

such as the National Association of Legal Assistants and the National Federation of Paralegal Associations, which measure skill and knowledge through an exam (these paralegals are *certified*). The American Bar Association accredits educational programs at various two- and four-year colleges, where enrolled students complete required legal coursework (these paralegals are *certificated*). However, these entities and programs are completely voluntary, as New Jersey does not mandate any specific educational requirement to be a paralegal, nor does our state license paralegals or maintain a registry. It is therefore entirely up to you, as a hiring attorney, what combination of education and/or experience you require of a paralegal.

Once you've found your perfect paralegal, you are ready to reap the following benefits of your new addition to your dynamic legal team:

- **A Paralegal Can Keep Your Overhead Low.** Paralegals can perform many of the responsibilities that an attorney can do, at a lower cost to you. For example, a paralegal skilled in legal research and writing can surf through research tools and get a jump on writing your brief, for considerably less than what you would pay an associate. In addition, paralegals are not required to maintain a legal malpractice insurance, resulting in additional savings and increasing firm revenue.
- **Lower Legal Fees Means Happier Clients.** Should you choose to bill your paralegal's time, it would generally be at a significantly lower rate than that of a partner or associate. A client would appreciate the significant savings over an attorney's rate to compile the information needed to complete a case information statement in their dissolution action, or prepare the initial draft answers to interrogatories in their civil case, resulting in a happy client, which increases the chances of them being a repeat client, or referring their friends.
- **Paralegals Can Help You Multitask.** While your paralegal is working on research and starting a brief, or drafting pleadings or discovery demands, your and your associates' time is free to do things a paralegal cannot, such as attend depositions or appear in court. Stuck at a trial call all day? No problem. Your paralegal is back at the office working on projects, keeping you from falling behind on your other cases—as well as your hourly billing.
- **Avoid That Ethics Complaint!** According to the American Bar Association, one of the common reasons that clients file ethics complaints is because of an attorney's failure to adequately communicate. Fortunately, in addition to being knowledgeable, your paralegal is also always accessible. When you are out of the office, your paralegal is there to respond to clients who call for updates on the progress of their case. Litigation can be frightening to anxious clients, and they will appreciate having someone readily available to take their calls, answer

what are often basic questions, and alleviate their concerns. A client who feels satisfied receiving sufficient information in a timely manner is far less likely to make you the subject of an ethics complaint.

- **A Paralegal Will Not Steal a Client.** An attorney in your office can potentially poach a client. While you're busy on trial, your clients are calling, looking for information about their file. In your absence, these calls may get passed on to your colleagues who are now in a position to cultivate a relationship with your impatient client, and if they leave, there is a good chance the client will go with them. Because paralegals cannot practice law, you need not worry that they might defect from the firm with your client.

Paralegals can assume many of the responsibilities of an associate, keep you out of hot water with clients, and boost your firm's bottom line. Paralegals can help ensure that clients become repeat clients and manage your practice so that you can focus on more substantive matters. So remember, when you are setting up your practice and considering who you need in your corner, don't forget to include a paralegal on your squad of legal superheroes.

## WORKING WELL

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### The Equanimous Attorney

By Lori Ann Buza

*NJSBA Lawyer Well-Being Committee Chair  
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Are you an equanimous attorney? The word *equanimity* comes from the Latin word *aequanimitas* meaning "even minded." It conveys mental calmness, composure, and evenness of temper, especially in difficult situations. Equanimity is the same type of calm yet strong centering mindset that martial artists access as their source of focus and power, and yogis, for balance and stability. Like these masters, equanimous litigators, negotiators and judges alike possess great powers of persuasion, command, grace, and poise. *We all know it when we see it...*the masterful lawyer.

It is the steady rhythm of the pulse of our body we may use as a guide for the way we should live life. As so much of our life is at work or doing work, that metaphor applies there as well. Lawyers are often faced with extraordinary stresses at work, and hence their need for equanimity is even greater. When the body is under heightened stress naturally the heart rate increases, but the measure of one's health is how quickly it returns to a resting heart rate. Similarly, when lawyers are faced with challenges and significant stress, they need to employ the skills necessary to quickly return to calm and clarity of thought.

Responses to outside stimuli, whether positive or negative,

need to be “even pulsed.” What’s the alternative? Extreme reactions to difficult situations, rigidity of thought, or a lack of reflection and composure. Because of our complex and stressful professions, attorneys may naturally tend toward heightened responses and drama. Though there can be a time and place for this, there’s no denying it depletes energy and challenges one’s ability to “working well” and most productively.

Equanimity can be deliberately cultivated over time. It is a state of being that should be practiced both at work and home. How to? Start with focused breathing training on a regular basis. Meditate and be mindful—consistently. Exercise in some form every day. Take breaks at work. Get proper rest and nutrition. And finally, practice STOP! When you feel an extreme response to stress coming on:

- S= stop what you are doing,**
- T= take a breath/time to calm,**
- O= observe what’s happening, and only then,**
- P= proceed with purpose.**

It is a lawyer’s choice to train themselves to equanimity practice. Learning to calibrate one’s responses, come to the center of one’s being, and use focus and even-tempereness brings about effective and efficient lawyering. Attorneys who have mastered this “steady pulse” in their practice of law preserve substantial energy and attention for other aspects of joy in their lives and hence overall well-being.

## WRITER’S CORNER

### Rhythm (or ‘Cadence’) in Writing Keeps Your Argument Engaging

By Judge Nelson Johnson (Ret.)

What does rhythm mean in writing? Rhythm, or cadence, is the pattern of stresses within a line of prose; it is the flow of



words within a literary work. The placement of words in relation to one another determines whether the rollout of your words is pleasing. This movement of language is primarily created through diction (i.e., your choice of words and syntax, and how you choose to arrange those words).

How does rhythm work? One way to define rhythm is “The measured flow of words and phrases in verse or prose as determined by the relation of long and short or stressed and unstressed syllables.” In writing, rhythm is defined by punctuation and the stress patterns of various words in a sentence, namely those words you wish to emphasize; long sentences may sound smoother and more elegant, while short sentences can make your content snappier. You must deploy both. When you permit each sentence, or paragraph, to follow the same structure and rhythm, your writing will quickly become boring. In short, you must mix things up to keep the reader’s eye moving across the page. Avoid two long sentences or paragraphs followed by another. Never permit three in a row. What is a “long” sentence? In this paragraph, the third sentence deploys 41 words to define rhythm. Ordinarily, that’s approaching the outer limits. What’s a short sentence? The sentence that follows the longest sentence in this paragraph is five words.

Here are three suggestions for enhancing your rhythm.

- 1. Alternate the length of your sentences.** Vary the word count for your sentences, sometimes by counting the number of words, but always naturally. On occasion, that may require adding words to the fragments of a long sentence that must be broken up. Don’t be afraid to use a well-contrived run-on sentence, followed by an artful short sentence of fewer than 10 words, much like snapping your fingers.
- 2. Reposition words and phrases.** “English is a flexible language. Exploit that fact. Though parts of speech have set interrelationships, the relative positions of words representing the categories are negotiable. Shift words and phrases around until the parts of a sentence seem to fall into their preordained places.”
- 3. Use sentence fragments.** Concerns over incomplete sentences died a long time ago. Most people frequently speak in incomplete sentences and fragments. You can too. Employed judiciously, sentence fragments can highlight issues and excite the rhythm of your writing.

Ditto, as to contractions. *Don’t, doesn’t, isn’t, won’t, can’t*, etc. are all acceptable when used sparingly, and placed prudently. All that said, your writing must consistently convey carefully constructed thoughts.

*Judge Nelson Johnson (Ret.), the former state Superior Court judge who penned the book that inspired the HBO series Boardwalk Empire, has a new book published by the NJSBA to help attorneys*