



# Education Packet

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## PARALEGALS – DEFINING THE PROFESSION

### Definition of a Paralegal

The National Federation of Paralegal Associations (“NFPA”), of which the Dallas Area Paralegal Association (“DAPA”) is a member, provides the following definition:

As defined by the National Federation of Paralegal Associations, 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.<sup>1</sup>

The term preferred by both NFPA and DAPA is “Paralegal”; however, some members of the legal profession use the term “Legal Assistant.”

### Becoming a Paralegal

Individuals with diverse backgrounds are employed as paralegals. Education and training requirements differ widely but are generally related to the responsibilities of the position. Specific training can prepare a paralegal for a specialized area of law; for example, an individual with medical training may work as a paralegal on personal injury or medical malpractice cases.

### Education Options

DAPA believes that education is paramount to the development of the paralegal profession. DAPA recommends that individuals complete a four-year program that includes a minimum of 24 semester hours of legal specialty courses. DAPA also recognizes that two-year degree programs with an emphasis in paralegal studies are acceptable to many employers, as are

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<sup>1</sup> NFPA – National Federation of Paralegal Associations: About NFPA: Paralegal Definition, <http://www.paralegals.org/displaycommon.cfm?an=1&subarticlenbr=788> (last visited March 8, 2011).

paralegal certificate programs that consist of at least 24 semester hours of legal courses. While DAPA has not formally taken a position regarding correspondence programs, it strongly encourages students to carefully evaluate these programs to ensure the courses will adequately prepare them for a paralegal position.

Students should be aware that “[the] American Bar Association does not approve correspondence or home study [including exclusively on-line] programs and does not provide information on home study programs. The American Bar Association Guidelines for the Approval of Paralegal Education Programs do allow approved programs to offer some paralegal coursework through web-based electronic delivery and other means of distance delivery.”<sup>2</sup>

### **ABA-Approved Schools**

Formal paralegal training programs are offered by an estimated 1000 colleges and universities law schools, and proprietary schools, of which approximately 260 (26%) paralegal programs are approved by the American Bar Association.<sup>3</sup>

When choosing an educational program, the prospective paralegal may keep in mind that “[s]eeking approval from the American Bar Association is a voluntary process initiated by the institution offering the program. Therefore, the lack of approval does not necessarily mean a paralegal program is not of good quality and reputable.”<sup>4</sup>

### **Educational Background**

Individuals currently working as paralegals attend a variety of educational programs. Results from the 2010 National Association of Legal Assistants Utilization and Compensation Report are summarized in the following tables.<sup>5</sup>

**General Educational Degree Attained (N=1486)**

<b>Response</b>	<b>Responses</b>	<b>Percentage</b>
<b>High School Diploma</b>	215	14%
<b>Associate Degree</b>	462	31%
<b>Bachelor’s Degree</b>	716	48%
<b>Master’s Degree</b>	85	6%
<b>Ph.D.</b>	7	0%

<sup>2</sup> American Bar Association: ABA Standing Committee on Paralegals Career Information, <http://apps.americanbar.org/legalservices/paralegals/career.html> (last visited March 10, 2011).

<sup>3</sup> Cf. United States Department of Labor: Paralegals and Legal Assistants: Occupational Outlook Handbook 2010-11 Edition, <http://www.bls.gov/oco/ocos114.htm#training> (last visited March 10, 2011).

<sup>4</sup> American Bar Association: ABA Standing Committee on Paralegals Career Information, <http://apps.americanbar.org/legalservices/paralegals/career.html> (last visited March 10, 2011).

<sup>5</sup> Reprinted with permission of NALA – the Association of Legal Assistants-Paralegals. This information was reprinted from the 2010 National Utilization and Compensation Survey of NALA. The survey report in its entirety may be found in the web at [www.nala.org/survey.aspx](http://www.nala.org/survey.aspx). Inquiries may be directed to NALA, 1516 S. Boston, #200, Tulsa, OK 74119, [nalanet@nala.org](mailto:nalanet@nala.org).

### Paralegal Educational Program Completed (N=1577)

Education	Responses	Percentage
Undergraduate certificate	251	15%
Post baccalaureate certificate	224	14%
Associate Degree	535	33%
Bachelor Degree	156	10%
Master Degree	5	0%
Other	192	12%
None	261	16%

### Certification of Paralegals

The American Bar Association Standing Committee on Paralegals provides the following information regarding the certification of paralegals:

Certification is a process by which a non-governmental agency or association grants recognition to an individual who has met certain predetermined qualifications specified by that agency or association. It usually involves passing an examination drawn up by the sponsoring organization and meeting specified educational and experiential requirements. The American Bar Association does not certify Paralegals. Paralegals may not represent themselves as "ABA-certified paralegals," because the ABA's approval applies to the paralegal education program rather than to the individual paralegal.

Presently, there are no mandatory certification examinations for paralegals anywhere in the United States. However, the certification issue has been a subject of considerable interest and debate for the past several years among paralegal associations, bar associations and some legislatures. For a variety of reasons, some of these organizations are opposed to certification while others support it.<sup>6</sup>

The only states that have voluntary certification sponsored by their respective bar associations are Texas (which was first) and North Carolina.

### Certification Exams

The table below summarizes the exams that are currently available for the certification of paralegals. This rigorous *certification* process should not be confused with the educational programs offered by many schools that confer a *certificate* in paralegal studies.

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<sup>6</sup> American Bar Association: ABA Standing Committee on Paralegals Career Information, <http://apps.americanbar.org/legalservices/paralegals/career.html> (last visited March 10, 2011)

<b>Organization (Acronym)</b> <a href="#">Website</a>	<b>Exam (Acronym)</b>	<b>Designation (Acronym)</b>
National Federation of Paralegal Associations, Inc. (NFPA) <a href="http://www.paralegals.org">www.paralegals.org</a>	Paralegal CORE Competency Exam <b>(PCCE)</b>	CORE Registered Paralegal <b>(CRP)</b>
	Paralegal Advanced Competency Exam <b>(PACE)</b>	Registered Paralegal <b>(RP)</b>
National Association of Legal Assistants, Inc. (NALA) <a href="http://www.nala.org">www.nala.org</a>	Certified Legal Assistant Exam/Certified Paralegal <b>(CLA/CP)</b>	Certified Paralegal <b>(CP)</b>
	Advanced Paralegal Competency [12 specialty areas] <b>(APC)</b>	Advanced Certified Paralegal <b>(ACP)</b>
Texas Board of Legal Specialization (TBLS) <a href="http://www.tbls.org/Default.aspx">http://www.tbls.org/Default.aspx</a>	Board Certification [21 specialty areas] <b>(TBLS – Specialty Area)</b>	TBLS Board Certification – <i>Specialty Area</i> <b>(TBLS)</b>

### Employment Opportunities

Regarding the various employment opportunities available to paralegals, the American Bar Association’s Standing Committee on Paralegals notes:

The utilization of paralegals improves the efficiency, economy and availability of legal services. As a result, increased emphasis is being placed on the hiring of paralegals in a variety of legal and law-related settings. Although private law firms continue to be the single largest employer of paralegals, good job opportunities also exist in several other markets in both the private and public sectors.

In addition to private law firms, other organizations in the private sector employ paralegals. Some examples include corporate legal departments, insurance companies, estate and trust departments of large banks, hospitals and health care organizations, real estate and title insurance companies, and professional trade associations. Job opportunities in the public sector are available in community legal services programs, consumer organizations, offices of public defenders, prosecutors and attorneys general, city attorneys, a wide array of state and federal government agencies, and the judicial system.<sup>7</sup>

### Paralegal Roles and Responsibilities

Traditional paralegals constitute the majority of paralegals in the profession. Many paralegals have expanded their practice into broad and diverse specialties. The demand for expertise has led many paralegals to develop knowledge and skills in highly technical or specialized subject areas. Paralegals place great importance on service, flexibility, openness to new approaches of handling client needs and diverse job definitions. These

<sup>7</sup> American Bar Association: Career Information: Division of Legal Services, [http://www.americanbar.org/groups/paralegals/resources/career\\_information.html](http://www.americanbar.org/groups/paralegals/resources/career_information.html) (last visited March 9, 2011).

attributes have allowed the paralegal profession to maintain a client and public interest focus, to demonstrate a willingness to grow, and to change in response to the demands of society.

Only statutory or court authority or a supervising attorney's determination of a paralegal's competency limits the type of tasks a paralegal may perform. Paralegals perform the same functions as an attorney except those generally prohibited by unauthorized practice of law statutes, i.e., accepting clients, setting legal fees, giving legal advice or representing others in court. Because the law is complex and often ambiguous, paralegals must be intelligent with an analytical and logical mind. They must be able to recognize and evaluate relevant facts and legal concepts. Paralegals have the ability to organize, analyze, communicate and administer. Other interpersonal skills that serve paralegals are conflict resolving, negotiating, and relating well with various types of persons.

As paralegals became more integrated into the legal team and the work delegated to paralegals became more substantive in nature, attorneys began to include time for paralegal services in fee petitions permitted by state or federal statutes. In the early 1980s, courts began to recognize that paralegals were separate from support staff and encouraged attorneys to provide legal services in the most efficient manner possible. Courts awarding fees for paralegal services consistently point out that if the work had not been done by paralegals, charging fees based upon attorneys' rates would have been necessary.

### **Paralegal Compensation and Benefits**

Results from the previously cited 2010 National Association of Legal Assistants Utilization and Compensation Report are summarized in the following table.<sup>8,9</sup>

**Annual Salary and Compensation by Total Years of Legal Experience**

Years	2010 Average Salary	2010 Average Compensation	2010 Responses	2008 Average Salary	2008 Average Compensation	2004 Average Salary	2004 Average Compensation
1 - 5 Years	\$37282	\$38908	160	\$37511	\$38960	\$33770	\$35434
6 - 10 Years	\$43747	\$45488	221	\$43944	\$46929	\$41097	\$43433
11 - 15 Years	\$51227	\$53948	208	\$48193	\$51580	\$45252	\$47624
16 - 20 Years	\$54128	\$57175	269	\$52100	\$54842	\$46026	\$48752
21 - 25 Years	\$58774	\$61466	167	\$51403	\$53473	\$49394	\$51796
Over 25 Years	\$59923	\$63097	372	\$55142	\$59038	\$48540	\$51985

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<sup>9</sup> Additional salary data may be found in the *State Bar of Texas Paralegal Division Compensation Survey Report*, <http://txpd.org/files/file/SalarySurvey/2010ParalegalDivisionCompensationSurveyReport.pdf> (Last visited April 1, 2011).

## **Job Outlook**

The United States Department of Labor provides the following job outlook for paralegals:

Despite projected much faster than average employment growth, competition for [paralegal] jobs is expected to continue as many people seek to go into this profession; experienced, formally trained paralegals should have the best employment opportunities.

Employment change. Employment of paralegals and legal assistants is projected to grow 28 percent between 2008 and 2018, much faster than the average for all occupations. Employers are trying to reduce costs and increase the availability and efficiency of legal services by hiring paralegals to perform tasks once done by lawyers. Paralegals are performing a wider variety of duties, making them more useful to businesses.

Demand for paralegals also is expected to grow as an expanding population increasingly requires legal services, especially in areas such as intellectual property, healthcare, international law, elder issues, criminal law, and environmental law. The growth of prepaid legal plans also should contribute to the demand for legal services.

Private law firms will continue to be the largest employers of paralegals, but a growing array of other organizations, such as corporate legal departments, insurance companies, real-estate and title insurance firms, and banks also hire paralegals. Corporations in particular are expected to increase their in-house legal departments to cut costs. The wide range of tasks paralegals can perform has helped to increase their employment in small and medium-size establishments of all types.

Job prospects. In addition to new jobs created by employment growth, more job openings will arise as people leave the occupation. There will be demand for paralegals who specialize in areas such as real estate, bankruptcy, medical malpractice, and product liability. Community legal service programs, which provide assistance to the poor, elderly, minorities, and middle-income families, will employ additional paralegals to minimize expenses and serve the most people. Job opportunities also are expected in Federal, State, and local government agencies, consumer organizations, and the courts. However, this occupation attracts many applicants, creating competition for jobs. Experienced, formally trained paralegals should have the best job prospects.

To a limited extent, paralegal jobs are affected by the business cycle. During recessions, demand declines for some discretionary legal services, such as planning estates, drafting wills, and handling real estate transactions. Corporations are less inclined to initiate certain types of litigation when falling sales and profits lead to fiscal belt tightening. As a result, full-time paralegals employed in offices adversely affected by a recession may be laid off or have their work hours reduced. However, during recessions, corporations and individuals are more likely to face problems that require legal assistance, such as bankruptcies, foreclosures, and divorces. Paralegals, who provide many of the same legal services as

lawyers at a lower cost, tend to fare relatively better in difficult economic conditions.<sup>10</sup>

### **Accredited Area Schools**

#### **Collin College**

Spring Creek Campus  
2800 E. Spring Creek Parkway  
Plano, TX 75074

#### Preston Ridge Campus

9700 Wade Boulevard  
Frisco, TX 75035

[http://www.collin.edu/academics/programs/aa\\_paralegal.html](http://www.collin.edu/academics/programs/aa_paralegal.html)

#### Program Chair:

Marsha Griggs  
mgriggs@collin.edu  
972-881-5185

#### **El Centro College**

801 Main Street  
Dallas, TX 75202

<http://www.elcentrocollege.edu/Program/Health/Paralegal/>

#### Program Director:

Carole Olson  
colson@dcccd.edu

#### **Everest College**

6080 N. Central Expressway  
Dallas, TX 75206

<http://www.everest.edu/campus/dallas/program/paralegal>

#### **ITT Technical Institute**

2101 Waterview Parkway  
Richardson, TX 75080

#### Director of Career Services:

Cash Belew

[http://www.itt-tech.edu/campus/courses.cfm?prog\\_id=3225](http://www.itt-tech.edu/campus/courses.cfm?prog_id=3225)

#### **Kaplan College**

12005 Ford Road, Suite 100  
Dallas, Texas 75234

#### General Practice Paralegal Certificate:

[http://dallas.kaplancollege.com/Pages/General\\_Practice\\_Paralegal\\_Days\\_Certificate.aspx](http://dallas.kaplancollege.com/Pages/General_Practice_Paralegal_Days_Certificate.aspx)

#### AAS - Paralegal Studies

[http://dallas.kaplancollege.com/Pages/Paralegal\\_Studies\\_Associate\\_of\\_Applied\\_Science.aspx](http://dallas.kaplancollege.com/Pages/Paralegal_Studies_Associate_of_Applied_Science.aspx)

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<sup>10</sup> United States Department of Labor: Paralegals and Legal Assistants: Occupational Outlook Handbook 2010-11 Edition, <http://www.bls.gov/oco/ocos114.htm#training> (last visited March 10, 2011).

**Tarrant County College**

828 W. Harwood Road

Hurst, TX 76054

[http://www.tccd.edu/Courses\\_and\\_Programs/Program\\_Offerings/Paralegal.html](http://www.tccd.edu/Courses_and_Programs/Program_Offerings/Paralegal.html)

Program Coordinator:

Karen Silverberg

817-515-6277

**Texas A&M University - Commerce**

2600 South Neal Street

Commerce, TX 75428

<http://web.tamu-commerce.edu/academics/colleges/artsSciences/departments/politicalScience/paralegal/>

**Texas Wesleyan University**

1201 Wesleyan Street

Forth Worth, TX 76105

<http://www.txwes.edu/paralegal/index.htm>

Paralegal Studies Director:

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**Texas Woman's University**

304 Administration Dr

Denton, TX 76204

<http://www.twu.edu/history-government/ba-bs-government-emphasis-legal-studies.asp>