



**S**ometimes lawyers attempt to do everything themselves. This approach is fraught with peril. It can lead to neglected clients, missed deadlines and hearings, lost revenue, and burn-out. An alternative approach involves the investment of capital—human capital in the form of paralegals. Many lawyers may not realize the full potential of these skilled legal professionals because they are unfamiliar with the wide range of tasks that paralegals can and do perform.

I invited Michigan paralegals statewide to contribute to this article and was overwhelmed by their response. Of the submissions I received, I selected the following seven examples from diverse practice areas to demonstrate the value that legal practices can derive from investing in paralegals.

**Patricia J. Towers** is an intellectual property litigation paralegal in Bloomfield Hills, Michigan. A good IP paralegal has knowledge of the federal court system and the United States Patent and Trademark Office, including the process for filing an application for a patent or trademark and the statutes governing that process. Patricia's knowledge allows her to assist in pre-suit investigations,

discovery, and trial. She reviews documents, identifies privileged records, prepares privilege logs, and initiates drafts of discovery requests and responses. She also identifies materials that can be used in preparing witnesses for deposition and trial.

Patricia maintains the docket for the litigation matters for which she is responsible. This includes calculating the dates for various pre-trial and trial submissions based on the local rules for the jurisdiction in which the cases are pending and the judges' rules of practice. She maintains the database for documents produced by the parties, deposition transcripts, and exhibits. These databases are then used in conjunction with trial presentation software to aid attorneys in presenting their cases.

While using intellectual property paralegals is cost-effective for the client, Patricia believes it also benefits the attorney, who then has more time to concentrate on the legal strategy in these highly technical cases.

**Wendy A. Golding, PP, PLS, CPS**, is a family law paralegal in Bloomfield Hills, Michigan. According to Wendy, a family law paralegal must be a strong person, able to wear many hats and

By Kathleen Munoz

# Trade Secret

## Fast Facts

Many lawyers may not realize the full potential of these skilled professionals because they are unfamiliar with the wide range of tasks that paralegals can and do perform.

Desirable paralegal attributes include a positive attitude, strong oral and written communication skills, legal research abilities, and an effective use of technology.

The quality of legal services provided can be enhanced with appropriate delegation of duties to a competent paralegal.

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juggle a variety of tasks while maintaining a calm demeanor. Family law encompasses divorce, custody and support issues, parenting time, change of domicile, adoption, and sometimes probate and estate issues. Family law paralegals must be familiar with court procedures, and can assist by conducting legal research and maintaining schedules. Wendy also initiates the drafting of complaints, special interrogatories, motions, and judgments. The most meaningful part of Wendy's job is interacting with clients who understandably are emotional. To ease clients' minds, family law paralegals must thoroughly understand and be able to explain court procedures, and they must have well-developed interpersonal skills. Wendy finds satisfaction in this kind of work and states:

Working in the area of family law, paralegals get a chance to learn about clients' jobs and businesses as they delve into the various financial aspects of the marriage. Each case brings a chance to learn about human nature along with the different personalities and backgrounds of the clients. Divorce brings out the worst in people and it is often very stressful to deal with people in crisis, but it is also very rewarding to watch the client come through the crisis as a stronger and better person.

**Jennifer M. Petty** is a paralegal and webmaster with the Michigan Attorney Discipline Board. The Attorney Discipline Board (ADB) is the adjudicative arm of the Michigan Supreme court in matters of attorney discipline, while the Attorney Grievance Commission (AGC) serves as the investigative and prosecutorial arm. All investigations regarding possible attorney professional misconduct begin with the filing of a grievance with the AGC, whose records are confidential. However, once a formal complaint has been filed with the ADB, all pleadings, transcripts, and hearings are open to the public. Michigan is one of few jurisdictions in which a discipline order entered by a hearing panel or the Board may constitute a final order of discipline without court review or approval. Jennifer assists hearing panels in preparing reports of their proceedings. These reports summarize witness testimony, exhibits, and the panel's findings. If a panel finds misconduct, the report will contain the sanction to be imposed as well as the panel's rationale. She assists the panels by drafting orders of discipline. At the conclusion of each case, Jennifer will draft a Notice of Discipline, which summarizes the findings of misconduct,

the rules violated, and the sanction imposed. These notices are published in legal periodicals such as the *Michigan Bar Journal*, and are submitted to various jurisdictions and agencies. All notices are posted on the ADB's website, [www.adbmich.org](http://www.adbmich.org), within 24 hours of being issued and are added to the ADB's research database each month. In addition to her paralegal duties, Jennifer serves as the ADB's webmaster and in-house systems administrator for all of the agency's computer needs. Jennifer has some words of wisdom for new paralegals:

Always be willing to try something new, whether it's learning a new computer program or another aspect of the law. My skill set is constantly expanding because I am always ready to tackle a new research assignment or new computer program. This attitude has exposed me to a wide variety of projects in which I have always learned something new. Put simply, knowledge is priceless.

**Debra J. Lahr-Hass** is a tax and probate paralegal in Bloomfield Hills, Michigan. Debra frequently works with an attorney who is a public administrator for Wayne County Probate Court. Her duties range from assisting in the preparation of necessary documents for the attorney to be appointed as personal representative or conservator to closing the estates once all matters have been concluded. Estates with an appointed public administrator usually require an independent representative because of conflicts among the interested parties of the estate. Debra handles the day-to-day activities of these estates. She is responsible for contacting various banks and securities firms for asset information and having accounts re-titled in the name of the attorney in his capacity as personal representative or conservator. She meets with real estate agents to sell the real property. In addition, she acts as a liaison from the initial listing of the property until it is sold, and arranges for estate sales when necessary. Debra contacts creditors to inform them of address changes for future invoices and to work out debt reductions if necessary. She confirms and obtains homeowners, auto, and any other necessary insurance coverage. Debra communicates with the interested parties regarding their concerns during the estate administration. She assists in the preparation of tax returns, including, but not limited to, income tax, estate tax, and gift tax returns that are necessary for the attorney to file in his capacity as personal representative or conservator. Finally, she assists the attorney with any trial preparation.

Our current legal environment demands that lawyers devote their time to strategic thinking and to providing legal advice. The quality of legal services can be enhanced greatly with the appropriate delegation of duties. Everyone wins.

In addition, Debra is an example of the value that paralegals can provide in the area of emerging technology. In her 21 years as a paralegal, Debra has observed the way in which the practices of tax and probate law have been greatly aided by the evolution of computer software programs. Debra has mastered such software and is able to teach others within her firm. She uses the Internet to locate probate forms and to review court dockets online to ensure that proper documents are on file for each case. By adapting to innovations in technology, Debra helps her firm provide cost-effective legal services for its clients.

**Michelle Mitchell** is an admiralty/maritime law paralegal in Detroit, Michigan. Admiralty or maritime law governs navigation and shipping procedures for American tidal waters. U.S. maritime law applies to any ship or vessel registered with the U.S. wherever it sails. Her firm represents approximately 40,000 merchant mariners. Michelle is responsible for filing various bankruptcy claims. She researches and reviews claim forms, medical information, sailing histories, complaints, and other records needed for accurate submissions to the bankruptcy court.

**Karen S. Malnar** is a real property law paralegal in Southfield, Michigan. Karen's role in the practice of real property law involves many aspects of the business world. She reviews due diligence materials and is relied on for title research, survey reviews, and legal research in many states. Many real property transactions are tax driven, making the manner by which property is conveyed and the nature of the resulting ownership of strategic importance. Real property paralegals contribute by researching state laws on real property conveyance and corporate matters to help determine the appropriate entity for the clients' needs. In addition, they assist with drafting conveyance documents. Most real property transactions include financing, so it is important that paralegals understand lender requirements so they can assemble all of the necessary information. In her firm, Karen organizes the documents for and attends closings to ensure that each transaction is handled seamlessly.

Karen reports that another area of real property law in which a paralegal can be a valuable resource is that of foreclosure. Foreclosure laws vary regarding filing deadlines and the form and content of necessary documents. An attorney's time can be spared by using a paralegal to research these requirements.

**Ellen Brisson** is a former corporate paralegal. Corporate paralegals are responsible for maintaining the books and records that preserve, protect, and document the actions of a corporate entity. From the initial incorporation or organization of an entity, through its growth and expansion, to the end of its lifespan by dissolution or sale, paralegals ensure that all of the actions of the entity are accurately documented. Ellen maintained minutes, elections, and annual reports; documented purchases and sales of assets and liabilities; and maintained records of internal corporate decisions. She was responsible for learning the requirements of many jurisdictions, both national and international, so that an entity could commence, continue, or cease doing business in those locations. Impeccable corporate recordkeeping ensures that the entity is in good standing to pursue opportunities and business wherever it may choose.

Ellen believes a paralegal with a solid corporate background can be valuable in a number of areas of legal practice. Litigation, real property, business, tax, franchise, and intellectual property all require an understanding of corporate law to identify and do business with the proper entity. Ellen cautions that "naming the wrong corporate entity in a lawsuit, placing title to real property in the incorrect entity, and contracting to do business with an unincorporated business all may have consequences that may cost a business not only time and money, but loss of corporate assets and protections." In her 20-year career, Ellen has worked for law firms, multinational corporations, and start-up companies.

The showcased paralegals and areas of practice represent a small sampling of the ways in which paralegals can be utilized and the contributions they can and do make to the legal profession. Certain attributes shared by the paralegals featured in this article include a positive attitude, strong oral and written communication skills, legal research abilities, and an effective use of technology.

In the words of Abraham Lincoln, "The leading rule for the lawyer... is diligence. Leave nothing for tomorrow which can be done today." Paralegals can handle today many of the details that lawyers otherwise may be tempted to leave for tomorrow. Our current legal environment demands that lawyers devote their time to strategic thinking and to providing legal advice. The quality of legal services can be enhanced greatly with the appropriate delegation of duties. Everyone wins.

**The trade secret:** a talented paralegal is always a sound investment. ■



*Kathleen Munoz is employed as a paralegal in Ford Motor Company's Office of the General Counsel. She previously owned and operated a paralegal business working with lawyers in various areas of practice. She has served as a council member and chairperson of the Education Committee for the State Bar of Michigan Legal Assistants Section. Kathleen is the founder of Impel People Development, a transition/wellness coaching and Reiki practice.*