



# THE BRIEF

THE MONTHLY NEWSLETTER OF THE CAPITAL AREA  
PARALEGAL ASSOCIATION

NOVEMBER 2019

## PRESIDENT'S MESSAGE



With the Texas Board of Legal Specialization ("TBLS") certification exam coming up on November 9<sup>th</sup>, I thought this would be a great time to remind everyone about the importance of certification.

**Do you know the difference between being certified and "certificated"?** If not, don't feel bad – the terms are often confused and incorrectly used interchangeably by legal professionals, educators/students, and employers.

CAPA Past-President, Carli Collins, TBLS-BCP, put together some handy information about the difference between the two terms, along with a [chart](#) of some certification options available to paralegals on CAPA's website.

**A paralegal certificate** is something that a paralegal will possess upon successful completion of a formal program in paralegal education and training. **A certified paralegal** is one that has successfully passed one of the voluntary certification examinations offered by a certifying organization, such as the Texas Board of Legal Specialization or the National Association of Legal Assistants ("NALA").

While being certified is not a requirement in Texas, it certainly sets you apart from the rest, can be a resume booster, and can help make you eligible for senior level positions and higher salaries. For example, there are less than 400 paralegals in Texas who have earned the title Board Certified Paralegal ("BCP") through TBLS in a specific area of law and many who have earned the title Certified Paralegal ("CP") or Advanced Certified Paralegal ("ACP") through NALA. You likely have seen these initials in email signatures of proud paralegals who have taken their education to the next level.

**Have you considered becoming certified?** I would highly encourage it and CAPA has ways to help support you! CAPA has a wonderful team of volunteers who can assist in your study through the CP Study Group or the TBLS Study Group sessions offered throughout the year. Keep an eye on CAPA's calendar and communications about the next sessions coming up.

If you're scheduled to take the upcoming TBLS exam this month, or you're preparing for an upcoming CP exam, we're wishing you the best of luck and commend you for taking the next step!

Cheers ~  
Brittany Posadas, TBLS-BCP  
CAPA President 2019-2020

### IN THIS ISSUE

- SAVE THE DATE: CAPA's Holiday Clean Sweep
- November Event Calendar
- Pro Bono Article: "Shining Light in a Dark Place"

# 2019-2020 BOARD OF DIRECTORS

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# BOARD SPOTLIGHT

## IMMEDIATE PAST PRESIDENT



**Kristina "Kris" Kennedy** began her paralegal career in 1994. She has a Bachelor of Arts and a Bachelor of Journalism from the University of Texas at Austin. She has been Board Certified in Family Law for 20 years and in Civil Trial Law for 15 years through the Texas Board of Legal Specialization. Additionally, she is designated as an Advanced Certified Paralegal through NALA, The Paralegal Association, in both Family Law and Discovery.

Kris is an active member of the Paralegal Division of the State Bar of Texas, and she is the Immediate Past-President of the Capital Area Paralegal Association (CAPA). She served as the Paralegal Division Director of District 4 for the 2012-2014 term. She was named Paralegal of the Year by CAPA in 2011.

She has been a Court-Appointed Special Advocate for 16 years and has enjoyed volunteering for Austin Smiles as a documentary photographer on medical mission trips to Central America for the past six years. She is in the process of writing a children's book and also enjoys playing guitar.

# COMMITTEE SPOTLIGHT

## SCHOLARSHIP



**Lindsey Reyes** is a defense litigation paralegal at Germer Beaman & Brown, PLLC. She began her paralegal career shortly after graduating from Texas State University with a Masters in Legal Studies. She got married earlier this year and is now expecting a **baby boy** in May 2020.

The Scholarship Committee administers the Nancy McLaughlin Scholarship. The Scholarship was created in honor of CAPA member Nancy McLaughlin, a dedicated and active legal assistant (pre-paralegal designation).

CAPA offers two separate scholarships per year of Two Hundred Fifty Dollars (\$250.00) each. The scholarship can be used to pay for or supplement CLE attendance, certification, paralegal courses or membership in other paralegal associations.

For more information about Nancy and the Scholarship, please visit the [website](#).

# November 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3 	4	5	6 CAPA Board Meeting	7	8	9 TBLS Paralegal Certification Exam
10	11 	12	13	14	15	16
17	18	19	20 Membership Meeting & CLE luncheon	21	22	23
24	25	26	27	28 	29	30

## UPCOMING EVENTS

(Click the links for details/registration)

- Nov 06 [November Board Meeting](#)
- Nov 12 [Pro Bono Committee Meeting](#)
- Nov 20 [November Membership Meeting and CLE Luncheon: Adam Loewy presenting Personal Injury CLE - title TBA](#)
- Dec 01 [CAPA's Holiday Clean Sweep!](#)
- Dec 04 [December Board Meeting](#)
- Dec 10 [CAPA Holiday Party](#)

## November Birthdays

Melissa Ambruzs	Pamela Horn
Kimberley Baldrige	Kelley Lumsden
Anna Barndt	Anissa Madrill
Violet Botello	Meredith Matthews
Shara Brink	Danielle Miller
Jenna Brooks	Lisa Mitchener
Lori Burton	Adriana Ortiz Viera
Emillian Calhoun	Jonathan Ponder
Sara Clemente	Anthony Reyes
Karen Coker	Ian Saunders
Carli Collins	Donna Sorenson
Meredith Combs	Sandra Staskus
Alice Duerr	Sherry Stowers
Tracy Engle	Diana Villegas
Brionna Grooms	John Warren
Paloma Hampton	Rus Withers
Yesenia Hampton	

Did we miss your birthday? [Log in and update your member profile](#), or [let us know](#).

# ANNOUNCEMENTS & NEWS

Start your Holiday Season off right with an afternoon of service to the community. Bring your family, bundle up (hopefully), and join CAPA for our first ever **HOLIDAY CLEAN SWEEP!**

Come on out to the Clean Sweep event and then head over to **Austin's 53rd Annual Zilker Holiday Tree Lighting** at 6:00 PM and create a new family tradition of holiday fun!



## CAPA HOLIDAY CLEAN SWEEP!

**Sunday, Dec. 1st, 3:00 PM**  
Bring your family [furry family, too!] and welcome in the holiday season!

Join CAPA for a walk up our Keep Austin Beautiful street, South Congress!

- We'll clean up as we walk
- After the cleanup, join us for some hot chocolate at Jo's
- Make an evening of it and head to Zilker Park for Austin's Annual Tree Lighting at 5:30!

Bring your friends and family. Gloves and trash bags will be provided.



## NOVEMBER MEMBERSHIP MEETING & CLE LUNCHEON



ADAM LOEWY  
LOEWY LAW FIRM

## MOVING THE CASE: TIPS AND TACTICS FOR WORKING UP A PERSONAL INJURY CASE

Wednesday, November 20, 2019  
Chez Zee American Bistro  
Register at: [www.CAPATX.com](http://www.CAPATX.com)

### EARLY REGISTRATION

MEMBERS - \$27  
NON-MEMBERS - \$30

LATE REGISTRATION  
(AFTER 11/15) - \$35

[CLICK HERE TO REGISTER ONLINE](#)

## CONGRATULATIONS

### **Dee Ann Davis**



#### **2019-2020 PARALEGAL OF THE YEAR**

Congratulations to Dee Ann Davis, CAPA's 2019-2020 Paralegal of the Year! Dee Ann was presented with an engraved award and a check for \$500 by 2018-2019 Paralegal of the Year, Francesca Romans, at our October 30 Luncheon and CLE. Dee Ann was nominated for her inspiring dedication and contributions to our profession and to her colleagues.

*To all of those who are taking the Texas Board of Legal Specialization exams on November 9th...*



# **Good Luck!**

~ CAPA Board



CAPA members celebrated **Paralegal Day** alongside guests from the newly-formed Paralegal Division of the Williamson County Bar at a social/cocktail hour at Dogwood-Rock Rose.





# THANK YOU

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made CAPA's  
Paralegal Day  
celebration possible!



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## THE LEGAL CONNECTION INC.

## Shining Light in A Dark Place

By Winston D. Wright, Pro Bono Committee Member

Bad days are a part of life. They are an inescapable part of the human condition. Bad days are unbiased as to whom they lay their wrath upon. For many of us we find that a few deep breaths, a good night's rest, and lighthearted laughter remedy the despondency we sometimes feel, and we move on to enjoy a new day.

However, imagine the best years of your life being torn out of you like the pages of a calendar because of what happened to you on - not just a bad day - but the worst day of your life. Then imagine the worst day of your life following you everywhere you go. Years, and then decades after you have put that bad day behind you, it follows and becomes an albatross sported over your neck, permanently.

You may wonder, why would anybody endure an albatross? The answer can be broken down into two words – *Criminal Conviction*.

By definition, a criminal conviction means you have been found guilty of a crime by a court or you have agreed to plead guilty to a crime. Generally, if you are found guilty or you agreed to plead guilty to *any level* of crime, it will result in a criminal conviction.

According to the Department of Justice, Texas incarcerates 563 per 100,000 people. That amounts to 172,200 people out of our state's population, and the FBI *counts anyone who has been arrested on a felony charge to have a criminal record, even if the arrest did not lead to a conviction*. So, by the FBI's standard applied nationally, 73.5 million people had a criminal record as of June 30, 2017.

While they *had the right* to counsel during their criminal case, they don't always have the right to counsel *post-conviction*. Even with the best of intentions, people reengaging in civil society after conviction have been shut down, turned down, and passed up because of their criminal record.

It is fair to declare that these people have been given a "*civil death*," and having been toe tagged this way leads employers to believe that people with a criminal record are more likely to engage in workplace violence and theft and will not consider employing them. A person with felony conviction must also face the fact that many types of student and financial aid will not be available to them. Limited jobs and limited education will inevitably pit these people closer to homelessness far ahead of those who have unlimited accesses to jobs and unlimited education.

It is time that we help these people. Let's align our recourses to give people reengaging our civil society a reasonable chance. . While it is not a constitutional right have appointed counsel during the post-conviction process, the legal professionals in Austin can volunteer their time and talents as paralegals, lawyers, and humanitarians, giving these folks a *life after their civil death*. Let us restore their liberties so they can have the same integrity the majority of us Texans have when we proudly seek employment, cast our ballots, and entertain other rights.

After all, "*Texas*" is derived from the Caddo Native American word "*Teyshas*" meaning friends or allies.

*(2015 U.S. News & World Report - Casey Leins; 10 States With Highest Incarceration Rates.)*

(Dan Clark, "How many U.S. adults have a criminal record? Depends on how you define it" *politifact.com* The Buffalo News -Friday, 08-18-2017)

# congratulations

Nelly M. Soriano

*"...Ms. Soriano has applied herself diligently to her responsibilities as an advocate and resource for her clients, and her extensive experience and expertise have enabled her to positively impact the lives of many Texans seeking judicial action in the areas of immigration, insurance defense, personal injury, labor and employment, education, environmental justice, and estate planning, among others; she became board certified in civil trial law with the Texas Board of Legal Specialization in 2014 and now serves as a senior litigation paralegal at a prominent law firm, which she oversees a team of legal support staff ..."*



The State of Texas



## RESOLUTION

WHEREAS, Texas Paralegal Day is taking place on October 23, 2019, and this occasion provides a welcome opportunity to recognize Nelly M. Soriano for her more than 30 years of dedicated service as a paralegal in the Austin area; and

WHEREAS, Throughout her career, Ms. Soriano has applied herself diligently to her responsibilities as an advocate and resource for her clients, and her extensive experience and expertise have enabled her to positively impact the lives of many Texans seeking judicial action in the areas of immigration, insurance defense, personal injury, labor and employment, education, environmental justice, and estate planning, among others; she became board certified in civil trial law with the Texas Board of Legal Specialization in 2014 and now serves as a senior litigation paralegal at a prominent law firm, where she oversees a team of legal support staff; and

WHEREAS, October 23, 2019, marks the 38th anniversary of the founding of the State Bar of Texas Paralegal Division, the first paralegal division to be established by any bar association in the United States; the division has the mission of advancing high standards of conduct, ethics, and responsibility in the paralegal field, and it also works to achieve better and more economical legal services throughout the state, to protect the interests of its constituents, and to promote opportunities, incentives, and recognition for legal education; and

WHEREAS, Paralegals play a vital role in ensuring the efficient functioning of our state's legal system, and Nelly Soriano may indeed reflect with pride on her many years of service to her profession; now, therefore, be it

RESOLVED, That Nelly M. Soriano be recognized for her career as a paralegal on the occasion of Texas Paralegal Day and that she be extended sincere best wishes for continued success.



*Senfronia Thompson*  
Senfronia Thompson  
State Representative  
District 141





# PET OF THE MONTH



**Louie**

Louie is a 7(ish) year old shih tzu mix with a perpetual underbite.

Likes: carrots, getting his ears brushed, barking at all delivery people.

Dislikes: baths, stairs, Amazon Prime.

Submitted by Carli Collins

CAPA Members! Submit a pet photo to [publications@capatx.org](mailto:publications@capatx.org). If your pet is featured, we'll send you some CAPA swag!



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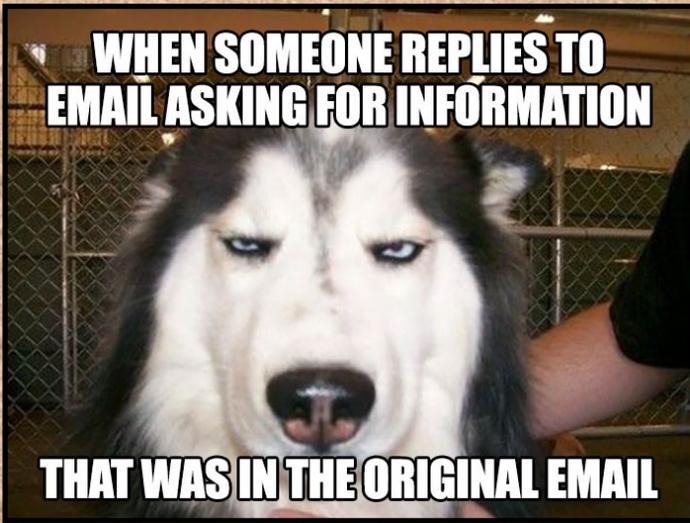


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# Keepin' it Weird



## Weird Law



If you're visiting your family in Houston and planning on including any Limburger cheese in your Thanksgiving recipes, make sure to purchase it Monday-Saturday. An old Houston City Code makes it illegal to sell Limburger on Sundays!

## Monthly Dose of WEIRDNESS

Jingle Bells was originally a Thanksgiving song composed in 1857. Its enormous popularity carried it over into the Christmas season.

The "Turkey Capital of the World" is located in Frazee, MN. Frazee is also the location of the world's largest man-made turkey, which is named "Big Tom."



After George Washington suggested the Thanksgiving holiday in 1789, then-President Thomas Jefferson called the proposal "the most ridiculous idea" he'd ever heard!

# MEMBER BENEFITS

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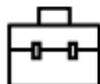
## CLE

CAPA offers several hours of CLE throughout the year at monthly luncheons, CLE Seminars, and Lunch & Learns. Many are complimentary or offered at a discounted rate.



## DISCUSSION FORUM

CAPA members have exclusive access to CAPA's online discussion forum. Ask questions, share information, and discuss all things paralegal.



## JOB BANK

Exclusively for Members, CAPA's Job Bank is updated several times per month with job postings in the Austin area.



## SCHOLARSHIPS

Scholarships can be used for paralegal certification exam fees, membership dues, CLE seminars, and other approved paralegal study materials.



## MENTOR PROGRAM

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