

Legal Personnel of South Central Wisconsin

www.lpscw.org

MANDATUM



January 2010
Vol. XLV, No. 5

LEGAL PERSONNEL OF SOUTH CENTRAL WISCONSIN MEETING NOTICE

January 13, 2019

Place: The Edgewater
666 Wisconsin Ave.
Madison, WI

Speaker: Carlo Esqueda, Clerk of Courts
Dane County Circuit Court

Topic: Dane County Circuit Court Procedure

Time: 5:30 p.m. – Attitude Adjustment
6:00 p.m. – Business Meeting &
Dinner (Dinner to be served during
business meeting)
7:00 p.m. – Education Presentation

Cost: \$17.50

Menu: Chef's Choice Buffet

RESERVATIONS ARE DUE BY NOON

Monday, January 11, 2010, to:

Deborahdawson61@yahoo.com
or
(608) 283-6701

LPSCW OFFICERS 2009-2010

PRESIDENT

Hilary Williams
(608) 258-4335
hwilliams@foleylaw.com

PRESIDENT ELECT

Vacant

SECRETARY

Deborah Dawson
(608) 334-9191
Deborahdawson61@yahoo.com

TREASURER

Phyllis DeGraff, PP, PLS
(608) 755-8109 ext. 112
pdegraff@nowlan.com

MARKETING DIRECTOR

Deborah Taugher
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dtaugher@foleylaw.com

ACTING EDUCATION DIRECTOR

Crystal Helmeid
(608) 755.8100
chelmeid@nowlan.com

MEMBERSHIP DIRECTOR

Sonja Schade
(920) 992-6647
schade_sonja@yahoo.com

LPSCW 2009-2010 PROGRAMS

- 9/09/09 Topic: *Social Networking*
Speaker: Kate Scoptur,
Director of Client Relations at Axley
Brynelson, LLP
- 10/14/09 Topic: Court Observance Week – *A
Look at the Court from a Judge’s View*
Speaker: Hon. Julie Genovese
Circuit Court Judge, Branch 13
- 11/11/09 Topic: *Legal and Professional Ethics*
Speaker: Atty. Timothy D. Edwards,
Axley Brynelson, LLP
- 12/09/09 Business Meeting/Holiday Gathering
- 01/13/10 Topic: *Dane County Circuit Court
Procedure*
Speaker: Carlo Esqueda, Dane Co.
Clerk of Circuit Court
Location: Edgewater, Madison, WI
- 02/10/10 Topic: *Alternative Court Reporting
Methods: How They Can Be used to
Your Advantage*
Speaker: Janet Harris, Harris
Reporting Company
Location: Edgewater, Madison, WI
- 03/10/10 Topic: *Both Sides of the Cubicle,
From Paralegal to Attorney*
Speaker: Atty. Carol A. Chapman,
Axley Brynelson, LLP
Location: Edgewater, Madison, WI
- 04/14/10 Annual Business Meeting
Location: Foley & Lardner LLP,
Madison, WI
- 05/12/10 Installation of Officers/
Member Recognition
Location: Edgewater, Madison, WI
- 6/09/10 Roundtable/Planning Meeting
Location: TBD
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DATES TO REMEMBER

- January 13, 2010 – LPSCW Educational Meeting -
Edgewater - Madison, WI
- March 11-13, 2010 – NALS Professional Development
& Education Conference – Tulsa, OK
- April 28-May 2, 2010 – WALP Annual Meeting – “Take
Flight with WALP” – Milwaukee, WI
- June 5, 2010 – Susan G. Komen Race for the Cure -
Madison, WI

PRESIDENT’S MESSAGE

Gathering
Dear Members:

The weather may not have cooperated with us in
December, but I hope everyone had a great holiday.

We have a lot of business to discuss during our January
meeting, and we also have a great speaker scheduled,
so we will be conducting our business meeting at 6:00
and holding our regularly scheduled educational
presentation beginning at 7:00. In order to get
through all of our scheduled events for the evening,
we will have dinner during our business meeting.

A couple of notes for our December meeting: Jane
Vande Veldon, PP, PLS the WALP Membership
Director, will be joining us, so please welcome her to
our chapter; and we will be electing the LPSCW 2010-
2011 executive committee officers. Good luck to all
who have chose to run for office!

Happy New Year!

Hilary Williams
LPSCW President

STUDENT MEMBERSHIPS

During the Executive Committee telephone conference
on Monday, December 7, 2009, potential student
membership incentives were discussed. September
Holmblad, PP, PLS, of NALS of Greater Minnesota was
mentioned as a potential resource. I agreed to contact
September and report my findings to LPSCW.

Pursuant to my December 28, 2009, telephone conference with September, I learned that NALs of Greater Minnesota:

- A. **Does Not Pay for Student Dues.** At one time they did allow students who were members of NALs to attend their seminars at no cost, but have since changed that policy due to the "inurement" rule that applies to nonprofit organizations. Inurement – nonprofits have to be careful about what they pay for. It needs to benefit the nonprofit directly. Can't just waive dues.
- B. **Instructors are Key to the Student - Membership Relationship.** Membership dues are included in the program tuition at Alexandria College. At Ridgewater Tech, the instructor encourages membership and even gives extra credit for attending seminars. They do allow the instructors to attend seminars for free.
- C. **They do not have a scholarship program.**

Submitted by: Deborah A. Taugher,
LPSCW Marketing Director

MEETING MINUTES

(Reprinted at Request of President Hilary)

LPSCW MEETING
November 11, 2009 - Madison, Wisconsin

The meeting was called to order at 7:59 PM by President, Hilary Williams.

Roll call was taken.

Officer's Reports:

Minutes: The October minutes were printed in the *Mandatum* and were approved pending changes to add the initials after names of members with certifications.

Treasurer: Treasurers report approved subject to financial review.

Committees:

Membership: Our new member Rhonda Hampton was in attendance. She will be installed at the next meeting she attends. We have 30 members as of 11/6/2009.

The Membership Directory has been updated. It will be distributed in electronic form unless a paper copy is requested. Sonja Schade is the contact person for the Membership Directory.

Mandatum: November 23, 2009 is the deadline for submissions for November Mandatum.

New Business:

WALP Nomination – criteria was discussed. No nominations were made at the meeting.

Open seats for LPSCW include Membership Director and President Elect.

Nuts are still available for fundraiser sale.

WALP Winter meeting on 12/5/09 hosted by LPSCW at MATC. Any mini-mart items will be accepted for our mini mart.

Nominations and Elections for 2010 seats: Gail Wolfe is the contact person.

December meeting at Murphy Desmond. Optional \$5. ornament exchange will be held.

Old Business:

CLE Certificates were distributed.

Announcements:

WALP meeting at MATC on 12/5. All were encouraged to attend.

December meeting will be held at Murphy Desmond.

NALS Tulsa meeting – March 11-13, 2010.

Meeting adjourned at 8:24 p.m.

Submitted:

Deborah Dawson, Secretary

Approved:

Hilary Williams, President

FUNDRAISING

If you have not already done so, please bring all proceeds from the nut sale to the January meeting.

Karen Dempski, PLS

NALS/REGION 5/STATE NEWS

NALS

Congratulations to the newly elected 2009-2010 officers who will be installed on March 12, 2010, in Tulsa.

Region 5

If you are attending the Professional Development Conference in Tulsa, be sure and attend the Region 5 meeting which is scheduled for 11:15 A.M. on Friday, March 12th.

State (This report was "borrowed" from Great Milwaukee's Governor, Bernice E. Tresemer, PP, PPS)

The December 5, 2009, meeting was hosted by Legal Personnel of South Central Wisconsin and held at Madison Area Technical College, Truax Field Campus, which resulted in four students attending the education sessions on Saturday.

The Executive Committee meeting was held Friday evening. President Beth Koerber, PP, PLS, shared Evelyn Stuckmann's obituary, which referenced the association. Evelyn was a long-time member of the Lakeshore chapter, She also mentioned that Wisconsin Legal Directories doesn't need the association's services due to the current economy, so we cannot count on that income. President-Elect Anne Ihde mentioned there was a slight profit from the fall educational seminar.

Membership Director Jane VandeVelden, PP, PLS, provided us with information about the NALS member hardship waiver and discussion was held whether WALP should put the same policy in place. If a continuing NALS member is out of work when their dues are up for renewal, NALS will give them a one-time waiver. The E.C. will recommend WALP adopt the same policy and local chapters are encouraged to discuss adopting a policy as well. Discussion was also held regarding the NALS membership drive. Jane mentioned that chapter members and past presidents are listed in the back of the member directory on the WALP website and that she has ordered updated brochures from NALS and will have those available for the chapters.

Under new and unfinished business, the Award of Excellence judges as presented were approved

(Attorney Ronald Pfeifer, Attorney Michelle Ward, and Attorney Jodi Arndt), the application for the Award of Excellence is being updated, the proposed months for membership meetings next year are September and January with annual meeting in April or May, and that the educational seminar can be held at either membership meeting. No bids have been received for the 2011 annual meeting.

Saturday morning started with a networking breakfast and opportunities to purchase goodies the various chapters were selling. Mary E. Burns, PP, PLS, was the very lucky person who purchased a quilt made by Helen Running, PP, PLS, who "retired" from the Legal Personnel of South Central chapter. The quilt was made from pieces of polo shirts and tee-shirts from several NALS and WALP events. Each square held memories for most of us, especially for Mary who has probably been to every event shown on the quilt.

The speakers Saturday morning were Attorney Thomas J. Watson and Katja Kunzke, the President and CEO of Wisconsin Lawyers Mutual Insurance Company, who both spoke to us on "Ethical Issues for Legal Support Staff"

It was pointed out that poor calendaring is one of the biggest errors and at least one, if not two, back-up plans should be in place. Among other things mentioned were: staff training is important, and the State Bar is a great resource for non-lawyer support staff as well as attorneys; whether a client likes or dislikes the attorney comes into play when claims are being filed; it's a good idea at an initial client meeting to include the associate, paralegal, and secretary; explain things to the client in clear language, not legalese; and carefully review all outgoing invoices, since many claims involve fee disputes. Claims against attorneys relative to real estate transactions are the most frequent, with personal injury claims being next. We were also told that consumers cannot find out how many malpractice claims are filed against an attorney, and that malpractice insurance in Wisconsin and all states, except Oregon, is not mandatory. They also explained when attorneys retire it is imperative they take out a "tail policy" for at least three years, preferably six, in case a claim is made against them after they retire and no longer have malpractice insurance.

Attorney Nerino Petro, Jr., Practice Management Advisor for the State Bar of Wisconsin, was our second speaker, and his topic was "Computer Gadgets for the

Legal Industry." Mr. Nerino had a PowerPoint presentation showing link after link of software (mostly free) and gadgets, some of which were absolutely hilarious, including a toilet paper hanger that had a built-in I-pod holder. He did not have handouts with him, but I have requested one and will provide that to the GMALP members who request it.

After lunch consisting of a chili bar, rolls and Rice Krispie treats (the biggest ones ever seen) prepared by the MATC culinary students, and the giving of door prizes (cute little stuffed snowmen) the WALP membership meeting was called to order at 12:50 p.m. The Pledge of Allegiance was said, roll call was taken, and there were the usual introductions of Past Presidents, past Award of Excellence recipients, and current Chapter Presidents. President Beth Koerber, PP, PLS welcomed four student guests.

The September 26, 2009, minutes were approved as printed.

President Beth Koerber, PP, PLS, shared Evelyn Stuckmann's obituary, which referenced the association. President-Elect Anne Ihde reported there was a slight profit from the fall educational seminar. Treasurer Mary Perry presented her report which was filed subject to financial review. She also reminded everyone to submit any outstanding bills. Education Director Eva Martinez, PLS, acknowledged that Julianna Durie and Barbara LeCaptain both recently received their PLS certifications.

Marketing Director Julianna Durie, PLS, informed us that Anne Ihde would be updating the WALP blog, so members and chapters should e-mail Anne with any announcements and news. Laura Braun is researching webinars and videoconferencing and is looking for committee members to assist. Juli also asked that members and chapters e-mail templates or forms to her to put on the WALP website for others to utilize, such as installation ceremonies, name tags, membership brochures, etc. She also reminded everyone to use the Amazon link on the WALP website so our association earns money. The deadline for submission to Behind the Bar is December 14.

Membership Director Jane VandeVelden, PP, PLS, reported we are at 107 members. A motion was passed for WALP to adopt the same hardship waiver as NALS. She then presented a SOAR Award to Darcy Redding of the Racine Kenosha chapter.

A written report was distributed regarding the 2010 annual meeting, which included proposed scrip amounts. The proposal was approved. We encourage all members to Take Flight with WALP from April 28 to May 2, 2010!

Under nominations and elections, the nominees are: President-Elect Julianna Durie, PLS; Education Director Eva Martinez, PLS; and Marketing Director Laura Braun. The nominations were closed. The committee is actively pursuing candidates to fill the positions of Secretary, Treasurer, and Membership Director. We will be notified of those individuals so their names can be written on the ballots, which will be mailed to members in the next few weeks.

After Secretary Sonja Schade read the Code of Ethics, the meeting was adjourned at 1:45 p.m.

WALP AWARD OF EXCELLENCE

Just a reminder that the forms/applications for the WALP Award of Excellence are available on the WALP website.

NALS ONLINE LEARNING CENTER

Be sure to check out the learning center for upcoming programs and certification testing schedule at www.nals.org.

NOMINATIONS & ELECTIONS

Sample Ballot
2009-2010 LPSCW Officers

President-Elect:
Secretary:
Treasurer: Phyllis DeGraff, PP, PLS
Education Director: Deborah Dawson
Marketing Director:
Membership Director:

We will be taking nominations from the floor at the January meeting.

Gail Wolfe
2008-2009 LPSCW President

Submission Deadline for Next Issue is January 25, 2010

NALS Code of Ethics

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 the 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; and
- 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 the 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 paralegal 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.

NALS MISSION STATEMENT

NALS is dedicated to enhancing the competencies and contributions of members in the legal services profession. It accomplishes its mission and supports the public interest through:

- Continuing legal education and resource materials;
- Networking opportunities at the local, state, regional and national levels;
- Commitment to a Code of Ethics and professional standards;
- Professional certification programs and designations.

IF YOU HAVE ANY QUESTIONS OR COMMENTS REGARDING THE MANDATUM, PLEASE CONTACT GAIL WOLFE AT 608.755.8100 OR gkwolfe@nowlan.com.