

The Tickler



A Monthly Publication of Douglas-Carson Legal Professionals

May 2024

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We are happy to announce our chapter will reimburse any DCLP member attending the NALS Annual Education Conference in October the sum of up to \$500 upon presentation of receipts. So far there are four members going. If you think you might want to attend, please let me know.

Starting May 1, we will institute an attendance drawing during our meeting. Our webmaster, Danielle Friend, found an app that will allow us to input the names of those in attendance and spin a wheel for a winner. The winner will receive a \$12 Amazon card which will be sent to them digitally. You don't have to be a member to win, you just need to be present at the meeting.

We will be sending out the Tickler earlier each month, by email and by social media, to give everyone more time to review it. Please take the time to read the Tickler. It's a wonderful publication by our Editor, Dee Beardsley. She works very hard on it.

Our speaker for our Zoom meeting on May 1 is Professor David Orentlicher from the William S. Boyd School of Law in Las Vegas. He will speak on the First Amendment and Censorship.

Please join us Wednesday, May 1 at noon on Zoom!

Maria Nelson, PLS—DCLP President



DCLP LIVE!!

No Reservation Needed

Via ZOOM Wednesday

May 1, 2024 at 12 p.m.

No charge for guests.

Meeting ID: 922 280 3023

Passcode: 412889

The next Lunch Bunch meet up will be on Wednesday, May 15 at noon at The Fox Brew Pub located at 310 S. Carson Street in Carson City. If you can get away, please join us! No official business or program... Just an opportunity to socialize and catch up with our members.





Douglas-Carson Legal Professionals

Presents

Professor David Orentlicher
UNLV William S. Boyd School of Law

First Amendment and Censorship

David Orentlicher is the Judge Jack and Lulu Lehman Professor of Law at UNLV William S. Boyd School of Law and director of the UNLV Health Law Program. Widely recognized for his expertise in health law and constitutional law, Dr. O has testified before Congress, had his scholarship cited by the U.S. Supreme Court, and has served on many national, state, and local commissions. He also was a health policy adviser for the presidential campaigns of Barack Obama and Joe Biden.

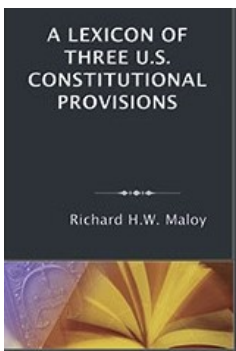
Since November 2020, Dr. O has served in the Nevada Assembly, and between 2002 and 2008, he served in the Indiana House of Representatives. He has authored legislation to reduce deaths from opioid overdose, promote job creation, protect children from abuse and neglect, and make health care coverage more affordable. His most recent book, *Two Presidents Are Better Than One: The Case for a Bipartisan Executive*, draws on his experience with partisan conflict as an elected official and his expertise in constitutional law to discuss reforms that would address the country's high levels of political polarization.

A graduate of Harvard Medical School and Harvard Law School, Dr. O is the author of *Matters of Life and Death*, co-author of *Health Care Law and Ethics*, and co-editor of *The Oxford Handbook of Comparative Health Law*. He has published numerous articles and essays on a wide range of topics, including Supreme Court reform, health care reform, physician aid in dying, reproductive decisions, affirmative action, and presidential power.

Dr. O's work has appeared in leading professional journals, such as the *New England Journal of Medicine* and the *Journal of the American Medical Association (JAMA)*, as well as in the *New York Times*, *Time*, *USA Today*, *CNN Opinion*, and the *Chicago Tribune*. In addition to his academic experience, Dr. O brings important hands-on experience. He previously directed the American Medical Association's Division of Medical Ethics, where he drafted the AMA's first patient's bill of rights and many other guidelines relied upon by courts and government agencies, and he has practiced both law and medicine.



DCLP presents
Cognitive Fitness



The three provisions of the U.S. Constitution, Full Faith and Credit Clause, the Privileges and Immunities Clause and the Equal Protection Clause have been presenting problems of understanding for lawyers and jurists since about the time the Constitution was drafted. They apply to so many different factual

situations that they defy a cogent description or definition. To solve this dilemma Professor Emeritus Richard H.W. Maloy, in his usual adroit manner, has stated verbatim five Uniform Acts and analyzed almost 700 cases in which courts have resolved issues concerning the provisions under examination. This lexicon (word book) has been constructed with the assistance of three brilliant people —two lawyers and a sagacious layman, as well as the scholarly tome "Making Our Democracy Work," written by U.S. Supreme Court Associate Justice Stephen G. Breyer - to whom this book has been dedicated. Only with an understanding of the cases considering the clauses and the observations of a knowledgeable jurist can an understanding of the Constitutional provisions be gained. They cannot be succinctly described. The cases are presented in short understandable wording, with an in-depth presentation of a few of the more complicated ones.

This book has not only been written for lawyers, but also for those many laymen who have expressed to the author an interest in those often considered, but seldom completely understood, terms so often used in American jurisprudence.

Word Search Puzzle for May



Circle the words below in the puzzle above. Words may be forwards, backwards, diagonal, horizontal or vertical. The answer to this puzzle will appear in the June issue of The Tickler.

- | | | |
|--------------|------------|-------------|
| CONSTITUTION | CLAUSE | RULES |
| PRIVILEGE | ARTICLE | DOCTRINES |
| AMENDMENTS | PROTECTION | PRECEDENCE |
| CASES | IMMUNITY | PRINCIPLES |
| SUPREME | PROVISION | POWERS |
| JURISTS | RIGHTS | FUNDAMENTAL |



April's Word Search Solution

Quiz on Torts

Submitted by Mary Baldecchi, Emeritus PP, PLS

Pair the numbered term with its lettered definition:

- _____ 1. vicarious liability
 - _____ 2. conversion
 - _____ 3. strict liability
 - _____ 4. consent
 - _____ 5. libel
-
- A. A defense to a tort action.
 - B. Rule of law that places legal responsibility on a person for the acts of another.
 - C. Defamation of a person's reputation in writing.
 - D. One of three classifications of torts.
 - E. An authorized assumption and exercise of the right of ownership over goods or personal property belonging to another, to the alteration of their condition, or the exclusion of the owner's rights.



Answers to Quiz on Torts

1. B; 2. E; 3. D; 4. A; 5. C.

Communication Tips

Six Tips for Clear Writing

Many people read professional texts, emails, or documents only grudgingly. Often that is because of the style of writing, e.g., long sentences, loads of jargon and abstract language.

These six suggestions and examples should help you write texts, emails, and letters that are easy to understand.

1. Use the active voice when possible.
2. Don't turn verbs into nouns.
3. Introduce technical terms but avoid unnecessary jargon.
4. Be concrete and specific.
5. Cut out waffle and avoid wordiness.
6. Shorten and structure your sentences.

None of these six tips are set in stone. Rather, these are rules of thumb, meant to help make your communications understandable.

It isn't easy to write clearly about complex topics but it is worth making the effort.

Checklists



Most legal secretaries, legal assistants, and paralegals are familiar with checklists for court filings and other multi-step aspects of their practices. It's the only way to stay sane—

especially if they are new to the practice field or working for a new (to them) attorney who likes things done in a particular sequence.

You may be interested to learn the distinction between two types of checklists: Read-Do and Do-Confirm.

A **Read-Do** checklist might be prepared in advance for several potential possibilities. You check off the tasks as you do them, like following a new cooking recipe. A Read-Do list may be geared towards a specific task such as filing an appellate brief or helping a new employee understand what they should be doing and in what order and helping them remember key steps in unusual or unplanned scenarios. So, for example, if a plane develops a particular type of rare fault, such as an engine failure, a Read-Do checklist could be pulled out for that scenario. The pilot and crew can use it to make the most of others' past experiences and failures. Even with training, given the situation's relative rarity, and especially if a serious situation might interfere with normal thinking, a Read-Do checklist helps steer the crew to safe outcomes without relying solely on training and memory. The calm security and simplicity of steps of a checklist can be just what's needed.

A **Do-Confirm** checklist is more of an aid to memory to make sure nothing gets missed. It's a safety net to catching lapses in memory. In principle, we know what to do, so we run through those steps from experience and memory and use the Do-Confirm checklist at a designated pause point to ensure we didn't miss anything.

Because a simple checklist can never account for every unexpected occurrence in complex environments—for example, litigation practices, healthcare, aviation, building a skyscraper, or software projects—both checklist types can benefit from items that require a communication step. An item can just be to ensure that all those with the relevant knowledge have discussed things. It's a simple and powerful way to improve outcomes across a wide range of unexpected scenarios.

95TH ANNUAL NALS CONFERENCE



Mark your calendars now for NALS 95th Annual Legal Education Conference in Portland, OR. The conference will begin the afternoon of Sunday, October 13 and conclude the evening of Tuesday, October 15.

This is the first opportunity to attend a national meeting on the West Coast in many years. DCLP will reimburse \$500 per member who attends the meeting and submits receipts. Each member who takes advantage of this opportunity is encouraged to report back to the membership through The Tickler on the education and networking aspects of the conference.

Interested members should contact President Maria Nelson for more information.

Registration

Types of Attendees	Early May 31st - Aug. 18	Standard Aug. 19 - Sept. 15	Late Sept. 16 - Oct. 7	On-site Oct. 13 - 15
Full Conference (Sun., Mon., & Tues.)				
NALS Member	\$420	\$470	\$510	\$530
Non-member	\$520	\$570	\$610	\$630
Student or Retired Member	\$320	\$370	\$410	\$430
One Day Pass (Sun., Mon., or Tues.)				
NALS Member	\$220	\$250	\$280	\$310
Non-member	\$270	\$300	\$330	\$360
Student or Retired Member	\$170	\$200	\$230	\$260
Add-Ons				
Welcome Reception Guest	\$40	\$45	\$50	\$55
Awards Lunch Guest	\$40	\$45	\$50	\$55

Hotel

Hyatt Regency Portland at the Convention Center
375 NE Holladay Street, Portland, OR 97232

NALS attendees can choose between a standard room for **\$159/night + tax** or **\$174/night + tax** for a room with south-facing city, river, and mountain views. This rate is available through **September 20, 2024**.

The conference will begin the afternoon of Sunday, October 13 and conclude the evening of Tuesday, October 15.

Book 2 nights before or after the conference at the NALS rate (pending hotel availability) to explore the city!



Mock Exams

NALS online mock examinations are computer-based tests that approximate the structure of our national certification exams. Each exam part is static and designed to assist the participant with proper exam preparation. The mock exams for the ALP, CLP/PLS, and PP Exams contain more questions than the actual exam and are available to the purchaser for 60-days at a time.

Each textbook required for the exams are utilized (e.g., *The Bluebook*, *NALS Advanced Manual for the Legal Professional*, etc.). Each question contains a reference cited to the materials. The participant will be able to review their results immediately after the mock exam is submitted. Please note the exam questions on the ALP, CLP/PLS, PP mock exams are designed to be hard. Do not get discouraged. Use this study tool to become familiar with the required texts. A passing performance on the ALP, CLP/PLS or PP mock examinations does not guarantee a passing score on the ALP, CLP/PLS or PP exam(s).

NALS Exam Cram On-Demand Series

Whether you are preparing for one of our certification exams or earning credit(s) toward recertification, NALS Cram-On Demand Series is a wonderful way for you to study for the exam. This webinar series span topics ranging from citations, electronic discovery, to various areas of substantive law.

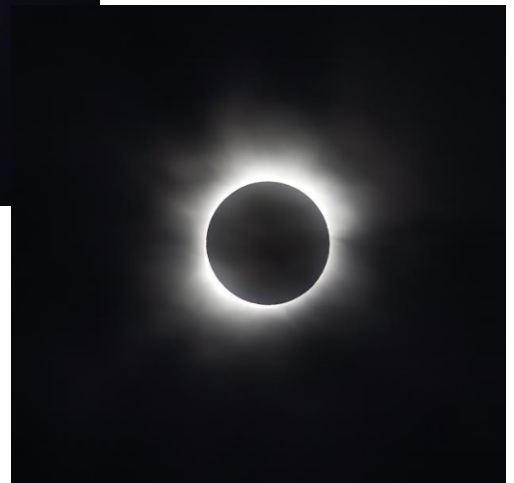
Tools for Studying

NALS offers a wide range of study tools including flashcards, study guides, and mock exams.



By Maria Nelson, PLS

My family and I went to Texas for the total eclipse again. We went to Idaho four years ago and it was amazing. This year, while we were able to see totality, the clouds obstructed my husband's ability to photograph all the phases of the eclipse. Attached are a couple photos. The clouds made the sun look kind of scary. If you look close to the edges, you can see the sun flares. He could not get a picture of the diamond ring as the clouds were obstructing us. Totality is quite an amazing feeling. It gets dark very quickly, the birds stop chirping, you begin to hear the crickets, it gets colder and then suddenly it all reverses. Totality is something everyone should experience. It's what we call a "religious experience". A WOW moment!



Photos by Bill Nelson



Chapter &
NALS News

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The Reading Nook

By Members for Members

Book Series

By Vicki Van Pelt

I love reading, and I especially love reading novels written in series (i.e., a set of novels by the same author involving some of the same characters). One of the best series I have read is the “In Death” series by J.R. Robb (a pen name for Nora Roberts). The first book (of about 57) is Naked in Death. If you like mysteries, this series is for you.

I just finished a new series by Michele Brouder set in the fictitious town of Hideaway Bay. Each novel in this 7-book series covers multiple generations of women. The first book is Coming Home to Hideaway Bay. These engaging novels are quick reads and you can find them at Walmart, Barnes and Noble, and on Amazon in Kindle or Audible format.



So Many Books and So Little Time

By Dee Beardsley

How do you choose a book to read? By Genre? Title? Author?

By Genre. I love historical fiction, mystery, thrillers, fantasy, westerns, family sagas, and biographies. I prefer long books (800—1,000 pages) that I can sink my teeth into, or a series of books that follow the same characters.

By Title. I once bought a book because I was intrigued by the title when sitting across the aisle from someone on a plane who was reading it:

The Craggy Hole in My Heart and the Cat Who Fixed It by Geneen Roth is a tender memoir about the author’s life with her beloved father, Bernard, and a remarkable twenty-pound cat named Mister Blanche. It’s often hilarious and insightful.

And I’m currently reading The Seven Husbands of Evelyn Hugo by Taylor Jenkins Reid which I found by chance on Libby, the free public library app where you can enjoy e-books, digital audiobooks, and magazines. According to Reid, Evelyn is

loosely based in part on actresses Elizabeth Taylor, who was married eight times to seven different men, and Ava Gardner, who revealed the secrets of her life to a journalist who published a book of their conversations. Evelyn is told in first person from the journalist’s point of view and I was engaged from page one by the author’s style of writing.

By Author. My local neighborhood book club selection one month was Still Life by Louise Penny. I enjoyed the quirky characters in this cozy mystery and subsequently have read seven more books in the Inspector Gamache series (18 books have been published to date with a 19th due out in October 2024). Each book solves a separate mystery while advancing the main characters’ story lines in a broader mystery.

Nearly everyone has heard of the Outlander and Harry Potter series. Here is one of my favorites you may not be familiar with:

The **Farseer Trilogy** by Robin Hobb is an epic fantasy set in the fictional realm of the Six Duchies. It tells the story of FitzChivalry Farseer (Fitz), the illegitimate son of a prince whom we meet at the get go when he is six years old after he’s been taken from his mother to live in the castle. Fitz possesses two forms of magic: a telepathic skill that runs in the royal line and a socially forbidden talent that enables bonding with animals.

The story is structured as a quest (with Arthurian motifs) and is narrated from Fitz’s retrospective. The novel’s primary society resembles medieval Europe in its technology, but has greater gender equality.

The Farseer Trilogy is the first of five integrated series set in the “Realm of the Elderlings”: The Liveship Traders trilogy, the Tawney Man trilogy, the Rain Wild Chronicles, and the Fitz and the Fool trilogy.


I was captivated by all of the novels and satisfied at the conclusion in the Fitz and the Fool trilogy.

Another series that has captured my attention is the **Temeraire** series by Naomi Novik. It is a series of nine alternate history fantasy novels which follow the adventures of Captain William Laurence and his dragon, Temeraire, and reimagine events of the Napoleonic Wars with “an air force of dragons, manned by crews of aviators.” There are nine books in this award-winning series.





Be sure to check for the special CLE code you will receive when renewing your membership in 2024.

And  to use it!!

If you are unsure of your renewal date visit nals.org OR contact VP Sharon Coates, PP, CLP

New to Zoom?

You can join DCLP's meetings as a participant without creating a Zoom account.

Windows or Mac

1. Open the **Zoom** desktop client.
2. **Join** a meeting using one of these methods: (a) Click **Join a Meeting** if you want to **join without** signing in, or (b) sign in to Zoom and then click **Join**.
3. Enter the **meeting** ID number and your display name. If you're signed in, you can change your display name. If you're not signed in, enter a display name.
4. Select if you would like to connect to audio and/or video and click **join**.

For other devices, visit:

<https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-meeting>



May 25 Sharon Smith, PLS

May 30 Vicki Van Pelt



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.



The NALS Legal Brief is a biweekly newsletter that delivers to you the trends, updates, and news from around the legal industry that is necessary to help you succeed in your career. Along with some association news, the NALS Legal Brief will give you a rundown of the current state of the legal support world by giving you a list of relevant industry-focused articles to educate and inform you.

[View past publications](#) of the NALS Legal News Brief



@Law, the NALS eMagazine for Legal Professionals, has been published for over 50 years. Each digital issue of @Law contains articles chosen by the Editorial Board, a committee of individuals in the legal support profession. It contains content to assist legal support professionals in their duties and recognizes NALS members for their achievements.

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