

THE PLEADINGS

NALS OF MICHIGAN

October 2022

THANK YOU MEMBERS!

Thank you, members, for your support by sharing the Little Caesar's fundraising link and ordering your pizza kits directly. This fundraiser was easy, and your support is important in all that we do!

Heidi Hopper, PP
NALS of Michigan Finance
Chair



HIRING AND RETAINING AMAZING LEGAL STAFF

Locating and keeping the best legal staff is not about luck. There is a process that can help employers find that rockstar to help their practice soar.

When doing the initial search, an employer should hire based on the applicant's attitude. You heard right. How is this person going to behave in the office? Are they going to be an HVAC whiner? How do they dress for a work week? Do they have experience with a rule being broken? This will tell you how quickly they are going to adapt to a new environment and new tasks. Of course, prospective employers need to know that a potential hire is competent. You can learn that by reviewing their résumé: Does the candidate use proper grammar/writing skills? Is the applicant a job hopper? Who did the candidate work for? An employer can also judge the potential of a new employee by their personal interaction during the interview: How prepared was the applicant? Did the applicant bring any knowledge of the company? Did they appear for the interview in a timely manner?

If the applicant has passed the above criteria and they have been hired into the firm, it is time to get that person onboarded. Unfortunately, onboarding in many companies is grueling and boring and only focuses on skills, not knowledge. Oftentimes it is left to the staff member reading a manual or being trained by someone who does not do any of the tasks the new hire will be doing. Unfortunately, without the proper knowledge, legal staff perform their job inefficiently, which creates stress and frustration for the new staff member, supervisors, and other staff members.

One way to effectively onboard a new employee is to throw them in the deep end, allowing them to learn by doing. Have the new hire participate in certain projects, make client calls, etc., to help the new hire not only acquire the needed skills, but the proper understanding of the demands of the job. However, this does not allow the new employee to learn and apply the necessary knowledge to become that amazing staffer the office needs. There is a process that helps the employee acquire the knowledge needed faster, allowing that employee to become an asset to the company by working more efficiently and performing better and allowing the firm and attorneys to do their jobs and not micro-manage the new staff as much. The method is called knowledge acquisition science, and it involves five components:



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Active Recall: Staffers learning a skill should practice active recall, which is to actively retrieve something learned from one's memory. This takes more than reading a manual. This is one of the reasons why NALS requires applicants to have some experience working in a legal setting when sitting for a certification exam. When someone puts the information learned into practice, it is easier for that person to recall it than if the person had just read it somewhere.

Metacognition: This is to think about one's thinking. Use of flashcards is an example of metacognition. Did you recall the answer easily? Put that card in the easy pile. Not so easily? Put that card in the hard pile. A person then analyzes their progress.

Spaced Repetition: This is not done enough in training legal staff. The more you hear something, the more likely you are to remember it. It is the same with working a muscle. The more you exercise a muscle, the stronger it becomes. Without repeating information learned consistently, legal staff will lose 90% of the information they've learned within a matter of months. Re-reading manuals is usually the first thing legal staff do. However, simply reading the information does not engrain the knowledge like putting it into action does. There are many web-based programs that law firms can use to assist legal staff to improve their knowledge.

Recognize: Everyone wants to be recognized for the good work they have done. Do not wait until a staff member's anniversary to acknowledge their work. Law firms should make an effort to recognize advancement in measurable milestones. Make goals for them to reach and find tangible ways to acknowledge their achievement. Awards could be gift cards, a small bonus, a certificate, or even a lunch out with a group or the boss.

The success of a law firm is had with the work of dedicated attorneys and legal support staff. Hire energetic and dedicated professionals and use proper methods of training to turn your support staff into superstars to enhance the success of your firm.

Resource: 2022, July 12; "The Heart of Your Law Office: The Fundamentals and Science of Training Paralegals." Cohen, Andrew (Brainscape) and Ryan, Kelly (Ryan Immigration Group). ABA Webinar.

MEDIA FILES WITH THE EASTERN DISTRICT OF MICHIGAN

Effective September 1, 2022, the U.S. District Court for the Eastern District of Michigan has a new procedure for accepting media files that are exhibits to papers. Subject to court approval, a filing user can upload media files under the Utilities menu in CM/ECF.

The following links contain instructions on how to use the Media File Upload program and revisions to the ECF Policies and Procedures to accommodate the program:

http://www.mied.uscourts.gov/PDFFiles/Uploading_Media_File_As_Exhibit_to_a_Doc.pdf

http://www.mied.uscourts.gov/PDFFiles/ntc_Changes_to_ECF_Policies_And_Procedures_082522.pdf

Any questions regarding the new procedure can be emailed to attyhelp@mied.uscourts.gov or call the ECF Help Desk at 313-234-5000.

PAGE LIMITS ON BRIEFING

If you file any briefs in the Michigan Court of Appeals or Michigan Supreme Court, please review the court rule amendments that went into effect September 1, 2022, that switched the requirement **from a page limit to a word limit** for **all briefs**:

https://www.courts.michigan.gov/49f261/siteassets/rules-instructions-administrative-orders/proposed-and-recently-adopted-orders-on-admin-matters/adopted-orders/2019-16_2022-06-29_formor_amdmcr7.212.pdf

The Michigan Supreme Court started this as a pilot program some time ago, and it now applies to all Court of Appeals and Supreme Court briefing.

As summarized by the Clerk of the Court of Appeals:

The most significant aspect of the rule changes is the transition from a page-count limit for briefs to a word-count limit. As amended, the new rules limit principal briefs filed in the Supreme Court or Court of Appeals to 16,000 words, rather than 50 pages. Reply briefs are limited to 3,200 words, as are motions for reconsideration, while answers to a motion for reconsideration are limited to 2,500 words. Only self-represented litigants are exempt from compliance with the word-count limit, they may still file under the page limits.

Please note that the rule requires that filers include a statement after the signature block stating the number of countable words in the brief. To help effectuate a smooth transition, for the time being the Supreme Court and Court of Appeals' clerk's offices will not defect a brief for failure to include the required statement of countable words, unless the brief appears to exceed the word limit. However, failure to include the statement of word count may prompt the clerk to send a notice to the filer to take care to comply with the rule going forward.

As always, if you have any questions, please feel free to contact the clerk's office.

MESSAGE FROM NALS OF MICHIGAN PRESIDENT, KATHLEEN AMIRANTE

During the past two years, it has been a struggle to keep our Association afloat. With all we have going on in our lives just to stay healthy, keep up with our family challenges, staying on top of our jobs, it is difficult to commit time to NALS. Since I took office as your president this last spring, I too have been struggling to come up with programs that will be what you, the members, want and to encourage without pressuring you to take on leadership roles. Recently, I spent an afternoon looking back at my years in NALS and discovered this article I wrote a few years ago. It seemed like a good time to share again some of the reasons why membership in NALS and taking an active leadership role has been one of the most rewarding decisions of my life.



NALS has used many slogans over the years, but one stands out to me that sums up why it is important for individuals to belong: "Maximize Your Potential." Since 1929 NALS has added credibility and marketability to professional legal staff nationwide by providing them with the knowledge and understanding of their profession through education, certification, and mentoring. NALS members are leaders. Our continuing legal education and high ethical standards are qualities employers greatly value. These valued qualities can lead the NALS legal professional to attaining better salaries and a faster climb up their career ladder.

This statement is absolutely true, but it doesn't do us any good if we don't believe in it and if we don't promote it. Our employers need to know the time we put into attending seminars, studying for certification, online networking, and working on committees and as officers to make our association stand out in the training and nurturing of legal support staff. Continuing education shows an employer that you care enough about your career to do whatever it takes to be the best at your job. Reason #8 of the Top 10 reasons for not taking the certification exam was: "My boss doesn't care if I never improve and won't notice if I do." I believe employers do notice for the most part, and if they don't, tell them. Let them know you recently attended an ethics seminar or that you attended a seminar over the weekend and picked up some useful tips for picking jurors or polishing up a PowerPoint to use at trial. We all know they notice when you do something wrong, so speak up and make sure they know when you are doing it right or even more: going the extra mile to ensure quality work comes out of your office. Now more than ever, we need to be the employee that stands out, and we need to do everything in our power to achieve that. We may feel that we don't have the time or the money or the means to be actively involved in NALS, but what is the alternative? For most of us, our job is a necessity. We are not working for the pleasure of it. But, it is a lot more pleasurable to have a job that we are good at and one we enjoy. And during my 32 years as a legal secretary and paralegal, I found the more I knew and the better I was at my job, the more I enjoyed it. Taking pride in my work brings out the best in me, and I credit this to my membership in NALS, and I can only trust that my employer recognized that and yours will too.

I am sure you all feel the same way and that is why you maintain your membership in NALS. You are all dedicated professionals, loyal to NALS and its goals, and tireless workers for your employers. Many of you are certified and continue to attend seminars and legal education to maintain your certification or to add to it by obtaining a specialty certificate. Those of you who have not yet taken the plunge maybe aren't ready yet or feel certification doesn't relate to your specific job. Some of you may feel you are too old, or too new to NALS, or too busy. But, I challenge you to find the time to look into the three certifications offered. You may be surprised to find that they fit any job you may have because just the act of learning increases your value to your employer and to yourself.

We need to take this challenge beyond our association and out into the legal community. We need to bring this message to other legal professionals and the law firms where they work. NALS gives you the tools to improve your confidence in your career, whether you are a paralegal, legal specialist, legal administrator, legal secretary, legal office support staff, or an educator. NALS gives you the support necessary to stand out in your job and be the one that is hired, promoted, and kept on during the difficult times. We need to develop ways to promote this message in the legal community and beyond.

I know many of you are burned out. You feel you have devoted your time and effort to NALS long enough and it is time for new, younger members to take over. Well, we need to find those new and younger members. We need to help them learn the value of membership in NALS. We need to encourage them to step up and bring NALS into the future by developing programs they are interested in and they know will draw members to this association in this new world. Technology is key, and we need members who know how to use it to our advantage. I challenge you, if you are under 45 (just a number) and have learned anything from your time as a member of NALS, join the leadership team and begin the journey to make your local chapter, your state association, or even NALS at the national level more valuable for today's legal professional. Step outside your box or comfort zone and reap even more benefits from your membership by growing the association and yourself. Take a chance and see how far you can go. I went all the way to the top and had the time of my life!

www.nalsofmichigan.org





NALS of MICHIGAN
HIGH ROLLER LEGAL EDUCATION EVENT
Saturday, November 12, 2022, 9:30 a.m.
FireKeepers Casino; Battle Creek, Michigan
REGISTRATION

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|---|--|
| <p>Name _____</p> <p>Local Chapter _____</p> <p>Certification(s) _____</p> <p>Badge Name/Nickname _____</p> <p>Address _____</p> <p>_____</p> <p>Phone _____</p> <p>Email _____</p> <p>Guest _____</p> <p>Please describe any accommodations (mobility, dietary restrictions, etc.) you will need: _____</p> | <p style="text-align: center;">Check all that apply:</p> <p><input type="checkbox"/> Member <input type="checkbox"/> Student Member</p> <p><input type="checkbox"/> First Time Attendee</p> <p style="text-align: center;">COST: FREE!!!!!!!</p> <p style="text-align: center;">Send completed registration form to: Teresa Garber, PP, CLP 2655 Grand Castle Blvd. SW, #E620 Grandville, MI 49418 tsaenzgarber@gmail.com</p> <p style="text-align: center;">RSVPs due by November 7, 2022</p> |
| <p>Please check all that apply:</p> <p><input type="checkbox"/> Morning Session only</p> <p><input type="checkbox"/> Afternoon Session only</p> <p><input type="checkbox"/> Full Session</p> <p><input type="checkbox"/> Lunch</p> | |
| <p style="text-align: center;">HOTEL INFORMATION</p> <p>Reservations can be made directly through the casino : (877) 352-8777 (identify yourself as member of NALS of Michigan); www.firekeeperscasino.com/hotel (use code 111222NALS) FireKeepers Casino Hotel: 111777 East Michigan Avenue, Battle Creek, MI 49014---\$246/night (+tax) BLOCK HELD UNTIL 5:00 PM OCTOBER 28, 2022.</p> | |

CLE Topics:

- “Don’t Gamble with Your Ethics” (presented by Victoria Vuletich, Ethics Squared LLC)
- “Deal Yourself a Good Hand in Stress Relief” (presented by Kathleen Amirante, NALS of Michigan)
- “The Residency: Membership Forum”
- “Bing! Bing! Technology Today” (presented by Misty Davis, Davenport University)