

Paralegal

Not to be confused with **Law clerk**.

A **paralegal**, generally speaking, is a professional who has the required education and experience to perform substantive legal work for which a law firm or supervising attorney is ultimately responsible.* [1]

1 Overview

The definition of a paralegal is a person trained in legal matters who performs tasks requiring some knowledge of the law and legal procedures. A paralegal, like a lawyer, can be employed by a law office or work freelance at a company or law office. Paralegals are not allowed to offer legal services directly to the public on their own and must perform their legal work under an attorney or law firm (except in Ontario Canada). A paralegal is protected under the conduit theory, which means they are working as an enhancement of an attorney and what he or she does is due to instruction by the attorney and the attorney is ultimately responsible. Usually, paralegals have taken a prescribed series of courses in law and legal processes. Paralegals often analyze and summarize depositions, prepare and answer interrogatories, draft procedural motions and other routine briefs, perform legal research and analysis, draft research memos, and perform case and project management. Additionally, paralegals often handle drafting much of the paper work in probate cases, divorce actions, bankruptcies, and investigations. Consumers of legal services are typically billed for the time paralegals spend on their cases.

The definition of paralegal varies by country. In the **United States**, they are not authorized by the government or other agency to offer legal services in the same way as lawyers, nor are they officers of the court, nor are they usually subject to government-sanctioned or court-sanctioned rules of conduct. In contrast, in **Ontario, Canada**, paralegals are licensed and regulated the same way that lawyers are. In Ontario, licensed paralegals provide permitted legal services to the public and appear before certain lower level courts and administrative tribunals.

In Ontario, paralegals are licensed by the Law Society of Upper Canada.* [2] Ontario is the only jurisdiction in the western hemisphere where paralegals are licensed and the profession is regulated as officers of the court. Licensed paralegals operate within a defined scope of practice, rep-

resenting clients in matters such as provincial offenses (traffic tickets, etc.), immigration, landlord & tenant disputes, labor law, small claims court (under \$25,000), and specific criminal matters. They are currently not permitted to represent clients in family court or wills and estates. By virtue of their office, licensed paralegals are commissioners for taking affidavits (swearing oaths).

In the United States, paralegals originated as assistants to lawyers at a time when only lawyers offered legal services. In those jurisdictions where the local legal profession/judiciary is involved in paralegal recognition/accreditation, the profession of paralegal still basically refers to those people working under the direct supervision of a lawyer. The profession of paralegal varies greatly between the states, because some states do require paralegals to be licensed. In other jurisdictions however, such as the **United Kingdom**, the lack of local legal profession/judiciary oversight means that the definition of paralegal encompasses non-lawyers doing legal work, regardless of whom they do it for. Although most jurisdictions recognize paralegals to a greater or lesser extent, there is no international consistency as to definition, job role, status, terms and conditions of employment, training, regulation or anything else and so each jurisdiction must be looked at individually.

2 Official definitions

Various legal organizations offer official definitions of a paralegal: these definitions typically have slight differences. Definitions offered by major organizations include:

- From the **American Bar Association**: “A legal assistant or paralegal is a person qualified by education, training or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency or other entity who performs specifically delegated substantive legal work for which a lawyer is responsible.” Under this definition, the legal responsibility for a paralegal’s work rests directly and solely upon the lawyer.* [1]
- From the **National Federation of Paralegal Associations (NFPA) [USA]**: “A paralegal is a person, qualified through education, training or work experience to perform substantive legal work that requires knowledge of legal concepts and is customarily, but

not exclusively, performed by a lawyer. This person may be retained or employed by a lawyer, law office, governmental agency or other entity or may be authorized by administrative, statutory or court authority to perform this work. Substantive shall mean work requiring recognition, evaluation, organization, analysis, and communication of relevant facts and legal concepts.” * [3]

- From the National Association of Legal Assistants (NALA) [USA]: “Legal assistants, also known as paralegals, are a distinguishable group of persons who assist attorneys in the delivery of legal services. Through formal education, training and experience, legal assistants have knowledge and expertise regarding the legal system and substantive and procedural law which qualify them to do work of a legal nature under the supervision of an attorney.” In 2001, NALA adopted the ABA’s definition of a paralegal or legal assistant as an addition to its definition. * [4]
- From NALS...the association for legal professionals [USA]: “A legal assistant/paralegal is a person, qualified by education, training or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency or other entity and who performs specifically delegated substantive legal work for which a lawyer is responsible.” * [5]
- From the American Association for Paralegal Education (AAfPE): “Paralegals perform substantive and procedural legal work as authorized by law, which work, in the absence of the paralegal, would be performed by an attorney. Paralegals have knowledge of the law gained through education, or education and work experience, which qualifies them to perform legal work. Paralegals adhere to recognized ethical standards and rules of professional responsibility.” * [6]
- From the United Kingdom’s Institute of Paralegals: “A paralegal is a non-lawyer who does legal work that previously would have been done by a lawyer, or if done by a lawyer, would be charged for.”
- From the Paralegal Society of Ontario: “A paralegal is an individual qualified through education or experience licensed to provide legal services to the general public in areas authorized by the Law Society of Upper Canada * [7]
- From the United Kingdom’s National Association of Licensed Paralegals: ‘A person who is educated and trained to perform legal tasks but who is not a qualified solicitor or barrister’.
- From the International Paralegal Management Association (IPMA) “A legal assistant or paralegal is

a person qualified by education, training or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency or other entity who performs specifically delegated substantive legal work for which a lawyer is responsible.” Under this definition, the legal responsibility for a paralegal’s work rests directly and solely upon the lawyer.” * [8]

- From NALS...the association for legal professionals [USA]: “A legal assistant/paralegal is a person, qualified by education, training or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency or other entity and who performs specifically delegated substantive legal work for which a lawyer is responsible.” * [5]

3 Difference between paralegals and lawyers in the United States

The greatest differences between lawyers and paralegals are that lawyers give legal advice, can set fees, appear as counsel of record in court, and sign pleadings (and other court documents) in a representative capacity. A paralegal who attempts to do any of these acts will be in violation of the **unauthorized practice of law** statutes in most U.S. states. Paralegals are responsible for handling tasks such as legal writing, research, and other forms of documentation for the lawyers for whom they work.

4 Difference between paralegals and legal secretaries

A legal secretary is generally a secretary who has a basic understanding of legal terminology and the specific formatting required by a particular court or government agency. Legal secretaries are also typically responsible for keeping case files organized and indexed, often taking on the duties of a file clerk. Although legal secretaries may be trained to prepare some basic legal papers and letters, they generally have little or no knowledge of particular legal doctrines, statutes or regulations, and typically have no training or experience in conducting legal research or drafting legal documents, pleadings, motions, briefs or other court papers. On the other hand, a typical paralegal in the United States can perform all of these tasks under an attorney or law office. Paralegals bill for their time while legal secretaries do not.

5 Education, Training, & Certification

Most paralegals have completed a formal paralegal education program. However, some paralegals have only on-the-job paralegal training. Formal paralegal education programs may result in an associate's degree, bachelor's degree, master's degree, or paralegal certificate.*[9] Many paralegals have completed all of their training before entering the profession, while others have completed their education while working their way up from the mail-room in a law firm. Many paralegals take Continuing Legal Education (CLE) courses to fulfill the requirements of their firm, state, or association.

5.1 United States

In the United States, there is no such thing as a paralegal *licensed* by a government body; rather, paralegals can be “registered,” “certified,” or *certificated*.

There are two major national organizations that offer professional certification to paralegals who meet voluntary regulation standards: the **National Association of Legal Assistants (NALA)** established in 1976*[10] and the **National Federation of Paralegal Associations (NFPA)** established in 1996.*[11]

Both NALA and the NFPA offer professional certification exams that should not be confused with a paralegal certificate offered by an officially accredited college or university.

NALA offers its Certified Legal Assistant or Certified Paralegal examination, a comprehensive two-day examination that covers the following subjects: Communications, Ethics, Legal Research, Judgment and Analytical Ability, American Legal System and four sub-sections selected by the applicants from a list of nine substantive areas of the law. These sub-section tests cover general knowledge of the following practice areas: Administrative Law, Bankruptcy, Business Organizations, Civil Litigation, Contracts, Criminal Law and Procedure, Estate, Planning and Probate, Family Law and Real Estate. After successful completion of the examination, NALA awards the paralegal the “CLA” (Certified Legal Assistant) or “CP” (Certified Paralegal) designation. Both the “CLA” and “CP” designations are proprietary trademarks owned by NALA. Paralegals who have attained further education and received a paralegal certificate are referred to as “Certificated” unless they have passed the examination and have been awarded the “Certified” designation. Additionally, those paralegals who receive the “Certified Paralegal” designation then have the opportunity to earn the “Advanced Certified Paralegal” designation. There is a 45 to 50 percent pass rate for persons taking the NALA exams.*[12]

The NFPA offers its non-accredited Paralegal Advanced

Competency Exam, which is a four-hour exam on a variety of legal topics; those who pass that exam can call themselves PACE-Registered Paralegals and display the “RP” designation.*[13] NFPA’s core purpose is to advance the paralegal profession and is committed to the profession’s Code of Ethics.

Some states have considered the licensure of paralegals. Whether paralegals should be licensed or certified is one of the most important issues for paralegals today.

5.1.1 California

In California, under Business and Professions Code § 6450, a paralegal must have at least one of the following:

- 1) An ABA approved paralegal certificate.
- 2) A paralegal certificate comprising at least 24 semester units in law that has been accredited by a national regional accrediting organization or approved by the Bureau for Private Postsecondary and Vocational Education.
- 3) A bachelor's degree or advanced degree in any subject and at least one year of experience performing legal tasks under the supervision of an attorney that has at least three years' legal experience in California himself. The attorney must sign a written declaration stating the paralegal is qualified to perform legal tasks.
- 4) Before December 31, 2003, have completed a high school diploma or general equivalency diploma and a minimum of three years of law-related experience under the supervision of an attorney that has at least three years' legal experience in California himself. The attorney must sign a written declaration stating the paralegal is qualified to perform legal tasks.*[14]

Up until Bus & Prof. Code § 6450 was signed into law by Governor Gray Davis in 2000, there was little regulation of paralegals in California. One of the purposes of regulation under Bus & Prof. Code § 6450 was to shut down the paralegals who were providing self-help legal services to consumers. There had been relatively few consumer complaints against paralegals; instead most of the complaints were from lawyers who urged the California State Bar to police the unauthorized practice of law (UPL).

In response, the State Bar appointed a Public Protection Committee to look at the L.A. bar's claim. Then, “in 1988, the Public Protection Committee unanimously recommended that the California legislature completely abolish the state's UPL laws. It further concluded that independent paralegals should be allowed to provide all types of legal services as long as they are registered with a state agency and disclose their non-lawyer status to all customers.” After many local bar associations reacted in dismay, “The California Bar then appointed a third group (The Commission on Legal Technicians) to restudy the issue. This commission largely agreed with the conclusions of its predecessors and recommended that non-lawyers be authorized by the California Supreme Court to deliver le-

gal services in several major areas (bankruptcy, family, immigration, and landlord-tenant), under the terms of a licensing scheme that would be supervised by an independent state agency.” * [15]

This development culminated in some paralegals being forced to give up the title paralegal for Legal Document Assistant (LDA) in order to administer legal services directly to the public in the allowed areas under California Bus & Prof. Code § 6400. Paralegals who are members of professional associations are also bound by those associations' codes of ethics many of which include sections prescribing that members not offer legal services directly to the public without the supervision of an attorney or law firm. * [16]

6 Penalties for unauthorized practice

Paralegals are restrained from exercising independence and prohibited from providing even basic legal advice to consumers of legal advice. In her book, *Access to Justice*, Stanford law professor Deborah Rhode states: “Over four-fifths of surveyed attorneys have supported prosecution of lay practitioners, and the profession has repeatedly blocked licensing proposals that would enable independent paralegals to offer routine services. Many local, state and national bar associations have recently launched initiatives to broaden the definition, raise the penalties, and increase the enforcement of unauthorized practice prohibitions.” * [17]

In some areas, legal document assistants actually advertise themselves as paralegals. Many states, including Florida, have enacted laws or bar rules which require any person referring to himself or herself as a paralegal to work under the supervision of a licensed attorney. * [18] This rule would prohibit those individuals working as “independent paralegals” from using the title “paralegal” .

7 Salary

In the United States, as of May 2012, the median annual salary for a paralegal was US\$46,990. Paralegals working for the U.S. federal government average around \$65,000 per year while state and local government paralegals earn around \$45,000 to \$50,000. * [19]

8 Economics

1. REDIRECT

The paralegal phenomenon is a legal-economics argument in all jurisdictions - they exist precisely because they

are not lawyers and thus can do the work much more cheaply. * [20] Other than expertise, the main constraint on what work a paralegal can or cannot do tends to be local rules that reserve (i.e. give a monopoly to) particular activities to lawyers. Each jurisdiction tends to have its own “reserved activities list” .

According to United States law, there are five specific acts which only a licensed attorney can perform:

1. Establish the attorney-client relationship
2. Give legal advice
3. Sign legal papers and pleadings on behalf of a party
4. Appear in court on behalf of another (i.e. the client) * [21]
5. Set and collect fees for legal services

Beyond the five acts above, the paralegal can perform practically any other task, including legal research, legal writing, factual investigation, preparation of exhibits, and the day-to-day tasks of case management. The key is that attorneys are entirely responsible for the actions of their paralegals, and, by signing and filing court documents drafted by paralegals (or law clerks), attorneys make those documents their own.

8.1 Trends in usage of paralegals

In the United States, the need for accredited qualifications and bar licensure limits the number of licensed attorneys. At the same time, there are many legal tasks for which a bar license is unnecessary but some amount of legal training is helpful. In order to lower costs, businesses may choose to employ paralegals to undertake such tasks instead of a more expensive lawyer. Paralegal time is typically billed at only a fraction of what a lawyer charges, and thus to the paralegal has fallen those substantive and procedural tasks which are too complex for legal secretaries (whose time is not billed) but for which lawyers can no longer bill. This in turn makes lawyers more efficient by allowing them to concentrate solely on the substantive legal issues of the case, while paralegals have become the “case managers.”

The growing demand of paralegal professionals at a very rapid rate has resulted in schools and colleges catering to such education popping up everywhere. It has been found through a survey that currently 50,000 students are enrolled in paralegal education courses. The American Association for Paralegal Education (AAPE) itself has more than 450 members; 260 of them are ABA-approved. Seminars and events are being held by various institutes to help broaden the knowledge base of the paralegal service providers and the importance associated with it. Although the nation is experiencing a recession, the paralegal profession continues to grow. Law firms and

legal departments are cutting costs and increasing access to legal services by hiring paralegals.

The United Kingdom has gone one step further. Much legal work by lawyers for the poorer elements of society is legally aided, or paid for by the state. As overall costs have risen due to more people than ever engaging with the law, the government has reduced such legal aid. As a result the work has become uneconomic for many and they have ceased doing it. Paralegal advisory firms are stepping in to fill the gap.

The increased use of paralegals has slowed the rising cost of legal services and serves in some small measure (in combination with contingency fees and insurance) to keep the cost of legal services within the reach of the regular population. However, one commentator has warned that “our profession makes a serious error if it uses legal assistants only as economic tools.” * [22]

9 Paralegal Nurse Consultants

Some attorneys who practice in fields involving medical care have only a limited knowledge of healthcare and medical concepts and terminology. Therefore, in addition to Legal Nurse Consultants, a certain number of registered nurses have become fully trained as paralegals in the manner described above and assist behind the scenes on these cases, in addition to serving as expert witnesses from time to time. There is an extremely high demand for nurses to begin with, so the demand for nurses with paralegal skills is expected to remain very high in the near future.

10 Paralegal Day

Several state governments have designated a “Paralegal Day”, which is not the same day everywhere. * [23] in particular New York's governor David Paterson, * [24] * [25] * [26] Michigan's governor Jennifer M. Granholm, * [23] * [27] South Carolina, * [23] Idaho's governor James E. Risch * [28] and the Texas Assembly * [29] have designated Paralegal Day in their respective states. California, Connecticut, Ohio, * [30] and Utah also have a Paralegal Day. * [23] * [31] * [32] * [33]

10.1 Paralegal Service or Document Preparers

There are a variety of services available to the general public depending on our State of residence. These companies have been known as Paralegal Services until they were required to change their names. These companies are now typically known to the general public as Court Document Preparers or Court Forms Providers. The

State of Florida has numerous companies that prepare court documents for a variety of issues, such as Divorce, Bankruptcy, Paternity, Custody, Modification of Child Support, Name Change, Wills, Power of Attorney, Quit Claim Deeds, etc. If you do not have the ability to remedy your situation because of the high cost fees of any attorney a Court Document Preparer can save thousands of dollars. Such document preparers, however, frequently come under the scrutiny of various state bar organizations by overstepping the basic document preparation and engaging in what could be considered “unauthorized practice of law.” Such document preparation is indeed cost-saving for those who truly want to represent themselves in a legal matter, but want to pay someone to create the required documents. If problems arise in the legal case, however, the person who hired the paralegal service needs to understand that there is typically no legal liability on the part of the paralegal service and that such institutions cannot be sued for legal malpractice. Again, the philosophy is that the person utilizing such service is representing himself or herself in all legal matters and merely hiring a document preparer.

11 Paralegals outside of the United States

11.1 Australia

Australia has a distinct regime for the utilization of paralegals. * [34] According to one paralegal studies scholar:

The legal profession's monopoly in Australia is, however, confined to the right of appearance in a court of law and to the preparation of certain documents for reward, which leaves a vast field of legal tasks open to performance by other workers, including paralegals.

—Jill Irene Cowley * [34]

Furthermore, Australian paralegals have “little formal recognition of, or status accorded” them, yet they “require specialist education.” * [34]

11.2 Canada

In Canada, paralegals are legal agents who have the ability to represent on many matters, including all provincial offences, work for provincial tribunals and boards, as well as summary criminal cases. They are not “law clerks” in the province of Ontario, and are considered to be a formal part of the legal system. Paralegals may become commissioners, notaries public and act as a justice of the peace. * [35]

Main article: Ontario Paralegal

Ontario recently became the first jurisdiction in North America to provide for the licensing of independent paralegals. This task will be the responsibility of the **Law Society of Upper Canada** (founded in 1797), which already regulates Ontario's 40,000 or so lawyers. Aspiring paralegals must complete an accredited educational program and complete a licensing exam. The Society will also be responsible for disciplining paralegals who do not conform to rules of professional conduct, known as the Paralegal Rules of Conduct.

Alberta has no legislation in place currently that regulates paralegals. The majority of legal assistants and paralegals work under the supervision of a lawyer.

In Ontario, a paralegal can apply to the Ministry of the Attorney General to be appointed as a commissioner for taking affidavits (also known in some jurisdictions as a commissioner of/for oaths; the equivalent of a notary public in the United States). If a paralegal holds a valid license, they are assumed to be a member in good standing with the Law Society of Upper Canada. All applicants (regardless of background or standing) are subject to a criminal background check, and depending upon its outcome, a time-limited commission will be granted. This link is not necessarily the norm in other jurisdictions. In the United Kingdom for example, notaries are a distinct group, and tend to be solicitors. In the United States, a notary public does not require any legal training, and may be commissioned regardless of their profession or occupation.

In Ontario, a paralegal is an **officer of the court**, because they have been designated as such by the legislation, and a paralegal is considered a part of the **legal system**). Paralegals in Ontario are licensed and regulated by the Law Society of Upper Canada, which also regulates and provides licenses for all lawyers in Ontario. The Law Society began issuing the first paralegal licenses to grandparent applicants who fulfilled all the necessary licensing requirements (including insurance) in April 2008.*[36] Paralegals who provide legal services to the public must carry **professional liability insurance** in accordance with By-Law 6, Part II, section 12 (1). Licensees must provide written proof of their compliance with this requirement to carry mandatory insurance before they begin providing legal services, as well as on an annual basis.*[36] Paralegal services may be provided via a sole proprietorship, partnership or professional corporation. Licensees are strongly encouraged to seek professional advice on the best business structure for their particular situations.*[36] A paralegal license allows a paralegal to independently represent clients in provincial offences court, summary conviction criminal court, small claims court and administrative tribunals such as the Financial Services Commission of Ontario or the **Workplace Safety and Insurance Board**. The role that a paralegal has in the United States

is similar to the role of a law clerk or legal assistant in Ontario. Many paralegals in Ontario work in the areas of permitted practice for paralegals and also work alongside lawyers in areas of practice that are only permitted to be practiced by lawyers. It is illegal for paralegals in Ontario to independently practice in an area of law that is permitted only for lawyers. An example of this is family law, or an indictable offence in criminal law.

All lawyers and paralegals who practice law and provide legal services in Ontario, are required to complete the CPD program. Continuing professional development (CPD) is the maintenance and enhancement of a lawyer or paralegal's professional knowledge, skills, attitudes and professionalism throughout the individual's career. It is a positive tool that benefits lawyers and paralegals and is an essential component of the commitment they make to the public to practice law or provide legal services competently and ethically.*[37]

11.3 Japan

Main article: Judicial scrivener

In Japan, the institution of **judicial scrivener** (司法書士 *shihō shoshi*) exists, and functions similarly to paralegals. Scriveners perform legal work, above the level of secretary but below the level of attorney, and may be attached to an attorney's office or operate independently. Scriveners may represent clients in some low-level matters, but not in more advanced stages of litigation. As with lawyers in Japan, scriveners are regulated and must pass an exam.

11.4 South Korea

Main article: Judicial scrivener

In South Korea a similar system to the Japanese exists, and is known as **beopmusa** (Hangul: 법무사, Hanja: 法務士).

11.5 United Kingdom

The original concept of paralegals in the UK started with the Paralegal Association in the mid-1980s (now the National Association of Licensed Paralegals). However the oldest incorporated professional body for paralegals in the UK who set the competency standards for paralegals and legal secretaries, issue legal qualifications, and support, represent and promote paralegals is the Institute Of Paralegals.

Both the Association and Institute have similar roles in recognising and registering Paralegals but unfortunately do not always agree on all the principles of practice.

However, it is only recently that paralegals have begun to be seen as more than merely assistants to lawyers. They are now a newly emergent, and increasingly distinct, group of legal professionals.

Research shows there to be over 200,000 non-lawyers doing legal work in the United Kingdom. There are now almost 4,000 government registered/regulated paralegal advisory firms offering services that would previously have been offered only by lawyers.

The United Kingdom actually comprises three separate jurisdictions: England and Wales; Scotland; and Northern Ireland (the Channel Islands and the Isle of Man are distinct political entities as well as different jurisdictions). Surprising as it may seem in the United Kingdom anyone may call himself/herself a paralegal without any qualifications or registrations. Professional bodies are lobbying for this to change, but for the present 'paralegal' is not a protected title.* [20]

Paralegals in England and Wales may offer legal advice, as may any person, as there is no offence such as the unauthorized practice of law - with three exceptions:

1. Undertaking the activities reserved to solicitors under the Solicitors Act 1974;
2. Undertaking immigration work if not registered with the Office of the Immigrations Services Commissioner;
3. Undertaking certain types of claims/compensation related work if not registered with the Ministry of Justice.

In the United Kingdom, the *Solicitors Act 1974** [38] reserves certain activities for solicitors.

Broadly, these include:

- Preparing and lodging documents concerning the conveying or charging of land. Since repealed and now also conducted by *Licensed Conveyancers*
- Undertaking probate law.
- Undertaking litigation (except in the small claims court).

Paralegals technically have very limited rights to conduct litigation/rights of audience before courts/tribunals. In practice though many appear in courts and particularly tribunals at all levels.

Paralegals also act as Police Station Representatives if they are accredited, giving advice to clients held in police custody.

11.5.1 Professional Societies

The largest number of paralegals in the UK are represented by the Chartered Institute of Legal Executives

(CILEx). Unlike other paralegal bodies CILEx is an Approved Regulator, meaning all its members are independently regulated in the public interest and must comply with a code of conduct, including all its paralegal members. CILEx is also the only body that provides paralegals with a progression route to lawyer status.

CILEx provides a non-University route to qualification as a lawyer, with the majority of its members learning on-the-job and working as paralegals. It is open to those with or without law degrees, and allows paralegals to progress through to ultimately become fully qualified lawyers, partners, advocates, coroners and judges, subject to achieving the correct level of qualifications, skills, and experience.

Since 1994 City and Guilds, in association with CILEx, has offered the UK's leading range of nationally and internationally approved qualifications for paralegals and legal secretaries, which have been taken by over 20,000 people. They offer a Level 2 Award/Certificate/Diploma in Legal Studies qualification. This provides the underpinning knowledge which will help in day-to-day work and will also allow progression onto the CILEx route to becoming a lawyer. The qualification is divided into units and is assessed by way of assignments and a multiple-choice test. A Level 3 Diploma in Vocational Paralegal Studies qualification is also available, and this is equivalent to A-level standard. The qualification is divided into units and again, is assessed by way of assignments. The qualifications are also recognised by the CILEx as a route into their membership grades.

The Institute of Paralegals (IOP) administer a Route to Qualification: the nationally recognised career path for professional paralegals. They also set and administer Competency Standards for paralegals and legal secretaries. The Institute of Paralegals (IOP) are:

- an incorporated paralegal representative body in the United Kingdom whose application for institute status was supported by the Bar Council, Law Society, Crown Prosecution Service and Citizens Advice
- the only body for professional paralegals to have relied on state funding to help develop the paralegal profession
- an organisation which publishes a Paralegal Code of Conduct
- a member of LawCare
- an organisation which publishes Competency Standards for the paralegal profession (drafted with the assistance of law firms and (in part) by Her Majesty's Land Registry and vetted for professional conduct requirements by the Solicitors Regulation Authority)
- an organisation which administers a paralegal career path - the Route to Qualification. The R2Q turns a

job into a career, and an occupation into a profession. It is supported by scores of local law societies, university law schools, law firms and others

NALP (National Association of Licensed Paralegals) is an awarding body for paralegal qualifications, recognised as an awarding organisation by Ofqual, the regulator of qualifications in England and Wales. NALP offers self-regulation and Licensing for paralegals in England & Wales. NALP's objective is to raise the profile of paralegals in the UK and has dedicated itself to the promoting the status of paralegals and paralegal training in the United Kingdom and abroad. NALP offers affordable accessible training and qualifications at all levels. NALP is a not for profit company limited by guarantee.

There are various levels of certification and membership according to the level of training, qualification and experience. To become a Licensed Paralegal a person should have an acceptable qualification in law, e.g. the Association's Diploma in Paralegal Studies, ILEX, Law Degree or HND (plus a procedural law qualification) or any other qualification deemed suitable, and who can satisfy the other criteria laid down by the Association namely: knowledge, competence, dedication, character requirements and continuous professional development.

NALP's mission is to re-enforce and increase its position as the leading professional organisation catering for the career paralegal not only within the legal profession but also within commerce, industry and the private and public sectors and will strive to ensure the proper recognition of its members as an integral part of the legal profession by the quality of its qualifications, professional development and the standards of behaviour and its regulatory powers laid down for its members. It will encourage, promote and develop the role and practice of the paralegal and represent the best interests of its members.

The Institute of Paralegals (IOP) is an incorporated professional body for paralegals in the UK. A not-for-profit organisation, they set the competency standards for paralegals and legal secretaries, issue legal qualifications, and support, represent and promote paralegals. The National Association of Licensed Paralegals (NALP) was established in 1987 and is the professional self-regulatory governing body for accredited paralegals. Access into the profession can either be with a law degree or without. Those who are already graduates can take The Post Graduate Diploma in Paralegal Practice (PPC) (similar to the LPC for solicitors). Those that have no previous qualification can do the Diploma in Paralegal Studies. The NALP is an awarding body regulated by OFQUAL and is also a member of the National Federation of Paralegal Associations (based in the US).

As a not-for-profit professional body incorporated by guarantee, they were formed in 2003. They were granted institute status by the UK government in 2005, with the support of, amongst others, The Law Society of England & Wales, the Bar Council, Citizens Advice and the

Crown Prosecution Service, all of whom recognised the need for the developing paralegal profession to have a representative body.

IOP offer: The Registered Paralegal, Certified Paralegal and Qualified Paralegal designations and believe these are not a 'licence to practice' as a paralegal. IOP state: "There is no such as a 'licensing scheme' operating in England and Wales. Anyone implying otherwise (i.e. that you need to do a particular course to qualify) is misrepresenting the position. You become a paralegal simply by getting a job as a paralegal. The majority of paralegals still do not have any formal legal qualifications. The only paralegals needing prior permission before practising are paralegal law firms or paralegal sole practitioners who come under the remit of the Ministry of Justice Or Office of the Immigration Services Commissioner."

The National Association of Licensed Paralegals is working to improve recognition for paralegals and has done so for nearly 24 years, having introduced qualifications and standards and self-regulation to the profession and is recognised by The Law Society of England as the professional body for paralegals in England & Wales.

In Scotland, the Scottish Paralegals Association has been recognised by the Law Society of Scotland as the independent professional body for paralegals in Scotland.

11.5.2 Salary

In the United Kingdom paralegal salaries in law firms can start at as little as £12,000 in some rural or suburban areas* [20] but may reach as high as £60 - £80,000 for the most senior in the larger city firms and some PLCs. A paralegal can also work as a freelance offering their services to solicitors performing tasks such as assisting Counsel at court and taking notes in court and presenting applications to District Judges in chambers. They can be paid on a daily or hourly rate earning up to £60 - £260 per day.

12 Paralegals in films, television, literature, and politics

Unlike nurses and physician assistants, paralegals have not caught the popular imagination and rarely are seen or mentioned in fictional or non-fiction legal television programs, or in legal fiction in print. There are however exceptions.

The most famous is probably Erin Brockovich, a real legal clerk whose participation in a toxic tort case became a major motion picture. In the movie *Eagle Eye* (2008) starring Shia LaBeouf and Michelle Monaghan, Monaghan plays a single mom who works as a paralegal.* [39]

Another notable exception is the character Della Street, from the *Perry Mason* novel, television and movie series.

Although Mason identifies Della as “my confidential secretary”, the projects he assigns her are entirely consistent with the law office work performed by experienced paralegals.

Allison DuBois, the lead character in *Medium* played by Patricia Arquette, was in training to become a paralegal in addition to her consultation work with the Phoenix, Arizona District Attorney's office.

John Grisham includes many paralegals in his novels; for example, Rudy Baylor (the main character in *The Rainmaker*) works briefly as a paralegal - and his associate Deck Shifflet subsequently becomes Rudy's paralegal when he starts his own firm. (although he terms himself a 'paralawyer') *Harvey Birdman: Attorney at Law*, an esoteric cartoon comedy, features a paralegal in the form of Avenger, Harvey Birdman's eagle, who is usually seen managing files, preparing and presenting documents to the attorneys, and drafting letters to clients. Avenger will usually accompany the charismatic, yet often underprepared, Birdman into court, and whisper case information and advice into his ear. Despite not knowing English, he is by far the most competent employee of Sebben & Sebben.

FX's *The Riches* in which Doug Rich, a con-artist played by Eddie Izzard, impersonates a lawyer at a cutthroat real estate development company. Rich's apparent lack of legal knowledge is often compensated by Aubrey McDonald, a highly skilled paralegal who manages to help guide the undereducated anti-hero through more than a few sticky situations.

In American television, USA's "Suits" features a young paralegal named Rachel who greatly assists a young aspiring lawyer with various research and otherwise. She is a highly respected member of the firm and is considered to be of help to many of her co-workers. Rachel's desire one day to become a lawyer is one of the major stories of the series. As paralegal, she lives between a lot of appreciation for her hard work and a constant reminder (going both from herself and other people) that she's not a “real” lawyer at the end.

In Eoin Colfer's book, *The Supernaturalists*, paralegals are lawyers that double as mercenaries to apprehend and then prosecute offenders for the person, or more common, company who hired them.

A few current and former paralegals have also ventured into politics, including Amanda Reeve (Arizona State Legislature) and Michael Strautmanis (friend of 44th president of The United States Barack Obama and current member of White House Staff).*[40]

13 See also

- Community college
- Contract attorney

- Grey-collar
- Individual rights advocate
- Proprietary colleges

14 References

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15 External links

- Current ABA Definition of Legal Assistant/Paralegal
- Simple English Wikipedia Paralegal Page
- United States Bureau of Labor Statistics government web site Occupational Outlook for Paralegals and Legal Assistants

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