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NFPA News



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CALENDAR

SUMMER BOARD MEETING, JULY 21, 2012 VIA CONFERENCE CALL. DETAILS TO FOLLOW.



**2012 ANNUAL CONVENTION
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Facebook or Jail – When is an Apology, more than an Apology?



Where does free speech end and violation of a protective order begin? For now, we still don't know. Mark Byron, who was threatened with jail time for posting comments about his estranged wife on his personal Facebook page unless he posted daily apologies for a month, says the court's ruling in February of this year violated his freedom of speech.

Domestic Relations Magistrate Paul Meyers found Mr. Byron in contempt of a protective order because of his Facebook comments. The protective order prohibited Mr. Byron from causing his wife physical or mental abuse, harassment or annoyance. Ms. Byron asked in December that Mr. Byron be found in contempt after learning Mr. Byron posted comments on his Facebook page in November, saying in part, "If you are an evil, vindictive woman who wants to ruin your husband's life and take your son's father away from him completely — all you need to do is say you're scared of your husband or domestic partner and they'll take him away." The Byrons are involved in ongoing divorce and child custody proceedings.

Magistrate Meyers said that Mr. Byron could avoid a 60-day jail sentence and a \$500 fine by paying Ms. Byron's attorney fees and posting an apology to her and all of his Facebook friends every day for 30 days, no later than 9 a.m. Mr. Byron was complying with the forced Facebook apology, until suddenly he wasn't. On day 26 he abruptly stopped posting the lengthy apology written by the court magistrate, saying it violated his right to free speech.

Mr. Byron told the Associated Press he was willing to go to jail to protect his rights, but it turns out that it won't be necessary. Judge Jon Seive of Hamilton County Domestic Court said Monday that the man had posted the Facebook apology long enough, the AP reported. Byron is relieved, the report said, but the outcome of his case sheds no light on whether it is legal for a court to force someone to post a statement on Facebook.

Jill Meyer, a Cincinnati free speech and media issues attorney noted that the comments were not directed to Mr. Byron's wife, who was blocked from accessing Mr. Byron's Facebook page. The idea "that anybody could tell you what to say to your friends on Facebook should be scary to people," said Ms. Meyer.

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New NFPA Website Is Here

By: Lori A. Wagner, R.P., Northeast Indiana Paralegal Association

As seen in the strategic plan survey responses, members want to see changes in the NFPA website. Rest assured your concerns have been heard. NFPA has launched their newly- redesigned website just for you. This new website will be more user-friendly, have better visibility and will be in layman's terms that all will be able to understand. You have heard of the old saying "out with the old and in with the new". That is just what NFPA is doing with all of the information. Gone is the old, out-dated information only to be replaced with fresh and exciting new information and links. NFPA is taking the approach of streamlining their way of maintaining the website. No longer will CLE calendars and mailing lists have to be entered manually. They are implementing a new automated system to ensure that all of the information on the website is current and up-to-date. Mailing addresses, the leadership directory, and much more can now be changed instantly by the members instead of waiting for your association to report it to the management company. NFPA is very proud and excited to bring you this new website. Please make sure to visit the new site: www.paralegals.org.

Board Conference Call

The NFPA Board will have a conference call on Wednesday, June 6, 2012. As part of this call, a new Vice President and Director of Membership will be appointed. The call will be held at 9:00 pm ET/ 8:00 pm CT/ 7:00 pm MT/ 6:00 pm PT. As with any Board meeting, members are invited to join the conference call. For the call in number and pass code, please contact your Primary or Secondary representative

Have an ethical issue? Ask the Ethics Board

Just a reminder, the Ethics Board addresses various issues and concerns affecting the paralegal profession. We would encourage any paralegal that has an ethical concern to submit it to the Ethics Board at ethics@list.paralegals.org for review.

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