



The Gavel



Newsletter of the Lycoming County Paralegal Association

Paralegal Day Celebration

On July 29th the LCPA celebrated Paralegal Day by hosting a luncheon at the picnic area outside of the courthouse. All in attendance were provided with a gift of a sturdy reusable tote bag bearing our logo (as seen below). Each tote bag contained a copy of the proclamation announcing Pennsylvania's Paralegal Day. Lunch, purchased at Fagnano's Tasty Pastries, was served to all paralegals in attendance.



CALLING ALL MEMBERS:

Michele Frey, Editor

If any member has any good news to share (professional or personal), legal articles of interest or simply desires to contribute to the Gavel, please contact me at 323-3768 or by email at MicheleF@lepleylaw.com

Also, please be reminded that The Gavel will publish job openings. If your attorney/firm is hiring, please consider posting the position in the next issue of the Gavel.

IN MEMORIUM:

On July 22, 2011 the Honorable Malcolm Muir passed away. He received his law degree in 1938. He founded the Lycoming Reporter in 1946 and was appointed to the federal bench in 1970.

To read Judge Muir's obituary in the Sun Gazette click below:
<http://www.sungazette.com/page/content.detail/id/566555/Judge-Malcolm-Muir.html>

Below is a copy of correspondence the LCPA received from its Senior Project Award recipient. The LCPA congratulates Tammy Cleveland for all her hard work in the Pennsylvania College of Technology Paralegal Studies program:

July 12, 2011

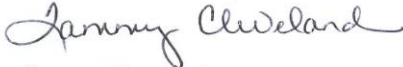
Pam Toseki
Lycoming County Paralegal Association
c/o Miele & Rymsza
36 West Fourth Street
Williamsport, PA 17701

Dear Ms. Toseki:

I would like to thank the Lycoming County Paralegal Association for selecting my senior project as the winner of its 2011 Senior Project Award. This was certainly a wonderful and unexpected surprise, and it was an honor to be chosen.

I very much appreciate this recognition and the monetary gift. Please extend my sincere thanks to the Association.

Sincerely,



Tammy Cleveland

cc: Kevin R. Derr
Director, Paralegal Studies
Pennsylvania College of Technology

Welcome New LCPA Members

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

Julie A. Moodler of ywca of northcentral pa/Wise Options:

Julie received an Associate's Degree from Pennsylvania College of Technology, paralegal studies program, in 2001. Julie has worked as a Victim/Legal Advocate at Wise Options in Lycoming County since 2001 and is currently Legal Advocacy Manager. Julie is a member of the Lycoming County Law Enforcement Agency, Lycoming DUI Task Force and Lycoming County Safe Communities. Julie lives in Pine Creek Township, Clinton County.

Estate Planning Myths:

Many LCPA members work closely with estate planning clients. All too often, clients repeat common myths relative to their perspective estate plans. Below are some of the misconceptions that estate planning paralegals hear time and again. It is helpful to be able to dispel common estate planning myths.

1. One of the most common myths that estate planning paralegals hear is, "Without a Last Will, the government will take all of my assets." When you hear this common misnomer it is important that you inform the client that if somebody passes without a Last Will then there is a statute that delineates which relative(s) will inherit his/her property. Advise the client that the estate planning attorney will inform them about Pennsylvania's intestate law.
2. Another widespread myth is, "If I have a Last Will then my family can avoid the probate process." Clients are often leery of the probate process because they do not understand what probate is. It is essential that you inform the client that probate in Pennsylvania is typically not complex or lengthy. Explain that probate simply is the process of filing the Last Will with the Court and having a representative appointed to administer the decedent's assets and debts. Advise the client that the estate planning attorney will explain about circumstances when probating a Last Will is unnecessary. The estate planning attorney will also explain that avoiding probate does not avoid federal and state estate or inheritance taxes. Clients should understand that avoiding probate should not be the primary function of their estate plan.
3. Once in a while a client declares, "Actually, I don't need a Last Will prepared because I've simply handwritten how I want my assets distributed." While it is true that in Pennsylvania a handwritten Last Will may be valid, it is a very bad idea. For starters, without proper counsel most people don't realize which assets are not controlled by a will. Estate planning paralegals can inform a client that assets (such as life insurance, annuities and jointly held bank accounts) will pass to designated beneficiaries and are not controlled by a Last Will, handwritten or otherwise. Additionally, a handwritten will must comply with the legal requirements of the Commonwealth. More importantly, handwritten wills often contain ambiguities and errors. One common error with a handwritten Last Will is that it fails to dispose of the entire estate. For example, if a handwritten Last Will gives away one's car, house, and bank accounts, but neglects to mention furniture, jewelry, gun collections and other personal property (or any other forgotten asset(s)) there is a partial intestacy as to the assets not covered by the Last Will. If a potential client indicates to a paralegal that it is their intention to prepare a handwritten Last Will then the paralegal should immediately offer the client an appointment to speak with an estate planning attorney.



"AND FINALLY, TO MY NEPHEW, SID WHO NEVER LAUGHED AT MY JOKES, HAR DE HAR HAR!"

Keystone Alliance:

The LCPA thanks Cathy Drawbaugh Redden for her willingness to serve as our association’s representative to the Keystone Alliance of Paralegals. The LCPA is desirous of a second member to serve in this capacity. Please consider helping the LCPA continue its active membership with the Keystone Alliance of Paralegals. It is imperative that the LCPA continue its membership with Keystone Alliance so that our members can easily maintain their Pennsylvania Certified Paralegal status.

The Commonwealth Court to visit Williamsport:



Photo: The Commonwealth Court holds sessions in this building, The Pennsylvania Judicial Center, located in Harrisburg (behind the Capital Building, which houses Superior Court on its 4th Floor).

The Commonwealth Court is one of Pennsylvania's two statewide intermediate appellate courts (Superior Court is the other one). The Commonwealth Court jurisdiction generally is limited to legal matters involving state and local government and regulatory agencies. Litigation typically focuses on such subjects as banking, insurance and utility regulation and laws affecting taxation, land use, elections, labor practices and workers compensation. Commonwealth Court also acts as a court of original jurisdiction (or a trial court) when lawsuits are filed by or against the Commonwealth.

The Commonwealth Court is made up of judges who serve 10-year terms. The president judge is chosen by colleagues for a five-year term. The court generally decides cases in three-judge panels and sits in Philadelphia, Harrisburg and Pittsburgh.

On September 16th Williamsport will host ten Commonwealth Court Justices. Any LCPA member who is able to sit in on the proceedings should take advantage of this exciting opportunity to watch a session of Commonwealth Court proceedings here in town.

Lunch and Learn Information

“Children and Youth Update/Overview”

Host: John Petrovito, Esquire

On June 8th we enjoyed a very informative Lunch and Learn presented by Attorney Petrovito. Members in attendance learned a lot about the procedures and regulations followed by court appointed children advocates after a Children and Youth assessment requires minors to be removed from their homes.

Lycoming County is fortunate to have such a compassionate and qualified attorney serving in the Attorney Ad Litem role. The LCPA is grateful to Attorney Petrovito for his willingness to host an LCPA Lunch and Learn. We received an enormous amount of positive feedback from those in attendance.

If any members know of an attorney who is interested in speaking at a future event, please contact any board member. The LCPA’s partnership with the Lycoming Law Association allows us to provide two CLE credits to any qualified Lunch and Learn host.

Upcoming Lunch and Learns:

August 24th – Melody L. Protasio, Esquire

Topic: To Marry or Not to Marry – Property Issues

September 14th – Levi I. Woodward, Esquire

Topic: Oil and Gas Leases

October – Melissa Welsh, Esquire

Topic: Corporate Law

All speakers, topics and dates are subject to change.

COUNTY	COURT ADMINISTRATOR PHONE NO.
BRADFORD	570.265.1707
CENTRE	814.355.6727
CLINTON	570.893.4016
COLUMBIA	570.389.5667
LYCOMING	570.327.2330
NORTHUMBERLAND	570.988.4167
SNYDER	570.837.4344
SULLIVAN	570.836.3151
TIOGA	570.724.9380
UNION	570.524.8792

2011 LCPA Board Of Directors

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 Pam Toseki, Treasurer
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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: Continuing Education**

We need your help! The Continuing Education Committee works hard to secure regular Lunch and Learn meetings. LCPA Lunch and Learn meetings are CLE approved and free to all members (lunch is five dollars).

If you are interested in joining the Continuing Education Committee, please contact any board member.

Legal Laughs:

Warning Signs that you Might Need a Different Lawyer

1. Your lawyer tells you that his last good case was of Budweiser.
2. When the prosecutors see your lawyer, they high-five each other.
3. Your lawyer picks the jury by playing "duck-duck-goose."