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A note from my desk.....by Amanda C. Nelson, ACP

Hello Fellow LAW Members! As summer comes to a close, so does the first three months of the 2012-2013 term for the Board of Directors. As a Board, we have been working diligently throughout the summer to set goals for this term. Of those, we have set three goals we believe are extremely obtainable. We have set goals to increase our membership to 75 members by December 31, 2012; to provide intriguing, interesting and beneficial educational seminars to fulfill the needs of *all* our members; and to improve the quality of our newsletters and social media. With that said, we are preparing to launch a pilot "Paralegal Pal" Mentor Program with our young paralegals and paralegal students. Our hope is that the "Paralegal Pal" program can match a young paralegal/student with a seasoned paralegal to assist them in the transition into the legal world. We hope these relationships will provide a familiar face to new members and student members who attend LAW functions, and hopefully provide confidence to our new and upcoming members to get involved in LAW and pay it forward to future paralegals. We have held membership drives in both Cheyenne and Casper and hosted a Past-Member Mixer in Cheyenne, where we received lots of valuable feedback and encouragement! As you read through the remainder of this Newsletter, you will also see significant changes to the usual format and information provided. Even with all the Board has done and continues to work towards, we need to hear from you, our members. We would love to hear any ideas, comments or suggestions you may have. We would love to hear what types of presentations you would like to see at the Spring Seminar. Is there an area that we have not covered that would be beneficial to you? Is there an article that you would like published in the newsletter? Is there a regional event

you would like to participate in? Do you have a community service project you would like LAW to be involved in? An organization is only as strong as the members which make it up, so, lets show the legal community just how strong Paralegals are in Wyoming and make a difference!

Welcome to LAW!!

***New Active Members:**

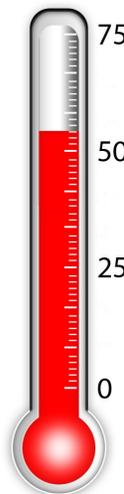
- Rachel Borgialli - Region 2
- Jodi Borino - Region 3
- Rebecca Gilbertz - Region 2
- Jessica Keith - Region 3
- Rebecca Holdeman - Region 2
- Michelle Motzkus - Region 5
- Marcia Neumiller - Region 3

***New Student Members:**

- Tricia Lovelace - Region 3
- Rocia Zubia - Region 3

***Returning Active Members:**

- Donna Barrett - Region 1
- Trish Bradach - Region 3
- Keelie Fike - Region 4
- Paula Kuck - Region 1



**Membership
Goals!!!**

The Board of Directors has set a goal to increase our current membership numbers to 75 members by December 31, 2012. We believe this goal is extremely obtainable, but we need your help!! Please encourage your co-workers, colleagues, acquaintances, etc. to visit the LAW website, visit the LAW Facebook page and consider getting involved! Our current membership number is 54 Active, Associate and Student Members! We can do it, one member at a time!!!

LEGAL
ASSISTANTS
OF
WYOMING

P. O. Box 155
Casper, Wyoming 82602

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www.lawyo.com

2012-13 Officers:

- President: Amanda Nelson, ACP
- President-Elect: Rhonda Hadley
- 1st Vice President: Tammy Wuertley, CLA
- 2nd Vice President: Kristi Fields, ACP
- Treasurer: Mark Robbins
- Secretary: Sarah Finn
- NALA Liaison: Shannon Rezanina, ACP

Regional Director:

- Region 2: Sarah Pugh, ACP
- Region 3: Jessica Duty, CLA
- Region 4: Susan Lewis, CLA

Committee Chairs:

- Awards: Wendy Trembath, CP
- Nominations & Elections: Amy Wyatt, CLA
- Website: Wendy Trembath, CP, Amy Wyatt, CLA
- Casper College Liaison: Lindsey Shablo
- LCCC Liaison: Susan Lewis, CLA

Fall Seminar News by Tammy Wuertley, CLA

I have been working hard putting together the 2012 Fall Seminar and am excited that it is almost here! The seminar will take place on Friday, September 14, 2012, with registration beginning at 12:30 p.m., and the seminar beginning at 1:00 p.m. We have a variety of presentations that are helpful to our legal profession, as well as informative and educational. The seminar will take place at the UW College of Law, Room 186. The parking lots by the law school will be patrolled, but if you indicate you are attending the LAW Conference, you should have no problem with parking.

Following the seminar on Friday, we will all head to the Library Pub & Grille (which I hear is the "hot spot" in Laramie) for socializing, pizza and wings!

On Saturday morning, September 15, the seminar will wind down at noon and we will all meet for a tailgate party in the Summit View Parking Lot, and then watch the Pokes take on the Cal Poly Mustangs at 4pm!

Unfortunately, if you haven't reserved your room yet at the Comfort Inn, the block of rooms opened to the public on August 25. But, there is still time to register for the seminar! With every discounted football ticket you purchase, you will receive a free UW t-shirt! Go to our website at www.lawyo.com, to download a brochure. Paypal payments are also accepted. If you have any questions, please feel free to email me at tammy@injuryfirm.net. You can also visit the UW website for campus maps, game times, and any other information you might need for game day at www.uwyo.edu.

HOPE TO SEE YOU THERE!

Tammy Wuertley, CLA
1st Vice President

Communication Connection



"Because Of" versus "Due To"

"When you're choosing between **because of** and **due to**, *because of* is almost always the better choice. For example, it's best to say, "I don't have any homework *because of* [not *due to*] the holiday," and "*Because of* [not *due to*] the holiday, I don't have any homework."

I personally think we developed language because of our deep need to complain.
Lily Tomlin, American comedian

It's best to reserve *due to* for times when you mean "owed" or "expected". For Example, "He sent the money that was *due to* her," or "She was *due to* arrive at noon."

Have you not met Will Turner? He's noble, heroic-terrific soprano. Worth at least four...maybe three and a half. And did I happen to mention...he's in love? With a girl. Due to be married. Betrothed. Dividing him from her and her from him would only be half as cruel as actually allowing them to be joined in holy matrimony, eh?

Johnny Depp playing Jack Sparrow in the movie *Pirates of the Caribbean: Dead Man's Chest*.

Fogarty, Mignon. Grammar Girl's: 101 Misused Words You'll Never Confuse Again. St. Martin's Griffin, New York, NY, 2011, pg. 20.

Fall Seminar: Sep 14 - 15, 2012, Laramie, Wyoming

Friday, September 14



- 12:30 pm.- 1:00 pm: *Registration*
- 1:00 pm - 1:15 pm: *Amanda Nelson, ACP - Opening Remarks*
- 1:15 pm - 2:15 pm: *Wendy Soto, CLA - Wyoming's Commission on Judicial Ethics*
- 2:15 pm - 3:15 pm: *Dona Playton, JD - Domestic Violence - What Every Legal Assistant Should Know*
- 3:15 pm - 3:30 pm: *Afternoon Break*
- 3:30 pm - 5:00 pm: *Michael Smith, JD - A Refresher on Effective Citation Form in Legal Writing*
- 6:00 pm: *Friday Night Social Hour - Pizza at The Library Pub and Grille*

Saturday, September 15

- 9:00 am - 10:00 am: *Wallace Trembath, III - Show Me the Money: How to Get Paid in Wyoming Construction Cases*
- 10:00 am - 10:15 am: *Morning Break*
- 10:15 am - 10:30 am: *Shannon Rezanina, ACP - NALA Convention*
- 10:30 am - 11:30 am: *Marci Kutzer - Finding and Utilizing Your Inner Strengths to Improve Work Performance*
- 1:00 pm: *Tailgate Party - Summit View Parking Lot - U.W. Campus*
- 4:00 pm: *University of Wyoming v. Cal Poly Football Game - War Memorial Stadium*



For more information, visit: www.lawyo.com or contact Tammy Wuertley, LAW's 1st Vice President at (307) 266-5297

Upcoming Events!

- September 14th -15th: Legal Assistants of Wyoming Fall Seminar, Laramie, Wyoming
- September 26, 2012: Region 3/Casper College Back to School Luncheon
- December 5, 2012: Region 3 Christmas Party ~ Caddie Shack Restaurant

*Watch your E-Mail, FaceBook and the Website for CLE's and Regional Events in the works for the upcoming months!!

Region 4 - CLA Exam Review/Study Group



Are you preparing for the CLA/CP Exam and living in the Cheyenne area? Would you like to join a study group to help prepare you for this exam? Please contact Rhonda Hoadley, President-Elect at rjchamblin@yahoo.com for more information!!!

Regional Director Vacancies By Amanda Nelson, ACP

The Board is still attempting to fill the position of Regional Director for regions 1 and 5! This position is a great way to become more acquainted with fellow LAW members and to become more involved in your professional organization! If you are interested, or know of anyone who may be interested, please contact me at acnelson85@hotmail.com! I would love to fill all the Regional Director positions for the 2012-2013 term!



Legal Assistants of Wyoming (LAW) is a nonprofit organization established in 1990 to promote continuing education, professionalism and networking to paralegals in Wyoming and the surrounding areas. LAW is registered with the Wyoming Secretary of State and operates under [Bylaws](#) adopted by its members. LAW has also adopted and is governed by the [The National Association of Legal Assistants Code of Ethics and Professional Responsibility](#).

LAW is an affiliate member of The National Association of Legal Assistants (NALA). NALA is the leading professional association for paralegals/legal assistants, with over 18,000 members. To find out more about NALA, visit their website at www.nala.org.

**Check us out
on
Facebook!!!!**

www.facebook.com and search "Legal Assistants of Wyoming"

Omaha Paralegal Takes Helm as NALA President

Ann L. Atkinson, ACP, a public finance paralegal with the Kutak Rock law offices in Omaha, NE, has been installed as President of The National Association of Legal Assistants/Paralegals. She was elected by the NALA Board of Directors last March and officially took office with other officers July 27 during NALA's 37th annual meeting in Omaha.

Ms. Atkinson has been a paralegal since 1983 and has served in a number of leadership roles with NALA as well as with the Nebraska Paralegal Association. She has also held leadership positions with the National Association of Bond Lawyers, of which she has been a member since 1984. She is a supervisor, trainer, and mentor for paralegals in the Kutak Rock offices, and has been an instructor in the ABA-approved paralegal program at Metropolitan Community College in Omaha.

Also installed during the NALA convention were: First Vice President—Kelly A. LaGrave, ACP, Lansing, MI; Second Vice President—Cassandra Oliver, ACP, Tulsa, OK; Secretary—Jill I. Francisco, ACP, Huntington, WV; Treasurer—Melissa J. Hamilton, ACP, Bismarck, ND. Lisa Vander Weide, ACP, Orlando, FL, and Claire Smith, ACP, Newport News, VA, were named Affiliated Associations Director and Secretary.

NALA region directors elected at the annual meeting were: Region VI—Melissa M. Klimpel, ACP, Bismarck, ND; Region VII—Karen M. Scheehle, ACP, Phoenix, AZ; Region IX—Mary Theroux, ACP, Los Angeles, CA. The NALA Board also named Elisse R. Stern, CP, New York, NY, and Sharon A. Werner, ACP, Manchester, MI, Interim Directors of Regions I and V respectively. They will serve until the next election in July 2013.

NALA is the nation's leading association for professional certification, continuing education, and career advancement for paralegals. The association has more than 6,000 individual members, and another 12,000 are represented through local and regional affiliated associations throughout the US.



App it!!!

The big announcement at the NALA Convention was the introduction of the NALA app for *Facts & Findings*!

Through this app, members and subscribers use their NALA Net login (listed above) to receive each issue as it is published on their own tablets and mobile devices! Issues are download in pdf format so that you can read the magazine without an internet connection. The app also includes links to the NALA Facebook page, and to the CLE Look Up for members and Certified Paralegals to use to check their record of CLE credits. The app is available for iPads and iPhones through iTunes; and on Google Play for Android users. Tablet and phone versions are available. Guests are invited to review portions of the current issue, and former issues at no charge.

NALA Convention 2012



On July 24-28th I had to pleasure to attend the NALA Convention in Omaha, NE. I attended the seminar with our President Amanda Nelson and President Elect Rhonda Hoadley. At the convention we attended the Family Law Institute during the morning hours and in the afternoon we attended numerous meetings, including the annual meeting where the new officers were elected. During the affiliate meeting they had round table discussions where we received a lot of different ideas for our organization. I am excited to share these ideas with all of you at the Fall Seminar in Laramie. I am going to present a brief PowerPoint of the NALA trip and the great ideas we want to adopt into our organization. I can't wait to see everyone on September 14-15th in Laramie!

Shannon Rezanina, ACP

NALA Campus Live! Upcoming CLE Opportunities

- Business/Corporations**
- Basic Business Organizations Sep 11
 - Working Through the 'pitfalls' of Article 9 Oct 30
- Employment**
- USERRA Rights & Requirements Oct 15
- Ethics**
- Ethics & Movies: What We Learn from a Civil Action Oct 22
 - Ethics & Technology Sep 27
 - Techno-Ethics: Ethics in the Age of Technology Sep 6
- Family Law**
- Military Family Law Oct 12
- General-Career Skills**
- Time Management Oct 4
- General – Practice Areas and Skills**
- Art and Science of Witness Interviews Sep 14
 - Big Firm Results on a Small Firm Budget:
Using Excel to Efficiently Organize Information Oct 13
 - Legal writing: You are Only as Good as Your Mistakes Oct 1
 - PowerPoint 2010 for Paralegals: What is New & Improved Oct 5
 - Spanish for Paralegals: The Initial Consult Oct 25
- Immigration**
- Beginners' Look at Immigration Law Oct 31
 - Business Immigration in a Declining Economy Sep 13
- Intellectual Property**
- Intellectual Property Law Sep 19
 - Patent Prosecution Oct 17
 - Trademark Prosecution Oct 18
- Litigation – Trial Preparation**
- Advances in Courtroom Technology Sep 17
 - Civil Litigation: Part 1 Oct 9
 - Civil Litigation: Part 2 Oct 16
 - Civil Litigation: Part 3 Oct 23
 - Evidence: Part 1 Sep 11
 - Evidence: Part 2 Sep 18
 - Evidence: Part 3 Sep 25
 - Filing in Federal Court Using CM/ECF Sep 26
 - Ultimate Trial Notebook Oct 19
- Real Estate**
- Commercial Leases Oct 10
 - Deeds Oct 24
 - Evictions Sep 12
 - Title Searches Sep 5
- Other Specialty Areas**
- Applicable Exclusion Amount to Offset Federal Gift and Estate Taxes Oct 3
 - Bankruptcy Basics Sep 28
 - Elder Law Sep 24
 - Environmental Law Oct 29
 - Social Security Representation Oct 2

To register, visit www.nala.org!!!!

***All times are Central time zone. Times and dates are subject to change. Stay abreast of the latest schedule changes at www.nala.org/onlineed.aspx



Rhonda Hoadley, Shannon Rezanana, ACP and Amanda Nelson, ACP with NALA's new President, Ann L. Atkinson, ACP at the 2012 NALA Convention



Shannon Rezanana, ACP, Amanda Nelson, ACP and Rhonda Hoadley with NALA's new Affiliate Associations Director, Lisa Vander Weide, ACP at the 2012 NALA Convention



LAW's Affiliate Association Booth at the 2012 NALA Convention

PORTLAND



NALA IN THE GREAT NORTHWEST

JULY 2013

**38th Annual Convention,
Institutes & Exhibition
July 10-13, 2013 • Portland, OR**



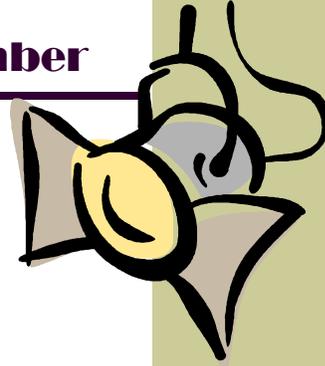
**THE ASSOCIATION OF
LEGAL ASSISTANTS • PARALEGALS**

1518 South Boston Avenue, Suite 200 • Tulsa, OK 74119 • www.nala.org

Member Spotlight: Marcia Neumiller ~ New Active Member



1. What is your name?
Marcia Neumiller
2. Do you have a certification designation? No certifications yet, but I hope to take the CP exam in January!
3. Who are you currently employed by?
I work for Casper Law Office, LLC, 123 West 1st Street, Casper, Wyoming 82601, (307) 472-5150, mjn@casperlawoffice.com
4. What area(s) of law does your firm specialize in?
Casper Law Office specializes in Family Law.
5. How long have you been a member of LAW?
I just joined LAW in August, 2012!!
6. What is your educational background?
I attended the University of Wyoming for four years and majored in education, and beer. Needless to say, I did not graduate. However, I just completed the Paralegal Program at Casper College.
7. How long have you been employed as a paralegal?
I started working as a Paralegal in June with Casper Law Office.
8. Please tell me about your family? Are you married, do you have children, do you have pets, what are their names and ages, etc.
I am a divorced, single mother of three great kids; Elle is 11, Dycen is 7 and Grady is 4.
9. What are your favorite hobbies?
I don't really have a hobby besides my kids. I LOVE Cowboy football and attend every home game!
10. What is your favorite color?
Blue.
11. If you could work in any area of law, what area of law would you choose and why?
I would love to get into the political areas of law. I feel that more can be done to enhance and clarify the laws in our state.
12. If you were an animal, what would you be and why?
I would be a lioness. I am laid back, but work hard for my family.
13. If you could live anywhere in the world, where would you live and why?
I live in the best place on Earth, Wyoming. I love to travel to other places, but my heart and soul is here in Wyoming!
14. Is there anything else about you that you would like to share?
I don't know if I just signed up for a dating sight, or a write up in the newsletter! 😊



The pessimist complains about the wind;

The optimists expects it to change;

The realist adjusts the sails.

~William Arthur Ward

Have exciting news you want to share, recently passed your CLA or ACP exam, or have a topic you would like to discuss in the next newsletter???

The Board is now accepting articles for the October 15th edition!!!

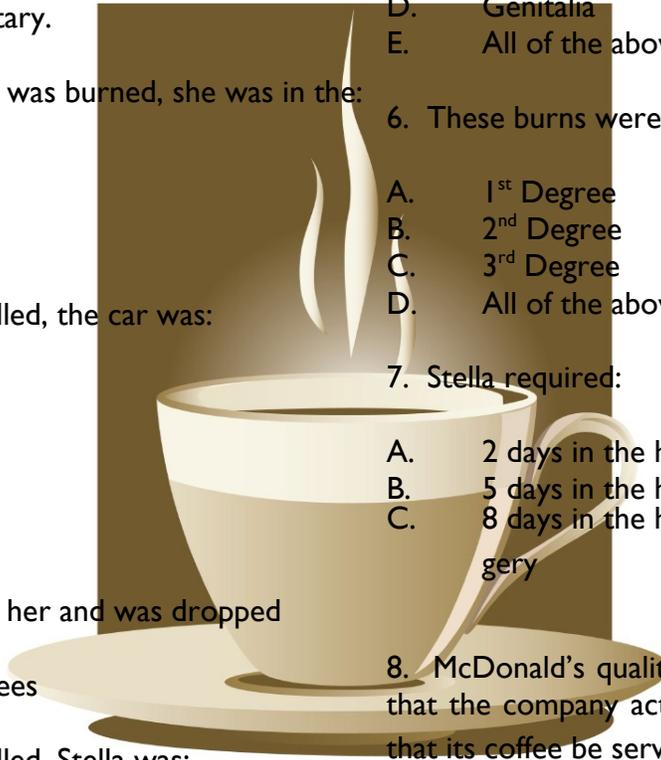
Contact
Amanda Nelson, ACP at
acnelson85@hotmail.com
for more information !!!

HOW MUCH DO YOU REALLY KNOW ABOUT THE McDONALD'S COFFEE CASE?

This information does not constitute an attorney-client relationship but is meant for informational purposes only. Nor is this meant to replace legal advice of an attorney. Every case is different with specific circumstances that should be addressed individually. Should you have a legal question, speak to an attorney who is qualified to answer your specific question.

Everyone has heard of the McDonald's coffee case and the results, but let's see what you really know. Go through this test and see how you score based on what you think you heard. A special thanks to David W. Ransin, Esq. of Springfield, MO, who gave permission to reprint this test and the accompanying commentary.

- When Stella Liebeck was burned, she was in the:
 - Driver's Seat
 - Passenger Seat
 - Rear Seat
- When the coffee spilled, the car was:
 - Moving
 - Parked
 - On the highway
- The cup was:
 - Being handed to her and was dropped
 - In her crotch
 - Between her knees
- When the coffee spilled, Stella was:
 - Squeezing her legs together while reaching for her Egg McMuffin
 - Removing the lid to add cream and sugar
 - Eating her breakfast
- Stella received burns to her:
 - Inner thighs
 - Perineum
 - Buttocks
 - Genitalia
 - All of the above
- These burns were:
 - 1st Degree
 - 2nd Degree
 - 3rd Degree
 - All of the above
- Stella required:
 - 2 days in the hospital
 - 5 days in the hospital
 - 8 days in the hospital and skin grafting surgery
- McDonald's quality assurance manager testified that the company actively enforced a requirement that its coffee be served between:
 - 140 to 150 degrees
 - 150 to 170 degrees
 - 180 to 190 degrees



(HINT: Your coffee at home comes out at about 135 to 140 degrees).

9. McDonald's quality assurance manager testified that the company knew that coffee served at the required temperature was not fit for consumption because it would burn the mouth and throat.

- A. True
- B. False

10. According to the experts, coffee served at the temperature as required by McDonald's causes full thickness burns to human skin in:

- A. 2 to 7 seconds
- B. 10 to 20 seconds
- C. 30 to 60 seconds

11. Prior to Stella's burns, McDonald's had received *more* than this number of coffee burn claims:

- A. 100
- B. 300
- C. 700

12. Prior to filing her lawsuit, McDonald's *rejected* Stella's offer to settle all her claims, medical bills, injury and scarring, for the total amount of:

- A. \$20,000
- B. \$100,000
- C. \$500,000

13. The jury evaluated Stella's total claim for compensatory damages for all of her medical bills, injuries, and scarring at:

- A. \$200,000
- B. \$500,000
- C. \$2,000,000

14. Based on the evidence and testimony, the jury also awarded punitive damages against McDonald's in the amount of:

- A. \$2,700,000
- B. \$4,300,000
- C. \$10,000,000

which was later reduced by the court at McDonald's request to:

- D. \$480,000
- E. \$1,500,000
- F. \$5,000,000

15. As her percentage share of her own responsibility or fault for contributing to her own injury, the jury assessed fault against Stella in the amount of:

- A. 0% her fault, 100% McDonald's fault
- B. 10% her fault, 90% McDonald's fault
- C. 20% her fault, 80% McDonald's fault

ANSWERS:

1. Stella was burned in the, B, passenger seat.
2. The car was, B, parked.
3. The cup was, C, between her knees.
4. When the coffee spilled, Stella was, B, removing the lid to add cream and sugar.
5. Stella received burns to her thighs, buttocks, and genitalia. E is the correct answer.
6. These burns were 1st, 2nd, and 3rd degree. D is the correct answer.
7. Stella required, C, 8 days in the hospital and skin grafting surgery.
8. McDonald's quality assurance manager testified that the company actively enforced its coffee be served at, C, 180 to 190 degrees.

9. A, TRUE. McDonald's quality assurance manager testified that the company knew that coffee served at that temperature was not fit for consumption.

10. Experts say coffee served at the temperatures required by McDonald's causes full thickness burns to human skin in, A, 2 to 7 seconds.

11. Prior to Stella's burns, McDonald's had received more than, C, 700 coffee burn claims.

12. McDonald's rejected Stella's initial offer to settle all her claims for, A, \$20,000.

13. The jury evaluated Stella's total claim for compensatory damages for all of her medical bills, injury, and scarring for the total amount of, A, \$200,000.

14. Based on the evidence and testimony, the jury also awarded punitive damages against McDonald's in the amount of, A, \$2,700,000, which was later reduced by the court at McDonald's request to, D, \$480,000.

15. As her percentage share of her own responsibility for contributing to her own injury, the jury assessed fault against Stella in the amount of, C, 20% her fault; 80% McDonald's fault.

Here is the more surprising truth:

The punitive damages against McDonald's equaled only about 2 days of McDonald's coffee sales; similar to the average person paying a parking ticket.

Based on the 20% assessment of fault against Stella, her total compensatory damage award was reduced from \$200,000 to only \$160,000.

After appeals, and after the court reduced the punitive award to only 3 times the damage award, or \$480,000, for a total of \$540,000, the claim was finally settled for a confidential sum believed to be a lesser amount.

Again, a special thanks to David Ransin who made this test and commentary available.

**This article provided courtesy of
R. Michael Shickich:**

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The Wyoming State Bar does not certify any lawyer as a specialist or expert. Anyone considering a lawyer should independently investigate the lawyer's credentials and ability, and not rely upon advertising or self-proclaimed expertise.

Thank you!

~A special thank you to Matt Kadlick with Volvo Rents for all his help with LAW graphics!

CLA/CP Review Course at Casper College

Are you interested in taking the CLA/CP Review Course with Mary Kubichek at Casper College? The dates and times have changed for this course. The class will now meet on Mondays from 4:00 pm to 5:30 pm beginning September 10th and ending November 12, 2012. For more information, please contact Mary Kubichek at Kubichek@caspercollege.edu or (307) 268-2618.