Vice President Report

By Heather Bienvenue, CP

In February we had 8 new members join MALA! I love seeing new professionals commit to MALA and professional growth. Currently, we have 56 new members, 77 returning members and 2 student members for a grand total of **135 members!** Let's continue to grow! Encourage your co-workers to join us!

According to MALA By-Laws, MALA memberships renew on April 1st of each year. April 1st is coming up quick! Be sure to renew your membership, so you don't miss out on CLE discounts, posting of job openings, newsletters, updates in the profession as well as the networking opportunity with other members.

When you renew, you will need to provide proof that you have completed 10 CLE hours. If this was your first year with MALA, remember you do not need to provide proof, as this was your grace year. The Membership Renewal Form can be found on Page 38 and the CLE Activity Report on Page 39.

Dues are still ONLY \$25.00 for a year.

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 2018-19 and keep MALA going strong into the future.



Election of MALA Officers

If you are unable to attend the meeting on March 24, 2017, be sure to complete and return a Proxy to Amanda Hewitt no later than March 21, 2018.

Proxy form can be found on Page 7.

The Slate of Officers can be found on Pages 34.

DESIGNATION OF PROXY

I, _____ an active MALA member, hereby appoint _____, an active MALA member, to serve as my proxy at the 2018 MALA Annual Meeting on Friday, March 23, 2018.

Dated this _____ day of _____, 2018.

Signature

Email to:
Amanda Hewitt
Parliamentarian
Amanda@bkbh.com

Mail Original to:
MALA
Attn: Parliamentarian
P.O. Box 9016
Missoula, MT 59806-9016



Treasurer's Report

November 2017—March 2018

Montana Association of Legal Assistants * Paralegals Treasurer's Report

December 1, 2017 - January 31, 2018

Account Balances

As of January 31, 2017

BANK ACCOUNTS

Checking		3,276.79
Savings		17,719.16
Total Bank Accounts	\$	20,995.95
Total Current Assets	\$	20,995.95
TOTAL ASSETS	\$	20,995.95

REVENUE

CLE

2017/11 November		316.00
2018/01 January		338.68
Total CLE	\$	654.68
Library Rental		0.00
Membership Dues		124.90
TOTAL REVENUE	\$	779.58
GROSS PROFIT	\$	779.58

EXPENDITURES

GoTo Meeting		34.63
Office Expenses		40.00
Wild Apricot		40.88
TOTAL EXPENDITURES	\$	115.51
NET OPERATING REVENUE	\$	664.07
Other Revenue		
Interest Earned		3.01
Total Other Revenue	\$	3.01
Net Other Revenue	\$	3.01
NET REVENUE	\$	667.08



MEMBER SPOTLIGHT

Meet **Marcy Hall**.

Marcy is a Montana native, born and raised in the Flathead Valley residing in Columbia Falls. Upon high school graduation Marcy attended Flathead Valley Community College graduating with a degree in Secretarial Science and a minor in Office Administration then moving on to attend the University of Montana at Missoula graduating with a Bachelor of Arts in Secondary Education emphasis in Business Education. Marcy is married and has five adult children and eight grandchildren.

Marcy has a diverse work history ranging from teaching, ski instructing, industrial clerical work to court administration. Currently Marcy works for the Breck Law Office, PC as a legal assistant where the firm specializes in contract law, probates, real estate, employment law and landlord tenant matters as well as operating as the City Attorney for the City of Columbia Falls. This position sparked her interest in joining MALA and utilizing the vast resources available through this organization.

Marcy enjoys spending time with her husband and family, her dogs, travelling to Arizona in the winter when possible, gardening, cooking and spending time outside when the weather permits.





MALA's Quarterly Business Meeting Minutes
By Michelle Harelson

MALA Quarterly Membership Meeting Minutes

Date: Tuesday, December 19, 2017

Location: GoToMeeting/Teleconference

Time: 12:00 PM

Officers in Attendance:

- President – Terry Hale, ACP
- Secretary – Michelle Harelson
- Montana State Bar Liaison – Olga Bobko
- Parliamentarian – Amanda Hewitt

Call to Order – 12:13 pm

Attendance – Total of 119 members. 4 members and/or proxies short of reaching a Quorum, so we will not be able to vote.

Officer Reports/Discussion

Secretary – Michelle Harelson

We still need to have the following Quarterly Business Meeting minutes approved, due to a lack of quorum at the following quarterly business meetings:

- Need Approval of MALA March Quarterly Minutes as Published;
- Need Approval of MALA June Quarterly Minutes as Published; and
- Need Approval of MALA September Quarterly Minutes as Published.

Treasurer – Steph Spokas - unavailable. Federal Court today.

Treasurer's Report. By Terry Hale, ACP for Stephanie Spokas who is unavailable due to federal court today. The current balances are: \$2,812.72 in checking, and \$17,716.15 in savings as of November 30th. MALA has received income from CLEs and membership dues. September 1 through November 31, income from CLEs and memberships was \$1,955.56. CLE expenses for October CP Preparation seminar was \$497.43. Other expenditures such as office expenses, etc. for a total of \$774.54. The net revenue was \$688.01.

State Bar Paralegal Liaison – Olga Bobko

There is not much to report for the State Bar at this time. They had a meeting last Wednesday. The Paralegal Section is working on re-organizing their group, and obtaining better communications between the State Bar and MALA. They want to create more open conversation to communicate better. They are open to suggestions and there will be more ideas to come.

Standing and Special Committee Reports

Standing Seminar Committee – Terry Hale, ACP

There will be CLEs for January and February and our annual meeting is in March. We had the CP Review Course in October and it went really well. There were 15 members and 3 non-members who attended in Missoula.

MALA Library – Heather Bienvenue, CP – Heather is sick today, so Terry Hale provided the report. There are new CLEs from the last couple of years that are now available online, and a new library list. All of the old CDs and recordings from 2000 back have all been taken off of the list and destroyed, as the information is outdated and useless now.

Old Business

Bylaw Amendments –

The membership was supposed to vote on the proposed amendments, but we cannot vote due to a lack of proxy. They were also posted in the last newsletter.

CP/ACP Scholarship Applications – Awards – sending back to the committee for additional proposed changes.

The MAL Board discussed that information of changing these from scholarships to awards and some of the criteria, due to changes in CP and ACP exams by NALA. Suggestions were made by the Board and this has been back to committee until January for further review and revisions. They will be ready to go to the membership for votes in January. If taken CP or ACP for reimbursement.

Membership Application – back to committee for additional review and revisions.

The Board discussed additional changes to the application, including adding membership types and pricing for the different membership types. This was sent back to the Membership Committee to be worked on more.

New Business

Annual Meeting – The Annual meeting is set for Saturday, March 24, 2017 in Missoula. The Committee has put in a request for a NALA representative to speak at our annual seminar. We will not be hosting an evening social, but MALA will pay for lunch for all attendees and we are working on getting sponsorships, etc. so the annual meeting will be free for members to attend.

Announcements

MALA did get new “Affiliated with NALA since 1992” logos and we can use those in the Newsletters and on the website.

Terry Hale, ACP has been asked to be a speaker at next year’s NALA Convention in July, to be held in St. Louis, MO. It will be held July 11-13. Terry’s presentation will be on internet research/sleuth and criminal minds/criminal investigation.

There are a few typos in the Bylaws, which will be sent to Terry, to have corrected before the approval at our annual meeting. There may be another by-law addition out there.

Sabrina – inquired if annual meeting is on Saturday? Yes. To clarify November meeting said 23rd on Friday. Due to some conflicts the 24th seemed to be not locked in with hotel or anything. She had speakers available on 23rd but not 24th. Seminar meeting can meet again and go over it all again. This will go back to the Seminar Committee. We are definitely looking at holding the conference at the end of March.

Adjourn meeting 12:25 p.m.



Ways to Win BIG in your Career:

Educate, Advocacy, and Awareness

“Injustice anywhere is a threat to justice everywhere.”

–Martin Luther King, Jr.

This issue of NALA *Facts and Findings* focuses on family law. As I prepared my thoughts for the education column in this edition, I pondered on my professional experience regarding family law matters and I thought of human trafficking. What is human trafficking? “According to the Office of Refugee Resettlement¹, “victims of human trafficking are subjected to force, fraud, or coercion for the purpose of commercial sex or forced labor.” It exists in rural, suburban, and urban locations. Human trafficking is sometimes known as modern day slavery. “It usually occurs in the United States when people from other nations are brought in illegally to serve as free labor.”² Texas Governor Greg Abbott declared January 2016 as Human Trafficking Awareness month in Texas.³

Since this article will focus on education, awareness, and advocacy, I will take you on my journey surrounding human trafficking. If you recall, I mentioned in a previous Ways to Win Big in Your Paralegal Career article that my most notable *pro bono* service experience thus far occurred when I joined Sabre GBLB Inc. I noticed that the company has a Passport to Freedom sector wherein the organization assists victims of human trafficking and domestic violence. During the fall of 2014, my managing attorney and I discovered ways that the legal team could serve the Passport to Freedom sector and that way was through *pro bono* service.

Education

We coordinated and attended an in-house training CLE hosted by Mosaic Family Services and the Human Rights Initiative of North Texas wherein the Sabre legal team in Southlake were trained on how to apply special immigration relief (including visas) and provide other legal services for human trafficking victims. This was the first step in the team’s own initiative to provide *pro bono* work in support of two local

organizations focused on the issue: the Human Rights Initiative of North Texas and Mosaic Family Services, a non-profit that assists refugees and immigrants.

Advocacy

Thereafter, I quickly got involved by assisting with the planning, coordination, and implementation of Sabre’s first Inaugural *Pro Bono* Legal Advisory Clinic with the Sabre Legal Team in Southlake and Passport to Freedom charity partners, Mosaic Family Services and GRACE (Grapevine Relief and Community Exchange). The inaugural Sabre *pro bono* legal clinic kicked off in January 2015 at GRACE in Grapevine, Texas and it turned out to be a huge success. The legal team members were able to volunteer and assist victims of human trafficking with domestic violence and immigration legal issues. It proved to be a very rewarding experience. The second *pro bono* legal intake clinic took place in July 2015 and it was more successful than the first with a 37% increase in client intake. I am happy to announce that we conducted our third *pro bono* legal clinic on January 21, 2016 and it turned out to be a successful event.

Awareness

As a result of effective *pro bono* service with the Passport to Freedom sector, I along with Tyra Jordan (Sabre Corporate Social Responsibility Manager) was able to represent Sabre during a Human Trafficking Prevention Business Partnership Press Conference at Children At Risk in Houston, Texas. There Children At Risk CEO Dr. Sanborn, Representative Senfronia Thompson and Senator Joan Huffman (authors of the human trafficking bill that was passed in the Texas 84th Legislature), Chelsie Kramer who represented the Texas Association of Business, and a representative from the Office of the Texas Secretary of State collaborated and brought awareness to the issue of human trafficking and agreed to take a stand to combat human trafficking.

I also serve as a volunteer with the National Center for Missing Children and will continue to partner with them to bring awareness and educate communities about child sex trafficking and cyber-bullying in an effort to put an end to this issue which



affects families throughout the United States and the rest of world. It is my hope that you will consider volunteering your time to learn more about issues that affect families and figure out a way to help and serve those families.

Another organization that you might consider learning more about is CASA (Court Appointed Special Advocate)⁴. I know several paralegals who are CASA volunteers and they truly enjoy serving in this capacity. They are the voices of children who otherwise wouldn't have an opportunity to be heard. I truly believe that greatness is achieved through service. If you ever thought about how you can be great and Win *big* in your career and in life, consider collaborating with your company or another organization to bring awareness and advocacy to issues that affect human rights and families.

¹ See <http://www.acf.hhs.gov/programs/endtrafficking/resource/about-human-trafficking>

² See <http://lawstreetmedia.com/issues/law-and-politics/human-trafficking-alive-united-states/>

³ See <http://gov.texas.gov/news/proclamation/21832>

⁴ See <http://www.casaforchildren.org/site/c.mtJSJ7MPISb.5301295/k.BE9A/Home.htm>

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F&F

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NALA NEWS
By Becky Henderson, ACP
NALA Liaison



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.

It's time to start researching flight options and pleading your case for paid time off to attend the **2018 NALA Conference & Expo** in St. Louis, MO on **July 11 – 13**. This is the largest paralegal conference in the country and paralegals from far and wide will be attending.

The registration fees are:

Full Conference	Best rate – ends May 31	Standard Rate
Member	\$535	\$600
Non-Member	\$590	\$655
Student	\$199	\$299
Social – Day 1	\$79	\$99

The conference will be held at the Hilton St. Louis with rooms available for \$139.00 per night (plus tax). I will let you know when the room block opens.

Why should you attend? Let's count the reasons:

1. Take a break from work and sharpen your skills. There will be outstanding speakers presenting CLEs on:

- Advanced Project Management Competencies for Paralegals
- Become the CEO of Your Whole Life
- Civil Litigation and Torts
- Contract Law
- Criminal Investigation
- Criminal Law and Torts
- Data Breach and Civil Actions
- Dealing with Difficult People: Tools for the Paralegal
- Different Types of Title IX Cases and Current State of the Law
- Ethics & Issues in Cases with Endless Loose Ends
- FAA Regulatory Activity Concerning the use of Drones
- How to Handle Your Lawyer(s)
- In-House Management of Outside Counsel
- Misappropriation of Electronic Data
- Navigating Ride-Sharing Laws



NALA NEWS—Continued

*By Becky Henderson, ACP
NALA Liaison*

Preserving Privilege in the Corporate World
Professional Ethical Responsibility
Project Management in Electronic Discovery
Real Estate & Property
Skills Exam - Essay Writing
Talk Like a Leader
Team Excellence
Technology - Internet Sleuthing
The Art and Science of Building Habits for the Busy Paralegal
U.S. Legal System and Procedure
Using Social Media and Surveillance in your favor

2. Earn 13 CLE credits for attending the conference.
3. Network with your peers from NALA affiliates all over the country. These paralegals can become valuable resources and great morale boosters. Mix and mingle over lunch or dinner. Visit their booths and see the amazing things other paralegal organizations are doing.
4. Visit the vendor booths and discover innovative products and services that may be just what your firm needs. Plus they give away awesome free samples!
5. Get inspired, motivated, and refueled. This little break away from work will give you the boost you need to get reenergized.

Hope you take this opportunity to invest in yourself. You're worth it!

Becky Henderson, ACP
NALA Liaison

MEMBER SPOTLIGHT



Barbara Bessey, ACP—is a paralegal for the Montana Attorney General’s Office as the Tobacco Paralegal Specialist for the Tobacco Enforcement Program. She formerly worked for Montana Department of Labor & Industry, Bidegaray Law Firm, and Phillips & Bohyer in Missoula and formerly worked in the Tampa, Florida office of Fowler White Villareal, Boggs & Banker for 13 years. Barbara recently completed her Real Estate Principles ACP examination as well as the Real Estate Land Use ACP examination. She has been a Certified Paralegal since 1997 and is a 1993 graduate of the University of South Florida with a BA in History, concentrating on Medieval and Early American History.

Barbara served on the Executive Board of the Paralegal Section of the State Bar of Montana from 2005-2012 and as Chair the last three years. She served on the Executive Board of the Interagency Committee for Change by Women (ICCW) from 2006-2010 and as Vice-Chair the last three years. She has been a published author for The Paralegal Society, NALA’s *Facts & Findings*, and was the editor/writer of *The Montana Paralegal* and *Free Speech* newsletters. She has been a member of MALA, NALA, Paralegal Section of the State Bar of Montana, Natural Resources, Energy, and Environmental Law Section of the State Bar of Montana, Indian Law Section of the State Bar of Montana, and the Tampa Bay Paralegal Association. She has been fortunate to attend several NALA conferences over the course of her paralegal career.

Barbara was born in Rumford, Maine and graduated from Rumford High School. She grew up on a potato farm, which raised the best Kennebec potatoes for King Cole Potato Chip Company. Her maternal grandfather raised dairy cattle early in his life and then Black Angus beef cattle. In the late 80s, she left home for the big city of Tampa. As city life became stale, she decided to move to Montana with the hopes of someday attending MSU~Bozeman to earn a Masters in Native American Studies. With rising costs of college education, that goal never transpired. In her spare time, she researches family and historical genealogy, and is researching and writing a historical romance novel, a time travel from 1998 Denver, Colorado to 1885 Townsend, Montana. More often than not, the “day job” of analytical thinking blocks the creative writing of a novel and writing believable conversation and the plot. It is still a labor of “love.”

By far, her greatest emotional challenge and love affair is as advocate for saving our iconic and native Wild Horses in ten western states from slaughter and ultimate extinction. The advocacy work is tireless review of BLM environmental assessments and writing intelligent comment letters supported by documentation not just emotions. Emotions run high and low as Federal Judges render differing opinions regarding the fate of the Wild Horses in their districts. Her advocacy work has led her to spend hours sitting, watching, and photographing the Pryor Mountain Wild Horses south of Billings. In the Pryors during 2017, she had the privilege to meet Ginger Kathrens, Emmy award winning documentary videographer and photographer, and founder of The Cloud Foundation. Cloud the Stallion of the Rockies is the subject of several PBS/Nature videos and books written by Ginger Kathrens chronicling his life from 1995 to his disappearance during the winter of 2015-2016 after he lost his family to a younger bachelor stallion that spring. Barbara regrettably didn’t photograph Cloud, but, his legacy on the mountain includes his mother, three sons, three daughters, sister, and many aunts, uncles, and cousins. Followers of the herd are patiently waiting for the first grand baby! For Barbara Wild Horses are her family in the West. Her photographs “*Montana Wild~Images*” hopefully will be exhibited on her upcoming blog “*Montana Wild Memories*” in the future. Yet another adventure for this adventurous spirit who is willing to “take the road less travelled.”



NEW
ADVANCED CERTIFIED PARALEGALS

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

ANGELA MILLER, ACP
Estate Planning

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



Ten Tips for the Ultimate Resource Guide for Paralegals

By Terry Hale, ACP

Are you always looking for a phone number or a form? Does your attorney ask you to call the Court and find out how the Judge wants certain exhibits or documents filed? How much time do you spend every day searching for this information? While it may take a little bit to create this resource guide in the beginning, in the end, it will save you so much time to be able to access this information with ease. This resource guide will give you a competitive edge and make you an invaluable member of your legal team.

When I first started out as a paralegal, the attorney I worked for, had this battered manila file folder in his desk drawer that contained copies of past complaints, motions and briefs, discovery and other various documents that he had either prepared in different types of cases or was prepared by another attorney in a case. When he needed a new complaint, he would pull out some of those old pleadings and reuse them. I decided I needed this as well, so I started my own file folder. Now since times have changed, and most of us keep these items in digital format, there are still some that keep things the old fashion way, but it doesn't matter how you save your information, the important thing is that you have a system that pulls it all together and it is in one place and easy to access when needed in a hurry. I hope these ten categories help you create and organize your resource guide to make your job easier.

Client Contact Information

Although there are a ton of telephone database programs available, including some basic software programs that came with most computers, I found simple is always better.

A telephone reference is easy to create in any word processing program and the nice thing about using WordPerfect or Word to create these tables, is these programs are already running on your computer; you can keep the files open while you work on other materials; you can constantly update your entries; and, alphabetizing them is a breeze. For example, create a basic client list which includes the client's name, phone numbers, postal and e-mail addresses and notes. With so many of us using smartphones, tablets, notebooks, etc., all this information can be saved to one device and synced to the others for quick reference when you're not at your desk.

Take the notes category for instance. You could really stand out by using this section to the fullest. You might not think this section is important, but little details about your contacts can really help. I've used the notes section for birthdays and anniversaries, names of client or contact's children. I've also added in my contacts at the various courthouses. This comes in handy when you need to schedule a hearing or even better, when your attorney forgets to file the appropriate paperwork in a case or forgets that Order.

One Central Calendar

Everyone knows having a calendar isn't a luxury, it's an absolute necessity. With so much to do and so little time to do it, your calendar must be accurate, easy to access and contain enough information so you can understand what you need to do. Don't keep a calendar for work, for home, for the holidays, etc. You should keep one calendar for everything. Remember you can sync your work calendar to your smartphone, tablet, etc. to keep connected. You might even have several calendars at work for all the different attorneys, but those too should all be connected to make one calendar. Again, it doesn't matter the method, electronic, hardcopy, etc., the important thing is to have one central calendar that is easy to access and update.

Courthouse Contacts

As I stated above, in my contact section, I also have courthouse contacts. But this isn't just the courts, this also includes all those other offices that may be in your courthouse, such as DMV, Treasurer's Office, Police Department, County Attorney's Office, City Attorney's Office, etc. This section should contain plenty of information about those offices and list the types of information that can be found in each office, as well as your contact's name in those offices. Remember, when you find a friendly face at the courthouse, put that person's name in your courthouse reference section and in as many different places as possible. The next time you call that office, ask for that person. Create relationships.

Attorney Peculiarities

I believe that no ultimate reference guide would be complete without an "attorney peculiarities" section. This is the section to remind you about all those idiosyncrasies of the people with whom you must interact with every day, including co-workers, attorneys, or even HR. If the attorney you work with has a hang up about the way pleadings are prepared (such as never staple, always use paper clips) then make a running list of these preferences, and especially if you work for more than one attorney, because you and I both know, each one likes something different. These notes can save you a lot of time, effort, and frustration.

Judge Peculiarities

If the basic premise about keeping track of attorney peculiarities applies, then it certainly applies to judges even more. Every judge with whom I have ever worked has had a different approach to court proceedings, exhibits, voir dire, pleadings, orders and even where the attorney should stand in the courtroom. Some judges like to be referred to as "your Honor" in every context, while some are more laid back. Some judges have a habit of leaving work every day at 4 p.m. While other judges think nothing of making you wait for hours outside their offices before they will sign that order. These idiosyncrasies should be written down for future reference. Did you know attorneys have been doing this for years? When an attorney has a pending case before a judge they don't know anything about, he or she always contacts another attorney and asks about that judge's characteristics. Then the attorney adapts to that judge's approach. As paralegals, we should be doing this exact same thing to help ourselves as well as our attorneys.

Essential Forms

One of the primary reasons to create an ultimate paralegal resource guide is for the forms. Forms are the bread and butter in the legal profession. Every time you come across a good form, scan and save a copy into your paralegal reference guide. But make sure these forms are also in a format you can use, i.e., Word, WordPerfect, etc. Also, make sure you have your computer files labeled appropriately, such as type of law (family, criminal, etc.) and then type of document (complaint, discovery, etc.) so you can find them easily when you do a search. Saving these forms saved digitally allows you to access to them again and again as well as the ability to cut and paste to your new document. It also makes electronic filing a lot easier.

7. Brief and Memo Banks

Your ultimate resource guide should also contain copies of briefs and memoranda used in other cases. We have all had that experience of realizing our current assignment is exactly like a brief we had to prepare last year in another case. Being able to pull up that previous brief can be a huge timesaver and make you look like a superhero.

I know most law firms have firm-wide brief banks, but keeping one of your own is always a good idea. The one time you need access to the law firm's brief bank will probably be the one time the system is down. Having your own brief bank can also help when you are out of the office and have no direct access to the firm's computer system. Your personal brief bank should contain all the generic appellate briefs and memos you use on a regular basis and for anything more specialized than that, you can always pull it off the main system later.

8. Frequently Asked Questions

So I created this section just prior to leaving the family law arena. Because inevitably clients will ask you the same questions repeatedly, and I decided it was time to keep write these answers down and keep it available to cut and paste at a moment's notice. You might have clients who always what they should wear to court or what are the basic rules about child visitation, or what should they do if he or she wishes to have a Temporary Restraining Order taken out against their spouse.

So I talked with my attorney and we came up with a very generic set of answers to the most frequently asked questions. I would then email them or send them a letter giving them the answer in written form. By having this information readily available, freed up my time and gave the client something tangible they could review later.

9. Passwords and Private Computer Information

We all know everything can be found on the Internet including legal research and databases in the cloud, so it's important to have a handy reference containing all the URLs, passwords and notes about how to access these specific sites.

My job as a paralegal and now as a criminal investigator requires an incredible amount of information that is key to my day-to-day work. Everything I need to do my job is online including background checks, tax records, register of deeds, DMV records, postal addresses, Web sites and people locator sites. So how do you keep track of all these passwords? For me, I need something easy, so I keep a list in a Word table and update it regularly. But most importantly, I password-protect that file to keep the wrong people from accessing it. I also have a password manager app on my smartphone that manages all my passwords to all these different sites that way I only need to remember one password, which is a time saver.

10. Vendor and Supplier Records

Your ultimate resource guide should also contain information about all your office hardware and software, including vendor names, toll-free support numbers, license numbers and any other information you may need to get help if you have software or hardware problems. Keeping this information in your resource guide can save you a lot of time, especially when a service representative asks you for information contained on the computer or program that isn't currently working.

Creating a Digitized Resource Guide

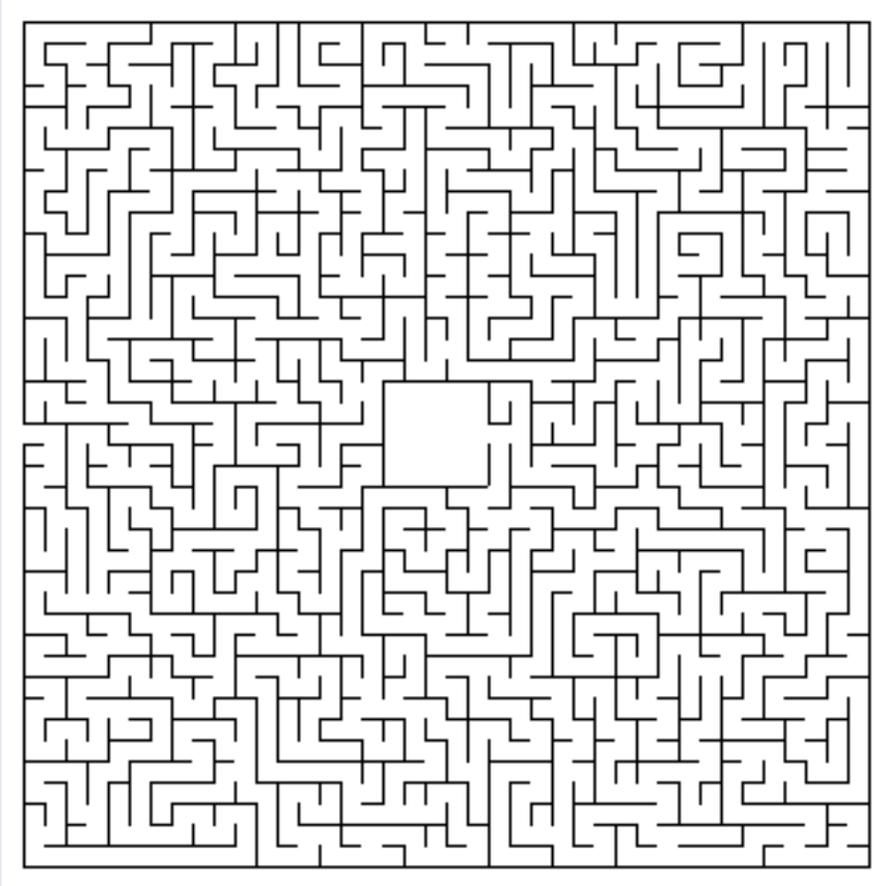
Now that you know the most important areas to include in your resource guide, you must decide in what format you will use to keep the information accessible. Everyone has different preferences that suits them best. Some like to keep a binder with all the information printed out, while others prefer to keep a fully digitized version. Still others prefer a combination of both print and digital records for their resource guide. Any way you decide, just make sure to keep it updated so you have the most current information available.

There are also a lot of different legal software programs available that you can use as well. They range from simple databases to complete law firm programs that contain billing and accounting software, calendar features and complex databases. Research the different programs and see what will work best. Look at that those programs that have been tried and tested in the real world or in firms similar in size and structure to your firm. There are so many programs to choose from, such as AbacusLaw, which has been around for years and functions as a client database, calendar and docketing system or you can have a tailor-made program which software is created just for your firm's specialty areas of law.

The Power of Your Ultimate Resource Guide

The smartest thing you can do with your ultimate paralegal resource guide is to organize it, keep it updated, and most importantly, keep it all in one place. Let everyone in the firm think you are superhero, with an incredible memory for names, dates, telephone numbers and the myriad of other information. Remember, your ultimate paralegal resource guide can be your secret weapon.

MALA MAZE



MATH PUZZLE

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+		-		+	
	+		+		8
+		X		+	
	-		X		-52
13		-2		15	

Lemon Blueberry Scones

Yield: 8 scones

Ingredients:

Scones

1/3 cup sugar
zest of two large lemons
2 cups all-purpose flour
1 tsp baking powder
1/4 tsp baking soda
1/2 tsp salt
1/2 cup unsalted butter, frozen
1/2 cup sour cream
1 large egg
1 cup fresh blueberries

Lemon Glaze

3 tbs unsalted butter, melted
1 cup confectioners' sugar
1/2 tsp vanilla extract
2-4 tbs freshly squeezed lemon juice

Instructions:

Preheat oven to 400 degrees and set oven rack to the middle position. Line a baking sheet with parchment paper, set aside.

In a medium-sized bowl, gently toss flour, baking powder, baking soda and salt. Set aside. In a separate small bowl, whisk sour cream and egg until completely smooth. Set aside.

In a large bowl, stir sugar and lemon zest together until sugar is moistened and zest is evenly distributed. Pour in flour mixture and toss to combine. Grate frozen butter into mixture. Using your hands, work in the butter until the mixture resembles a coarse meal. Gently stir in sour cream mixture until just about combined. Very carefully stir in the blueberries, being careful not to squish them. Do not over work the dough! Again, very gently press the dough against the sides of the bowl a few times and form a ball. The dough will be sticky at first but will come together as you form it.

Place dough on a lightly floured surface and lightly pat into an 8" circle about 3/4" thick. Use a very sharp knife to cut into 8 triangles (like a pizza). Transfer triangles onto prepared baking sheet in a circle shape, leaving about 1" between each one.

Bake scones for 15-17 minutes or until the tops begin to golden. Don't take them out too early or they will be too soft. Allow them to cool for 10 minutes on the pan before transferring onto a wire rack to finish cooling completely. During this time, prepare glaze. Stir together melted butter, confectioner's sugar, vanilla and lemon juice until smooth. Once completely cooled, go ahead and either dip the tops of the scones into the glaze or drizzle it on top with a spoon



© Sprinkle Some Sugar

RECIPE

CORNER

Working Smart

By Kitty Bice, ACP

There is no such thing as a typical day for a paralegal, or even one that goes as planned. No matter in what area of law you work, there are days that your plan for the day is quickly changed. In order to meet deadlines, you must not only work hard, but also you must work smart. Working smart is not something that is learned from books and seminars. Working smart is a skill combining both mental and physical know-how. Working smart may incorporate different skills for different people. One needs to determine what works best for you. For me, to work smart I must incorporate organization, prioritization, delegation, and time management.

Organization

Taking the time to keep everything organized saves time in the long run. Spending time looking for records or documents, restarting previously started tasks or projects that were misplaced or not finished, or trying to locate witnesses, experts, or vendors, takes time that one usually doesn't have at the time the document, project or person is most needed. Some people are comfortable with electronic organizational tools. Others want to visually see and touch what they need to get work done promptly and accurately. Use what works best for you. That is part of working smart. Use the organizational method that helps you be the best you can be. Use tools that help you stay organized, such as calendars, various organizational software, binders, and/or storage containers. Take the time to make lists, calendar



deadlines, put documents, names and contact information for people and projects where you can easily access them at a moment's notice.

Prioritization

Prioritization is a two-sided objective. There are what you consider your priorities, and the priorities of your attorney and/or client. Often we hear that we need to get our priorities in order, but it is not your personal priorities that dictate what your day will include. There are ways to complete what you think is important to the needs of attorneys and clients, but they

won't be accomplished in an eight-hour day. In order to prioritize, one must first organize. Make a list (written or mental) of what needs to be done and what and who is needed to accomplish your to-do list. Often, you are not the only one that needs to determine the priority of items on your list. You may need to meet with your attorney and ask what he or she thinks is most important. You must also verbalize your need for more information to determine what is expected and when it is expected. You must also verbalize what else is on your plate so an informed decision can be made as to what task has the highest prior-

ity. Prioritization requires organizational skills, judgment and analysis skills and communications skills.

Delegation

Working smart means you recognize your strengths and the strengths of those who are part of your team. In order to accomplish a task in a specific time period, one must know what is needed to meet the deadline. Multi-tasking is a requirement, but the paralegal does not have to complete all of the multiple tasks. As a paralegal, you are part of the team working for the client. Although I may think I do certain things better than others or like to do certain tasks more than others, delegation of tasks and managing all the parts of the project is important to the end-result and what is expected. Use support staff and vendors to help you deliver the end product on time. Delegation requires leadership skills and an understanding of time management.

Time Management

When working smart, time management includes how you use your time both while at work and when you are not working. Time management is using your time wisely. When you are working, realistically look at what is on your plate and determine the best way to accomplish it. Do not over-extend yourself or make promises you cannot keep. When you are not at work, join your local paralegal association and meet paralegals in your area. These contacts provide an invaluable network of individuals with information and contacts you may not use in your current position. Take advantage of continuing educational opportunities. Often you will learn a skill used by paralegals in other areas of law that is helpful in what you do. Finally, take time for yourself. In order to be your best, you must first take care of yourself.

Working smart requires less physical effort than working hard. When I visualize what one describes as a hard worker,

I picture a person working long hours, never taking breaks, running around like a chicken with its head cut off and looking frazzled. When I picture a person working smart, I picture a paralegal.

Kitty Bice, ACP, is a Sr. Litigation Paralegal for Williams Mullen in Richmond, Virginia. She has held several positions on the Richmond Paralegal Association Board and is currently its NALA Liaison. Kitty also serves on Boards at the University of Richmond School of Professional and Continuing Studies and J. Sergeant Reynolds Community College in connection with their Paralegal Studies programs.



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F&F

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- Other Noncorporate Entities
- Special Issues
- Taxation

- Comparison and Selection of Business Forms
This course is one of two Advanced Paralegal Certification courses for paralegals working with corporations and business organizations.

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"Your Honor, my client was wondering if he could serve his sentence in dog years?"

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**Heather Bienvenue
3168 Oliver St.
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Indian Law	8/10/16	Melissa Mt. District Attorney
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Mediation

By Kristin D. Arnett, Esq.

Divorce is difficult. Divorce is emotional. Divorce is expensive and time consuming. Even if you think that you don't have a lot of "stuff" or you believe that you and your spouse "agree on everything," rarely is that actually the case. Even if you don't own much property, chances are you do have debt, which must also be divided. Whether you have been married five, ten, or fifteen years, you have accumulated things; you have joined two lives into one that now must be separated. This is not an easy task.

Questions Arise

Then, in addition to the property aspect of a divorce, perhaps you have young children. Now you and your spouse must decide on custody and who gets to see the children, when and for how long. Who gets the children on which holidays? If the children are in school, how will you divide summer vacation? Will you have the children long enough to go on a vacation? How will your children adjust to having two homes? Should you get your children into counseling? Can you and your spouse get along well enough for the sake of your children?

No One "Wins"

Often when people are divorced, there is no "winner." A party may prevail on a motion or may get more of the property, but the process of divorce rarely leaves parties feeling as though they have won. The cost, the emotions, the time involved, meeting with an attorney, and dealing with the opposing attorney all take a toll on an individual going through a divorce. Easing the burden of the divorce proceedings

Easing the burden of the divorce proceedings should be a priority throughout the divorce process.

should be a priority throughout the divorce process. One way to ease the burden of divorce is by utilizing *mediation*.

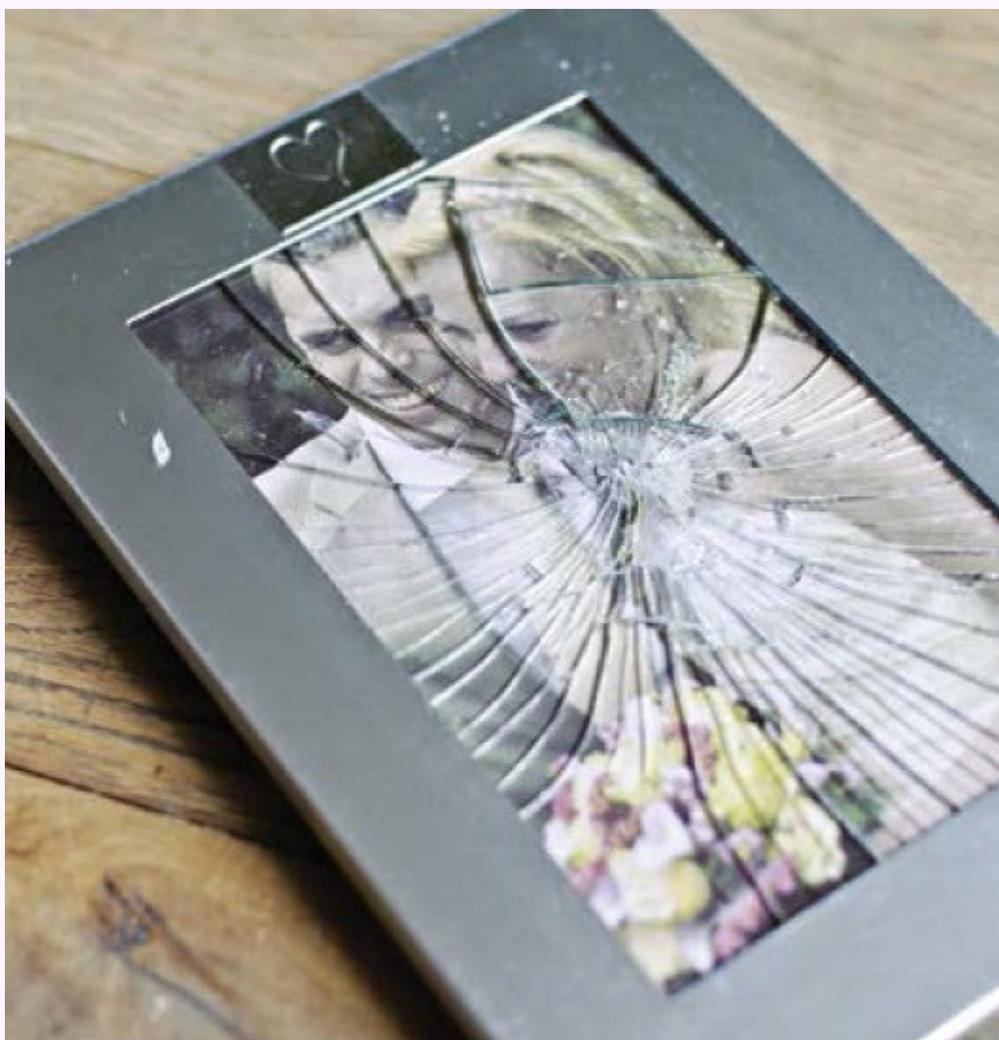
Mediation is a process that allows the parties to be represented, yet have a voice. The parties, and their attorneys, if attorneys are involved, will meet with a neutral third party. This third party is the *mediator*. The mediator is a person who has read statements from each party and understands the issues involved. The job of the mediator is to assist the parties in reaching a solution with which both parties are satisfied. Notice how the mediator's job is not to make either party happy, but to make each party reasonably satisfied with the result. More often than not, when parties are able to have a voice in their final judgment, they are more satisfied than if they were to take their case to trial. Trial is a process in which the attorneys present the case, confined by rules of procedure and evidence, to a third party who then renders a judgment he or she believes to be most fair. This is done after discovery, after attempted settlement, and finally after preparation for trial. Thus, the cost of trial is high, both financially and emotionally.

Mediation Advantages

Parties, while going through mediation, sometimes feel that they are settling too much and that if they went to trial they might "win" or at least get more than what is proposed at mediation. However, failure to weigh risks and additional costs of going to trial, where the outcome may (or may not) be more favorable for a party, can be devastating. A third party is unpredictable and contrary to what is often believed by clients, attorneys have no control over how the judge will conduct a hearing and sometimes very little control over what the judge allows to be presented. The result of trial is a judgment, ordered by the judge who was limited to considering only what was properly presented during the trial. Attorneys cannot guarantee an outcome. Thus, even if a judgment appears more favorable to one party than that party might have received at mediation, was the cost of trial worth it? How much more money was spent? How much greater is the divide between the two parties? How much more difficult is it now to get along for the sake of the children?

Trial Values

Trial does have value. If parties cannot agree, then it may be necessary to put the issue(s) before a judge for the sake of moving the case forward and allowing the parties to obtain a divorce judgment. Of course judges, who have the difficult job of rendering a judgment in a matter in which they know very little about the parties and the situation, take such matters very seriously. However, mediation should be genuinely attempted or at least considered



in all divorce proceedings. Making the most of mediation and accepting a settlement that you had a voice in creating might just be the smartest decision you can make during the entire process of your divorce.

Kristin D. Arnett is an attorney and mediator with the law firm of Newburg Law, PLLC located at 316 Taylor Street, Grand Ledge, Michigan 48837. If you have questions she can be reached at 517/505-2323.



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(The information herein is meant to illustrate how mediation can be beneficial and is for informational purposes only. It is not meant to be construed as legal advice. Prior to taking action, you should consult directly with an attorney for specific advice based upon full disclosure of your own legal situation. This information shall not be reproduced without specific authority obtained from the author of this article. © 2015 Kristin D. Arnett)



Advanced Paralegal Certification Board Releases Estate Planning Program

In this course, you'll learn all the essential concepts, principles, instruments, forms, and tools for accomplishing the client's purposes and goals. You'll start with common the core documents of estate planning: wills, trusts, powers of attorney, conservatorships,

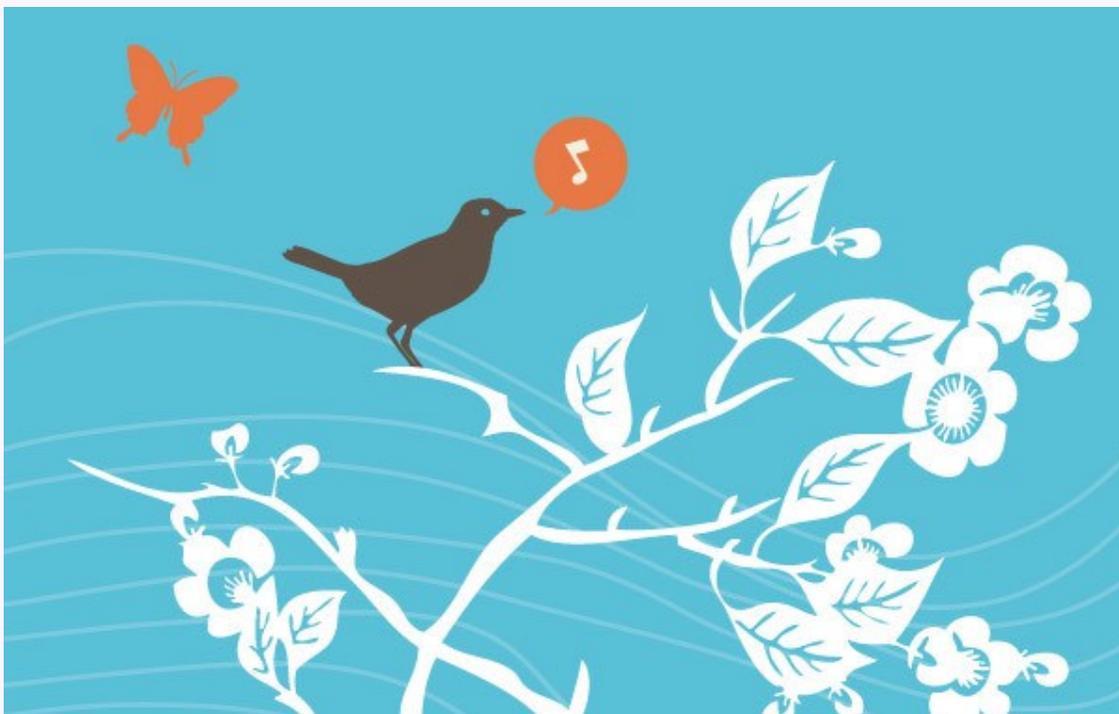
and others. You'll learn about gifting strategies and types of trusts. You'll research current state and federal law and tax forms, issues, and trends. You'll apply what you've learned to fact-based scenarios, case studies, and test questions.

The Estate Planning course is organized in 10 modules, as follows:

- Reasons for Estate Planning
- Wills and Codicils
- Trusts in General
- Purposes for Creating Trusts
- Specific Types of Trusts
- Collateral Estate Planning Documents
- Tax Considerations
- Gifting Strategies
- Tax Planning with Trusts and Other Techniques
- Valuation Issues in Gifting

This course is the first Advanced Paralegal Certification course for paralegals working estate planning and trusts.





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Terry Hale, ACP, is a Criminal Investigator with the State of Montana Public Defender's Office in Missoula, Montana who has over 23 years of legal experience in Criminal Law, Employment Law, Insurance Defense, Medical Malpractice, Personal Injury, Family Law and Civil Litigation. 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 has been a member of MALA since 1996 where she has served as President, Vice-President, NALA Liaison, and on all committees and currently serves as 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 Para-

legal Advisory Board and has 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 and stress management. She is a published author in NALA's magazines *Facts & Findings* and *Career Chronicle*. Ms. Hale loves spending time with her husband Steve, four children, three beautiful granddaughters, two handsome grandsons and is now awaiting her newest granddaughter in May. Hobbies include yoga, baking and cake decorating, gardening and anything to do with being outdoors.

VICE PRESIDENT:



Heather Bienvenue, CP, is a paralegal and Office Manager for the Bozeman City Attorney's office. She has been a member of MALA for ten years and currently serves as Vice President. With thirteen years of legal experience, Heather is always looking for ways to refine her skills and develop her legal knowledge. Her career at the City Attorney's office has demanded she continually step up and learn new information and systems to keep the office running. Ms. Bienvenue obtained her CP designation in 2012 from the National Association of Legal Assistants and is currently working on Advanced Certification in Criminal Litigation. She has a degree in English literature and secondary education. Heather is married and has two boys, a sophomore in high school and a sophomore at the University of Montana. In her off hours, Heather enjoys reading, writing and hiking. Nature and sunshine nourish her soul. Heather would like to continue as Vice President. MALA has been one of the bright spots of Heather's legal career. The association has provided her with career growth and valuable relationships. This will also be the second year using the Wild Apricot

software system to manage our membership and Heather would like the opportunity to master membership process using this program. It's rewarding to watch our membership grow. Heather would like to continue to be involved in MALA's growth.

SECRETARY:



Amanda Hewitt is from Bremerton, 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’s 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 outside adventures like hiking and kayaking. Amanda also enjoys sports, reading, painting and cooking.

TREASURER:



Stephanie Spokas is a native Montanan, raised on the Rocky Mountain Front. Stephanie attended the University of Providence and received a degree in Paralegal Studies in 1991. Stephanie moved to Helena in 1994 and has remained in Helena since, performing paralegal work in State government, the private sector, and most recently, as a freelance paralegal with Big Sky Litigation Support, LLC. Stephanie’s work has focused on litigation support, discovery management, and trial support. Stephanie has experience in the areas of class action litigation, income tax, utility regulation, property tax, liquor law, bankruptcy, health care law, constitutional law, and collections. Stephanie has participated in legal proceedings before State administrative agencies, and in state and federal courts. She is a member of the Paralegal Section of the Montana State Bar, the Montana Association of Legal Assistants*Paralegals, the National Association of Legal Assistants, the American Health Lawyer’s Association, the Women’s Leadership Network, and currently serves on two Boards, including the MALA Board. In her free time, Stephanie enjoys spending time with

her husband, son and daughter. Her hobbies include fishing, hunting, boating, skiing, gardening, quilting, cooking, reading and traveling.

NALA LIAISON:



Becky Henderson, ACP, has a BA in Journalism from Brigham Young University and over 20 years of experience as a technical writer/editor and freelance writer. When her corporate marketing specialist/technical editor position was eliminated in 2007 she took it as a sign of great opportunities to come and immediately enrolled in the University of Montana Paralegal Program. She graduated with an A.A.S. in Paralegal Studies with High Honors in May 2009. She received the CP designation from NALA in December 2009 and the ACP designation in Discovery in 2010. Becky is a paralegal at Bulman Law Associates where she specializes in plaintiffs' personal injury, medical malpractice, worker's compensation, and Social Security disability cases. Becky has served as MALA President, Vice President, Secretary, NALA Liaison, and Parliamentarian and has worked on or chaired nearly every MALA committee. She enjoys technical writing, reading

(primarily history), quilting, hiking, and spending as much time as possible with her four children in their home states of Montana, Washington, and California.

MATH PUZZLE ANSWER

8	+	7	X	5	43
+		-		+	
3	+	1	+	4	8
+		X		+	
2	-	9	X	6	-52
13		-2		15	



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





Montana Association of Legal Assistants*Paralegals

**MEMBERSHIP
RENEWAL FORM**

Please submit this form with membership renewal dues for FY April 1, 2018- March 31, 2019 in the amount of \$25.00 and a 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 2017-2018.

Date/Location	Course Title	Total Credits Earned			Sponsor
		Interactive	*Other	Ethics	

**CLE ACTIVITIES ATTENDED DURING OR
TO BE APPLIED TO THE 2017-2018 REPORTING PERIOD:**

***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