



Law in Motion

PRESIDENT'S MESSAGE A CRY FOR HELP

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I am very pleased to announce that Sandra Biesinger is our newsletter editor. I would like to commend all of our board members who volunteer their time and endless hours out of their busy and personal schedule in order for the Santa Barbara Paralegal Association to keep standing. There are twelve positions on the board and only six board members, which means many of us have two or three positions.

Special thanks to:

First Vice President: Sandra Biesinger, Second Vice President & Employment: Jill Sadler, Secretary: Sue Suttner, Treasurer: Rebecca Riggs, and Parliamentarian: Jean Linn.

Although I take much pride in serving on the board, this is my last year as president since I have already served three years. The SBPA association has been standing for over 27 years and we would like to keep it going. Please show your support not only by renewing your membership status but also by serving on the board for 2007-2008. The Santa Barbara Paralegal Association has a great number of professional paralegals, and on behalf of the board we thank you all for your continuance support in renewing your membership.

Our general membership meeting will be held on June 12, 2007 at the Santa Barbara Bank & Trust, 1021 Anacapa Street. We will have a free drawing for a great door prizes. You may also visit the SBPA website at www.sbparalegals.org for current events. See you there!

Josefina R. Martinez, President

FREE INTERNET TOOLS FOR PARALEGALS (CONTINUED PAGE 2)

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Having become the rule rather than the exception in today's modern office, Internet access has arguably revolutionized the way people work. Paralegals, whose jobs commonly include researching any number of subjects, from the

FREE INTERNET TOOLS FOR PARALEGALS (CONTINUED)

impossibly broad to the esoteric, are no exception. We use the Internet to research medical conditions, prescription drug information, consumer and commercial product information, and court records, to name a few examples. Some paralegals routinely are called on to locate people, such as witnesses, attorneys and experts, and often must quickly become “experts” themselves in any one of the myriad of subjects involved in their caseloads.

To accomplish some of these tasks, today’s law firms generally provide support staff with access to licensed software programs or fee-based subscription services. However, there also are innumerable tools available on the Internet that can supplement and round out any paralegal’s electronic resource toolkit, many of which are free (some with minor limitations, such as personal use only). A goldmine of useful tools for paralegals quickly can be unearthed, sometimes in a matter of minutes, with one simple Web search.

Throughout the years, I have compiled a stockpile of free Internet tools – some of which I use daily – that are indispensable. In this first of a two-part column, I will tell you about some free and safe Internet tools.

Legal-Specific Sites

Paralegals might find the following legal-specific sites particularly interesting.

ParalegalGateway.com (www.paralegalgateway.com) is a great all-around, free Internet resource for paralegals. It includes links to legal forms and dictionaries, expert witness banks, paralegal articles, support and networking, and much more.

CataLaw.com (www.catalaw.com) is a unique searchable metaindex of all legal and governmental indexes on the Internet.

Internet Law Library by Law Guru.com (www.lawguru.com/ilawlib/index.html) is a comprehensive source for all types of legal information, including U.S. federal, state and territorial laws, laws of other nations, treaties and international law, law schools and libraries. It features a searchable knowledge base and has links to legal forms, research tools, dictionaries, directories, news and more.

Internet Legal Research Group (www.ilrg.com) is a categorized index of thousands of legal Web sites in 238 nations, islands and territories, and has many links of interest to legal professionals, including links to ILRG’s LawRunner (www.ilrg.com/nations), a research tool that provides a quick means to run queries on laws around the world.

Law.com (www.law.com) offers a host of legal services by subscription, but free tools also are available to search for expert witnesses by keyword, area of expertise or name on its expert page (www.almexperts.com/ExpertWitness). It also provides tools to find a court reporter based on a number of criteria, such as real-time capabilities, in any state (<http://courtreporter.law.com/index.cfm>).

Microsoft Office Online: Work Essentials for Paralegals (www.office.microsoft.com/en-us/FX011385131033.aspx) is a resource for paralegals who use Microsoft Office products. It provides timesaving solutions and ideas to accomplish common paralegal tasks, including templates, tips and articles.



FREE INTERNET TOOLS FOR PARALEGALS (CONTINUED)

Federal Courts Finder (www.law.emory.edu/FEDCTS), by the Emory University School of Law MacMillan Law Library, provides links to the Web site for any U.S. Federal Court with a single mouse click.

U.S. Courts (www.uscourts.gov) is maintained by the Administrative Office of the U.S. Courts. It features a host of federal court links, including a color-coded map of the federal judiciary of the United States by state, displaying the federal courts in each district, and includes a search engine for locating federal courts, with the ability to search by ZIP code, city and state, circuit, county and state, and area code.

GPO Access (www.gpoaccess.gov/databases.html) is a comprehensive, searchable list of laws, regulations, publications and budget documents provided by the U.S. Government Printing Office.

Thomas (<http://thomas.loc.gov>) by The Library of Congress, provides all manner of legislative information, such as bills and resolutions, the Congressional Record, treaties, committee reports and public laws. It also has the ability to search bill text by word, phrase or bill number, and sponsoring representative or senator.

FirstGov.gov (www.firstgov.gov/Agencies/Federal/All_Agencies/index.shtml) is the U.S. Government's official Web portal that includes an A through Z index of U.S. government departments and agencies.

The National Center for State Courts (www.ncsconline.org) provides a massive amount of information regarding not only U.S. state courts, but federal courts as well.

Law & Policy Institutions Guide (www.lpig.org/usstate.html) is an award-winning Web site with links to the government offices of all 50 states, and includes a free database of legal articles of original research and analysis.

Words, Words and More Words

Since writing, proofreading and editing documents are tasks common to many paralegals' workloads, word and language tools are essential. Luckily, some of the most plentiful free tools you can find on the Internet deal with general word definitions and spellings; legal word definitions and spellings; synonyms and antonyms, and just about anything else you can think of having to do with words. Some legal-specific dictionary tools that I find indispensable come from Computer Dictionary Online, including **Legal Dictionary** (www.legal-dictionary.org), **Law Dictionary** (www.law-dictionary.org) and **Legal Abbreviations** (www.legal-abbreviations.org).

Computer Dictionary Online also provides several medical dictionaries paralegals might find handy, such as **Medical Dictionary** (www.medical-dictionary.org), **Medical Conditions** (www.medical-conditions.org) and **Medical News** (www.online-medical-news.org). In addition to Computer Dictionary, the following are several other medical-related online tools that could prove helpful to paralegals.



FREE INTERNET TOOLS FOR PARALEGALS (CONTINUED)

MedLinePlus Medical Dictionary by the National Library of Medicine (www.nlm.nih.gov/medline-plus/mplusdictionary.html) is an excellent all-around medical resource. Not only does it provide medical definitions, it also provides quick links to medical research tools on other health topics.

MediLexicon Medical Toolbar by Pharma-Lexicon International (www.pharma-lexicon.com/toolbar) is an excellent downloadable resource. It works with Microsoft Internet Explorer and provides quick access to searches for medical abbreviations and terms, diseases, injuries and drugs, among other things.

More traditional medical dictionaries also are available online, such as **Stedman's Electronic Medical Dictionary** (www.stedmans.com), **Dorland's Illustrated Medical Dictionary** (www.dorlands.com) and **Med-Terms Medical Dictionary** (www.medterms.com) by MedicineNet.com. The **Merck Veterinary Manual** (www.merckvetmanual.com) also might be bookmark-worthy (you never know — I once had a tort case involving a dispute about a herd of dead cows).

In addition to the legal- and medical-specific dictionaries, paralegals also need a way to look up the everyday word. **WordWeb 4.5** by Anthony Lewis (www.wordweb.info/free) is a free version of WordWeb Pro. WordWeb includes a comprehensive English thesaurus and dictionary, and is unique in that it can be used to look up words from within most programs. It runs behind the scenes from the Windows system tray, so it's available from within different programs by simply highlighting a word and clicking the system tray icon, or clicking the system tray icon and typing a word.

AllWords by AllSites (www.allwords.com) offers options to find words by starting and ending letters and words containing certain letters. It features translation tools (Dutch, French, German, Italian and Spanish), and a "browse dictionary" feature, and provides links to a host of other word tools.

Hyperdictionary.com (www.hyperdictionary.com) has a thesaurus and a good English dictionary, as well as computer and medical dictionaries — and even a dream dictionary.

Wiktionary by Wikimedia Foundation (www.wiktionary.org), a sister site of Wikipedia, is a collaboratively user-written, multiple-language dictionary and thesaurus with entries that can be edited by anyone. Although the fact that anyone can edit entries might give you pause (users who are familiar with Wikipedia understand), Wiktionary's offerings are quite comprehensive and valuable, if only to come up with a quick, cut-to-the-chase answer or to use as a secondary source of information.

OneLook Dictionary Search (www.onelook.com) is a dictionary search engine that searches more than 7 million words from more than 900 online dictionaries (which also can be browsed) with no pop-up advertisements. OneLook has a reverse dictionary tool where you can describe a concept in one word, a few words or a sentence, or pose a question. OneLook will return a list of related words and phrases. An added bonus is a downloadable tool (www.onelook.com/about.shtml) that creates a unique Internet Explorer Favorite that, rather than taking you to a Web site, simply launches a pop-up dialog box, where you can directly enter a word or phrase that you want to look up.

FREE INTERNET TOOLS FOR PARALEGALS (CONTINUED)

TheFreeDictionary (www.thefreedictionary.com) is another dictionary search engine, and includes a standard dictionary and thesaurus, along with computing, medical, legal and financial dictionaries, dictionaries of acronyms and idioms, and the Columbia and Wikipedia Encyclopedias.

WordReference.com (www.wordreference.com) provides online translation dictionaries for French, Italian and Spanish.

Answers.com (www.answers.com), an “encyclo-diction-almanac-apedia,” which, according to its Web site, is a reference work that includes an encyclopedia, dictionary, almanac, thesaurus, weather report, conversion table, archive, game center, investment guide, currency converter, news center, shopping catalog and more.

Use Caution

Worthy in their own right, added bonuses of free Internet resources are that they frequently lead to the discovery of additional Internet resources on a particular topic, that they are a good starting point for various assignments and they can be ideal stepping stones to other relevant Internet resources. You should, however, always exercise caution when downloading anything advertised as “free” on the Internet; such sites are known to harbor malware (computer viruses, worms, Trojan horses, spyware, adware and the like). A good rule of thumb when searching for free tools such as the ones mentioned is to use some type of protection, such as Norton AntiVirus.

If you don't have such protection, a free Internet tool can remedy that problem. **McAfee SiteAdvisor** for Internet Explorer and Firefox (www.siteadvisor.com) analyzes, summarizes and rates Web sites based on McAfee's Web site safety criteria. Additional information also is available, such as whether a site sends spam, is known to harbor adware, spyware, phishing, viruses or browser exploits, has excessive popups and even whether bad shopping experiences have been reported.

There is no reason not to try one or more of the free Internet tools discussed in this column, or perhaps to use them (or a tool like McAfee Site-Advisor) to find a few of your own. In any event, stay tuned for the next installment when I take a look at some really nifty free Windows power tools, utilities and gadgets.

Kim Plonsky is a paralegal with more than 25 years experience. She works for Craig A. Davis, a solo practitioner in Lafayette, La., who specializes in litigation of all types.



2007 SPRINGTIME MCLE CONFERENCE

By Sue Suttner, Board Secretary

The Springtime MCLE Conference was held on Saturday, March 10th at the Four Points Sheraton Hotel in Ventura. There are so many people to thank – the sponsors (especially the Ventura County Bar Association), speakers, and vendor-sponsors. A special thank you to the Ventura County Paralegal Association Planning Committee and to the members of our association who contributed their time and effort in making this all come together!

We enjoyed a continental breakfast while meeting our vendors and learning about the services they offered – everything from court reporting to jewelry to makeup. There were some familiar faces as well as new ones this year. And, as always, freshly baked chocolate chip cookies were provided to us all day long – this year compliments of DCR Court Reporters and Interpreters. The vendors all donated prizes such as flowers, gift baskets, makeovers, etc. for our raffle which took place after our afternoon general session. The grand prize, a spa package at Camille the Day Spa, was donated by the SBPA. One paralegal who drove all the way from San Bernardino because, as she put it, “*I thought it was great that I could get 5 MCLE credits by attending a one weekend-day conference*”, won a beautiful gift basket of different confections. She said that not only did she get the MCLE credits; she now had snacks for the trip home.

Our first speaker, the Honorable Colleen Toy White, Presiding Judge of the Ventura Superior Court, after giving an overview of the advantages of electronic filing, highlighted the many features and services available at the Ventura County Courthouses. One feature is the Innovative Courtroom. This courtroom, possibly the only one of its configuration in the state, is designated for domestic violence cases. When victims of domestic violence want or need to be present during the hearings/trial, they can observe the proceedings from an enclosed viewing room equipped with one-way glass rather than having to sit face-to-face within a few feet of their alleged attacker. Some of the services available at the Ventura County Courthouse include QuickStart Assessment Center which provides on-site mental health and substance abuse screenings, 2-1-1 Ventura Blue Phones for access to community services, a children’s waiting room where parents may leave their children while conducting business in court, and a Jury Business Center equipped with individual workstations, computers with Internet access, telephones, copiers, and fax machines for use by people who have been summoned for jury duty.



Sue Suttner (SBPA Secretary) and Josefina Martinez (SBPA President) at the registration desk



Raffle



Honorable Colleen Toy White, Presiding Judge of the Ventura County Superior Court

2007 SPRINGTIME MCLE CONFERENCE (CONTINUED)



Honorable Brian Hill of the Santa Barbara County Superior Court

Santa Barbara County Superior Court's Honorable Brian Hill then gave an enlightening presentation on Ethics. Judge Hill was a Senior Deputy District Attorney for 18 years prior to being elected to the bench. Due to his extensive experience and expertise in criminal law, he was assigned to Department 12 and presides over criminal cases. While in the DA's office, he, like many of us, routinely went to lunch with his colleagues. Some were close family friends and enjoyed dinners, family BBQs and other social events together. Once on the bench, Judge Hill had to sever those relationships. What might the family of a defendant think if they observed him enjoying lunch with the very person prosecuting their family member? Or having dinner together even months after a trial? Although attending an innocent birthday luncheon with former colleagues is not improper, it is the *appearance* of impropriety that must be considered. To alleviate this "*appearance*" Judge Hill had to cut all ties with most of his former colleagues. He still maintains a close friendship with a couple of them but on the condition that they never appear in his courtroom.

Did you know that in addition to judges, members of a judge's staff cannot receive gifts from counsel? Judge Hill gave an example of how his Clerk, who is extremely helpful to everyone in the courtroom, received a gift card to a local restaurant as a token of appreciation from an attorney for whom she had made some copies during trial. Although the Court Clerk has no bearing on decisions in a case, the gift card had to be returned to the attorney. The holidays are the same – no gifts can be accepted by either the judge or his staff.

While we as paralegals don't have to deal with this type of conundrum, we must remember to look at what we do in our everyday lives that could appear to be improper. As Judge Hill said, you can do all the right things every time but never hear a word about it. It takes but one time that you compromise yourself and you (and everyone else) will hear about it over (and over) again!

Prior to lunch we had choice of 3 breakout sessions – Corporate Maintenance, presented by Attorney Loye Barton; Practical Tips for Employment-Related Litigation, presented by Attorney Jonathan Light; and Post-Death Trust Administration, presented by Attorney (and former Santa Barbara paralegal) Lana Clark.



Lana Clark, Esq.—Post-Death Trust Administration



2007 SPRINGTIME MCLE CONFERENCE (CONTINUED)

After lunch, the topic of Electronic Discovery was presented by Attorney Linda Sharp. One of the main points of this topic is whatever is created using electronic media, be it e-mails, documents, or backup tapes whether created on a stand-alone computer or a global networked office system, all electronic media is discoverable. When drafting a demand for electronic media, the most important thing to know is where the media resides – locally on a hard drive, on a backup network at another site, or especially in the case of e-mail, on a server in another state. Huge amounts of money can be spent with little or no results unless you are looking in the right place for the media.



Linda Sharp, Esq. on Electronic Discovery

We again had 3 choices for our last breakout session. 90 Days after Trial was presented by Attorney Wendy Lascher, The Role of the Paralegal in Construction Defect Litigation was presented by Attorney Terry Bailey, and Intellectual Property was presented by Attorney James Kirk Dawson.

The MCLE Conference is a great way to meet new people, learn about different areas of law, and obtain almost all the MCLE credits we are required to maintain our status as a paralegal. With our general meetings this year emphasizing the topic of Ethics, all in attendance will have their requirements fulfilled. If you couldn't make it to the Conference this year, we hope to see you next year!

L E G A L H U M O R

A paralegal, an associate and a partner of a prestigious N.Y. law firm are walking through Central Park on their way to lunch when they find an antique oil lamp. They rub it and a *Genie* comes out in a puff of smoke. The *Genie* says: "I usually only grant three wishes, so I'll give each of you just one each". "Me first! Me first" says the paralegal. "I want to be in the Bahamas, driving a speedboat, without a care in the world." Poof! He's gone. In astonishment, "Me next! Me next!" says the associate. "I want to be in Hawaii, relaxing on the beach with my personal masseuse, an endless supply of pina colodas and the love of my life." Poof! She's gone. You're next" the *Genie* says to the partner. The partner says, "I want those two back in the library after lunch"

<http://scobypoker.com/jokes/lawyer.phtml>

CONTINUING EDUCATION LOG

Name: _____

L E G A L E T H I C S

Compliance Period: From 1/1/07 to 12/31/08 (2 YEAR PERIOD – 4 HOURS REQUIRED)

DATE OF ACTIVITY	TITLE OF COURSE	ACTIVITY PROVIDER	SUBJECT MATTER	HOURS EARNED
TOTAL				

Next Compliance 2-year period is 1/1/09 through 12/31/10

I hereby certify to _____, my supervising attorney, that I have completed the MCLE requirements in ethics as mandated by Business and Professions Code Section 6450 et seq. for the period specified above.

Dated: _____ Signature: _____

G E N E R A L L A W / S P E C I A L I Z E D L A W

Compliance Period: From 1/1/07 to 12/31/08 (2 YEAR PERIOD – 4 HOURS REQUIRED)

DATE OF ACTIVITY	TITLE OF COURSE	ACTIVITY PROVIDER	SUBJECT MATTER	HOURS EARNED
TOTAL				

Next Compliance 2-year period is 1/1/09 through 12/31/10

I hereby certify to _____, my supervising attorney, that I have completed the MCLE requirements in general law/specialized law as mandated by Business and Professions Code Section 6450 et seq. for the period specified above.

Dated: _____ Signature: _____



CALENDAR



April 10, 2007 Luncheon Membership Meeting at SBB&T

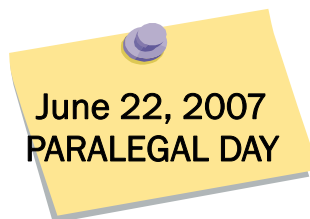
- Judge Thomas P. Anderle was our speaker and his topic was “Ethics in Trial and in the Courtroom.”
- All attendees received 1 hour MCLE credit in Ethics
- See page 12 for Judge Anderle’s PowerPoint presentation on Ethical Standards for Lawyers: Code of Trial Conduct.

May 28, 2007 Memorial Day (Court Holiday)



June 12, 2007 Luncheon Membership Meeting

- A Thomson West presentation on Livenote, the premier transcript and evidence management tool
- All attendees are eligible for MCLE credit
- RAFFLE PRIZES: 1st prize is an I-Pod Shuffle, 2nd and 3rd prizes are laptop roller bags
- Catered Buffet Luncheon - \$18 members, \$20 non-members
- Please RSVP to Jill Jackman Sadler at jill@jackmansadler.com



- Luncheon at the University Club. Free for members and \$20 for guests/attorneys/nonmembers. Please bring your business card to enter a raffle for a door prize. Speaker TBA. MCLE credit available.

June 23, 2007 CAPA Conference in San Diego

July 04, 2007 Independence Day (Court Holiday)

July 11-14, 2007 NALA’s 32nd Annual Convention in New Orleans

August 14, 2007 Luncheon Membership Meeting at SBB&T

September 03, 2007 Labor Day (Court Holiday)

September 27-30, 2007 State Bar of California’s 2007 Annual Meeting in Anaheim

October 08, 2007 Columbus Day (Court Holiday)

November 3-4, 2007 Leadership Conference in San Francisco (Rumor has it that this is a fascinating conference. Everyone is welcome to attend.)

November 12, 2007 Veterans Day (Court Holiday)

November 13, 2007 Luncheon Membership Meeting at SBB&T

November 22, 2007 Thanksgiving Day (Court Holiday)

November 23, 2007 Day after Thanksgiving (Court Holiday)

December 25, 2007 Christmas Day (Court Holiday)

All luncheon membership meetings are held at Santa Barbara Bank & Trust, located at 1021 Anacapa Street, Santa Barbara. Everyone is welcome. If you have questions regarding the program please contact Jill Sadler at jill@jackmansadler.com.

WHAT IS IN YOUR ASSISTANT'S TITLE?

Reprinted courtesy of Kayleen J. Wills, CP, CAS (Ventura County Paralegal Association)

What is in your assistant's title? More than you may know! Undoubtedly you have seen "paralegal," "legal assistant," and "certified legal assistant" in correspondence from and to your office. What you may not know is that "legal assistant" and "paralegal" are synonymous terms that are only to be used by those qualified to use them.

Business & Professions Code Sections 6450-6456 define the qualifications for, and regulate the practice of, the paralegal profession. Section 6450 defines paralegal, the qualifications and continuing education required for a paralegal, and consequences for using the paralegal title inappropriately. Section 6454 defines "paralegal," "legal assistant," and "attorney assistant" as synonymous terms.

If your legal secretary is using the term "legal assistant" to identify herself, pay attention. Many legal secretaries might perform paralegal functions as part of their job, but that alone does not entitle a legal secretary to use one of the paralegal designations. Note that Section 6456 exempts state-employed paralegals from the provisions of Sections 6450-6456. Additionally, there is a limited exemption under Section 6400(c) for the "legal document assistant."

The qualifications for a paralegal position are different from the qualifications for a legal secretary position. * Section 6450(a) provides that a paralegal "shall possess" the required qualifications set forth therein. However, Section 6450(c)(4) covers the "grandfathering" qualification, which ended December 31, 2003. There are a number of paralegals in Kern County who qualified under such provision. Section 6450(a) also sets forth some of the functions of a paralegal.

Once the qualifications are met, a paralegal must have minimum continuing legal education. Section 6450(d) provides for a minimum requirement of four hours over a three year period in legal ethics and a minimum of four hours every two years in either general or specialized law. A paralegal must account for her continuing legal education by submitting proof to her supervising attorney at the end of the required period. No continuing education is required for the legal secretary.

If a paralegal possesses a Certified Legal Assistant ("CLA")/Certified Paralegal ("CP") designation from the National Association of Legal Assistants ("NALA"), she is then required to obtain approximately 50 hours of continuing legal education over a five year period. If a paralegal also obtains a California Advanced Specialist ("CAS") designation from NALA and the Commission for Advanced California Paralegal Specialists ("CACPS"), she is then required to secure, in addition to the 50 hours required for the CLA/CP designation, an additional 20 hours over the five-year period for a total of 70 hours. These designations are achieved by the paralegal passing two separate tests, the first being two days and the second being one-half day.

* See Page 9 for 2007 requirements

WHAT IS IN YOUR ASSISTANT'S TITLE?

Section 6452 provides that it is unlawful for a person to identify himself or herself as a paralegal if she has not met the qualifications. This applies to the legal secretary, or other person, who uses the "legal assistant" reference to her name when not qualified to use it. Although "legal assistant" may be considered more politically correct than "legal secretary," Section 6455(b) states that an individual in violation of Section 6452 is guilty of an infraction on the first violation and guilty of a misdemeanor on the second violation. Violation of the same may be subject the offender to a fine.

The attorney who uses the services of a paralegal is liable for any harm caused as result of a paralegal's negligence or misconduct or violation. However, pursuant to Section 6453, a paralegal is subject to the same duties as an attorney to maintain confidentiality and preserve attorney-client privilege.

There *is* significant meaning in your assistant's title. Correctly identifying your legal secretary as a "legal secretary" clearly differentiates between that position and the position of your paralegal. Correctly identifying your paralegal serves to appropriately designate her to others, and promote and protect the paralegal profession.

ETHICAL STANDARDS FOR LAWYERS CODE OF TRIAL CONDUCT

Reprinted courtesy of Judge Thomas P. Anderle

1.
 - It is the lawyer's duty to take all proper action and steps to preserve and protect the legal merits of the client's position
 - He or she should not decline employment in any case because of the unpopularity of the client's cause or position.
2.
 - After acceptance of employment a lawyer, unless discharged, should diligently pursue the matter to an expeditious conclusion.
 - A lawyer may withdraw at any time with the consent of the client.
 - If the consent cannot be obtained, then the lawyer should obtain the approval of the court.
3.
 - In criminal cases a lawyer should not decline to undertake the defense of a person because of either the lawyer's personal or the community's opinion as the guilt of the accused.
4.
 - A lawyer should render public interest legal service personally and by supporting organizations that provide services to persons of limited means.
5.
 - In criminal cases the prosecutor's primary duty is not to convict, but to see that justice is done.
 - The defense attorney's duty is to invoke the basic rule that the crime must be proved beyond a reasonable doubt.
6.
 - It is the duty of a lawyer to preserve his or her client's confidences and secrets and this duty outlasts the lawyer's employment.
 - The duty extends to preventing the lawyer from divulging the client's secrets.
7.
 - A lawyer may reveal such information to the extent the lawyer reasonably believes necessary:
 - (1) to prevent the client from committing a criminal act that the lawyer believes is likely to result in imminent death or substantial bodily harm; or
 - (2) to establish a claim or defense on behalf of the lawyer in a controversy between the lawyer and the client.

(continued on next page)

**ETHICAL STANDARDS FOR LAWYERS
CODE OF TRIAL CONDUCT**

(Continued from previous page)

8.

- A lawyer shall not
- (1) represent a client with differing interest.
- (2) represent a client in a matter as to which the client's interests are materially adverse to the interest of a former client.

9.

- No division of fees for legal services is proper except with other lawyers.
- In cases where the division of fees is with outside counsel the client must be informed in writing and does not object to the participation of all the lawyers involved.

10.

- A lawyer should not acquire a monetary interest in a case being litigated unless it is a contingent fee contract.
- The lawyer may advance the costs of litigation the repayment of which may be contingent on the outcome of the matter.

11.

- Lawyers should strive at all times to uphold the honor and dignity of the profession and to improve the administration of justice, including the method of selection and retention of judges.

12.

- The lawyer, and not the client, has the sole discretion to determine the accommodations to be granted opposing counsel in all matters not directly affecting the merits of the cause, such as continuances and admission of facts.

13.

- A lawyer should thoroughly investigate and marshal the facts.
- A lawyer should not suppress any evidence that the lawyer or the client has a legal obligation to produce.

14.

- A lawyer cannot communicate about the subject of the representation with a party the lawyer knows to be represented by another lawyer.

15.

- A lawyer should be courteous to a judge but should never show marked attention or unusual hospitality to a judge.

- A lawyer should conduct himself or herself so as to preserve the right to a fair trial.

16.

- The trial lawyer should assist the Court in the performance of two difficult tasks;
- (1) discovering where the truth lies,
- (2) applying to the facts as found, the relevant legal principles.

17.

- In appearing in a professional capacity in a courtroom a lawyer should not
- (1) unlawfully obstruct another party's access to evidence, or
- (2) falsify evidence or assist a witness to testify falsely, or
- (3) make a frivolous discover request, or
- (4) allude to any matter that the lawyer does not reasonably believe is relevant or will not be supported by admissible evidence.
- (5) communicate ex parte with the judge, or
- (6) engage in acrimonious conversation with opposing counsel, or
- (7) where a ruling has been made about the admissibility of evidence try to get the evidence in anyway, and
- (8) engage in undignified or discourteous conduct which is degrading to a tribunal.

18.

- A lawyer cannot before or during the trial communicate with any member of the venire.
- After the jury is sworn the lawyer cannot communicate with any juror until the case is completed.

19.

- A lawyer shall be punctual.
- A lawyer shall prepare thoroughly prior to any court appearance.
- A lawyer shall be characterized by honesty, candor and fairness.

20.

- A lawyer shall try the case in court and not in the media.
- A lawyer should never file a pleading or any other document known to be false in whole or in part.

APRIL FOOL'S DAY

#1: The Swiss Spaghetti Harvest

In 1957 the respected BBC news show *Panorama* announced that thanks to a very mild winter and the virtual elimination of the dreaded spaghetti weevil, Swiss farmers were enjoying a bumper spaghetti crop. It accompanied this announcement with footage of Swiss peasants pulling strands of spaghetti down from trees. Huge numbers of viewers were taken in, and many called up wanting to know how they could grow their own spaghetti trees. To this question, the BBC diplomatically replied that they should "place a sprig of spaghetti in a tin of tomato sauce and hope for the best."

**#2: Sidd Finch**

In its April 1985 edition, *Sports Illustrated* published a story about a new rookie pitcher who planned to play for the Mets. His name was Sidd Finch and he could reportedly throw a baseball with startling, pinpoint accuracy at 168 mph (65 mph faster than anyone else has ever been able to throw a ball). Surprisingly, Sidd Finch had never even played the game before. Instead, he had mastered the "art of the pitch" in a Tibetan monastery under the guidance of the "great poet-saint Lama Milaraspa." Mets fans everywhere celebrated at their teams's amazing luck at having found such a gifted player, and *Sports Illustrated* was flooded with requests for more information. But in reality this legendary player only existed in the imagination of the writer of the article, George Plimpton.

**#3: Instant Color TV**

In 1962 there was only one tv channel in Sweden, and it broadcast in black

and white. The station's technical expert, Kjell Stensson, appeared on the news to announce that thanks to a newly developed technology, all viewers could now quickly and easily convert their existing sets to display color reception. All they had to do was pull a nylon stocking over their tv screen, and they would begin to see their favorite shows in color. Stensson then proceeded to demonstrate the process. Reportedly, hundreds of thousands of people, out of the population of seven million, were taken in. Actual color tv transmission only commenced in Sweden on April 1, 1970.

**#4: The Taco Liberty Bell**

In 1996 the Taco Bell Corporation announced that it had bought the Liberty Bell from the federal government and was renaming it the Taco Liberty Bell. Hundreds of outraged citizens called up the National Historic Park in Philadelphia where the bell is housed to express their anger. Their nerves were only calmed when Taco Bell revealed that it was all a practical joke a few hours later. The best line inspired by the affair came when White House press secretary Mike McCurry was asked about the sale, and he responded that the Lincoln Memorial had also been sold, though to a different corporation, and would now be known as the Ford Lincoln Mercury Memorial.

**#5: San Serriffe**

In 1977 the British newspaper *The Guardian* published a special seven-page supplement in honor of the tenth anniversary of San Serriffe, a small republic located in the Indian Ocean consisting of several semi-colon-shaped islands. A series of articles affectionately described the geography and culture of this obscure nation. Its two main islands were named Upper Caisse and Lower Caisse. Its capital was Bodoni, and its leader was General Pica. The *Guardian's* phones rang all day as readers sought more information about the idyllic holiday spot. Few noticed that everything about the island was named after printer's terminology. The success of this hoax is widely credited with launching the enthusiasm for April Foolery that then gripped the British tabloids in the following decades.

**#6: Nixon for President**

In 1992 National Public Radio's *Talk of the Nation* program announced that Richard Nixon, in a surprise move, was running for President again. His new campaign slogan was, "I didn't do anything wrong, and I won't do it again." Accompanying this announcement were audio clips of Nixon delivering his candidacy speech. Listeners responded viscerally to the announcement, flooding the show with calls expressing shock and outrage. Only during the second half of the show did the host John Hockenberry reveal that the announcement was a practical joke. Nixon's voice was impersonated by comedian Rich Little.

<http://www.museumofhoaxes.com/hoax/aprilfool/>

"April 1st: This is the day upon which we are reminded of what we are on the other three-hundred and sixty-four." — [Mark Twain](#)

THE HISTORY OF POSTAGE RATES
IN THE UNITED STATES

Compiled by Andrew K. Dart

Effective date	Per ½ Ounce	
March 3, 1863	3¢	
March 3, 1883	2¢	
	Per Ounce	
July 1, 1885	2¢	
November 3, 1917	3¢ Higher rate during the war	
July 1, 1919	2¢	
	Each Additional Ounce	
September 14, 1975	10¢	9¢
December 31, 1975	13¢	11¢
May 29, 1978	15¢	13¢
March 22, 1981	18¢	17¢
November 1, 1981	20¢	17¢
February 17, 1985	22¢	17¢
April 3, 1988	25¢	20¢
February 3, 1991	29¢	23¢
January 1, 1995	32¢	23¢
January 10, 1999	33¢	22¢
January 7, 2001	34¢	21¢
July 1, 2001	34¢	23¢
June 30, 2002	37¢	23¢
January 8, 2006	39¢	24¢
May 14, 2007	41¢	17¢

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