

Ab Initio

a publication of

Legal Assistants/Paralegals of Southern West Virginia

an Affiliate of the National Association of Legal Assistants, Inc.

Volume I, No. 3

July 2005

CONGRATULATIONS TO LAPSWV ON FIRST ANNIVERSARY!

The Executive Committee met on June 21 at Shoney's in Teays Valley and the prevailing mood was one of pride and real accomplishment! In our one year existence, Legal Assistants/Paralegals of Southern West Virginia has made a significant mark on the local legal community. **Jane Lambert's 2004-05 LAPSWV Annual Report** can be read in its entirety on the website. Please take time to read it and celebrate OUR success.

2005-2006 LAPSWV EXECUTIVE OFFICERS

The election of new officers took place at the LAPSWV's First Annual Seminar Meeting on May 14 at Marshall University.

President - Jill Francisco, CLA
1st Vice President - Nancy Knurek, CLA
2nd Vice President - Rhonda Swartz, CLA
Secretary - Cindy Lowther
Treasurer - Pat Schoolcraft, CLA
NALA Liaison - Tammy Welch, CLA
Historian - Joyce Wilson, CLA

LAPSWV 1ST ANNUAL MEETING A STUNNING SUCCESS

LAPSWV's first annual seminar and meeting was held at Marshall University's Memorial Student Center on May 14, 2005. Thanks in no small part to the tireless efforts of **LORENA SHINGLETON** and others, the one-day seminar was packed with CLAE opportunities for attending certified paralegals, as well as wonderful door prizes and gifts for everyone. The agenda included notable speakers The Honorable Maurice Taylor, USDC/SDWV Magistrate Judge; Attorneys J. David Bolen, Alexander C. Ward, Raymond Franks, and Joanna Tabit; Judge Taylor's Judicial Assistant Jennifer Honaker; and LexisNexis representative Breigh Marling.

LORENA SHINGLETON worked hard to secure the support of multiple local sponsors, and her efforts paid off. The staff at Marshall's Student Center did a fantastic job of catering a very nice lunch. The attending members, non-members, and speakers were impressed with the organization and overall good time enjoyed by all. See www.lapswv.org for meeting photos!

Plans are already being made for the 2nd Annual LAPSWV Meeting and Seminar to be held in Charleston in 2006.

**NALA Certification
Examination Schedule**

Test Date: **July 22-23, 2005***

Test Date: **December 2-3, 2005**

Deadline for Application: **Oct 1**

Test Date: **March 24-25, 2006**

Deadline for Application: **Jan 15**

*** Good luck to the following paralegals:
Vickie Fisher, Nodgie Kennedy, Cindy
Lowther, Karen Nichols, Anna Skaggs,
Lorena Shingleton, Suzette Smalls, Loretta
Stevens, and Shannon Todd.**

**Newest CLAs
(December 2004 Examination)**

Jill I. Francisco, CLA

Donna G. Losey, CLA

*** * * * ***

"NALA 30-Three Decades Strong"

**30th Annual
Convention & Exhibition
Hyatt Regency Crown Center
Kansas City, Missouri
July 13-16, 2005.
<http://www.nala.org>.**

*** * At press time, LAPSWV President Jill
Francisco is attending the NALA convention
in Kansas City. We anxiously await her
report as to this year's very special events.**

**2005-2006 Executive Committee
Meeting Schedule**

**3rd Thursday in
August, November, 2005
February, and April, 2006.**

**Officers,
please mark your calendars.**

"Lunch & Learn" Meetings

Charleston

The Charleston Chapter of LAPSWV will host its next "Lunch and Learn" on **Thursday, August 18**, from noon until 1:00 p.m. at Steptoe & Johnson (707 Virginia Street East) in the Steptoe Conference Room on the 8th floor of the Bank One Center. Speaker will be Robert L. Bailey, Esquire, S&J Associate. Mr. Bailey will be offer a discussion of the "Federal Practice/Local Rules Revisions-Removal: What, How and When?" The presentation will provide one (1) hour CLAE for participating paralegals.

Huntington

The Huntington Chapter of LAPSWV will host its next "Lunch and Learn" on **Thursday, July 21**, from noon until 1:00 p.m. at Huddleston Bolen law firm (611 Third Avenue, Huntington, WV) in conference room 102. Speakers will be Terry Deppner, Clerk and Becky Proctor, Analyst from the Clerk's Office, U.S. District and Bankruptcy Courts. They are going to talk about electronic filing. The presentation will provide one (1) hour continuing education CLAE credit for CLAs present.

**VISIT
www.lapswv.org
OFTEN!!**

MEMBERSHIP

The LAPSWV fiscal year is July 1 through June 30. New members' and current members' dues were **due and renewable by July 1, 2005**. LAPSWV membership is available in three categories: Active member, Student member, and Sustaining member. The annual dues for membership are \$30 for active members; \$20 for student members; and \$50 for sustaining members. **As of May 2005, there are 67 LAPSWV members.**

All applicants for membership must agree to be bound by the Code of Ethics and Professional Responsibility of the National Association of Legal Assistants, Inc. (NALA). The canons of ethics are part of the LAPSWV Membership Application.

News is frequently sent to all members via e-mail. Members are encouraged to provide the Executive Committee members with changes in their e-mail address by completing the Change of Address form.. Both the membership application and change of address form are available in PDF format at www.lapswv.org

BANKRUPTCY REFORM

The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 became law on April 20, 2005. The Act holds many changes for the bankruptcy system. Some of the statutory changes are as follows:

(cont'd above)

- **Rules and forms will change.**

Many of the changes in the bankruptcy law, such as changes to the appellate procedures, will require adjustments to the Federal Rules of Bankruptcy Procedure.

- **Statistics collection will expand.**

The Act calls for expanded information to be collected and made available to the public. For example, the total assets and liabilities of debtors filing under Chapter 11, and their current monthly income, average expenses, and aggregate amount of debt discharged in cases filed.

- **Debtors to file copies of tax returns.** The court must make tax returns available to creditors and other parties, but keep the returns secure from public viewing.

- **New *in forma pauperis* filing category.** Under this new category, debtors may request the court to waive their filing fees.

- **Chapter 12 is now permanent.** Once only temporary, Chapter 12 has finally become permanent.

- **A new Chapter 15 has been created.** The new Chapter 15 deals with cross-border insolvency and governs the manner in which a foreign court may enlist the aid of a U.S. Bankruptcy Court.

(cont'd next page)

• **Bankruptcy decisions may now be appealed more often.** The Act expands the circumstances under which judgments, orders or decrees may be appealed directly to the courts of appeals.

• **Credit counseling is now a pre-condition** to filing a consumer petition, with some exceptions. Post-filing debtor education is a requirement for receiving a discharge.

These are some of the important changes to bankruptcy reform.

Submitted by: V. Jane Lambert, CLA

2005-2006
LAPSWV COMMITTEE CHAIRWOMEN

Education Committee
Nancy Knurek, CLA

Finance Committee
Pat Schoolcraft, CLA

Fund Raising Committee
Cindy Lowther and Tammy Welch, CLA

Membership Committee
Rhonda Swartz, CLA

Nominations and Election Committee
Jill Francisco, CLA

Public Relations Committee
Jill Francisco, CLA

Website Committee
Lorena Shingleton

NALA CAMPUS
LIVE!
Real Time CLE Online
with Live Presentations

FALL PROGRAM
August 15–November 15, 2005

Ethics	Aug 15
The Legal Nurse Consultant	Aug 16
American Legal System, Pt 1	Aug 23
American Legal System, Pt 2	Aug 30
Basic Business Organizations	Sep 8
Evidence (Fundamentals)	Sep 13
Paralegals as Jury Consultants	Sep 16
401k Basics	Sep 18
Elder Law Issues	Sep 20
Legal Research	Sep 23
Evidence (Intermediate)	Sep 27
PowerPoint© for Paralegals	Oct 5
Estate Administration, Pt 1	Oct 6
Communications	Oct 7
Medical Records Review	Oct 11
Power Up your PowerPoint©	Oct 12
Estate Administration, Pt 2	Nov 2
Judgment & Analysis	Nov 4
Real Estate Closing Statements & HUD Settlement Statements	Nov 9
Electronic Healthcare Documents (EHI)	Nov 14

Registration is \$75 per course (NALA members);
\$100 (non-members). Visit
www.nalacampus.com for more information.

Ab Initio

Latin for "from the beginning."

Ab Initio is a quarterly publication of Legal Assistants/Paralegals of Southern West Virginia (LAPSWV). None of the information contained herein is intended nor should it be construed as legal advice.

LAPSWV
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