

3rd Quarter 2013



The Gavel



Newsletter of the Lycoming County Paralegal Association

Paralegal Day 2013

TO ALL LYCOMING COUNTY PARALEGAL
ASSOCIATION MEMBERS

Please join the Lycoming County Paralegal Association for
a Celebration and Recognition of our Profession

Friday, July 19, 2013 at 5:00 PM

THE JOINT

DINE, DRINK, SPEAKEASY
535 East Third Street, Williamsport

COMPLIMENTARY BEVERAGES

*** ALL LCPA MEMBERS RECEIVE AN LCPA GIFT ***

Any questions contact Rachael Lepley Joy
at 570-323-3768 or rachaelj@lepleylaw.com

Lunch and Learn News:

On April 29th Attorney Aaron Biichle hosted a lunch and learn event. He discussed criminal procedure from incident through trial and to sentencing. Attorney Biichle covered a lot of important points in a short amount of time. The LCPA would love to Attorney Biichle speak at another event.



On May 21st Attorney Bob Cronin hosted a lunch and learn event about the sentencing guidelines in Pennsylvania. He was a dynamic and knowledgeable presenter. He explained the sentencing matrix, computing prior conviction scores and mitigating/aggravating factors considered at the time of sentencing. Attorney Cronin also discussed how the guidelines are applied by our local court.

On June 25th Attorney Jeff Dohrmann hosted a lunch and learn event about employment law. He was an engaging and charismatic speaker. Among other things, Attorney Dohrmann discussed discrimination in the workplace, wrongful termination, at-will employment.

The LCPA needs lunch and learn speakers.
If you know of a qualified speaker please contact any board member.

The LCPA offers two free continuing education credits
to all Lunch and Learn speakers.





Scholarship

The LCPA/Maxine Stiffler Scholarship Recipient is Stephanie Dimon

Congratulations to Stephanie Dimon, the recipient of the LCPA/Maxine Stiffler Scholarship at Pennsylvania College of Technology. Ms. Dimon's anticipated graduation is the Fall of 2013. The LCPA wishes her the best of luck in her future endeavors. Congratulations!

New Member

Welcome to new LCPA Member, Maria Smith

Maria A. Smith, is a paralegal at the John F. Murphy Law Office (Wellsboro). She works with Attorney John F. Murphy and primarily is involved with cases pertaining bankruptcy, estates and wills, real estate and collections. She is also a Court Interpreter (Spanish).



Law Day 2013

On May 3rd Lycoming County celebrated Law Day. This year's theme was "Realizing the Dream: Equality for All." The walls of the courthouse showcased the art entries and the winners of the art and essay contests presented their work and received an award. After the conclusion of the ceremony the LCPA sponsored a reception for the winners.

WHEN CLAIMS PEOPLE BECOME HUMAN SERVICES PEOPLE AND VICE VERSA

By Jerrold Rutkove

This writer knows of insurance claims people who became human services people such as rehabilitation counselors: an insurance adjuster turned rehabilitation counselor, an insurance investigator turned rehabilitation counselor, a paralegal turned rehabilitation counselor.

Conversely, this writer knows of human services people making the transition to claims: a rehabilitation counselor who became a claims manager; a rehabilitation counselor who became a plaintiff attorney; and a psychiatric social worker who became a claims examiner. Such changes usually involve a considerable investment in effort, time, and money in the form of education.

The Department of Labor reports that most Insurance Adjusters, Examiners, and Investigators have less than a bachelor's degree (O*NET, 2013), while most rehabilitation counselors have a master's degree (O*NET, 2013). Yet with a master's in rehabilitation counseling someone who wants to become a lawyer starts law school at the beginning and works toward the juris doctorate (O*NET, 2013). Therefore, before making the leap it would be worth some career exploration.

One may ask, "Is there a common personality profile between claims people and human services people who successfully switch between occupations?"

Interests

Let us begin with interest which we will base on Holland's personality theory, the standard used by the US Department of Labor. (Holland, 1966, 1973, 1985, 1997). There are six personality traits: Realistic which involves little interpersonal interaction, working with things or animals, using one's hands, and solving worldly problems; Investigative involves working with ideas and using reasoning skills, such as deduction to solve problems; Artistic involves self-expression and usually no clear consistent set of rules; Social involves interpersonal interactions, such as communication, teaching, including providing a service; Enterprising involves leadership and decision making, including the risk taking that comes with these, often in a business/interpersonal interaction environment; Conventional involves a structured environment whereby there are rules and authority with which to comply, involving concrete terms rather than ideas. (Gottfredson & Richards, 1999).

Holland's Hexagon displays similar personality traits as closer together. Going clockwise beginning at about 11:00 o'clock we begin at Realistic, then 1:00 Investigative, then 3:00 Artistic, then 5:00 Social, then 7:00 Enterprising, and finally 9:00 Conventional which is next to 11:00 Realistic already mentioned. On the hexagon Social and Realistic are opposites, Conventional and Artistic are opposites, and Enterprising and Investigative are opposites. People are actually typed by the two or three most prevalent of the six traits, such as Conventional-Investigative or Conventional-Investigative-Enterprising.

Holland compared personality types to work environments. If the personality type was one that matched the work environment it is said that there is congruency. (Spokane, Luchetta, & Richwine, 2002). Hence someone with an Enterprising-Conventional type would best fit in an Enterprising-Conventional environment, although Enterprising-Social or Conventional-Realistic would not be a far stretch since they are close together on the hexagon. In contrast a Social-Artistic type in a Conventional-Realistic environment would be a bad placement as these types are at opposites on the hexagon.

The US Department of Labor attributed specific Holland types to each Dictionary of Occupational Titles (DOT) and Occupational Information Network (O*NET) occupation.

First we explore the types for the Claims people:

DOT Occupation 241.217-010 Insurance Adjusters-Examiners-Investigators and Claims Examiners of Property and Casualty Insurance have the Enterprising-Investigative type as based on the United States Department of Labor (United States Department of Labor, 1977) and the Conventional-Enterprising type as based on the O*NET Occupation 13-1031.02 Insurance Adjusters, Examiners, and Investigators. (O*NET, 2013).

DOT Occupation 119.267-026 Paralegals have the Enterprising-Conventional type as based on the United States Department of Labor (United States Department of Labor, 1987) and the Conventional-Investigative-Enterprising type based on the O*NET Occupation 23-2011.00 Paralegals and Legal Assistants. (O*NET, 2013).

DOT Occupation 110.107-010 Lawyers have the Enterprising-Conventional type as based on United States Department of Labor (United States Department of Labor, 1987) and the Enterprising-Investigative-Artistic type based on O*NET Occupation 23-1011.00 Lawyers. (O*NET, 2013).

Now, to the human services people:

DOT Occupation 045.107-042 Vocational Rehabilitation Counselors have the Social-Artistic type as based on the United States Department of Labor (United States Department of Labor, 1981) and Rehabilitation Counselors have the Social-Investigative type based on the O*NET Occupation 21-1015.00 Rehabilitation Counselors. (O*NET, 2013).

DOT Occupation 195.107-034 Psychiatric Social Workers have the Social-Investigative type as based on United States Department of Labor (United States Department of Labor, 1978) and the Mental Health & Substance Abuse Social Workers as Social-Investigative-Artistic based on the O*NET Occupation 21-1023.00 Mental Health & Substance Abuse Social Workers. (O*NET, 2013).

In summary, the Claims environment calls for the Enterprising-Conventional and or Investigative personality type. Switching from this to Rehabilitation Counselors means going to a Social-Artistic or Social-Investigative type of environment. As long as Conventional and Artist are not strong traits of the environment and the person, the environment is still mostly congruent with claims in that it still has the Investigative trait and the Social trait is next to the Enterprising trait on the hexagon. Likewise, switching from Claims to Psychiatric/Mental Health Social Workers again means going to a Social-Investigative type, and therefore is still mostly congruent with Claims.

Switching from Social Worker or Rehabilitation Counselor to a Claims environment would involve the same traits as the switch in the other directions, and thus again mostly congruent with Claims, as long as Conventional and Artist are not strong traits.

The potential issue would be if the Claims person environment was mostly Conventional and the Human Services environment mostly Artistic, opposite sides of the hexagon. In this instance a Claims Person turned Human Services person may find oneself being told by supervision that one is being inflexible and on the converse the Human Services person turned Claims Person may be told one is not following protocol. Accordingly it would appear that Enterprising-Investigative, Social-Enterprising, or Social-Investigative would be the best types to persevere based on this theory.

Temperaments

Temperaments are the other personality typing criteria used by the Department of Labor: Directing (supervising) others, Influencing people, Variety (doing different tasks in contrast to repetitive which is the same tasks again and again), Tolerances (working to exact standards), People (dealing with people), and making Judgments. None of the Claims or Human Services occupations identified involved the other temperaments of Expressing one's own feelings, working Alone, performing effectively under Stress, or working Under set instructions.

The Temperaments for the Claims people are as follows:

For the DOT Occupation 241.217-010 Insurance Adjusters-Examiners-Investigators and Claims Examiners of Property and Casualty Insurance the temperaments are Influencing people, making Judgments, and dealing with People. (United States Department of Labor, 1977). For the DOT Occupation 119.267-026 Paralegals the temperaments are making Judgments, dealing with People, Tolerances, and Variety. (United States Department of Labor, 1987). For the DOT Occupation 110.107-010 Lawyers the temperaments are Influencing people, making Judgments, dealing with People, and Variety. (United States Department of Labor, 1987).

The Temperaments for the Human Services people are as follows:

For the DOT Occupation 045.107-042 Vocational Rehabilitation Counselors the temperaments are Directing others, making Judgments, dealing with People, and Variety. (United States Department of Labor, 1981). For the DOT Occupation 195.107-034 Psychiatric Social Workers the temperaments are Directing others and dealing with People. (United States Department of Labor, 1978).

The common difference between both Human Services occupations and all three Claims ones are that the former involve Directing people while the latter do not. This would mean that a Rehabilitation Counselor or Psychiatric Social Worker who became a Claims person would need to relinquish habits of Directing, controlling or planning for others but be amenable to Influencing people if an Adjuster or a Lawyer. The converse would apply for the Claims person becoming a Human Services person.

Personal Examples

The personal examples cited are not from an actual methodological study but rather from this writer's own involvement with these individuals when colleagues in private practice vocational rehabilitation in Pennsylvania, prior employment as an insurance adjuster/claims examiner/investigator, and review of a Pennsylvania obituary and two Pennsylvania private practice websites. Accordingly the results are not to be taken as actual research.

An Insurance Adjuster/Claims Examiner/Investigator decided to become a Rehabilitation Counselor. One personality based reason this individual gave for the change included a desire to create sustainability; settling a claim is like giving someone a fish—the person eats for a day, whereby providing someone skills and strategies to obtain and retain employment is like teaching the person to fish—the person eats everyday. Another such reason was the desire to see results, such as the person being employed, rather than as often happens in claims, we do not get to find out how the settlement actually benefited the person, or as often occurs with limited assignments, if there even was a settlement.

An Insurance Investigator and then Paralegal who became a Rehabilitation Counselor contributed this explanation: legal resolutions did not return clients to their life as it was before so to feel more effective in making a difference this individual became a Rehabilitation Counselor in order to counsel and consult.

Based on these explanations, the personality profiles of both of the above Rehabilitation Counselors appear to involve the Social trait since they mention providing skills or counseling and consulting which are related to teaching. They also involve the desire to solve a problem by using reasoning and thus perhaps an expression of the Investigative personality trait. As for temperaments, in addition to dealing with People they also could be said to involve Directing since rather than effecting a settlement with a claimant the Rehabilitation Counselor is Directing the person with the disability to achieve a result.

Of those who went from Human Services to Claims this writer observed the following descriptions of these individuals:

The Rehabilitation Counselor who became Lawyer describes oneself as having much compassion and ability to communicate the client's disabilities;

The Rehabilitation Counselor who became a Claims Manager is described in an obituary as a warm and caring person with a wonderful sense of humor.

Both Rehabilitation Counselors turned Claims people appear to be expressing the Social trait since interpersonal understanding and communication are emphasized. Likewise they also express the temperament of dealing with People.

The Psychiatric Social Worker who became a Claims Examiner describes being glad to have studied psychology as it provides insight to the behavior of those with claims. This expression suggests the Investigative trait.

Reviewing these personal explanations, just like the review of the environments (with the exception of Conventional versus Artistic), there are no major swings in interest or temperament from Claims to Human Services or vice versa. Both the Claims people turned Rehabilitation Counselors still appear to align with the Investigative interest trait and the dealing with People temperament as they did when they were Claims people and although they also seem to take on the Social interest trait and Directing temperament these are not at opposites with their pre-existing traits and temperaments. Likewise both the Rehabilitation Counselors turned Claims people seem to maintain the Social interest trait they had as Human Services people, as did the Psychiatric Social Worker turned Claims person seem to maintain the Investigative interest trait which is a perfect fit with both past and present occupation. Actual about face changes in personality would have been adapting a Realistic interest trait or temperaments of working Alone, working under Stress, and working Under set instructions.

Conclusion

The transition from Claims to Human Services and vice versa requires a considerable investment in education. The extent to which one negotiates one's interests and temperaments to reconcile their focus from one environment to the next is therefore worthy of research as it may address the potential for the transition to be a success in terms of the investment made as well as the people served. It is suggested that professionals contemplating this change in addition to reviewing the congruency of the environments should consider personality assessment such as the Self Directed Search (Holland, Powell, & Fritzsche 1994) or Strong Interest Inventory (SII; Strong, Hansen, & Campbell, 1994) to better understand their fit for the environment. Further, this would also merit a methodological research study of those who successfully made the transition.

Author

Jerrold Rutkove, MA, CRC, website www.rutkoverehab.com has a private vocational rehabilitation practice in Pennsylvania, providing consulting, case management, counseling, and advocacy services. (The opinions and statements contained herein are those of the author only and do not represent the opinion or interest of the Education Department or any other State agency of New York.)

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Newsletter



Michele Frey is the 2013 editor of The Gavel. If anyone has any articles or contributions to The Gavel, please contact Michele at MicheleF@lepleylaw.com

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{special}

THANKS

to our sponsor

The LCPA thanks vocational expert Jerrold Rutkove for sponsoring this quarter's issue of The Gavel. LCPA members are encouraged to support our sponsors.



Legal Laughs



"Miss Finch, my attorney has advised me that I'm not obligated to address the question of what I did on my summer vacation. Nonetheless, I would like to respond."