



LAFAYETTE PARALEGAL ASSOCIATION, INC.

FALL 2015

THE NEWSLETTER IS BACK!

FORMATTING APPELLATE BRIEFS USING MICROSOFT WORD

PART 1—TABLE OF CONTENTS

Once you figure out how to use the Table of Contents and Table of Authorities features in Microsoft Word, formatting any appeal brief is easy.

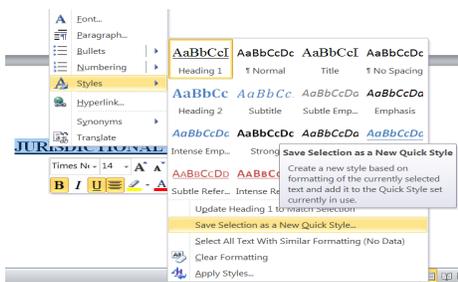
The best way to make the Table of Contents feature work properly is to format your headings using *Styles*.

You can use a brief previously prepared to format a template for future briefs:

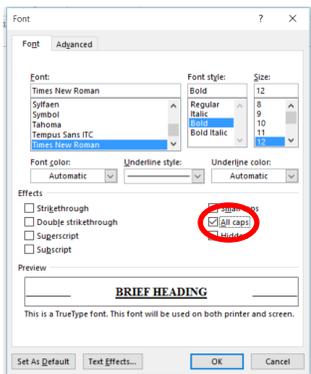
- **Select a heading and format it as a new Quick Style**

Select one of the headings (e.g. Jurisdictional Statement, etc.) and format it the way you want all of your headings formatted (e.g. Bold, Underlined, etc.)

With the heading selected, right click, select *Styles*, *Save Selection As New Quick Style* and name it (e.g. Brief Heading)



**Hint: To avoid having the heading show up in the TOC in All Caps, but keep All-Caps in the body, type the heading in lowercase, right-click the selected heading, select font, click the box next to "All Caps"*



- **You can do the same thing with subheadings**

Repeat the previous step, this time naming the Style as "Subheading"

- **Apply the Quick Style to all other headings and subheadings**

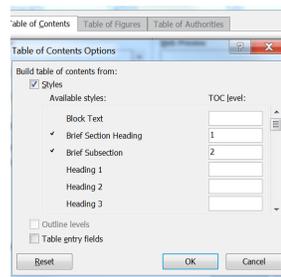
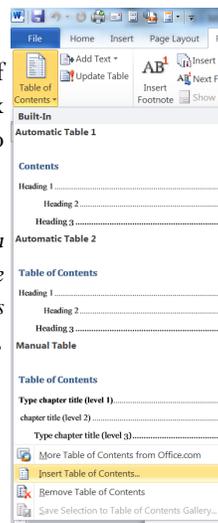
Accomplish this by selecting each heading, right-clicking and selecting *Style*, then click the style you created.

- **Create the Table of Contents**

From the References Tab, insert the table of contents

Use the Table of Contents Dialogue Box to Format the TOC to match your headings

**Hint: Options lets you select which style to base the TOC on. Modify, lets you change the font, spacing, etc.*



UPCOMING LPA SEMINARS:

- November 19, 2015
Immigration Law—The Fundamentals
Attorney Greg Mier
- January 28, 2016
IRS Tax Resolution—Options and Obstacles
Cary Bryson
- February 25, 2016
Annual Meeting & Election of Officers

UPCOMING EVENTS:

- December 10, 2015
Annual Christmas Luncheon
City Club of Lafayette

Check out the new series running on C-Span: *Landmark Cases*—a 12 part series on the history of the Supreme Court's most significant decisions <http://landmarkcases.c-span.org/>

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PRESIDENT'S MESSAGE



Emma Guidry, CP, LCP

How did you get started as a paralegal? Maybe you received a paralegal degree and found a job through the career program of your school. Maybe you, like me, started as a legal secretary and developed a further interest in the legal system and worked your way up to the paralegal role.

I realize as I look back that I could not have succeeded without the help of a mentor. Someone to point me in the right direction, show me where I can find answers, to invite and encourage me to

attend seminars and to discuss problems and interesting situations with. Take this opportunity to thank the paralegal that helped you learn.

Take a look at some of the new paralegals around you. Is there someone you work with that just needs someone to reach out and extend an invitation to an LPA meeting? Could someone you know benefit from the experience of a seasoned paralegal? Be that mentor to someone who needs it.



Lafayette Paralegal Association

Invites you to a Dutch-Treat Luncheon and Seminar

Immigration Law The Fundamentals

presented by

Greg R. Mier, J.D.

Onebane Law Firm

Thursday, November 19, 2015

12:00 Noon to 1:30 p.m.

Petroleum Club of Lafayette

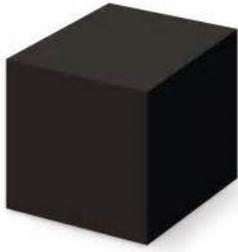
111 Heymann Boulevard

ALL INTERESTED PARTIES ARE INVITED TO ATTEND

*Meal Choices: \$15.00 for Plated Served Meal
Main Line Buffet Downstairs (including Salad Bar) \$18.00
Beverage only \$3.00 • Non-Members \$5.00 Seminar Fee*

*Please RSVP before 11:00 a.m. on Wednesday, November 18
to poolerk@bellsouth.net or (337) 247-4540*

Check out our website at <http://lpa-la.org>



LITTLE BLACK BOX

Article By Michelle Domas

No, not the kind with the sparkly engagement ring! I am referring to the little black box found in your car. If you do not have one in the car you drive now, you will more than likely have one in a future vehicle. Event data recorders, also known as black boxes, have become standard in all vehicles as of September of 2014. Do not be confused, though, these black boxes are not like the cockpit voice recorders recovered from airplanes.

When black boxes were initially installed in vehicles, the purpose was to provide crash statistics for analysis by the National Highway Traffic Safety Administration (NHTSA). This information also offered manufacturers insight into how their vehicles performed in crashes. Today, the NHTSA requires the manufacturers to program the black boxes to record 15 standard variables, such as: vehicle speed, airbag deployment, seatbelt usage, engine speed, application of brakes and more. Some manufacturers, however, go above and beyond by recording even more information – some record up to 30 different variables.

You may ask, “Why should this matter to me?” There are a couple of reasons.

One, it will matter to you as a consumer, especially if the information recorded by the black box in the car that YOU own is used against you in a court of law.

Two, the ownership of the data recorded by these black boxes will undoubtedly become an issue that will face the legal field in the future. Who owns the data? Is it the car owner or is it the insurance company that insures the vehicle? Does the car owner have the right to decide whether or not the black box can be disabled? Is it an invasion of privacy? Will GPS coordinates be recorded? Is Big Brother watching where we go in our cars?

You can bet this topic will be one that is discussed at length in the near future, as some states have already passed legislation specifying who can retrieve the data and whether it can be done with or without the permission of the vehicle’s owner.



MICROSOFT EXCEL USES FOR PARALEGALS

Microsoft Excel is a very useful tool for many paralegal tasks, due to its ability to sort columns and duplicate data quickly. Here are just a few of the ways to make Excel work for you in your everyday work:

Scheduling Depositions

Keep track of all those depositions you are scheduling by alphabetical order

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	DEPOSITIONS													
2														
3	Case Name	Deposition Of:	Trial Date	D. Cut-off	Phone	Contact	Opposing Counsel	Phone	Contact	Final Date	CR	OC	CL	DEP
4	Doe, John	John Doe					Attorney	555.555.5555	Secretary	9/15/15@10:00	x	x	x	x
5														

Tracking Appeal Deadlines Don't let another appeal delay slip through the cracks

	A	B	C	D	E	F	G	H	I
1	Appeals:								
2									
3	Case Name	Whose Appeal?	Trial Date	Date of Judgment	Oral Argument Request by 30 days of Notice of Lodging	Requested Record?	Appellant Brief Due	Appellee Brief Due	Reply Brief Due 10 days after Appellee Brief Filed
18	John Doe	OURS			Requested	Y	4/27/2015	5/18/2015	6/12/2015
19							Filed 5.6.15, due 5/7/15	5/28/2015	6/25/2015
20								6/3/2015	Filed 6.23.15

LPA VOLUNTEERS AT DOWNTOWN ALIVE!

We had a blast volunteering to beer tend at Downtown Alive! on October 2, 2015. And the weather was perfect!

Join us in the spring when we volunteer again.



Getting the perfect pour is important!



L to R: Kaye Pooler, Deborah Fontenot, Savannah Stephan, Michelle Domas, Emma Guidry

WELCOME NEW MEMBERS!

- Kerry Hoffman
- Rachel Gallien
- Lafayette Bar Association



APPLY FOR A SCHOLARSHIP FROM LPA

Looking to take an exam but don't want to shell out the \$\$\$?

LPA is accepting applications for scholarship from **November 15, 2015 to December 31, 2015**

DO YOU QUALIFY FOR A SCHOLARSHIP?

APPLICANTS MUST:

- Be an active member of LPA for two complete years prior to application;
- Meet all of the requirements of the certification exam the applicant is applying to take

• What is the purpose of the LPA Scholarship Program?

The program is intended to financially assist the members of LPA who strive to achieve additional certifications in pursuit of further professional development. The scholarship is not need-based; it is designed to assist all members regardless of their income level

• Which exams can the LPA Scholarship be used for?

The scholarship can be applied to any of the following certification exams:

- NALA Certified Paralegal (CP);
- NALA Advanced Paralegal (ACP);
- Certified Workers' Compensation Professional (CWCP);
- Louisiana Notary Public Exam;
- Louisiana Certified Paralegal (LCP);
- Additional certifications will be considered by the Executive Committee of LPA

• How do I apply for a scholarship from LPA?

To apply, please submit a letter of intent and a current resume to the Scholarship Committee Chair, Deborah Fontenot, at: debbiepfontenot@bellsouth.net. Applications will be considered in the order in which they are received.

• What are the scholarship funds used for?

The funds can be applied to the following costs relating to your exam:

- Registration fee;
- Preparation guides, texts and other preparatory materials;
- Preparatory Classes
- Other exam-related costs

• What is the amount of the scholarship?

The scholarship funds will be distributed in the maximum amount of \$500.00 per scholarship and are distributed as a reimbursement.



PARALEGAL WINS OVER \$400K ON JEOPARDY

Paralegal Matt Jackson from Washington, D.C. recently won 13 games of Jeopardy with total winnings of \$411,612, the 4th highest amount of winnings and the 4th longest winning streak.

Matt is the son of Amy Berman Jackson, a judge for the United States District Court for the District of Columbia and a lawyer, Darryl Jackson.

His tip for achieving success is to remove all distractions: He deactivated his Facebook account and removed other social distractions prior to his first appearance on the show and partially attributes that to his success. He was able to concentrate intensely on winning the 13 games.

Watch him play in the upcoming Tournament of Champions, airing November 9 through November 20.

LEARN FROM HILLARY CLINTON'S EMAIL SCANDAL

We may feel far removed from the issues going on at the White House, but we can all learn from Hillary's recent scandal involving confidential information being sent using her personal email account:

- **Don't use your personal email account for work**

As we learned from Cliff Lacour's recent seminar, "bringing your own device" opens us up to the possibility of our personal emails being discoverable. Better safe than sorry—use only your designated work email for work-related correspondence. Using your work email instead of your personal also helps you avoid the appearance of impropriety.

- **Use a disclaimer in the signature line of your outgoing emails**

Many firms have a disclaimer embedded in the signature line of the employee's outgoing emails. It's a good idea to use one: again, better safe than sorry.



Sample Disclaimer:

"This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard-copy version. Company X, Suite# 1, Street, City, State. www.company.com"

LET'S LEARN SOME LATIN

Latin is the basis of most of the legal terms we use daily



Lis pendens: Litigation Pending

In loco parentis: In place of a parent; one charged with a parent's rights and obligations

Forum non conveniens: Discretionary power of a court to decline jurisdiction over a case when the court believes it should be tried elsewhere for convenience of parties and witnesses

Ad damnum clause: To the damage, clause of complaint which states plaintiff's monetary loss

Res ipsa loquitur: The thing speaks for itself



ETHICS CORNER

Can a lawyer advise a marijuana salesperson?

Rule 1.2(d), Louisiana Rules for Professional Conduct: "A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent, but a lawyer may discuss the legal consequences of any proposed course of conduct with a client and may counsel or assist a client to make a good faith effort to determine the validity, scope, meaning or application of the law."

An interesting ethical situation is arising in Colorado and other states regarding the assisting of individuals and businesses selling marijuana. Is it ethical for an attorney to advise a client in violating federal law but not state law? Some states have already issued opinions on such matters including California (see http://www.sfbare.org/ethics/opinion_2015-1.aspx).

Under Rule 1.2(d) of Louisiana's Rules for Professional Conduct above, it is clearly prohibited for a lawyer to advise an individual or business to engage in the possession and distribution of marijuana in Louisiana. This should prove interesting as the sale of medical marijuana makes its way to our state.

<http://legis.la.gov/legis/BillInfo.aspx?sessionId=15RS&billtype=SB&billno=143>

RECENT SEMINARS

October 22, 2015

Evidence, Discovery & E-Discovery—Cliff LaCour

Cliff LaCour, attorney with NeunerPate, gave a lecture on E-Discovery, timely with the committee hearing on Hilary Clinton’s email server. (See [page 7](#) for how to learn from Hilary’s mistakes).

Mr. LaCour discussed the challenges surrounding e-discovery issues, including preservation, possession, custody and control, BYOD—Bring Your Own Device and social media.

Mr. Lacour’s Powerpoint slides are available on the members only section of our website at www.lpa-la.org.



August 27, 2015

Ensuring Justice for Americans with Disabilities—Nell Hahn

Nell Hahn, JD, Director of Litigation and Systems Advocacy at the Advocacy Center in Lafayette, gave a presentation on the Americans with Disabilities Act and the Rehabilitation Act.

Ms. Hahn stressed the importance of community awareness of the law requiring attorneys to provide sign language interpreters.

Ms. Hahn’s Powerpoint slides are available on the members only section of our website at www.lpa-la.org



The Advocacy Center provides legal representation, information and referral, outreach, and training to Louisiana citizens with mental and physical disabilities

PARALEGAL WEEK 2015



Michelle Domas and Emma Guidry got up at the crack of dawn to promote Paralegal Week on Good Morning Acadiana

LPA's 2015 Social on September 17, 2015 was a success!



The Lafayette Paralegal Association

cordially invites you to join us at our

Annual Christmas Luncheon

Thursday, December 10, 2015

12:00 Noon

City Club of Lafayette

1100 Camellia Blvd. in River Ranch

LPA Members \$15.00 • Non-Members \$30.00

Reservations required before 12:00 Noon on Friday, December 4

RSVP to poolerk@bellsouth.net or call 247-4540



LPA's Christmas Project

Teddy Bears for Hearts of Hope

Members and friends of LPA are invited to participate in this year's Christmas Project that is dedicated to donating teddy bears to children at Hearts of Hope, a support service for the sexually abused. The bears go straight to the Children's Advocacy Center where the abused children of their organization will receive the gift. We do accept new and used (gently worn) bears so please don't feel discouraged if you're urged to help out.

If you know of anyone who you think may want to participate, please feel free to forward this to them. If you cannot participate, we truly understand and thank you for your consideration, and if you can, we want to thank you in advance on behalf of the children. You can give your donation to any LPA board member or just simply drop them off when you come to our November or December luncheons.

2015-16 OFFICERS



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LAFAYETTE PARALEGAL ASSOCIATION, INC.

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PROFESSIONALISM FIRST . . .

WE'RE ON THE WEB!
WWW.LPA-LA.ORG

LinkedIn



The Lafayette Paralegal Association (LPA) was organized in 1984 by a group of paralegals attempting to identify goals and objectives common to the paralegal profession. Bylaws were formulated and, in 1985, the first officers were elected and committees formed in order to implement the goals and objectives of the association.

In 1999, LPA became a not-for-profit corporation.

The number of paralegals in the workforce has more than doubled in recent years, and so has LPA membership. Four classifications of membership are available:

Active [voting]
Student [non-voting]
Associate [non-voting] and
Sustaining [sponsor, non-voting]

LPA continues to pursue the goals identified by its charter members by:

- Offering continuing education through its monthly luncheon seminars;
- Participating in activities with other organizations in the legal community
 - Encouraging national certification

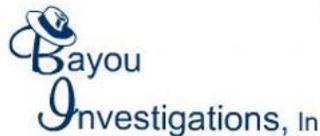
Want to learn more?

Contact our President, Emma Guidry, at emmaguidry@allengooch.com

Or visit us on the web at www.lpa-la.org

THANKS TO OUR SUSTAINING MEMBERS!

BRINEY FORET CORRY
ATTORNEYS AT LAW



OTTINGER HEBERT, L.L.C.

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**LORI HEAPY
& ASSOCIATES LLC**
CERTIFIED COURT REPORTERS

David S. Cook, Mediator

