

SNAP SHOT



President's Note

I have the song *It's That Time* from the movie *Christmas Vacation* stuck in my head — no not Christmas time already instead the annual seminar and elections.

Let's tackle seminar first. I'm excited to announce our speakers: Elliott Sattler, Deputy District Attorney, Criminal Division of Washoe County, Maize Pusich, Chief Deputy Public Defender of Washoe County, Gary Hatlestad, Deputy District Attorney, Appellate Division, and Laura Peters, CP, Investigator for Nevada State Bar. I have one more slot to fill and I am hoping that will be a forensic accountant.

The date is set for Friday, April 8, 2011, 8:00 to 4:30 p.m., at State Bar of Nevada, 9456 Double R Blvd., Reno, Nevada. For those paralegals seeking their CLEs this is a great opportunity for you to receive the credit hours you will need. Kate Cline, NALA Liaison, will be submitting to NALA the form for approval of CE credits. The seminar will also be open to attorneys. The cost of the seminar will be same as last year \$89.00 for members and \$105.00 for non-members. Students will be attending at a reduced rate. The rate for students has not been determined by the Executive Committee but will be announced very soon. The vendors will once again be present. They are so popular with everyone that seminar would not be complete without them.

The morning session is something different — criminal. Elliott and Maize were the stars of Washoe County this past spring during the Biela trial. They will be discussing capitol crimes along with regular criminal crimes. Gary Hatlestad will be discussing the appellate procedure after "the slug fest" from Elliott and Maize. Elliott already wrote that not me.

Laura Peters, CP, from Nevada State Bar is an investigator and will be teaching the ethics portion of the seminar. Laura will discuss her investigations and what she has discovered from complaints filed by clients on attorneys. As I mentioned I have one more slot to fill and hopefully, that will be with a forensic accountant.

I hope to see many of you there. The cost of the seminar does include lunch and a chance to catch up with friends and most importantly meet new friends. Business casual attire is the dress code for the day. Please register early as there will only be 70 seats available.

We heard last year that I would love to attend but my employer won't pay for it and I don't have the money. Well, let me tell you about the SNAP scholarship fund. If you are a member in good standing for at least six months and have not requested and received a scholarship in this fiscal year (2010-2011) you are eligible to apply for a scholarship. Scholarship information is available on the SNAPRENO.COM website along with the application. I encourage you to apply.

Elections and you thought it was safe to turn the radio and TV back on. SNAP is not that bad at all no "infomercials" with cheesy jingles, or people saying I approve this message but simply put, get involved in SNAP and have a say.

I have held the offices of Presidency (twice), First Vice President, Student Liaison, and Public Relations Chairperson. I must say that being president has been enjoyable, frustrating, but most of all rewarding. First Vice President allowed me to call people

This Issue:

President's Note.....	1
Executive Committee Minutes.....	2
General Meeting Minutes.....	2
NALA News.....	2
Treasurers Report.....	3
Job Bank.....	4
Editorial.....	5
Article.....	6
Member Profile.....	7
General Meeting Flyer.....	9
Annual Seminar Flyer.....	10

SNAP Calendar 2011

SNAP General Meetings Every Third Tuesday at Noon (see flyer)

ZoZo's Restaurant @ 3446 Lakeside Drive

February 15:

Speaker: Joel Santos

Topic: Worker's Compensation Procedures

March 15:

Speaker: Lars Tollefson, Administrative Law Judge for DMV

Save The Date

April 8: SNAP Annual Seminar

Officers and Chairpersons

President: Anna Buchner

1st VP/Education: Jeannie Dieffenbach

2nd Vice President/Membership/Job Bank:
Amy Hodgson, ACP

Treasurer: Susan Sunday, ACP

Parliamentarian: Susan Davis, CLA, PLS

Student Liaison: April Solomon

Secretary: Linda Palmer

NALA Liaison: Kate Cline, ACP

Newsletter & Web Site Editor: Lynda Traves

up and ask if they would love to present to the most popular paralegal organization in Washoe County. The public relations chairperson was interesting also. Candace Jones may shoot me for this but I was instrumental in getting her to appear on the TV program Lawyer, Guns and Money to talk about the Amicus Brief that was filed on behalf of SNAP in regards to the Claffone case.

Our election chair this year is Susan Davis, CP. She is willingly and very, very able to take your name and place it on the slate for candidacy.

I have had the pleasure and honor to lead SNAP and represent SNAP at community functions, NALA conventions, and make presentations to classrooms. I love being around people because I learn so much. So for me it has not only been a learning experience but more of an honor to serve in my various capacities.

Until next month, work, work, work!!!

See you soon.

Anna Buchner
2009-2011 President

**MINUTES OF THE
EXECUTIVE COMMITTEE
MEETING OF THE
SIERRA NEVADA
ASSOCIATION OF
PARALEGALS
December 1, 2010
January 12, 2011
February 2011**

To be in March 2011 newsletter

**MINUTES OF THE
GENERAL MEETING OF THE
SIERRA NEVADA ASSOCIATION
OF PARALEGALS
January and February**

T To be in March 2011 newsletter

**Report of NALA Liaison
Website Manager
NALA NEWS FLASHES**

Congratulations to Heide Meek
who achieved her Advanced Paralegal Certification in Discovery!!!

The NALA 2011 Convention is being held in Dallas/Plano, Texas, on July 27-30. The convention will have SEVEN Institutes: Corporate, Essential Skills, Estate Planning/Administration, Personal Injury, Real Estate, Social Security Disability, and Technology for Litigation Paralegals. The Annual Convention is definitely a worthwhile educational opportunity as well as learning more about NALA if you are able to fit it into your schedule.



NALA is now on Facebook
(www.facebook.com/NALA.Paralegals)!

The NALA Net conference center has been updated and now allows you to receive email notifications if there is a topic or forum in which you are interested in tracking.

The deadline for the May 2011 CP Exam is April 1.

NALA has a new advance Paralegal Certification course *almost* ready. Criminal Litigation is in its final

production stages and should be ready within the next month.

As always, please also check out the NALA website for information on the above items (www.nala.org) or other news affecting paralegals.

GOOD NEWS FOR CLA/CP EXAM PARTICIPANTS!

TMCC is qualified as a testing site for the CP exam!

THANK YOU, LYNDA TRAVES!!!

As you know from communications received from Lynda, she has volunteered to take over as the Website Manager. I will be Lynda's backup on the website when her plate is

overflowing and she needs help. This has been a great relief to me, as Lynda is much more versed in website maintenance than I was. I am looking forward to her creative genius! [Editor's note: Thank you Kate for all of your help and assistance and I wish to thank my "current" husband for all his help. I hope to have the site up and running shortly.] As a reminder, feel free to contact me at

nalalialiaison@snapreno.com

if you have any questions regarding NALA news (or anything else for that matter).

Please check the NALA website for more information on the above items (www.nala.org). website, please be sure to send me an email at webmaster@snapreno.com

Respectively,
Kate Cline, ACP
NALA Liaison / Website Manager

EDITORIAL

As Editor, I am thrilled when a member sends me an article to include in the newsletter or, like below, asks a question about SNAP. I cannot answer Connie's concern because I have only been a member of SNAP since last fall. I am hoping that other members will send in their comments to begin the dialogue. I can address Connie's concern about emailing for the meetings. My goal is to send a reminder email for the luncheons. If I forgot for January, my apologies. I will send a reminder in February and going forward.

The one (or more) big question I have about the current state of SNAP is why is attendance down at the luncheons? Is the Membership down also? I noticed at the last few lunches that they are not very well attended. I don't know if this is because a specific email is not circulated reminding members that the lunch is coming up or exactly what the problem is. Maybe this should be looked into.

I also have a suggestion for a new location for our lunch meetings. I recently attended a dinner seminar at the Washoe Grill on 4th Street. The room was private, the tables were positioned so that everyone could see and hear the speaker easily, and the food was awesome! I believe the Women's Lawyers group has used this facility to host their luncheons in the past (and maybe still do). The facility we currently occupy is not very conducive for everyone to easily hear or see the speaker, and it would be nice to have more of a selection for lunch. Just my thoughts.

Thanks again for all your hard work.

Connie A. Wharton
Member & Certified Paralegal

There are two locations in the newsletter where "current husband" is written. If you email me indicating where those words are located, your name will go in a drawing for something special at the next General Luncheon Meeting.

EDITOR NOTES

I am currently working on the website to revamp the look. I apologize for any broken links (the member page) and the time delays it is taking me. I hope to have most of the new pages up by Valentines day -- but please be patient if it is not. You may always email me with any questions or concerns about this.

On a different note, in my Justice Management Introduction class, I just finished a paper on leadership. The empirical article I had to write on was quite informative about leadership styles. The article was designed for public administrators in the courts.

http://docs.google.com/viewer?a=v&q=cache:e80oRHOSBXIJ:www.valdosta.edu/~gamerwin/pa/classes/padm7170/Fairholm.pdf+Leadership+perspectives+model&hl=en&gl=us&pid=bl&srcid=ADGEESgLVp6OPkjV8I76g-Os4sNI36HiZmY-4_U7I1qiLTk4PNp87pZpbd7zk7hbcBk7G-3k82Km8iCT2tMr8e806IJ0Ls5DhniJJ0Ab6tntjV5DijyIoiufmvIUrSUeFs2eOuFcSd0J&sig=AHIEtbS4K1tcNhYTWIb3ozxMPLLEjfQsA_A

NEWSLETTER

Lynda Traves
Lynda@brync.com

WEBSITE

Lynda Traves
Kate Cline
Webmaster@snapreno.com

Contributors

Connie Wharton
Melissa Paschal

How Facebook Can Make or Break Your Case

Eric B. Meyer

The Legal Intelligencer

July 27, 2010

Facebook has over [500 million active users](#).

Twitter users are recording an average of 55 million tweets a day.

If an employee files suit against your client, what are the odds the employee uses social media? I'd say they're pretty good. Just imagine missing the Facebook post:

"I'll do whatever it takes to get back at my employer."

The first thing I do after I receive a copy of an employee-filed complaint -- before I read the complaint -- is check the plaintiff-employee out on Facebook and other social networking sites.

I print any information that employee has made publicly available. I save any pictures the employee has published online and I send a list of the employee's friends to my employer-client to cross-check against a list of current and former employees. I do this because, generally, a Facebook user will allow friends greater access to online content.

Why do I want this information? Because many social media users do not filter what they publish online -- they find social media cathartic. So, for every couple of banal "I'm going to the movies with John tonight" online posts, you'll find an "I just had the worst day in the office because ..." post.

Don't believe me? Check out [this](#), [this](#), [this](#), and [this](#) blog post from Delaware labor and employment attorney Molly DiBianca, who writes about how a waitress lost her job for a complaint made on Facebook.

WHAT IF THE PLAINTIFF RESTRICTS FACEBOOK ACCESS?

Recently, in [EEOC v. Simply Storage Management](#), a federal court permitted an employer to obtain discovery of an employee's social networking activity that, through privacy settings, the employee had made "private" and not available to the general public.

That makes sense, right? I have yet to see a tweet or a Facebook status update appear on a privilege log. So, as part of discovery, an employer should consider requesting:

All online profiles, postings, messages (including, without limitation, tweets, replies, retweets, direct messages, status updates, wall comments, groups joined, activity streams, and blog entries), photographs, videos, and online communications that:

1. refer or relate to the allegations set forth in the complaint;
2. refer or relate to any facts or defenses raised in the answer;
3. reveal, refer or relate to any emotion, feeling, or mental state; or
4. reveal, refer, or relate to events that could reasonably be expected to produce a significant emotion, feeling, or mental state.



IF THAT DOESN'T WORK, BRING OUT THE BIG GUNS: SUBPOENAS, SPOILIATION

If the responding employee no longer has access to responsive information, then go right to the source with a subpoena. To guide you, here is a list of [internet service provider](#) mailing addresses for service of subpoenas. (Just be prepared to pay some hefty fees, such as those [Facebook charges for processing a third-party subpoena](#)). And make sure you obtain a written consent (such as this [one](#) from LinkedIn) from the employee. As labor and employment attorney John Hyman explains in a recent [blog](#) post, many social networking sites use the Stored Communications Act, [18 U.S.C. § 2701 et seq.](#), to aggressively protect the privacy of user content.

Suppose, however, the subpoena to the social networking website fails; try the plaintiff's online friends. Each Facebook user has a "[Wall](#)." Facebook users can post content, like photos, videos, and notes, to their own Wall and, usually, to a friend's Wall. Facebook's "[Wall-to-Wall](#)" feature allows you to see the history of Wall posts between two people. You can imagine, then, how this could come in handy during the course of litigation.



Many Facebook users communicate Wall-to-Wall much as they would face-to-face.

If all else fails and you know that the plaintiff-employee is a Facebook user who has published online content relevant to the litigation, then you may have a good spoliation argument. Recently, Judge Shira A. Scheindlin of the Southern District of New York sanctioned 13 plaintiffs who failed to act diligently and search thoroughly at the time they reasonably anticipated litigation. According to Scheindlin, a recognized leader in e-discovery jurisprudence, writing in [Pension Comm. of Univ. of Montreal Pension Plan v. Bank of Am. Secs., LLC](#).

[T]he courts have a right to expect that litigants and counsel will take the necessary steps to ensure that relevant records are preserved when litigation is reasonably anticipated, and that such records are collected, reviewed, and produced to the opposing party.

It's 2010 and the way we communicate has changed dramatically.

Get with the times.

If your client is sued by an individual and you are not harnessing the power of social media as part of your litigation strategy, you're making a BIG mistake.

This article first appeared on [The Legal Intelligencer Blog](#) and reprinted by with written permission from Kyra Auslander with The Discovery Update .
<http://www.depo.com/E-letters/TheDiscoveryUpdate/2010/August/index.html>

Thank you Melissa for sharing this informative article from Atkinson-Baker Court Reporters.

Member Profile

This is the first, in an ongoing feature article, to get to know the members of SNAP.

Heidi Meek

In May 1999, I graduated from TMCC with an Associates in paralegal studies. In 1998, I began working for an attorney who practices personal injury and business. After a few years I went to work for a gaming company as an executive assistant/ paralegal, In 2006, I began working at Washoe Legal Services. I started out as the paralegal for the child advocacy program where 6 attorneys represent children in the foster care program. Last year I was also given the job of Pro Bono Coordinator so I perform dual functions now.

I believe whatever field we are in the more education we have the better. Three years ago I sat for the CLA and just last fall I obtained an Advanced Certification in Discovery. I plan on getting more training each year.

Heidi Meek, Advanced Certified Paralegal
 Child Advocacy Program and
 Pro Bono Coordinator
 Washoe Legal Services

Advanced Certified Paralegal (ACP) (r) is a service mark of the National Association of Legal Assistants (NALA). Its use is permitted only by those who have met and maintain national certification standards.

[Editor's note: I met Heidi when my "current" hubby and I first went to volunteer with Washoe Legal Services. I admire and respect Heidi's knowledge about family and guardianship matters. Heidi is extremely patient with the clients at the Friday Clinics at the Court House. I feel privileged to volunteer with Heidi.]



February Speaker

Joel Santos, Esq.

Attorney Joel Santos entered law school after obtaining his BS in Economics at the University of Nevada. Upon passing the Nevada Bar exam, he was offered employment as a deputy attorney for the State of Nevada. After a few years working as a state attorney, he decided to venture out and open his own office. His current law practice focuses mainly on worker's compensation, personal injury, family law and criminal law. Mr. Santos is not the only attorney in his family. His father, Herb Sr., and brothers, Herb Jr. and Cory, are also attorneys.

Mr. Santos is currently a member in good standing of the State Bar of Nevada, the State Bar of California, the Nevada Justice Association (formerly Nevada Trial Lawyers) and the Washoe County Bar Association.

Through his involvement with the State Bar of Nevada, he volunteered his time to the Young Lawyers Section from 1992 to 2002, being appointed to the Executive Committee from 1999-2002, where he served as the Chairman from 2001-2002. Some of his accomplishments for YLS included reinstating and revitalizing a state wide essay and poster contest for grade school, middle school and high school students. He has also been instrumental in implementing their program, *Goldilocks, The Trial of the Century*. This program is a movie shown to third grade students to introduce them to the legal system. This program had such favorable reviews that the bar received requests to use the program from states across the country.



In addition to his law practice, he is also very active in the boxing world. He is a judge and referee for USA Amateur boxing and his father is a professional boxing judge.

Mr. Santos also enjoys acting. Playing from such roles as a mafia bodyguard, to a police officer, to the Mayor of Reno, he has acted in numerous movies and television shows. A few titles include *Kingpin*, *Smokin' Aces*, *The Last Don*, *Jane Austin's Mafia*, *Waking Up In Reno*, *Magnolia*, *Unbeatable Harold*, and *Fatherhood*.

SNAP General Meeting Luncheon Tuesday, February 15 at Noon

SPEAKER: Joel Santos

TOPIC: Worker's Compensation Procedures

PLACE: ZoZo's Restaurant
3446 Lakeside Drive
775.829.9449

COST: \$18.00 – Members & Guests \$15.00 – Student Members

Name: _____

Office: _____

Phone/Email: _____

Member

Student

Guest

Menu - Italian Buffet

Chicken Parmesan over Rigatoni with Marinara Sauce
Mushroom ravioli
Caesar Salad

Please mail your reservation form and payment to:

SNAP, P.O. Box 2832, Reno, NV 89505-2832

**ALL RESERVATIONS WITH PAYMENT MUST BE RECEIVED
BY FRIDAY, February 11, 2010**

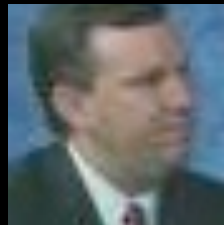
Email reservations accepted at: l.palmer1@live.com

dreamstime.com

April 8, 2011
Nevada State Bar Association
9456 Double R Blvd. Suite B,
Reno



Gary Hatlestad, Esq.
Washoe County Deputy
strict Attorney



Elliott Sattler, Esq.
Washoe County iDeputy
strict Attorney



Maizie Pusich, Esq.
Washoe County Chief
Deputy strict Attorney



Laura Peters
Paralegal with the Nevada
State Bar

2011 Sierra Nevada Association of Paralegals Annual Seminar

Topics

- Capitol & Criminal Crimes
- Appellate Procedure after the "slug fest"
- Investigations of Complaints on Attorneys (ethics portion)
- Forensic Accounting

Guest Speakers

- Elliott Sattler, Deputy District Attorney, Criminal Division of Washoe County
- Maize Pusich, Chief Deputy Public Defender of Washoe County
- Gary Hatlestad, Deputy District Attorney, Appellate Division
- Laura Peters, CP, Investigator for Nevada State Bar.

Schedule of Events

8:00 a.m. to 8:30 a.m.	Check in; vendor fair; continental breakfast
8:30 a.m. to 11:00 a.m.	Capitol & Criminal Crimes
11:00 a.m. to 11:30 a.m.	Break and vendor fair
11:30 a.m. to 12:30 p.m.	Appellate Procedure
12:30 p.m. to 1:30 p.m.	Lunch (included with registration)
1:30 p.m. to 2:30 p.m.	Investigations of Complaints
2:30 p.m. to 2:45 p.m.	Break (coffee and cookies)
2:45 p.m. to 3:45 p.m.	Forensic Accounting
3:45 p.m. to 4:30 p.m.	Drawing and door prizes

Registration

Name: _____ Telephone Number: _____

Firm Name: _____

\$89.00 Members

\$TBA Student Members

\$105.00 Guests/Non-members

\$25.00 Vendors (lunch)

Email Your Reservation To: l.palmer1@live.com by MONDAY, April 4, 2011

Please bring your check to the seminar or mail to:
SNAP, P.O. Box 2832, Reno, Nevada 89505-2832