

Fresno City College
Paralegal Studies Program
Business Division
1101 E. University Avenue
Fresno, CA 93741

TOP 100 OF THE NATION

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Since 1989 the FCC Paralegal Studies Program has offered exemplary training for California paralegals. The program offers both a certification program and an A.S. Degree which fulfill the requirements of California Business and Professions Code § 6450 et seq. Internship placement is an integral part of the program providing practical experience and an opportunity for networking in the legal field.

For Admissions
Information, please contact:

Fresno City College
Admissions Office

(559) 442-4600

MCLE

Mandatory Continuing Legal Education credits are offered periodically through the Approved California State Bar General Provider: Fresno City College Student Paralegal Association.

To contribute an article,
email Editor at:
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ON POINT!

February 2010

DIRECTOR'S OFFICE

WELCOME OR WELCOME BACK

Welcome to the new semester! I hope all of you had an enjoyable and restful summer recess. I also hope that any scars caused by those final exams and writing assignments have now healed. For those of you just entering the paralegal program here at FCC, we welcome you. I think you will find our program both challenging and rewarding. Those of us here at FCC are committed to providing a top quality paralegal education at a bargain price.

At the beginning of the new semester, there are a number of things I thought you might want to know. They are:

Registration for Paralegal Classes: As you may know, the FCC Paralegal Program has experienced a considerable increase in enrollment over the last several semesters. In addition, certain prerequisite/co-requisite requirements have been changes to allow students to take Paralegal 7, Paralegal 14 and Paralegal 156 at the same time they are taking Paralegal 1 class. This has been done to allow students to get more coursework completed during the first semester of the program. Because of these changes, the Paralegal 7 and 14 classes are filling quickly each semester. For those of you getting close to finishing the program, you will want to make sure that you register for these required classes so that you can complete the program as planned. Finally, because of the college's budget situation a number of classes, including the Microsoft Word classes, have been cancelled. To avoid a situation where you are unable to complete the paralegal program as planned because you have not taken the Word classes (BT 28 and BT 29), I encourage you to take and complete those classes prior to your last semester in the program.

Taking Paralegal Classes with Less Than "C" Grade in the Prerequisite Course: In this and previous semesters students have sometimes requested my permission to take additional classes in the paralegal program after having received less than a "C" in the Paralegal 1 class, which is the prerequisite for most paralegal classes. Sometimes, I have permitted students permission to do that thereby allowing those students to keep moving toward completion of the program even though the college **requires** that for a paralegal degree or certificate the student must attain a "C" grade or better in

every paralegal class. After this semester, that permission will no longer be granted since it is inconsistent with the college's stated requirement that **"All classes with prerequisites or corequisites must be met with a "C" grade or better."** (See FCC Course Schedule p.13). Additionally, after this semester I will be asking each adjunct instructor to verify with every student that he/she has at least a "C" grade in relation to any prerequisite/co-requisite for that particular course. Consequently, in future semesters, you will want to make certain that you obtain at least a "C" grade in all paralegal courses in order to stay on track for completion of the program.

Availability of Computer Labs: As you may know, the college's Learning Resource Center has a computer lab that is available for student use. In addition to this lab, there are computer labs in the Business Division building that are available for use by students enrolled in Business Division classes. In order to utilize these labs you must enroll in a skills lab class. These classes are open enrollment (you may enroll at any time during the semester) and you are free to determine the number of units you wish to sign up for based on the number of hours you expect to be using the lab. This is a relatively simple and painless way for you to get access to the computers found in the Business Division labs, The skills lab classes are CIT 260 (1 unit), CIT 261 (partial unit), BT 250 (1 unit), and BT 251 (partial unit).

Returning Instructors - We welcome back this semester part-time faculty members Lauri Andreoni, Fern Burnett, Walt Kelso, Barbara McAuliffe, Paul Mullen, and David Prentice. Thanks to all of them for the time and effort they devote to our paralegal program. We also welcome a new adjunct faculty member, Ms. Kelli Maier. Kelli is teaching the Paralegal 7 class. Kelli works as a paralegal in the US Attorney's Office and formerly worked with Debbie Dodd at the Dowling, Aaron and Keeler law firm. I know you will benefit from her instruction and we are pleased to have her as an adjunct faculty member.

Degree/Certificate Evaluation - IMPORTANT: For those of you planning to complete the course work for your degree/certificate this semester,

remember that there are some important steps that you must take. You must request a transcript evaluation from the Admissions and Records office. I understand that this can be done through the college's website. Filing a timely request for a transcript evaluation will expedite receipt of your degree/certificate.

Fall Semester 2009 "Jacket Winner"- Congratulations to Claudia Averbek Mahan for winning the "Jacket Award" in the Paralegal 2B class for the Fall 2009 Semester. This award is given each semester to the student earning the highest overall grade in the Legal Research and Writing 2B class. The award consists of a \$75 cash award and placement of the recipient's name on a perpetual plaque located in the lawbook room of the FCC library.

SPA : The FCC Student Paralegal Association is one of the most active student organizations on our campus. Its purpose is to promote the college's paralegal program and to provide networking and career development opportunities for its members. It is involved in a variety of activities including fundraising, community service activities, distribution of career information, social activities, etc. Please give some consideration to becoming involved with the organization.

Graduation Banquet: This year the Student Paralegal Association will once again be hosting the end-of-the-year graduation banquet. It is held at the end of each year to honor those students that have successfully completed the paralegal program here at FCC. We encourage all graduate, past graduates, and continuing students to attend. In addition, if you'd like to assist the graduation committee, contact any of the Student Paralegal Association officers. I'm sure the committee would welcome your assistance. Stay tuned for more information about this event. I'm sure it will be an excellent event, as it always has been in the past.

Summer School Courses: This summer the elective Probate course (Paralegal 4) will be offered two nights per week (Tues-Thurs) during the summer session. The actual summer school schedule will be available in the very near future.

Cheating - I'm proud to say that the great majority of students in the Paralegal Studies Program at FCC are dedicated, motivated students anxious to learn the skills necessary to be successful in the work-a-day world of the law business. Unfortunately, we have also had in the program a small number of students looking for the "easy way" to complete our program and obtain a paralegal certificate. It seems that each semester some of these "easy rider" students are caught cheating on tests/assignments. Cheating can take various forms: turning in someone else's work as your own, having someone do your work for you, changing answers on an exam after it has been returned to you by the instructor, working collectively on projects that were supposed to be done individually, etc. Simply stated, cheating is prohibited by the college. To the extent that it goes unpunished, it cheapens the value of the degree/certificate most of you are working so diligently to obtain. Perhaps most importantly, it works to the long-term detriment of the "easy rider" student because he/she fails to learn the skills needed for survival in the law office. This, of course, has an impact on the reputation of both this institution and the student. For the vast majority of you, this discussion is of no concern. However, for those "easy rider" students out there, please be advised that I have encouraged all instructors to be watchful for evidence of student cheating, to report anyone engaging in such conduct to the Business Division Dean, and to respond to such infractions appropriately. The FCC Academic Senate has developed a "Dishonesty Infraction Form" to be used throughout the college for reporting incidents of academic dishonesty. I hope you recognize and appreciate that taking such action is necessary to maintain a quality paralegal training program.

Mentoring Program –FCC paralegal program alumni have previously been contacted and asked if they would be willing to serve as mentors for current FCC paralegal students. If you think you might be interested in obtaining a mentor, please contact me for the names of some potential mentors.

FPA Membership- The Fresno Paralegal Association (FPA) permits students to join and be members of FPA at a reduced cost for as long as

they are students. I encourage all of you to take advantage of this wonderful networking opportunity kindly made available by FPA.

SPA Bulletin Board - Don't forget to check the SPA bulletin board for announcements about upcoming events, seminars, job opportunities, etc. The bulletin board is located in the glass case located near the entrance to the Dean's office (BE-110). Check it out!

SPA Website - Also, make sure to visit the Student Paralegal Association's new website at www.fccspa.org or www.fccspa.net .You'll find a great deal of useful information about both the program and the association. Many thanks to alumni Rhonda Gregory for her help in developing and maintaining the website.

Bookstore Materials – The bookstore generally carries those items necessary for paralegal classes. However, if there are other items you would like to see the bookstore carry, please let me know and I'll see what I can do about getting the bookstore to order them.

Comments or Suggestions - Finally, as always, I'm interested in your thoughts, suggestions, etc. on how we can continue to improve our program here at FCC. Please feel free to give me a call at 442-4600 (ext. 8485) or come by my office to share your ideas.

DID YOU KNOW?

- You burn more calories sleeping than you do watching television.
- The first product to have a bar code was Wrigley's gum.
- No piece of paper can be folded in half more than seven times.



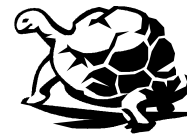
Washington

1. Washington is the only President who never ran for President!
2. He is the only President who was unanimously elected both times, receiving all of the electoral votes!
3. He refused payment for the 8 1/2 years as Commander in Chief asking only to be reimbursed for his expenses, which were never fully reimbursed.
4. He desired no pay as President, but Congress allotted an annual budget of \$25,000 for the Executive Branch, from which all salaries of staff and Cabinet members, as well as expenses, would be paid. Most years George Washington had to spend some of his own money to make up the difference!
5. Today's White House staff has more employees than the entire United States government did in Washington's time!
6. He only had about 8 years of formal schooling and was largely self-taught in various disciplines.
7. He was so good at mathematics, that he became a paid surveyor at age 16!
8. He fired the first shot which began the French and Indian War.
9. He was appointed to command the Continental Army and fight the British at age 44.
10. He added "So help me God" on to the

Presidential Oath of Office at his inauguration and it's been done that way ever since.

Nothing is real to you until you experience it, otherwise it's just hearsay.

Surviving and living your life successfully requires courage. The goals and dreams you're seeking require courage and risk-taking. Learn from the turtle, it only makes progress when it sticks out it's neck.



Have You Joined Yet?

- **Enjoy Networking**
- **Enhance Your Resume**
- **Gain Knowledge**
- **Extend Your Professional Influence**

TAKE THIS JOB AND LOVE IT

The book, Take This Job and Love It: How to Turn the Job You Have into the Job You Want by Diane Tracy is a book designed to help you develop your job into one that is satisfying and rewarding for you. The book is filled with questions, sayings from

famous people and lists of suggestions to help you develop a job attitude that will give positive results. Here are some ways that are suggested to ensure that your image is backed by substance:

1. Never make decisions on the basis of how it will look for you but on what is in the best interest of the company.
2. Give more than what is required.
3. When other departments and people within the organization ask for help, give it to them if possible.
4. Always look for ways to improve your value to the company or firm.
5. Volunteer for special projects.
6. Look for ways you can do the job better and more efficiently.

“VIRTUAL VISITATION”

A common problem to be solved in divorces is the visitation rights and schedules of the divorced parents with the children. The problem is particularly difficult to resolve when one of the parents must move out of state. The courts are now looking at using the internet to allow “virtual visitation.” The idea is growing and following are some court cases where this idea has been used to resolve disputes between the divorced couples.

- In New York, a custody dispute developed between parents when the mother (custodial parent) wanted to move to Saudi Arabia. The court ordered the parties to use the Internet as a means of direct communication between the father and the child. Lazarevic v. Fojelquist, 668 N.Y.S. 2d 320 (1997).
- The New Jersey Superior Court allowed a mother and child to relocate after looking at a proposal for “virtual visitation” to supplement periodic in-person visits in McCoy v. McCoy, 764 A.2d 449 (2001). In this case, the mother wanted to move from

New Jersey to California. The judge approved her plan for web-based communication via camera-computer technology and daily emails, calling it both creative and innovative.” McCoy, at 454. Importantly, the “virtual visitation” was in addition to the personal visitation schedule, which was not reduced.

- In another case in Colorado, two parents agreed on joint custody and decision-making, even though the father and child moved to Spain while the mother remained in the US. The agreement details how the technology will be used, who pay for what and the practical considerations about topics such as what type of Internet connection. Hernandez-Mora v. Jex, No. 01-WY1009-CB (U.S. Dist. Ct. Dist.Colo. July 12, 2001)
- In another case in Tennessee, the Court of Appeals called the Internet-based plan a “unique, forward thinking and viable communication alternative.” The case includes details on the plan. Burke v. Burke, 2001 WL 921770 (Tenn. Ct. App. August 7, 2001).

I wonder if anyone in the legal system has thought to ask for children’s input in this process.

ATTORNEY-CLIENT PRIVILEGE

Most people have either heard or used the attorney-client privilege. However, have you stopped to think how that privilege applies to e-mail?

A communication intended to be privileged must be

1. between an attorney and a client,
2. made in confidence, and
3. for the purpose of seeking, obtaining, or providing legal assistance to the client.

A disclosure to a third party will generally prevent the privilege from attaching. Once a communication is shown or repeated to a third party not covered by the privilege, the privilege is

then considered to be waived. Normally, a waiver occurs voluntarily and knowingly, but a waiver of confidentiality may also occur inadvertently. Care must be taken that confidential communications are not left in clear view where third parties may see and read them. Another way that a paralegal should be aware that the privilege may be lost is through inadvertently sending e-mails that contain privileged information.

It is easy to click on the “forward” button on our e-mail toolbar; but, before clicking on that button have we carefully considered all the information that is included in that e-mail? Often there is a string of e-mails that have gone back and forth between individuals. The e-mail you forward may contain not only your additional comments, but the history and context of the problem you are addressing. If an e-mail from your attorney is included in that string, what once may have been a privileged communication may now be available for discovery during litigation if the recipient of the e-mail string is a third party. While e-mails between you, a paralegal, and your attorney-boss is privileged, once you forward it to anyone not covered by privilege, the e-mail loses its confidentiality and privileged status.

The auto-text feature that automatically completes e-mail addresses makes e-mails particularly susceptible to accidentally conveying privileged information to third parties by mistake. The e-mail to “Lee Johnson” your client may accidentally be sent to “Lee Brown” the opposing attorney on your client’s case. Make it a practice:

- Not to forward e-mails from your attorney. If your attorney e-mails you with advice about how to handle a situation, start a new e-mail to give instructions to the proper people.
- If an e-mail must be forwarded, be sure to forward only the e-mail that is relevant to that particular recipient.
- Always double check the address line before clicking the “send” button.

Remember, your attorney’s advice and counsel is protected. You do not want to inadvertently waive that privilege.

EVERYTHING I NEEDED TO KNOW ABOUT LIFE, I LEARNED FROM NOAH’S ARK

Religious or not, almost everyone has heard of the story of Noah’s ark. People and animals alike found refuge in the ark that Noah built. The rains came and the earth was covered with water. Here are some important lessons we can remember:

1. Don’t miss the boat.
2. Remember we’re all in the same boat.
3. Plan ahead. It wasn’t raining when Noah built the ark.
4. Stay fit. When you’re 600 years old, someone may ask you to do something really big.
5. Don’t listen to critics; just get on with the job that needs to be done.
6. Build your future on high ground.
7. For safety’s sake, travel in pairs.
8. Speed isn’t always an advantage. The snails were on board with the cheetahs.
9. When you’re stressed, float awhile.
10. Remember the ark was built by amateurs, the Titanic by professionals.

