



Quarterly Newsletter

June 2018

2018 Spring Seminar

By Barbara Heisner, CP

The LAW 2018 Spring Seminar and Annual Meeting was held in Casper this year at Casper College on April 27-28. Thirty people attended (26 LAW/NALA members, 3 non-members, and 1 student member). This turnout was great, but I would have liked to have seen a higher turnout of student members, especially since the location of the seminar was in Casper, where we have a relatively large paralegal program at Casper College.

Speakers included Britney Betts, J.D.; Marci Crank Bramlet, J.D.; Kyle Ridgeway, J.D.; Mary Kubichek, J.D.; and Jaqueline Brown, J.D. Britney's topic was "Innovative Approaches to Trial Preparation," and she included a hands-on team approach to analyzing different interesting criminal case fact patterns. Marci's topic was "Anatomy of a Recent Tenth Circuit Appeal," the recent appeal being one on which she was counsel. Kyle's topic was "Ethics of Representing and Dealing with Corporate Litigants" with a healthy Q&A. Mary's topic was "Could You Still Pass the CP Exam?" which included a game with the whole group competing to answer questions that are currently on the CP Exam. It was a great review and learning experience for everyone. Finally, Jackie's topic was "Successful Mediation in Family Law." Her presentation was informative and humorous, a great way to end the speaker lineup.

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2018 Spring Seminar continued....

We had our Friday night social event at Artisan Alley. Approximately 20 people attended, and Eggington's restaurant catered appetizers, which were well-received. We painted wooden signs with LAW's partial logo ("WYOMING" with an Indian paintbrush for the "I".) I think everyone, including myself, had a fun time, especially taking out their stress and any aggression by distressing the wood prior to the painting! Everyone's sign was unique and turned out well.

Every year at the end of the spring seminar, we hold our annual meeting, open to all members of LAW. Many seminar attendees left prior to the annual meeting, which was very disappointing. At the meeting, new board members were elected for the 2018-2019 fiscal year (beginning June 1, 2018). Ashley Barkley, our former President-Elect, has taken over as President. Barbara Heisner is now our President-Elect, Tammy Wuertley is our 1st Vice President, Rhonda Hoadley is our 2nd Vice President, Wendy Trembath remains Treasurer for another year, Annette Sause is our Secretary, Shannon Rezanina is our NALA Liaison, Tricia Lovelace is our Region 3 Director, Kathy Lackey is our Region 4 Director, and Kapri Scoffield will remain the Student Liaison. Congratulations to the 2018-2019 board members!

For our charity at this seminar, we collected donations for the Casper Humane Society in honor of our late President, Mark Robbins. Mark loved dogs and his fur-baby, Gilbert. This time, different from previous seminars, we opened the website up to collect donations for the Humane Society prior to the seminar (from members and non-members), which was very successful. All in all, we collected \$317.00. Thank you to everyone who donated to this cause! I'm really proud of the efforts made in this. I am also in the process of compiling a memory-type scrapbook for Mark's family from the LAW/legal community. I really have not had a lot of submissions for this, which is disappointing; however, I know that not everyone knew Mark as well as some of us. He is greatly missed by all who knew him.

Post-seminar member surveys indicated an overall satisfaction with this year's spring seminar. Attendees liked the speakers, especially Mary's CP Exam game and Jackie's humor. A consistent complaint was difficulty in finding the location (the Energy Institute on the South-end of Casper College's campus). I apologize to everyone for not providing better instructions on how to get to the building!

Thank you to all of those who came to the seminar, and thank you to all of LAW and all past and present board members for your help and support while I was in my position as 1st Vice President for the past two fiscal years. I have thoroughly enjoyed it!

-Barbara Heisner, CP - LAW 1st VP

Thank you for helping us surpass our donation goal in honor of our late president, colleague and animal-loving friend, Mark Robbins.

Collected: \$317.00
Goal: \$250.00

127%

[Donate](#)

Seminar Photos



2018 Awards Report

By Wendy Trembath, CP
Awards Committee Chairperson

It was an interesting year for the awards given by Legal Assistants of Wyoming. As most know, we have two scholarships for which we accept applications every year. Applications for our Outstanding Student Award and our CLA/CP Attainment Award are due each year by March 1st. I was happy to see applications start rolling in around late February.

LAW awarded the CLA/CP Attainment scholarship this year to member Robin Despain. The benefits of the award are a certificate to commemorate the achievement, and LAW pays the member's application fee to take NALA's CLA/CP Exam. **You must be a member of LAW to apply for the CLA/CP Attainment Award**, but you do not have to be a member of NALA to apply to take the exam. (It just costs a little more for non-NALA members.)

Robin will be taking her CLA/CP Exam this year. We look forward to hearing that Robin is our newest CP very soon. Best of luck Robin! Study hard!



LAW did not award the Outstanding Student Award this year, which was disappointing on a couple levels. First, there was some confusion as to whether a legal assistant must be a member of LAW to apply for this award. My understanding was always that both scholarships were perks of membership. However, I was incorrect in my understanding all these years! **Applicants for the Outstanding Student Award do NOT have to be members of LAW** to apply for this scholarship.

Second, it was disappointing that there were simply no applicants for the Outstanding Student Award this year. LAW has committed to giving each award even if there is only *one* applicant. The benefits of this scholarship are that the winner receives a plaque to

commemorate the achievement, receives his/her membership to LAW paid for one year (starting in the new fiscal year on June 1st), receives free registration for the Spring seminar, and receives a CLA/CP Review Manual. When you add it all up, this award has a value of about \$350-400! I am befuddled as to why any student would miss the opportunity to apply for such a valuable award. Maybe students don't realize yet how hard it is to make that amount of money in the working world! Students, please apply for the Outstanding Student Award in 2019. It is not that often you can get such high value for the amount of effort it takes to submit a well-written application.

The third award that LAW instituted a few years back is the Member Making a Difference Award. This is not a scholarship, but is simply a recognition by the Board of a member who has contributed in significant ways to LAW, the community or the legal profession. The winner receives a plaque of appreciation for his/her contributions.

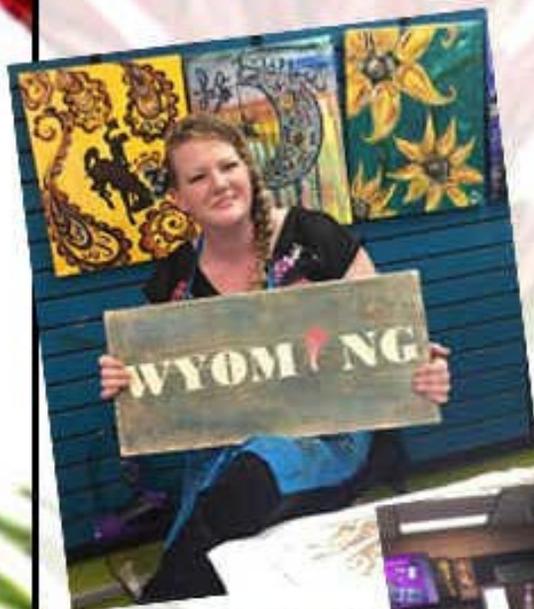
This year, the Board opened up the nomination process to our members, but we did not receive any. So, before the deadline expired, I nominated Tammy Wuertley, ACP. (Last year Tammy was the Region 3 Director, and this year she is the 1st VP.) Unbeknownst to me, Tammy Wuertley also nominated *me* for the Member Making a Difference Award! So, the rest of the Board decided to award it to both of us, and to keep it a secret from both of us until the Spring Seminar.

Both Tammy and I were surprised to hear our names called as this year's Members Making a Difference. I am proud to share this honor with Tammy. Next year, perhaps it will be you!



Please consider nominating a member of LAW for this honor before March 1st of 2019. Just send me and/or President Ashley Barkley an email telling us why you think a certain member deserves the award. It is that simple!

Social Hour Photos



Paralegals and Technology

Submitted by Tammy Wuertley, 1st VP

Is time running backwards for today's law firm paralegals? The non-lawyer staffers are usually among the first to be hit with layoffs when the economy takes a dive, or the firm needs some "downsizing." According to the 2012 *Survey of Law Firm Economics*, law offices averaged 30 paralegals per 100 lawyers in the early 2000s, and by 2012 that average had dipped to slightly more than 20 paralegals per 100 lawyers, and that number seems to continue to decline. At our firm of 15 lawyers (not including our three "specialty" lawyers who have their own personal assistants), we have five paralegals and eight secretaries which often means one paralegal and one secretary are assisting three or more attorneys –and it is not always the same attorneys. Some of the attorneys have tremendous caseloads and could really utilize their own paralegal as well as their own secretary. For this reason, many firms are morphing back into time – having an assistant who is a "jack of all trades," performing substantive legal work as well as the necessary clerical and secretarial duties. The range of responsibilities is endless, spanning many business functions such as billing, document preparation, legal research, discovery, client management, calendaring, as well as file maintenance and serving as the liaison between the client and the attorney. The title "Paralegal" is turning into the title of "Legal Assistant." Some legal assistants also play roles in marketing, finance, and human resources.

However, one skill that plays an essential role and offers a little more job security for paralegals is their knowledge of technology.

Because of technology, the economy and e-discovery, firms are requiring paralegals to be more



technologically advanced...they are searching for paralegals with e-discovery skills, including knowing various databases and how to search them, along with the technical "lingo" such as whether databases use single-page TIFFS, PDFs, or various other file formats, as well as the best way to convert and download them in a quick, efficient matter. Some paralegals are utilizing these technical skills and leapfrogging into new careers which require these skills, such as litigation specialists, and are becoming more "technology experts" than paralegals. Expertise in technology can usually result in a higher income and make you a valuable asset to your firm.

I consider myself to be "old school" and technology sometimes frightens me. However, good technical skills seem to be a requirement these days. Wyoming is a little behind with e-discovery, mainly due to the size of our state, but it is invaluable knowledge to have. NALA offers online courses in e-discovery and other technical courses. I would encourage all legal support staff to take as many technology courses as you can to increase your skills and expertise.

This article surely does not intend to make anyone think that the paralegal profession is going by the wayside. Rather, the role of a paralegal itself is expanding, so it's time to hone up on those technical skills. It is anybody's guess how legal support staff roles will look a decade from now. The Bureau of Labor Statistics projected that the hiring of legal secretaries and paralegals would grow by 17% by 2022, which would translate to job growth of 46,200 positions.

Source: "Paralegal and Legal Assistants are Taking on Expanded Duties" written by G.M. Filisko in the ABA Journal, November, 2014.

New Casper College Review Course Delivery Method

Casper College will be offering the following Paralegal course as a *distance learning alternative* in the fall of 2018:

Para 1, Legl 1610

The class meets in real time on Mondays and Wednesdays from 11:00-12:15. If you know anyone that may be interested, please contact Mary Kubichek at kubichek@caspercollege.edu

GIFT CARD WINNER

The winner of our new member gift card raffle was Karen Vaughn!

Karen is originally from Miami, Florida, but has also lived in Georgia, South Carolina, Colorado, and for the last 14 years in Cheyenne, Wyoming.

Karen works in Education & Taxability for the Wyoming Department of Revenue. Among her responsibilities, she represents the Department in seminar/webinars discussing the administration of Wyoming sales tax and writes detailed responses to individual taxpayer inquiries.

Karen graduated from Laramie County Community College in 2008 with an Associate's Degree in General Studies and again in 2017 with an Associates of Applied Science degree in Paralegal Studies.

Before graduating she decided that she wanted to become part of the legal community. She learned of LAW's "Brown Bag Lunches" at the courthouse and got excited at the chance to connect. She became a LAW member shortly thereafter. She is also a member of NALA and looks forward to completing her CP certification later this year. Congratulations and welcome to LAW, Karen!



Casper College Spring Events

Etiquette Dinner



The "Manners Meal"

Paralegal Program students are treated to a formal dinner (with lots of types of silverware) to practice good etiquette for potential meals with future employers and clients.

Mock Trial

Paralegal Program students in their final year team up with kids from St. Anthony's school to prepare and present a case in court. Legal practitioners are often included in the jury panel.

Plaintiff Team



Defense Team



Jury Panel



Graduation

Congratulations to the Class of 2018!

Mark

Corrine

Cortni



Region 4 Summary Dena K. Alexander, ACP 2017-2018

It has been a pleasure serving as the Region 4 Director. I didn't know what I was getting myself into when taking on this challenge! But it has been a fun and rewarding position.

I am very proud of what Region 4 has accomplished this past year. We began having monthly Brown Bag Lunches at the Laramie County Courthouse in August 2017. Our attendance was usually 4 to 8 attendees each month and we discussed LAW and NALA events, as well as legal happenings in the Cheyenne area. We held a Christmas Potluck Lunch at Woodhouse Roden Nethercott, LLC in December and collected toys for Toys for Tots as our holiday charity. It was so much fun to shop for the kids.

We held our first "Lunch and Learn" seminar with Tara Nethercott on the topic of

"Employment Law for Paralegals" on April 11th. Ms. Nethercott made an incredible presentation about wage discrepancies for women in the workforce and how to ask for a raise. I was so excited to have 14 attendees, 7 in person and 7 by conference call.

I am so grateful for the Region 4 members who helped put together these events. I couldn't have done it without you. I am glad to have had the opportunity to serve as the Region 4 Director and getting to know these legal professionals in the Cheyenne area. I also enjoyed working with the LAW Board and appreciate all of their help and support this past year.

I am happy to "pass the baton" on to Kathy Lackey of Woodhouse Roden Nethercott as the Region 4 Director for 2018-19. I know she will do a great job and I look forward to supporting her in her new position.

Save the Dates!

After careful consideration by our board members, the 2018-2019 LAW seminar locations have been decided.

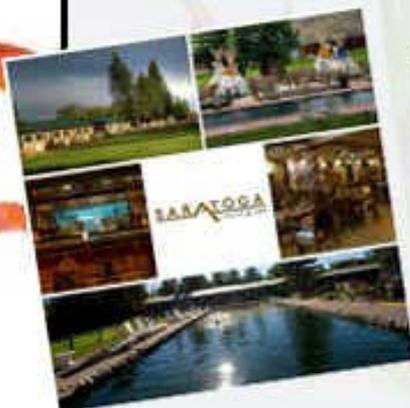
The fall seminar will be held in Deadwood, SD on October 5-6, 2018.

The spring seminar will be held in Saratoga, WY, on April 26-27, 2019.

Further details will be provided as the dates draw nearer. Thank you all for your input in making this decision.



Deadwood Gulch
gaming resort



Pizza in the Park/Atrium Membership Drives



winners



A Paralegal's Perspective of a 10th Circuit Court Appeal

By Ashley Barkley, CP

At the spring seminar Marci Crank Bramlet from Chapman Valdez & Lansing spoke about her recent experience with the 10th Circuit Court of Appeals. I thought it might be helpful to write a small piece about that process/experience from the paralegal's perspective. A quick and dirty rundown of the things I learned in attempting to navigate the appeals process. Marci is one of the attorneys in my office that I work with on a regular basis and we are currently attempting to successfully navigate the 10th Circuit for a second time.

I realize that many of you have experience that surpasses mine and this summary may not be helpful to you. But for those of you that have not had this experience or who have only attempted the appeals process in the 10th Circuit once or twice I hope this information might help you in the future.

The first thing that I will provide is the amazing resource that is the 10th Circuit Court of Appeals' website. <https://www.ca10.uscourts.gov/> This site has a plethora of resources, how-tos, and checklists available. My "go to" forms are neatly kept in a three hole binder tucked under my desk. At the start of our current appeal I pulled out the binder and re-read all of the helpful tidbits to ensure I had a basic understanding of what was



The Tenth Circuit Court of Appeals website header and main content area. The header includes navigation links: The Tenth Circuit, Court of Appeals, BAP, Library, Historical Society, Other Courts, and a search bar. The main content area features the title "The United States Court of Appeals for the Tenth Circuit" and a navigation menu with items like Home, About the Court, Case Management, Opinions, Attorneys, Unrepresented Parties, and Public Education. A featured article titled "Registration for the 2018 Tenth Circuit Bench and Bar Conference is open" is displayed, with a "Read More >" button and a link to the conference website. An image of a classical building with columns is also visible.

The website has a very handy timeline in table format which is my number one resource. Found here: https://www.ca10.uscourts.gov/sites/default/files/clerk/CS-2%20FAQ%202017_0.pdf

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT ANSWERS TO FREQUENTLY ASKED QUESTIONS			
<i>Please refer to the 10th Circuit ECF Manual and Briefing and Appendix Checklist for Additional Information</i>			
WHAT	WHO FILES	WHEN	REMARKS
Computation of Time: Fed R. App. P. 25(a), 26(c)	If ordered by a date certain, the 3-day mailing rule does not apply; if time to file runs "from date of service," the 3-day rule applies only if service not completed electronically. Only briefs and appendices are treated as timely filed on the date mailed or delivered to a commercial carrier. Other pleadings must reach the court by the due date.		
Docketing Statement: 10th Cir. R. 3.4	Appellant	14 days after the notice of appeal (may file without appeal docket number).	Must attach the following: order or judgment and any post judgment motions.
Entry of Appearance and Certificate of Interested Parties: 10th Cir. R. 46.1	Counsel for all parties	14 days from case opening letter.	
Transcript Order Form: Fed. R. App. P. 10(b)	Appellant Appellee	14 days from notice of appeal. 14 days from the appellant's form.	Must notify the district court, 10th Circuit, and parties – even if no transcript is ordered. If transcript ordered, must also notify court reporter.
Designation of Record: 10th Cir. R. 10.2	Court-appointed counsel ONLY	Appellant - 14 days from the notice of appeal.	Must attach the district court docket sheet with the designated documents circled.
Motions: Fed. R. App. P. 27 10th Cir. R. 27	Any party	Varies.	Must include opposing parties' position and, if applicable, the custody status, current due date or any previous extensions. Typed motions may not exceed 5,200 words; handwritten motions may not exceed 20 pages.
Appellant's Opening Brief: Fed. R. App. P. 28, 31, 32 10th Cir. R. 28, 31, 32	Appellant with retained counsel Appellant with appointed counsel	40 days from the date district court certifies the record as complete. 40 days from date record is filed in circuit court.	Blue cover. Must include: oral argument statement on the front cover (if requested, a reason must be given at conclusion); prior or related appeals; order or judgment appealed. See 10th Cir. R. 28.2. Certificate of compliance for length limit needed (may not exceed 13,000 words). Size 14 font is preferred, but 13 is acceptable, including footnotes. 7 copies must be provided to the court two days after filing via ECF.
Appellee's Response Brief: Fed. R. App. P. 28, 31, 32 10th Cir. R. 28, 31, 32	Appellee	30 days from service of appellant's opening brief.	Red cover. Oral argument statement, etc., same as appellant's opening brief. Attach order or judgment if appellant failed to include it in their brief. If more than 30 pages, certificate of compliance needed (may not exceed 13,000 words).
Appellant's Reply Brief: Fed. R. App. P. 28, 31, 32 10th Cir. R. 28, 31, 32	Appellant	14 days from service of appellee's response brief.	Gray cover. If more than 15 pages, certificate of compliance needed (may not exceed 6500 words).
Cross Appeals: Fed. R. App. P. 28, 28.1, 31, 32 10th Cir. R. 28, 31, 32	Appellant's Principal Brief	40 days from the date district court certifies the record as complete. (If court-appointed counsel, 40 days from the date the record is filed in the circuit court.)	Blue cover. Must include: oral argument statement on the front cover (if requested, a reason must be given at conclusion); prior or related appeals; order or judgment appealed. If more than 30 pages, certificate of compliance needed (may not exceed 13,000 words).
	Appellee's Principal and Response Brief	30 days from service of Appellant's Principal brief.	Red Cover. If more than 35 pages, certificate of compliance needed (may not exceed 15,300 words).
	Appellant's Response and Reply Brief	30 days from service of Appellee's Principal and Response brief.	Yellow cover. If more than 30 pages, certificate of compliance needed (may not exceed 13,000 words).
	Appellee's Reply Brief	14 days from service of Appellant's Response and Reply brief.	Gray cover. If more than 15 pages, certificate of compliance needed (may not exceed 6,500 words).
Supplemental Authority: Fed. R. App. P. 28(j)	Any party	Any time after briefing.	Must be drafted in the form of a letter, with a 350-word limitation.
Appendix: Fed. R. App. P. 10, 30 10th Cir. R. 10, 30, 30.1	Appellant or Appellee	With principal brief. <i>Sealed documents must be filed separately and accompanied by a motion to seal.</i>	Eff. 1/1/2015 all appendices must be filed via ECF; in addition 1 hard copy submitted to the court with hard copies of brief. If a supplemental appendix is filed with the appellant's reply brief, it must be accompanied by a motion to file.
Trial Exhibits: 10th Cir. R. 10.3(D)(5)	Appellant or Appellee	With principal brief.	Copies of trial exhibits may be included in the appendix or submitted via motion if appeal is proceeding on the record.
Petitions for Rehearing: Fed. R. App. P. 35, 40 10th Cir. R. 35, 40	Any party	14 days from the date of entry of judgment. In a civil appeal where the U.S. is a party, 45 days from entry of judgment.	Three-day mailing rule <i>does not apply</i> . A copy of the opinion or OJ <i>must be</i> attached. If en banc, must include Fed. R. App. P. 35(b)(1) statement. If en banc, must provide 6 copies to the court two days after filing via ECF.

NOTE: In counseled cases, all documents must be filed via ECF. Pro se litigants must request permission in writing to use ECF. In this regard, see the Court's CM/ECF User's Manual, which can be found on our website. All documents must be double-spaced, except for footnotes and quotations containing more than two lines. Seven hardcopies of all merits briefs and one copy of appendices must be received by the court within 2 days of filing the electronic versions via ECF.

The second resource I find to be most helpful is the Clerk's office. Wyoming is part of Team 1, which can be reached at 303-335-2729. In my experience Team 1 has always been helpful and pleasant. I've called about important things like the content of my appendix and simple things like the color of my coversheet. Regardless of the question they have been a great resource.

Contact Information

Business Hours

8:00 am to 5:00 pm, Mountain Time, Monday through Friday, except legal holidays

Court Address

Byron White U.S. Courthouse
1823 Stout Street
Denver, CO 80257-1823.

Phone Numbers

Clerk's Office Main Phone: 303-844-3157.

Attorney Admissions:
303-844-3157

Team 1 (Colorado, New Mexico, Wyoming or Agency cases):
303-335-2729

Team 2 (Oklahoma, Kansas, Utah or Tax cases):
303-335-2728



My final “go-to” resource is the applicable rules. This is the place that will tell you about important things such as the requirement to confer with all counsel before filing a motion (even if it's something simple), or which certifications are required for every pleading/document you file.

If you utilize these resources, hopefully you can avoid receiving any “notices of deficiency” from the court. (A fun reminder through CM/ECF, which essentially says “You obviously didn't use all of your resources, please fix this.”) Like any court, the more frequently you participate in the jurisdiction, the more accustomed to the applicable rules you will become. I'm sure the 10th Circuit Court of Appeals is the same way. I just haven't earned enough participation points to navigate this court without all of my handy dandy cheat sheets. If you need them, I hope they are useful to you too!



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2017-2018**

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