The role of the paralegal today

Marie C. Stortz

Follow this and additional works at: https://scholarworks.lib.csusb.edu/etd-project

Part of the Law Commons

Recommended Citation
Stortz, Marie C., "The role of the paralegal today" (1994). Theses Digitization Project. 886.
https://scholarworks.lib.csusb.edu/etd-project/886

This Project is brought to you for free and open access by the John M. Pfau Library at CSUSB ScholarWorks. It has been accepted for inclusion in Theses Digitization Project by an authorized administrator of CSUSB ScholarWorks. For more information, please contact scholarworks@csusb.edu.
THE ROLE OF THE PARALEGAL TODAY

A Thesis
Presented to the
Faculty of
California State University,
San Bernardino

In Partial Fulfillment
of the Requirement for the Degree
Master of Arts
in
Interdisciplinary Studies

by
Marie C. Stortz
June 1994
THE ROLE OF THE PARALEGAL TODAY

A Thesis
Presented to the
Faculty of
California State University,
San Bernardino

by
Marie C. Stortz

June 1994

Approved by:

Dr. Francis S. Caro, Chair, Criminal Justice
Dr. Paul Guymon, Paralegal Studies
Dr. James D. Thomas, Political Science
ABSTRACT

The primary focus of this thesis is to examine the utilization of paralegals in the job market. A summary and analysis of the paralegal role will include career development, level of academic education, and employment outlook.

Interviews with key personnel in the field, such as Andrea S. Wagner author of "How To Land Your First Paralegal Job," and Barbara Clements Administrative Assistant for the California State Attorney General's Office will be conducted and assimilated into this thesis. An review of the literature in the field will also be examined and incorporated into my conjecture.

The thesis concludes by hypothesizing upon the future role of the paralegal in the delivery of legal services. Appendices are attached which describe the resources available for individuals interested in the paralegal field.
ACKNOWLEDGEMENTS

My special thanks and sincere appreciation to Frances Coles, Doctor of Criminology, California State University, faculty advisor to the writer. Dr. Coles dedicated many hours of direction and assistance, as well as a great deal of moral support, during the preparation of this thesis.

As a class instructor, she has always shown great concern and dedication to all her students. She has been a tremendous influence to me both as a class instructor and a student advisor.

Her encouragement and advice will always be remembered.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABSTRACT</td>
<td>iii</td>
</tr>
<tr>
<td>ACKNOWLEDGEMENTS</td>
<td>iv</td>
</tr>
<tr>
<td>CHAPTER ONE</td>
<td>1</td>
</tr>
<tr>
<td>Introduction</td>
<td>1</td>
</tr>
<tr>
<td>Background</td>
<td>2</td>
</tr>
<tr>
<td>The Paralegal Field</td>
<td>5</td>
</tr>
<tr>
<td>Defining the Paralegal</td>
<td>9</td>
</tr>
<tr>
<td>CHAPTER TWO</td>
<td>35</td>
</tr>
<tr>
<td>Education, Training, and Skills</td>
<td>35</td>
</tr>
<tr>
<td>CHAPTER THREE</td>
<td>43</td>
</tr>
<tr>
<td>Paralegal: The Next Generation</td>
<td>43</td>
</tr>
<tr>
<td>APPENDIX A: LEGAL ASSISTANT AND PARALEGAL SCHOOL LISTING</td>
<td>45</td>
</tr>
<tr>
<td>APPENDIX B: LEGAL ASSISTANT AND PARALEGAL ASSOCIATION LISTING</td>
<td>56</td>
</tr>
<tr>
<td>APPENDIX C: PARALEGAL TEXTBOOK REFERENCE</td>
<td>61</td>
</tr>
<tr>
<td>APPENDIX D: LAW DICTIONARIES/DIRECTORIES AND OTHER REFERENCES</td>
<td>66</td>
</tr>
<tr>
<td>APPENDIX E: COMPUTERIZED LITIGATION SUPPORT</td>
<td>68</td>
</tr>
<tr>
<td>APPENDIX F: LEGAL SPECIALTY AND SUB-SPECIALTY REFERENCES</td>
<td>69</td>
</tr>
<tr>
<td>APPENDIX G: PARALEGAL JOB DESCRIPTIONS</td>
<td>70</td>
</tr>
<tr>
<td>BIBLIOGRAPHY</td>
<td>75</td>
</tr>
</tbody>
</table>
CHAPTER ONE

Introduction

The concept of the paraprofessional has been accepted for years. Other fields of study, such as dentistry (dental hygienists) and medicine (paramedics, nurses, etc.), have been using paraprofessionals for years. However, the legal profession has just begun to utilize the benefits of paralegals.

Why is the paralegal profession one of the fastest growing careers today? First, it is a flexible profession. It can be a career in itself; a stepping stone to other careers, or an educational foundation for law or business school. Second, the profession evolved through necessity. Increased consumer demand for affordable legal services, the overburdened court system, and the increased use of paralegals by attorneys has made the paralegal profession a necessary element in the law, and a top career option in the legal industry. Third, the paralegal profession is a nontraditional and diverse career path. People considering a new career or reentering the work force, can quickly enter the legal profession without going to law school. Further, people can easily transfer their present education and job skills in to the paralegal profession. A medical nurse, for example, can utilized his/her knowledge of medical terminology and procedure when he/she prepares legal documents.

Simply put, the paralegal profession is the legal industry's response to the social, economic, and technological changes that have occurred during the past century. Changes
in peoples basic social attitudes have created higher expectations for fairness and justice. Growing public concern over worker safety, environmental pollution, and health care has prompted increased governmental regulations and laws. Advances in technology and communications have shifted our economy and work force from a production to a service-oriented society. These changes and others have resulted in a greater demand for legal services. Accordingly, the legal industry has responded in different ways, one of which is the legal paraprofessional.

Background

Despite the turmoil caused by the 1990 economic depression, there is widespread consensus throughout the legal community that the paralegal profession will continue to expand throughout the next decade. This consensus is supported by a 1992 report produced by the Bureau of Labor Statistics.1 The report projects that the paralegal profession will become one of the top thirty fastest growing occupations with the largest job growth occurring between the years of 1990-2005. In addition, the paralegal profession was rated thirteenth best out of 250 in the 1992 Jobs Rated Almanac published by American Reference, Inc. The criteria used in this particular study included, salary, work environment, employment outlook, job security, stress, and physical demands. However, the development toward the formal recognition of the paralegal profession did

not happen over night. The profession evolved gradually.

During the past 25 years, tremendous changes have occurred in our social and economic structures. As a prospering nation, we experienced changes in the basic social attitude toward the poor, elderly, work, sex, the family unit, and the status of women. The changes in social attitude helped heighten people's expectations of fairness and justice. The new social conscience prompted a demand for an increase in the number of federal programs for the poor and elderly. Raised consumer consciousness led to a greater awareness of consumer rights and a consumer protection movement. Public concern about worker safety, environmental pollution, and health care led to an increase in government regulations and complex laws. These changes and others created a demand for greater legal services. One response by the legal community was the creation of a new paraprofessional-the paralegal.

As more demands were placed on the legal system, it became apparent that the lawyer/secretary team could no longer handle the workload. As a result, legal secretaries began to perform more paralegal-type functions and fewer clerical ones, and the new profession was born.

The same can be said about public service paralegals. Federally funded lawyers in poverty law programs used the first paralegals to reduce the cost of helping low-income clients. Consequently, social workers employed in food stamp, public housing, medicare, and social security programs began to perform paralegal-type tasks as part of their jobs.
In short, individuals who work in private law firms and federal government agencies have been performing paralegal-type functions for many years.

One of the first steps toward the formal recognition of the paralegal profession occurred in 1968 when the ABA (American Bar Association) established its Special Committee on Lay Assistants for Lawyers. The committee's purpose was to first, study how lawyers could effectively use nonlawyers, and second, to determine educational requirements and standards for paralegal education. The committee's initial conclusions were that the legal industry could profit from the use of paraprofessionals. The committee has since changed its name to the Standing Committee on Legal Assistants. It continues to work with national paralegal associations toward the development of standards for paralegal education.

In 1972, the National Paralegal Institute was established within the federal government's Office of Legal Services. By 1975, the institute began training paralegals and other individuals in the delivery of legal services to the poor and elderly. In addition, President Richard M. Nixon signed into law a bill that created the Legal Services Corporation. The intended purpose of this corporation was to oversee a nationwide legal service program. The corporation used paralegals to help the poor and elderly in civil matters such as landlord-tenant disputes, job discrimination cases, and divorces.

Another important step toward the recognition of the paralegal profession came with the emergence and growth of paralegal educational institutions. During the early
1970s, educational institutions such as the Philadelphia Institute began to offer academic courses that led to paralegal certification. Before these schools were established, on-the-job training and/or a promotion from legal secretary were the only ways to enter the field. By 1972 the ABA developed standards for accrediting formal educational programs. Today there are over 600 educational institutions that offer paralegal programs. However, only about 130 of them are ABA approved.

The next major development toward formal recognition of the profession came through the formation of two major professional associations. In the early 1970s, paralegals from all over the United States joined together to form the National Federation of Paralegal Associations (NFPA), and the National Association of Legal Assistants (NALA). These organizations were formed to further the development of the profession. But their primary purpose is to protect and promote the interests of the memberships.

The last major development occurred around 1989 when the California State Bar Association established a panel to study a proposal that would allow nonlawyers (called Legal Technicians) to provide routine legal services directly to the public. Although this proposal was voted down in 1991, California paralegals are continuing their effort to pressure the legislature into passing a bill allowing such services. In addition, other states are now considering similar proposals concerning legal technicians. If one of these states is successful in passing such a proposal, it will revolutionize the legal industry. The effect
of this type of legislation will mean that paralegals could offer legal services to the public without the supervision of attorneys.

The Paralegal Field

During the past ten years, there have been substantial changes in the legal profession, such as, the use of alternative methods of dispute resolution (ADR), the use of advertising and marketing professionals, and the increased use of computer technology. These changes and others have directly affected the paralegal field. Some of these developments will continue to move the field in a positive direction. Others, however, will effect the shape and definition of the profession. All will have some bearing on the role and responsibilities of those who work in the field.

In recent years, United States Congressional Advisory Committees have been searching for ways to overhaul the U.S. Civil Justice system. The committees are examining ways to revise the Federal Rules of Civil Procedure, cut costs, and speed up cases through the courts. This development was prompted by the growth of the legal services industry. Between 1980 and 1989, the amount of money spent on legal services went from $26 billion to $83 billion per year. According to the U.S. Department of Commerce Report, law firms grossed over $100 billion in 1990.

More lawsuits prompted a demand for more legal services. The number of civil law suits in federal courts has jumped 300 percent since 1960. In response to this increase, the legal industry has hired more workers to handle the additional work load.
According to the U.S. Department of Labor, between 1980 and 1990, the number of paralegal jobs went from 36,000 to over 90,000 an increase of 150 percent.

Along with the greater demand for legal services came the demand for "affordability." Individuals are demanding high-quality legal services at reasonable prices. Legal fees have gone up from $20 an hour in 1960s to $150 an hour in the 1990s. Some of the large law firms charge as much as $350 to $400 per hour for their services. Consequently, every law firm large and small now scrutinize all their legal bills. Because paralegals are cost effective for the client and the firm, they play a major role in the future delivery of these services.

From 1970 to 1990, the number of lawyers went from 350,000 to 750,000 with 1,000,000 projected by the year 2000. This oversupply of lawyers raises the question of whether we need more lawyers or more paralegals? The answer is probably that we need both. However, the law of supply and demand suggest that paralegals, because of their proven cost effectiveness, will have the advantage. In today's job market, therefore, for reasons primarily related to productivity and cost savings, a law firm is more likely to hire two experienced paralegals and one associate rather than three associate attorneys. This is another reason the employment outlook for paralegals is so positive.

Interestingly, the oversupply of lawyers prompted an increase in competition within the legal industry. The growing number of clients who seek the lowest possible legal fees put additional pressure on law firms to be more competitive. This pressure to be
competitive has forced law firms to reexamine the way they do business. Again, firms have responded in different ways, but typically their response includes the use of paralegals to help reduce client bills.

Another response to increased competition is the use of advertising and marketing to attract clients. During the last ten years, the courts have relaxed the rules governing advertising by lawyers. As a result, firms are now using the services of marketing and public relations professionals. This could mean potential opportunities for paralegals who want to use their career as a stepping stone to a job in public relations or marketing.

Recently, there has been a trend toward greater specialization within the law. There is just too much information for any one person to know. Lawyers are becoming experts in specific areas of law, such as securities, bankruptcy, immigration, and so on. For paralegals, the trend toward specialization could mean opportunity to higher salaries and greater job satisfaction.

Until recently, lawyers primarily used computers for billing purposes. Today, however, with the availability of litigation support systems, legal research services, and specialized computer applications law firms are now accepting the benefits of computers. For the computer-literate paralegal, this trend toward increased use of computers and technology could mean more choices for career advancement.

As a result of an overburdened judicial system and expensive litigation, the use of
alternative methods of dispute resolution (ADR) has emerged. The most frequently used methods of dispute resolution are arbitration and mediation. The most familiar use of arbitrators and mediators is in the areas of labor disputes and sports negotiations. The use of paralegals in ADR is increasing. One reason for this is due to the passage of the Administrative Dispute Resolution Act of 1990. This act requires all federal agencies to develop ADR policies. Therefore, paralegals can now use their legal experience to advance in to careers as arbitrators and mediators.

Among the more controversial developments is the notion of self-help law. In 1971, Ralph Warner and Charles Sherman pioneered the self-help law movement by cofounding "Nolo Press" in Berkeley, California, and establishing the WAVE Project. Nolo Press publishes self-help law practice books and computer software. The WAVE Project established one of the first self-help law centers in that county. The center allowed nonlawyers to specialize in the preparation of divorce forms at significantly lower rates than those charged by attorneys. The concept behind the movement is that the average person can use self-help publications to draft legal documents that lawyers then need only review. This helps the user save money on form preparation, consulting, and other such attorney fees. However, not everyone in the legal profession accepts this concept. Some lawyers believe that this comes close to the unauthorized practice of law.

Up until the recession of 1990, the legal profession was considered to be immune to recessionary forces. Today, however, consolidations, mergers, and bankruptcies of law
firms are a fact of life. This has resulted in attorney layoffs which, in turn, has affected paralegal employment. Nevertheless, when compared against other industries, the legal profession is still one of the more stable areas of employment. Even so, lawyers must now do more than just practice law. In order to stay competitive, they must now run their law firms like businesses. Many lawyers have found that a good way to remain competitive is to use paralegals.

These are some of the trends and developments that are shaping and defining the paralegal profession. All will have some effect on the role and responsibilities of those who enter the field in the 1990s.

**Defining The Paralegal**

The American Bar Association (ABA) defines paralegals as:

> persons who, although not members of the legal profession, are qualified through education, training or work experience, are employed or retained by a lawyer, law office, governmental agency, or other entity in a capacity or function which involves the performance, under the direction and supervision of a attorney, of specifically delegated substantive legal work, which work, for the most part, requires a sufficient knowledge of legal concepts, such that, absent that legal assistant, the attorney would perform the task.

Basically, a paralegal is an individual who, because of education, training, or work experience, performs various legal tasks which were once done by attorneys. The rationale for their existence is that many legal matters can be broken down in to small components and tasks that can be delegated to nonlawyers working under supervision.
Dividing the work between lawyers and paralegals, makes it possible to deliver high-quality and affordable legal services to an increasing number of clients.

In order to adequately define what is the role of a paralegal, we need to address several factors. These factors include type and size of employer (law firm, corporation, or government agency), the legal specialty area (litigation, corporate, real estate, probate, etc.), the specific skills, education, and background the paralegal brings to the job. The role of every paralegal is defined by these factors.

First, how do the roles of paralegals and lawyers differ? Essentially, paralegals cannot give legal advice, set legal fees, or represent clients in court. Only attorneys are licensed to perform these tasks. Everything else is pretty much fair game. Basically, the attorney knows what to do, and the paralegal knows how to do it. In other words, the lawyer is the strategist and the paralegal is the technician who implements the strategy.

The most basic distinction between lawyers and paralegals is that attorneys have the ultimate responsibility for all the work done on a case. So how does an attorney benefit from using paralegals? The value of the difference between a lawyer and a paralegal is economic. First, rather than devote time to fairly routine legal tasks, the lawyer can spend more time developing strategic decisions that require the application of his/her legal training and expertise. Second, paralegals perform these routine tasks at a lower cost which translates in to lower legal fees. This makes clients happy and satisfied, which in turn promotes return patronage. Third, by delegating routine work to paralegals,
the lawyer will be able to handle a greater volume of work. **Fourth,** firms can hire fewer highly paid associate attorneys to do these routine tasks. This can mean a considerable savings in labor costs and overhead. The bottom line is using paralegals makes legal services more affordable. Both clients and law firms gain from affordable legal services.

While law firms are the largest employers of paralegals, they certainly aren't the only employer. Others include corporations; banks; insurance companies; federal, state, and local government agencies; nonprofit corporations; legal aid organizations; and paralegal service companies. There are significant differences between working in these organizations in terms of assignments, salary, benefits, advancement possibilities, and job satisfaction.

Generally, a firm is either a partnership or a professional corporation. What this means is that a limited number of individuals - the partners or shareholders - own the firm and share in its profits. The goal of most lawyers is to become a partner. This is usually achieved within seven years working as an associate partner. However, these days, there is no guarantee that after an attorney has devoted seven years to a firm he/she will be made a partner. Some associates are hired directly out of law school, while others are hired from other law firms. Paralegals will generally work more with the partners and associates of the law firm.

The litigation support staff of a law firm usually includes paralegals (AKA legal assistants and/or case assistants); law clerks; administrative staff, such as librarians,
personnel managers, legal administrators, and marketing administrators; and Clerical staff, such as secretaries, word processors, messengers, receptionists, and file clerks.

Paralegals will usually interact with all or some of these other support staffers on a daily basis. However, depending on the size of a law firm, some of the positions may not exist.

The size of a law firm is relative and depends on the number of attorneys it employs and its geographic location. For instance, a medium size law firm in Los Angeles may employ 200 lawyers, while a law firm with the same number of lawyers in a smaller city might be considered large. Generally, a large law firm will usually employ about 100 or more lawyers. Medium size firms range from about 50 to 99 lawyers, and small firms have about 1 to 49 lawyers.

Large law firms are usually organized by specialty groups, such as litigation, bankruptcy, real estate, probate, securities, and so on. Each group will have a supervising partner with a number of associates working under him/her. In addition, each group will also be assigned at least one paralegal. A direct consequence of this type of organizational structure is that paralegals, as well as the attorneys, become specialists in that legal area. In small firms, paralegals will often work in several specialty areas.

There are several advantages in working for a large law firm. One is that a large law firm has more resources to tap into, such as an extensive law library, photocopy and wordprocessing centers, and in-house messengers. Paralegals who work in large law firms can delegate routine tasks to other members of the support staff. The structure at a
large law firm enables paralegals to perform more sophisticated tasks and not spend valuable time doing the routine functions.

A large law firm may offer a structured paralegal system that may include a paralegal manager, an in-house paralegal training program, paralegal staff meetings, in-house seminars, or in-house advancement opportunities. Paralegal managers usually act as liaisons between management and paralegals regarding work assignments and salaries which can be very helpful to beginning paralegals. In-house training usually includes use of the law library and/or computerized legal research systems such as Lexis and Westlaw. This type of training can be very useful to the beginning paralegal with little work experience. Paralegal staff meetings and seminars on various legal topics offer paralegals the opportunity to network and get acquainted with their fellow paralegals. Law firms that want to retain experienced paralegals, usually offer a paralegal senior job track which often includes higher salary ranges, more vacation time, and paid parking. Working in a large law firm usually means greater specialization in terms of paralegal assignments. Paralegals who specialize generally earn higher wages than paralegals who do not.

The downside to working in a large law firm is that it's difficult to cut through the firms policies and procedures. So in effect, it may be easier to negotiate a salary in a small law firm than in a large one where salary is tied to a stringent policy.

The main advantage to working in a small law firm is the flexibility in assignments and a less formal atmosphere. The biggest disadvantage in working for a
small law firm is the limited amount of resources. Small firms don't have law libraries, copy or word processing centers, and in-house services. In addition, paralegals may have to perform administrative duties, such as secretarial tasks due to budgetary constraints. Small firms facilitate cross-training of paralegals more than large firms. Further, salaries in small law firms may or may not be comparable to those in large law firms. Much depends on the attitude of the law firm toward the utilization of paralegals. If the firm is sophisticated in its use of paralegals, the salary will reflect this. However, if a firm wants to cut costs or doesn't know how to utilize paralegals, than this will also be reflected in the salary.

Medium-sized law firms offer the resources of large firms and the flexibility of small firms. However, job turnover for paralegals is low in medium-sized law firms, so jobs in these firms are generally harder to find.

The primary difference in working for a law firm versus working for a corporation or a government agency is that law firms require paralegals to work a certain number of billable hours. The concept of billable hours exists only in law firms, which makes the working atmosphere more intense. On the other hand, the law firm environment is more stimulating because paralegals work on a variety of cases with a variety of clients. In a corporation, paralegals work for only one client-the corporation.

While corporations are the second-largest employers of paralegals, only 15 percent of paralegals find jobs in them. Corporations that employ paralegals include
banks, insurance companies, brokerage firms, and manufacturing companies. In a corporation, the legal department usually reports to the chief executive officer (CEO), and is headed by the general counsel. An in-house legal department can have one to over one hundred attorneys on staff at any given time. Under the general counsel there is usually various levels of attorneys which ordinarily includes associate general counsel, assistant general counsel, senior counsel, and counsel. Depending on its size and needs, a legal department may or may not use paralegals.

Since most of the legal departments are too small to handle all the legal work of their corporations, many of them retain one or more outside law firms to handle part of the work. The amount of work contracted out to law firms depends on the expertise of the corporation's in-house legal staff and budgetary constraints.

For a paralegal working in a corporation there are significant differences from working in a law firm. Several have been mentioned already, no billable hours and only one client to worry about—the corporation. Another significant difference is in the responsibilities of the paralegals. Corporate paralegals may perform more administrative and business tasks instead of research tasks. For example, paralegals may have to administer employee stock option plans or other employee benefit plans as part of their job duties. However, this also provides an opportunity to learn about other areas of business. Corporate Paralegals can expand their expertise in finance, accounting, or marketing and increase their chances for advancement into other departments and/or other
areas of the business. Corporate salaries and benefits are usually better than law firms. And, tuition reimbursement toward an advanced degree is usually included as part of the benefits package. Law firms usually provide reimbursement only for seminars and continuing education courses that are directly related to a legal specialty. While corporations offer higher salaries, less stressful environment, and no billable hours, positions in corporations are hard to come by. Most corporations hire paralegals with some law firm experience.

An alternative to working in a law office or corporation is to work for the government. Federal agencies like the U.S. Department of Justice, Interstate Commerce Commission, Securities and Exchange Commission, and the Federal Trade Commission have been employing paralegals since the 1960s. In 1975, the federal government developed two job classifications for paralegals. The first is the paralegal specialist which is considered to be a professional-level job that guarantees career mobility and tenure. This job position is considered the same as a private practice paralegal who specializes in a particular area of law. The second classification is the legal clerk/technician position which is similar to a private case assistant and is more of a clerical type position.

The job tasks performed by government paralegals are very similar to those performed by their private practice counterparts. For instance, government paralegals also perform legal and factual research, document analysis, and trial preparation. However,
public sector paralegals do have job tasks that are indigenous to government law practice involving regulatory and licensing procedures, administrative hearings, and legislative monitoring.

There are other jobs in the federal government that involve paralegal-type work, but are not classified as a paralegal job position. They include Research Analysts at the Federal Trade Commission, Equal Employment Specialists at the Equal Employment Opportunity Commission, and Procurement Specialists at the Department of Defense.

In 1985 a study was conducted by Nancy L. Helmich and Roger A. Larson on the employment of paralegals in the offices of attorney generals around the nation. This study revealed that paralegals worked in many different areas of government. It showed that paralegals worked in such diverse areas as agriculture, civil rights, consumer affairs, criminal law, education, environmental affairs, health, labor, natural resources, public safety, taxation, transportation, and welfare. Further, an inquiry into the reasons why paralegals chose public sector jobs over private sector revealed that interest in public affairs and issues related to government service was common.

While a paralegal position in a government agency is desirable, only about five percent of all paralegals work in this capacity. One reason for this low percentile is

---

because of bureaucratic red tape. Any government job involves extensive civil service procedures that have to be followed. This usually results in long delays in hiring. Another reason asserted is the lack of concern for cost effectiveness. Since the government doesn't bill clients for service, the argument for cost effectiveness that's used for private sector paralegals doesn't apply. However, this assertion may be shortsighted. The slow economic recovery has prompted taxpayers to make cost-effectiveness a high priority issue with tax dollars. Today, the taxpayer is now demanding that government officials spend their tax dollars wisely and to cut down on government waste. Therefore, if the government is going to continue to provide low-cost legal services to the poor, the elderly, and others, it is apparent that cost effectiveness will be a big factor in that service delivery.

Recently, paralegals have found jobs in nonprofit agencies, legal clinics, group legal services, consumer groups, and paralegal service companies. The demand for affordable legal services and the increased recognition of paralegals by employers of the legal community has prompted this recent phenomenon. Paralegal service companies are usually owned and operated exclusively by paralegals or former paralegals. They provide legal support for law firms in many areas of specialized litigation. They also provide employment opportunities for recent paralegal graduates, and internship possibilities for students currently enrolled in paralegal programs.

A good example of a paralegal service company is the Eden Council for Hope and
Opportunity (ECHO), located in Hayward, California. ECHO was incorporated in 1964 to combat housing discrimination by providing services in the areas of tenant rights and responsibilities, conciliation, and mediation; rent subsidy program counseling; and information, referral, educational, and outreach services. It employs nonlawyers to provide counseling services in the areas of rent, security deposits, eviction and mediation services regarding rental disputes. For many paralegals, this type of nontraditional work environment has appeal. However, the salary level for paralegal positions in these organizations is generally lower than any of the other types of employers. Moreover, less than five percent of paralegals find positions in such organizations.

The tasks paralegals perform depend largely upon the legal practice areas they work in. The four areas of law that employs 90 percent of all paralegals are litigation, corporation, real estate, and probate. Oftentimes paralegals will work in more than one area simultaneously, particularly if they work for a small law firm.

The most common function of law in our legal system is dispute resolution. Over 50 percent of all paralegals work in litigation. Litigation refers to a controversy in which all parties agree to have their legal rights determined and enforced in court. Technically, the term refers to civil actions and not criminal actions.

Cases brought to court are either civil or criminal. Each represents a major kind of law. Civil law is designed to protect citizens as private individuals in their relationships with one another. The majority of civil lawsuits revolve around contracts or
torts. A **contract** is a written or unwritten agreement (a promise or set of promises) between two or more persons. A **tort** is a wrong or injury to a person or damage to property. Most torts involve wrongdoing to individuals under civil law.

Nearly all of the duties performed by litigation paralegals relate to lawsuits.

**There are four stages to a lawsuit, the commencement of an action (complaint and answer), discovery, trial, and appeal.** The **commencement of an action** begins when **one party files a complaint** against another. The complaint is the first statement (pleading) prepared by whoever is initiating the lawsuit (plaintiff), and it deals with the nature and basis of the lawsuit (grounds). The purpose of the complaint is to notify the adversary (defendant) of the grounds for the lawsuit. The defendant then prepares an answer in response, which contains denials of the allegations made by the plaintiff. A law firm would represent either the plaintiff or the defendant.

The second stage of a lawsuit is called **discovery**. During discovery, both parties of the lawsuit literally discover facts and information about the other in order to prepare for trial. The most common tools used during discovery are:

- **Interrogatories** - a term for written questions.
- **Depositions** - statements made under oath in a question-and-answer format.
- **Requests for Production of documents** - a request by one that the other party produce documents for it and make them available for inspection and photocopying.
- **Requests for admissions** - written statements that either affirm or deny facts or allegations at issue in the case.

These tools serve two purposes, first, to uncover facts, and second, to resolve some issues before going to trial.

The next stage is the **trial**. At trial the issues and facts of a case are examined in a court that has the proper jurisdiction over the lawsuit. Trial procedures include jury selection, the attorneys' opening statements, both parties presentation of evidence, both parties objections, submission of the case to a jury, jury instructions, the verdict, and order of the court.

The last stage of a lawsuit is the **appeal** to a higher court. Both parties have the right to file an appeal within the specified time period provided by law if they do not agree with the verdict. The purpose of the appeal is to obtain a review of a lower court's decision and a reversal of the judgment or a new trial. The appellate court bases its decision primarily on the attorneys' written pleadings and not on their oral arguments.

The majority of time required by a lawsuit is mostly spent in the discovery stage. While it is true that paralegals will mainly deal with trial work, they may also spend time doing work on appeals. Trial work includes document organization and control, and talking with codefendants and plaintiff's counsel. Essentially, the paralegal's main duty is to make sure that the attorneys get what they need when they need it, and that everything in a case flows smoothly.
Approximately 15 percent of all paralegals work in corporate law. Corporate law revolves around business-related transactions, so paralegals rarely perform court related tasks. Their work most often relates to general corporate work such as incorporations, ongoing corporate work, dissolutions and partnership matters, mergers and acquisitions, and securities law.

Incorporation is the legal process through which an association of owners creates a corporation. The process is governed by state statutes. The legal document that establishes a corporation is called the articles of incorporation. A corporation is considered an artificial person under the law and exists as a legal entity separate from the people who own it. Those people (shareholders) elect directors to manage the affairs of the organization. The directors, in turn, appoint officers to run the day-to-day business operations. Paralegals who work on an incorporation are responsible for determining the availability of the corporate name and reserving it with the secretary of state; drafting and filing articles of incorporation; drafting the bylaws, minutes of the first meeting of the board of directors and shareholders, and answers for various federal and state forms; preparing the minutes book, share certificates, stock transfer records; and when necessary, obtaining appropriate licenses to operate specific businesses, such as a hotel or a pharmacy.

Ongoing corporate matters are tasks related to the maintenance of a corporation. The paralegal tasks vary depending on whether a law firm or the corporation is handling
the work. For a paralegal working in a law firm, the tasks will generally include drafting legal documents, such as employment agreements and stock options; amending articles of incorporation and bylaws; preparing notices, agendas, resolutions, and minutes for corporate activities that usually require the approval of directors and/or shareholders; filing the qualifications for corporations to do business in other states; and maintaining Uniform Commercial Code (UCC) filings. (NOTE: The UCC is a set of laws that govern commercial transactions between states.) Paralegals who work for corporations often have responsibilities that revolve around the activities of the corporate secretary and board of directors. These responsibilities may include reporting the purchase and sale of stock by officers and directors; preparing for board of directors meetings; calculating dividend record and payable dates; administering executive stock option programs and dividend reinvestment plans; drafting proxy statements and 10-k forms; managing shareholder relations programs and proxy solicitations supervising the stock transfer agent; and coordinating the annual meeting of shareholders. Thus, the responsibilities and job tasks given to a corporate paralegal dealing with incorporation varys according to the employer's needs.

There are several reasons for dissolving corporations. The first occurs when the tax laws are changed in favor of other forms of ownership, such as partnerships. Another occurs when a corporation becomes insolvent and can no longer carry on a profitable business. For paralegals, corporate dissolution job assignments generally include
obtaining documents in connection with, the certificate of election to wind up and
dissolve; statements of intent to dissolve; articles of dissolution; required state forms to
effect the dissolution; tax clearances; notices to creditors; distribution of corporate assets;
and cancellation of share certificates. Again, the duties and responsibilities for paralegals
will vary according to need.

A **partnership** is another way to structure a company. It is a mutual agreement,
either written or verbal, between two or more persons to carry on a business for profit.
There are several types of partnerships one of which is the limited partnership. A limited
partnership is usually formed for real estate purchases, and for oil or gas drilling ventures.
It consists of one or more general partners (who manage the partnership), and one or
more limited partners (who only contribute capital). Limited partners don't participate in
the operation or management of the partnership and are only liable for the amount of their
investment. In partnership transactions, paralegal job tasks will ordinarily include
drafting general or limited partnership agreements and amendments; preparing, filing, and
recording statements of partnership and certificates of limited partnership; publishing
fictitious business name statements; and drafting minutes of partnership meetings and
agreements for dissolution of partnership. Again, job tasks and responsibilities will vary.

Although it is considered a subspecialty of corporate and securities law, the field
of **mergers and acquisitions** (also known as M & A) has grown tremendously. This
growth can be attributed to a wave of corporate takeovers that took place during the mid-
1980s. Attorneys and paralegals working in the field were able to develop specialized knowledge in M & A. Job tasks and responsibilities for paralegals who work in this field commonly include drafting letters of intent; preparing drafts of merger, purchase and sale agreements; drafting employment contracts and closing documents; obtaining UCC filing clearances and good standing certificates; and participating in due diligence investigations. **Note: a due diligence investigation is necessary when a company becomes public. It consists of reviewing company records to make sure they are in proper order and that the company is in good standing.** Although M & A work is highly specialized, paralegals with strong financial backgrounds in finance and accounting usually do well in this field of work.

**Securities law** involves the sale and purchase of securities (e.g., stocks, bonds, debentures, and options), for the purpose of raising capital. The majority of job tasks for paralegals in this field of work relate to initial stock offerings; bond or limited partnership offerings; private placement offerings; reporting requirements of securities trading; and the registration of securities with the state. As mentioned before, the responsibilities of a paralegal vary according to his/her employer needs. A paralegal working in a law firm could be assigned to work exclusively on initial stock offerings. While a paralegal in a corporate work environment could be assigned duties relating to preparing Securities and Exchange Commission (SEC) compliance filings.

Less than 10 percent of all paralegals work in real estate law. **Real estate law**
governs the ownership and transferability of real property. Real property refers to an interest in land or buildings. In comparison, Personal property refers to any transportable goods. The area of real estate law normally involves one or more of the following activities:

- Representation of the buyer or seller in commercial, residential, or industrial real estate purchases or sales;
- Representation of the lender or borrower in real estate financings;
- Representation of the landlord or tenant in leasehold matters;
- Real estate litigation; and
- Real estate aspects of corporate transactions

There are four phases in real estate transactions that involve the purchase, sale, or financing of property, were paralegals are most often utilized. They are **determining title, preparing for the closing, attending the closing, and the postclosing follow-up.**

During the first phase of **determining title**, the primary concern is to determine the status of title to the property. Having title means having the right to possess the property. Title to property can be affected by certain rights, or encumbrances, upon the property by other individuals. An example of this type of right is called a **lien.** A lien is a claim upon the property as security for a debt owed to the holder of the lien. A common type of lien is a mechanic's lien for the payment of money owed for labor, services, or material furnished in erecting or repairing a building on the property.
In the second phase of a transaction, the paralegal's role is to prepare for closing. In order for this to happen, a paralegal must attend to drafting various closing documents such as deeds, mortgages, bills of sale, promissory notes, and assignments of lease. The paralegal must also estimate the closing costs and work with the title company in clearing any objections to the title report.

During the closing phase, the paralegal will need to manage all documents, obtain signatures, and again work with the title company. In the final phase of postclosing follow-up, the paralegal will prepare a binder containing all closing documents and follow-up work with the title company.

Many of the tasks performed by paralegals in real estate practice depend on whether the firm represents the purchaser, seller, lender, or borrower. Other considerations are the type of property (i.e., single-family dwellings, condominiums, and industrial sites), and the kind of transaction involved (i.e., commercial leases, partnerships, foreclosures, financings, and landlord/tenant matters).

In a corporate legal department, real estate paralegals may either assist in employee relocations, or aid in the sale and/or purchase of a home by coordinating the activities of real estate brokers, title companies, and real estate lawyers. Additional job tasks may include maintaining property ownership records, analysis of tax assessments, drafting the company's response to tax adjustments, or monitor tax legislation that affects corporate property.
Paralegals who specialize in real estate law often perform job tasks similar to those who work in corporate law or litigation. For instance, when preparing a closing for a corporate client, a real estate paralegal might draft shareholder or director resolutions, these same tasks are performed by corporate paralegals. The litigation related duties in real estate law involve mortgage foreclosures, unlawful detainer actions (landlord/tenant disputes), and actions that determine who owns title to property.

Real estate law is a good area for long-term paralegal careers, however, job opportunities are dependant upon the economy and the real estate industry. Currently employment opportunities are limited due to a weak economy.

Less than 10 percent of all paralegals work in the specialty field of **probate**. This also includes the subspecialty field of estate planning. Estate planning refers to the management and distribution of property, including wills, trusts, gifts, taxes, and investments. Probate is the legal process through which a court decides on the validity of a will, reviews its provisions, and orders the final disposition of the assets of the estate. Estate planning deals mainly with the disposition of real and personal property. A will is a document that declares a persons desires about how his or her property should be disposed of after death. The purpose of a will is to prevent the state from distributing the estate according to state laws. However, other legal devices can also be used to dispose of property or assets. One such device is a **trust**. A trust consists of property held by one person for the benefit of another. Another common device used is a **gift**. A gift is a
present of real or personal property given outright from one person to another. These devices are often used because they are not subject to the costly and time consuming probate procedures of the state.

Types of matters which are handled by probate courts include **estate proceedings** which consists of *testate* proceedings (when a person dies and leaves a will), and *intestate* proceedings (when a person dies and leaves no will); **conservatorships** (were a court appoints an individual to care for the property and/or person of someone determined to be unable to manage his or her own property); and **guardianships** (were the court appoints an individual to care for the person and/or property of a minor).

A typical probate matter consists of holding the initial conference with the client or closest family member, commencing probate proceedings, taking inventory of the assets of the decedent's debts and expenses, making an accounting to the court, filing tax returns, and ultimately distributing assets and closing the estate. Because the majority of tasks involve the preparation of tax returns, accountings, and asset valuations, probate paralegals need to be fairly good with numbers.

Issues concerning the environment, business failures, global competition, job discrimination, and pension fraud have increased the need for legal advice in the areas of environmental, bankruptcy, immigration, labor and employment, intellectual property, pension law, and computerized litigation support. Growth in these areas are providing greater career opportunities for today's paralegals. Environmental law is one of the fastest-
growing specialty areas today. Since the National Environmental Policy Act of 1970 became law, dozens of regulations and statutes have been created. Cases can involve anything from compliance issues, like obtaining permits under the Clean Water Act, to hazardous waste litigation, and tort litigation, such as the asbestos cases that have been in the courts for many years now.

When preparing for proceedings before the U.S. Environmental Protection Agency (EPA), environmental paralegals often perform tasks similar to those working in litigation, such as document organization, identifying issues, organizing the witness file, drafting discovery documents, legal research and writing, scientific and technical investigations, and exhibit and trial book preparation. However, there are other responsibilities that are unique to environmental law, one of which is monitoring the rule making activities of the EPA. Environmental paralegals monitor the Federal Register for notices, proposals, and final rules that might affect a client's interest. The paralegal may be asked to prepare a brief with comments and suggestions for alternative proposed language for submittal into the administrative record.

Further, environmental paralegals may attend and participate in administrative hearings and meetings. Some of their responsibilities may include studying the administrative record, drafting testimony for a company's representatives to present at hearing, and monitoring the proceedings of the hearing.

A great deal of environmental law focuses on Superfund cases. Under the federal
Superfund law, generators of hazardous wastes are liable for completing a cleanup even if the site has been abandoned. In a Superfund case, a paralegal's responsibility often begins when a company is notified of its potential liability. Some specific tasks include:

- Investigating why a client has been named a potentially responsible party (PRP);
- Filing a request for the information the EPA used to identify the client's connection to the site;
- Assisting in drafting responses to the EPA's request, which involves examining the manifests, logs, reports, and interviewing personnel;
- Attending Steering Committee meetings with other PRPs in order to better facilitate negotiations and settlements with the EPA;
- Implementing a computerized document management and retrieval database in order to organize and monitor documents received from the EPA, the client, and other PRPs;
- Researching and monitoring changes in state and federal legislation and administrative regulations; and
- Preparing a "waste-in" summary, i.e., a detailed analysis of who sent what waste and in what amounts to the site.

Environmental paralegals need to be highly organized in order to manage large quantities of documents, and flexible so that they can handle additional responsibility at a moment's notice. Qualities necessary to succeed in this specialty area of law include
analytical skills to understand Superfund proceedings, strong research skills to monitor changing legislation, and the ability to communicate with the agencies, clients, and other parties involved. They need to be ready to take the ball and run with it!

Another fast growing specialty area of law is Labor and Employment Law. A labor law practice involves many different types of transactions, including collective bargaining, proceedings before the National Labor Relations Board (NLRB), arbitration, matters arising under federal and state wage and hour laws, Equal Employment Opportunity Commission (EEOC) investigations, discrimination cases, international labor matters, and litigation. The specific duties of a labor paralegal again depend upon whether her or she works in a law firm or a corporation and who the client is (i.e., a union, an employee, or management). A paralegal who works for a labor law practice would be responsible for:

- Collecting and analyzing data for collective bargaining negotiations;
- Performing economic analyses of union proposals;
- Preparing comparisons of labor/management settlements for similar industries and analyzing recent trends;
- Attending bargaining sessions and taking notes;
- Preparing first drafts of bargaining agreements;
- Preparing for NLRB hearings;
- Drafting petition letters to the NLRB in defense of an unfair labor practice charge;
Preparing for trial when formal complaints are issued by the NLRB;

Preparing for arbitration proceedings;

Reviewing and analyzing documents that relate to complaints of noncompliance to minimum wage or overtime provisions of federal or state laws.

Preparing for EEOC investigations;

Reviewing and analyzing employers' affirmative action plans; and

Preparing documents in EEOC litigation matters.

Obviously, good personable skills are needed in this specialty field. Paralegals often must deal with sensitive issues, such as representing management in an employee discrimination case. Nonetheless, it is a good foundation for careers in human resources and labor relations.

In summary, it is apparent that the role of the paralegal is very flexible and diverse. There are several distinct advantages and disadvantages to seeking a paralegal career. However, one more factor must be considered in order to have a clear picture of this emerging career role. This of course is the educational and skill requirements needed to perform the job.
CHAPTER TWO

Education, Training, And Skills

Because standardized educational requirements have not been accepted by the profession industrywide, and because employers use their own criteria when hiring paralegals, entry into the field is open to people with a wide range of educational backgrounds and experience. Although it is possible to land a position that provides on-the-job training or to become a paralegal via promotion, current trends indicate that people with some formal education or training (i.e., bachelor's degree, paralegal certificate, or associate degree in paralegal studies), tend to be hired.

Today, over 30,000 students are enrolled in the more than 600 institutions nationwide that provide formal paralegal training. These institutions include two-year colleges, four-year universities and colleges, technical schools, and proprietary schools. The programs offered by these institutions can lead to a certificate, a associate degree, or a bachelor's degree.

Certificate programs are the most prevalent type of paralegal training, and are offered by two- and four-year colleges, technical schools, and proprietary schools. For the most part, these programs provide only legal training although some do include general education courses. They can take anywhere from three months (full-time enrollment) to over two years to complete. Certificates are generally recommended for individuals who possess a bachelor's degree, have completed 30 to 60 units of college
credit, or have some work experience. The major drawback of the shorter certificate programs is that they provide only a cursory pass of the material. The short time frame makes it impossible to cover legal subjects in detail.

Some community and junior colleges and four-year universities offer two-year associate degrees in paralegal studies. Admission requirements for these programs include a high school diploma, and sometimes college-level aptitude test scores, writing examples, letters of recommendation, and personal interviews. The curriculum usually is a combination of general education requirements, core legal courses (usually in research, writing, law office management, and an introduction to the field), business law, civil procedure, and legal specialty courses.

A smaller number of universities and colleges offer majors or minors in paralegal studies in their four-year degree programs. The curriculum requirements of these programs usually include general education and business courses and legal specialty courses. The programs combine both a generalist's and specialist's approach to the paralegal field. Many also offer internships in the senior year, which provide students with the opportunity to integrate classroom learning and on-the-job experience.

A bachelor's degree program is recommended for high school graduates who are planning to obtain a degree from a four-year college. The major benefit of a bachelor's degree program is that it provides the student with a liberal arts background and skills that are immediately transferable to the workplace. With the trend toward more rather
than less education, the four-year college or university programs are the wave of the future.

There are several kinds of formal paralegal training programs available today. Paralegal education is big business, and new schools are opening their doors every day. However, there are several factors that should be considered in choosing a quality program. These factors should include, ABA approval, admission requirements, length of study, curricula, faculty composition, placement services, computer facilities, enrollment, and cost.

For many employers an **ABA-approved program signifies quality**. Out of the six hundred formal programs that operate today, only about 25 percent are ABA approved. Earning approval means a program meets strict guidelines adopted by the ABA's Standing Committee on Legal Assistants regarding the number of semester/quarter hours and types of courses required for certification or a degree. The approval process also includes a review of a school's faculty, admission requirements, administrative staff, and job placement service.

**Admission requirements** vary widely and depend on the type of certification that's offered. A certificate program generally requires either (1) a bachelor's degree or (2) work experience and/or one to two years of college. Programs that offer either a two- or a four-year degree normally require a high school diploma. In addition, some schools also require work experience, aptitude or achievement test scores, and
demonstrated writing ability.

Depending on the type, the length of time required to complete a paralegal training or education program varies from three months to four years. Many programs offer full-time and part-time options with both day and evening classes.

Most programs use a combination of two basic curriculum models. First, there is the general or broad-based legal training. General legal courses usually include an introduction to the paralegal profession, civil procedure, criminal law, legal research and writing, law office management, and sometimes a computer literacy class. The second curricula consists of the legal specialty courses, which generally include real estate, probate, corporate/business, tax, criminal, family law, estate planning, and litigation. Most of the programs offer courses in theory as well as practical skills.

Faculty composition is another important consideration. The qualifications of the people teaching the course work are just as important as the material that is covered. Instructors are usually attorneys, working paralegals, business executives, and specialists with expertise in a particular field, such as computers. Generally, the selection of instructors depends on factors such as teaching ability, work experience, expertise, and experience with paralegals in the workplace.

The best programs provide job placement services for current students and alumni. These services should include opportunities for internships. Internships provide opportunities for entry level paralegals to obtain a job position while learning valuable
on-the-job skills.

All programs do not offer computer training courses. However, because of the increased demand for computer-literate paralegals, it is a good idea to consider a program that does offer computer training. For the most part, paralegals have little to with mainframes and minicomputers. Most of their computer work is done on personal computers (PCs). Most firms use IBMs and IBM-compatibles rather than the Apple Macintosh PCs, although some firms use Macs to produce high-quality graphics. Up until a few years ago, the standard operating system for IBM and IBM-compatible PCs was DOS. Now, however, many firms are upgrading to Microsoft's Windows, which is the first graphic-user interface operating system for IBM and IBM-compatibles.

Basically, there are two categories of PC software that law firms generally use. The first type involves the generic, off-the-shelf packages for word processing, spreadsheets, databases, graphics, and desktop publishing packages. These include such products as WordPerfect or Word for Windows for word processing; Lotus 1-2-3, Quattro Pro, Excel, or Framework for spreadsheets; dBase for databases; Harvard Graphics for graphics; and PageMaker and Ventura for desktop publishing. The second category is the application-specific software, which is used for tasks such as timekeeping and billing, calendaring, litigation support, and document management. Paralegal programs that include any of the computer application courses already mentioned are considered to be up-to-date and of good quality.
Another factor that should be considered is **Enrollment**. Class size generally should not exceed thirty-five students. The smaller class size enables the instructor to provide more individual attention. In addition, a smaller class size also allows for better student participation and interaction.

Last, when looking for a quality program, high cost doesn't always mean high quality. **Costs** for paralegal programs vary widely. Whether you attend a public or private school, costs can range anywhere from several hundred dollars in a community college to over $6,000 in a university. Great care should be taken when evaluating the quality and cost of a paralegal education program.

It has been suggested that, the **main attributes a paralegal must possess** is (1) the ability to locate resources, and (2) common sense. In order to be successful, a paralegal must be able to locate resources and access information effectively. They need to know where to go for information. The source could be a law library, a computer database file, a state regulatory agency, or any of the hundreds of other sources of data that exist. Paralegals are expected to know how and where to find information. Common sense, on the other hand, cannot be taught. You either have it or you don't. Most legal assignments require 10 percent ability and knowledge, and 90 percent common sense.

Nonetheless, there are three **types of skills** that a paralegal utilizes during their everyday work tasks. These skills are organizational skills, communication skills, and analytical skills. **Organizational skills** include the ability to stay on top of details; to
manage, retrieve, and organize documents; and to administrate, coordinate, and schedule.

Next, **communication skills** include the ability to get ideas across verbally and in writing. An example of these skills would be legal writing, interpersonal relations, negotiating, investigating, interviewing, and supervising. Last, **analytical skills** which includes the ability to conduct legal, factual, statistical, and legislative research; to reason; to extract and utilize information; to interpret and apply laws and regulations; and to analyze and summarize facts and documents. Most tasks performed by paralegals use all these skill groups in some combination. Successful completion of a designated assignment depends on using each of these skill areas in the following manner:

- **Organizational** - locating and retrieving specific documents;
- **Analytical** - extracting and interpreting information in the defendants' responses in relation to what was requested;
- **Communication** - writing a detailed memorandum to the partner on the case.

Of these skills, prioritizing assignments without panicking and working with minimal supervision are elemental to on-the-job success.

As in any profession, important skills must be learned on the job. Many law firms provide newly hired paralegals with in-house training and orientation programs. These programs introduce newcomers to the profession; to the basic legal concepts; specific tasks, such as summarizing depositions; computer systems; and management techniques. Programs are administered by a paralegal manager, an attorney, or a combination of both.
Training often employs the use of "systems" binders for instruction in the procedures of a specific legal task, such as preparing a will. A binder will contain:

- Written step-by-step procedures
- Standardized forms
- Source materials
- Checklists
- Sample form letters
- Information regarding preparation of documents
- Master information containing basic data on a particular case

In addition to the systems binder, training may also include assignments based on hypothetical problems that are critiqued by the paralegal manager upon completion.

Typically, new paralegals in the larger firms are also trained in legal research and writing, in the use of LEXIS or WESTLAW, and the law library.

In sum, it is clear that a combination of formal paralegal education, on-the-job training, and good communication skills, and maybe a little common sense, will provide a paralegal with all the tools they'll need to succeed in this new emerging field.
CHAPTER THREE

Paralegal: The Next Generation

Since the recent recession, admissions to paralegal programs have been at record highs. Law firms are reducing staffs, and paralegal jobs are becoming more difficult to obtain. But, during times of economic uncertainty, competition for jobs increases in all fields. As a result of the weak economy, we all need to reevaluate the definition of work and job security. However, this does not lessen the value or the role paralegals play in the practice of law.

All indicators show great potential for this new profession. As consumers continue to demand affordable legal services, paralegals will play an important role in alleviating the burden of high cost.

One thing is certain, paralegals represent CHANGE! Unfortunately, change is almost always met with resistance, especially from those who benefit from the status quo. The profession is still evolving, still striving to overcome resistance, and still trying to define itself.

As a result of a more complex legal environment, lawyers are now being forced to examine their profession in new ways. Increased competition for clients, specialization, greater use of technology and computers, the advent of advertising and marketing, and the emergence of alternative dispute resolution methods, has changed the legal industry. These changes have affected the role and responsibilities of today's paralegal, and will
continue to do so.

In conclusion, the consensus is that there will be a major expansion of paralegal roles and job responsibilities over the next decade. The information supports the idea that even paralegals who work in the most traditional settings perform tasks that were once considered "practicing law". As the paralegal profession matures, the lines between attorney and paralegal will blur even more. The inevitable conflict between the old and the new will continue. Those who see change as opportunity will become the next generation of paralegal professionals.
APPENDIX A

LEGAL ASSISTANT AND PARALEGAL SCHOOL LISTING

CALIFORNIA

* ABA Approved

**Anaheim**
Balin Institute of Technology
3301 West Lincoln Avenue
Anaheim, CA 92801

**Angwin**
Pacific Union College
Angwin, CA 94508
(707) 965-6673

**Bakersfield**
California State University, Bakersfield
Extended Studies
9001 Stockdale Highway
Bakersfield, CA 93311-1099

**Brea**
Southern California College of Business Law
595 West Lambert Road
Brea, CA 92621

**CSB Plus**
Attorney Assistant Certificate Program
Extended Studies and Regional Programs
9001 Stockdale Highway
Bakersfield, CA 93311-1099

**Buena Park**
National Academy for Paralegal Studies
8615 Knott Avenue-Suite #11
Buena Park, CA 90620

**Burbank**
Catherine College
1700 West Burbank Boulevard
Burbank, CA 91506

**Camarillo**
Pacific Legal Arts College
1387 Del Norte Road
Camarillo, CA 93010

**Campbell**
Condie Junior College of Business & Technology
One West Campbell Avenue
Campbell, CA 95008
Carson

California State University, Dominguez Hills
Public Paralegal Certificate Program
School of Social and Behavioral Sciences
Carson, CA 90747

Phillips Junior College
One Civic Center-Suite #110
Carson, CA 90745

Cerritos

*Cerritos Community College
Paralegal Program/Paralegal Department
11110 East Alondra
Norwalk, CA 90650

Chula Vista

Apollo College
310 Third Avenue-Suite #B22
Chula Vista, CA 92010
(619) 585-3320

Compton

Compton College
1111 East Artesia
Compton, CA 90221

Ewing University
Paralegal Program
2007 East Compton Boulevard
Compton, CA 90221

Chico

California State University, Chico
Department of Political Science
Paralegal Certificate Program
Chico, CA 95929-0455

Citrus Heights

Career Community College
Paralegal Program
7219 Escalante Way
Citrus Heights, CA 95610

Costa Mesa

Orange Coast College
2701 Fairview Road
Costa Mesa, CA 92626
Culver City

West Los Angeles College
Legal Assistant/Paralegal Program
4800 Freshman Drive-Business Dept.
Culver City, CA 90230
(213) 287-4200

Cypress

Barclay College
Legal Assistant Program
5172 Orange Avenue
Cypress, CA 90630

Davis

*University of California, Davis
University Extension/Continuing Education
Legal Assisting Certificate Program
Davis, CA 95616

Encino

University of La Verne, College of Law
5445 Balboa Boulevard
Encino, CA 91316

Fountain Valley

*Coastline Community College
Legal Assistant Program/Independent Dept.
11460 Warner Avenue
Fountain Valley, CA 92708
(714) 960-7671

Cupertino

*De Anza College
Legal Assistant Program
Administration of Justice Dept.
21250 Stevens Creek Boulevard
Cupertino, CA 95014

Eureka

College of the Redwoods
Business Division
7351 Tompkins Hill Road
Eureka, CA 95501-9302
Fresno

Fresno City College
Paralegal Studies/Business Education Dept.
1101 East University Avenue
Fresno, CA 93711

San Joaquin College of Law
Paralegal Program/Independent Dept.
3385 East Shields
Fresno, CA 93726

Hayward

*California State University, Hayward
Paralegal Certificate Program
Division of Extended Education
25800 Carlos Bee Boulevard
Hayward, CA 94542-3012

Imperial

Imperial Valley College
P.O. Box 158
Imperial, CA 92251

La Jolla

*University of California, San Diego
Legal Assistant Program/UCSD Ext. 0176
9500 Gilman Drive,
La Jolla, CA 92037

Long Beach

California State University, Long Beach
University Extension
1250 Bellflower Boulevard
Long Beach, CA 90840

Fullerton

Fullerton College
Legal Assistant Program
406 North Adams Avenue
Fullerton, CA 92632

Irvine

*University of California, Irvine
Certificate Program/Legal Assistant
P.O. Box 6050
Irvine, CA 92716-6050

La Verne

University of La Verne
College of Law
1950 Third Street
La Verne, CA 91750
Los Angeles

Barclay Career Schools
3460 Wilshire Boulevard-Suite #1111
Los Angeles, CA 90010

Los Angeles City College
Law Department
855 North Vermont Avenue
Los Angeles, CA 90029
(213) 669-4000

Los Angeles Southwest College
Legal Assistant Program
1600 West Imperial Highway
Los Angeles, CA 90047
(213) 777-2225

*UCLA-University of California, LA
Extension-Attorney Assistant Program
10995 Le Conte Avenue-Suite #517
Los Angeles, CA 90024
(213) 825-0741

*University of West Los Angeles
School of Paralegal Studies
12201 Washington Place
Los Angeles, CA 90066

Mission Viejo

Futures High School
26440 La Alameda-Suite #350
Mission Viejo, CA 92691
(714) 348-0608

*Saddleback College
Legal Assistant Program
2800 Marguerite Parkway
Mission Viejo, CA 92692

Moraga

*Saint Mary's College
Paralegal Program
P.O. Box 3052
Moraga, CA 94575

---

(Summary of Paralegal Education Programs in California)
Northridge

Phillips Junior College
8520 Balboa Boulevard
Northridge, CA 91325
(818) 895-2220

Norwalk

*Cerritos College
11110 East Alondra Boulevard
Norwalk, CA 90650

Oakland

Merrit College
12500 Campus Drive
Oakland, CA 94619

Oxnard

Oxnard College
4000 South Rose Avenue
Oxnard, CA 93033

Palmdale

Adult Training School
1201 East Avenue "Q"
Palmdale, CA 93550
(805) 947-1660

Panorama City

Catherine College
Paralegal Program
8155 Van Nuys Boulevard
Panorama City, CA 91402

Pasadena

Pasadena City College
1570 East Colorado Boulevard
Pasadena, CA 91106
(213) 578-7301

Redwood City

Canada College
4200 Farm Hill Boulevard
Redwood City, CA 94061
Riverside

Associated Business Programs
Paralegal Program
3763 Arlington Avenue-Suite #2
Riverside, CA 92506

National Business Institute
4300 Central Avenue
Riverside, CA 92506
(909) 787-9300

Rohnert Park

Sonoma State University
Attorney Assistant Certificate Program
1801 East Cotati Avenue
Rohnert Park, CA 94928

Sacramento

American River College
4700 College Oak Drive
Sacramento, CA 95841

MTI Western Business College
Legal Assistant Program
2731 Capital Avenue
Sacramento, CA 95816

University of Northern California
Paralegal School
816 "H" Street-Suite #108
Sacramento, CA 95814

Phillips College
Inland Empire Campus
4300 Central Avenue
Riverside, CA 92506

University of California, Riverside
University Extension
Certificate in Legal Assistantship
Riverside, CA 92521-0112

CareerCom College of Business
6507 Fourth Avenue-Suite #450
Sacramento, CA 95817

Pacific College of Legal Careers
Paralegal Studies Program
580 University Avenue
Sacramento, CA 95825

Western Institute of Procedural Law
2731 Capitol Avenue
Sacramento, CA 95816
San Bernardino

California State University, San Bernardino
Paralegal Studies Department
5500 University Parkway
San Bernardino, CA 92407
(909) 880-5000

San Bernardino Valley College
Legal Administration Program
701 South Mount Vernon Avenue
San Bernardino, CA 92403

San Bruno

Skyline College
Paralegal Program
3300 Skyline College Drive
San Bruno, CA 94066

San Diego

Kelsey-Jenney College
Paralegal Studies/Independent Dept.
201 "A" Street
San Diego, CA 92101

National University School of Law
Paralegal Studies Program
8380 Miramar
San Diego, CA 92126

*University of San Diego
Lawyer's Assistant Program
Serra Hall, Room 316
Alcala Park/Graduate Division
San Diego, CA 92110

Metropolitan Technical Institute
And Business College
Legal Technician Program
1963 North "E" Street-Suite A
San Bernardino, CA 92405

San Diego

Kelsey-Jenney College
Paralegal Studies/Independent Dept.
201 "A" Street
San Diego, CA 92101

National University School of Law
Paralegal Studies Program
8380 Miramar
San Diego, CA 92126

*University of San Diego
Lawyer's Assistant Program
Serra Hall, Room 316
Alcala Park/Graduate Division
San Diego, CA 92110

Muir Technical Programs
Paralegal Program
4304 Twain Avenue
San Diego, CA 92120

National University School of Law
Paralegal Studies Program
8380 Miramar
San Diego, CA 92126

*University of San Diego
Lawyer's Assistant Program
Serra Hall, Room 316
Alcala Park/Graduate Division
San Diego, CA 92110

Rutledge College
5620 Kearney Mesa Road
San Diego, CA 92111
San Fernando

Los Angeles Mission College
Paralegal Program
1212 San Fernando Road
San Fernando, CA 91340-2294

San Francisco

City College of San Francisco
Legal Assistant Program
50 Phelan Avenue
San Francisco, CA 94112

Unilex College
Paralegal Department
995 Market Street
San Francisco, CA 94103

University of San Francisco
Paralegal Studies Program
Lone Mountain Campus, Room 105
San Francisco, CA 94117-1080

San Jose

San Jose State University
Legal Assistant Studies
One Washington Square
San Jose, CA 95192

Sawyer College
441 West Trumble Road
San Jose, CA 95131

San Marcos

Palomar Community College
1140 West Mission Road
San Marcos, CA 92069

San Luis Obispo

California Polytechnic State Univ.
San Luis Obispo-Extended Ed. Dept.
San Luis Obispo, CA 93407

San Rafael

Dominican College of San Rafael
San Rafael, CA 94901
Watterson College Pacific
336 East Rancheros Drive-Suite C
San Marcos, CA 92069
(619) 471-9100

Santa Ana

Pacific Coast College
118 West Fifth Street
Santa Ana, CA 92701
(714) 558-8700

*Rancho Santiago College
Legal Assistant Program
1530 West 17th Street
Santa Ana, CA 92706
(714) 564-6800 or (714) 835-3000

Santa Barbara

University of California,
Santa Barbara,
Legal Assistant Program
Santa Barbara, CA 93106

Santa Clara

Santa Clara University
Institute for Paralegal Education
MS B of A Building-Suite #507
Santa Clara, CA 95053
(408) 554-4535

Santa Clarita

American Paralegal Institute
21704 Golden Triangle Road- #314
Santa Clarita, CA 91350

Santa Cruz

University of California, Santa Cruz
Program in Legal Assistantship
740 Front Street-Suite #155
Santa Cruz, CA 95060

Santa Rosa

Empire College School of Law
3033 Cleveland Avenue
Santa Rosa, CA 95403
(707) 546-4000

Saratoga

West Valley College
Office of Community Development
14000 Fruitvale Avenue
Saratoga, CA 95070
<table>
<thead>
<tr>
<th>Location</th>
<th>Institution</th>
<th>Address</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sherman Oaks</td>
<td>Watterson College</td>
<td>5121 Van Nuys Boulevard, Sherman Oaks, CA 91403</td>
<td></td>
</tr>
<tr>
<td>South Lake Tahoe</td>
<td>Lake Tahoe Community College - Legal Assistant</td>
<td>2659 Lake Tahoe Boulevard, P.O. Box 14445, South Lake Tahoe, CA 95702</td>
<td></td>
</tr>
<tr>
<td>Stockton</td>
<td>Humphreys College</td>
<td>6650 Inglewood Drive, Stockton, CA 92507</td>
<td>(209) 478-0800</td>
</tr>
<tr>
<td>Suisun City</td>
<td>Solano Community College</td>
<td>4000 Suisun Valley Road, Suisun City, CA 94585</td>
<td>(707) 864-7000</td>
</tr>
<tr>
<td>Torrance</td>
<td>*El Camino College - Legal Assistant Program</td>
<td>16007 Crenshaw Boulevard, Torrance, CA 90506</td>
<td></td>
</tr>
<tr>
<td>Van Nuys</td>
<td>Merit College</td>
<td>7101 Sepulveda Boulevard, Van Nuys, CA 91405-2997</td>
<td>(818) 988-6640</td>
</tr>
<tr>
<td></td>
<td>Sawyer College of Business</td>
<td>6832 Van Nuys Boulevard, Van Nuys, CA 91405</td>
<td></td>
</tr>
<tr>
<td>Whittier</td>
<td>*Rio Hondo Community College - Paralegal Program</td>
<td>3600 Workman Mill Road, Whittier, CA 90608</td>
<td>(310) 692-0921 ext. 3937</td>
</tr>
<tr>
<td></td>
<td>American Paralegal Institute</td>
<td>22837 Ventura Blvd.-Suite #203, Woodland Hills, CA 91364</td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX B

LEGAL ASSISTANT AND PARALEGAL ASSOCIATION LISTING

UNITED STATES

*National Association of Legal Assistants, Inc. (NALA)
**National Federation of Paralegal Associations, Inc. (NFPA)

American Association of Law Libraries
53 West Jackson Boulevard-Suite #940
Chicago, IL 60604

American Association for Paralegal Education (AAFPE)
P.O. Box 40244
Overland Park, KS 66204
(913) 381-4458
NOTE: serves paralegal educators and Administrators of institutions that offer paralegal training programs

American Bar Association (ABA)
Standing Committee on Legal Assistants
North Lake Shore Drive
Chicago, IL 60611
(312) 988-5000
NOTE: paralegals can join the ABA 750 as Associater members.

Association of Legal Administrators (ALA)
175 East Hawthorne Parkway-Suite #325
Hills, IL 60061-1428
(708) 816-1212
NOTE: Associations purpose is to Vernon enhance the competence and professionalism of the legal administrator and the legal management team.

American Academy of Legal Assistants
1022 Paul Avenue, North East
Norton, VA 24273

American Paralegal Association (APA)
P.O. Box 35233
Los Angeles, CA 90035
<table>
<thead>
<tr>
<th>Organization</th>
<th>Address</th>
<th>City, State, Zip</th>
<th>Phone</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Assistant Management Association (LAMA)</td>
<td>P.O. Box 40129</td>
<td>638 Prospect Ave</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Overland Park, KS 66204</td>
<td>OR Hartford, CT 06105</td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Association for Independent Paralegals</td>
<td>635 Fifth Street West</td>
<td>Sonoma, CA 95476</td>
<td>800-332-4557</td>
<td></td>
</tr>
<tr>
<td></td>
<td>NOTE: provides information on independent paralegals and on how to start a self-help law form preparation business.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Association of Law Firm Marketing Administrators</td>
<td>60 Rivere Drive-Suite #500</td>
<td>Northbrook, IL 60062</td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Association for Law Placement</td>
<td>1666 Connecticut Avenue, Suite #450</td>
<td>Washington, D.C. 20009</td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Association of Legal Assistants, Inc. (NALA)</td>
<td>1601 South Main Street-Suite #300</td>
<td>Tulsa, OK 74119</td>
<td>(918) 587-6828</td>
<td></td>
</tr>
<tr>
<td>National Association of Legal Secretaries</td>
<td>2250 East 73rd Street-Suite #550</td>
<td>Tulsa, OK 74136</td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Federation of Paralegal Associations, Inc. (NFPA)</td>
<td>104 Wilmot Road-Suite #201</td>
<td>Deerfield, IL 60015-5195 OR P.O. Box 33108</td>
<td>(312) 940-8800</td>
<td>(816) 941-4000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Kansas City, MO 64114-0108</td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Legal Assistant Conference Center</td>
<td>2444 Wilshire Boulevard-Suite #301</td>
<td>Santa Monica, CA 90403</td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Notary Association (NNA)</td>
<td>23012 Ventura Boulevard</td>
<td>Woodland Hills, CA 91365-4624</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
National Paralegal Association (NPA)
P.O. Box 406
Solebury, PA 18963
(215) 297-8333
NOTE: membership open to individual paralegals and paralegal students.

National Shorthand Reporters Association
118 Park Street-South East
Vienna, VA 22180

Professional Legal Assistants, Inc.
P.O. Box 31951
Raleigh, NC 27690-0315

CALIFORNIA

Camarillo

*Ventura County Association of Legal Assistants
291 Lantana Street
Camarillo, CA 93010

Culver City

California Alliance of Paralegal Associations
P.O. Box 2801
Culver City, CA

Fremont

*Paralegal Association of Santa Clara County
1864 Mohican Court
Fremont, CA 94539

Fresno

**San Joaquin Association of Legal Assistants
P.O. Box 1306
Fresno, CA 93715

Los Angeles

**Los Angeles Paralegal Association
P.O. Box 241928
Los Angeles, CA 90024

Modesto

**Central Valley Paralegal Association
City Mall, 948 Eleventh Street-Suite #20
P.O. Box 3465
Modesto, CA 95353
Napa

**NAPA Valley Association of Legal Assistants**
1836 Second Street
Napa, CA 94559

Newport Beach

**Orange County Paralegal Association**
P.O. Box 8512
Newport Beach, CA 92658-8512

Oxnard

**Ventura County Association of Legal Assistants**
1210 Escalon Drive
Oxnard, CA 93030

Oakland

**East Bay Association of Legal Assistants**
P.O. Box 424
Oakland, CA 94604

Redwood City

**Paralegal Association of San Mateo**
250 Wheeler Avenue
Redwood City, CA 94061

Riverside

**Inland Counties Paralegal Association**
P.O. Box 292
Riverside, CA 92502-0292

Sacramento

**Sacramento Association of Legal Assistants**
P.O. Box 453
Sacramento, CA 95812-0453

San Diego

**San Diego Association of Legal Assistants**
P.O. Box 87449
San Diego, CA 92138-7449

San Francisco

**California Alliance of Paralegal Associations**
114 Sansome Street-Suite #644
San Francisco, CA 94104

**Coalition for Paralegal and Consumer Rights**
1714 Stockton Street-Suite #400
San Francisco, CA 94133

**San Francisco Association of Legal Assistants**
P.O. Box 26668
San Francisco, CA 94126-6668
(415) 982-2586
San Jose
*Paralegal Association of Santa Clara County
129 Parkwell Court
San Jose, CA 95138-1633

San Luis Obispo
**Central Coast Legal Assistants
P.O. Box 93
San Luis Obispo, CA 93406

San Rafael

**Marin County Association of Legal Assistants
P.O. Box 13051
San Rafael, CA 94913-3051

Santa Barbara

*Legal Assistants Association of Santa Barbara
530 East Montecito Street
Santa Barbara, CA 93103

OR
P.O. Box 2280
Santa Barbara, CA 93120-2280

*Channel Cities Legal Assistant Association
200 East Carrillo Street
Santa Barbara, CA 93101

Santa Rosa

**Redwood Empire Legal Assistants
P.O. Box 1498
Santa Rosa, CA 95402

Visalia

**Sequoia Paralegal Association
P.O. Box 93278-3884
Visalia, CA 93278
APPENDIX C

PARALEGAL TEXTBOOK REFERENCE

****** Adams & Ambrose Publishing
1274 South Park Street
P.O. Box 9684
Madison, Wisconsin 53715-0684
(608) 257-5700

****** Clark, Boardman Callaghan
155 Pfingsten Road
Deerfield, IL 60015-4998
800-221-9428
(708) 948-9340 FAX

****** Little, Brown, & Company
New Books Department
200 West Street
Waltham, MA 02154
(617) 890-2125

WEST Publishing Company
50 West Kellog Blvd.
P.O. Box 64526
St. Paul, MN 55164-1003

***James Publishing, Inc.
P.O. Box 25202
Santa Ana, CA 92799-5202
(714) 755-5450

***Prentice Hall
Business & Professional Publishing
P.O. Box 11071
Des Moines, IA 50381-1071
800-288-4745

**Wiley Law Publications
John Wiley & Sons, Inc.
7222 Commerce Center Drive-#240
Colorado Springs, CO 80919-9810

   by Brent D. Roper

2. Essentials of Paralegalism
   by William P. Statsky

   by William P. Statsky

   by National Association of Legal Assistants, Inc.
5. Introduction to Law
   by Beth Walston-Dunham

6. Litigation and Trial Practice for the Legal Assistant, Third Edition
   by Roderick D. Blanchard

7. Tort Law for Legal Assistants: A Practical Guide
   by Linda L. Edwards and J. Stanley Edwards

   by James W.H. McCord

   by Jefferson H. Weaver

    by William P. Statsky

11. Introduction to Civil Litigation, Second Edition
    by The Philadelphia Institute-Mark Weinstein, editor

12. Introduction to Real Estate Law, Second Edition
    by The Philadelphia Institute-Deborah Flynn, editor

13. Practical Real Estate Law
    by Daniel F. Hinkel

    by George Siedell

    by Jefferson H. Weaver

16. Wills, Trusts, and Estate Administration for the Paralegal, Third Edition
    by Dennis Hower

17. Introduction to Estates and Trusts, Second Edition
    by The Philadelphia Institute-Susan J.G. Shrader, editor
   by Marie Kisiel

   by William P. Statsky

20. The Regulation of Paralegals: Ethics, Professional Responsibility, and Other Forms of Control
   by William P. Statsky

   by William P. Statsky and R. John Wernet, Jr.

22. Legal Research and Writing: Some Starting Points, Third Edition
   by William P. Statsky

23. Legislative Analysis and Drafting, Second Edition
   by William P. Statsky

24. Family Law for Paralegals, Third Edition
   by William P. Statsky

25. Bankruptcy for Paralegals
   by Pamela Webster

   by Jefferson H. Weaver

27. Introduction to Bankruptcy Law
   by Martin A. Frey, Warren L. McConnico, Phyllis Hurley Frey

   by John E. Moye

29. An Introduction to Contracts and Restitution for Paralegals
   by Martin A. Frey and Terry H. Bitting

30. Introduction to Corporate Law, Second Edition
   by The Philadelphia Institute-Lisa Warren, editor
   by Deborah E. Larbalestrier

32. Personal Injury Paralegal: Forms and Procedures
   by Joyce Walden

33. Litigation Organization and Management for Paralegals
   by Lynn M. Randall

33. Paralegal Letters Book
   edited by Wiley Law Publications

34. Estate Planning and Administration for Paralegals
   by Charles P. Nemeth

35. Paralegal Drafting Guide
   by Dorien Smith McClellan

   by Steven N. Berger, J. Daria Westland, and Thomas J. Salerno

37. Chapter 13 Bankruptcy, Second Edition
   by Keith M. Lundin

38. Litigation Paralegal, Second Edition
   by Philip J. Signey

39. Litigation Guide for Paralegals: Research and Drafting
   by Cynthia Monteiro Osborne

40. Paralegal Litigation: Forms & Procedure
   by Marcy Fawcett

41. Legal Research and Writing For Paralegals
   by Deborah E. Bouchoux
42. Bankruptcy: Maneuvering Through The Maze
   by S. Suzanne Walsh

43. Bankruptcy Basics For Small Business
   by S. Suzanne Walsh

44. Legal Assistant's Guide To Alternative Dispute Resolution
   by Judy Quan

45. Environmental Law Resource Guide
   by Graig B. Simonsen

46. Plaintiff's Personal Injury Handbook
   by Kathleen M. Reade

47. The Nuts And Bolts Of Civil Litigation Practice
   by Jennifer Dwight

48. Hot Docs And Smoking Guns: Managing Document Production
    And Document Organization
   by Stacey Hunt and Rhonda Gregory

    Legal Research And Analysis
   by Christopher G. Wren and Jill Robinson Wren
APPENDIX D

LAW DICTIONARIES/DIRECTORIES AND OTHER REFERENCES

   by Daniel Oran

   by Daniel Oran

3. Sloane-Dorland Annotated Medical-Legal Dictionary
   by Richard Sloane

4. West's Legal Desk Reference
   by William P. Statsky, Bruce L. Hussey, Michael R. Diamond, and Richard H. Nakamura

5. West's Legal Thesaurus/Legal Dictionary: A Resource For The Writer and Computer Researcher
   by William P. Statsky

6. Martindale-Hubbell Law Dictionary
   by Martindale-Hubbell P.O. Box 1001 Summit, New Jersey 07902-1001

PARALEGAL PERIODICALS/NEWSLETTERS

Facts and Findings (Newsletter)
1601 South Main Street, Suite 300
Tulsa, OK 74119
   Published by NALA

Journal of Paralegal Education And Practice
P.O. Box 40244
Overland Park, KS 66204

Law Technology Product News (Newsletter)
Products, Systems, and Services for law firms
New York Law Publishing Company
P.O. Box 2
Winter Beach, FL 32971-9981
Legal Administrator  
175 East Hawthorne Parkway  
Vernon Hills, IL 60061-1428  
(708) 816-1212

Legal Assistant Today  
3520 Cadillac Avenue-Suite E  
Costa Mesa, CA 92626  
(714) 755-5450

Legal Assistant Update  
750 North Lake Shore Drive  
Chicago, IL 60611  
(312) 988-5000

National Paralegal Reporter  
P.O. Box 33108  
Kansas City, MO 64114-0108  
(816) 941-4000

The Paralegal (Newsletter)  
P.O. Box 406  
Solebury, PA 18963  
(213) 297-8333

Published by NPA
APPENDIX E

COMPUTERIZED LITIGATION SUPPORT

American Legal Systems (ALS) NOTE: These are large
Aspen Systems Corporation (ASC) computerized litigation
ATLIS Legal Information Systems (ATLIS) support vendors
Quorum Systems

COMPUTER APPLICATIONS

LEXIS/NEXIS = Databases developed to provide easy access to legal
WESTLAW reference materials.

WordPerfect 5.1 and 6.0 = Personal computer software now generally
accepted as the standard word processing
program used by law firms and legal
departments in corporations. This software
operates in either a stand-alone computer or
network environment.

Word for Windows = Wordprocessing application

DBase = Relational database program used for building and managing
document retrieval databases.

RBase = Relational database software package which is used in personal
computer environments for building litigation databases.

Lotus 1-2-3 = Spreadsheet applications
Quattro Pro 3.0
Excel
Framework
## APPENDIX F

### LEGAL SPECIALTY AND SUB-SPECIALTY REFERENCES

<table>
<thead>
<tr>
<th>LITIGATION</th>
<th>REAL ESTATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bankruptcy</td>
<td>Eminent Domain</td>
</tr>
<tr>
<td>Environmental</td>
<td>Environment</td>
</tr>
<tr>
<td>Workers' Compensation</td>
<td>Landlord/Tenant</td>
</tr>
<tr>
<td>Personal Injury</td>
<td>Land Use</td>
</tr>
<tr>
<td>Collections</td>
<td>Development</td>
</tr>
<tr>
<td>Commercial Litigation</td>
<td></td>
</tr>
<tr>
<td>Computerized Litigation Support</td>
<td></td>
</tr>
<tr>
<td>Administrative Law</td>
<td></td>
</tr>
<tr>
<td>Criminal Law</td>
<td></td>
</tr>
<tr>
<td>Family Law</td>
<td></td>
</tr>
<tr>
<td>Government Law</td>
<td></td>
</tr>
<tr>
<td>Health Care</td>
<td></td>
</tr>
<tr>
<td>Immigration and Naturalization</td>
<td></td>
</tr>
<tr>
<td>Insurance Law</td>
<td></td>
</tr>
<tr>
<td>Labor/Employment Discrimination</td>
<td></td>
</tr>
<tr>
<td>Medical Malpractice</td>
<td></td>
</tr>
<tr>
<td>Products Liability</td>
<td></td>
</tr>
<tr>
<td>Social Security</td>
<td></td>
</tr>
</tbody>
</table>

### CORPORATE

| Banking                          |                                 |
| Business/Finance                 |                                 |
| Taxation                         |                                 |
| Copyright                        |                                 |
| Trademark                        |                                 |
| Patent                           |                                 |
| Entertainment                    |                                 |
| ERISA                            |                                 |
| Pension Plans                    |                                 |
| Government Contracts             |                                 |
| International                    |                                 |
| Mutual Funds                     |                                 |
| Securities                       |                                 |
APPENDIX G

PARALEGAL JOB DESCRIPTIONS

Each category contains some general job assignments that paralegals perform in that particular area of law. Each category contains some general job assignments that paralegals perform in that particular area of law.

LITIGATION PARALEGAL

When preparing for the processing of cases and the commencement of actions, paralegals often perform the following types of job duties.

1. Initial Client Interview
2. Organization of client file
3. Ascertaining and Analyzing the facts
4. Investigation
   * interviewing witnesses
   * subsequent client interviews
   * investigating court records, corporate records, titles and deeds
   * investigating medical reports, wage analysis, loss of income, etc.
   * visiting the scene; taking photographs, measurements
5. Determining legal issues
6. Formulating a plan of research
7. Research the law, briefing cases
8. Drafting a memorandum of law
9. Correspondence
10. Drafting complaints or answers
11. Service of process

Discovery Duties Include

1. Drafting requests for admissions and responses
2. Drafting requests for production and responses
3. Drafting interrogatories and responses
4. Depositions
   * setting up depositions; notice; subpoena; reporter
   * preparing questions
   * taking notes on testimony
5. Document organization and analysis
Pretrial Duties Include

1. Locating and selecting expert witnesses
2. Preparing Witnesses
3. Drafting Trial Brief
4. Preparing questions for jury selection
5. Preparing evidence
6. Drafting pretrial motions
7. Drafting opening statements
8. Settlements
   *drafting releases
   *drafting and filing motions for dismissal
9. Maintaining the client case docket and tickler system
10. Preparing trial notebooks

Trial Duties Include

1. Organizing trial exhibits and handling exhibits at trial
2. Coordinating Witnesses' appearances
3. Coordinating and organizing trial settings
4. Taking notes at trials

Post-Trial Duties Include

1. Summarizing trial testimony and drafting motions
2. Maintaining appellate timetables
3. Satisfying judgments and collection work, i.e., garnishment levies

**PROBATE ADMINISTRATION PARALEGAL**

General Duties Include

1. Prepare composites of wills
2. Petitions for probate
3. Proofs of subscribing witness to will
4. Order admitting will to probate
5. Letters testamentary
6. Estate Inventories
7. Creditors' claims for family members
8. Petitions and orders for family allowance consents to transfer
9. Stock powers
10. Affidavits of domicile
11. Inheritance tax declarations
12. Estate tax returns
13. Petitions for final account
14. Distributee's receipts
15. Petitions for appointments of conservator
16. Letters to and interviews with beneficiaries
17. Opening, maintaining and reconciling of estate checking and savings accounts
18. Obtaining inheritance tax referees
19. Opening safe deposit boxes
20. Obtaining appraisals
21. Documentation for sales and transfers of assets
22. Assistance to beneficiaries in filing of life insurance claims
23. Obtaining employer ID numbers for estates

**Estate Planning Duties Include**

1. Drafting wills and trusts
2. Application to IRS for taxpayer ID number for trusts
3. Maintaining savings account records
4. Letters to client explaining will and trust
5. Drafting agreements regarding ownership of property
6. Changes in beneficiary designations and titles to property
7. Maintaining records of wills
8. Updating will and trust form books

**CORPORATE PARALEGAL**

**Organization of a Corporation's Duties Include**

1. Initial client interview
2. Opening the client file
3. Preparing and filing documents relative to incorporation
   * pre-incorporation subscriptions
   * reserving corporate name
   * pre-incorporation agreements
   * articles of incorporation
4. Drafting bylaws
5. Notices for incorporating a going business
6. Organizational meetings

**Routine Operation of a Corporation's Duties Include**

1. Issuance of shares
2. Drafting buy-sell agreements
3. Drafting resolutions
4. Drafting documents required for registration of securities
5. Drafting notices of securities exemptions
6. Drafting SubChapter S elections
7. Notice of director's meeting; waivers; minutes
8. Drafting amendments to the bylaws
9. Drafting amendments and restatements of articles
10. Drafting changes in capital structure
11. Drafting dividend resolution; declaration

**Basic Organizational Changes**

1. Mergers and Acquisitions
2. Consolidation
3. Reorganizations
4. Request for tax rulings

**Dissolution of Corporations**

1. Drafting dissolutions
2. Sales of assets

**Preparation of Corporate Tax Returns**

**Formation of Close Corporations**

**REAL ESTATE AND PROPERTY LAW PARALEGAL**

Drafting and Reviewing Documents Relative to Real Estate include duties such as

1. Brokers and agents contracts (listing agreements)
2. Options to purchase
3. Sales Contracts
4. Exchanges
5. Real Property security transactions
6. Drafting deeds
   * general warranty
   * special warranty
   * quit claim
7. Deeds of trust
8. Promissory notes
   * installment
   * all-inclusive (wrap-around)
9. Interim construction loans
10. Closing sales of real property
11. Restrictions on land use
12. Permanent loans
13. Dedication of homestead
14. Real property leases
15. Subdivision contracts
16. Construction agreements
17. Mechanics' and materialmen's liens
18. Property management contracts
19. Real Estate syndication
BIBLIOGRAPHY

BOOKS


DIRECTORIES