PERSPECTIVE

Volume 40, Issue 4

Spring Edition

PRESIDENT'S MESSAGE

By Kerry A. Mackey, CP

HAPPY SPRING!! PANJ's 2022-2023 term is sadly coming to end! Our last dinner meeting will take place on **June 8**, **2023**. At this meeting, our 2023-2024 Executive Board will be sworn

in. The meeting will take place at Porzio, Bromberg & Newman, P.C. in Morristown, New Jersey. Our guest speaker is from Premier Vocational Experts and will be discussing using a Vocational Expert & Life Care Planner in personal injury cases.

Last month, **PANJ** held a meeting at Porzio's office. Edward Purcell, Esq. of Price, Meese, Shulman & D'Arminio, P.C. was there to tell us all about Open Public Records Act. Those who attended the meeting greatly appreciated what Mr. Purcell had to say. He was very insightful. We will have an article about this meeting in our next Newsletter.

In April, **PANJ** held a meeting at the New Jersey Law Center. The Honorable Robert Jones gave us information on Legal Writing. Legal writing is such an important topic that paralegals need to be on top of at all times! We are hoping to have Judge Jones back as a guest speaker in the future. Everyone loved his presentation!

PANJ was ecstatic to have Nicola Jackson from the National Notary Association return in March to give us updates on the new Notary Laws for New Jersey. You can learn more about the meeting and the updates on the new laws in this Newsletter. Ms. Jackson is a great resource for any notary questions that you may have. Please visit their website for more information — CLICK HERE-

As a reminder, if you cannot attend a meeting or webinar but want a copy of the recording, you can request it! Just register for the event and send me an email that you would like a copy of the recording and I will send it to you after the meeting takes



place. We are hoping to live stream all of our meetings in the future so if you want to attend virtually you can still be there with us virtually.

PANJ is always looking for new topics and presenters. If there is a topic that you like to learn more about, please email us!

LASTLY, please keep in mind that the planning for the **New Jersey Paralegal Convention** is underway!! More information will be provided soon! SAVE THE DATE for **October 20**, **2023**. The Convention will be taking place at The Imperia in Somerset, New Jersey.

The Association is open to suggestions for improvement. **PANJ** seeks to promote regulated high-level educational standards and uniform practice guidelines for paralegals throughout New Jersey. **PANJ** also provides helpful resources to new and experienced paralegals and promotes the education of the public for the advancement and improvement of the profession.

What are ways the Association can further serve its members and the paralegal profession? All suggestions are welcome! Send ideas and comments to Info@NJPara.org.

If you wish to contribute to upcoming editions of Perspective, please submit your pieces for review to Info@NJPara.org.

If you know a vendor who may be interested in advertising their product/service in the Perspective or at an upcoming webinar meeting, have the vendor contact Info@NIPara.org.

DISCLAIMER: The *Perspective* is a newsletter designed to report news and/or opinions of interest to PANJ members. The opinions expressed herein are solely those of the author, not the *Perspective* Editor nor the PANJ Executive Board. Publication herein does not imply endorsement in any manner. No information contained herein is intended nor should it be construed as legal advice. All articles presented herein are with permission of the author. Inclusion and editing of material is at the sole discretion of the Editor.

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NALA NEWS

NALA Conference and Expo

Registration is open for this year's Conference and Expo which is on July 12 to 14, 2023 at the Westin Copley Place in Boston. Visit NALA's website to register: https://nala.org/2023/conference-2023-registration/. You can earn up to 13 hours of CLE AND receive a Conference bundle – a recording of the entire 2023 Conference. Early bird pricing is in effect. The Conference and Expo can be attended in person or virtually. Also, you can register for a single day pass. So many options! NALA offers some great advice to first-time attendees – check it out at https://nala.org/2023/nala-conference-expo-success/. Lastly, the Conference is a great way to prepare for the CP exam and you can earn 11 CLE credits for doing so!

CP Exam

The Knowledge Exam is administered all year long at PSI testing centers. Check out their website for availability in your area: https://www.psionline.com/closures. If you're having difficulty finding a testing center, your workplace may be eligible. Contact NALA at testing@NALA.org.

The Skills Exam testing windows are February, April, July and October.

NALA partnered with the College of the Canyons and its School of Personal & Professional Learning will offer two online courses led by an instructor about preparing for the CP exam; one for Knowledge exam, the other for the Skills exam. It's free to California residents and \$75.00 for non-California residents. Fine more information here: https://nala.org/wp-content/uploads/2023/01/PPL Certified Paralegal-Exam_Test_Preparation.pdf

Want to participate in creating the CP Exam? If you are interested, NALA is hosting a CP Exam Development Forum on May 16th from 6:00-7:30 p.m. CT. Just go to: https://nala.org/2023/cp-exam-development-forum-2/



Christine A. Principe, is a Certified Paralegal. She has been a paralegal for 34 years assisting attorneys in a variety of practice areas including commercial litigation, mortgage and tax lien foreclosures, and estate administration. Currently, she in the complex commercial litigation department at Sills Cummis & Gross, P.C. Christine is a PANJ Board Member and NALA Liaison. She is also a Board Member of NJ Paralegal Convention. Christine can be reached at: NALALiaison@NJPara.org; cprin1216paralegal@outlook.com.

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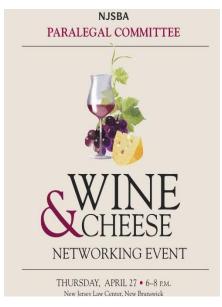
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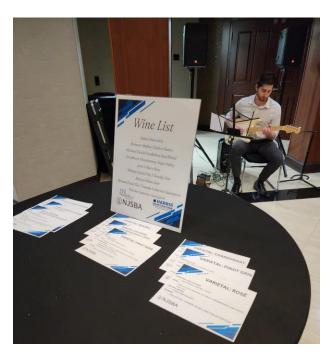
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<u>Disabilities in the Legal Workplace</u> By: Samantha Vitone

You could be working with someone at your job who has one or more disabilities and may not even know it. According to <u>Disabilitystatistics.org</u>, "In 2017, the employment rate of working-age people (ages 21 to 64) with disabilities in New Jersey was 39.2%." I am part of that statistic because I have a learning disability. I want readers to know, specifically attorneys and paralegals, the importance of promoting disability awareness and how to overcome struggles in the legal environment like I do.

Early on in grade school, I was diagnosed with a specific learning disability named communication impairment; this meant I had difficulty processing and obtaining information. Regardless of this, I enjoyed school because I loved learning and continue to do so. When the last year of high school approached, I had already applied to several colleges and was excited to start the next chapter in my educational career. Much to my disappointment, teachers and supporting staff, met with myself and my parents during a school meeting and advised that I had a very slim chance of being accepted into or graduating college due to my grades and test scores. Although I was discouraged from hearing this news at first, I would not allow myself to listen. All those years in school, I had always asked questions and taken the extra time to be a great student. I was determined to prove that college would be no different in terms of my capabilities.

Fast forward to today, I now hold a bachelor's degree in Sociology from Salisbury University as well as an ABA-approved Paralegal Certificate with a 3.5 GPA from Fairleigh Dickinson University. After graduating college, I started working in the legal industry and my love for it has grown since. I am currently a Legal Specialist for Litigation and Regulatory law at one of the largest medical device companies in the world. People with disabilities should not be afraid or discouraged to work in the legal field. To support disability inclusion at the workplace, companies need to find ways such as volunteering and donating to non-profits who advocate for disabilities, host educational seminars to staff and creating internal clubs at work to raise awareness. Getting involved can make a positive difference in someone's life.

There are multiple strategies to help overcome the struggles in the workplace, especially having a disability. Staying organized at work can help you be an efficient and productive worker. Organization will help complete tasks on time and stay focused. For me, I create to-do lists and timelines because it helps me understand what projects are more urgent than others. I also do "follow-ups" with individuals who are working on the same project as me and giving my manager a heads up with the status on an assignment. This is a way to help keep track with on-going projects and to know if the project will or will not be

completed on time. Another tip is taking breaks. Breaks are important because you want to avoid over-working yourself in a short period. Staring at your computer screen for too many hours can cause eye strain, headache and body tension or pain for sitting in an office chair for too long. I feel more productive when taking a break to "refresh" my mind.

I strive to be an advocate for those facing similar challenges to my own, as well as act as a voice to be reckoned with for those who may not have found their own yet. I hope my story gives a reminder that a disability should never hinder you, regardless of how others may not believe in your abilities.



Samantha is currently a Legal Specialist for Litigation and Regulatory Law at Becton, Dickinson and Company. She has been working in the legal industry since 2017. Her duties include in-depth research, creating PowerPoint presentations, review and analyze the company's policies and monitor changes to the government guidelines and regulations. Her hobbies and interests are kickboxing, spending time with family and friends and playing with her two cats, Enzo and Luca!

Work Cited

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DAWN OF THE NEW NOTARY -UPDATE TO NEW JERSEY NOTARY LAWS-

By: John Vizcaya

On March 21, 2023, the Paralegal Association of New Jersey had the privilege of providing members and guests with a seminar led by Nicola Jackson, The Director of the Training and Education Department at the National Notary Association. Ms. Jackson led an in-depth discussion into the relatively recent changes incorporated in The New Jersey Law on Notarial Acts. The law initially had gone into effect back on October 22, 2021, but the final updates were implemented on July 1, 2022. For any current notaries out there, that are about to allow their commission to expire, PLEASE note that it would be in your best interest to not allow your commission to expire for more than 30 days. Among the updates to the notary laws are the new exam requirement and course of study added for new applicants or prior notaries whose commission has expired for more than 30 days. While it's important for notaries and aspiring notaries to keep their knowledge up to date with the current New Jersey rules and regulations, the truth is not many people have the time or temper to pencil in an extra exam into their daily schedules. Not to worry though, much of the "new" requirements are quite similar to what was expected in previous years. However, among the modifications are a myriad of improvements which allow modern New Jersey notaries much more flexibility, which prior generations did not have the luxury of enjoying, but we'll dive into that later.

Previous and current requirements mandate that a New Jersey notary public be 18 years at the time of their commission. A subtle but significant change is that applicants must have their commission recorded with the County Clerk's office within 3 months of the receipt of the commission certificate, as opposed to the previous 90-day rule. This could spell out good or bad news for those who tend to wait to the last minute, so once again, for those whom it concerns, please be sure to stay diligent in your calendaring. Furthermore, similar requirements demand that a notary public must not have any convictions on their record or "not be disqualified by the State Treasurer for failing to discharge any duty required by law". Notaries will always be called upon to assist financial and legal communities across the state to protect against fraud and ensure documents are properly executed, the recent changes do nothing to change that goal and in fact, they seek to enhance a notary's abilities to meet that end.

The Covid-19 pandemic highlighted serious weaknesses in companies and communities across the globe that strictly relied on individuals appearing in a specific and physical location. For the flow of business and legal activities to continue unhindered, it's clear that individuals, companies, and state entities needed to adapt and incorporate more advanced and tech-savvy models to assist in executing daily transactions. New Jersey has taken the right step in allowing an expansion of a notary's capacity to perform their duties

across the state. The new rules allow for an New Jersey notary public to simply be employed in an office located in New Jersey and/or be a remote employee of a company with its primary place of business in New Jersey, the notary is no longer required to simply be resident of the state (or neighboring states) to be commissioned. The state has been opening up the options for Remote In-Person Notarization, also known as "RIN" which allows for the notarization of electronic documents through the use of communication technology. This is definitely a win for the trees and printing budgets statewide! In addition to RIN, the utilization of Remote Online Notarization "RON" has also seen a huge takeoff as well. A notary public in New Jersey is allowed to perform a notarial act using communication technology for a remotely located signer. The amount of flexibility this has allowed businesses is almost incalculable. Gone are the days when all signing meetings demand that the parties meet in-person in one setting. New Jersey has stepped up big time in allowing remote transactions to take place, these new developments within the state have certainly helped legal and financial communities thrive.

However, please bear in mind that a notary public must notify the State Treasurer if they seek to perform a notarial act for remotely located individuals in or outside the United States, with the caveat that the document being notarized must also be filed or relate to a matter in the United States or a transaction connected to the United States. Notaries must also notify the State Treasurer if they intend to perform electronic in-person notarization. The electronic notarization technology used must also meet the requirements set forth by the state and maintain "tamper-evident" protections as well as the use of an electronic certificate with a signature and stamp requirement. Unfortunately, for now, electronic notarization is not permitted with wills, testamentary trusts or codicils, for those who need a quick refresher, a codicil is a method to modify or supplement a will. It'll be important for notaries to stay attentive to the changes in the remote and electronic notarization realm.

While New Jersey has certainly opened the door for RIN and RON technology, it's important to note that not all signing platforms that provide these options are built the same nor are they all approved by the state. If a notary intends to perform RIN or RON in the State of New Jersey, it's strongly recommended they verify which platforms are approved for use in the state. A diligent individual can gather this information by either contacting the New Jersey Department of Treasury or by visiting the National Notary Association website to view platform options and see which provide the best features. Visual, audio and identity confirmation are required to perform any remote notarial act, luckily the approved platforms contain features which help protect against fraud and ensure the notarial acts are performed correctly. To continue to meet the growing demands of clients it appears that remote and electronic notarization are here to stay.

Ms. Jackson did a wonderful job of also refreshing guests' memories with her "best practice" methods when performing notarial acts and provided helpful tips as well. To do a written deep dive on this portion of the seminar would likely result in a disservice to her

unique methods, so alternatively, I once again would implore you to visit the New Jersey Notary Public Manual which can be found online or contact the National Notary Association Website or Hotline to get more information. A great number of notaries obtained their commissions to assist in their duties as an employee or agent of the company they work for. However, it's important for the notary public to adhere to the strict guidelines set forth by the Department of the Treasury when it comes to performing notarial acts, whether that means the notary insists on asking a long-term client of a business for proof of identification, even if it causes an "awkward moment" or the notary refuses to notarize a document for a signer that may appear unfairly coerced into signing something they may not understand. Ultimately, the notary public is the one responsible for maintaining the honor of any notarial act and additionally, they could be found liable for failure to follow the guidelines issued by the state. All notaries and/or aspiring notaries must remember to always stay diligent and perform their duties with honesty in order to best serve the public and maintain the honor that is expected of the position.



John Vizcaya graduated from Rutgers University with a B.A. degree in 2015. He is currently a paralegal/case manager at Rebenack, Aronow & Mascolo, LLP, a law firm which specializes in personal injury law. He has spent his young career helping clients injured in car accidents, truck accidents, factory explosions, trip/slip and falls and medical malpractice claims. He is an active New Jersey Notary Public and a member of the New Jersey State Bar Association.

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Using Checklists

So many rules! So many deadlines! So many cases! So many attorneys!

How to Stay Organized and Sane

Would you get on a plane knowing the pilot did not do a pre-flight checklist? How would you feel if the surgeon and operating team did not review their checklist before, during, or after your surgery? I would not feel comfortable or confident in either situation. Using checklists in a law firm, corporate legal department, title company — any legal setting — is a roadmap to ensure a project, task, filing, etc. proceeds smoothly. We all have multiple attorneys for whom we support, lots of cases, deadlines every day and various rules and procedures to follow. That is a tall order to keep everything organized.

Merriam-Webster defines checklist as "a list of things to be checked or done." I would change the definition to "a list of things to be done and checked." You're literally doing something and literally checking it off when you are done.

A checklist enables you to see the status at a glance and it is a great tool and visual reminder to:

- Streamline a process or project
- Stay organized
- Manage tasks and details

- Ensure deadlines are met
- Avoid mistakes
- Provide consistency

If you are not using checklists already, I hope this is a boost for you to start.

I have used checklists from CLE material, Westlaw, websites, and other people. I have used checklists as is; I have modified existing checklists to a workflow that was better for me; and I have even created my own checklists.

If you do not have the benefit of a prior checklist, you will have to create your checklist. Write out the overall steps of each project. Break each step down into subparts as necessary. In the litigation arena, review Court Rules, statutes, codes, any secondary sources (i.e., *N.J. Practice Series*), forms, etc. to gather all the necessary information to put into your checklist. I include a notation for required language, if necessary, as required by the Court Rules or statutes. For a deadline mandated by a Court Rule, statute etc., I include a citation to the source. After I have been using a checklist for a while, I will add any phone numbers or notes that would be useful in the future. For instance, if I learned of a direct contact or phone number in the Clerk's office or was given helpful information by a court staffer or someone whose has been doing the project for longer than I have. It is most likely you will tweak a checklist after you have used it a few times and then some.

Your checklist can be created in a variety of programs, but mine are in either Word or Excel. If it is a simple check list, I usually just use Word. If I need the benefit of sorting or filtering, or if there is any math component (time computation), I will obviously use Excel. Your checklist will have at the very minimum two columns: one column to literally check after completion and the other to set forth a description of each item to finish. Additional columns may be needed depending on the purpose of your checklist. Additional columns may include:

- Due date
- Filing date
- Date submitted

- Date received
- Name of the person responsible for a particular task
 Citation

As an example, below is a check list I use for serving multiple subpoenas:

Name and	Return	Date Sent	Date	Date	Docs	Docs	Notes
Address of	Date	for Service	Served	to	Rec'd	to Adversary	
Witness				Adversary			

I use checklists for the following:

- Appellate Appendix
- Estate Administration
- Foreclosure
- Multiple Subpoena Service
- Case Management

- Multi-Party Discovery
- Depositions
- Document Productions
- Trial preparation
- Trial To Do List

I suggest you keep checklists in one place so they are readily available. If electronic, keep them in one folder. If hard copy, keep them in one binder. In my document management system, I have the ability to designate a file type so I would designate the checklist as a "form". Prior to using a document management system, I included the word "form" in the document name so they are easy to search for or locate.

Checklists will you keep organized and make you efficient. There is no reason to rely totally on memory. Using a checklist will ease your mind and you will have the confidence knowing that all steps of the process have been taken care of.



Christine A. Principe, is a Certified Paralegal. She has been a paralegal for 34 years assisting attorneys in a variety of practice areas including commercial litigation, mortgage and tax lien foreclosures, and estate administration. Currently, she in the complex commercial litigation department at Sills Cummis & Gross, P.C. Christine is a PANJ Board Member and NALA Liaison. She is also a Board Member of NJ Paralegal Convention. Christine can be reached at: NALALiaison@NJPara.org; cprin1216paralegal@outlook.com.



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WOMEN'S HISTORY MONTH

By: Melissa Acosta

As we celebrated Women's History Month in March, it was great to be reminded of the many women who have paved the way in our history. It was also good to also learn about the many women who are making a difference, raising awareness of the diversity of women's lived experiences and the work that still remains to be done to bring gender equality and women's rights.

Women's History in Law has come a long way. In 2023, there are currently four U.S. Supreme Court Justices that are female. Additionally, there has also been an increase in lower Court's female judges being appointed when compared to prior history. Women's voices are being heard in the Court rooms more than ever.

On a private practice level, there has been an increase of "Women owned" solo practitioner firms and also an increase of women Shareholder positions in larger law firms when compared to twenty years ago. However, in celebrating the month of Women's History, we reflect on the road ahead of us and the work that remains to be done. In law, there is still much needed work for women.

According to an article in the ABA Journal dated 9/16/2021, women represent only 23% of equity partners in US law firms. The same article provides that minority females are also underrepresented as they only make up 3% of equity partners in US law firms and only 9% of all attorneys in the US law firms.

As women in law, we must continue to strive to make changes to raise awareness. There are many Associations that provide annual conferences and seminars to discuss these equity and inclusion issues for Women in Law and also provide a forum to inspire and provide support. Some of these conferences include: New Jersey State Bar Association's Women's Leadership Conference and the Hispanic Bar Association's Women's Empowerment Leadership & Law Conference.

There are also groups that support, inspire, and provide mentors to women in law and professional leadership roles. Examples of some of these groups include: New Jersey Women Lawyers Association and the Executive Women of New Jersey.

Lastly, it is great to be recognized and celebrated for the month of March, but let's celebrate our Women in Law (and Women in general) for the whole year and decades ahead for all of the many contributions made in the legal community and world!



Melissa Acosta is the owner of Melissa Acosta Freelance Paralegal Services LLC (www.nifreelanceparalegal.com). A freelance paralegal company that services the tri-state area in the areas of Trust and estates, personal injury, litigation, employment law and immigration. Melissa has been a board member of PANJ and currently serves as a Trustee -at-Large. She is also a member of the NJSBA Paralegal Committee. Her true passion is serving as Trustee of the Christina S. Walsh Breast Cancer Foundation, a foundation that helps breast cancer patients, which is a cause that is near and dear to her heart. In her spare time, Melissa enjoys spending time with her chow chow dog Lady and traveling with her husband!



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