

The Tickler



A Monthly Publication of Douglas-Carson Legal Professionals

April 2020

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President's Message

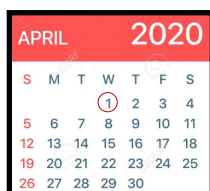
Sometimes life throws us a curve ball. In the office, the boss often has a different agenda than you do. And it's been my experience that the boss's priorities always come first. This is a time of change and we have to

adapt. Our lives are turned upside down right now.

I've recently reread a short book called *Who Moved My Cheese?* In the story, there are four characters who are faced with a crisis. Two of them adapt immediately and move on with their lives. One character refuses to acknowledge that there is a crisis and he does nothing—or rather he continues to do what he has always done. The fourth character does not act immediately, but eventually he realizes that what you are afraid of is never as bad as what you imagine. He also realized that it's natural for change to continually occur, whether you expect it or not. He had to admit to himself that the biggest inhibitor to change lies within yourself, and that nothing gets better until YOU change.

If you'd like to hear the full story of *Who Moved My Cheese?* let me know. It might be a good topic for a meeting sometime. We have to take this COVID-19 pandemic seriously. So please do your part to stop the spread. None of us wants to get sick and none of us wants to make anyone else sick.

—Mary Baldecchi, Emeritus PP, PLS, CLA



DCLP April Meeting Cancelled

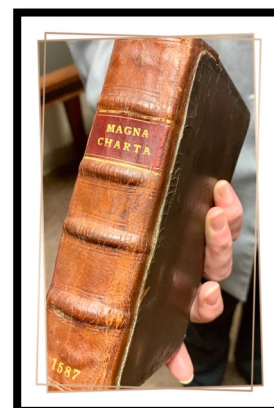
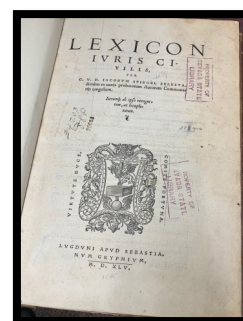
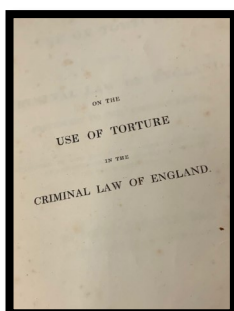
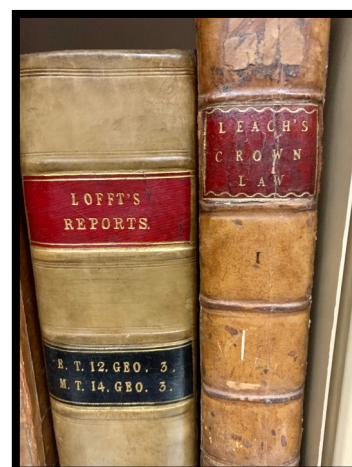
As good citizens and community partners, Douglas-Carson Legal Professionals has cancelled the chapter's monthly meeting. We wish you well and implore you to continue to practice social distancing.

CORONAVIRUS
PROTECT YOURSELF & OTHERS



Shanna Pritchett, Supreme Court Librarian March Speaker

Shanna Pritchett is the Librarian III at the Nevada Supreme Court Law Library where she coordinates the library's outreach efforts to Nevada courts, attorneys, public libraries, and the general public. March's tour of the library was magnificent with many incredible finds in the rare books section. Many thanks to Ms. Pritchett for sharing her knowledge and expertise, and to Sharon Coates, PLS, PP for arranging this informative and amazing tour for us.



STOP**PRONOUNCE****AND LISTEN!**

Remember how your fourth grade teacher taught you to use *a* before a consonant and *an* before a vowel? Times have changed and that method—by itself—is no longer a valid way to decide whether to use *a* or *an*.

Today's grammar rules indicate that use of *a* or *an* depends on the **sound** of the next letter, not just whether it is a consonant or a vowel. For instance, the word *hour* starts with a consonant but **sounds** like it begins with the vowel "o" sound, so it would be *an hour*. There are a couple of letters that can be tricky. First, where there is a long *u* sound (as in "union") and *o* with the sound of *w* (as in one), you use *a*. Just think of the long *u* sound as "yoo" (starting with a consonant sound) and the *w* sound in "one" as a "w" (consonant sound). Just remember it is the **sound** of the letter that tells you which to use.

One word that is confusing is *historic*. The way you pronounce it determines whether it is *a* or *an*. Following our rule, it should be "a historic."

The same rule will apply when you are dealing with abbreviations and acronyms. It will depend on whether you pronounce it letter by letter or as a word. For example, *a PPO insurance plan*. The acronym *PPO* is pronounced letter by letter and the first letter—*P*—is pronounced as a consonant. Another example would be *an M.B.A. degree*. The abbreviation *M.B.A.* starts with "M" which sounds like *em*, so use *an*.

When you stop long enough to sound the questionable word out in your head, the decision is pretty easy. Just stop, pronounce, and listen. You will get it if you take the time to hear it.

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The world is round and the place which may seem like the end may also be only the beginning . — Ivy Baker Priest

A Short History of Daylight Saving Time

(from Old Farmer's Almanac)

Credit for Daylight Saving Time is often attributed to Benjamin Franklin who suggested the idea in 1784 as a joke. British-born New Zealander George Hudson proposed the concept in 1885 but was ridiculed. The idea was revived in 1907 when William Willett, an Englishman, proposed a system in the pamphlet *The Waste of Daylight*.

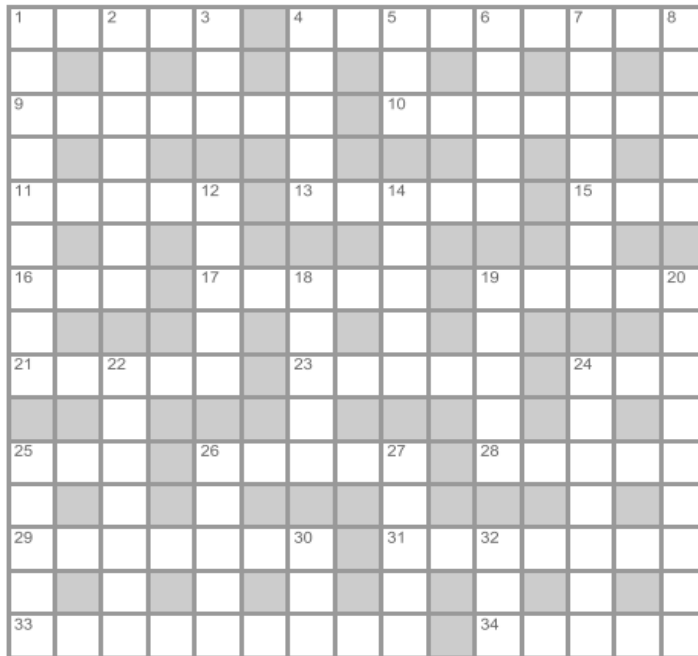
The Germans were the first to officially adopt the light-extending system in 1915 as a fuel saving measure during World War I. The British switched one year later, and the United States followed in 1918 when Congress passed the Standard Time Act which established our time zones. This experiment lasted only until 1920 when the law was repealed due to opposition from dairy farmers. (Cows don't pay attention to clocks.)

During World War II, Daylight Saving Time was imposed once again (this time year-round) to save fuel. Since then, Daylight Saving Time has been used on and off, with different start and end dates. Currently, Daylight Saving Time begins at 2 a.m. on the second Sunday of March and ends at 2 a.m. on the first Sunday in November.

More Examples as to Why the English Language is So Hard to Learn

- The insurance was invalid for the invalid.
- There was a row among the oarsmen on how to row.
- They were too close to the door to close it.
- The buck does funny things when does are present.
- A seamstress and a sewer fell down into a sewer line.
- To help with planting, the farmer taught his sow to sow.
- The wind was too strong to wind the sail.
- After a number of injections, my jaw got number.
- Upon seeing the tear in the painting, I shed a tear.
- I had to subject the subject to a series of tests

n p r A Legal Puzzle



ACROSS

1. A legal case (Latin)
4. Not micro
9. The life of Steve Zissou, e.g.
10. Search paper
11. Ha-ha
13. Like some questions
15. ___ and tuck
16. Zip
17. "Good job!"
19. In ___
21. Make law
23. The best
24. Take to court
25. Went with feathers, in old days
26. Samuel ___
28. Goes bad
29. Rough reading
31. Fiasco
33. Sonia ___
34. Throng

DOWN

1. Go against
2. Cruel and ___
3. Bit of legislation
4. They speak for themselves, in a cliché
5. Order often follows it
6. Type of poker
7. Opposed
8. Bar, legally
12. Hard to break
14. Came to
18. Cover story
19. Mr. Bates, e.g.
20. Ignore the alarm
22. Series of '70s disaster movies
24. Warm wind from Africa
25. Justices have them for life
26. Many a robber's undoing
27. Judge's yell, on TV
30. Hear a case
32. Tom Hanks movie

Answer on Page 8

The Importance of Being Earnest

In the award winning *The Search for Signs of Intelligent Life in the Universe*, playwright Jane Wagner asked, “What if, at this very moment, I am living up to my full potential?” What a sobering thought!

Is the life we are currently living all it can be or are we trapped in whatever we are doing today without considering what we can do tomorrow? Are we on the path toward achieving our adult goals?

Randy Pausch, the author of *The Last Lecture*, said that achieving your goals is all about attitude, intention, and practice, practice, practice.

That commitment to practice—to pursue goals relentlessly—has been called “earnestness” and it’s a long term goal, not a short one. Are you earnest in your pursuit of your professional goals? What happens when you meet an obstacle? What if you don’t pass that certification exam on the first try? Do you give up? Or do you pursue your goals relentlessly?

You will never come up against a greater adversary than your own potential. It’s like hitting a brick wall, but don’t let that stop you.

In the Star Trek movie *The Wrath of Khan* the Kobayashi Maru is a simulated training exercise where, no matter what the captain does, the entire crew is killed. Kirk is the only cadet to ever pass the test. How? He reprogrammed the simulation because he didn’t believe in the no-win scenario. Instead of being accused of cheating, Kirk won an award for original thinking. He was the epitome of “earnestness” in his desire to succeed.

Winston Churchill said, “Continuous effort, not strength or intelligence, is the key to unlocking our potential.” You don’t have to be the smartest person in the universe. You just can’t let yourself believe in the no-win scenario.

So what if you get lost along the way. If you’ve driven a mountain road, you know you don’t go in a straight line from Point A to Point B. You wind around, zigzagging back and forth as you ascend. According to Patti Digh, author of *Life is a Verb*, it is that winding, twisty trail where learning gets done. You make a false start; you backtrack, then go ahead. Sometimes you go 12

miles out of your way. Sometimes the learning is in getting lost but nonetheless achieving your goal and reaching your destination.

Day in and Day out we produce the same docu-

ments, file in the same courts, look up the same rules, research the same cases, draft the same articles of incorporation, or estate planning documents. Too easily it all becomes routine if we let it. Attorney Randy Singer called it the “glory of the mundane.” Never forget that what is routine to us is life-changing for the client. What we do really matters. We must be earnest in the way we approach our work and live our lives.

Continually test and challenge yourself to learn new things. Be earnest in pursuing your dreams. Do not accept a no-win scenario. Believe. Breathe.

—Dee Beardsley, Emeritus PP, PLS

earnest n. 1 : a serious and intent mental state;
2 : a considerable or impressive degree or amount



Birthdays of the Month

April 3	Mary Baldecchi, PP, PLS, CLA
April 10	Regina Nichols, PLS, CP
April 11	Debra Burns
April 26	Jessica Branco
April 26	Susan Happe

Famous April Birthdays

April 3	Washington Irving
April 4	Maya Angelou
April 5	Booker T. Washington
April 7	Billie Holiday
April 16	Charlie Chaplin
April 21	Charlotte Bronte
April 21	John Muir
April 25	Ella Fitzgerald
April 28	Harper Lee
April 29	Duke Ellington

Who of us—whether or not we follow astrology—don’t peek at our horoscope from time to time. This reading from InStyle magazine is germane to President Mary’s message on page 1.

✂

As long days stretch before us without an end in sight, it’s natural to lose track of time. A week can blur into a nebulous jumble of hours and a month can slip past as easily as an afternoon. But, you need only look to the stars to remember that time has neither slowed nor accelerated. The celestial bodies are following their paths as they always have — and their plans for you have not changed.

We have a new month ahead of us and with that comes new astrological developments, ones that will touch your life wherever you are, whoever you’re with, whatever you’re doing to pass the time, which flows so steadily and so swiftly.

Let their arrival test your ability to receive change and rise to it proportionally. A distant Pluto retrograde at the end of the month will remind us that control and power are fragile concepts — we can actually cede or harness them more easily than we may think.

Our Black Marble drawing will be back as soon as we are able to resume our monthly meetings. Meanwhile, if social distancing is leaving you one french fry short of a Happy Meal®, do you know the etymology of the phrase “losing our marbles”? If not, turn to page 7 and read on . . .



Losing Our Marbles

By Matthew Wills

There just aren't that many **mibsters** shooting **taws** for **keeps** as well as **fun**s anymore. Where have all the miggles—the aggies, cabbage leaves, commies, crockies, glassies, peewees, snot-agates, and stonies—gone? The U.S. national marbles tournament for seven- to fourteen-year-olds has taken place since 1922, but marbles no longer have anything like the popularity they enjoyed in the first half of the twentieth century. And much of the rich slang—seven hundred recorded words/phrases in the U.S., for instance—surrounding the game has faded away.

Retired geography professor Malcolm Comeaux was born in 1938 and played marbles until 1952. The last time he saw kids playing was 1960, and he marvels that “something with such a deep historical footprint should experience such a quick demise.” His son, born in 1971, never played the game... or, actually, games, since marbles were played in many ways.

That historical footprint goes back: stone and clay marbles have been found in pre-Columbian burial mounds in North America, in European caves, in ancient China. Marbles, as you might guess, take their English name from the stone. Marble historian Mark Randall sketches a historical timeline of marbles made of stone, clay, porcelain, wood, metal, and glass. The glass ones, most everyone's idea of a marble today, were originally hand-made. Machine-made glass marbles took off in Ohio around 1901 and quickly dominated the world market by the 1920s before the whole industry started trailing off in the late 1930s.

Marbles were a form of spontaneous and unsupervised play, organized and policed by the players themselves.

As Comeaux notes, it was possible to play marbles with a mixed bag made up of glass, agate (a colorful rock used to make prized shooting marbles known as “aggies”) and even “steelies.” Players all had to agree

to use steelies, usually ball bearings, since they were lethal against glass. Comeaux revels in the variations of marble games and their unique vocabulary.

Linguists Lise Winer and Hans E. A. Boos do much the same for Trinidad and Tobago, where the tradition of marble games, or *pitch*, was rapidly disappearing in the later half of the twentieth century. Most of English Creole words they document were British in origin, but “East Indian, French Creole, and possibly African influences” on the lexicon were discovered.

Winer and Boos write that “although there were widely accepted conventions of marble play” in the former British colony, the rules changed from neighborhood to neighborhood (and island to island). Negotiating “the rules themselves can become a central part of the game.” Citing another historian of marbles, they suggest that this was a universal: “making up and enforcing the ad hoc regulations” of marbles was a big part of the appeal for kids.

Marbles were a form of spontaneous and unsupervised play, organized and policed by the players themselves. The equipment was relatively inexpensive, and you could always win and/or trade your way to a larger collection. You didn't even have to use actual marbles: in Trinidad and Tobago in the 1920s and 1930s, they recycled the round glass stoppers in bottles for their games.

Many cultural changes precipitated the demise of marbles: more organized team sports; a vast toy market; electronic and digital toys; the virtual end of walking to and from school; the rarity of dirt patches in suburbia. It's a very rare kid today who **knuckles down** to a **beefsteak** game of **bumps-up** and tries not to **lose all his marbles**.

[Source: JSTOR Daily.org/losing-our-marbles]

Ring the bells that still can ring
Forget your perfect offering
There is a crack, a crack in everything
That's how the light gets in.

Excerpt from *Anthem*, by Leonard Cohen

Nominations and Elections

As our normal chapter meeting schedule has been altered due to the COVID-19 limitations regarding public gatherings, nominations and elections for the 2020-2021 board of directors will be on hold until we can meet again.

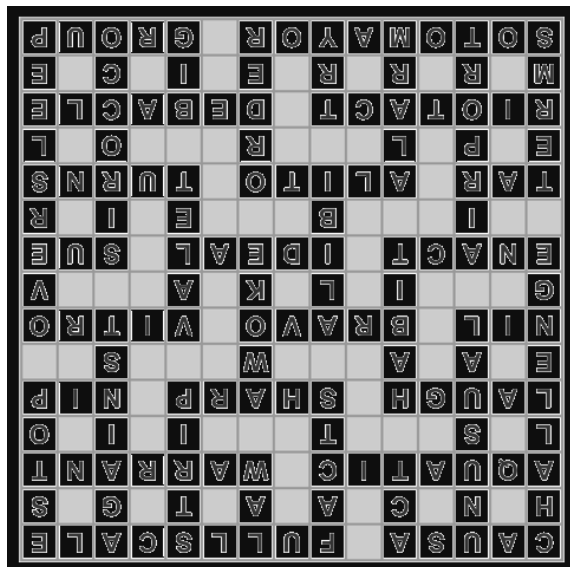


engage
inspire
enhance
promote

Always know that there are those whose love and understanding will always be there, even when you feel most alone.

<https://silverliningofyourcloud.wordpress.com/2014/01/26/always-know/?postpost=v2#content>

Answer to NPR Crossword Puzzle on Page 3



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.

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Membership Application



engage
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promote

Membership Application

Application Date: _____

Local Chapter Name: Douglas-Carson Legal Professionals

Last Name _____ First Name _____

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City: _____ State: _____ Zip: _____

Employer: _____

Position Title: _____

Business Address: _____

City: _____ State: _____ Zip: _____

Preferred Mailing Address: ☐ Home ☐ Business

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Fax: _____

Date of Birth: _____

Would you like to receive monthly legal education via email?
☐ Yes ☐ No

Preferred Email Address: _____

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- | | |
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| <input type="radio"/> Law Office Management | <input type="radio"/> Criminal |
| <input type="radio"/> Business/Corporate | <input type="radio"/> Bankruptcy |
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| <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

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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

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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.