

North Carolina Certified Paralegal

A PRIMER FOR ATTORNEYS

The paralegal profession has seen significant and progressive growth since its birth in the mid-1960s. Paralegals no longer work just in traditional environments such as law firms and governmental agencies. The profession is expanding into corporate legal departments, paralegal teaching positions, freelance paralegal services, and paralegal management positions. Paralegals are also applying their paralegal skills to other careers. The profession is no longer considered a stepping-stone to law school. Furthermore, the days of paralegals working without formal education are steadily declining.

The majority of paralegals work under the supervision of licensed attorneys doing substantive legal work. Attorneys in most states are required to complete three years of formal schooling in addition to a bachelor's degree. After they have completed this training, the State of North Carolina has deemed it necessary for most prospective attorneys to take a "bar exam" which tests the familiarity of prospective attorneys with legal theory and the laws of North Carolina. As society has determined that the law is so important that extensive and specialized training is necessary to perform substantive legal work, it seems equally important that if paralegals are also doing substantive legal work, they should also have education, training, and continuing education standards. This is one of the reasons for the adoption of the Plan for Certification of Paralegals ("Plan.")

The Plan was adopted by the NC State Bar and approved by the NC Supreme Court in 2004. The Plan is a *voluntary* certification program that allows paralegals to use the title "North Carolina Certified Paralegal" ("NCCP") once they are certified.

In order to qualify as a North Carolina Certified Paralegal, a paralegal must have a minimum level of paralegal education and pass a certification exam. NCCP's will also have to annually complete six hours of continuing education including one hour of legal ethics.

The Plan will make the hiring process easier for attorneys. Although the Plan is voluntary, it does give the attorney a much-needed benchmark to assist them in their hiring practices. Attorneys will know that if a paralegal is a North Carolina Certified Paralegal, she/he has a minimum level of education and regularly attends continuing paralegal/legal education programs or courses.

North Carolina Certified Paralegals will be aware of changes in the law. NC Certified Paralegals are required to attend six hours of CLE each year including one hour of legal ethics. NC Certified Paralegals will therefore be keeping abreast of changes in the law. An educated, certified paralegal who is keeping up-to-date on legal changes would be able to provide a better work product to the attorney and a better service to the client.

Clients will appreciate that your staff is well trained and professional. Members of the public indirectly rely on the work performed by paralegals and many times directly rely upon information given to them by paralegals. Current and prospective clients will understand that having a NC Certified Paralegal working on their legal matter means that you recognize and appreciate the importance of their case by hiring educated, trained, professional paralegals.

Attorneys can still hire whomever they chose to work as a paralegal. The Plan will not prevent attorneys from hiring whomever they wish to work in their law office, corporation, non-profit organization or government agency. However, they will not be able to identify or refer to the employee as a NC Certified Paralegal or one of the other titles in the Plan unless the paralegal is certified.

North Carolina Certified Paralegals will not be competing with attorneys. The Plan does not change the Authorized Practice of Law statute. It does not expand the duties of paralegals; in fact, it is hoped that this plan will create ethical duties to further support the Authorized Practice of Law statute. The Plan continues to require paralegals to be supervised by an attorney unless authorized by law to provide services directly to the public (i.e. social security disability and patents).

If you want further information including a list of FAQ's or to view the entire Plan for Certification of Paralegals please visit <http://www.ncbar.com> or <http://www.nccertifiedparalegal.gov>