

The Tickler



A Monthly Publication of Douglas-Carson Legal Professionals

July 2020

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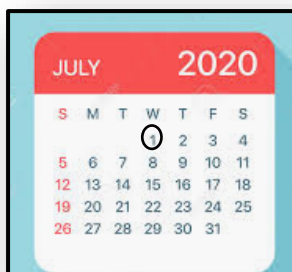
President's Message

Hooray! We're finally going to be together again! At our lunch meeting on July 1, Mayor Robert Crowell will speak on the 19th Amendment to the Constitution. This is the presentation he had planned for our January meeting. We felt it was appropriate to invite him again, since it feels like we're starting all over. Red's restaurant has assured us that it will work with us to maintain social distancing as much as possible while still making our meeting an enjoyable experience.

Whether you've continued to work in an office during the pandemic, or worked from home, or been forced to shelter in place, I realize that it has been trying to say the least. But as Dieter Uchtdorf (German aviator, airline executive, and religious leader) said: "It's your reaction to adversity, not adversity itself, that determines how your life's story will develop."

Someday, I hope that we'll look back at this time and be proud of the way that each of us survived. It was more difficult for some of us than others, but it was a time in our lives when we had to reach out to the extremes of our resilience and find a way to keep going.

—Mary Baldecchi, Emeritus PP, PLS, CLA



DCLP Luncheon Meeting — July 1

We'll be at Red's as usual. They will accommodate social distancing for us. Be sure to wear your mask. As a precaution, please check our Facebook page for any last minute updates or changes.

"Resilience is accepting your new reality, even if it's less good than the one you had before. You can fight it, you can do nothing but scream about what you've lost, or you can accept that and try to put together something that's good."

— Elizabeth Edwards



**Douglas-Carson Legal
Professionals**

Welcomes

Mayor Robert Crowell

We are pleased to have Mayor Crowell join us for our “new year” education meeting July 1.

Mayor Robert “Bob” Crowell will speak on the 19th Amendment to the Constitution which was the topic of Law Day this year. Passed by Congress June 4, 1919, and ratified on August 18, 1920, the 19th amendment granted all American women the right to vote. Achieving this milestone required a lengthy and difficult struggle; victory took decades of agitation and protest.

Bob is a native Nevadan, born in the mining town of Tonopah and raised in Carson City. An attorney by profession, Bob is a Vietnam Veteran and retired Navy Captain. He was elected Mayor of Carson City in 2008 and assumed his duties as Mayor on January 5, 2009.

Bob earned his undergraduate degree in economics from Stanford University in 1967 and his Doctor of Jurisprudence degree from Hastings College of the Law in 1973. He was admitted to the State Bar of Nevada in 1973. He is a member of the Bar Register of Preeminent Lawyers and included in Best Lawyers in America in the fields of Government Relations and Energy Law for the past twenty-five years. He is admitted to practice before the United States Supreme Court.

Bob is past president of the State Bar of Nevada having served on its Board of Governors for seven years. He has chaired the Nevada Mandatory Continuing Legal Education Board, which oversees Nevada’s continuing legal education program under the direction of the Supreme Court of Nevada. Bob is the recipient of the State Bar of Nevada Presidential Award

recognizing a member whose conduct, honesty and integrity represents the highest standards of the legal profession.

He is married to his wife of 49 years, Susan. They have four children and two grandchildren.



New Words From Merriam-Webster

By Kathy Sieckman, PP, PLS, ACP (proofthatblog.com)

The pandemic created a special update to the Merriam-Webster.com dictionary. The new words include COVID-19 and social distancing. They also include these related words and definitions:

- **Self-isolate:** to isolate or separate oneself or itself from others.
- **Physical distancing:** the practice of maintaining a greater than usual physical space between oneself and other people or of avoiding direct contact with people or objects in public places during the outbreak of a contagious disease in order to minimize exposure and reduce the transmission of infection.
- **WFH:** abbreviation for “working from home.”
- **PPE:** abbreviation for “personal protective equipment.”
- **Intensivist:** a physician who specializes in the care and treatment of patients in intensive care.

New technology words include *deepfake*: an image or recording that has been convincingly altered and manipulated to misrepresent someone as doing or saying something that was not actually done or said.

An informal pronunciation spelling has turned up in the dictionary as “*finna*” meaning “fixing to” do something.

And my favorite of the short list I saw is *truthiness*: a seemingly truthful quality not supported by facts or evidence.

It is so easy with the ability to get dictionary definitions from Merriam-Webster, Oxford, and other reputable dictionaries on a cell phone that it doesn’t make any sense not to understand what a word means so you can use it correctly.

**DCLP presents
Cognitive Fitness**



Are you keeping mentally fit during COVID-19? DCLP aims to help. This month's Cognitive Fitness Puzzle is a freeform vocabulary puzzle featuring words common to the Family Law practice area.

Are you enjoying these puzzles? What kind is your favorite?

Please let The Tickler know by emailing NALSdclp@gmail.com

Answer to the June 2020 Puzzle



CORPORATE LAW



Answer to the July puzzle will appear in the next issue.

Find These Words

- | | | | |
|---------------|------------|------------|-------------|
| Agreement | Assignment | Corporate | Utility |
| Void | Agent | Equity | Arbitration |
| Confidential | Capacity | Contract | Partnership |
| Consideration | Trademark | Franchisor | Shareholder |
| Principal | Shell | Ponzi | Tender |
| Entity | Ownership | Sale | |



What Is Resilience?

Have you ever wondered why some people seem to remain calm in the face of disaster while others appear to come undone? People that can keep their cool have what psychologists call resilience, or an ability to cope with problems and setbacks.

Resilient people are able to utilize their skills and strengths to cope and recover from problems and challenges. Instead of falling into despair or hiding from problems with unhealthy coping strategies, resilient people face life's difficulties head-on.

This does not mean that they experience less distress, grief, or anxiety than other people do. It means that they handle such difficulties in ways that foster strength and growth. In many cases, they may emerge even stronger than they were before.

Those who lack this resilience may instead become overwhelmed by such experiences. They may dwell on problems and use unhealthy coping mechanisms to deal with life's challenges. Disappointment or failure might drive them to unhealthy, destructive, or even dangerous behaviors. These individuals are slower to recover from setbacks and may experience more psychological distress as a result.

Resilience does not eliminate stress or erase life's difficulties. People who possess resilience don't see life through rose-colored lenses. They understand that setbacks happen and that sometimes life is hard and painful. They still experience the emotional pain, grief, and sense of loss that comes after a tragedy, but their mental outlook allows them to work through such feelings and recover.

Instead, resilience gives people the strength to tackle problems head-on, overcome adversity, and move on with their lives. Even in the face of events that seem utterly unimaginable, resilience allows people to marshal the strength to not just survive but to prosper.

Factors that Contribute to Resilience

Some individuals come by these abilities naturally, with personality traits that help them remain unflappable in the face of challenge. However, these behaviors are not just inborn traits found in a select few individuals. According to many experts, resilience is quite common, and people are very capable of learning the skills that it takes to become more resilient.

Social support is another critical variable that contributes to resilience. Mentally strong people tend to have the support of family and friends who help bolster them up in times of trouble.

Other factors associated with resilience include:

- Holding positive views of themselves and their abilities
- The capacity to make realistic plans and stick to them
- Having an internal locus of control
- Being a good communicator
- Viewing themselves as fighters rather than victims
- Having high emotional intelligence and managing emotions effectively

How to Build Resilience

Fortunately, resilience is something that you can build both in yourself and in your children. Some of the important steps that you can take to become more resilient:

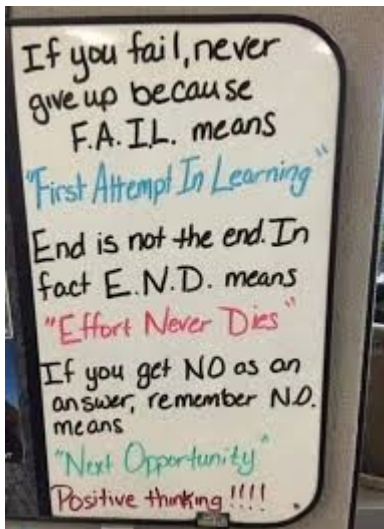
- **Reframe Your Thoughts.** Resilient people are able to look at negative situations realistically, but in a way that doesn't center on blame or brooding over what cannot be changed. Instead of viewing adversity as insurmountable, focus on looking for small ways that you can tackle the problem and make changes that will help. Focusing on the positive things you can do can help get you out of a negative mindset. You can also use this approach to help children learn how to better cope with challenges. Encourage them to think about challenges in more positive, hopeful ways. This way, instead of getting stuck in a loop of negative

emotions, kids can learn to see these events as opportunities to challenge themselves and develop new skills.

- Seek Support.** Having people you can trust and confide in is important for building resilience. Talking about the difficulties you are coping with doesn't make them go away, but sharing with a friend or loved one can make you feel like you have someone in your corner. Discussing things with other people can also help you gain insight or even new ideas that might help you better manage the challenges you're dealing with.
- Focus on What You Can Control.** When faced with a crisis or problem, it can be easy to get overwhelmed by the things that feel far beyond your control. Instead of wishing there was some way you could go back in time or change things, try focusing only on the things that are in your control. Even when the situation seems dire, taking realistic steps to help improve the situation, however small these steps may be, can improve your sense of control and resilience.

Resilience is an important ability and something that you can get better at with time. Start by practicing some resilience-building skills in your daily life. Developing a positive outlook, having a strong support system, and taking active steps to make things better can go a long way toward becoming more resilient in the face of life's challenges.

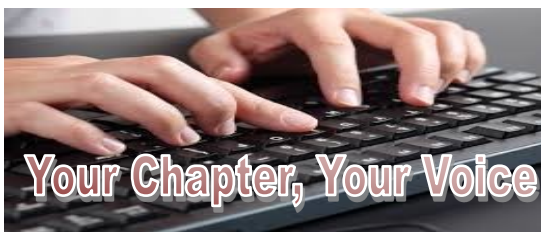
—Excerpted from an article by Kendra Cherry at verywellmind.com



Live One Day at a Time and Make It a Masterpiece

—The Dalai Lama

- A void negative sources, people, places, and habits
- B elieve in yourself
- C onsider things from every angle
- D on't give up and don't give in
- E verything you're looking for lies behind the mask you wear
- F amily and friends are hidden treasures, seek them and enjoy their riches
- G ive more than you planned to
- H ang on to your dreams
- I f opportunity doesn't knock, build a door
- J udge your success by what you had to give up in order to get it
- K eep trying no matter how hard it seems
- L ove yourself
- M ake it happen
- O pen your arms to change, but don't let go of your values
- P ractice makes perfect
- Q uality not quantity in anything you do
- R emember that silence is sometimes the best answer
- S top procrastinating
- T ake control of your own destiny
- U nderstand yourself in order to better understand others
- V isualize it
- W hen you lose, don't lose the lesson
- X cellence in all your efforts
- Y ou are unique, nothing can replace you
- Z ero in on your target and go for it



Last month President Mary asked what we have been doing during Stay at Home. While I haven't been nearly as productive as our brilliant President, I have managed to keep out of trouble and that has to count for something, right?

Let's see . . . I watched all 10 seasons of Hawaii 5-O and caught up with Lynn Hurlbut, PP, PLS, RP in the process. (Couldn't watch that gorgeous scenery without thinking of NALS Pals Lynn, Rose Carter, PP, RP and Iris Locke.) Can't wait to get back to Hawaii sometime soon.



I completed two Masters Classes (Joyce Carol Oates and James Patterson and started Margaret Atwood). My son and I are doing this

together and enjoying our discussions.

Sadly, I haven't quilted any of the numerous tops I have waiting. But I did start a batik log cabin I'm calling Crazy Covid Cabin Fever (half done ... or should I say half baked?) because I messed up the rotation on some of the blocks and decided to leave them as is as a reminder of this crazy time.



I've kept my Zentangle students busy with projects during March, April and May. Taking a bit of a break in June to conjure up new classes. Participated in several Zoom classes and Zoom chats with Bonanza friends around the world.

I haven't cleaned out closets or organized pictures (although I've hung some ... does that count, Mary?)

Oh, and I solved the pigeon poop problem on my front porch. Success! Life is good.

—Dee Beardsley

Birthdays of the Month

Birthday wishes to members:

July 9 Micki Arguello, PLS

July 9 Colleen Morin

July 25 Stephanie Pauley

Our Black Marble drawing will be back July 1! Be sure to get your tickets.



Congratulations to Darci Hayden, PP-SC whose beautiful Zircle of Life Mandala was selected to be the "face" of the Zircle of Life Mandala Facebook page.

The Zentangle class for this celebrated what we were most grateful for during the Stay at Home period and our renewal moving forward. Resilience!



Here's another by Dee Beardsley, Emeritus PP, PLS:



Headline News From **Lowering the Bar**

Legal Humor. Seriously. By Kevin Underhill

June 22, 2020

Attorney Charged with Criminal Mischief for Egging Judge's Car



<https://loweringthebar.net/2020/06/attorney-charged-with-egging-judges-car.html>

June 16, 2020

Can You Sue a Dead Person?



"What do you have to say for yourself?" (Jean Paul Laurens, "Le Pape Formose et Etienne VII," 1870)

<https://loweringthebar.net/2020/06/can-you-sue-a-dead-person.html>

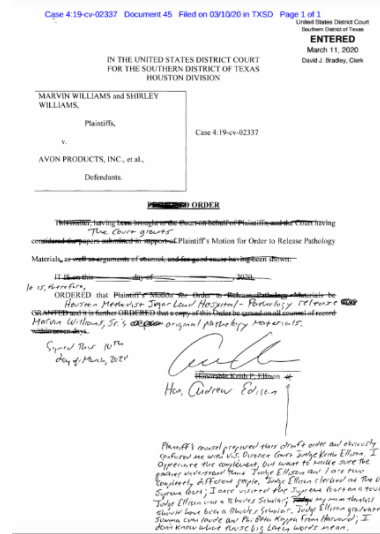
June 12, 2020

Assorted Stupidity #134



In this edition: the president's lawyers say some words, the risks of using Zoom in legal proceedings, a Florida man wants his job back, and a donkey gets arrested for gambling.

<https://loweringthebar.net/2020/06/assorted-stupidity-134.html>



March 13, 2020

This order, which was entered earlier this week in the Southern District of Texas, offers at least two lessons.

First, in general you

should try to use the fewest words necessary to accomplish your goal. The judge's edits cut the proposed order from 86 to just 29 words (not counting the title and signature block) and, not coincidentally, made it clearer and much more direct than the original.

Second, in general, you should try to get the judge's name right. Here the drafters didn't misspell the judge's name or something like that—they just put the wrong judge's name on the signature line. It should have been prepared for the signature of U.S. Magistrate Judge Andrew Edison, as Judge Edison clarified in this note:

✍

Plaintiff's counsel prepared this draft order and obviously confused me with U.S. District Court Judge Keith Ellison. I appreciate the compliment, but want to make sure the parties understand that Judge Ellison and I are two completely different people. Judge Ellison clerked at the U.S. Supreme Court; I once visited the Supreme Court on a tour. Judge Ellison graduated *summa cum laude* and Phi Beta Kappa from Harvard; I don't know what those big Latin words mean.

✍

In fact, Judge Edison graduated cum laude from Dartmouth and then got a J.D. from Virginia, so he probably does know some Latin (and Greek). He's got a sense of humor, more importantly.

69th Annual Conference
Saturday, September 26, 2020

Legal Professionals Excel Virtually

Cost:

- Member (Live Conference Only) - \$99
- Member (Live Conference + Session Recordings) - \$149
- Non-Member (Live Conference Only) - \$199
- Non-Member (Live Conference + Session Recordings) - \$249

Opening Keynote - Advancing the Cause of Racial Justice as Legal Professionals NOW: From Emmett to Floyd & Freedom

Terrell Strayhorn, PhD

Citizens are calling for the elimination of racial injustice in the United States after incidents involving Emmett Till, Trayvon Martin, and George Floyd, among others. Dr. Strayhorn will help you:

- Understand the roles and obligations of legal professionals in social justice/equity work, especially in the area of civil rights.
- Identify ways to actively engage in advancing racial justice in the country.
- Learn, find inspiration, and be ready to act!

Freelance Isn't Free: How to Start Your Own Successful Freelance/Virtual Paralegal Business

Wil Antonides, J.D., NALS of West Michigan

This session, based on personal experience and lessons learned, will provide the how-to's of starting a freelance paralegal business. You will learn how to get (and keep) your own clients, define who your "client" is, find out how to avoid the dreaded "unauthorized practice of law," and learn about the serious considerations needed before starting out on your own.

How COVID Changed the American Workplace

David M. Buday, Esq., Miller Johnson

COVID has impacted every aspect of our lives. This session will discuss what is the new normal for our workplaces and the lasting changes COVID has triggered.

Diversity in the Workplace

Aaron Burrell, Esq., Dickinson Wright

Overview of U.S. Immigration Issues

Reginald A. Pacis, Esq., Butzel Long

Immigration laws is a rapidly changing field. In this session you will learn essential concepts of U.S. immigration issues, including what a visa allows, what an immigration status allows, and the implications of lawful versus unlawful presence.

The Michigan Innocence Clinic

Imran Syed, Esq., University of Michigan Law School Innocence Clinic

Learn from the first exclusively non-DNA innocence clinic in the country. Founded 11 years ago, the MIC has won the successful release from prison of 23 clients, who served anywhere for a few months to several decades in prison for crimes they did not commit. This session will describe the intake, evaluation, investigation and litigation components of this unique law school clinical program, before closing with stories of a couple of the Clinic's most recent cases.

Conducting Remote Depositions with Ease

Shaun Fitzpatrick, Fortz Legal Support, LLC

Legal professionals are learning to work virtually but handling remote depositions can be challenging. During this session you will learn:

- An overview of video conference features
- Requirements of each participant
- How to easily introduce exhibits during the deposition
- How to record a video conference deposition

Closing Keynote - Choosing a JoyPowered® Life

JoDee Curtis, PurpleInk LLC

Whether you call it work-life balance, work-life integration, or work-life choices, the JoyPowered® philosophy helps organizations and individuals understand how to improve relationships and environments by focusing on their strengths and bringing out the best in others and themselves. Focus on what is "right!"

[REGISTER HERE](#)

Bylaws



The NALS National Board, in collaboration with the Governance Task Force, present the following Bylaw amendments:

The NALS Bylaws allow the National Board to make administrative change while requiring member approval of changes that impact member rights and privileges (see Article VI, Section 6 for details). **See page two of the updated Bylaw document** (link below) to review the Bylaw revisions the National Board has approved.

Several Bylaws are presented to the membership for consideration: **See page four of the updated Bylaws document** (link below) to review the proposed amendments. Eligible voting members (individual, life, and retired members in good standing) will be asked to vote via online ballot to be distributed on July 20, 2020.

Update June 10, 2020 — Based on member feedback, the NALS Board and Governance Task Force made the following updates to the proposed amendments:

Article VII, Section 1.B. (found on page three of the amendments announcement (link below): To allow our association to be nimble in changing times, this amendment changes the notice of proposals from 45 days to 15 days.

Article VII, Section 4 (found on page five of the amendments announcement): The treasurer position is added to be in line with Section 3.

To review all of the proposed amendments, please open the document link below:

 [Download File \(PDF\)](#)

NALS Code of Ethics & Professional Responsibility

Members of NALS are bound by the objectives of this association and the standards of conduct required of the legal profession. Every member shall:

- Encourage respect for the law and administration of justice
- Observe rules governing privileged communications and confidential information
- Promote and exemplify high standards of loyalty, cooperation, and courtesy
- Perform all duties of the profession with integrity and competence
- Pursue a high order of professional attainment

Integrity and high standards of conduct are fundamental to the success of our professional association. This Code is promulgated by NALS and accepted by its members to accomplish these ends.

Canon 1. Members of this association shall maintain a high degree of competency and integrity through continuing education to better assist the legal profession in fulfilling its duty to provide quality legal services to the public.

Canon 2. Members of this association shall maintain a high standard of ethical conduct and shall contribute to the integrity of the association and the legal profession.

Canon 3. Members of this association shall avoid a conflict of interest pertaining to a client matter.

Canon 4. Members of this association shall preserve and protect the confidences and privileged communications of a client.

Canon 5. Members of this association shall exercise care in using independent professional judgment and in determining the extent to which a client may be assisted without the presence of a lawyer and shall not act in matters involving professional legal judgment.

Canon 6. Members of this association shall not solicit legal business on behalf of a lawyer.

Canon 7. Members of this association, unless permitted by law, shall not perform legal functions except under the direct supervision of a lawyer and shall not advertise or contract with members of the general public for the performance of paralegal functions.

Canon 8. Members of this association, unless permitted by law, shall not perform any of the duties restricted to lawyers or do things which lawyers themselves may not do and shall assist in preventing the unauthorized practice of law.

Canon 9. Members of this association not licensed to practice law shall not engage in the practice of law as defined by statutes or court decisions.

Canon 10. Members of this association shall do all other things incidental, necessary, or expedient to enhance professional responsibility and participation in the administration of justice and public service in cooperation with the legal profession.



4 WAYS TO INCREASE RESILIENCE

1. **REFRAME** how you think.
2. **GET** adequate sleep.
3. **FIND** a substitute for sleep.
4. **EXPLORE** the power of positivity.

Center for Creative Leadership

Douglas-Carson Legal Professionals

www.douglascarsonlegalprof.org

NALSdclp@gmail.com

Facebook: [NALSdclp](#)

Instagram: [NALS in Nevada](#)



DCLP Chapter Officers 2019-2020

President

Mary Baldecchi, Emeritus PP, PLS, CLA

(775) 742-9362

marybaldecchi@aol.com

Vice-President

Dee Beardsley, Emeritus PP, PLS

(619) 339-0643

beardsleydee@gmail.com

Secretary

Georgianne Harjes

(775) 230-6769

gharjes1@aol.com

Treasurer

Vicki Van Pelt

(775) 443-7026

vanpeltv1@outlook.com

The Tickler

Dee Beardsley, Emeritus PP, PLS

(Editorial Manager)

beardsleydee@gmail.com

Maria Nelson, PLS (Circulation Manager)

(775) 883-3300

maria@allisonjoffee.com

Public Information Officer

Darci Hayden, PP, AAS

nalsdclp@gmail.com

NALS Headquarters

3502 Woodview Trace, Ste. 300

Indianapolis, IN 46268

RGI President

Leslie Murphy, FASAE, CAE

murphy@raybourn.com

Executive Director

Amanda S. Bureau, CAE, CVA

Board Support, Strategic Planning,

Staff Leadership

Certification and Education Manager

Natalie Shryock

Certification Growth and

Process Improvement

natalie@nals.org

Communications, Publications

Rachel Daeger, CAE, IOM

Communications and Publications

(918) 582-5188

rachel@nals.org

Events/Meeting Planner

Emilie Perkins, CAE, CMP CMM, PMP

Annual conference planning, future

meeting date selection

emilie@nals.org

Membership Manager

Mark Lewis

Individual Member and Chapter Support

mark@nals.org

Membership Application



engage
inspire
enhance
promote

Membership Application

Application Date: _____
Local Chapter Name: Douglas-Carson Legal Professionals
Last Name _____ First Name _____
Home Address: _____
City: _____ State: _____ Zip: _____
Employer: _____
Position Title: _____
Business Address: _____
City: _____ State: _____ Zip: _____
Preferred Mailing Address: Home Business
Home Phone: _____
Business Phone: _____
Fax: _____
Date of Birth: _____
Would you like to receive monthly legal education via email?
 Yes No
Preferred Email Address: _____

Your Specialty Area: (required)

- | | |
|---|--------------------------------------|
| <input type="radio"/> Law Office Management | <input type="radio"/> Criminal |
| <input type="radio"/> Business/Corporate | <input type="radio"/> Bankruptcy |
| <input type="radio"/> Probate/Estate Planning | <input type="radio"/> Taxation |
| <input type="radio"/> Court Personnel | <input type="radio"/> Administrative |
| <input type="radio"/> Litigation | <input type="radio"/> Government |
| <input type="radio"/> Family | <input type="radio"/> Real Estate |
| <input type="radio"/> Other (specify): _____ | |

Years Worked in the Legal Profession:

- 0-1 2-5 6-10 11-15 16-19 Over 20

Lawyers in Office:

- 0-1 2-5 6-10 11-20 21-49 Over 50

Type of Legal Office:

- | | |
|--|-------------------------------------|
| <input type="radio"/> Law Office | <input type="radio"/> Self-employed |
| <input type="radio"/> Corporate Legal Department | <input type="radio"/> Court System |
| <input type="radio"/> Government Services | <input type="radio"/> Other |

Membership Category

- \$207 International Membership (US Currency Only)
 \$140 New Member Membership (National Dues)
 \$140 Active Duty Military Membership **[All-Inclusive]**
 \$85 Associate Membership (educators, judges, attorneys)
 \$39 Student Membership (minimum 9 credit hours required)
 \$ 5.00 Local Chapter Dues
 \$ _____ ~~State Association Dues~~

Total Due \$ 145.00

Payment Method

Payment must accompany application. There will be a \$20 charge for returned checks. Make checks payable to NALS.

- Check One: Check or Money Order Visa
 MasterCard Discover

Credit Card Number:

Expiration Date: Month _____ Year _____

Security Code: _____

Signature (credit card registrants only)

Return This Form and Payment to:

~~NALS the association for legal professionals~~

~~Dept. 1170~~

~~P.O. Box 291483~~

~~Tulsa, Oklahoma 74178~~

~~or Fax To (918) 582-5907~~

Douglas-Carson Legal Professionals
P.O. Box 2994
Minden, NV 89423

Questions?

Call (918) 582-5188 and ask for the member services department.

I agree to be bound by the *Code of Ethics and Professional Responsibility* and the bylaws/standing rules as adopted by NALS. (Visit www.nals.org/aboutnals for details.)

Applicant's Signature _____

Membership is nontransferable.
Please send a copy of this application to your local membership chair.