

Paralegal c a r e e r s



Angela Schneeman

Paralegal Careers

Angela Schneeman

WEST LEGAL STUDIES
Thomson Learning™

Africa • Australia • Canada • Denmark • Japan • Mexico • New Zealand • Philippines
Puerto Rico • Singapore • Spain • United Kingdom • United States

NOTICE TO THE READER

Publisher does not warrant or guarantee any of the products described herein or perform any independent analysis in connection with any of the product information contained herein. Publisher does not assume, and expressly disclaims, any obligation to obtain and include information other than that provided to it by the manufacturer.

The reader is notified that this text is an educational tool, not a practice book. Since the law is in constant change, no rule or statement of law in this book should be relied upon for any service to any client. The reader should always refer to standard legal sources for the current rule or law. If legal advice or other expert assistance is required, the services of the appropriate professional should be sought.

The Publisher makes no representation or warranties of any kind, including but not limited to, the warranties of fitness for particular purpose or merchantability, nor are any such representations implied with respect to the material set forth herein, and the publisher takes no responsibility with respect to such material. The publisher shall not be liable for any special, consequential, or exemplary damages resulting, in whole or part, from the readers' use of, or reliance upon, this material.

West Legal Studies Staff:

Business Unit Director: Susan L. Simpfenderfer

Executive Editor: Marlene McHugh Pratt

Acquisitions Editor: Joan M. Gill

Editorial Assistant: Lisa Flatley

Executive Marketing Manager: Donna J. Lewis

Channel Manager: Eleanor J. Murray

Executive Production Manager: Wendy A. Troeger

Production Editor: Betty L. Dickson

Cover Design: Connie McKinley

COPYRIGHT © 2000

West Legal Studies is an imprint of Delmar, a division of Thomson Learning. The Thomson Learning logo is a registered trademark used herein under license.

Printed in Canada

1 2 3 4 5 6 7 8 9 10 XXX 05 04 03 02 01 00

For more information, contact Delmar, 3 Columbia Circle, PO Box 15015, Albany, NY 12212-0515; or find us on the World Wide Web at <http://www.westlegalstudies.com>

All rights reserved Thomson Learning © 2000. The text of this publication, or any part thereof, may not be reproduced or transmitted in any form or by any means, electronics or mechanical, including photocopying, recording, storage in an information retrieval system, or otherwise, without prior permission of the publisher.

You can request permission to use material from this text through the following phone and fax numbers.

Phone: 1-800-730-2214; Fax 1-800-730-2215; or visit our Web site at <http://www.thomsonrights.com>

Library of Congress Cataloging-in-Publication Data

Schneeman, Angela.

Paralegal careers / Angela Schneeman.

p. cm.

Includes bibliographical references and index.

ISBN 0-7668-0950-1

1. Legal assistants—Vocational guidance—United States. I. Title.

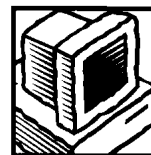
KF320.L4 S357 2000

340'.023'73—dc21

99-053556

Paralegal Careers

The West Legal Studies Series



Your options keep growing with West Legal Studies

Each year our list continues to offer you more options for every area of the law to meet your course or on-the-job reference requirements. We now have over 140 titles from which to choose in the following areas:

Administrative Law
Alternative Dispute Resolution
Bankruptcy
Business Organizations/Corporations
Civil Litigation and Procedure
CLA Exam Preparation
Client Accounting
Computer in the Law Office
Constitutional Law
Contract Law
Criminal Law and Procedure
Document Preparation
Environmental Law
Ethics

Family Law
Federal Taxation
Intellectual Property
Introduction to Law
Introduction to Paralegalism
Law Office Management
Law Office Procedures
Legal Research, Writing, and Analysis
Legal Terminology
Paralegal Employment
Real Estate Law
Reference Materials
Torts and Personal Injury Law
Will, Trusts, and Estate Administration

You will find unparalleled, practical support

Each book is augmented by instructor and student supplements to ensure the best learning experience possible. We also offer custom publishing and other benefits such as West's Student Achievement Award. In addition, our sales representatives are ready to provide you with dependable service.

We want to hear from you

Our best contributions for improving the quality of our books and instructional materials is feedback from the people who use them. If you have a question, concern, or observation about any of our materials, or you have a product proposal or manuscript, we want to hear from you. Please contact your local representative or write us at the following address:

West Legal Studies, 3 Columbia Circle, P.O. Box 15015, Albany, NY 12212-5015

For additional information point your browser at

www.westlegalstudies.com

WEST **LEGAL STUDIES**
Thomson Learning™

DEDICATION

*To my husband, Greg,
and our children Alex and Katherine.*

Preface

Students who are considering a career as a paralegal will have questions about the profession: Who are paralegals? What do they do? Where do they work? How much can I expect to earn as a paralegal? How can I find a paralegal position? *Paralegal Careers* answers those questions and more. It is the ideal text for any course that focuses on paralegal careers, including courses typically taught at the beginning of a paralegal student's education, and courses taught to aid paralegal students who are beginning the job search. This text introduces students to the paralegal profession and imparts the information they will need to make the transition from the classroom to the office.

For individuals who are exploring the possibility of a paralegal career, *Paralegal Careers* includes the information and tools necessary to make a well-informed decision. In addition, information on obtaining a quality paralegal education will assist the reader in forming a plan for a paralegal education.

THE STATUS OF THE PARALEGAL PROFESSION

The paralegal profession is still new and evolving. Because the profession is constantly defining itself, students may have unclear or unrealistic expectations about a career as a paralegal. *Paralegal Careers* provides the most recent data on the paralegal profession, combined with the personal experience of the author and several other paralegals, to give the student insight as to the realities of the profession.

TEXT ORGANIZATION

Paralegal Careers covers the following topics vital to an understanding of the paralegal profession:

- The Paralegal Profession—The introductory chapter to this text includes a look at the history, current status, and probable future of the paralegal profession, and defines *paralegal*, *legal assistant*, and related terms.
- Paralegal Employers—Who employs paralegals? The chapter on paralegal employers focuses on the major types of paralegal employers and the possible advantages and disadvantages to working for law firms (large, medium, and small), corporations, and the government, as well as being self-employed.
- Paralegal Specialties—What do paralegals do? *Paralegal Careers* includes an in-depth discussion of the major paralegal specialties with descriptions of the work performed by specialists in each area. Emphasis is given to those specialties where significant growth is expected.
- Paralegal Salaries and Benefits—How much do paralegals earn? Information gleaned from the most recent salary and benefit surveys is tabulated and discussed in detail.
- Paralegal Associations—A discussion concerning the major paralegal associations, benefits of membership, and the contributions of the associations to the profession includes resources for paralegals interested in joining a state or local group.
- Paralegal Regulation—The pros and cons of paralegal regulation, the various means of regulation, and the positions of several important paralegal groups are included in the Paralegal Regulation chapter. A state-by-state look at the latest developments, including introduced legislation, is also included.
- Paralegal Skills—The chapter in this text on paralegal skills identifies the important skills for paralegals, including those that paralegal employers look for. A separate section on each skill defines what is expected of paralegals and where students can acquire any skills they do not already have. Several resources are included in this chapter, including Web sites and reference books.
- Job Search—How can the student land his or her first paralegal position? This book includes an in-depth discussion on finding a paralegal position, with information concerning where to find a position, how to prepare a resume, and how to interview for a position effectively. Several Internet references are given. In addition, Appendices include several sample resumes and cover letters in various styles.

Each chapter is filled with examples, charts, graphs, practical advice, and resources to help the student make the transition from the classroom to the office. A glossary defines important terms in each chapter.

A special *Career Track* section at the end of each chapter asks students to do some self-evaluation and career planning by applying the information learned throughout the previous chapter to their own personal situations.

The *Focus on Ethics* within each chapter is a brief description of some of the major ethical issues faced by paralegals. The *Focus on Ethics* feature, as well as the discussion of the model codes of ethics adopted by the two national paralegal associations, emphasizes the importance of ethics to a paralegal's career.

Several *Paralegal Profiles* of working paralegals who hold diverse positions are included throughout the text to give the student a better understanding of what paralegals do and how diverse the field actually is. These profiles include paralegals who work in small, medium, and large law firms, as well as for government agencies, and corporate legal departments. Their specialties include family law, litigation, corporate law, tax law, and more.

The accompanying *Instructors Guide* includes additional resources, suggested activities, and suggestions for class discussions.

Finally, this book ties into a companion Web page on West Publishing's Web site at www.westlegalstudies.com. This unique resource includes new information and developments in several topics addressed in this text that are of great importance to the paralegal instructors, paralegal students, and paralegals. The site will be updated quarterly. Links to several useful Web sites can also be found on this page.

I would like to thank the NFPA, NALA, and AAFPE for allowing me to include excerpts and data from several of their invaluable studies and surveys. Also, my special thanks go to everyone at West and Delmar who helped with each step of this project, especially Joan Gill, Lisa Flatley, and Betty Dickson.

I would like to thank the following reviewers:

Wendy Edson
Hilbert College

Jean Hellman
Institute of Paralegal Studies

Melynda Hill-Teter
Contract Paralegal

Julia Ingersoll
Pierce College

Konnie G. Kustron
Eastern Michigan University

Mary Lowe
Westark College

Richard Shaffran, J.D.
UCLA Extension

Sybil Taylor Aytch
Smock & Weinberger

Angela Schneeman

Please note the Internet resources are of a time-sensitive nature, and URL addresses may often change or be deleted.

Introduction

If you are considering a new career as a paralegal—Congratulations! You are contemplating a career in one of the fastest growing, most dynamic professions of the new millennium.

Whether you have experience working in the legal field or it is all new to you, you probably have many questions concerning the paralegal profession. Some of these questions may include:

- Exactly what is a paralegal?
- Where do paralegals work?
- In what areas of law do paralegals specialize?
- What kind of salary and benefits can I expect as a paralegal?
- What assistance is available to paralegals throughout their careers?
- Do I need to be licensed to be a paralegal?
- What skills will be important to me as a paralegal?
- How do I find my first job as a paralegal?

This text will answer all of these questions—and more. Chapter 1 starts by defining the term *paralegal* and exploring the history, evolution, and predicted future of the paralegal profession.

Next, Chapter 2 describes the various paralegal employers and the advantages and disadvantages to working for each.

Paralegals specialize in numerous areas of law. Chapter 3 explores several of these specialties and the duties and work environment of the paralegals who specialize in each of them.

Chapter 4 includes highlights of the most recent paralegal salary and benefit surveys. This information will be updated quarterly at the companion web site to this text found on the Internet at **www.westlegalstudies.com**.

Paralegal associations can offer assistance in many forms to you throughout your career as a paralegal. Chapter 5 includes information on both of the national as well as the state and local paralegal associations.

Currently you do not need a license to work as a paralegal in any state in the country. However, Chapter 6 explores the trend toward the almost certain regulation of paralegals on some level.

Chapter 7 takes a look at the skills that will be important to you in your work as a paralegal—according to paralegals *and* paralegal employers.

Chapter 8 will assist you in your job search and offer helpful suggestions for finding employment at any point in your career.

Finally, this book will point you to additional resources to answer all your questions—now and throughout your career as a paralegal.

Contents

Preface	vii
Introduction	xi
<hr/>	
CHAPTER 1 THE PARALEGAL PROFESSION	1
<i>Paralegal Profile: Cristi A. Malone</i>	3
Paralegal and Legal Assistant Defined	4
The History and Evolution of the Paralegal Profession	7
The Future of the Paralegal Profession	13
Career Track	17
<i>Focus on Ethics: The Importance of Legal Ethics</i>	16
Glossary	17
<hr/>	
<i>Feature: Working with Attorneys</i>	20
CHAPTER 2 PARALEGAL EMPLOYERS	22
Introduction	23
<i>Paralegal Profile: John Osborn</i>	24
Law Firms	25
Corporate Employers	36
Government Employers	40
Self-Employed And Temporary Paralegals	49
<i>Focus on Ethics: Confidentiality</i>	51
Summary	53
Career Track	53
Glossary	57

<i>Feature: Legal Nurse Consultants</i>	59
CHAPTER 3 PARALEGAL SPECIALTIES	61
Introduction	62
<i>Paralegal Profile: Amy Michel</i>	64
The Top Ten Paralegal Specialties	65
Top Five Growth Specialties for the New Millennium	80
Other Important Specialties	85
Nontraditional Paralegal Career Paths	89
<i>Focus on Ethics: Conflicts of Interest</i>	91
Summary	92
Career Track	92
Glossary	93
<i>Feature: The Question of Overtime</i>	95
CHAPTER 4 PARALEGAL SALARIES AND BENEFITS	97
Introduction	98
<i>Paralegal Profile: Jill Stieg</i>	98
Sources of Information	99
How the Geographic Location of Your Work Affects Your Salary	103
How Your Experience Affects Your Salary	107
How Your Education, Training, and Credentials Affect Your Salary	110
How Your Employer Affects Your Salary	114
How Your Specialty Affects Your Salary	118
How Your Billable Hours Affect Your Salary	121
Bonuses	122
Paralegal Benefits	123
<i>Focus on Ethics: Fees and Financial Matters</i>	124
Summary	125
Career Track	126
<i>Feature: Pro Bono—Paralegals Who Work for Nothing</i>	128
CHAPTER 5 PARALEGAL ASSOCIATIONS	130
Introduction	131
<i>Paralegal Profile: Sharon K. Engel</i>	131
National Paralegal Associations	132
State And Local Paralegal Associations	136
Paralegal Associations and Legal Ethics	138
Benefits of Association Membership	142
Other Associations of Interest to Paralegals	144

<i>Focus on Ethics: Maintaining Integrity and Public Respect for the Legal Profession</i>	146
Career Track	148
Glossary	148
<hr/>	
<i>Feature: Guidelines for Utilizing Paralegals</i>	150
CHAPTER 6 PARALEGAL REGULATION	153
Introduction	154
<i>Paralegal Profile: Shelby Schreck-Beck</i>	154
Types of Paralegal Regulation	155
Arguments for Regulation	158
Arguments Against Regulation	161
The ABA's Position	162
The NFPA's Position	163
The NALA'S Position	165
Developments Across the Nation	167
<i>Focus on Ethics: Paralegals and the Unauthorized Practice of Law</i>	170
Summary	173
Career Track	173
Glossary	174
<hr/>	
<i>Feature: Stress Management</i>	176
CHAPTER 7 SKILLS AND PERSONAL TRAITS OF SUCCESSFUL PARALEGALS	178
Introduction	179
<i>Paralegal Profile: Kelly Walter McKee</i>	179
Skills Important to All Paralegals	180
Character and Personality Traits of Effective Paralegals	197
<i>Focus on Ethics: Competence and Diligence</i>	199
Career Track	200
Glossary	201
<hr/>	
<i>Feature: Need a Job . . . Get an Attitude!</i>	203
CHAPTER 8 YOUR JOB SEARCH	205
Beginning Your Search	206
Researching Potential Employers	215
Your Resume	217
The Interview	227
Summary	233
Career Track	234
Glossary	236

Appendix A: State Adopted Definitions of the Terms <i>Paralegal</i> and <i>Legal Assistant</i>	239
Appendix B: How to Choose a Paralegal Program	250
Appendix C: Directory of Paralegal Associations	255
Appendix D: NALA's Model Standards and Guidelines for Utilization of Legal Assistants	272
Appendix E: National Federation of Paralegal Associations, Inc. Model Code of Ethics and Professional Responsibility and Guidelines for Enforcement	284
Appendix F: Sample Resumes	294
Appendix G: Sample Cover Letters	305
Glossary	309
Index	315

CHAPTER 1

The Paralegal Profession

PARALEGAL PROFILE: CRISTI A. MALONE

PARALEGAL AND LEGAL ASSISTANT DEFINED

- Other Relevant Titles Defined
- The Many Functions of Paralegals

THE HISTORY AND EVOLUTION OF THE PARALEGAL PROFESSION

- The Beginning
- The Evolution of the Paralegal Profession
- Reasons for the Continued Growth of the Paralegal Profession

THE FUTURE OF THE PARALEGAL PROFESSION

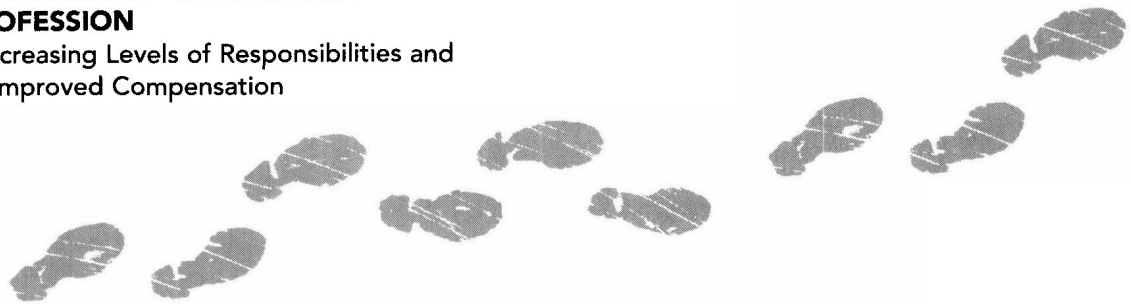
- Increasing Levels of Responsibilities and Improved Compensation

- More Emphasis on Specialization
- State Regulation
- Increasing Use of Technology
- Increasing Use of Contract and Temporary Paralegals
- New Opportunities for Paralegals in Alternative Dispute Resolution

FOCUS ON ETHICS: THE IMPORTANCE OF LEGAL ETHICS

CAREER TRACK

GLOSSARY



“Teachers open the door, but you must enter by yourself.”

CHINESE PROVERB

The paralegal profession is one of the fastest growing and most dynamic professions in the United States. In the 1980s, the U.S. Department of Labor proclaimed the paralegal profession *the* fastest growing profession in the country and predicted that there would be 100,000 paralegals in the United States by the beginning of the new century. In fact, according to the latest statistics, there are currently nearly 130,000 paralegals employed in the United States.¹ In addition, the Bureau of Labor Statistics predicts that the paralegal profession will continue to grow at a *much faster than average* rate, at least through the year 2006 (Figure 1-1).

Attorneys have benefited from the growth of the profession because paralegals assist them in offering affordable, quality legal services to clients. Paralegals have benefited because the profession offers well-paid, interesting, and rewarding work. In addition, the public has benefited because paralegals have made quality legal services more available and more affordable. To fully understand the nature of the paralegal profession and the contributions paralegals have made to the work force and to society, it is helpful to have an understanding of what a paralegal does and to have some

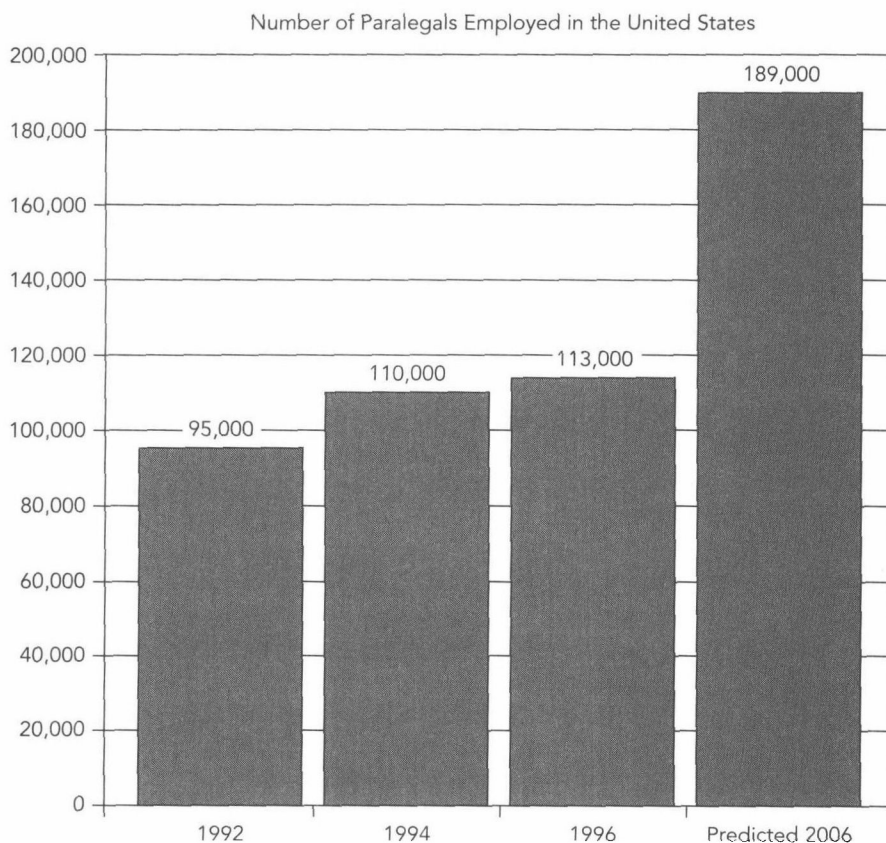


FIGURE 1-1
*Growth of the
Paralegal Profession*
(From the Statistical
Abstract of the
United States [1995,
1996, 1998])