



The Gavel



Newsletter of the Lycoming County Paralegal Association

MARK YOUR CALENDARS:

MAY 6th is Lycoming County's Law Day Celebration

In 1958 President Eisenhower proclaimed May 1st to be Law Day, USA. The intention of this day is to contemplate the role of law in the foundation of our country and acknowledge the importance of law for society.

Lycoming County will be celebrating Law Day on May 6th at the Lycoming County Courthouse, Courtroom No. 1, at 4:00 p.m. A reception will follow immediately for the participants in the Jurors' Lounge and reception for the legal community will be at The Old Corner.



The 2011 editor of *The Gavel* is Michele Frey.

If you have any submissions to *The Gavel*, please contact Michele at 323-3768 or by email MicheleF@lepleylaw.com

Reminder to all Pa.C.P paralegals:

Pennsylvania certified paralegals should use the Keystone Alliance Proof of Attendance form to document CLE credits.

The form is available at:

<http://www.keystoneparalegals.org/PaCP/CLE%20Proof%20of%20attendance%20form%2011%2016%2010.pdf>

Paralegal Blogs:

These blogs are devoted to the ups and downs of being a part of the paralegal profession:

<http://www.digitalparalegalservices.com/blog/>

<http://haleyodom.wordpress.com/>

<http://lorijpaul.com/>

<http://paralegalhell.com/>

<http://www.paralegalpie.com/paralegalpie/>

<http://para-mel.blogspot.com/>

<http://lglduck.blogspot.com/>

<http://sonomafreelance.blogspot.com/>

<http://theempoweredparalegal.com/>

<http://www.paralegalmentorblog.com/>

Welcome New LCPA Members

The LCPA welcomes a new member that joined the association in 2011:

Kristen Poole of Thomas, Thomas & Hafer, LLP

Kristen has been working in the legal field since graduating high school in 1990. She is also a 1993 graduate of Luzerne County Community College. Kristen resides in Luzerne County with her husband and young daughter. She is expecting her second child in June. She has been a litigation paralegal to Norman D. Namey, Esquire for the past 12 years. In January, 2010 she and Attorney Namey joined the prestigious law firm of Thomas, Thomas & Hafer, LLP, who recently established a Wilkes-Barre office.

The LCPA encourages its members to invite other paralegals to join the association. Many law firms will sponsor membership costs for employees to join our professional organization. All membership inquiries should be addressed to Ken Try (570.326.6555).

UPDATE REPORT FROM THE PCC EXAM COMMITTEE TO NFPA[®] MEMBERSHIP

The members of this Committee wish to take this opportunity to report to the NFPA[®] membership on the progress of taking the PCC Exam from a dream to a reality. The Committee also wishes to take this opportunity to thank all the delegates attending the 2010 convention for their approval of the contract with PES. As you will see after reading this report, their participation has been key in accomplishing our task much more quickly than some of us thought possible.

Job Analysis Task Force

In July 2010, in conjunction with staff at PES, a Job Analysis Task Force [JATF] was formed, which consisted of certain members from the PCC Exam Committee, together with paralegal representatives from different types of practice settings; paralegal educators; lawyers and two judges, all from different areas around the country. The group worked with Carla Caro and Pat Melendez from PES.

The purpose for having a detailed job analysis is to be able to create the foundation for a legally defensible certification exam. The exam is being designed to capture competencies and knowledge of the entry level candidate who meets the experience and requirements as adopted by the NFPA[®] delegates. There are three phases to the process: delineation of practice, validation survey and test specification development.

Delineation of Practice. The purpose of this phase is to construct a detailed content, or process, based description of practice, including the major performance domains, key tasks within the performance domains and the knowledge and skills required to perform those tasks. Information was gathered from paralegal programs, including 2-year, 4-year and certification programs. Also included was information on paralegal utilization in a variety of employment settings and various state regulatory schemes.

Validation Survey. This involved a validation of the description of practice through a survey of a representative sample of current practitioners, locally, nationally or internationally. Survey participants reviewed domains, tasks and KS [knowledge/skills] statements and rated them according to a set of validation scales specifically designed for our program. This information was analyzed to refine the detailed description of practice and to identify any differences in practice related to professional or demographic variables.

Test Specifications Development. Results from the practice analysis were taken to develop a set of test specifications that are based on empirical evidence and subject matter expert judgments. Ratings from the validation survey were used to establish weightings for the various task and knowledge areas within the practice. A combination of the task and knowledge areas, together with their relative weightings are used to develop a set of test specifications and that determines the content of our exam.

The JATF has completed its work and the core domains have been established for the PCC Exam.

Exam Development

Item Writing - The next step in this process was the item [questions] writing. Those who participated in this process were PACE Registered Paralegals[®], Certified Paralegals, paralegal educators, paralegal managers and lawyers, all with the assistance and guidance of PES staff. As has been pointed out many times in the past, PES is known for its high level of integrity and has a sound reputation as a leader in professional certification exams. The items covered the core competencies within the domains identified by the JATF during the initial test development phase and make up the exam test bank from which the actual exam will be constructed. At this point in time, we have approximately 1,000 such items.

After all the items were submitted, a group gathered at the offices of PES on March 11th and 12th for the purposes of item review. Since there were a number of items in the test bank from previous sessions for updating the PACE[®] exam which had been designated as “entry level”, those items, in addition to the items recently submitted, were reviewed. Many thanks go out to Ann Price for her review prior to the meeting of items already in the test bank. The group was successful in reviewing all the new items submitted and almost all those items in the test bank that had not been reviewed. A 3-member team finished up the review of items in the test bank a week later.

Exam Construction - In this phase, the computers at PES select questions from the exam test bank in the appropriate proportion to the percentage points for each domain. Two such exams are constructed. On April 9th, and again on April 16th, a group met through the services of WebEx, with Vita Greco from PES to review the draft exams to ensure that questions are current with regard to core competencies identified by the JATF. That process is now complete. By using WebEx, we were able to avoid travel, hotel and meal expenses, as well as not having to take off time from work. Being able to accomplish some of these tasks through these services made the process much easier.

It should be noted that this phase is conducted under strict security and accountability. The purpose of this review is to make certain that the questions are current with regard to the core competencies identified by the JATF and that one question does not inadvertently give away the correct response to another.

Setting the Pass Point - The next step involves a group actually taking the exam(s) from the perspective of the “minimally qualified” candidate based on the established criteria for eligibility. The two exams will be taken using two distinct methods. The two methods are employed independently and should converge with the same, or nearly the same, result. PES then takes the evaluators’ scores as a whole and uses state of the art computer technology to establish the pass point, or minimum score required to pass the PCC Exam. PES also weights each question as to value, as not all questions have the same value; some are worth more points than others. As yet, no date has been set for this step in the process.

Pilot [Beta] Testing - The final step is the pilot testing, which will help to ensure there are no problems with the exam. Pilot testing is taking place on Saturday, June 11th at 12 locations around the country. Applications for this paper/pencil pilot test are web based, and applications for the computer based exam will also be web based instead of paper. Once the beta testing is concluded the exam will be finalized by PES and provided to Prometric/Sylvan Learning, who provides the testing facilities at locations all across the country.

We on the Committee think it should be obvious to the membership that our faith in PES was well placed. Their computer based technology is allowing NFPA[®] to do this work much more efficiently and more quickly than any of us ever thought possible.

Study Manual - Initial work has been started on a study manual. It is the goal of the Committee to have it ready for purchase well in advance of the rollout of the exam, which, at this point, is scheduled for November 1, 2011.

If anyone has any questions about any of this, please do not hesitate to ask. As always, the continued support of the membership for this project is greatly appreciated.

PCC Exam Committee Members

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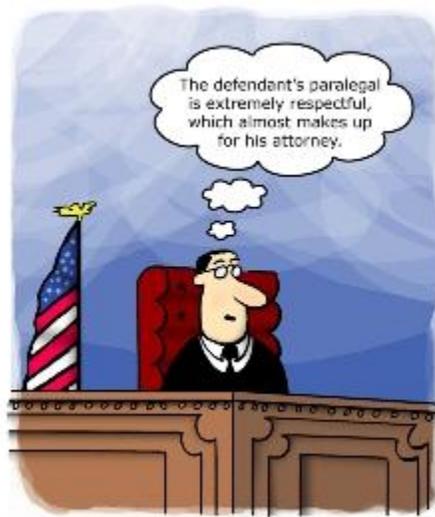
Member News:

LCPA member **Stephanie Tempesco** completed an online survey sponsored by NFPA regarding paralegal practice and was selected to receive the \$50 American Express gift card. Congratulations!

LCPA member **Rachael Lepley Joy** spoke at Hepburn Elementary Career Day on April 6th. The students learned about the duties and responsibilities of being a paralegal, education requirements and salary compensation. There were approximately forty students in attendance.

LCPA member **Jessica Waldman** participated in Paralegal Day at Pennsylvania College of Technology (her alma mater). On April 28th she attended a luncheon at the Capital Eatery, located in the college's new dormitory. High school graduates, who have been accepted into Penn College's paralegal program, were invited to tour the campus and speak with practicing paralegals from our area, as well as current Penn College paralegal students. The Honorable Nancy Butts was in attendance. Jessica spoke with several incoming paralegal students about the paralegal program at Penn College and her daily responsibilities as a paralegal.

LCPA member **Michele Frey** attended an annual reception in recognition of scholarship donors hosted by the Pennsylvania College of Technology on May 1st. This event gives the students who have benefited from a scholarship the chance to personally thank donors. The recipient of the Maxine Stiffler Scholarship for the 2010-2011 term is Stephanie Diamond.



Landlord/Tenant Law:

The Lease

A lease is a contract that establishes a relationship between a property owner (lessor) and a tenant (lessee) that specifies use of the property for a specified period of time in exchange for rent.

In any landlord-tenant dispute, determining rights and obligations begins with the lease.



Generally, there are two basic types of leases:

1. Tenancy for years: This type of arrangement creates a lease to the property for a period of years, and the lease automatically terminates at the date specified by the agreement. In this type of lease, the landlord retains a right of entry to gain access to the premises in the event the tenant breaches any of the significant terms of the lease.
2. Periodic tenancy: This type of lease continues for successive periods indicated in the lease and is automatically renewed until and unless one of the parties notifies the other of his or her intention to terminate the contract.

LCPA Fundraising

The LCPA is a non-profit organization; however, the association has certain expenses that are incurred each year. In order to pay these expenses the association must conduct fundraisers. Typically participation in LCPA fundraisers is extremely low. Therefore, the association is looking for ideas from members for ways to raise some money this year.

The money raised by the LCPA provides a scholarship to a Pennsylvania College of Technology paralegal student. This scholarship is named after one of our members who passed away, Maxine Stiffler. The LCPA also provides a cash award for the best senior project submitted by a senior student at Penn College. The total for these scholarships is \$500.00 annually.

The LCPA has one annual community service project. In December the LCPA buys holiday gifts for a local family in need. While members have always been generous with donations for this service project, for the past several years the association has matched donations up to three hundred dollars. The LCPA is only in a position to contribute these monies if it is successful with its fundraisers.

Additionally there are expenses associated with Law Day. Each year the LCPA hosts the reception for the students honored at the Law Day celebration.

Members who attend our annual Paralegal Day celebration are provided with a free lunch and gift. Many LCPA members have expressed appreciation for being recognized on Paralegal Day.

Also, the association has organized and sponsored "Breakfast with the Judges" at no cost to members. This event has provided members with the opportunity to speak with the judges and socialize with other members while enjoying a nice breakfast.

The LCPA has other financial obligations too. In addition to Keystone Alliance dues, the LCPA's Keystone Alliance representative is reimbursed for mileage and any tolls they may incur when attending the Keystone Alliance meetings. The LCPA would like to be able to provide its Keystone Alliance representative with a meal while he/she is representing the association at Keystone events, as well.

Keep in mind that a portion of LCPA membership dues is used to fund each LCPA member with an individual membership at the National Federation of Paralegal Associations (NFPA). The LCPA also pays annual dues for its Keystone Alliance membership.

Taking all these things into consideration, the LCPA asks members to provide fundraising ideas that would garner higher participation. Without successful fundraisers the LCPA simply cannot continue to provide the community, the paralegal students, or it's members with the benefits outlined above. Members can provide any board member with ideas.



JOB BANK

The LCPA Job Bank retains resumes of our members who are seeking employment as well as accepts employment postings for positions currently available. Resumes will be spread through Lycoming County. Employment opportunities will be advertised in LCPA emails and our newsletter, "the Gavel." Upon request, the LCPA will keep the advertising employer confidential. Additionally, internship opportunities will also be advertised.

The LCPA Job Bank is available to LCPA members and members of the Lycoming County Bar Association. Advertisements placed by attorneys and law firms are free.

If you are interested in posting an available position or reviewing the resumes in the Job Bank, please do not hesitate to contact Michele Frey at 323-3768 or MicheleF@lepleylaw.com.

Lunch and Learn Information

“Criminal Justice Act: Issues within the Federal System”

Host: Ronald C. Travis, Esquire

On April 13th Attorney Travis discussed the intricacies of federal defense work and the particulars involved in being compliant with online filings. He also provided personal accounts from some of the hundreds of federal cases in which he has been involved. Further, Attorney Travis reminded attendees that currently there is not a sitting judge for the Williamsport Middle District Courthouse. He encourages everyone to write to congressional representatives and encourage the selection of a judge for our federal courthouse. Correspondence should be sent to:

Hon. Patrick J. Toomey
B-40B Dirksen Senate Office Building
Washington, DC 20510

Hon. Robert P. Casey, Jr.
393 Russell Senate Office Building
Washington, DC 20510

**Watch your email and courthouse mail for
announcements pertaining to upcoming Lunch and Learns**

**The LCPA asks all its members to provide input on lunch and learn topics and speakers.
If you know of any potential speakers, please contact any board member.**

SHERIFF CONTACT INFO:	
COUNTY	PHONE NUMBER
BRADFORD	570.265.1701
CENTRE	814.355.6803
CLINTON	570.893.4070
COLUMBIA	570.389.5624
LYCOMING	570.327.2284
NORTHUMBERLAND	570.988.4155
SNYDER	570.837.3311
SULLIVAN	570.946.7361
TIOGA	570.724.3491

2011 LCPA Board Of Directors

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 Pam Toseki, Treasurer
 Amber Lowery, Secretary
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 Michele Frey, Director

All members are encouraged to join a committee. Please contact any board member if you are interested in joining a committee.

Committees: Membership, NFPA, Continuing Education, Job Bank, Service Project, Finance, Newsletter, and Keystone Alliance.

**Get involved: Join an LCPA Committee
 Spotlight: Membership Committee**

We need your help! Currently the only member of this committee is Ken Try.

If you're interested in answering questions from prospective members, speaking with local paralegal students and coordinating annual membership drives call Ken Try at (570) 326-6555.

Legal Laughs:

Q: Have you heard about the lawyers' word processor?

A: No matter what font you select, everything comes out in fine print.