

S u m m o n s

WESTERN DAKOTA ASSOCIATION OF LEGAL ASSISTANTS

An Association for Paralegals/Legal Assistants

Melissa M. Klimpel, ACP, Editor

President's Message**By Alice M. Johnson, ACP**

Hello and welcome to the 2020-2021 WDALA year! I am confident that this will be our best year ever, regardless of what is thrown our way.

This past year has reinforced in me the belief that our members are the absolute best and brightest. Despite the restrictions we faced at home, at work, and in WDALA, we have all adapted ... and very well, I might add. I have

seen our members flourish in their personal lives with weddings that have taken place, births that have been celebrated and numerous other events that affect our personal lives. I have also seen our members bounce back and forth from working at home to working at the office to working back at home, others have been involved in moving their whole offices, others have started new jobs, and yet others have found their serenity in retirement, all without skipping a beat. Finally, I have witnessed the astounding resilience our members have shown in the bitter disappointment of having to cancel one seminar only to turn around and put on an amazing seminar later in the year – within the social confines dictated by our current situation!

Congratulations to all of you for carrying on, for pushing through the adversity, and making lemonade out of the lemons!!

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President's Message continued

I really shouldn't be surprised though. This, as I have said in the past, is why I believe WDALA is one of the finest professional legal organizations around – it's all about you, our members! You make it work, you make it worthwhile, and you are the backbone because you are the astounding paralegals that you are!

It is truly an honor to be a member of WDALA. I've always thought that but since I have been on the Board, I have found so many more ways in which WDALA has enriched my working life. As you probably already know, your 2020-2021 Board has remained the same, apart from the Regional Directors. I am excitedly waiting to find out who will be representing each region this year.

I must admit, I have not yet been able to complete the roster of committee members yet. If you are at all interested in any aspect of getting a bit more involved in WDALA than just coming to the seminars or reading the newsletter, please let me know and we can work together to get you involved! We have a lot of vibrant, skilled, and talented people in WDALA and I would love to see you – yes YOU – show WDALA just how good you really are. Don't keep your talents hidden, use them and grow them by getting involved in WDALA.

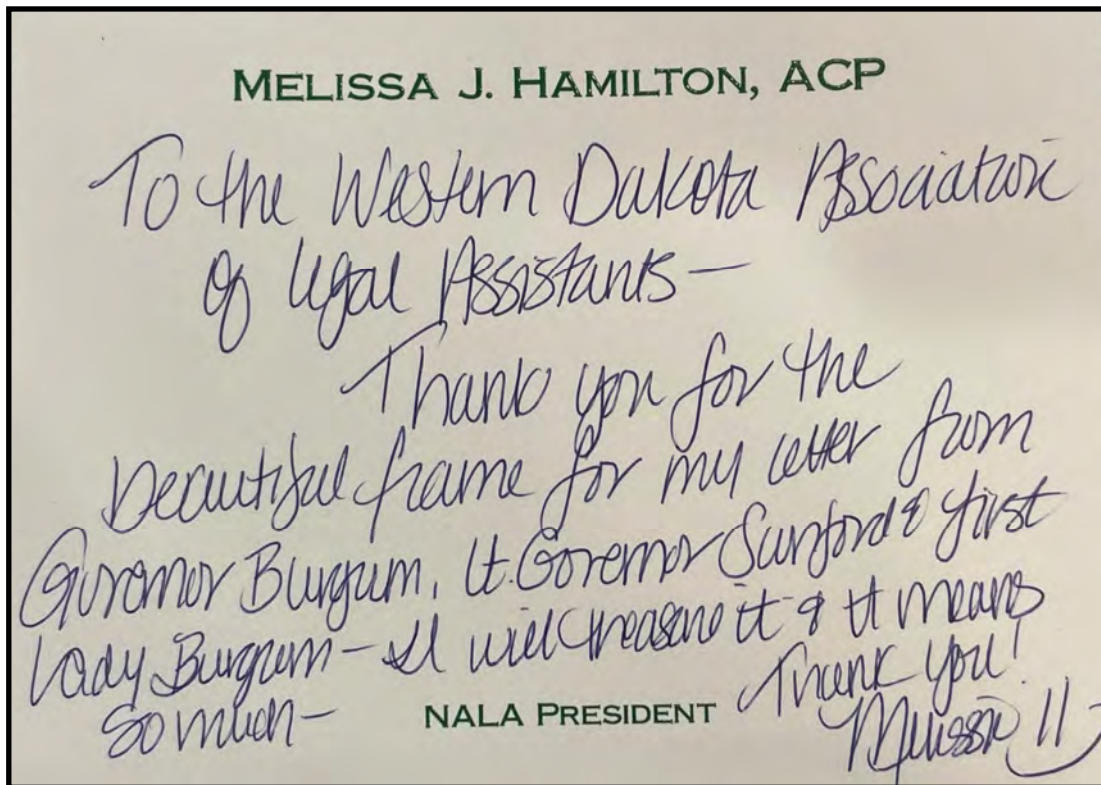
Let me give you a sneak peak at some of the ideas that our relatively new Board is tossing around. Fresh eyes and minds (as opposed to the old and "set-in-their-ways" ones like mine) have brought to the table discussions concerning reimplementation of teleseminars, looking at the technological requirements of being able to host seminars both in-person and remotely, and reworking our budget with an eye toward updated income and expenditures.

I am excited to once again be serving as your President this next year. Hopefully I will be able to work on some membership drives in person and get to know more of you better. Thank you for the confidence you have placed in me. I will do my absolute best to uphold the high standards of WDALA!

"We have a lot of vibrant, skilled, and talented people in WDALA and I would love to see you – yes YOU – show WDALA just how good you really are."



Thank You Note and Welcome



I am originally from Bismarck, ND. I moved away for many years and moved back to Bismarck 11 years ago. I have worked as a paralegal off and on since 1992, taking time off to raise children and obtain my MBA. I have been employed as a Paralegal with Pearce Durick PLLC for the last 4 ½ years.

I am married and have two sons and four step-children. We also have seven beautiful grand-kids, which keeps us pretty busy. I don't have a lot of time for hobbies, but we enjoy spending time at our lake cabin in the summer. When I do find some spare time, I enjoy reading, knitting, and doing yard work.

Tammy Berger, Paralegal

Volunteer Spotlight on Vicki J. Kunz, ACP Retired



Why do you volunteer for WDALA?

WDALA is near and dear to my heart, since I was a founding member. Though I am retired now and not a practicing paralegal, as long as I am able, I will always help out when and where I can. My volunteering with WDALA started out as chairing the first seminar, running for a board position and taking advantage of serving in all of the officer chairs. These were all experiences I owe great credit to my career and personal successes I had over the years.

Which event is your favorite? Why?

More recently, the Drug Court involvement and Christmas surprise we are able to provide to several of the participants. It makes your heart swell, seeing the difference we can make in such simple ways, by providing needed gifts for the holi-

days and emotional support to all of them at their Friday court days.

Do you have a favorite memory from volunteering?

You have to remember, I have many years of experience with WDALA, so picking out a favorite is hard! Something that I love looking back on, is all of the members that have come along over the years to keep the organization going and seeing many who were afraid to take on an officer position really grow in their leadership skills! I am proud to see WDALA have members who have gone on to serve on NALA's committees and the board of directors. And "wow" – we now have our 3rd WDALA member serving as NALA's president! I think that says a lot about our organization that no other NALA affiliate can say!

What would you tell new members about volunteering for WDALA?

Get involved! Meet your fellow members! There is no better support for you in your position and career than to have the same kind of professional experienced friends to help you with questions or cheer you on or to be able to offer your own experiences to them!

What motivates you to stay involved?

Seeing the excitement and dedication in the current members to keep WDALA an active organization. Everyone has competing commitments, family, work, other organizations, health, etc., that takes our time as well. Seeing that newer generation struggle with giving time to volunteer – anywhere – is real. I think it is important us older volunteers continue to share our knowledge, but also let the newer generation take volunteerism to their level. It doesn't have to be "our way" or the "we always did it this way". I see younger volunteers wanting to be involved, but not necessarily long term, due to their other commitments. Because of that, we need to continue to challenge and help them recognize that any time they can give, is very valuable.

Volunteer Spotlight on Vicki J. Kunz, ACP Retired continued

What volunteer contribution or achievement are you most proud of?

Most recently, receiving the Legacy Award from WDALA last October and the Founders Award from NALA this July. They both are truly the pinnacle of my career! I cannot emphasize enough the opportunities both WDALA and NALA gave me in honing my leadership skills for not only my paralegal career and risk manager career at MDU Resources, but also not being afraid to take on other volunteer organizational leadership positions.

What other organizations or causes do you volunteer for and support?

I have been involved in several civic, service and professional organizations over my 40 year career in Bismarck. One that helped open my eyes to the needs of our community was serving on the Missouri Slope Areawide United Way, where I served through the chairs to president. I also served 7 years on the North Dakota Safety Council, that I could relate to my risk manager position with the goal and belief that every ND worker should be able to come home the same way as they went to work that day.

Currently I am serving as the Chief Governing Officer of the ND Workforce Safety & Insurance and also as chairman for the board of directors for the North Dakota Community Foundation. These are both two amazing and different organizations with a high level leadership style that I find fascinating on the process and execution. Board governance has become a real interest of mine over the years and nothing makes me more excited and proud is to be part of a well ran meeting!



Tell us a fun fact about yourself!

Some of the older members may know this, but not many – my first career out of high school was a hairstylist and when I passed my boards I was the youngest hairstylist in North Dakota at age 18. I only did it for a year or two, when I realized the best time for them to work was mostly evenings and I was going to be on my feet, all day! I did win the North Dakota Hair Fashion Contest that first year though!

I also like to give Ralph Vinje, my first attorney boss, credit for bringing your babies to work back in the early eighties. My husband, Dennis, worked shift work at the Post Office, so many times I would take our daughter to work with me if he had to work over time and he'd pick her up on his way home. I recall Ralph taking her into his office and crawl around so I could finish getting an Appellant's brief typed up and in the mail that day! Later there were many days when I had his son, Justin Vinje, sitting in a infant seat on my desk too!

RADD and the Santa Run: The Power of Running to Change Lives

By District Court Judge David Reich



When I became a judge, I soon realized most of my cases involved drugs and/or alcohol. I learned that addiction doesn't discriminate on the basis of age, gender, race, ethnic background, or socio-economic status. In the typical case, the defendant is arrested, pleads guilty or is found guilty and is sentenced. Typically the defendant is ordered not to drink or use drugs, required to obtain an evaluation, is placed on probation and eventually winds up back to the same environment he or she was in when arrested. Not surprisingly, we see most of these people back in court, over and over again.

I thought we needed to try something different to change the environment of drug and alcohol offenders to improve their chances of remaining sober and law abiding. So in 2014 I started a running group called RADD (Runners Against Destructive Decisions) to provide a healthy lifestyle alternative for individuals in recovery from addiction. RADD runs three days a week year round. RADD participants set a goal of completing a 5K and train with RADD to accomplish that goal. In addition to the benefits of exercise, RADD provides participants with a sense of community and pride from setting and accomplishing their individual goals. After our Saturday runs we have coffee and sit around and talk. I think this time might be more valuable than the exercise for many of the people in our program. RADD builds relationships and changes perceptions. It doesn't matter what walk of life we come from or what our history is, when we put on our running shoes, we are all the same.

Runners and walkers of all ages and abilities are welcome to RADD. All you really need is a good pair of shoes. RADD supplies running shoes for participants who need them. A good pair of running shoes costs about the same as housing a person for one night in the county detention center. I think we can get a much better return on our investment with running shoes.

RADD and the Santa Run: The Power of Running to Change Lives continued

RADD participants come from drug court, treatment centers, sober living homes, and from individuals in the community in long-term recovery. We have been blessed with wonderful volunteers who give of their time each week to provide support for the participants in our program. RADD has grown from a handful of participants in 2014 to an average of 40-50 runners and walkers each Saturday.

In 2019, RADD started running with residents at the Missouri River Correctional Center one weekend each month. The MRCC residents did not have decent running shoes, so we collected over 200 pairs of new and gently used running shoes to donate. We averaged over 100 participants (out of a total population of 180) for our July, August and September 2019 runs at MRCC. Although our MRCC runs have been temporarily suspended due to COVID, we plan to resume as soon as possible.

While the initial goal of RADD participants is to complete a 5K, many of our runners have gone much farther. In 2019, two of our RADD runners completed the half marathon during Grandma's Marathon weekend in Duluth. Los Angeles Judge Craig Mitchell spoke at the 2018 Santa Run about his Skid Row running program and we viewed the



documentary film "Skid Row Marathon". The Skid Row runners earn an opportunity to run a marathon at an international destination each year. Judge Mitchell invited RADD to join the Skid Row runners on their 2019 trip. We took him up on his offer and sent three runners to Ecuador for two weeks in October 2019. It was a life changing experience! The Skid Row runners also invited us to join them at the 2020 LA Marathon. Four RADD runners traveled to LA in early March to run the marathon, accompanied by six volunteers who completed the LA Big 5K. Running can take you places you never imagined!

RADD and the Santa Run: The Power of Running to Change Lives continued

Everyone knows that 2020 has been a challenging year. COVID hit the same week our RADD runners returned from LA. We shut down our in-person running sessions for six weeks. To prevent our runners from becoming isolated, we held weekly Zoom meetings, set up a WhatsApp chain message link, and involved our runners in a virtual run across the U.S.A. We started running again in early May and, despite COVID and the cancellation of nearly all in person races, our numbers continued to grow. We held a 4th of July run and a Fallen Officers run this summer and will be doing a Monster Dash run on Halloween. In addition to our Saturday runs, we run on Monday evenings with Team Kaizen, an at-risk youth running group mentored by Prevent Child Abuse ND. We also run Thursday evenings from the new Heartview facility and the Soup Café. In the past year, running groups inspired by RADD have started up in Watford City, Jamestown and Fargo.

RADD is funded by The Santa Run, a 501(c)(3) charity which organizes an annual Santa Run 5K to raise awareness of addiction issues and to raise funds for the RADD running program. We hear about the negative aspects of addiction in the news every day. The Santa Run provides hope and celebrates success stories of sobriety. Everyone 13 and older runs in a Santa suit and sponsors run in elf costumes. The event is held on the State Capitol grounds the second Saturday in December. It is a joyful experience!

Due to COVID, this year's Santa Run will look a little different. Participants can register to run either a 5K or one mile run virtually anywhere and anytime between December 1 and December 25, or they can run with RADD on the State Capitol grounds on December 12. With the virtual format, people from all over the country can participate and send in photos of their run for prizes. Santa Run registrants are also invited to a virtual Friday evening program featuring Kathrine Switzer, the first woman to register and run the Boston Marathon. More information on the Santa Run is available at www.bismarcksantarun.com.

One of my favorite sayings is by an author of running books by the name of John "The Penguin" Bingham. He wrote: "The miracle isn't that I finished, the miracle is that I had the courage to start". I am so very proud of our RADD runners in recovery who have had the courage to start running with RADD. I encourage each of you to start as well and invite you to join us on Saturday at 8:00 am at the YMCA.

RADD and the Santa Run: The Power of Running to Change Lives continued

David Reich is a native of Medina, North Dakota. He graduated with distinction, from UND Law School in 1982. After working as an attorney in private practice for almost 23 years with the Peace & Durick law firm, Dave was appointed by Governor Hoeven to the position of District Court Judge in the South Central Judicial District in 2006. He has since been elected to Office of District Court Judge in 2008, 2014 and 2020.

After completing his high school running career as one of the worst cross country runners in the history of North Dakota, Dave did not begin running again until 30 years later when inspired to do so by his then high school age daughter, Kristen. Through the years, Dave and Kristen have run numerous races together and discovered the many benefits of running.

As a judge, Dave soon discovered that the majority of the cases he saw involved the use and abuse of drugs and/or alcohol, frequently involving repeat offenders. One of Dave's favorite sayings is a quote from John F. Kennedy: "One person can make a difference, and everyone should try." So in 2014, in an effort to stop the cycle of addiction, crime and jail, Dave started a running group called RADD (Runners Against Destructive Decisions) to provide a healthy lifestyle alternative for individuals in recovery from addiction. RADD has been running three days a week year-round ever since.

RADD is funded by The Santa Run, a 501(c)(3) charity founded by Dave and his wife Ann. With the assistance of many dedicated volunteers and generous sponsors, The Santa Run organizes an annual Santa Run 5K to raise awareness of addiction issues in our community and to raise money for entities that assist individuals in recovery, including the RADD running program. Through the power of running, RADD and the Santa Run have touched and changed the lives of hundreds of individuals in recovery.

RADD and the Santa Run: The Power of Running to Change Lives continued



LA Superior Court Judge Craig Mitchell (Skid Row Running Club) and Judge Dave Reich (RADD).

2015 Santa Run



RADD run on October 3, 2020

The Santa Run

By Laurie Guenther, ACP



Hello WDALA,

Hope all is well! There's still time to join the SANTA RUN and do something FUN for a good cause. I'm sharing the following with a great discount code at the end....:)

The Bismarck Santa Run is a festive 5K and One Mile event where everyone runs in a Santa suit! It is also the primary fundraiser for a group that is near and dear to my heart, RADD (Runners Against Destructive Decisions). (An information sheet on RADD and the Santa Run is on Page 11).

Although many races have been cancelled this year due to COVID-19, The Santa Run wants to continue to spread the joy this Christmas in a safe, FUN way. Traditionally, the Santa Run takes place the second Saturday of December on the State Capitol grounds.

So here comes the cool part.... you don't have to be in Bismarck to participate this year!

Along with the in-person event on December 12, The Santa Run now has a virtual option. You and your family and friends can do the Santa Run virtually anywhere and anytime between December 1st and 25th! For only \$35 plus \$8 shipping, The Santa Run will mail you a Santa suit, a Christmas themed face covering, a beanie, and a gold medal!

Be the envy of your neighborhood as you help spread Christmas cheer by running a 5k or One Mile run in your Santa suit!

To register click <https://www.bismarcksantarun.com/register1.html>. Since you are a friend or family member, use promotion code FANDF and save \$5 off the \$35 registration.

Please let me know if you have any questions and if you sign up, I'd appreciate hearing that! We have 10 WDALA Ladies signed up so far – 8 in Bismarck and 2 in Williston! Dickinson and Minot...do you accept the challenge?! :)

Have fun, stay warm, and know that the RADD runners appreciate your support!



The Jolliest Jaunt of the Year!

The Santa Story

A story of hope,
friendship and dignity

HOW IT STARTED.

In 2014, Judge Dave Reich and his wife Ann decided that the best way to spread Christmas cheer was to gather the community, dress them up in Santa suits, and run a 5K together. Since then, the Santa Run has become an annual community event.

Every December, hundreds of Santas race around the North Dakota State Capitol Grounds to help support a singular cause – addiction recovery. The jolly smiles and rosy-red cheeks of runners and volunteers help shed a positive light on this difficult topic.

WHAT IS RADD?

RADD (Runners Against Destructive Decisions) is a running group formed to help those recovering from addiction and other destructive decisions. RADD provides a healthy lifestyle alternative for those in recovery and their families. RADD started running in April 2014 and continues to run three days each week, year round. RADD also helps support a juvenile running program, Team Kaizen, that runs every Monday evening and is mentored by PCAND (Prevent Child Abuse North Dakota).

WHY RUNNING?

Running can change lives. It requires people to set goals and work to achieve those goals. It provides a sense of pride and achievement when goals are accomplished. It helps people get stronger, physically, mentally and emotionally. We hope the Santa Run will raise awareness of addiction issues and allow more people to learn about and benefit from healthy lifestyle choices like the RADD running program.

RADD is funded by The Santa Run, a 501(c)(3) charity. The Santa Run is organized on behalf of RADD as an event to raise awareness of addiction issues in our community.

Please join us for the 7th Annual Bismarck Santa Run! With a new virtual look this year, runners and walkers can complete a 5K or one mile route anytime between December 1 and December 25. Run from the location of your choosing, or join the RADD running group as it runs the new and improved Santa Run route on the State Capitol grounds on Saturday, December 12. Race packets will include a Santa suit, Santa Run logo face covering, and a finisher medal. Prizes will be awarded for the most fun and creative photos and videos. Registrants will also have access to an evening virtual program on Friday, December 11 featuring Kathrine Switzer, the first woman to register and complete the Boston Marathon.

Follow these easy steps to participate in the 2020 Santa Run!

- Step 1:** Go to <https://www.bismarcksantarun.com> and register for the Santa Run 5K or the Santa Run Cool Mile on Eventbrite. You can pick up your race packet at the Bismarck Larks office, 201 W. Front Ave., Bismarck, ND, anytime after November 30, 2020, or request to have it mailed to you.
- Step 2:** Run or walk the Santa Run 5K or the Santa Run Cool Mile in your Santa suit anywhere and anytime between December 1st and December 25th, or run with RADD on the Capitol grounds on December 12th. Record your time on your favorite running app (Strava, Map My Run, Runkeeper, etc) or manually.
- Step 3:** Email your race completion time to info@bismarcksantarun.com. Include your first and last name, run date, race completed (5K or 1 Mile) and race completion time. Run/walk times must be submitted by 11:59 pm on December 25th.
- Step 4:** Submit an individual or group selfie or other photo or video of your run to Bismarck Santa Run on Facebook, Instagram at [#bismarcksantarun](https://www.instagram.com/bismarcksantarun), or by email to info@bismarcksantarun.com. By submitting a selfie, photo, or video, you agree to allow The Bismarck Santa Run to share your picture on The Bismarck Santa website or other Bismarck Santa Run social media sites. Prizes will be awarded for the most fun and creative photos and videos.

Please follow all safety measures provided by government agencies regarding COVID-19 which may be in place at the time of this race.

Thank you for participating in the Santa Run!
Good luck and have fun!

RADD | Runners Against Destructive Decisions

Thank You, Legal Support Professionals!

By Hon. Clare Hochhalter, United States Magistrate Judge, District of North Dakota



I served as an Assistant United States Attorney (AUSA) in Bismarck, North Dakota, for 30 years before becoming a United States Magistrate Judge. But, my first job out of law school was a Legal Assistant for the State of North Dakota. I remember the experience, including lessons I learned. Later, as an AUSA, Legal Assistants and Paralegals (hereafter, Legal Assistants) worked with AUSAs regularly, as we successfully prosecuted federal criminal cases and represented federal agencies involved in civil claims. Our work brought us into contact with government and private legal teams across the United States and throughout the world. Our success as part of the

U.S. Department of Justice, was directly attributable to the legal support staff's knowledge, skill, and patience in assisting me and others, every step of the way. So naturally, when asked to contribute an article to the WDALA Newsletter, my first thought is to acknowledge the important contributions of Legal Assistants, and to thank all of you who work so hard to advance excellence in the practice of law.

I'll acknowledge the contributions I witnessed, by first describing details of how Legal Assistants have helped me. In addition to details, I will offer a few thoughts on what I believe may be expected of Legal Assistants in the future. In doing so, I want to affirm the value of including Legal Assistants in legal practice and invite exploration of emerging areas of Legal Assistant involvement. My views are both informed and limited by my experience as a former AUSA, and now as a federal judge. Hopefully, this brief article can benefit Legal Assistants who are involved in government, corporate or private practice. In any practice, I believe there is a need to gather, organize, understand, and prepare information for use in persuading others.

Gathering Relevant Information

Gathering the right information is critical to discovering evidence. Information exists in many forms and in many places, whether documents, images, oral/written/recorded statements, reports, data, etc. It may be hidden or available in the public domain. As federal prosecutors, we used unique information gathering tools such as the grand jury and search warrants. A federal grand jury is composed of 23 citizens who meet regular-

Thank You, Legal Support Professionals! continued

ly for 18 months, in order to investigate and determine whether to charge federal crimes.

We used the grand jury to gather information that could be useful as evidence, and then presented the evidence to the grand jury in the form of testimony and exhibits. We used grand jury subpoenas to require the appearance of grand jury witnesses and the production of documents, from almost any entity located anywhere in the United States. Legal Assistants assisted in preparing the subpoenas, assuring proper service, receiving the information and they assisted in returning the information to the grand jury. A single case often included multiple subpoenas and returned thousands of documents. So, a lot of information!

Search warrants are another tool we used to gather information. Search warrants can be used to obtain information stored physically at local premises and to gather information that is electronically stored, such as email. Email often included attachments such as images and documents. Again, Legal Assistants assisted in preparing the warrant applications, serving the warrants and receiving the information. As with subpoenas, a single case often involved multiple warrants resulting in thousands of documents.

Investigative agents are another tool we used to gather information. The United States Attorney had access to trained investigative agents representing federal, state and tribal agencies throughout the United States and the world. Such agents often produced dozens of written reports and thousands of pages of information. Legal Assistants were often called to help coordinate the investigative efforts of multiple agencies. They researched the law to determine relevant issues and helped plan and implement the use of all the investigative tools.

I involved Legal Assistants in the case, early. Legal Assistants often helped plan and execute the investigation from the time a case was opened. They participated in meetings, remotely or in person; planned research on key issues, and they helped manage the flow of information. They helped plan how to organize the information and how to best present it at trial. In some cases, Legal Assistants had to find and acquire specialized software in order to manage the flow of information.

Organize Information

Information must be organized to be useful. Sometimes, the information appeared jumbled and overwhelming. Complex fraud cases often involved thousands of pages of digital documents and attachments such as images or related documents. One transnational

Thank You, Legal Support Professionals! continued

fraud case included more than a million pages of email, often with multiple attachments. Legal Assistants, working with investigative agents, had to find ways to review it, search it, and organize it to make it useful as evidence. Such information often required the Legal Assistants to both manually and digitally review and organize thousands of pages of reports, documents and other information.

Understand Information

All the information in the world is of little value if it is not understood in the context of the case. It seems obvious, and yet not everyone in the room is always fully engaged in the process. Legal Assistants need to understand all aspects of the case, which is one reason why it makes sense to involve Legal Assistants beginning on day one. The best Legal Assistants get their head in the game right away; and, they stay involved, anticipating challenges and offering solutions.

My advice to any ambitious Legal Assistant is to find a way to become part of the team; get your head in the game and stay informed. Understand the issues and find a way to make yourself useful to others. Study the relevant law, the statutes, the rules and the cases. Understand how information can be made useful as persuasive evidence. Learn to use as much computer technology as you can and stay informed as it evolves. Find available resources to help you learn what is available and how to use it, whether in the classroom or online. Anticipate the kind of “information” challenges that may arise, and then find solutions. Learn to format, re-format, search, manipulate and assemble large quantities of information. Learn to use all the tools of technology and then combine those skills with your common sense and reason.

Prepare to Persuade

What should a Legal Assistant do to make information useful to persuade? The short answer is everything described above and more. For decades, I have been amazed by Legal Assistants’ ability to gather, understand, organize and prepare evidence for presentation at trial. Trial presentation is where Legal Assistants shine. I have seen them use everything from their bare wits to the latest computer technology, in an “all of the above” effort to produce the best product. The best Legal Assistants find ways to succeed, even when time and the odds are against them.

Legal Assistants assisted me often in preparing witnesses and exhibits for trial. Witnesses sometimes testified remotely, but they were more often physically in court. Le-

Thank You, Legal Support Professionals! continued

gal Assistants used computer assisted means to display exhibits for the jury and make the exhibits readily available to witnesses, the court and counsel. They often highlighted relevant portions of exhibits during witness examination, which meant they paid attention and understood the evidence. It was the culmination of many hours of preparation and team effort.

The Global Pandemic has created new challenges and new opportunities for Legal Assistants. The role of Legal Assistants continues to expand as they assume new responsibilities. More work is being done remotely, from almost anywhere. Legal Assistants are routinely called to set up more videoconferencing, often among multiple participants. Exhibits are often incorporated into the process. The importance of handling electronically stored information continues to create challenges, as information technology continues to change. The accelerated movement toward “work from anywhere” didn’t start with the Pandemic and won’t end with it. Legal Assistants will be part of this evolution, in ways that will continue to amaze.

Clare R. Hochhalter grew up in Elgin, North Dakota, graduating from Elgin Public High School in 1975. He received a Bachelor of Arts degree (majors in English, History-Political Science) from the University of Jamestown in 1979. He received a Juris Doctor degree from the University of North Dakota, School of Law in 1983. Chief Judge Daniel L. Hovland of the United States District Court for the District of North Dakota appointed Mr. Hochhalter to the position of United States Magistrate Judge for a term of eight years, effective February 8, 2019.

Mr. Hochhalter served thirty years as an Assistant United States Attorney in Bismarck, prior to his appointment. After joining the United States Attorney's Office (USAO) in March of 1988, he served as Branch Office Chief (2002), Criminal Chief (2005) and as Criminal Team West, Team Leader (2014). His federal criminal experience includes investigation and criminal prosecution of international wire/mail fraud, international money laundering, organized crime, telemarketing fraud, computer fraud, federal program fraud, violent crime in Indian country, child exploitation and other federal criminal offenses. His federal civil experience includes Federal Tort Claims Act litigation, bankruptcy litigation, commercial litigation, employment discrimination and a variety of affirmative and defensive civil litigation. He served as an Assistant Attorney General for the State of North Dakota prior to joining the USAO.

I HAVE TO DO WHAT?!?!?!?

A Basic Starter for Cite Checking

By Alice M. Johnson, ACP



At some point in our career, we will probably be asked to “cite check” a letter, a document, a brief, or some other legal writing. Although this can seem daunting, and even scary, at first – don’t let it spook you!

There are some very basic “isms” to follow when you are asked to do a cite check. Follow them, and you will be on the right path to your continued personal growth and success.

In this article, I will attempt to provide you with some of the things I have learned about cite checking and how to make it as pain-free and accurate as possible. After all, it should be done “right” (in the eyes of your attorney) and it doesn’t need to pave the way to an increase in your gray hair!

The first thing I do when I am given a project that needs to be cite checked is find out some pertinent information about the project itself. When does it need to be done? If you only have a half day to cite check a 20-page brief, rife with obscure citations, you need to prioritize and talk to your attorney about what they expect from your cite checking.

That leads directly into the second thing to do. Find out if you are doing a “straight cite check” of the document – meaning looking only at the citations for their accuracy in format. Or whether your attorney wants you to check the document against the cite to make sure the citation says what is referred to in the document. Or whether you are expected to not only check the format and content, but also read the document to ensure readability, grammatical correctness, and accuracy.

It may seem odd, but if you are not familiar with cite checking, try to get a sample of a document similar to what you are going to work on that has been previously done in your office. There are different ways that different documents are cite checked. Some documents require the use of public domain citations and some do not, just as an example. You want to make sure you are cite checking in the same manner as the document requires and to which your attorney conforms. I have a “cheat-sheet” for the most commonly used forms of citation used in my office.

The next thing to get a handle on before you dig into your document is to confirm where your time is going. In other words, what file is being billed for your time or is your time not being billed for this project. Too often, a client may be surprised when they read their bill and find time spent by a paralegal in cite checking. Generally, they

I HAVE TO DO WHAT?!?!?!?

A Basic Starter for Cite Checking continued

don't understand the legal standards we must adhere to and do not believe they should have to pay to make sure the work is done properly.

Now that you have armed yourself with the basic information about the citation project you have been assigned, gather your basic citation tools. The "bible" of citation checking is The Bluebook – A Uniform System of Citation. You may not have one on your desk, but you can rest assured that someone in your office does and, if you are to do a proper citation check, you will need to refer to it. Mine looks like it has been run over by a truck, drug through the mud, and has learned how to magically grow sticky notes on just about every third page!

Other great sources you will want to have at your fingertips are the North Dakota Supreme Court Citation Manual. This is a publication available from the North Dakota Supreme Court website at <https://www.ndcourts.gov/supreme-court/citation-manual> downloadable as a PDF. It can answer several basic citation questions, including shortened citations and when and how to use them!

It goes without saying that you should also be familiar with where to be able to find the North Dakota Century Code, the North Dakota Constitution, and the North Dakota Administrative Rules. The North Dakota Legislative Council website at <https://www.legis.nd.gov> has links on the bottom of its page to each of these resources as well as the North Dakota Session Laws and anything and everything you ever didn't want to know about Legislative Sessions!

Other resources I use occasionally are Google Scholar found at <https://scholar.google.com>, a resource I have found for looking up specific documents I have not found in other places; and, of course, WestLaw or Lexis-Nexis if you are fortunate enough to have access to them.

I have also found that when I am faced with citing a reference from a specific state, I try to access a document on-line from that state (such as an Attorney General Opinion from Kentucky or a statute from Nebraska) rather than rely solely on how WestLaw or Lexis-Nexis cites them. Usually the state specific document is much more accurate than the on-line legal research service reference.

You are now ready to dig into your project! That first document you are assigned to cite check may seem scary but, trust me, it gets easier the more you do. Although cite checking can seem like a mundane, brain-numbing task, it is, in reality, a very vital part of making your firm look good and showing your attorney just how valuable you really are!

Happy cite checking!

Officers/Board of Directors' Reports

1st Vice President's Report

By Holly Radke



First, where has this year went? How can 2020 almost be over? I feel like it has barely started. Although, I am sure many of us can agree that we are happy 2020 is nearing the end and are ready to put this year behind us. We have all faced many challenges this year that I do not think any of us really thought we would ever encounter nor were prepared for. However, I do feel like we all adapted well and may have set a new “precedent” on office and court room procedures.

I would like to thank the WDALA members for re-electing me to serve another term as your First Vice-President. Last year was amazing learning all the ins and outs, and behind the scenes work of WDALA. I am excited for the future of WDALA and continuing to serve you.

Given the COVID-19 circumstances, I think the 2020 WDALA Fall Seminar was a success! Even though our numbers were low with only 13 attending, I feel it was still a great turn out with the pandemic. Our 2020 WDALA Fall Seminar was held on Tuesday, September 29, 2020 and Wednesday, September 30, 2020 in the Lecture A and B/Project Rooms at the North Dakota Heritage Center in Bismarck. Our members that attended were able to obtain 9.5 hours of CLE credits. We felt fortunate to be able to offer that to our members during this time.

We only had one minor hiccup with the Seminar. A few days before the Seminar we received notice that Service Dogs for America would not be able to attend given the current status of the pandemic in our area. Our amazing WDALA President, Alice Johnson, was quick to find a replacement and we were honored to have the Bismarck Police Department K-9 unit join us on such short notice. Don't worry though - we will still get to see Service Dogs for America's presentation in the future as they have already agreed to present at our 2021 Fall Seminar. Yay!!!

The 2020 WDALA Annual Meeting was held on September 30, 2020 during the Fall Seminar. All the members that attended the Seminar stayed for the Annual Meeting and we had a few more members join us both in person and virtually. At the annual meeting, members voted on candidates for WDALA offices and the Officer Installation took place. WDALA also voted on two amendments to our By-Laws and they were passed. Make sure to check out the amendments to Article VI and XIII!

Officers/Board of Directors' Reports continued

All of the speakers put on great presentations! They were all simply amazing! We learned a great deal of information. We ended the Seminar by getting to witness the Bismarck Police Department K-9 Unit in action! Presentations included the following:

- “The Legal System and the Deaf or Hard of Hearing Community” presented by Pam Smith and Kathy Frelich of the North Dakota School for the Deaf/Resource Center for Deaf and Hard of Hearing.
- “North Dakota’s Vulnerable Adult Protective Services Program” presented by Amy Ingersoll-Johnson, Vulnerable Adult Protective Services (VAPS) intake worker and as the Aging and Disability Resource LINK (ADRL) with the Department of Human Services.
- “Give Me a Break – Caregiving for All Ages” presented by Mary Weltz, State Program Administrator of the National Family Caregiver Support Program with the North Dakota Human Services.
- “North Dakota Ethics Commission” presented by David L. Thiele, Executive Director of the North Dakota Ethics Commission.
- “Legal Services of North Dakota” presented by Bradley Peterson, Director of Special Projects with the Bismarck Office of Legal Services of North Dakota.
- “Bismarck Police Department K-9 Unit” presented by Lt. Chad Fetzer and Officer Joseph Benke with K9 Mesa.

Even though our attendance numbers were low we still made a profit. We had some wonderful generous sponsors that brought in \$1,800.00 in donations and received \$1,465.00 in registration dues. With expenses only being \$1,045.64 we came out with a profit of \$2,219.36.

We have started planning the 2021 Spring and Fall Seminars so I hope this pandemic is over by then and I will get the privilege of seeing more of our incredible WDALA members in person!!!

I hope everyone continues to stay healthy for the remainder of 2020 and the upcoming holidays!

Officers/Board of Directors' Reports continued

Education Report

Our numbers were a little lower than initially expected due to COVID-19 for the Fall Seminar and Annual Meeting but despite the low numbers we still had a great turnout. We were able to provide 9.5 CLE credits approved by both NALA and the State Bar Association of North Dakota (SBAND).

We are planning on having a telephonic CLE over the lunch hour later this winter to fill in the extra .5 CLE credits that we need as we would still like to provide at least 10 CLE credits to our members. Keep your eye out for an email in the future to take advantage of getting in some more CLE's. If anyone is interested in presenting a telephonic CLE or willing to secure a presenter, please email me at holly@kalillawfirm.com.

We have also started planning for both the 2021 Spring and Fall Seminars and getting things lined up. If anyone has any ideas or topics that they would be interested in learning about, please do not hesitate to reach out to me. When securing speakers, especially attorneys or judges, they always ask what we would like them to present on. Usually I just tell them whatever they are comfortable with educating us on or their area of expertise, but they like to know what we as paralegals are interested in learning about. They like to know what would be helpful for us in our position. So please throw me some ideas.



Hope to see you all at one of the 2021 Seminars (or both)! I hope everyone stays healthy and you all have a wonderful Thanksgiving, Christmas, and New Year with your loved ones! I think this year has taught us all the importance of family and our health.

Here is to a prosperous, healthy, blissful 2021!!!

Officers/Board of Directors' Reports continued

2nd Vice President's Report

By Kathy Johnson, CLA



Thanksgiving and Christmas are fast approaching and I am wondering what the holidays will be like in the uncertainty that 2020 has brought! Right now I am thinking it is going to be a lot of just immediate family gatherings. My side of the family always gets together at Christmas time and with 6 of us kids plus their kids and grandkids; it gets to be quite a large gathering! Last year we had 62 people! But that's not going to happen this year I am afraid. I don't think we could even ZOOM it!! We did manage to get our annual family Christmas picture taken and I am thankful for that.

Our current membership stands at 37 members total: 30 active, 2 associate, 1 sustaining and 4 emeritus. I would again like to welcome the newest member for 2020-2021: Tammy Berger. We did lose 8 members this year so we all should start to do some recruiting for WDALA!

If anyone needs to contact me or has any questions regarding membership, you can email me at kjohnson@ndcourts.gov. Have a very Merry Christmas and Happy and Healthy New Year!!

Treasurer's Report

By Anna Heinen



Welcome to the beginning of winter! I don't know why I always seem to be caught off guard by the first snow fall for the year, but I do. Every. Year.

The treasurer balance for the Western Dakota Association of Legal Assistants as of October 19, 2020, is \$14,732.02.

Officers/Board of Directors' Reports continued

NALA Liaison's Report

By ReBecca Wohl, CP



I have just a few random reminders for you.

First, this year NALA's reporting guidelines have changed. Annual reports are now due January 15, and the mid-year reports are due June 8. Also, if we wish to nominate anyone for an affiliate award, the nomination will be due May 1, 2021. Please keep this in mind if WDALA wishes to nominate any members for these upcoming awards.

Second, WDALA members remain eligible to receive 25% off a NALA active membership fee. The normal membership cost is \$154 per year, which is now being offered to affiliate members at a cost of \$115.50. This discounted membership cost includes access to member benefits such as NALA Commons, Facts and Findings, Utilization and Compensation Report, and an \$80 gift certificate to be used towards NALA continuing education programs and courses.

Third, if you have registered for NALA, you will not be receiving a paper gift certificate like you have in the past. You are indeed still receiving the credit, but not a paper reminder. My understanding is that this is to save money on expenses. To use the credit, simply call the NALA office at 918-587-6828 and they will help walk you through the steps of applying it.

Region I Report

By Holly Radke



Unfortunately, as a result of COVID-19, we still have not been able to meet up as planned. We are continuing our process to recruit more members. We do have a few interested and seem excited to join so I hope we see some new applications submitted soon. We are hoping this Winter things will slow down and the Region I members can get together for a luncheon and some community projects. We will keep pushing forward and continue our mission to recruit more members for our area. I hope everyone is faring well during these times and are staying healthy!!!

Officers/Board of Directors' Reports continued

Region IV Report

By Josie Schaefer



Region IV currently has 2 members in Dickinson. As I reported in the last issue of the Summons, Frankie Magelky is Region IV's newest member. Frankie and I have met on a few occasions to discuss our main goal which is to increase membership. COVID-19 permitting, I hope that we can have a membership drive in Dickinson by the summer of 2021.



WDALA's Officers: President: Alice Johnson, ACP; Treasurer: Anna Heinen; Secretary: Charlene Smith, ACP; First Vice President: Holly A. Radke; NALA Liaison: ReBecka Wohl, CP; and Second Vice President: Kathy Johnson, CLA

WDALA's Fall Seminar

Thank you to our 2020 WDALA Fall Seminar Sponsors:

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Thank you to all our presenters:

North Dakota School for the Deaf/Resource Center for Deaf and Hard of Hearing
Pam Smith and Kathy Frelich

North Dakota Human Services - Vulnerable Adult Protective Services Program
Amy Ingersoll-Johnson

North Dakota Human Services - Aging Services Program
Mary Weltz

North Dakota Ethics Commission
David L. Thiele

Legal Services of North Dakota
Brad Peterson

Bismarck Police Department K-9 Unit



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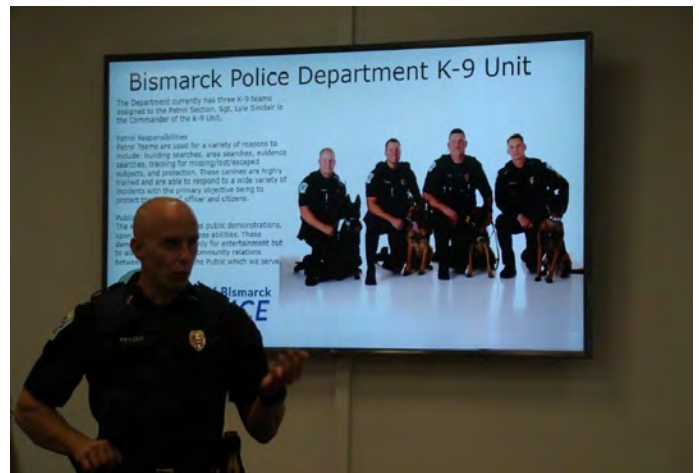
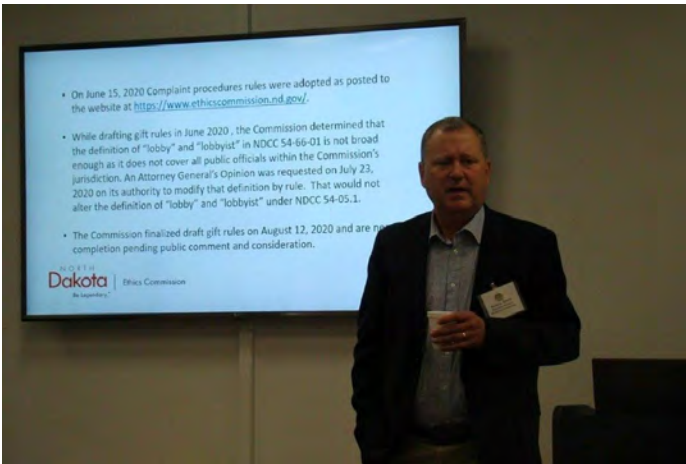
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WDLA's Fall Seminar continued



WDALA's Fall Seminar continued



W D A L A Birthdays



November:

- | | |
|----|-------------------|
| 13 | Bonnie Banks, CP |
| 22 | Michelle Christie |
| 27 | Linda Hagen, CLA |

December:

- | | |
|----|------------------|
| 3 | Mitzi Sundheim |
| 14 | Ashley Miller |
| 16 | Sheila Funk, CLA |
| 17 | Samantha Moore |
| 19 | Becky Hillerud |

January:

- | | |
|----|---------------|
| 12 | Corrina Pfaff |
|----|---------------|