



The Citator

The official newsletter of the Paralegal Association of Central Ohio

Affiliate of the National Federation of Paralegal Associations
PACO • PO Box 15182 • Columbus OH 43215-0182 • 614/470.2000

SPRING 2008

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President's Letter

by Catherine Hawes



**Happy 35th Anniversary PACO
and
Happy 50th Anniversary LAW DAY!**

Spring is in the air and there are celebrations everywhere! Okay it sounded good – we're hoping for the signs of spring with its warm breezes, and brightly colored fields of flowers to finally show up and align itself properly with the calendar. I think we've all had enough of "old man winter" and would like it to make a peaceful exit. Nonetheless, there still are celebrations to be had – and they truly are everywhere!

Fifty years ago President Eisenhower proclaimed the first Law Day a "day of national dedication to the principle of government under law" as cited by the ABA. The ABA will be inviting legal entities from across the country to celebrate this enduring principle during their 50th anniversary of Law Day, which has historically been held on the first day of May. The theme of Law Day 2008 will explore the meaning of the rule of law, and fostering public understanding of the rule of law through discussion of its role in a free society.

In keeping in concert with the spirit and celebrations of law day, four years ago, the PACO board decided to branch out and designate a day during the month of May that would spotlight having our own day of celebration and the recognition that paralegals brought something unique to the legal field by hosting an Annual Paralegal Day. This event has grown in both participation and contributions exponentially since our first celebration took place in 2004 at the Buckeye Café. We've moved our lunchtime event to the Westin since that first gathering in 2004 and the numbers have grown exponentially since then. The celebrations seem to get bigger and better every year with the expectation of this year being our finest to date. The planning stages are well underway with this year garnering an even greater endearing factor for PACO, as it is the Paralegal Association of Central Ohio's 35th Anniversary!

The year long anniversary celebrations will begin with the kickoff of PACO's participation in the Susan G. Komen Race for the Cure on Saturday, May 17th., . That following Monday, May 19th will be our Paralegal Day luncheon and recognition of our Milestone Anniversary Paralegals, and it has already been proclaimed "Paralegal Day" by both Mayor Michael Coleman and Governor Strickland. Ideas for a summer event are still in the planning stages and you will be updated as things develop. And last but most certainly not least, we will culminate this year's activities with our Anniversary celebration in grand style to take place in October. This will be an evening event of historical proportions as we make a trip down memory lane in a reunion type atmosphere for all the past, present, and future members of the organization to come together and celebrate all that we have accomplished in our 35-year history of this organization in central Ohio.

So come and join us at these affairs to remember, hope you can make them all. And Happy 35th Anniversary PACO – you're looking pretty good!

~Catherine Hawes, PACO President

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Letter From the Editor

by Kristin Gordon

Dear PACO Members, Sustaining Members, and Friends:

As Catherine discusses in her President's Column, this is the Spring edition of the Citator, although it's only this week starting to feel like spring!

This edition is packed full of information for you on the topic at hand – Law Day. As you know, PACO celebrates Law Day by obtaining proclamations from both the Mayor of Columbus and Governor of Ohio for Paralegal Day – our special day for our profession. This year, Law Day turns 50, and PACO turns 35. I am very excited as a member of PACO to have not only a Paralegal Day celebration May 19th, but also an Anniversary celebration planned for the Fall.

This edition of the Citator is published well before Paralegal Day, so please keep posted to the List Serve and with the Paralegal Day Committee and Public Relations Director for more up to the minute information on Paralegal Day, specifically. More information will be included in the May Newsflash, to be published the first week of May. You can look forward to information about ticket sales, speaker announcements, meal choices and auction information in the weeks to come.

Our final edition of the Citator will be published in June with a theme of Elections and NFPA. My position as Editor will be open as I focus my time in other areas of volunteer work, so if working on the Citator and Newsflash and chairing the Publications Committee interests you, please keep this in mind and send me an E-mail to kgordon@friedmanmirman.com for more information or to Catherine Hawes at chawes@lanealton.com.

As always, I thank you for reading the Citator and for all of your feedback.

Very truly yours,

Kristin Gordon

Do you have
a story idea for an
upcoming issue of
The Citator?
Email us!

Send your idea to:
editor@pacoparalegals.org.
The deadline for the Summer
Issue of The Citator is:
May 28, 2008

Deadline
for May
Newsflash:
April 29, 2008

Advertising Rates for The Citator

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Full Page 7" w x 9.5" h	\$150	\$200

File formats accepted: PDF, JPG, or PSD

Contact person: Kristin Gordon, 614/221-0090,
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The History of Law Day

ABA names theme for 2008: "The Rule of Law"

Submitted by Kristin Gordon, Editor / kgordon@friedmanmirman.com

Source: American Bar Association, www.abanet.org (2008 Law Day guide, media resource guide, and history & archives)

Law Day turns 50 this year. The American Bar Association is educating the public on Law Day, and "The Rule of Law" through its Web site www.abanet.org. According to the ABA, 50 years ago, then president Dwight D. Eisenhower proclaimed the first Law Day (see his speech/proclamation in this edition of the Citator). Other presidents that have issued Law Day proclamations include John F. Kennedy in 1963, James E. Carter in 1978, and George W. Bush in 2000.

"Law Day has engaged the public in discussion on relevant issues that focused on enhancing universal knowledge of our government structure and legal process," the ABA states. Recent themes have included youth in democracy, our country's system of separation of powers, and the jury. So what does this year's theme mean – The Rule of Law?

The Rule of Law

"Many people do not make the connection between the rule of law and their daily lives – their safety, jobs, health, education, and infrastructure," according to the ABA. This year's theme is to educate the public that the law helps achieve an array of public benefits, and that the public has a stake in the law and the strengthening thereof. The law should be strong and accessible to all and the goal is that it is a system based on "fair, publicized, broadly understood and stable laws, and diverse, competent, and independent lawyers and judges."

Why is the Rule of Law needed?

For military, police and firefighters to make communities safe; for businesses to sell goods and services to create jobs and other economic opportunities; for labor organizations to assert workers' rights; for public health organizations to

protect communities including the poor and sick; for educators to enhance quality education for all children.

"A free people can assure the blessings of liberty for themselves only if they recognize the necessity that the rule of law shall be supreme and that all...shall be equal before the law."

President Dwight D. Eisenhower,
1959 Law Day Proclamation



Law Day History

1957: ABA then President Charles S. Rhyne, an attorney in Washington D.C., envisioned a special day for celebrating the legal system.

1958: Eisenhower proclaims Law Day to strengthen our "great heritage of liberty, justice, and equality under the law."

1961: May 1 designated by joint resolution of Congress as the official date for celebrating Law Day (see resolution in this edition of the Citator).

Past Law Day Themes (last 8 years)

2007: Liberty Under Law – Empowering Youth, Assuring Democracy

2006: Liberty Under Law – Separate Branches, Balanced Powers

2005: The American Jury – We the People in Action

2004: To Win Equality by Law – Brown v. Board at 50

2003: Celebrate Your Freedom – Independent Courts Protect Our Liberties

2002: Celebrate Your Freedom – Assuring Equal Justice for All

2001: Celebrate Your Freedom – Protecting the Best Interests of Our Children

2000: Celebrate Your Freedom – Speak Up for Democracy and Diversity

The First Law Day Proclamation by President Eisenhower

Source: www.abanet.org



WHEREAS it is fitting that the people of this Nation should remember with pride and vigilantly guard the great heritage of liberty, justice and equality under law which our forefathers bequeathed to us; and

WHEREAS it is our moral and civic obligation as free men and as Americans to preserve and strengthen that great heritage; and

WHEREAS the principle of guaranteed fundamental rights of individuals under the law is the heart and sinew of our Nation, and distinguishes our governmental system from the type of government that rules by might alone; and

WHEREAS our government has served as an inspiration and a beacon light for oppressed peoples of the World seeking freedom, justice and equality of the individual under law; and

WHEREAS universal application of the principles of the rule of law in the settlement of international disputes would greatly enhance the cause of a just and enduring peace; and

WHEREAS a day of national dedication to the principle of government under law would afford us an opportunity better to understand and appreciate the manifold virtues of such a government and to focus the attention of the World upon them;

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby designate Thursday, May 1, 1958 as Law Day - USA. I urge the people of the United States to observe the designated day with appropriate ceremonies and activities, and I especially urge the legal profession, the press, and the radio, television and motion picture industries to promote and to participate in the observance of that date.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this Third Day of February in the Year of our Lord Nineteen Hundred and Fifty-eight, and of the Independence of the United States of America the One Hundred and Eighty-second.

(Signed) DWIGHT D. EISENHOWER By the President

JOHN FOSTER DULLES Secretary of State

The White House
February 3, 1958

The Congressional Resolution Establishing Law Day

Source: www.abanet.org

US Code, Title 36, Section 164

The first day of May of each year is hereby designated as Law Day, U.S.A. It is set aside as a special day of celebration by the American people in appreciation of their liberties and the reaffirmation of their loyalty to the United States of America; of their rededication to the ideals of equality and justice under law in their relations with each other as well as with other nations; and for the cultivation of that respect for law that is so vital to the democratic way of life.

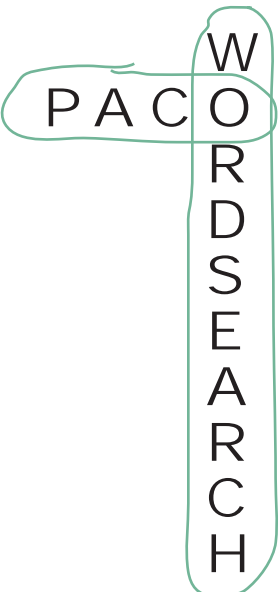
The President of the United States is authorized and requested to issue a proclamation calling upon all public officials to display the flag of the United States on all government buildings on such day and inviting the people of the United States to observe such day with suitable ceremonies and other appropriate ways, through public bodies and private organizations as well as in schools and other suitable places.

Real Estate Law Word Search

by Garth W. Rowbotham

The word search is available online at the following website:

<http://www.cbalaw.org/wordsearch.htm>



WORD LIST

ABSTRACT OF TITLE	EJECTMENT	LIEN
ACCESSION	EMINENT DOMAIN	NUISANCE
AGENCY	ESTOPPEL	PARTITION
ANNEXATION	FEE SIMPLE	QUITCLAIM DEED
APPURTENANCES	FEE TAIL	REAL PROPERTY
CHATTEL	FIXTURES	SURETY
DEED	FREEHOLD	TENANT
DOMICILE	INCHOATE	VENDEE
EARNEST	JOINT TENANCY	WRIT OF ENTRY
EASEMENT	LEASEHOLD	



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PACO Calendar

April

19 – Ohio Statewide Alliance Meeting, Cleveland, contact bkiser@porterwright.com

21 – GM Meeting, CBA, noon, Topic: Code of Regulations vote with Bylaws Committee, contact cle@pacoparalegals.org

24 – Citator committee meeting, 5:30 p.m., EJ's Canyon Café, contact kgordon@friedmanmirman.com

29 – Brown Bag Series, CBA, noon, Topic: TBA, contact cle@pacoparalegals.org

30 – Probono committee meeting, tentative, 5:30 p.m., Columbus Brewing Company, contact tbrooks-walker@lanealton.com

May

19 – Paralegal Day luncheon, details TBA, contact buzarddeborah@yahoo.com

June

17 – GM Meeting, CBA, noon, Topic: Elections, contact cle@pacoparalegals.org

24 – Brown Bag Series, CBA, noon, Topic: Robert Half Legal, contact cle@pacoparalegals.org

Columbus Bar Association Photos for 2009 Directory

Submitted by CBA Member Services / memberservices@cbalaw.org



Have your photo taken for the 2009 Columbus Bar Directory. Photography services are being offered through PortraitPros. Photos will be taken at no cost to members April 15-25 at the CBA. The process will take about 15 minutes and appointments are required. Call PortraitPros at 877/571.3100, ext. 300 to schedule.

You will be able to view digital proofs immediately so that you can personally select the photo you wish to use for the directory. The digital images can also be purchased for your own purposes.

PACO Alleycats Raise Money for Nationwide Children's Hospital

by Karen Pierson, PR Director / kpierson@szd.com

The PACO Alleycats participated in the 19th Annual Rock 'N Bowl, in February at the Columbus Square Bowling Palace. The event, organized by the Development Board of Nationwide Children's Hospital, and presented by the Columbus Bar Foundation, supports child abuse treatment and prevention programs at the Center for Child and Family Advocacy at the hospital.

PACO's team raised more than \$500. Members included Catherine Hawes, Taylor Hawes, Karen Pierson, Max Pierson, Karen Tackett, Katie Essex, Loren Essex, Stephanie Suriano, and sustaining members Todd Gazvoda and Dave Hasman of Key Evidence. Thank You to Key Evidence for donating \$200 to the team.

The Alleycats were dressed in bright blue PACO T-shirts. What the PACO Alleycats lacked in skills, they made up for with an exceptional degree of team spirit and were cheered on by Judges Richard Sheward and Charles Schneider of the Franklin County Common Pleas Court. Thanks to our members who participated and donated to this worthwhile cause.



Sustaining members Todd Gazvoda and Dave Hasman of Key Evidence "strike a pose" with QFM96 DJ's Chris Thomas and Archie.



PACO public relations director Karen Pierson of Schottenstein, Zox & Dunn with QFM96 Program Director Chris Thomas at Rock 'n Bowl 2008.

Meet PACO's New Webmaster: Kymberly Miller

We once again have a Webmaster, her name is Kymberly Miller and she has graciously stepped up to the plate to volunteer her time to maintain our website. Kymberly has a degree in computer science and is interested in learning more about Web design. She is a legal assistant for the International Brotherhood of Teamsters Pilots Local Union 1108 in Gahanna. Please forward any committee updates for the Web to Kymberly at: kymberly.miller@yahoo.com.

I want to take this opportunity to thank Amanda Coleman for putting in the extra time and effort to get our Website updated and cleaned up while we were without a Webmaster. Amanda continues to be as hard a worker for the organization after serving on the board, and I truly appreciate the time and effort that she gives back to the paralegal community and to the PACO board. Thanks Amanda - and welcome aboard Kimberly! We look forward to working with you.

Submitted by Catherine Hawes, President, chawes@lanealton.com

2008 NFPA Convention News

Approximately 200 of the nation's top paralegals will be descending upon Northwest Arkansas beginning on October 8, 2008, John Q. Hammonds Center at Embassy Suites in Rogers, Arkansas.

ArPA (Arkansas Paralegal AssociationTM) is proudly hosting the 2008 National Federation of Paralegal Associations, Inc. (NFPA) Annual Convention and Seminars. Since 1974 NFPA has proactively supported the growth and expanded role of paralegals nationally. The lineup of distinguished speakers lends the opportunity for excellent learning experiences for paralegals. Continuing legal education hours through NFPA, NALA, and NALS is pending. Segments include topics relating to general paralegal knowledge, enhanced writing and research skills, meeting juror expectations, profitability and the proper use of paralegals, investigation matters, the paralegal role in intellectual property, and more!

Speakers:

- Frederick W. Meyers, Esq., partner, Ladas & Parry, former U.S. Trademark Examiner and Chair of the ABA Patent, Trademark & Copyright Committee
- Scott Foster, 25+ year paralegal, independent paralegal since 1985, co-founder of Paralegals Plus, Inc. and Sr. Vice-President of APEG (Advanced Paralegal Education Group)
- Dana J. Lesemann, Esq., Vice-President and Deputy General County in the Washington, DC office of Stroz Friedberg, LLC, served as Counsel to the Senate and House Intelligence Committees' Joint Inquiry Into the September 11th Attacks
- Ronnie Forthmon of Bushman Court Reporting, Certified Legal Video Specialist based in Little Rock
- Judge Advocate General of the U.S. Navy
- Michael J. West, CFE, CLI®, CLEI, Certified Fraud Examiner, owner of Arkansas Investigations, served as investigator and federal agent on such notable cases as the sexual assaults at the Air Force Academy and the Iraqi prisoner abuse scandal
- James Crane, Esq., consultant and author with Altep, Inc. specializes in e-discovery best practices, compliance with amended federal rules, provides educational presentations to large law firms and corporate law departments regarding case law developments, the challenges of managing electronically stored information and the application of technology to meet litigation needs
- Dr. Paula Gabier, Ph.D., with Decisionquest has practical and academic expertise in designing and conducting methodologically sound research and trial themes
- Dennis B. Haase, Esq., has a sound law practice in Hot Springs focusing on intellectual property law also serving as SCORE Counsel, Cyberchapter, and recipient of SCORE Platinum Leadership Award
- Brian L. Duffy, Esq., Shareholder with the firm Greenberg Traurig, is based out of Denver, Colorado and is a renowned trial and appellate attorney
- Taibi Kahler, Ph.D., President of Kahler Communications, Inc. and Taibi Kahler Associates, Inc., offering clinical, business, educational and spiritual training and profiling
- A panel of judges and distinguished attorneys will discuss the ethics involved in the utilization of paralegals.

(continued on next page)

2008 NFPA Convention News, *continued*

ArPA will also introduce Justice Annabelle Clinton-Imber, speaking at our Friday Luncheon! Justice Clinton-Imber has been an Associate Justice with the Arkansas Supreme Court since 1997. Justice Clinton-Imber served as the Chancery and Probate Judge for Perry and Pulaski Counties from 1989-1996 before being elected to the Arkansas Supreme Court. She was appointed Circuit Judge for Pulaski and Perry counties by former Governor Bill Clinton in 1984. Prior to joining the bench, she was a practicing attorney with Wright, Lindsay & Jennings in Little Rock, Arkansas.

Justice Clinton-Imber graduated magna cum laude from Smith College in Northampton, Massachusetts. She received her Juris Doctor in 1977 from the University of Arkansas at Little Rock School of Law where she was a Comments Editor on the Law Review. From 1989 to 1994, Justice Clinton-Imber also attended the National Judicial College in Reno, Nevada.

Justice Clinton-Imber is currently serving as the Committee on Rules of Civil Procedure of the Supreme Court liaison and the Ad Hoc Committee on the Foster Care and Adoption Assessment of the Supreme Court liaison. She has previously been involved with such committees as the Arkansas Judicial Discipline and Disability Commission as an alternate member, the Continuing Legal Education Board of the Supreme Court as a member and has served the public interests through her involvement in community organizations such as the YMCA of Greater Little Rock and Pulaski County, Our House - A Shelter for the Homeless, the UAMS Medical Center - Department of Pastoral Care and Education, and the Kiwanis Club of Little Rock, among many others. Justice Clinton-Imber has received many awards including,

most recently, the Arkansas Business - Top 100 Women in Arkansas award (1995-1998), the Worthen Arkansas Women of Distinction award (1994) and the Arkansas Association of Women Lawyers Judge of the Year Award in recognition of outstanding service (1994).

ArPA and NFPA will be hosting a train ride dinner on fully restored dining cars (thanks to the great folks at the Missouri-Arkansas Railroad). Dueling pianos will be part of the Wednesday reception. And of course, there will be plenty of other networking functions. Paralegal students from the Northwest Arkansas Community College and the University of Arkansas - Ft. Smith will be volunteering throughout the Convention.

You don't want your paralegals, associates and other legal staff to miss this superb educational experience!

For more details, questions, sponsorship and advertising opportunities or exhibitor information, contact our 2008 Convention Host Coordinator, Marilyn Clifton, at (501) 371-9903 or contact our ArPA office at (501) 609-0404. Information and convention news are continually updated on the ArPA website www.arkansasparalegal.org and the NFPA website www.paralegals.org.

ArPA Board of Directors: Kelly S. Montgomery, RP, President, Terri Vanlandingham, Vice President, Paula Adams, RP, VP-Membership, Dee Dee Lantz, RP, VP-CLE & PACE Ambassador, Marilyn Clifton, Secretary, Maggie Haase, RP, Treasurer & Primary Representative, Scott Foster, Secondary Representative.

The Spring Series – SuperConferences, Webcasts, Boot Camps & Exciting Publications

Submitted by Estrin LegalEd, info@estrinlegaled.com

The seminars and “real world tools” being offered this Spring/Summer by Estrin LegalEd:

Paralegal SuperConference Charlotte:

April 14-15; more than 25 workshops and general sessions from litigation to corporate to IP.

Litigation Support Boot Camps for Entry/Mid-Level and Advanced:

July 31-August 1 and August 7-8, Washington D.C.; choose from two tracks: A) designed for entry to mid-level or B) for managers, supervisors and seasons professionals.

Paralegal SuperConference New York:

May 1-2

The 3rd Annual Paralegal Trial Institute:

June 12-13, Los Angeles; an intensive new program providing a way to gain skills, techniques, and a designation. Gain an expertise in a fast-growing arena. Admission for experienced paralegals, only.

The 2nd Annual Paralegals Managers Institute:

July 17-18, Washington D.C.; join with other paralegal managers from around the country and share the latest information in hiring, recruiting, program design, management techniques, workflow management, organizational change, managing up and other important topics critical to making your job easier and your work life manageable.

The 5th Annual Paralegal SuperConference:

July 17-18, Washington D.C.; meet paralegals from across the U.S. Get the continuing legal education crucial to keeping up-to-date with your professions.

The Paralegal SuperConference:

July 25-26, Los Angeles; gain an arsenal of strategies and techniques that will help you get ahead in your career. Learn from top attorneys and paralegals.



My PACE Experience: Part 2

Submitted by Karen M. Pierson, Public Relations Director / kpierson@szd.com



I am sticking with my goal to take the PACE exam in 2008. Now that the holidays are over and life is getting back to a normal PACE (no pun intended), I am putting aside time in my schedule to study and prepare for the exam.

For anyone who is not familiar with the PACE designation, I will give you the very abbreviated version, as I know many of our members already are familiar with PACE. The Paralegal Advanced Competency Exam (PACE) is offered by the National Federation of Paralegal Associations (NFPA) to test the competency level of experienced paralegals. PACE is offered to paralegals who have a minimum of two years' experience and meet specific educational requirements. PACE is designed for professional paralegals who want to pioneer the expansion of paralegal roles for the future of the profession, not to restrict entry into the profession. For further information, please visit www.paralegals.org.

There are basically six things you should do to ready yourself for, and to take, the PACE exam. These are:

1. Register (\$25 application fee for NFPA members, \$75 for non-NFPA members. If you are a member of PACO, you are a member of NFPA).
2. Buy the study manual (\$55).
3. Take an online review course administered by the American Institute for Paralegal Studies (\$395 and includes a practice exam. Note: This is a seven-week online course, so allow time in your schedule to study within this time parameter) or
4. Forego the online review and do independent study, but probably a good idea to take the Online Practice Exam (\$55).
5. Forget having a personal life and **STUDY STUDY STUDY**.
6. Take the Exam. The fee is \$225 for members, and \$250 for non-members.

Once the application has been approved, the exam must be taken within 90 days. PACE is a four-hour, computer-generated test and is offered at more than 200 Sylvan Technology Centers (a/k/a Prometric) throughout the country. Once approved, each applicant can schedule the date and time to take the test at his or her convenience on any day except Sundays and holidays. Note: not all Sylvan Learning Centers are Technology Centers. PACE Certificates are sent to all passing applicants after scoring runs are obtained from PES in June and January, pursuant to contractual agreements.

(continued on next page)

My PACE Experience: Part 2, continued

Submitted by Karen M. Pierson, Public Relations Director / kpierson@szd.com

Thus far, I have completed steps 1 and 2 above, and have chosen to take the online review course to refresh myself on the vast array of topics which paralegal studies can cover. This brings me to the observation that there is uniqueness in each and every paralegal's job. It would be impossible to write a definitive description of what a paralegal is, because it's what a paralegal does that really matters! I can say that I'm a "corporate" paralegal, but in translation that might mean I am constantly online with the Secretary of State's Office trading documents, eating lunch at my desk everyday and becoming very friendly with the dusty file room in the law firm's "annex" building (a/k/a dark basement or former supply room). Yet, another paralegal with the same title might be working for an in-house Chief Legal Counsel of a Fortune 500 company, traveling to exotic locales such as L.A., Chicago and New York City, attending strategic business meetings, and expensing breakfast, lunch and dinner! (This could be a great incentive to take the PACE exam and get your RP designation...so you can have access to the company credit card, too!) As they say, success has its rewards. Whatever your reason is, it's enough to give you the gas you need to get through the PACE experience.

Those who pass PACE and maintain the continuing education requirement may use the designation "PACE - Registered Paralegal" or "RP." To maintain the RP credential, 12 hours of continuing legal or specialty education is required every two years, with at least one hour in ethics. RP's should review the "Facts Every RP Should Know" to be aware of the ways the PACE credential can be used and information on registration of CLE credits. Also included in the fact sheet is information on non-renewal status, inactive status, suspension and revocation of the use of the RP credential and the appeals process. Inactive status may be granted by the PACE Standards Committee upon completion of an application. One-half of the CLE requirement is needed while in inactive status.

The reasons for wanting the "RP" Designation, which is the end result of a successful PACE exam, are as different as the paralegal who desires it. My reason? I like challenging myself, studying about the law, and hope to proudly be able to add the RP designation at the end of my name, which can only enhance my professional credentials. From my perspective, there are very few boundaries as to why, when, where and how the law impacts our daily lives and our world, and to be a paralegal, especially an RP, puts you right in the center of the legal profession, assisting the ones who need us most – our attorneys!

Congratulations New PACO Members!

Submitted by Melinda Small, Second VP / melinda@harboldlaw.com

Voting Paralegal Members:

Amy M. Stoll: Paralegal – Ohio Police & Fire Pension Fund

Melinda G. Gard: Paralegal – Huddleston Law Group, LPA

Teresa N. Goodridge: Paralegal, Open Government Unit – Ohio Auditor of State

Lara B. Miller: Paralegal – Vorys, Sater, Seymour and Pease, LLP

Emily M. Little: Senior Paralegal – Nationwide

Student Members:

Kirsten L. Adkins: Student – Columbus State Community College and Cuyahoga
Community College; Paralegal/Assistant – Attorney Christopher J. Minnillo

Michi S. Billingsley: Student – Columbus State Community College

Morgen R. Kuberek: Student – Capital University Law School; AmeriCorps Member –
Columbus Housing Partnership

LaDedra A. Wilson-Albert: Student – Columbus State Community College

Cathy M. Eby: Student – Columbus State Community College; Temporary Clerical Staff –
Spherion Staffing

Jeanne D. Byers: Student – Columbus State Community College

Tara Lynn Maine: Student – Columbus State Community College; Legal Secretary/
Legal Assistant – Attorney Robert E. Sexton

Elizabeth Vasquez: Student – Capital University Law School; Legal Assistant –
Barkan & Barkan Co., L.P.A.

PARALEGAL JOB OPPORTUNITY

The Columbus Bar Association is searching for a paralegal for its ethics department. Job duties for this full-time position include, but are not limited to, management of grievance intake, coordination of Bar's fee arbitration program, assisting with trial preparation, document preparation and answering telephone inquiries. Educational requirements: minimum of bachelor's degree. Experience requirements: 5 years in paralegal or comparable position in a litigation practice group. Please e-mail a resume and include salary expectations as well as a short writing sample.

Paralegals in Ohio

Submitted by Nancy E. Morrison, Franklin County Probate Court Magistrate, Special to the Citor

Black's Law Dictionary defines a paralegal as "A person with legal skills, but who is not an attorney, and who works under the supervision of a lawyer in performing various tasks relating to the practice of law or who is otherwise authorized by law to use those legal skills". Ohio has led in the education of paralegals. Capital University Law School has included a program for paralegal education since 1972 and is one of the earliest paralegal programs in the United States, as well as in Ohio. Other training for paralegals in Ohio has included working in law offices, firms or governmental agencies to learn the law. The background of a paralegal may be little formal education, college degrees and other advanced degrees in addition to formal paralegal education or practical experience.

Paralegals began in Great Britain and were termed Attorney Assistants. Currently, paralegals work much the same in Britain as they do in this country, assisting solicitors or, in this country, attorneys. A major difference between Britain and the United States is that paralegals are able to advise clients since there is no "unauthorized practice of law", according to Wikipedia. This is an extremely important distinction in this country as any well educated paralegal knows. It is critical that the line between practicing law and assisting in the practice of law remain clear. As the paralegal profession has grown, paralegals have expanded from working for an individual attorney or firm to setting up their own businesses, as well. It is still necessary to work for a lawyer or under a lawyer's direction in this country and the Franklin County Probate Court has a local rule which requires independent paralegals and paralegals who work for a firm or individual attorney to register. Paralegals who work exclusively for a firm or attorney need only register once, while independent paralegals must register for each case. An attorney who will supervise and be responsible for the services of the paralegal must register with the paralegal in either case. The local rules as well as forms and other

information is available on the court website, www.franklincountyohio.gov/probate.

There is a trend in Great Britain whereby solicitors after completing their schooling try to find positions as attorney assistants or paralegals to gain experience. Many firms hire solely from their paralegals according to Wikipedia. There has been some movement in this direction in Ohio, as well. This author, while still in private practice, had applications from newly admitted attorneys to work as paralegals to gain experience as well as make money when positions as attorneys could not be found due to lack of experience.

Probate law is one area that benefits from the services of paralegals and has since the concept of paralegals took root and blossomed. Paralegals have continued to work in the probate area in greater numbers and reliance on paralegals has grown. It is a very detailed oriented area of law which translates into large expenditures of time. Since a lawyer's time is the only commodity she or he has to sell, to paraphrase Abraham Lincoln, the lawyer needs to work efficiently and cost effectively; paralegals can help in this regard. Probate law is form intensive which also lends it to the use of paralegals. It is not mindless work, however. There is much thought and care necessary to handling a probate matter correctly.

Both decedent's estate administration, trust administration and guardianship estate work require work with numbers. There are tax ramifications which require specialized knowledge and continuing education. There are many opportunities for a paralegal who is willing to work hard, face new challenges and continue to learn. There are numerous filings necessary in the probate area and paralegals are utilized more and more to assist attorneys in this task.

Some believe that probate work is monotonous, but this writer finds the variety of knowledge needed in a probate practice and the variety of facts keep the area from becoming boring. Many other areas of law are

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History of Probate in Ohio

Submitted by Nancy E. Morrison, Franklin County Probate Court Magistrate, Special to the Citorator

When the writing this article was undertaken, I was naïve as to my lack of knowledge, the lack of resources available and the complexity of the subject matter. Some sense of the history of probate law in Ohio will be attempted in light of that confession.

I began working in the area of probate law in 1977 while attending law school and, although some other areas of law were included in my practice, it has remained the main emphasis of my legal career.

The best, and virtual only, resource found was “The Probate Courts of Ohio” by John F. Winkler, 28 U. Tol. Rev. 563 (1996-1997). This article is heavily relied upon with heart felt gratitude to Mr. Winkler for his scholarly work.

The current probate court has exclusive jurisdiction to hear all types of estate and guardianship matters as well as name changes, adoptions, minor settlements, transfers of structured settlements and lottery winnings as well as lesser known matters. Ohio Revised Code Section 2101.24(A)(1) and (2). Probate Court has concurrent jurisdiction with the general division of the court of common pleas as set forth at Section 2101.24(B)(1) and (2). It was not always the case.

Ohio law, along with a large part of the United States legal systems, is based on English law. This author assumed that the English law for probate was as organized as the probate law of today, but that was not the case.

There were numerous different courts in England which had jurisdiction over different matters which are more neatly combined in the probate court we know today. There were two royal courts, the Court of King’s Bench and the Court of Common Pleas, which granted common law relief, and the High Court of Chancery exercised relief in equity. There were also ecclesiastical courts of the Church of England which

were governed by canon law. “The Probate Courts of Ohio” by John F. Winkler, 28 U. Tol. Rev. 563 (1996-1997). Different courts determined the validity of a Last Will and Testament, how personal property was distributed, how real estate was distributed, and how creditors could receive payment on their claims. It was likely that estate matters could be heard in multiple courts.

The English legal system tried to combine the various courts in the 16th century to simplify the procedures controlling inheritance and other probate matters, but this system was abandoned until the nineteenth century. The various courts were not able to overlook their perceived areas of control, however, and the system reverted to the confusion resultant from years of various courts exercising their power over their piece of the probate process. It was important to the development of the American legal system in that the New England colonies created Courts of Probate, although differences existed between the colonies, which had full powers of both the High Court of Chancery and the ecclesiastical courts. “The Probate Courts of Ohio” by John F. Winkler, 28 U. Tol. Rev. 563 (1996-1997).

The Ohio territory was claimed by Connecticut, New York and Virginia until 1787 when the Northwest Ordinance included Ohio in the Northwest Territory. The Northwest Ordinance addressed issues of heirs and legatees based on the laws of Massachusetts which had not established separate equity courts. Various changes occurred over the years and once issues over probate matters were heard in different courts.

Ohio became a state in 1802. Ohio had courts of common pleas with general law and equitable jurisdiction from 1803 through 1851 as well as the Ohio Supreme Court. Each county had a court of common pleas which had jurisdiction over probate and testamentary matters. Legislation resulted in The Act Organizing the Judicial Courts which provided for a

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Paralegals in Ohio, continued

Submitted by Nancy E. Morrison, Franklin County Probate Court Magistrate, Special to the Citorator

involved in probate law: real estate law, business law, tax law, contract law and creditor/debtor law are examples. There can be litigation involved as well as drafting of documents.

Paralegals can assist in the probate area through client contact. There tends to be substantial amounts of client contact involved due to the sensitive nature of probate law.

Paralegals continue to hold an important place in the practice of probate law.

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History of Probate in Ohio, continued

Submitted by Nancy E. Morrison, Franklin County Probate Court Magistrate, Special to the Citorator

president judge and three associate judges. It was an associate judge who could hear probate matters which were based on common law remedies or equitable relief if common law relief did not properly address the relief sought. “The Probate Courts of Ohio” by John F. Winkler, 28 U. Tol. Rev. 563 (1996-1997).

There were many statutory changes regarding probate early in Ohio history. There was confusion and tension between the probate court and the general division of common pleas. At times probate was on a more or less equal footing with the general division, at times it was a lesser court and at times the general division was a court to which a probate decision could be appealed. Depending on how a claim was titled or what relief was sought, the probate court or the common pleas court could exercise jurisdiction. This resulted in confusion and additional cost and time being expended in determining which court should hear a matter. There were even questions as to what rules applied and what evidence could be presented to the court, whichever court that might be. Ohio continued to grow and the problems became more evident.

The Ohio Constitution of 1851 established a new constitutional basis for its judicial system which included probate courts in each county and defined the jurisdiction of the probate courts. The Ohio Constitution was amended in 1912 and each county was to have a common pleas court which might be merged with the probate court in certain counties. Statutes continued to be enacted and in 1932 the Probate Code was established. 1931 Ohio Laws 320. This gave probate court more autonomy and expanded its jurisdiction.

The probate courts became divisions of the common pleas courts. The Modern Courts Amendment of 1968 eliminated the constitutional probate courts. “The Probate Courts of Ohio” by John F. Winkler, 28 U. Tol. Rev. 563 (1996-1997). Probate courts became divisions of the common pleas courts of each county. Decisions of the probate court were no longer appealed to the common pleas court and probate court’s subject matter jurisdiction was expanded.

There continues to be confusion as to whether a matter should be heard in probate or the general division of common pleas court, although the general division increasingly defers to probate court matters which related to probate court jurisdiction. This results in less confusion, and more time and cost effective resolutions for probate matters. There may never be a completely clear cut distinction between the probate and general divisions, but perhaps the line will become more defined as case and statutory law continue to address the issue.



MAKING EVERY VOTE COUNT

*by David S. Thun, the National Notary Association, submitted by
Barry Kiser, Statewide Representative / bkiser@porterwright.com*

Winston Churchill, England's prime minister during

World War II, once said, "Democracy is the worst form of Government except all those others that have been tried from time to time."

To read the headlines during any election cycle, it's easy to see what he meant.

Whether it's hanging chads or allegations of blocked ballots and forgotten voters, accusations of chicanery and fraud accompany just about any important election.

With more than 140 million registered voters able to cast ballots in thousands of precincts across the country, discrepancies, mistakes and abuse are inevitable.

Over the years, voting has evolved to become more fair and efficient, but as recent presidential elections show, there is an increasing need to build new levels of trust in the process – a process in which Notaries play a crucial role.

Today, Notaries help secure the practice by verifying signatures on petitions, nomination forms and absentee ballots, and with the advent of eNotarization technology and heightened interest in electronic voting, some experts believe Notaries are the key to ensuring the security and integrity of the voting process of the future.

"The Worst Form Of Government"

Despite its roots in ancient Athens, the idea of an elected government was truly revolutionary in 1776. But the grand experiment conducted by the nation's founders was anything but neat.

At first, only white, male property owners above a certain age could vote. Often, they would cast their preference by shouting their votes at a raucous, public gathering that

was more an excuse to drink than to select a candidate. It took nearly two centuries for voting rights to expand to their current status. And for just as long, the people who run elections alternately have been trying to rig them or make them more honest. For more than a century, there was no voter registration.

Throughout the 1800s, political parties controlled the printing and distribution of ballots. These early ballots, called "party tickets", only listed candidates from the party printing the ticket. If you wanted to vote for someone from another party, you had to find a place where the opposing party was distributing their own tickets. In short order, a myriad of different ballot formats were used. Fraud was common.

Whether it was losing entire ballot boxes, having the dead vote or printing ballots in a confusing manner, partisan election officials found all sorts of ways to ensure the outcome they wanted, a tradition that continued in modern times. The late Chicago Mayor Richard J. Daley was notorious for being able to influence voting in his city – and the state of Illinois – through deals and power-brokering.

As the voting population increased, demand for election reform grew. Blanket ballots listing all candidates in elections replaced the old "party tickets." New types of ballot boxes deterred voter fraud and helped guarantee better ballot counts. Instead of voting out in the open, private booths helped voters keep their choices from prying eyes. As the voting process struggled toward a more honest form, Notaries came to play a greater part in the fraud-prevention process.

Notaries In The Election Process

Typically, candidates seeking to run for office must collect a minimum number of qualifying signatures on a petition. To make sure all signatures are collected

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MAKING EVERY VOTE COUNT, *continued*

by David S. Thun, the National Notary Association, submitted by Barry Kiser, PACO Statewide Representative

properly, many jurisdictions require petition circulators to sign notarized affidavits saying they followed proper procedures. Some offices or ballot measures can require hundreds of thousands of signatures.

Some states also require absentee ballots to include the voter's notarized signature. States such as Wyoming require voters registering by mail to appear in person and fill out their registration form before a Notary Public. Vermont has first-time voters take an oath or affirmation before a Notary or other authorized official.

"The role of Notaries in the election process has increased, especially in recent years," said David Kimball, associate professor of political science at the University of Missouri-St. Louis and an expert of voting technology and behavior. "Certainly absentee voting and voting by mail is becoming more popular. There's also more attention being paid to voter registration, and validating signatures on voter registration forms. I think Notaries will find an increasing role there as well."

The notarization process is one of the most closely scrutinized aspects of nomination petitions and other key documents when the results of an election are challenged, said Susan Johnson, president of the organization National Voter Outreach and an experienced petition drive organizer. Because an improper notarization on a petition can invalidate thousands of signatures at a time, Johnson said political opponents often look for notarial errors to disqualify a rival candidate or measure.

Johnson described an Oklahoma case where a petition was challenged by pointing out that only residents of Oklahoma were permitted to sign, but a Notary had accepted a California driver's license as ID for a signer.

In another petition challenge, Johnson described how nearly 13,000 signatures were disqualified because

they were acknowledged before a Notary who wasn't bonded.

States often have special Notary requirements or procedures in order for petition documents to be acceptable, Johnson said.

"Notaries involved in petition drives need to be aware of any special requirements above and beyond normal procedures," she said. "I remember one situation we were involved in where we were submitting 250,000 signatures on petitions. We found out at the 11th hour that one-third of the documents had been notarized by someone who used a signature stamp instead of a written signature."

However, the errors involving notarized petition documents can be avoided through common sense, a sound knowledge of state Notary laws and scrupulously following procedure, Johnson said. "Mistakes can happen to anyone, even Notaries," she said. "But with election petitions, if the oldest signature on the document is dated the 21st, and the Notary puts the date of the notarization as the 20th, it could invalidate all the signatures. Simple errors can have drastic consequences."

The best way to avoid problems, she said, is to request proper identification for every notarized signature, keep an accurate journal record of notarial acts, and check that certificate wording is dated correctly.

eNotarization – A Possible Solution To Future Election Security

The 2000 U.S. presidential election is notorious for its legal battles over the validity of ballot counts in the state of Florida. The narrow margin of votes between candidates George W. Bush and Al Gore resulted in a mandatory recount and a flurry of challenges over the tallies in the media and the courts. There were allegations in Palm Beach County that unclear ballots

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MAKING EVERY VOTE COUNT, *continued*

by David S. Thun, the National Notary Association, submitted by Barry Kiser, PACO Statewide Representative

may have resulted in people voting for Reform Party candidate Pat Buchanan instead of Al Gore; arguments over whether partially punched holes on punch card ballots should be counted (the so-called “hanging chads”); and questions were raised concerning the impartiality of then-Secretary of State Katherine Harris, the state’s top election official.

The disputed Florida vote led to calls for reform in the ballot process to eliminate confusion in the event of another close presidential race. In response, Congress passed the Help America Vote Act (HAVA) in 2002, designed to fund the replacement of punch card ballot voting and to ensure access to polling locations. HAVA also requires anyone who votes by mail or who is voting for the first time in a federal election to provide identification before voting. While proponents of HAVA content these measures will help deter voting fraud, critics have claimed that the new requirements complicate the voting process and make it more difficult for low-income citizens to vote.

The 2004 presidential election, once more, was rife with accusations of misconduct. Democrats in Ohio claimed nearly 360,000 voters either could not cast ballots or were not counted properly. Whatever the reasons, the voting system still needs a great deal of help.

With the enactment of HAVA, some proponents of election reform have proposed eliminating paper ballot sheets in favor of electronic voting machines. However, Jim March of BlackBoxVoting.org, a national election watchdog group, strongly criticizes the use of electronic voting machines and the current security of electronic ballot data – even tallies from paper ballots.

“Voting records are often stored electronically in an unprotected software format such as Microsoft Access, with no encryption,” he said. “One of the points we’re concerned about with electronic voting is that at the county level, everyone bases their count on data sent

to a standard PC. If you change the date and time on that PC, you could turn it into a time machine. When you’re talking about the possible backdating of voting records, it becomes very dangerous. One person tampering with records at a central location and it’s all over.”

March also criticized the security of optical scanners used by some precincts to count votes. Paper ballots are placed in these scanners, which then records the dots the voter marks on the ballot. However, March says that certain types of memory cards used to store scanner data are easily sabotaged.

“Some of these memory cards predate flash drives,” he said. “They are so old that they use watch batteries to keep power going to the memory chips. If you jiggle or hit the card, you can reset its memory and the information stored on it.”

“Look how seldom election machines are used – only once or twice a year,” March said. “But in computer terms, after 10 years, you’re asking yourself why you are using it.”

Some states, such as Florida, have discontinued using electronic voting machines because of security concerns, Kimball said, but budget issues also make states and counties reluctant to upgrade their election equipment too often.

“Vendors who make these machines are trying to improve their product to address security concerns,” Kimball said. “On the other hand, many states and counties have recently purchased new voting equipment. Even though the technology is evolving, local governments don’t like to buy and dump equipment two years later. There’s a certain resistance to switching to whatever the latest version is.”

Notaries authorized to affix electronic seals could be much more effective in deterring electronic ballot data tampering, March said, because altered voter records

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MAKING EVERY VOTE COUNT, *continued*

by David S. Thun, the National Notary Association, submitted by Barry Kiser, PACO Statewide Representative

would be obvious to election officials and observers.

“At every election in this country, we need a way to stamp files to determine if they’ve been tampered with afterward,” he said, adding that the best place to have Notaries verify data would be at a county’s central tabulation location, where local precincts send their results to be tallied.

“That would be the most critical place Notaries could help,” he said.

March noted that the central tabulator is also the place where, typically, mail-in ballots are scanned and counted in the week prior to an election, so the results are ready on Election Day. March suggested that Notaries authorized to perform eNotarizations could help ensure mail-in ballots are protected from fraud. “We would need Notaries there every night to lock down the results, he said.

Electronic notarization also could help secure the voting process for Americans who vote overseas, especially military personnel, Kimball said.

“The Defense Department has studied the possibility of voting via email for military personnel stationed overseas, but has not put it into place because of security concerns,” Kimball said. “A military Notary could possibly secure the voting form electronically, then send the vote by email.”

“Overall, I’d say the election process is pretty good, but there’s always room for improvement,” Kimball said. “I do think the security of electronic data is a concern. Election officials are taking a closer look at this because of the concerns of citizen groups.”

So are electronically capable Notaries the solution to safeguarding electronic election data? March certainly believes they can fill this role, and said provisions to utilize Notaries should be added to state or federal election laws.

“There’s a movement calling for [electronic ballot data] to be saved to a non-alterable format, such as a read-only CD-ROM or DVD. Can or should that data be notarized? You can make a very strong case that it should be,” he said.

Perhaps in the next few years you’ll see a new face at the polling site – a Notary Public – with an electronic seal ready to ensure the integrity of democracy’s most basic right.

We’ve come a long way from the days when a handful of voters gathered in the town square and shouted out votes while passing around a jug of strong drink. Despite the progress, many voting issues remain unresolved. NNA

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MAKING EVERY VOTE COUNT, *continued*

by David S. Thun, the National Notary Association, submitted by Barry Kiser, PACO Statewide Representative

Notable Dates In U.S. Election History

1789: George Washington is elected as the first U.S. President.

1819: Kentucky – the last state to use voice voting – switches to a paper ballot system.

1870: The 15th Amendment to the Constitution gives all male citizens the right to vote regardless of ethnicity. African Americans can vote for the first time.

1888: Massachusetts becomes the first state to completely adopt the use of “blanket ballots” where candidates from all parties are listed on a single ballot. Previously, states had used “party ticket” ballots, which only listed candidates from one party.

1918: During World War I, many states allow widespread use of absentee voting by soldiers. By 2007, all states permit absentee voting and several require absentee voters to sign their ballots in the presence of a Notary.

1920: The 19th Amendment gives women the right to vote.

1924: Calvin Coolidge, sworn into office by his Notary Public father in 1923 following the death of President Harding, wins the presidential election the following year.

1971: The 26th Amendment lowers the voting age from 21 to 18. Approximately 11 million new voters are enfranchised as a result.

2000: The extremely close presidential race between candidates George W. Bush and Al Gore leads to a contested recount in Florida, the final and deciding state in the election. The disputed vote tally draws national attention to flaws in the ballot counting process and issues with punch card ballots.

2002: The Help America Vote Act (HAVA) provides state funding to purchase newer and improved voting machines and advance election procedures. However, the adoption of electronic touch-screen voting ballots remains controversial.

2007: Experts suggest Notaries can help secure sensitive voting data and eVoting systems.

Best Practices for Election Documents

Military strategists know that one of the best ways to win a war is to keep your opponent off the field of battle.

In politics, that means keeping your opponent off the ballot. That’s done by invalidating the nominating petitions by, among other things, targeting notarization.

All across the country, nomination and ballot petitions are combed rigorously for errors, and the simplest mistake by a Notary can be fatal for a candidate’s campaign.

Here’s a checklist of basic steps Notaries should follow carefully. Though these apply to any notarization, they are heavily scrutinized with election documents, as even innocent mistakes can ruin a petition or other key election documents.

- ★ Check your dates. Notaries should always double-check to see if the date of notarization is correct and should never backdate election documents.
- ★ Verify ID for every signature notarized. Even if it’s tedious to ensure every signer is identified properly on a petition, it’s still required by law to identify signers. Failing to identify signers can invalidate the whole document.
- ★ Notarize only, don’t correct documents. Johnson described one well-meaning Notary who mistakenly changed information on documents during a petition drive with correction fluid. A Notary’s responsibility is to identify signers and notarize signatures. Do not take it upon yourself to alter documents.
- ★ Keep good records. Even if not required by state law, a journal record can show the Notary followed proper procedure if an election document is challenged later.
- ★ Affix a clear seal impression. In some cases, a blurred or indistinct seal will cause an election document to be rejected.

Legal Aid Society of Columbus – A Rich History of Helping the Poor

Submitted by Cindy Dryden, Publications Committee Member / drydenc@sbcglobal.net

“Using our legal skills and expertise to improve the quality of life for the poor and the powerless”¹ has been the motto and the work of Legal Aid Society of Columbus (“LASC”) for the past 54 years.

In 1954 a group of lawyers on the Columbus Bar Association’s Legal Aid Committee, who had been providing free legal services to the community’s poor, had a vision to create a formal program. LASC became a United Appeal (now United Way) agency. The Board of Trustees held their first meeting on May 25, 1954; and LASC opened its doors on March 1, 1955.

At first there was only one staff attorney and one secretary. Offices were located at 22 W. Gay Street. Law students from Ohio State University College of Law (now Moritz College of Law) and Franklin University Law School (now Capital) volunteered. OSU had an elective Legal Aid clinical program. Franklin University senior law students were required to assist one quarter. The law students interviewed clients, did legwork, prepared pleadings, observed hearings and trials, and handled uncontested divorces “with the Legal Aid attorney by their side.”² LASC averaged 1,200 cases per year. The caseload consisted of divorces, bastardy, rent, bankruptcy, garnishment and attachment, and some criminal cases.

The work, however, proved to be too much for one attorney. Therefore, in 1959 Legal Aid Society of Columbus merged with the Office of Public Defender Society of Columbus (established in 1916) to become The Legal Aid and Defender Society of Columbus (“Society”). Now three

attorneys and two secretaries served the low-income community. Primary funding sources were United Appeal and the City of Columbus. In addition, clients who could afford to paid a \$1.00 “registration fee.” From 1959 to 1965 the agency averaged 3,000 cases per year, approximately 25-30% criminal cases, 35-50% family cases, the rest economic, property, and miscellaneous other cases.

Federal funding first became available in 1966 as a result of the Economic Opportunity Act of 1964, part of President Johnson’s War on Poverty. Office budget and staff tripled. Office of Economic Opportunity (OEO) assistance was contingent on low-income individual representation on the board, resulting in the appointment of three low-income individuals. The practice of appointing low-income board members has continued to this day.

“[T]ension between using its resources to serve as many individuals as possible and performing impact work runs throughout the Society’s history.”³ Consequently, the Society created a “Group Service Attorney” position 1969 to further “impact work.” One such case was *Goss v. Lopez*, which went all the way to the U.S. Supreme Court. Group Service Attorney Kenneth Curtin, a recent Cornell Law School graduate, and Denis Murphy, a private attorney and later CBA President, successfully argued that Ohio’s school suspension procedures violated constitutional due process law.

In 1974 the Society was organized into Civil and Criminal Divisions with nine attorneys in the

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Legal Aid Society of Columbus – A Rich History of Helping the Poor, *continued*

Submitted by Cindy Dryden, Publications Committee Member / drydenc@sbcglobal.net

Civil Division and 14 attorneys in the Criminal Division. 11,150 new cases were opened that year.

After the Office of Economic Opportunity was “dismantled” the Legal Services Corporation Act of 1974 (LSC) created funding for the Society in 1975. The LSC “minimum access “ plan was to support two attorneys for every 10,000 poor persons.

With passage of the Public Defender Bill in 1975, the Franklin County Commissioners appointed a County Public Defender a year later. The agency reverted back to The Legal Aid Society of Columbus name and once again handled strictly civil legal matters.

In 1979 LASC opened its Marion office, serving Marion, Morrow, and Delaware Counties. In the early 1980’s, however, the LSC budget was slashed by 25% which forced numerous layoffs.

In 1985 Ohio created the Interest on Lawyer Trust Account (IOLTA) to fund legal services. This resulted in a decade of “relative stability in staffing and funding, with 24 to 26 attorneys.”⁴ Later, the CBA’s Walk for Justice on Law Day from 1989 to 1991 provided three years’ additional funding.

In 2001 significant new grants obtained by the LASC resulted in around 65 staff members. A year later, however, 9/11 brought about a downfall in funding. In 2003 staffing was at 50, with 25 attorneys. In 2004 LASC served a financially eligible population of 183,000. Meeting the LSC “minimum access” goal would have required 36.6 attorneys.

Over the years there have been shifts in staffing and funding. In the period from 1954 to 2004 the population served has grown from 500,000 to 1.3 million. LASC estimates it meets 1/5 of low income and seniors civil legal representation needs.

Since its first days LASC funding has been a challenge. In recent years this problem has been solved in part by collaborations and partnerships. In 2006 LASC hired its first pro bono coordinator to partner with the CBA. It has also faced the “new challenge” of serving a growing non-English speaking population. Current funding comes from Legal Services Corporation, the United Way of Central Ohio, the Ohio Legal Assistance Foundation, the Columbus Bar Foundation, the Columbus Coalition Against Family Violence, and various grants.

It is uncertain when LASC first employed paralegals. According to Kathi Schear, an attorney with the agency since 1979, during her career “the agency has always heavily relied on paralegal use for domestic, unemployment, [and] welfare to name a few.”

LASC organizational programs:

- Foreclosure Intervention: LASC works in partnership with other community agencies to keep low income and elderly homeowners in their homes after foreclosure cases have been filed. By partnering with the Columbus Housing Partnership they have helped at least one elderly woman avoid foreclosure and keep her home.

(continued on next page)

Legal Aid Society of Columbus – A Rich History of Helping the Poor

Submitted by Cindy Dryden, Publications Committee Member / drydenc@sbcglobal.net

- **Domestic Violence:** With the goal to reduce instances of children being removed from their homes due to domestic violence situations, LASC has assisted over 400 domestic violence clients since the project started in June 2006. By partnering with Franklin County Children Services, a team of attorneys and victim advocates provide “holistic legal services” such as representation, counsel and advice, and linkage to community resources for civil protection orders, divorces, custody, child support, housing, and public benefits. Thomas J. Bonasera, Board Chair/President refers to these government benefits as “the safety net for our most vulnerable.”
- **Child & Youth Law Program (CYLP):** A Columbus Foundation grant initially enabled this program. CYLP works with school systems on individual education plans, behavior problems, medical problems, and benefits. In addition, LASC recently has partnered with Nationwide Children’s Hospital to provide civil legal representation for the “whole child.” CYLP lawyers address underlying issues like poor housing conditions and denial of Medicaid or educational rights “that cause or exacerbate the child’s medical condition.” The program director is an adjunct faculty member at Moritz College of Law.
- **Community Economic Development Unit (CEDU):** The CEDU, through partnerships with community agencies, strives to provide opportunities for low-income persons to move from poverty to economic independence. Efforts include the Low Income Taxpayer Clinic and a Legal Aid Neighborhood Services team, which counsels individuals and assists in providing employment opportunities.
- **Ex-Offender Re-entry Services:** This program works to prevent recidivism by a concerted community effort to reintegrate ex-offenders as productive community members.

Types of assistance: Loss or denial of benefits, Medicaid, Medicare, Social Security, Unemployment Compensation, evictions, foreclosures, domestic violence, child custody, consumer issues, garnishments and attachments, defending against guardianships, landlord/tenant, dissolutions and divorce, bankruptcies, wills, power of attorney and estates under \$100,000 for senior citizens, and kinship care issues.

Since education is preventative and empowers, LASC also presents workshops on Health Care, Tax Issues, Ending Relationships, Domestic Violence, Tenants’ Rights, Wills, Living Wills, Children’s Law, Education and Health.

Under the leadership of Bernard S. Dempsey Jr., CEO/Executive Director, LASC employs between its Marion and Columbus offices 39 attorneys, 13 paralegals, and 22 other support staff. Counties served are Franklin, Delaware, Madison, Marion, Morrow, and Union. Over the years their offices have had many locations, including “neighborhood offices” in the mid-1960’s to mid-1970’s. Today LASC offices are located at 1108 City Park Avenue, Columbus, Ohio.

Sources: 1) *Legal Aid’s Rich History: The First 50 Years* by Marcia L. Brehmer, Esq. (Director from 06/1982 – 03/2003), 2) www.columbuslegalaid.org, 3) The Columbus Foundation Comprehensive Report, 4) Kathi L. Schear, Attorney at Law, Legal Aid Society of Columbus

BOARD & COMMITTEE REPORTS

Student Page

by Linden J. Rost, PACO Student Liaison Coordinator / lrost@friedmanmirman.com

Columbus State Community College:

Our recent visit to Columbus State Community College was well received by 50 students and alumni as well as the SPA board, trustees, and teaching staff. We had the privilege of introducing several mentors to the students for Q & A. We shared on the topics of mentoring, networking, and why you should join PACO. We had some students join PACO and buy T-shirts. In addition, students joined the Susan B. Komen PACO Team as well as expressed interest in helping with Paralegal day.

Capital:

We will be scheduling visits to Capital for another Saturday mock interview session.



Members of the Student Paralegal Association (SPA) at Columbus State Community College mix and mingle at a Winter networking event at the Jury Room in downtown Columbus. SPA events draw current students, CSCC alumni, professors, paralegal studies department faculty, attorneys, judges and PACO members.



Linden Rost, paralegal at Friedman & Mirman, and Student Liaison Coordinator, speaks to students this Winter at the new facilities of the Academy of Court Reporting.

BOARD & COMMITTEE REPORTS

Bylaws Code of Regulations

by Andrea Turner, Parliamentarian / aturner@biglots.com

The Bylaws Committee will facilitate the PACO general membership meeting for the month of April. The topic is Code of Regulations.

The discussion planned for this meeting will be the importance of having written procedures to govern our body. A List Serve will be distributed to the membership prior to the meeting so that members can review the proposed revisions to the Bylaws that we will be voting on at the meeting.

A ballot is included in this edition of the Citator. If you are unable to attend April's GM meeting April 21st, please fill it out and return it as listed on the ballot no later than Friday, April 18th at 5 p.m. to Secretary Trina Hayes.

PACO CODE OF REGULATIONS VOTING BALLOT

ATTENTION VOTING MEMBERS: Your vote is important!!! If you believe that you may be unable to attend the General Membership meeting, please submit this absentee ballot in accordance with the instructions. You submitting this form does not preclude from attending the meeting. If you are subsequently available to attend the meeting, please do so – you may rescind your absentee ballot and vote in person OR attend the meeting and not vote knowing that your absentee ballot was already sent in.

**ABSENTEE BALLOT DUE APRIL 18, 2008, 5 PM
GENERAL MEMBERSHIP MEETING AND VOTING
Monday, April 21, 12 Noon at the offices of the CBA.**

- Yes, amend the code of regulations for PACO per the redline dated 4/1/08.
- No, do not amend the code of regulations for PACO per the redline dated 4/1/08.

Signature: _____

Printed: _____
(Please print legibly so name can be verified)

Date: _____

Please fax your ballot to Trina Hayes, PACO Board Secretary at 614/577.3324 or e-mail to: secretary@pacoparalegals.org no later than 5:00 pm on Friday, April 18th, 2008. Ballots can also be brought in person to the PACO general membership meeting on Monday, April 21st, 2008.

BOARD & COMMITTEE REPORTS

(continued)

FIRST VP REPORT



Submitted by Michelle Stickel

Pro Bono Committee:

Committee Meeting Updates:

Adopt a Family was a huge success. Three families were sponsored during the Christmas season. It was decided to hold the Pro Bono meetings once a month at The Columbus Brewing Company at 5:30 pm. Jim Cole is going to work on getting paralegals that he works with to join the committee. Garth Rowbotham spoke about CASA and how it would be a great project for the Pro Bono Committee to get involved with. He is going to get a list of the PACO members that are already involved with CASA and find out more information about how we can volunteer.

Committee Overall Goals:

To continue to recruit new members and have ongoing projects.

New Projects:

Jim Cole suggested that the pro bono committee partake in the Meals For Wheels project in conjunction with Nationwide. Commitment time would be approximately 1 hour time a month. Jim will get further details from Nationwide and Meals on Wheels to present at the next meeting. We hope to have our first volunteers for the April Meals on Wheels delivery.

Susan G. Komen Race for The Cure being held on May 17, 2008. We are looking to form Team PACO. We will encourage all PACO members to either, run, walk, or volunteer in any way they can to be a part of Race For The Cure. An announcement will be listed in the Citator on how to register and we will have sign up sheets at the monthly meetings.

Job Bank Committee:

2/18 Job Bank was made up of 6 ads: Ohio University, Nationwide, Critchfield Critchfield & Johnson, Baker & Hostetler, Major Legal (2)

CLE / Program Committee:

Continued work on the 2008 GM dates/topics and BB dates/topics.

MEMBERSHIP REPORT



March 2008

General Membership Statistics

Total PACO General Members: 363

Paralegal Voting:	224
Paralegal Non-Voting:	47
Paralegal Students:	54
No Voting Status:	0

Pending Board Vote: 4 (not included in the above totals)

Committee Goals:

- Renewal of Sustaining Memberships (rolling renewal schedule) – in progress
- Consistent Maintenance of Sustaining Member List/ Contact Information – updated list sent to the Board on 03/05/2008

New Business:

New Member Applications -- Paralegal Student:

- Kirsten L. Adkins
- Michi S. Billingsley
- Morgen R. Kuberek
- LaDedra A. Wilson-Albert

PUBLIC RELATIONS REPORT



March 2008

Old Business:

The Public Relations Committee has been working on Paralegal Day. Several Public Relations committee members, including Chelsea Collett of Clicks, Kris Krenik, Jon Striker, Anne Edmonds, Destiny Wisecup Debbie Sekerak and Beth Bridges have volunteered to work on this event. In addition, Clicks has offered to donate some printing services for the event.

New Business:

The PACO Alleycats participated in 2008 Rock and Bowl, sponsored by the Columbus Bar Foundation. The team members were: Karen Pierson, Catherine Hawes, Karen Tacket, Katie Essex, Stephanie Suriano, Todd Gazvoda and David Hasman (of Key Evidence). A check request for \$30 was submitted and approved to buy pizzas for the team. We raised \$500 for Rock and Bowl, which has been submitted to Children's Hospital Foundation. A special thank you to Key Evidence for their generous donation of \$200 towards our team, as well as the individuals who bowled that day. Team members wore their PACO tee shirts, some of which were purchased at the event (\$70), which will be given to Linden Rost, Student Liaison and tee shirt coordinator. Pictures were taken of the event by Karen Pierson, who also wrote an article to be published in the Cimator. The PACO Alleycats were cheered on by Judges Sheward and Schneider, who were at the event. Chris Thomas, Program Director of QFM-96 Radio, had pictures taken with PACO team members as well, and these pictures were sent to him. An "official" team picture was taken that day, which we have not received yet. Bowling team members are also to receive t-shirts, we which have not received yet. Karen Pierson will follow up with the Rock and Bowl organizers to find out what the status is.

Two articles were sent to Kristin Gordon, Editor of the PACO Newflash, for publication. The articles were about Rock and Bowl, and Karen Pierson's experiences with taking the NFPA Registered Paralegal exam. The articles are to be published in the next edition of the Cimator.

An email was received in the PR Director mailbox from Kellie Kiser, a student at Columbus State University Paralegal Program, who wishes to join PACO. A response was sent to her and her information was forwarded to Melinda Small, membership director.

Toni Brooks-Walker, the Pro-Bono Committee chairman, contacted Karen Pierson for assistance with information about mailing packages to a navy legalman, which PACO supports. Instructions were sent to her.

A "Save the Date" email was prepared and mailed to PACO listserv members for the Paralegal Day events coming up. The Public Relations Committee is prepared to assist with promoting the event with media releases prior to day of event, and also covering the event for media purposes (including taking photos, inviting the press to attend, etc.).

STATEWIDE REPRESENTATIVE REPORT



Statewide Alliance

- The next Statewide Alliance Meeting is Saturday, April 19 in Cleveland. I have not yet received details but the Cleveland statewide representative has confirmed the date and promised more details to come.
- The Toledo and Miami Valley associations have recently elected new statewide representatives.

OSBA

- The OSBA Paralegal Certification Board has finished writing the exam and is now reviewing applications for the paralegal certification exam to be held on Saturday, May 31 at the OSBA office in Columbus.

BOARD & COMMITTEE REPORTS

(continued)

PUBLICATIONS COMMITTEE REPORT



Committee Meeting Updates:

Committee did not meet in February due to family emergency of the Editor. Committee will not meet before the deadline, but several committee members have contributed their articles via E-mail. Deadline for submission is March 26th for the April Citator.

Committee Immediate Goals:

Theme is Law Day/Paralegal Day for the Spring Citator (April). Theme is Elections/NFPA for the Summer Citator (June).

New Business:

Special advertising letter and list of current ad rates was sent to sustaining members on Friday, February 8th.

PLEASE HELP

A fund has been established for the benefit of a PACO member whose home was destroyed last month in a fire.

Candace Horton, of Greenfield, is a paralegal at Reeve & Knoll. Candy, her husband, Ron, and their three teenage boys are safe. Unfortunately, they lost everything, including their beloved family dog.

The Horton Family Fund has been established at the Huntington Bank. Cash donations can be made in person at any Huntington branch or mailed to: Huntington Bank, 7955 N. High St., Columbus, OH 43235.

Please be certain that all donations reflect

“Horton Family Fund, Acct. # 018 925 333 02.” Gift cards for the purchase of food, clothing and household items may be sent to the attention of Laren E. Knoll, Reeve & Knoll, 98 Hamilton Park, Columbus, OH 43203.

Please contact Ms. Knoll at 228-2050 with questions. Thank you for your help. Donations of any amount are sincerely appreciated.



PARALEGAL
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Have You Changed Jobs or Moved?

To make sure you receive your newsletter each month and special announcements from PACO, you must let us know when your contact information changes. So, if you have changed jobs, moved, have a new phone number or email address, please take a minute and fill out the coupon below so we can update our records as well as the Membership Directory. Your cooperation is greatly appreciated.

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