



# The REAP Record

Summer 2011 Newsletter

[Redwood Empire Association of Paralegals](#)

Published Quarterly

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## About REAP

REAP was established in 1981 as a professional and educational organization for legal assistants and paralegals.

REAP

P.O. Box 143

Santa Rosa, CA 95402

[Membership Application](#)

## President's Message

By [Trudy McQuiddy, CP](#)  
REAP President

On June 25, I attended the annual CAPA Education Conference in San Francisco. Over the years, I've gone to many of these conferences and always come away with renewed energy for my chosen profession and a commitment to being the best paralegal I can be. This year was equally energizing, not so much for the content of the program, but because I was able to see the conference through the eyes of the many REAP student members who attended. Their enthusiasm was infectious as they visited with vendors, attended and participated in programs, and networked with paralegals from across California.

From Michele T. Pfeiffer, CLA, President of CAPA, to Melisa Frick, ACP, Conference Chair, and throughout the ranks of my professional colleagues, came compliments both to the students and to REAP for embracing the future of the paralegal profession through including our student members in our programs.

The REAP Board has been wondering what we can do to rekindle the enthusiasm of our members for the paralegal profession. What is it that you want from REAP? Do the MCLE programs that REAP sponsors meet your educational needs and professional goals? Would you like more social networking events? Dinners with non-MCLE speakers? More community service? A monthly walk around Howarth Park to get fit and network? Do you want to be more involved with REAP, either as a mentor to a student, on a working committee, or as a board member?

To make our association relevant and beneficial to you, we need your input on what we can do to ensure you are getting the full benefit of your membership in your professional association.

Please feel free to drop me an e-mail at [president@redwoodparalegals.org](mailto:president@redwoodparalegals.org) with any ideas you may have to make REAP work for you or to volunteer for the board, a special project or a committee.



# History of the Legal Pad

By [Jeff DiCello](#)  
REAP Record Editor

Songwriters use them to write lyrics; novelists use them to pen the latest best sellers; presidents use them to draft speeches; and even the occasional bank robber has handed a hold-up note to a teller written on one. Paralegals and lawyers use them daily. What am I talking about? It's the ubiquitous, yellow, legal pad - a fixture in law offices everywhere.

Did you ever wonder how the yellow legal pad came to be? Why is it yellow? Why is 14 inches long and why has the 14-inch version fallen out of favor? Well, wonder no more because I have some of the answers, or at least the most popular version of the legal pad's history.

[American Pad & Paper Company](#) (AMPAD), based in Holyoke, Mass., claims to be the inventor of the legal pad. Today, AMPAD makes legal pads under its own brand name and also makes legal pads for Staples and Wal-Mart.

First, a little history is in order. According to AMPAD, in the 19th century, writing paper was sold in sheets and was not bound into the tablets which are so common today. In addition, paper in those days did not have lines or rules on it as it does today. As the story goes, a 24-year-old paper mill worker in Holyoke, Thomas W. Holley, had an idea in 1888 for how to recycle left over scraps of writing paper from the mill. Holley started his own company and began buying up these scraps from other paper mills. He bound the scraps, lined them and packaged and sold them as inexpensive tablets. Holley never patented his invention and no other company has disputed AMPAD's claim.

AMPAD does not know why legal pads came to be predominantly yellow – Holley's pads were probably white as the yellow dye needed to color the paper would have been prohibitively

expensive. Some have speculated that yellow is the chosen color because it that color can reduce glare from the paper in bright lights. At any rate, yellow legal pads outsell white pads 2-1.

Now as for those vertical lines in the margin, as the story goes, a local judge in Holyoke asked AMPAD to print vertical lines on the pads that could be used for notes.

I was not able to nail down how or why legal pads used to be 14 inches long. But 14-inch legal pads have fallen out of favor. One story attributes this phenomenon to 1982 when Chief Justice Warren Burger of the United States Supreme Court banished legal-size documents from federal courts. Many state courts followed suit.

Incidentally, if your firm orders 790 or more legal pads from AMPAD, the company will stamp your firm's name on the pads.

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## Motions 101

*This is the second in an occasional series of articles on drafting motions for paralegals.*



By [Jeff DiCello](#)  
REAP Record Editor

In this issue, I begin to discuss the components of a motion. At a minimum, motions should contain three components.

1. the notice of motion;
2. the motion itself; and
3. a memorandum of points and authorities in support of the motion.

These three components are required by Cal. Rules of Court, rule 3.1112(a). Cal. Rules of Court, rule 3.1113(b) states that the memorandum of points and authorities contains must also contain the following:

1. a statement of facts
2. a concise statement of the law, evidence and arguments relied on; and
3. a discussion of the statutes, cases, and textbooks cited in support of the position advanced.

It is also good practice to include a brief recitation of the procedural history of the case, which is also referred to as the statement of the case.

Sometimes it is necessary to file other papers in support of a motion, such as declarations, exhibits, appendices or other documents or pleadings. (Cal. Rules of Court, rule 3.1112(b).) Of course as is the case with all court filings, one must file a completed proof of service (Cal Rules of Court, rule 4.111; see also Code of Civ. Proc., § 1013a). In some motions, a proposed order is frequently attached for the judge's signature.

Combining the above rules, along with best practices, a garden variety motion can thus be divided into six sections:

1. notice of motion;
2. the motion itself;
3. statement of facts;
4. procedural history;
5. memorandum of points and authorities; and
6. conclusion

In this and subsequent editions, I will examine each of the six components above, beginning with the notice of motion.

**The notice of motion:** The notice of motion is usually the first page of the motion. The purpose of the notice is to tell the court, the opposition and whoever else may want to read it, what you want the court to do. (See Code Civ. Proc., § 1010.)

Code Civ. Proc., § 1010 and Cal. Rules of Court, rule 3.1110(b) mandate that a notice of motion contain:

1. the date, time and place of hearing;
2. the nature of the order sought and the grounds for such an order, both of which must be stated in the first paragraph of the notice; and
3. in the caption, a list of any accompanying papers (e.g. declarations, exhibits, requests for judicial notice, proposed orders, etc.)

This information must be shown as part of the caption on the first page of the notice immediately below the case number; and is also usually repeated in the first paragraph of the notice.

Like any other document filed with the court, the motion should be on pleading paper. The first page of the notice of motion should give the court and cause, and the name, address, phone number, fax number, e-mail address, and State Bar membership number of the attorney making the motion. (Cal Rules of Court, rule 2.111 (contains specific line numbers on which this information is to appear).

Rule 2.111 requires that the information about the filing attorney or the party acting as his own attorney, be placed at the left margin, beginning on line 1.

The court name and location should appear on line 8; while the caption should begin below the title of the court, in the space to the left of the center of the page.

The pages should be firmly bound together at the top (Cal Rules of Court, rule 2.113) and consecutively paginated at the bottom unless a rule provides otherwise for a particular type of document (Cal Rules of Court, rule 2.109). The

pages must have two standard-sized pre-punched holes, centered 2½ inches apart, and ⅝ inch from the top of the paper. (See Cal Rules of Court, rule 2.115.)

**Signing the notice of motion:** The notice of motion, like all pleadings and court filings, must be signed by the attorney of record, or if the party is not represented, by the party himself. (Code Civ. Proc., § 127.8(a).)

Code Civ. Proc., § 127.8(b) states that by signing the notice or filing, the signer is certifying that:

(1) It is not being presented primarily for an improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

(2) The claims, defenses, and other legal contentions therein are warranted by existing law or by a non-frivolous argument for the extension, modification, or reversal of existing law or the establishment of new law.

(3) The allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

(4) The denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief.

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## REAP Membership Report

REAP welcomes the following new and returning members this quarter. In no particular order, they are:

Tiffany Blasi	Ashley Burton-Smith	Monica Cavagnetto	Edwin Dlugokenski
Eden Foley	Emily Graniss	Tracie Hofstetter	Charlie Kirtley
Anabel Martinez	Carla Martinez	Sarah Montgomery	Emily Petritz
Virginia M. Rogers	Jaclyn Sharp	Catherine Wilhoite	Amy L. Zeranski
Katie Clark	Win Rogers		

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## CLA/CP Exam at Empire College

The Certified Legal Assistant/Certified Paralegal (CLA or CP) Exam was proctored at Empire College on May 13th and 14th. This is the first time this exam has been proctored in the North Bay. Passing this two-day, comprehensive legal exam certifies paralegals through the National Association of Legal Assistants (NALA). Paralegals who pass this exam have the designation of CLA or CP after their name and the recognition of excellence as paralegals. As REAP president Trudy McQuiddy recently put it, “Paralegals and the associations formed by and for paralegals have worked long and hard to gain recognition for our profession, and the CLA/CP designation is one way to demonstrate your commitment to this field.”

One paralegal traveled from Eureka in order to take the exam at Empire. She was grateful for the relative proximity. Paralegal instructors Laura Rosenthal, Grace De La Torre, and Monica Lehre proctored this exam. The next CLA Exam will take place at Empire College in September.

**BREAKING NEWS!!!!!!!!!!** Just before publication, the REAP Record learned that REAP President, Trudy **McQuiddy** and REAP members **Deborah Cain and Diana Sellers** had passed the CP/CLA exam. Congratulations!



## Helpful Legal Links & Articles

Links collected by Celia C. Elwell, RP

**About Celia Elwell:** *Celia C. Elwell is an Adjunct Professor of Legal Assistant Education at the University of Oklahoma Law Center. Ms. Elwell is the author of [Practical Legal Writing for Legal Assistants](#).*

**Illinois Supreme Court Announces New Public Domain Citation System, Ending Era of Printed Volumes,**  
*Illinois Courts Website*

<http://www.state.il.us/court/Media/PressRel/2011/053111.pdf>

**Justia Opinion Summaries** – free daily and weekly opinion summaries for all Federal Appellate and All State Supreme Courts.

<http://law.justia.com/subscriptions>

**TN Supreme Court May Shape Alimony,** by Brandon Zee, *The Tennessean*

<http://bit.ly/jpT2IV>

**Supreme Court Rules a Youth's Age Is Relevant in Miranda Analysis,** by Debra Cassens Weiss, *ABA Journal*

<http://bit.ly/ipExlb>

**Supreme Court Leans Toward Defendants on Insured Medical Damages,** by Kate Moser, *The Recorder*

<http://bit.ly/jyqvjP>

**Legal Ethics of Facebook, Twitter & Cloud Computing #ABACHicago,** by Edward A. Adams, *ABA Journal*

<http://bit.ly/ktKku4>

**Clouding the Issue,** by Marie P. Grady, *Connecticut Law Tribune*

<http://ctlawtribune.com/getarticle.aspx?ID=40515>

**The Droid Lawyer™** - Tips and Techniques for Using an Android-Powered Device in Your Law Practice, by Jeffrey Taylor (with hat tips to Jim Calloway's Law Practice Blog and Robert Ambrogi's LawSites)

<http://thedroidlawyer.com/>

**Here Comes the Money,** by David Snow, *Law Technology Blog*

<http://bit.ly/jFgGM5>

**Be Square** - New QR codes can add websites, bios, PowerPoint presentations, and more to your business cards, by Larry Bodine, *Law Technology News*

<http://bit.ly/jbW4QN>

**The Six Biggest Mistakes To Avoid When Giving Presentations,** by Mark Diamond, *InsideCounsel*

<http://bit.ly/iyEnVj>

**Dirty Dozen: 12 Ways to Write a Really Bad Brief,** by Jim McElhaney, *ABA Journal*

[http://www.abajournal.com/magazine/article/dirty\\_dozen/](http://www.abajournal.com/magazine/article/dirty_dozen/)

## REAP Board Members

Name/Office	E-mail Address	Telephone
<b>Trudy McQuiddy, CP</b> President CAPA Secondary Representative	<a href="mailto:tmcquiddy@sennefflaw.com">tmcquiddy@sennefflaw.com</a>	H: 526-9509 W: 526-4250
<b>Grace De La Torre, CP</b> Vice-President	<a href="mailto:gdelatorre@sbcglobal.net">gdelatorre@sbcglobal.net</a>	H: 433-8183 W: 522-8251
<b>Kim Davis</b> Secretary	<a href="mailto:Davis@perrylaw.net">Davis@perrylaw.net</a>	
<b>Ginger Orosco</b> Treasurer/Webmaster	<a href="mailto:gorosco@obrienlaw.com">gorosco@obrienlaw.com</a> or <a href="mailto:webmaster@redwoodparalegals.org">webmaster@redwoodparalegals.org</a>	W: 545-7010 ext. 470
<b>Duane Ledward</b> CAPA Primary Representative	<a href="mailto:duane.ledward@gmail.com">duane.ledward@gmail.com</a>	
<b>Patti Tate</b> Special Projects Coordinator	<a href="mailto:patti1068@sbcglobal.net">patti1068@sbcglobal.net</a>	

## Area of Law Mentors & REAP Committees

Name/Mentor Area/Chair	E-mail Address	Telephone
<b>Janet Anderson</b> Probate Mentor	<a href="mailto:janet.anderson@azdgg.com">janet.anderson@azdgg.com</a>	H: 527-0886 W: 545-4910
<b>Kim Davis</b> Family Law Mentor	<a href="mailto:davis@perrylaw.net">davis@perrylaw.net</a>	525-8800
<b>Rhetta Hinton</b> Litigation/ Discovery Mentor	<a href="mailto:rhetta@shapirogalvinlaw.com">rhetta@shapirogalvinlaw.com</a>	544-5858
<b>Joni Boucher</b> Computer Legal Research Mentor Sonoma County bar Assoc. Liaison	<a href="mailto:jeni.boucher@yahoo.com">jeni.boucher@yahoo.com</a>	569-6144
<b>Nicole Rosaschi</b> Public Relations/Marketing Committee	<a href="mailto:nrosaschi@yahoo.com">nrosaschi@yahoo.com</a> or <a href="mailto:pr@redwoodparalegals.org">pr@redwoodparalegals.org</a>	526-4250
<b>Grace De La Torre, CP</b> CLA Exam Mentor	<a href="mailto:gdelatorre@sbcglobal.net">gdelatorre@sbcglobal.net</a>	433-8138
<b>Jeff DiCello</b> Membership Communication Criminal Law Mentor Newsletter Chair	<a href="mailto:jeffdicello@comcast.net">jeffdicello@comcast.net</a> <a href="mailto:newsletter@redwoodparalegals.org">newsletter@redwoodparalegals.org</a> <a href="mailto:membership@redwoodparalegals.org">membership@redwoodparalegals.org</a>	537-0475
<b>Suzanne Murphy</b> Co-chair, Education Committee	<a href="mailto:amorejazzpurr@yahoo.com">amorejazzpurr@yahoo.com</a>	
<b>Char Mendoza</b> Co-chair, Education Committee	<a href="mailto:char.mendoza@yahoo.com">char.mendoza@yahoo.com</a>	
<b>Wendy Keeler</b> Education Committee	<a href="mailto:keelerw92@gmail.com">keelerw92@gmail.com</a>	
<b>Monica Lehre, CLA</b> Student and Education Committee Advisor	<a href="mailto:mlehre@empirecollege.com">mlehre@empirecollege.com</a> or	217-8117
<b>Ria Valmonte</b> Empire Legal Students Association (ELSA) Rep. to the REAP Board	<a href="mailto:riav77@msn.com">riav77@msn.com</a>	



## REAP/Legal Community Event Calendar

REAP encourages its members to attend its own educational seminars and those sponsored by the Sonoma County Bar Association (SCBA). For more information on upcoming REAP events (in red below), contact REAP's educational committee [Monica Lehre](#). For information on REAP and SCBA seminars, you can refer to our legal event calendar, below. For more information about

any event held at or sponsored by the Sonoma County Bar Association, please call 542-1190 or visit their [website](#).

Event	Date/Time	Location
Break Glass in Case of Contempt-A First Aid Kit for Lawyers	Tues., July 19, 2011/11:45 am to 1:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
An Overview of the California Government Claims Act	Tues., Aug. 9, 2011/11:45 am to 1:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
Legal Writes: Creating More Effective Motions and Briefs	Tues., Aug. 16, 2011/11:45 am to 1:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
Summer MCLE Blitz: <ul style="list-style-type: none"> <li>Anatomy of a Wrongful Termination</li> <li>Legal Ethics in the Transactional World</li> </ul>	Sat., Aug. 27, 2011/11:15 am to 12:30 pm	Empire College 3355 Cleveland Ave. Santa Rosa
Nuptial Agreements: A Family Law Perspective for Trust & Estate Lawyers	Tues., Aug. 30, 2011/3:45 pm to 6:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
Use and Abuse of Expert Witnesses in Civil Litigation	Wed., Aug. 31, 2011/11:45 am to 1:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
Elder Law Seminar <b>*REAP Sponsored Event*</b>	Thurs., Sep. 15, 2011/5:30 pm to 8:00 pm	Empire College, Room 211 3035 Cleveland Ave. Santa Rosa, CA
Civility Matters – Part III	Mon., Sept. 19, 2011/11:45 am to 1:30 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
New Law on Personal Injury Damages? <i>Nishihama</i> No More? Maybe!	Tues., Sept. 20, 2011/11:45 am to 1:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
How to Interpret the Body Language and Read the Non-Verbal Communications of Your Jurors	Fri., Sept. 23, 2011/11:45 am to 1:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
Trends in Immigration Law and Enforcement	Tues., Oct. 4, 2011/11:45 am to 1:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
Real estate Titling: How to Hold Title, What Can Go Wrong, and How to Fix It	Thurs., Oct. 6, 2011/11:45 am to 1:00 pm	Sonoma Co. Bar Association 37 Old Courthouse Sq. Santa Rosa
Civil Do's and Dont's	Fri., Oct. 14, 2011/11:30 am to 1:00 pm	Fountaingrove Inn 101 Fountaingrove Pkwy. Santa Rosa

# Monthly Paralegal Lunches

**2nd Tuesday of each month**



Each month, paralegals working in or near downtown Santa Rosa area meet informally for lunch. You do not have to be a REAP member to attend. These informal lunches are a great way to meet other members who work near you.

**When:** Normally the second Tuesday of each month.

**Time:** Noon to 1:00 PM. We are in and out in one hour so you can get back to work on time.

**Where:** At a restaurant in the downtown Santa Rosa area. E-mail reminders with the exact location are sent to REAP members a few days before the event. Information is also posted on the [REAP Facebook page](#).

**How Much Does It Cost?** There's no fixed cost; each member pays his/her own check and decides what to order and spend.



## 10 Pointers for New Paralegals: Climbing the Paralegal Ladder

**By Jamie Paye Collins**

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If you are just entering the paralegal field or are a fairly inexperienced paralegal who wishes to climb the proverbial "paralegal ladder" more quickly - great news - I wrote this article just for you! There are several things you can start doing today to turn that desire into a reality. It will not be easy and it will require extraordinary effort, initiative, ambition and persistence on your part, but if you are willing to "pay your dues," you will go farther faster, grow personally and professionally and evolve into a high caliber, top tier paralegal. The whole world will be at your fingertips. Okay, in reality, it will be a keyboard at your fingertips, but you will certainly reap all of the benefits. Now for the important question: How can this be accomplished? By following the Top 10 Pointers set forth in this article. If you incorporate these suggestions into your daily work life - you will go farther faster!

### 1. Make the Attorney Look Good. Period.

- Cast your attorney in the best light no matter what the circumstance. If a client or someone else complains about your attorney, be apologetic, but take the high road. Remain positive and/or neutral. Do not ever agree with criticisms made of your attorney. You should simply acknowledge them and try to be as encouraging and helpful as possible.
- Get things done in a timely manner and work to keep your attorney's case load moving forward.
- Strive for perfection in all of your written work. There should be no visible formatting, spacing or typographical errors. The wording, citing and titles should always be consistent throughout. If you see errors, fix them. Period. Your personal standard for written work should actually be higher than your attorney's. Let me repeat that: your personal standard for written work should be higher than your attorney's. After all, drafting documents falls within your area of expertise. Image is

everything. If you don't care about image, you may be embarking down the wrong career path. Take full ownership of your work and strive for perfection.

## 2. Be Familiar with the Court System, Statutes, Deadlines and Court Filings.



- Know the basic deadlines for litigation and discovery responses, as well as the standard statute of limitations for each type of case your firm handles. Request for Admissions responses are also very important. If your attorney ever misses an important deadline or statute, you will be the first to blame. He or she may show you the door (and you can kiss any future employment references goodbye).
- Understand how the court system works and learn the applicable Trial Rules in your state, especially the ones pertaining to deadlines and court filings.
- Know the amount of copies of each item you need to send to the court (and the reasoning behind it) and when you must include envelopes and/or orders. This is critical. Call, read, ask... you must become well-versed in this area.
- Know who you should call for what and how to get the most out of your telephone calls to the court and others. There is a trick to this:
  - Address the person answering the phone by name (if they state it)
  - Do not just begin talking at the person - this is what everyone else does.
  - Use an introductory line:
    - "Hi Joe, I'm hoping you can help me..."
    - "Hi Joe, I have a question for you..."
    - "Hi Joe, if I give you a cause number, can you look something up for me?"
    - "Hi Joe, this is probably the weirdest call you'll take all day..."
    - "Hi Joe, I have an unusual situation..."
    - "Hi Joe, I am so sorry to bother you again, but the attorney I work for has asked that I keep calling..."

This strategy will work with 95% of people you encounter over the telephone. It will not help with about 5%, but the odds are stacked in your favor.



## 3. Develop a Good Working Relationship With Your Attorney.

- Learn the attorney's writing styles and preferences. Be observant. You will learn just as much through observation of your attorney as you will through his or her actual words and instructions.
- Always strive to make the attorney's job easier - never more difficult.
- Do not upward delegate a task to the attorney unless there is absolutely no other option. An appropriate time to do this would be if you were asked to obtain something from a client (doctor or attorney) and they refuse to comply with your requests. This type of situation could require attorney intervention. Always try to accomplish the task on your own and turn to the attorney for assistance only if it is truly required.
- Convey confidence that you will get the job done well and in a timely manner for each and every task you are given. You will gain the attorney's trust over time.
- Take initiative. Don't wait for your attorney to ask you to perform a task that you already realize needs to be done. You can certainly draft or prepare things for your attorney without being



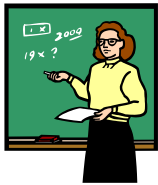


## 6. Create a Personal/Professional Network.

- Network with everyone around you. Yes, everyone. If you left your job tomorrow, what relationships would you take with you? Keep in mind that statistically, in 5-10 years, you will all be working somewhere new. There is always going to be a person or two you don't care for, but everyone else needs to become a part of your network. Do they like you? Do they trust you? Would they recommend you? Would they ever hire you if they had the chance?
- Focus. I am about to tell you the single most important way to climb the corporate ladder. Establish personal relationships. Personal relationships are everything in business. Personal relationship + knowledge and skills = the best possible job opportunities. Often times, a better position will actually come looking for you through a personal relationship. High caliber paralegals can usually find jobs without ever looking in the classified ads.
- You will never need to convince someone how "good" of a paralegal you are if other people are willing to do it for you. Now go build yourself a paralegal network!

## 7. Learn as Much as You Can. Always.

- Seek out one person who is more knowledgeable and skilled than you are who you would feel comfortable asking questions. This person can act as a personal mentor to you. There is no need for a formal discussion about mentoring, unless you are comfortable with that. By the sheer nature of the question asking/answering process, this person will naturally become your mentor. Who does everyone look at as being the gold standard for paralegals at your office? Who do you want to be more like? Who could you learn the most from? If no one comes to mind, you can feel free to e-mail me at: [jamietheparalegal@yahoo.com](mailto:jamietheparalegal@yahoo.com). No excuses. Find a mentor.
- Emulate the traits you admire in other paralegals who work around you and make a conscientious effort to make those traits a part of who you are going forward.
- Ask intelligent questions and search not only for "what" will be doing on a particular task, but also for the "why" and "how" associated with performing it. You should seek to become more knowledgeable about anything new and unknown to you. After one or two encounters, a new topic should become an area of expertise for you.
- Learn as much as you possibly can. Ask questions, read books, take a look at online materials, join a blog or chat group, take a class. There is always more to learn in the legal field no matter how long you have been working in it. More knowledge = more money.
- The more you learn, the more you will love this job! Knowledge is power and usually equates to more opportunities and better paying jobs.



## 8. Join a Paralegal Network.

- Create a LinkedIn professional profile (or an online profile through another means) and start online networking with people you know to build a strong networking base.
- Join the National Federation of Paralegal Associations (N.F.P.A.) or another paralegal organization in your state. You will usually receive paralegal newsletters or periodic e-mails which provide valuable information.



- Attend a paralegal seminar. You will meet other paralegals in your area and learn more about being a paralegal.
- Sit for the PACE exam once you are eligible.

### 9. Look the Part.

- Attorneys want a paralegal who is poised, polished and professional.
- If you want to be a successful paralegal, you need to look the part. Dress for success. You will feel better about yourself and others will take notice of your professional appearance and demeanor.
- If you have limited funds, start out by purchasing just a few inexpensive suits and pieces you can mix and match. Over time, you can work to build your professional wardrobe.
- In reality, you will never be taken seriously as a paralegal if you don't look like one. This is especially critical if you will attend trials with your attorney. You need to convey a professional image.



### 10. Be the Best Paralegal You Can Be.

- Approach your job with full dedication and enthusiasm.
- Put full effort into your job. You will get out of it what you put into it. Truly.
- Help the attorney and your law firm to get what they want professionally and you, in turn, will get what you want...a great job, professional respect and more money!
- Never stop growing. Set personal goals for yourself. What would your dream job be? What do you want to learn? Where do you see yourself professionally in 2 years, 5 years, 10 years, at your ultimate position?

*About the author: Jamie Paye Collins is a litigation paralegal with the firm YOSHA COOK SHARTZER & TISCH in Indianapolis, Indiana, where she handles complex litigation involving predominantly personal injury and wrongful death cases.*



## Increase Your Billable Hours with Low Hanging Fruit

By Vicki Voisin

You can thank Mother Nature for the expression "low hanging fruit." A fruit-bearing tree usually has some branches that are low enough for animals and people to reach without much effort. While the fruit on the lowest branches may not be as ripe or pretty as the fruit on the higher limbs, it's easier to harvest.

Thus the popular expression 'low hanging fruit' generally means selecting the easiest target with the least amount of effort.

The term is often used in business to refer to the sale of consumer products or services. Salespersons may be encouraged to seek out the easiest customers first. These might not be the highest commission sales but they may be easier to close AND there may be more of them.

**Here's another example:** Imagine for a moment that you're taking a trip to Italy but you don't know how to speak a single word of Italian. It's obvious that you should start with the easiest

words and phrases first such as wine...coffee...please...good-by...thank-you...taxi...etc. instead of beginning by conjugating verbs.

By choosing to learn the simplest words and phrases first, you are picking the low hanging fruit. In this case, you are not necessarily choosing the less important but, instead, the easiest way to reach your goal.

**You can apply this example to almost anything you are working on, but in this instance let's apply it to increasing your billable hours.** How do you increase your billable hours with low hanging fruit? By choosing to do the work that will yield the most billable hours.

Instead of focusing on minor projects that having you starting and stopping and entering .2 entries all day, focus on the larger projects on which you can spend a considerable block of time and for which you can bill all, or at least most, of that time.

**In a law firm, this is not necessarily the easiest work.** Instead, it is work that will yield the maximum billable hour results...or picking the low hanging fruit.

**What do you have to do today that will yield the most billable hours?** The deposition summary? The medical records review? The answers to interrogatories? The estate plan? What pleadings need to be drafted? Each of these may take several hours.

Begin your day with those larger projects when your energy levels are at their highest. Close your

door, do not take phone calls, and do not check your email. This should be absolutely uninterrupted time.

Once you have spent your block of time on the low hanging fruit projects, tackle the smaller projects such as email, phone calls and correspondence all at once. This is all billable time but if you draft a letter, then work on the deposition summary for a while, then return some email, then return some phone calls, you will have turned your day into a mishmash of work. In fact, you may begin a whole bunch of projects and finish none. Jumping from one task to another reduces your focus and your productivity. The result is fewer billable hours.

**Of course, you can pick all the low hanging fruit you want, but you have to turn it into profit before it does you any good.** Be sure to enter the time for your longer project as soon as it's finished so that you don't lose any billable hours. The same goes for those shorter tasks. *You will have the greatest number of billable hours if you input your time as your day goes along and be sure it's all entered before you leave the office in the evening.*

**Your challenge:** Always plan your day around the low hanging fruit. Before you leave the office in the evening, consider what must be done the next day. Once you have that list choose the project that will take you the greatest amount of time and schedule a block of time for that first. Then bundle the smaller tasks and plan to do them all at once. If time permits, spend another chunk of time on more 'low hanging fruit' later in the day.

**About the Author:**

*Vicki Voisin, spotlights resources, organizational tips, ethics issues, and other areas of continuing education to help paralegals and others reach their full potential. She publishes a bi-weekly e-zine titled [Strategies for Paralegals Seeking Excellence](#). Visit Vicki's website at: <http://www.paralegalmentor.com>*



# Paralegal Compensation on the Rise

By [Jeff DiCello](#)  
REAP Record Editor

Paralegal compensation is slowly climbing back up after suffering a decline due to the recession, according to [Paralegal Today](#) magazine's 19th annual salary survey, published in the magazine's April/June 2011 edition.<sup>1</sup>

## **The West is Tops in Salaries**

For the third year in a row, paralegals in the western region of the U.S., of which California is a part, earned the highest reported average salary of all regions surveyed: \$56,791. However, that figure is down from last year's high by 3.8%.

## **Experience Pays**

As would be expected, the more experience a paralegal had, the more he or she earned. Survey respondents with less than one year of experience pulled down an average of \$29,326 or less; while those with ten or more years in the trenches earned on average \$47,521. Twenty year vets reported an average salary of \$63,474.

## **Pay by Specialty/Setting**

Corporate paralegals made the most, averaging \$66,566; followed by government paralegals at \$49,393; and law firm paralegals at \$50,730.

Within the law firm setting, the highest average paralegal salary again went to those who work in municipal law (\$71,254); followed by energy law (\$68,000); and tax law (\$64,350.)

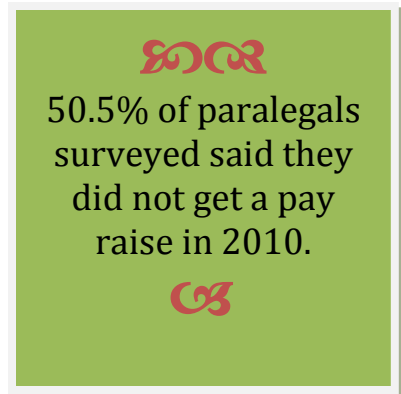
But what about the more common areas of law, such as family, personal injury and probate, trusts and estates? According to the survey, family law paralegals averaged \$35,512; personal injury (plaintiff's) paralegals averaged \$45,576; and probate, trusts and estate paralegals earned an average of \$53,531.

## **Billable Hours Requirements**

Here's a breakdown of the billable hours requirement for those who had quotas:

Yearly Hours	Percentage of Respondents Reporting This Requirement
No minimum	45.8%
< 1,001	1.9%
1,001 to 1,200	2.8%
1,201 to 1,400	13.1%
1,401 to 1,600	13.1%
1,601 to 1,800	7.5%
1,801 to 2,000	5.6%
Over 2,000	0.9%

<sup>1</sup> The survey, which ended on March 4, 2011, was e-mailed randomly to 2,286 Paralegal Today magazine subscribers. The survey has an error margin of +/- 6.35%.



50.5% of paralegals surveyed said they did not get a pay raise in 2010.



## CAPA Corner

Experiencing CAPA for the first time as a student and member of ELSA

**By Susan Demers**

*Susan is a paralegal student at Empire College and a member of ELSA, the Empire Legal Students Association.*

The California Alliance of Paralegal Association (CAPA) put together a wonderful conference on Saturday, June 25, 2011 at the Holiday Inn at Fisherman's Warf.

Conference attendees were greeted with a goodie bag and a bingo sheet. The bingo sheet enticed us to go to each vendor's booth to acquire their signature, some freebies and conversations. The bingo was definitely a good way to network.

The conference had a 1970's theme, harkening back to the time of CAPA's founding. CAPA President Michele Pfeiffer put together a memorable presentation featuring 70's music and TV shows.

The finale of cocktails, appetizers, and prize drawings was a hit with a few of the Empire students winning a prize or two. All in all, it was a fun and educational seminar. Thank you CAPA, sponsors, and vendors for a great time.

**Photo at right:** Left to right/bottom to top: Isis Suarez, Kristen Bauer-Hood, Tiffany Blasi, Martin Castaneda, Michele T. Pfeiffer, CLA-CAPA President, Amber Ross, Yesenia Hernandez, Tracie Hofstetter, Grace K. De La Torre, CLA-REAP Vice President, Trudy McQuiddy - REAP President, Susan Dermers



**Photo above:** Left to Right: Katia Moran, Ria Valmonte, Dorothy Shaw, Abby Cacho

*REAP membership  
automatically makes you a  
member of CAPA.*

*CAPA members are eligible for a  
variety of benefits.*

*Visit [CAPA](#) for more information*



# News from Empire College

By [Monica Lehre](#), CLA

Legal Department Head, Empire College  
REAP Student and Education Committee Advisor



## Empire Joins LEX Honor Society

The Empire College Legal Department is proud to announce that the [American Association for Paralegal Education](#) (AAfPE) has accepted our paralegal program as a chapter of the Lambda Epsilon Chi (LEX) Honor Society.

According to the AAfPE website, Lambda Epsilon Chi (LEX) the national honor society founded by the American Association for Paralegal Education. There are approximately 133 Chapters throughout the United States with well over 2,000 inductees who have been honored for their outstanding academic achievements.

Each year the host institutions select those students who meet high academic criteria and cite them for their accomplishments by inducting them into Lambda Epsilon Chi. These students are recognized through a formal ceremony and the awarding of a Certificate of Induction and a special pin. They are also entered into the permanent records of LEX. Furthermore, LEX students can apply for the AAfPE LEX Scholarship. This scholarship is awarded by AAfPE three times a year to five applicants.

During graduation at Empire, the LEX Honor Students will be further honored by wearing a purple stole or cord designating their status as a member of this honor society.

**Empire Student Wins Scholarship**  
Paralegal student Meghan Stafford was a recipient of the Redwood Empire Association of Paralegals Susan I. Perry Scholarship for 2011. Congratulations Meghan on achieving this honor.

The Susan I. Perry Scholarship was established in memory of Susan Perry, a four-time president of the Redwood Empire Legal Assistants Association (now Redwood Empire Association of Paralegals). Susan, who helped to found the paralegal association in the Redwood Empire in the 1980s, was also active at the state level as a representative to the California Alliance of Paralegal Associations. Susan worked for many years as a legal assistant and also taught in the paralegal program at Sonoma State University.

## Employment Law Seminar

On May 10, 2011, the REAP held an Employment Law Seminar at Empire College. The speaker, attorney Scott Lewis, is a partner at Perry, Johnson, Anderson, Miller & Moskowitz in Santa Rosa. As well as being an attorney, Mr. Lewis is a trainer in areas of employment law for organizations with an emphasis on prevention. He has taught hundreds of courses in subject areas that include sexual harassment law, mediation, conflict resolution, liability for cities and counties, recognizing and preventing employment dispute conflicts and others. At the REAP seminar, paralegals, attorneys, and Empire legal students were regaled with stories from Mr. Lewis of employees and employers caught behaving badly.



**Above:** Attorney Scott Lewis and paralegal Kim Davis. Both Lewis and Davis are employed at Perry, Johnson, Anderson, Miller & Moskowitz.