



THE BRIEF

THE MONTHLY NEWSLETTER OF THE CAPITAL AREA
PARALEGAL ASSOCIATION

AUGUST 2020

PRESIDENT'S MESSAGE



Dear CAPA Members,

Hello! My name is Ariane Walton and I'm excited to serve CAPA as President-Elect. Currently, I'm also the acting President during Amber Haney's personal leave. For those that don't know, Amber's mom Susan was diagnosed with a brain tumor at the end of June. She underwent surgery to have it removed and is currently undergoing radiation and chemotherapy. Amber and her sister Caitlin work with their mom at The Haney Law Firm. They are all very active members of the Austin community and are well known for their pro-bono work, particularly with CAN-LAW. Quick shout out to Susan and Caitlin for making Austin's Top Attorneys of 2020 List! Amber, we wish you, Susan and your entire family well during this difficult time and a speedy recovery to Susan.

So, here I thought I had an entire year as President-Elect to learn the ropes and ease into this new role. However, like all things 2020 ... we're rolling with it! I'm incredibly grateful to the Board, Chairs and those eternal CAPA volunteers (you know who you are) who help all of us newbies learn the ropes and get things done.

I still think of myself as a newbie though I joined CAPA in 2017 not long after I completed the UT – Paralegal Program. I am a former Special Education Teacher turned paralegal who was looking for some work / life balance. I'm very fortunate to have found it at my transactional real estate law firm, Hancock McGill & Bleau.

Volunteering as the Programs Chair as soon as I joined CAPA was quite daunting and had me uncomfortably outside of my comfort zone for several months. However, with the constant support of the Board I slowly figured things out and ended up having a lot of fun scheduling speakers for our monthly CLEs. And still do! I'm constantly impressed at the generosity of time by our guest speakers. I love getting input from members about potential speakers or topics and feedback from the surveys. If you've ever thought about getting more involved with CAPA but were nervous about doing so – I'm here to tell you there are many people here willing to help you and so many ways to volunteer. I'm so glad I did and I'd love to hear from you if you'd like to take a similar leap or have any suggestions for how we can improve your CAPA experience – big or small.

Amber wanted the theme of her Presidency to be resiliency and I think we can all support her in that goal. We've all faced challenges during this crazy year. Personally, I'm inspired by the return to a 'simpler life'. For me this means cooking almost all meals at home, trying new things like painting and DIY projects and traveling local. I'd love to hear about ways you've found resilience or ways in which you're needing support. CAPA's membership is full of smart, solution-oriented, creative thinkers – let's share ideas. Please don't ever hesitate to reach out.

Happy August,

Ariane Walton
President-Elect / Acting President
pres_elect@capatx.org

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Court Proceedings

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BOARD SPOTLIGHT

LAURA KLIMAN, SECRETARY



Laura has been a CAPA member since joining as a student member through the UT-Austin Paralegal Certificate program in 2015. She also earned her Bachelor's degree in criminal justice from South University in 2015. Laura currently works as a litigation paralegal for a Plaintiff's Personal Injury firm. Prior to becoming a paralegal, Laura worked as a nurse, so the personal injury field was a perfect fit! She will serve as Secretary for this year's term. When she's not working, Laura enjoys traveling, reality TV (hello 90 Day Fiance!) and spending time with her teenage son and rescue boxer dog, Maggie. In the fall, you can catch her loudly cheering on her favorite football teams, the Texas Longhorns and the New Orleans Saints!

What do YOU
want to see in
The Brief?



Let us know by emailing publications@capatx.org

MEMBER BENEFITS - DID YOU KNOW...

CAPA members have *exclusive* access to CAPA's online discussion forum.



Ask questions, share information, and discuss all things paralegal!

Find the discussion forum under the "CAPA MEMBERS ONLY" tab on the home page.

Edit your subscription and notification preferences in your your member profile.

August 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4 CLE by Esquire: Conducting Depositions Online	5	6	7	8
9	10	11	12 August Board Meeting	13	14	15
16	17	18	19	20	21	22
23	24	25	26 August CLE: Anne Morgan, City Attorney	27	28	29
30	31					

UPCOMING EVENTS

(CLICK THE LINKS FOR DETAILS/REGISTRATION)

- August 4 [CLE by Esquire: Conducting Depositions Online – What You Need to Know to Execute the Process Successfully and Legally](#)
- August 12 [August Board Meeting](#)
- August 26 [August CLE: Anne Morgan, City Attorney, City of Austin \(Topic TBA\)](#)
- September 9 [September Board Meeting](#)

AUGUST BIRTHDAYS



- | | |
|------------------|---------------------|
| Theresa Ann Alba | Laura Kliman |
| Karen Austin | Eric Lin |
| Kaci Barker | Tammie Marrs |
| Jennifer Brenner | Jennifer McCleary |
| Julie Callis | Jennifer Quinlan |
| Sidney Cameron | Lynda Radford |
| Amy Feser | Jennifer Rogers |
| Nikita Glass | Brittany Rosborough |
| Amber Haney | Laurel Violet |
| Hanna Jacunski | Christina Watson |

Did we miss your birthday?

[Log in and update your member profile](#), or [let us know](#).

New Sustaining Member Committee

Reach us at
sustaining@capatx.org

Brittany Posadas and Alice Lineberry are your ***new***
Sustaining Member Committee!

Sustaining Members - Keep an eye out for
communications from us on remote CLE and other
opportunities to reach the membership!

We are grateful for your continued support!

ZOOM WEBINAR

NALA & TBLs - APPROVED

AUSTIN CITY ATTORNEY
ANNE MORGAN

LEGAL ISSUES INVOLVED
WITH RUNNING A CITY

WEDNESDAY, AUGUST 26, 2020 @ 12:00PM
REGISTER AT: WWW.CAPATX.ORG

ANNOUNCEMENTS AND NEWS

COURT UPDATES AND EMERGENCY ORDERS

[Travis County COVID-19 Information](#)

[The OCA's Court Operations Guidance](#)

[Supreme Court of Texas \(edited 7/31/2020\)](#)

[U.S. District Court for the Western District of Texas \(edited 5/8/2020\)](#)

[3rd Court of Appeals \(edited 5/26/2020\)](#)

[Travis County Civil & Family Courts \(edited 6/15/2020\)](#)

[Travis County Associate Judges Procedures for Remote Hearings](#)

[Travis County Criminal Courts \(edited 5/12/2020\)](#)

[Travis County Justices of the Peace \(edited 7/27/2020\)](#)

[Travis County Juvenile Court](#)

[Travis County Probate Court](#)

[Travis County Attorney's Office](#)

[Travis County District Clerk's Office](#)

The CAPA Board of Directors will continue to closely monitor the situation and will keep you updated via the [web page](#), social media, and email as news develops that impacts our members and our legal community.

WORK FROM HOME TIP

TIPS FOR WORKING FROM HOME

- Join an office social group.
- Master written communication and communicate as much as possible.
- Use tools like Loom or delayed emails can facilitate asynchronous communication.
- Establish a daily routine.
- Mimic a commute ritual.
- Establish a dedicated workspace.
- Set a "Focus Day" or try the "Pomodoro Technique" to manage the workload.
- Journal to identify stress and work patterns.
- Don't be afraid to take a mental health day.

COMMUNITY SPOTLIGHT

LIZ GARCIA, PRO BONO & COMMUNITY SERVICES

Hi, my name is Liz Garcia, and I'm the new Chair of the Pro Bono and Community Service Committee. We probably have not met in person yet, and it might be a little while before we can, so I thought I'd drop you a few lines here just to introduce myself. I was pleased to contribute an article to the April issue of The Brief ("Visiting Women in Detention"), because it gave me the chance to tell my fellow CAPA members about my favorite volunteer work: visiting women in ICE detention. Unfortunately, due to COVID, it might also be a while before detention centers reopen for visitation. Nevertheless, I remain as committed as ever to public service, so I hope you're as excited as I am about using our professional skills (and precious free time!) to give back to our community.



While COVID has temporarily put the kibosh on most in-person events where CAPA members have volunteered in the past (such as legal clinics hosted by Volunteer Legal Services and Education Austin's citizenship application drives), I'm currently investigating new remote pro bono and COVID-safe community service projects in need of volunteers. I promise to share new opportunities as I discover them. In the meantime, our community still has needs, and I've researched several nonprofits that are doing a fantastic job addressing them. These are great organizations that deserve all our support, but only one can be the next recipient of the Flower Fund's 2020-21 fundraising efforts. Please keep your eyes peeled for a survey that will be sent to your email so you can vote for your favorite.

CancerCare provides counseling, support groups, education and financial assistance for cancer patients and their caregivers. They offer funding for transportation, home care and child care to those suffering from a variety of diagnoses. They also have a team of professional oncology social workers that directly help patients obtain financial assistance from other resources (including CancerCare's own Co-Payment Assistance Foundation, which helps cover the cost of chemotherapy and other targeted treatments).

COMMUNITY SPOTLIGHT (CONTINUED)

LIZ GARCIA, PRO BONO & COMMUNITY SERVICES

Emancipet makes veterinary care affordable and accessible to pet parents in underserved communities. They manage an expanding national network of high-quality, low-cost clinics, offer customized training and consulting programs to animal welfare organizations, and advocate for strategies and public policy that improve the lives of pets throughout the U.S. Since their establishment in 1999, Emancipet has spayed or neutered more than 350,000 dogs and cats, and cared for more than 170,000 pets in 2019.

Mobile Loaves and Fishes sends its trucks out 7 nights a week, 365 days a year to provide food, clothing, and other life-sustaining items to homeless Austinites who are struggling to survive. With more than 5.5 million meals served, they have grown to become the largest prepared feeding program to the homeless in Central Texas, and established the Community First! Village, a 51-acre master planned development that provides affordable, permanent housing and a supportive community for people coming out of chronic homelessness.

Safe Alliance (born From a merger between Austin Children's Shelter and SafePlace) is an organization that serves both children and adults who have survived domestic violence, sexual assault and exploitation. Programs include their Children's Shelter & Teen Parent Program, as well as counseling, emergency, supportive and transitional housing for women and children.

Founded in 1970 to represent Texas farmworkers, Texas Rio Grande Legal Aid has since grown into the nation's third largest legal aid provider, and become the largest in Texas. Providing free civil legal services to residents in 68 Texas counties (including Travis), and representing migrant and seasonal farm workers throughout the state and in six other southern states, TRLA also operates public defender programs that serve 10 Texas counties, and represent low-income and indigenous people accused of felonies, misdemeanors, and juvenile crimes. TRLA helps 23,000 people each year who would otherwise be unable to afford legal representation.

CancerCare <https://www.cancercare.org/>

Emancipet <https://emancipet.org/>

Mobile Loaves and Fishes <https://mlf.org/>

Safe Alliance <https://www.safeaustin.org/>

Texas Rio Grande Legal Aid <https://www.trla.org/>

Best Practices for Zoom Court Proceedings

By Graham Sutliff



The Stay-At-Home and Shelter-In-Place Orders issued across the country have presented unique challenges in many forms. For litigators, these challenges have required an industry that is resistant to change to adapt quickly and dramatically in order to continue to fulfill our obligations to our clients and the legal system. We commend judges, counsel, clients, those in the legal industry, and everyone else who is taking part in learning and mastering these virtual substitutes, for continuing to innovate and keep the wheels of justice moving.

Video conferencing has become the new norm for all types of proceedings throughout Texas and the United States. In Texas, the Office of Court Administration (OCA) secured a [Zoom](#) contract and a license is available to all State of Texas judges. Additionally, the OCA recommends that most non-essential proceedings, except for jury trials, be conducted remotely. While the means for conducting proceedings has been given, the legal community is now faced with handling the logistical details of how to effectively and professionally participate in a Zoom proceeding. Several best practices have emerged to help you present your case in the best manner.

First Things First--Setting Up Zoom For Your Practice

One of the main reasons why Zoom seems to be such a popular video conference option is its cost-effectiveness. Zoom has a free option that provides a number of features, and its subscription service is relatively inexpensive (i.e. \$149.90 for an annual, single license). In comparison, competitors such as GoToMeeting do not offer any type of free plan.

Installing Zoom is extremely easy and user-friendly. A web browser client is downloaded whenever you start or join your first Zoom meeting. On the Zoom website, any number of plugins or extensions can be installed so that Zoom can be run from applications such as Google Chrome, Microsoft Outlook, or Skype for Business. Zoom can also be run from a mobile device, such as a tablet or smartphone. As might be expected, running Zoom from a computer with a webcam or a laptop provides a richer experience over using it on a tablet or smartphone. A smartphone should only be used as a last resort.

As Always, Check for Local Rules

Before appearing in a proceeding, you should also check with the specific rules of the court. Different judges will have their own preferences on topics such as mute procedures, whether or not recording is allowed, and how to submit evidence. Additionally, as judges gain more experience with Zoom, those preferences may change over time. For instance, the 345th District Court issued procedures that include a rule about muting when not speaking and a detailed procedure on how to submit exhibits. In comparison, Judge Kyle Carter includes in his [Court Decorum rules](#) the following: “Mute Button When You Are Not Speaking, Identify Yourself Each Time You Speak, and Recording is Prohibited.” These rules may seem strange or arbitrary, but they are often the result of some surprising discoveries about Zoom. For instance, many courts are setting Zoom videoconferences to private, utilizing breakout rooms and keeping witnesses in virtual waiting rooms. This has become a necessity because of Zoombombing (a form of hacking). Recordings are generally discouraged because the only official record of a court proceeding should be the one produced by the Court Reporter. Additionally, several courts are advising that chats be avoided altogether or prohibiting private chats. This is in response to the discovery that messages that were sent in a private, person-to-person mode, can actually be viewed by anyone who downloads the transcript from Zoom.

Best Practices for Zoom Court Proceedings

By Graham Sutliff

Three Ways to Improve your Presentation

1. Backgrounds

It is important to have a clean and professional looking background when engaging via Zoom. This is necessary for both depositions and court proceedings since deposition recordings may be introduced later during a hearing, and court proceedings are often livestreamed to YouTube or Facebook to ensure the public has access under the Open Courts Provision of the Texas Constitution. You don't want people thinking about what is going on behind you and not listening to what you have to say.

With this in mind, you have several options. You can look for an organized, clutter-free space in your home that can be your background. Alternatively, as a way to improve your presentation or the presentation of your witness, you can use a virtual background through Zoom. For depositions, assuming it is your witness, be sure to give some thought about the witness' background.

If you want to use a virtual background, you need to test it to see if the space you want to use will need a green screen. A cluttered background makes it difficult for the technology to differentiate you from what is behind and around you. In this situation, you will need a green screen to use a virtual background. There are many options for purchasing a green screen online, but you can also purchase inexpensive options like a green poster board or make your own screen by painting a sheet or piece of cardboard. Also, be sure that your clothes are not the same color as your background (e.g. green shirt with a green background) or you will become the invisible person.

The process of adding a virtual background is very easy and you can add anything you think would look the best. To help, we have created a photo gallery of professional, license-free images that you can download and use for yourself. [Click here.](#) We have also set out instructions on how to download and upload the images to your Zoom account.

2. Submitting and Presenting Documents

For court proceedings, each court will likely have its own rules about how to present documents. Some courts have used Dropbox to allow attorneys to share evidence, but many others prefer email. Be sure to call the Court prior to your hearing to determine how the Court handles the presentation of evidence. Some judges can manage the exhibits themselves and share their screen on Zoom when exhibits are used. If, on the other hand, you are required to present your exhibits, then you need to know how to share your computer screen and how to direct people's attention to the parts you want. An app we find helpful in the presentation of evidence is Snagit. This app allows you to easily cut and paste from documents and zoom in easily.

When it comes to depositions, we suggest coordinating with the videographer beforehand so they can verify that they have high-quality, clean copies and that they will be able to zoom in on relevant portions of exhibits as needed. You should also familiarize yourself with Zoom's ability to share your computer screen so you can present documents on the fly during the deposition.

Best Practices for Zoom Court Proceedings

By Graham Sutliff

3. *Technical Capabilities*

In order to make sure you have high-quality video and audio, you will need a strong wired or WiFi connection, so you may need to experiment in different parts of your home to find the strongest signal. Attorneys should also try to find a quiet place where ambient noise will be at a minimum (think rooms with carpet or rugs and rooms with no echo). If available, using ear buds with a built-in microphone provides a better listening experience, reduces background noise and allows others to hear you better. With respect to lighting, you want the room to be well lit. Lamps are helpful and, when available, should be placed evenly with or a little behind your camera. Avoid having bright lights in the background because such light will create problems for the camera. As for the location of the camera, try to have it eye-level so that it appears that you are looking at the other individuals on the conference.

Even with the best preparation, it can be difficult to anticipate how your Zoom video conference will behave on the day that you need it. Associate Judge Aurora Martinez Jones suggests that you try to avoid Zoom “traffic,” if possible, by requesting or setting a start time that is mid-morning or later. She also recommends that you have a number of backup devices available in case your audio does not work or if you need to have private attorney-client communication. If you do end up using multiple devices, make sure to label them all properly when logging into Zoom using your first and last name so that they can be easily identified by the host of the videoconference. If only a phone is used, provide the host with your phone number ahead of time. If you are the host of a Zoom video conference, it is recommended that you ask all participants to log in early to iron out any technical difficulties.

Judge Dimple Malhotra also has a number of suggestions to ensure successful Zoom video conferences. If there is time before the official start time of the hearing, be sure to turn your video off until it is needed. She also encourages attorneys to be aware of issues of access. Not all participants have the capability to use Zoom. Some clients may not have a compatible device or internet access, and you should be prepared to come up with alternative arrangements.

Proper Preparation—Be Sure to Test Your Setup and System Before Any Hearing or Deposition

After installing Zoom, users should test out the functions in Zoom by going through the various options and setting up a videoconference with a friend or colleague. When setting up this test, be sure to record the test session so you can go back and watch the test so that you will understand what others will see. You want to familiarize yourself with the basic functions such as different view options, mute, and chat. Depending on the device used and the form of Zoom interface, certain features may not be available. For instance, some devices may not have the video capabilities to utilize virtual backgrounds. Finally, attorneys should practice working with the different video and audio options, as well as how to use screen sharing and documents.

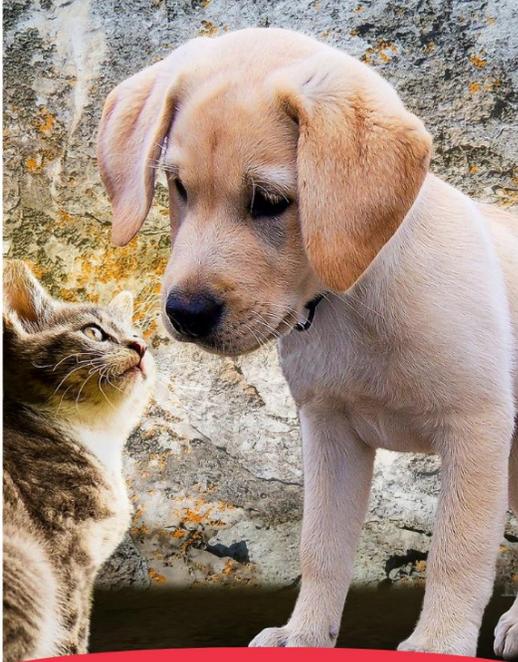
With these best practices in mind, combined with patience and learning from experience, Zoom can be a powerful tool to help courts and attorneys continue their important work.

About the Author

[Graham Sutliff](#) is the co-founder of Sutliff & Stout, Injury & Accident Law Firm. Graham is Board Certified in Personal Injury Trial Law, and he has been actively trying personal injury cases for over fifteen years.



PET OF THE MONTH



YOUR PET!

CAPA MEMBERS! DO YOU HAVE A PET YOU LOVE AND WANT TO SHOW OFF?

SUBMIT A PET PHOTO TO PUBLICATIONS@CAPATX.ORG.

IF YOUR PET IS FEATURED, WE'LL SEND YOU SOME CAPA SWAG!

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Night Drivers available

Public Record Search & Retrieval

Online Order & Tracking

Online Billing available

Computer Dispatching

Two way radio & Telephone contact

Uniformed Personnel

MASTERCARD/VISA/AMEX

Keepin' it Weird



Fun Facts - August Edition

- Origin of August's name: August was the 6th month in the early Roman calendar, named after Julius Caesar Augustus.
- August's birth flowers are the gladiolus and the poppy. The gladiolus symbolizes strength of character, sincerity, and generosity. The poppy symbolizes eternal sleep, oblivion, and also imagination.

- August is a wonderful month for star gazing! It's the month of the Perseid meteor shower, which peaks between August 11 and 13.

- August 26 is Women's Equality Day, which celebrates the 1920 ratification of the Nineteenth Amendment and, with it, women's right to vote in the United States.

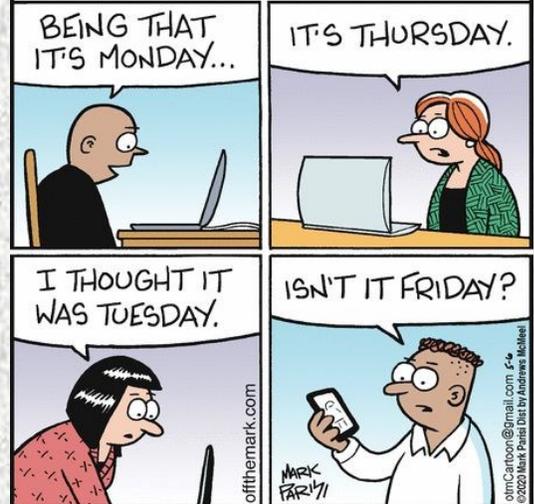


THE NUMBER ONE BENEFIT
OF WORKING FROM HOME



THE SHORT
COMMUTE!

WORK-FROM-HOME PROBLEMS



Monthly Dose of
WEIRDNESS

EMUS HAVE BEEN BANNED!

Kevin and Carol, two sibling emus, have been banned from a hotel in a tiny town in Queensland, Australia. They are usually a great source of entertainment, however, they have unleashed chaos ever since they learned to climb the stairs. "We put the sign up, but we're not quite sure whether they're able to read or not," hotel co-owner Gerry Gimblett said.

<https://www.npr.org/2020/07/28/896235721/emus-have-been-banned-for-bad-behavior-a-hotel-in-australia-s-outback-says>

MEMBER BENEFITS

EXCLUSIVELY FOR MEMBERS



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

Ask for guidance from seasoned paralegals, or share your wisdom and experience with a student or new paralegal.



LEARN MORE AT CAPATX.ORG

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