



LEGAL ISSUE



1976- 2006

No. 30

A Student Publication

Spring 2006

Director's Chat

I must admit that I have found writing this column a bit difficult. I have learned so much over the past few months that it is hard to know where to begin. Let me begin by saying that it is a privilege and an honor to inherit the legacy of the ECU Paralegal Program. Since beginning as director, I have traveled throughout the state and beyond and have spent a lot of time talking with members of the legal and academic communities. I have met with dozens of attorneys who without exception hold the ECU Paralegal Program in high regard and stress the need for their paralegals to be strong writers and problem solvers. The many paralegals with whom I have spoken stress the need for our graduates to have practical training prior to entering the work force and for the paralegal profession to receive greater recognition for its role in the legal community.

Through this travel and the time I have spent on campus teaching and counseling students, I have begun to appreciate the full scope of this position. I have found that the ECU Paralegal Program provides an outstanding education for its students and its graduates are held with high regard and are pivotal to the practice of law in Kentucky and beyond. Although the Program is excellent, we must continue to strive to improve. I have started to identify areas where we must focus our efforts both in the classroom and beyond.

I believe that we must strengthen our focus on our students' writing and communication skills. Words are the commodity of our profession. Our students must learn to both write and speak effectively, precisely, and efficiently. During almost every internship site I have visited, the greatest concern of supervising attorneys has been that students continue to struggle with writing. Our faculty members already spend countless hours painstakingly correcting students' papers and reinforcing grammar and writing skills. We must, however, review all aspects of our curriculum to determine how we can improve our teaching techniques and further stress the importance of written and oral communication skills to our students.

I also believe that we must continue our emphasis on the study of ethics. I am glad to say that the Program already has a tremendous focus on the application of legal ethics to the paralegal profession. Indeed, many of our employers have expressed high praise regarding our students' knowledge of their ethical obligations. I hope to broaden the Program's focus on legal ethics, stressing to our students that the state ethics rules are minimum standards of behavior that one should constantly strive not only to follow, but to exceed.

Finally, I believe that the EKU Paralegal Program should serve a pivotal role in promoting the paralegal profession to members of the bar and the public at large. Although the paralegal field is no longer new, the role of the paralegal in the delivery of legal services is still largely misunderstood. Paralegals perform tasks that otherwise attorneys would perform, but paralegals neither replace attorneys nor pose a competitive threat to attorneys. Paralegals are valuable members of any legal team. Paralegals are not legal secretaries, but are highly trained specialists held to high ethical standards. Paralegals as a profession must merit and demand recognition for their education and contribution.

In the coming years, I believe that our program can achieve all of these goals. However, attainment of these goals is only possible through the hard work and dedication of faculty, and you, our students, and our alumni. I look forward to working with you in the months and years ahead. I hope to meet many of you at upcoming KPA and other professional events. I highly value your role as students currently enrolled in the program and alumni actively involved in the paralegal field and invite your thoughts and comments on the Program and profession. (I also love campus visits!)

Until our next chat,
Prof. Lynnette Noblitt, Esq.
Director, Paralegal Programs, Eastern Kentucky University

**Paralegal Certification Necessary in
the Modern Era**

By Whitney Thornton

Freshman, B.A. Paralegal Science

As a paralegal major, I have some concerns about the ease with which some people acquire employment as paralegals, without the benefit of a paralegal education. This may sound selfish, but if individuals are going to spend four years in college preparing for this job, then shouldn't we be the ones to get these jobs? Needless to say, I believe there should be a system of licensure and/or certification for practicing paralegals.

Although some members of the legal community maintain that there is no demonstrated need to certify paralegals, there may be differing viewpoints within the legal community.

If attorneys have to spend valuable time training paralegals, then that cuts down on the time that they could devote to their clients. If certification and training were required for paralegals, then it would save considerable time and expense for potential employers.

The law is like a baseball game. There is an umpire, an infield and an outfield. The judge is like an umpire- he must know the law and be impartial. The infielders are the attorneys – highly qualified and extremely quick. The outfielders are the paralegals. They may be in the back of the room, but that doesn't make their job any less important. So why should they be held to a lower qualification standard?

2005 KPA Conference

By Nancy Davis

The 2005 Kentucky Paralegal Association Conference was held October 28th and 29th in Paintsville. In attendance from Eastern were Paralegal Studies students Dale Perry, Erin Twinem, Ashley Stacy, Mary Campbell, Aleia Bush, Paula Willoughby, Allison Hash, Stacy Dickerson, Christy May, and Nancy Davis, along with Professor Lynnette Noblitt. The students that attended are board members of the Student Paralegal Association and scholarship recipients who had applied through the Department of Government to attend. Each scholarship attendee received one credit hour of independent study for attending and preparing a paper on the conference.

Thursday night was a “meet and greet” session with entertainment and refreshments provided. Friday was filled with a variety of short seminars. The choices were: Ethical Practice for the Paralegal, Case Discovery Management Software, The Auto Accident, Alternative Dispute Resolution, Improving the Attorney and Paralegal Communications, Education Law, Screening the Basics of Employment Law, Medical Malpractice, A Paralegal’s Role in the New Family Courts, Black Lung Law, Appellate Practice as it Relates to the Paralegal and Ethic and Responsibility Update. Everyone attended the Ethical Practice for Paralegals and then chose five other sessions.

Besides the ethical sessions, two of the most informative sessions for students were the probate and medical malpractice sessions. Michael T. Hogan presented the probate information. He

had a packet of forms and other information to make filing a lawsuit in Kentucky much easier. Michael J. Schmitt spoke on medical malpractice. His main point for a paralegal involved in medical malpractice cases was to have the ability to read and understand medical charts and terminology.

The most personal seminar was by Chief Judge Sara Combs of the Kentucky Court of Appeals. The widow of former Governor Bert T. Combs told how she obtained the position she now holds. Judge Combs credited her paralegal as the power behind her position. Judge Combs’s paralegal started out with her in a storefront office in Stanton, and is now overseeing the office staff of the Kentucky Court of Appeals.

Since the conference was primarily a business meeting for the KPA, officers were presented and Attorney General Greg Stumbo was the keynote speaker. Lunch was a great time to network with practicing paralegals from all over the state. Small firms from towns like Paintsville, to large firms from Lexington and Louisville were represented. Corporations and insurance firms like KEMI were also represented. Two paralegals from KEMI were ECU alumni graduating in 1992 and 2005.

The upcoming 2006 KPA Conference will be held in Lexington. The Paralegal Program plans to offer similar scholarships this year. The seminar was very informative and a great networking resource.

Thanks to the Paralegal Studies Program, Department of Government and ECU for this learning opportunity. For more information on the Kentucky Paralegal Association go to www.kypa.org. Student memberships are available at a discount rate.

Student Paralegal Association Looking for Members

The Student Paralegal Association (SPA) is open to all members of the Paralegal Program at ECU. There are six board members with the meetings open to all, so please come and get involved. There will be many new board openings this year as most of the members will be graduating. To be eligible to be a board member, you must have paid your dues (\$5 per semester or \$8 per year).

Meetings are every other week and notices are posted and emailed as to when the meeting are held.

If you are not interested in becoming a board member, there are several ways for you to become involved. SPA has been very active this year with a booth at the Colonel Country fair. This year \$250 was raised for the victim's of Hurricane Katrina. This money was donated to the Salvation Army of Madison County. The SPA also participated in the Bowling for Kid's Sake, and with Habitat for Humanity and various other causes to benefit the community.

Please plan to attend the Student Paralegal Association meetings and possibly become an officer. In the words of one instructor, "It looks really good on a resume", and is a great way to give back to the university and the community.

Your Input is Needed

The Legal Issue is a **student** publication; therefore your articles are always welcome. The next issue will be during the fall semester 2006. Please email your articles to paralegal@eku.edu and we will print them in the next issue. We welcome all submissions and especially encourage alumni and satellite campus students to contribute. We accept all types of articles from personal opinions to internship and employment experiences to instructor or practitioner interviews. If you would like to write an article, but need some guidance, please call or e-mail the paralegal department and let us help you.

We really would like you to become involved. It is a great experience and you can even put that you had an article published on your resume.

After all this is your newsletter!

parents with custodial issues and helping homeowners who were in danger of losing their homes.

A Professor's Journey **By Christy May**

Over the past sixteen years, the Paralegal Program has greatly benefited from the contributions of Professor Elaine Tackett. In addition to teaching paralegal courses, this Lexington native has also found time to serve as a student advisor. She is an alumna of Eastern Kentucky University, where she earned Bachelor degrees in Sociology and Psychology, and a Master's degree in Psychological Counseling. After receiving her graduate degree, Professor Tackett taught Psychology at Southeast Community College in Cumberland, KY.

Later, Professor Tackett entered Chase College of Law at Northern Kentucky University. Her interest in law stemmed from her family ties to the legal profession. Her grandfather, as well as other relatives, had achieved prominent positions in the legal community. As a child, Professor Tackett enjoyed listening to the fascinating legal discussions that took place at family reunions.

Shortly after graduating from law school, Professor Tackett joined the firm of Wilson & Wright. Shortly thereafter she became a partner. She then contributed her legal expertise to the Appalachian Research and Defense Fund, also known as Appalred. Appalred specializes in domestic, family and consumer protection cases for those who typically can not afford legal representation. Professor Tackett recalled some of her most rewarding experiences there included helping

During her well established foray into the legal arena, Professor Tackett considered a career move into academia. Her love of teaching motivated her to accept a position in West Virginia at Marshall University as a professor in the Paralegal Program. However, her memories of Kentucky drew her back to the Bluegrass where she subsequently became a member of the faculty at Eastern Kentucky University

Today, Professor Tackett stresses the importance of striving to develop distinguished written and oral communication skills to her paralegal students. She emphasizes that the majority of a paralegal's time is spent in some form of communication. Therefore, she recommends that students expand their communication skills by taking courses in foreign language, sign language, mediation, negotiation and medical terminology. Finally, in addition to the required internship, she suggests taking a summer job in a law office to gain a better understanding of the legal field.

