

# The Tickler



A Monthly Publication of Douglas-Carson Legal Professionals

October 2022

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## President's Message

**Happy Fall everyone.** I am looking forward to the beautiful fall weather before winter sets in.

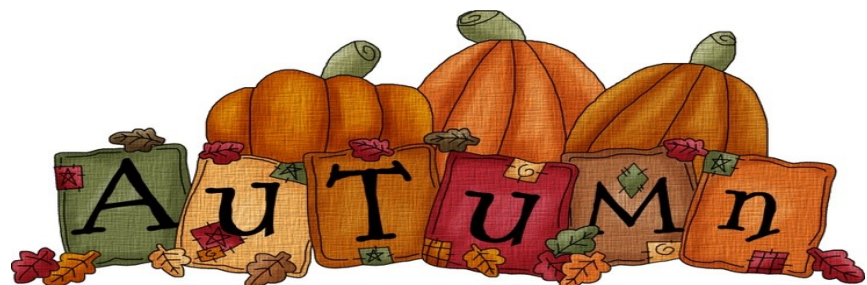
Our program this month is about ethics. This is one of my favorite parts of the law as it can be so controversial and there is sometimes more than one answer.

The definition of ethics is a code of conduct governing proper professional behavior, which establishes the nature of obligations owed to individuals and to society.

One of our members, Susan Davis, CLA, PP, PLS will present the ethics scenarios which are included in this issue. We will discuss them and she will provide the "correct answers"! Please be sure to have access to The Tickler or a copy of the scenarios in front of you when we discuss them.

It should be an interesting and fun discussion. Hope to see you there.

—Maria Nelson, PLS



**DCLP LIVE!!**

**No Reservation Needed**

Via ZOOM Wednesday

October 5 at 12 p.m.

No charge for guests.

Meeting ID: 922 280 3023

Passcode: 412889

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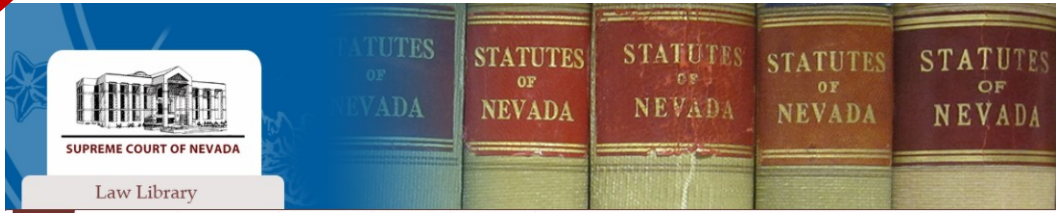
## Douglas-Carson Legal Professionals

Susan Davis, CLA, PLS, PP

**Susan Davis** has worked as a legal secretary at the law firm of Lemons, Grundy & Eisenberg since January 2003. Ms. Davis has been an active member of NALS since 1991. In December 1996, Ms. Davis graduated from University of Nevada, Reno with a bachelors degree in General Studies. In May 2001, Susan attained her CLA certification through NALA; in September 2004, she attained her PLS certification through NALS; and in September 2012, she attained her PP certification through NALS. Ms. Davis began conducting study sessions for the PLS certification in 2005 and has since seen many members successfully attain their PLS and PP certification. Over the years Ms. Davis has held various board positions with NALS of Nevada and NALS of Washoe County.

Ms. Davis is very passionate about Ethics and Grammar because she believes both are extremely important and useful for every legal support professional in his/her daily job. The ethical scenarios presentation will be interactive in nature and Ms. Davis is looking forward to audience participation. Ms. Davis promises that the presentation will be “fun” and enlightening! So come join us on Wednesday, October 5 and don’t forget to have the Ethical Scenario Handout (in this Tickler) available for reference.





## Trial Court Technology

### Documents

**Case Disposition IEPD**  
**Citation IEPD**

**DMV Conviction IEPD**

**IT Service Request Form**

**MCIJIS Overview**

**NOC Code Request Form**

**Warrant Clear IEPD**

**Warrant IEPD**



## STATE OF NEVADA SELF-HELP CENTER

For Self-Help materials; Clark County, Washoe County and All Other Locations [Click Here](#)

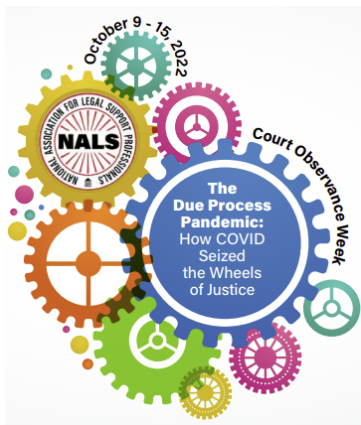
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## NALS COURT OBSERVANCE WEEK

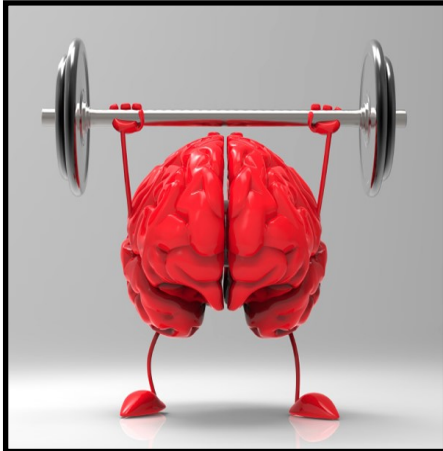
October 9–15, 2022

The Post Pandemic Planning and Technology Working Group of the Conference of Chief Justices/Conference of State Court Administrators has six technology-related recommendations for courts that can be implemented by firms as well:

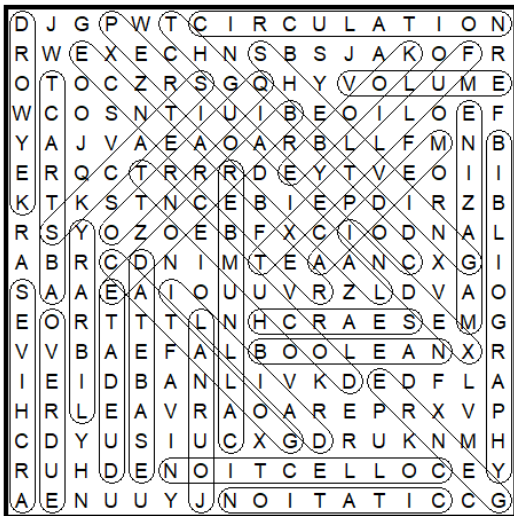
- (1) Adopt new technologies to ensure principles of due process, procedural fairness, transparency, and equal access;
- (2) Focus on the user experience;
- (3) Prioritize court-user driven technology;
- (4) Embrace flexibility and willingness to adapt;
- (5) Adopt remote-first planning where applicable, to move processes forward;
- (6) take an open, data-driven, and transparent approach to implementing and maintaining processes and supporting technologies.



**DCLP presents  
Cognitive Fitness**



Answer to the September 2022  
Library



Find and circle/mark the words below. Words may be printed forwards, backwards, up, down, or diagonal.

- |            |                |            |
|------------|----------------|------------|
| INTEGRITY  | PRINCIPLES     | SOCIETY    |
| VALUE      | HONESTY        | VIRTUES    |
| HONOR      | RIGHT          | PHILOSOPHY |
| CHOICE     | FAIRNESS       | RIGHT      |
| CONSCIENCE | RESPONSIBILITY | WRONG      |
| MORAL      | ETHICS         |            |

Are you enjoying these puzzles?  
What kind is your favorite? Please  
let The Tickler know by emailing:  
[NALSdclp@gmail.com](mailto:NALSdclp@gmail.com)

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

## Ethics Scenarios for Legal Support Professionals

1. Norma Sollers works as a paralegal for a small law firm. She is a trusted, experienced employee who has worked for the firm for 12 years. One morning, Linda Lowenstein, one of the attorneys, calls in from her home and asks Norma to sign Linda's name to a document that must be filed with the court that day. Norma has just prepared the final draft of the document and placed it on Linda's desk for her review and signature. Linda explains to Norma that because her child is sick, she does not want to leave home to come into the office. Norma knows that she should not sign Linda's name--only the client's attorney can sign the document. She mentions this to Linda, but Linda says, "Don't worry. No one will ever know that you signed it instead of me." How should Norma handle this situation?
2. Kristine Connolly, a paralegal in a litigation firm, has finished reading a brief that the opposing side submitted to the court in support of a motion for summary judgment. In the brief, she notices a citation to a state supreme court case of which she is unaware. She is experienced in the field and keeps current with new cases as they are decided. She wants to look at the case because it gives the other side a winning edge. She checks in case digests and state encyclopedias, as well as on Westlaw. She finally calls the state supreme court clerk's office and asks about the case. The office has no record of such a case. She asks the legal assistant for the opposing counsel to give her a copy of the case. When she does not receive it, she decides that the case is probably fictional. What should Kristine do?
3. Bill Richardson, a legal assistant, has been asked by his supervising attorney to prepare an internal memorandum analyzing a client's claim. When Bill reviews the facts, he realizes that the client has a very weak case and will probably lose. But Bill thinks that the client was taken advantage of and that she should be given a chance to try to recover at least something. He knows that his supervisor will not take a losing case to court, so he writes the memo in such a way as to favor the client's position as much as possible. He is not objective in analyzing the potential pitfalls of the case. Is what Bill has done ethical? Is it professional? How should he have handled the situation?
4. Ken Hall, a legal assistant, is handling all of his supervising attorney's mail while she is out of town on business for the week. The supervising attorney only wants to be contacted if absolutely necessary. She receives a letter marked "personal and confidential." Ken does not recognize the return address on the letter. How should Ken handle the situation?
5. Your neighbor's son was beaten up while at school. The boy's mother is facing over \$3,000 in medical and dental expenses as a result of his injuries, which she cannot afford to pay. She knows that you work as a paralegal in a law firm that specializes in personal-injury litigation, so she asks you if you will help her. She wants you to write a letter threatening legal action, which she will then sign, and she also wants to know whether she can sue the parents of the boys who beat up her son. Should you write the letter? Should you advise her on what action she might take against the other boys' parents? What are your ethical obligations in this situation? How could you help her without violating professional ethical standards?

*Continued next page*

## Ethics Scenarios (cont'd)



6. Linda Lore is an experienced paralegal who works for a criminal defense firm. The lawyers trust her implicitly and feel that she is as knowledgeable as they are. One morning, John Dodds, an attorney with the firm, is scheduled to be in court for a motion and, at the same time, at a deposition. John calls Linda into his office and asks her to take the deposition. Should Linda take it? Why or why not?

7. Claire is a new legal assistant interviewing a client who wants to sue the manufacturer of an allegedly defective treadmill. The client claims that while walking on the treadmill, he received an electrical shock that caused him to fall off and seriously injure his hip. Near the end of the interview, the client asks Claire whether she thinks he has a good case. Claire responds, "Well, as you know, I'm a paralegal, and I cannot give legal advice. Personally, though, I think that you do have a good case." Has Claire violated her ethical duties? How would you have handled the situation?

8. During the course of their 25-year marriage, Mr. and Mrs. Jones have had their family attorney, Mr. Shapiro, prepare their wills, handle their real estate purchases, and assist them with other legal matters. On Monday, Mrs. Jones calls Mr. Shapiro and makes an appointment. She explains that she wants to file a divorce action against Mr. Jones. On Wednesday, Mr. Jones calls Mr. Shapiro. He wants to make an appointment to discuss filing a divorce action against Mrs. Jones. May the attorney, Mr. Shapiro, represent both Mr. Jones and Mrs. Jones in the divorce action?

9. Cynthia works as a legal assistant for a sole practitioner, Samuel Weingarten. Weingarten's practice consists mainly of estate planning and probate. Today, Weingarten has received a check for \$100,000 from the sale of real property that was in an estate that he is probating. Weingarten instructs Cynthia to deposit the check into the firm's bank account, not the client trust account, because he has some bills to pay. What should Cynthia do? How might she handle this situation?

10. Marla, an independent paralegal, provides a variety of services for the public. Among other things, she provides debtors with bankruptcy forms and petitions. Mr. Ford has sought Marla's services in filing for bankruptcy. He takes home a set of Chapter 7 forms, reads through them, and begins to provide the information needed. He is not certain that he qualifies for Chapter 7 liquidation. He calls Marla and asks her if he has any other options. How should Marla answer Mr. Ford's questions?

11. True or False? When an attorney knows that her client has committed the criminal offense as charged, she should withdraw because she cannot zealously defend one who is guilty.

*Continued next page*

## Ethics Scenarios (cont'd)



12. A friend who is a legal assistant in another law firm calls you to ask if your firm has handled any recent litigation in federal court. There have been major changes in the rules of procedure in that court within the past six months, and your friend is uncertain about filing pleadings under the new rules. Your firm has just completed its first case under the new rules. What is your best course of action?
13. After an initial client interview, the client asks you what the normal fee would be for the will. What is the best reply?
- A. Legal assistants cannot quote fees.
  - B. The standard charge for a will is \$300.
  - C. The charge probably will be between \$250 and \$400.
  - D. Attorney Smith must determine the charge, which can vary widely depending on the amount of time needed to draft the will.
14. It is permissible for legal assistants to perform work that otherwise would be performed by an attorney if:
- A. The attorney supervises the delegated work.
  - B. The attorney maintains a direct relationship with the client.
  - C. The attorney assumes full professional responsibility for the work product.
  - D. Two of the above.
  - E. All of the above.
  - F. None of the above.
15. Mary is a legal assistant for Veronica Miles. While Ms. Miles is in Europe, Mary receives a notice that a probate hearing is scheduled at the end of next week. Ms. Miles is not scheduled to return to the office until after that time. Mary knows that a motion for continuance is needed to postpone the hearing. Which of the following is the worst course of action for Mary to take in this situation?
- A. Mail the unsigned motion to the court for filing;
  - B. Arrange to have the client sign the motion and file it with the court;
  - C. Sign her name to the motion and show her legal assistant title; or
  - D. Sign Ms. Miles' name to the motion and place her initials under the signature.



# Chapter & NALS News

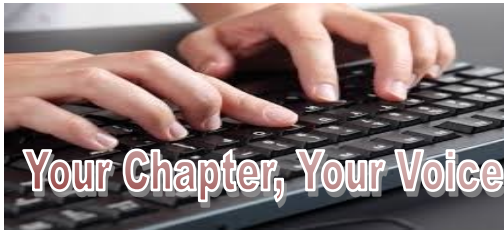


**Several DCLP members** gathered at the Great Basin Brewery in Carson City for lunch in September. Joining hostess Mary Baldecchi were Maria Nelson, Sharon Coates, Susan Davis, Vicki Van Pelt, and Dee Beardsley.

This was our second Lunch Bunch gathering. We hope to continue doing this on a regular basis as a way to stay connected and keep up with each other's activities. If you are interested in joining the DCLP Lunch Bunch, contact Mary (see page 11 for info). And if you have any suggestions for future dining locations, let her know that as well.

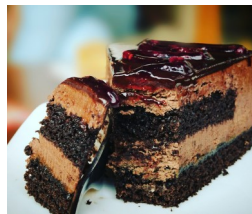






## Birthdays of the Month

No birthdays in October but we can still have cake!



@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.

Requires NALS Membership or Subscription to Access

### 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>



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

## MEMBER RENEWALS



If you are unsure of your renewal date visit [nals.org](http://nals.org) OR contact VP Sharon Coates, PP, CLP

### Don't Forget to Renew Your Membership



*Dance like no one is watching.  
Email like it may one day be  
read aloud in a deposition.*

## 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.

## **Douglas-Carson Legal Professionals**

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